

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Docket

Thursday, December 7, 2023

6:00 PM

Council Chambers

Urban County Council

I. Roll Call**II. Invocation****III. Presentations**

- 0688-23** 50th Anniversary of LexTran
- 1167-23** Recognition of Lafayette Boys Soccer Team
- 1279-23** Retirement Recognition, Mike Nugent

IV. Ordinances – Second Reading

- 1. 1159-23** An Ordinance amending the Unclassified Civil Service authorized strength by abolishing two (2) unclassified positions of Administrative Specialist Senior, Grade 518N, and creating two (2) unclassified positions of Police and Fire Pension Benefit Specialist, Grade Z75, establishing a salary range for Grade Z75 with a grade minimum of \$27.536 hourly and a grade maximum of \$41.303 hourly and reallocating the incumbents, in the Dept. of Finance, effective October 23, 2023. [Div. of Human Resources, George]
- 2. 1212-23** An Ordinance amending Ordinance No. 072-2023 to change the designated funding for the Innovative and Sustainable Solutions to Homelessness Fund from an amount of “at least \$750,000” to an amount of “at least .3%” each fiscal year. [Council Office, Hall]
- 3. 1214-23** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$17,500 to provide funds for Council Capital Projects in the Div. of Streets and Roads, and appropriating and re-appropriating funds, Schedule No. 28. [Div. of Budgeting, Lueker]
- 4. 1228-23** An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone, for 0.56 net (0.79 gross) acres, for property located at 220, 224, 226, 228 E. Seventh Street and 628 Maple Street. (Lexington Habitat for Humanity; Council District 1). Approval 10-0 (**To Be Heard by January 24, 2024**) [Div. of Planning, Duncan]

5. **1231-23** An Ordinance amending Articles 1-11, 3-12, 3-13, 8-1(c)(8), 8-2(c)(8), 8-3(c)(8) and 8-5(c)(2) of the Zoning Ordinance to update the definitions and restrictions regarding second kitchens, accessory living quarters and Accessory Dwelling Units. (ADU'S) (Urban County Planning Commission). Approval of the Staff Alternative 7-3 [Div. of Planning, Duncan]

6. **1236-23** An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Lexington Center Business (B-2b) zone, for 0.1338 net (0.1911 gross) acres, for property located at 416 and 418 W. Maxwell St. (214 Waller Avenue, LLC; Council District 11). Conditional Approval 10-0 (**To Be Heard By January 24, 2024**) [Div. of Planning, Duncan]

7. **1238-23** An Ordinance changing the zone from an Expansion Area Residential 2 (EAR-2) zone to a Community Center (CC) zone, for 5.64 net and gross acres, for property located at 3320 Feliciana Lane (a portion of) and 6810 Man O'War Boulevard (a portion of) (Meadow Oaks Farm, LLC; Council District 12). Approval 10-0 (**To Be Heard by January 24, 2024**) [Div. of Planning, Duncan]

8. **1239-23** An Ordinance changing the zone from a Single Family Residential (R-1B) zone and Planned Neighborhood Residential (R-3) zone to a Medium Density Residential (R-4) zone, for 7.556 net (8.197 gross) acres, for property located at 2156, 2176 and 2184 Liberty Rd. (Red Draw Development, LLC; Council District 6). Approval 10-0 (**To Be Heard by January 24, 2024**) [Div. of Planning, Duncan]

9. **1258-23** An Ordinance expanding and extending the Full Urban Services District #1 for the Urban County Government for the provision of street lighting, street cleaning, and garbage and refuse collection, to include the area defined as certain properties on the following streets: Angus Trail; Ash Rapids; Barleys Pass; Bay Shoals Dr.; Butterfield Way; Buttermilk Rd.; Calendula Rd.; Cravat Pass; Dockside Park; Eden Cove; Flying Ebony Dr.; Harrison Trace; Haywood Cove; Hollyhock Dr.; Huntly Place; Meadowlark Rd.; Night Heron Way; Peaks Mill Dr.; Squirrel Nest Lane; Stolen Horse Trace; Twilight Shadow Dr.; Wading Creek Trail; White Oak Trace; Windflower Way; Versailles Rd.; and Wyndham Hills Dr. [Dept. of Environmental Quality and Public Works, Albright]

10. **1259-23** An Ordinance expanding and extending Partial Urban Services District #3 for the Urban County Government for the provision of

- garbage and refuse collection, to include the area defined as certain properties on Liberty Rd. [Dept. of Environmental Quality and Public Works, Albright]
- 11. 1260-23** An Ordinance expanding and extending Partial Urban Services District #5 for the Urban County Government for the provision of street lighting and garbage and refuse collection, to include the area defined as certain properties on the following streets: Clemens Dr.; Langhorne Dr.; Neal Dr.; Quebec Way; Retrac Rd.; Sawyer Court; and Shirlee Dr. [Dept. of Environmental Quality and Public Works, Albright]
- 12. 1261-23** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$40,000 to provide funds for Council Capital Projects in the Divs. of Parks and Recreation and Environmental Services, and appropriating and re-appropriating funds, Schedule No. 29. [Div. of Budgeting, Lueker]
- 13. 1201-23** An Ordinance amending the authorized strength by abolishing seven (7) Classified Civil Service Positions of Heavy Equipment Technician, Grade 519N; abolishing three (3) Classified Civil Service Positions of Vehicle and Equipment Technician, Grade 517N; and abolishing one (1) Unclassified Civil Service Position of Project Manager, Grade 520N, all in the Div. of Facilities and Fleet Management, effective upon passage of Council. [Div. of Human Resources, George]
- 14. 1202-23** An Ordinance amending the authorized strength by abolishing two (2) Classified Civil Service Positions of Computer Analyst, Grade 521E; and creating two (2) Classified Civil Service Positions of Systems Analyst, Grade 523E, all in the Div. of Computer Services, effective upon passage of Council. [Div. of Human Resources, George]
- 15. 1203-23** An Ordinance amending the Unclassified Civil Service authorized strength by extending one (1) unclassified position of Accountant, Grade 518N, from June 30, 2024 to June 30, 2025, in the Div. of Grants and Special Programs, effective upon passage of Council. [Div. of Human Resources, George]
- 16. 1218-23** An Ordinance amending the authorized strength by abolishing one (1) Unclassified Civil Service Position of Administrative Officer Senior, Grade 526E, and creating one (1) Classified Civil Service Position of Software Developer Senior, Grade 525E, all

in the Div. of Computer Services, effective upon the passage of Council. [Div. of Human Resources, George]

17. **1271-23** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, FY 2024 Schedule No. 27. [Div. of Budgeting, Lueker]

V. Resolutions – Second Reading

1. **1157-23** A Resolution authorizing the Div. of Fire and Emergency Services to purchase maintenance services from ProCare Services Stryker, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with ProCare Services Stryker, related to the procurement, at a cost not to exceed \$54,537.19. [Div. of Fire and Emergency Services, Wells]
2. **1158-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Council Capital Project expenditure funds with the Community Inspired Lexington Inc. (\$2,000), for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Dept. of Social Services, Allen-Bryant]
3. **1160-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Council Capital Project expenditure funds with the Seedleaf, Inc. (\$13,000), for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Dept. of Social Services, Allen-Bryant]
4. **1174-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with the Lexington Ravens Youth Football Organization Corporation, granting the league the right to use Constitution Football Field for the regular season games and practice times in accordance with the terms of the Agreement. [Div. of Parks and Recreation, Conrad]
5. **1181-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Renewal Agreement with Anthem Health Plans of Ky., Inc., for administrative services, rates and fees within the Agreement, for the period beginning January 1, 2024 through December 31, 2024. [Div. of Human Resources, George]

- 6. 1185-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept additional Federal funds in the amount of \$3,675.00, and reduce State funds in the amount of \$6,081.00, for operation of the Lexington Senior Center in FY 2024, the acceptance of which obligates the Urban County Government to the expenditure of \$5,433.02 as a local match, and authorizing the Mayor to execute any additional Agreements or documents related to this matter and to transfer unencumbered funds within the Grant Budget. [Div. of Aging and Disability Services, Stambaugh]
- 7. 1186-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Modification No. 1 to an Agreement with the Commonwealth of Ky. Dept. of Military Affairs, Div. of Emergency Management, for the emergency generator project at Lexington Fayette Animal Care and Control (LFACC), extending the period of performance to June 30, 2034, and to include additional language to the agency terms and conditions. [Div. of Emergency Management, Dugger]
- 8. 1190-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with United States Secret Service, for reimbursement of costs. [Div. of Police, Weathers]
- 9. 1191-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement (awarded pursuant to RFP No. 44-2023) with Tetra Tech, Inc., for services related to the Leachate Treatment System Improvement Project at Haley Pike Landfill, at a cost not to exceed \$743,000 in FY 2024. [Div. of Environmental Services, Carey]
- 10. 1213-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Sisters & Supporters Working Against Gun Violence, Inc. (\$1,650); Southern Elementary PTA, Inc. (\$450); United Way of the Bluegrass, Inc. (\$1,450); A Caring Place, Inc. (\$1,250); Project Kids 1st, LLC (\$2,550); Bryan Station Neighborhood Community, Inc. (\$1,000); and Wiseguys Urban Uplift Foundation, LLC (\$750), for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Council Office, Hall]

- 11. 1248-23** A Resolution expressing the intent to accept Maddox Lane as a public street, such acceptance being subject to completion of street improvements to bring Maddox Lane to an acceptable standard and subject to sufficient funds being appropriated for this purpose; and contingent upon recording an amended final record plat to dedicate Maddox Lane as public right-of-way. [Council Office, Hall]
- 12. 1249-23** A Resolution designating the speed limit on East Tiverton Way as 25 miles per hour, and designating the speed limit on Camelot Dr., between Wilson Downing Rd. and Belleau Wood Dr., as 25 miles per hour, and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with these designations. [Council Office, Hall]
- 13. 1196-23** A Resolution accepting the bid of Connhurst, LLC, in the amount of \$2,179,875 for East Third & Ohio Stormwater and Sanitary Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Connhurst, LLC, related to the bid. (4 Bids, Non-Low) [Martin]
- 14. 1246-23** A Resolution accepting the bid of Hydromax USA, LLC, in the amount of \$172,618, for Capacity Assurance Temporary Flow Monitoring, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Hydromax USA, LLC, related to the bid. (3 Bids, Low) [Martin]
- 15. 1247-23** A Resolution accepting the bid of Chambers Painting Contracting, LLC, in the amount of \$83,170, for painting at Family Care Center, for the Dept. of Social Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Chambers Painting Contracting, LLC. (2 Bids, Low) [Allen-Bryant]
- 16. 1268-23** A Resolution accepting the bid of Buchanan Contracting, Inc., in the amount of \$899,680.45, for Annual Sanitary Sewer Cleaning and Inspection, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Buchanan Contracting, Inc., related to the bid. (9 Bids, Low) [Martin]
- 17. 1262-23** A Resolution ratifying the Permanent Classified Civil Service Appointments of: Kaleigh Scofield, Accounts Payable Assistant, Grade 510N, \$17.213 hourly in the Div. of Accounting, effective

November 22, 2023, Isaiah Smith, Public Service Worker Sr., Grade 510N, \$19.754 hourly in the Div. of Streets and Roads, effective November 5, 2023, Judith Cox, Assistant Records Custodian, Grade 514N, \$22.241 hourly in the Dept. of Public Safety, effective October 10, 2023, Ryan Combs, Grants Compliance Officer Sr., Grade 519N, \$28.698 hourly in the Div. of Grants and Special Programs, effective November 22, 2023, Ersula Killens, Administrative Specialist Principal, Grade 520N, \$29.997 hourly in the Div. of Grants and Special Programs, effective November 8, 2023. [Div. of Human Resources, George]

- 18. 1179-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute nine Community Project Agreements (RFP No. 37-2023), to be paid with Grant funds awarded under the Nonprofit Capital Grant Program--facilities improvements, with Carnegie Center for Literacy and Learning (\$40,000), Central Music Academy (\$41,750), Foodchain, Inc. (\$55,000), Gleanings Housing, Inc. (\$34,954), Lexington Housing for the Handicapped (\$55,000), Living Arts and Science Center (\$16,500), Mission Lexington (\$11,885), New Life Day Center (\$47,861), and Shepherd's House (\$45,280), and authorizing the Mayor, or her designee, to execute any other necessary amendments, addenda, or other documents with these entities related to these funds. [Council Office, Hall]
- 19. 1180-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute six Community Project Agreements (RFP No. 37-2023), to be paid with Grant funds awarded under the Nonprofit Capital Grant Program--Operational Investments, with Foodchain, Inc. (\$25,000), Gleanings Housing, Inc. (\$16,514), Goodwill Industries of Ky. (\$25,000), Lexington Hearing and Speech Center (\$25,000), Mission Health Lexington (\$15,556), and YMCA of Central Ky. (\$24,000), and authorizing the Mayor, or her designee, to execute any other necessary amendments, addenda, or other documents with these entities related to these funds. [Council Office, Hall]
- 20. 1188-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation in the amount of \$33,139.70 from Friends of Raven Run, for the Grant match for the Land and Water Conservation Fund Grant. [Div. of Parks and Recreation, Conrad]

- 21. 1194-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement (awarded pursuant to RFP No. 41-2023) with GRW Engineers, Inc., for services related to the Town Branch Wastewater Treatment Plant Dewatering Pump Station Improvement Project, for the Div. of Water Quality, at a cost not to exceed \$347,700. [Div. of Water Quality, Martin]
- 22. 1199-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 30-2023) with Davis H. Elliot Construction Co., Inc., for underground utility locating services for the Div. of Traffic Engineering, at a cost not to exceed \$110,000. [Div. of Traffic Engineering, Neal]
- 23. 1204-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 2 to an Agreement with Gresham Smith for the completion of a Phase II Archeological Site Study for the Legacy Business Park Project, increasing the Contract price by the sum of \$282,528, to be paid with funds awarded under the American Rescue Plan Act (ARPA), and raising the total Contract price from \$2,265,682 to \$2,548,210. [Mayor's Office, Bencz]
- 24. 1205-23** A Resolution authorizing the Div. of Police to purchase software license renewal from Cellebrite Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Cellebrite Inc., related to the procurement, at a cost not to exceed \$13,170. [Div. of Police, Weathers]
- 25. 1206-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Liturgical Publications, Inc. (LPI) for design layout and printing of the Lexington Senior Center monthly newsletter, at no cost to the Urban County Government. [Div. of Aging and Disability Services, Stambaugh]
- 26. 1207-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with CentralSquare Technologies LLC, for managing the False Alarm Ordinance. [Div. of Police, Weathers]
- 27. 1208-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Downtown Lexington Corporation

d/b/a Downtown Lexington Partnership (DLP), to assist the organization with the development of a Downtown Lexington Partnership Strategic Plan and Pre-Downtown Vision Plan, at a cost not to exceed \$20,000. [Mayor's Office, Atkins]

- 28. 1209-23** A Resolution authorizing the Div. of Water Quality to purchase maintenance services from B.L. Anderson Co., Inc., a sole source provider, for repairs at the West Hickman Wastewater Treatment Plant, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with B.L. Anderson Co., Inc. related to the procurement, at a cost not to exceed \$44,372. [Div. of Water Quality, Martin]
- 29. 1216-23** A Resolution authorizing payment in the amount of \$49,500 to the Commonwealth of Ky., Ky. State Treasurer, and \$49,500 to the United States Dept. of Justice, as stipulated penalties under the Consent Decree, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute any necessary documents related to the payment. [Div. of Water Quality, Martin]
- 30. 1217-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. Board of Emergency Medical Services, for continuation of the Community Paramedicine Program. [Div. of Fire and Emergency Services, Wells]
- 31. 1219-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Council Capital Project Expenditure Funds with United Way of the Bluegrass (\$40,500), for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Dept. of Social Services, Allen-Bryant]
- 32. 1220-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a multi-year Agreement with Interpersonal Frequency, pursuant to RFP No. 36-2023, for services related to the redesign and the provision of a new content management system and hosting platform for Lexington-Fayette Urban County Government's public website, at a cost not to exceed \$399,708 in Fiscal Year 2024. [Dept. of Information Technology, Rodgers]
- 33. 1233-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a volunteer site

information sheet and any related documents, for the provision of the 2024 Volunteer Income Tax Assistance Program at the Charles Young Center, at no cost to the Urban County Government. [Dept. of Social Services, Allen-Bryant]

- 34. 1234-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Career Edge LLC, allocating \$100,000 of Federal Grant funds awarded pursuant to the American Rescue Plan Act of 2021 (ARPA) for a cloud-based online career services learning management system for residents, and authorizing the Mayor to execute any other necessary Agreements or amendments with Career Edge, LLC related to the use of these funds. [Mayor's Office, Glasscock]
- 35. 1235-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Agreement with Bluegrass Contracting Corporation, for the Rosemont Garden Sidewalk Project, increasing the Contract price by \$88,993.15 and raising the total Contract price to \$652,193.15. [Div. of Engineering, Burton]
- 36. 1237-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 9 to the Agreement with ATS Construction, for the Town Branch Trail Phase 6, increasing the Contract price by \$451,896.42 and raising the total Contract price to \$6,144,424.79. [Div. of Engineering, Burton]
- 37. 1240-23** A Resolution establishing Emergent as a sole source provider of nasal Narcan for United States Substance Abuse and Mental Health Services Administration (SAMSHA) FY2022 First-Responders Comprehensive Addiction and Recovery Support Services Act Grant for Year 2 continuation of the Expanded First Responders and Community Partners Overdose Prevention Project (EFRCPOPP), for the Dept. of Social Services, and authorizing the Mayor, or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with emergent related to the procurement of these goods, at a cost not to exceed \$66,880. [Dept. of Social Services, Allen-Bryant]
- 38. 1241-23** A Resolution establishing Emergent as a sole source provider of nasal Narcan for the Comprehensive Opioid, Stimulant, and Substance Use Program for Year 1 of the Community Paramedicine Overdose Outreach Lexington (CPOOL) Project,

for the Div. of Fire and Emergency Services, and authorizing the Mayor, or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Emergent related to the procurement of these goods, at a cost not to exceed \$71,250. [Div. of Fire and Emergency Services, Wells]

- 39. 1242-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from DNA Labs International of two forensic DNA case reviews, for use at the Div. of Police. [Div. of Police, Weathers]
- 40. 1244-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Hope Center, Inc., the final form of which shall be subject to approval of the Dept. of Law, in order to provide an additional \$693,657 for Temporary Winter Warming Shelters, located on property owned by the Young Men's Christian Association of Central Ky., Inc. (YMCA), and to execute any necessary amendments or addenda to any Agreements with the YMCA and/or the Hope Center, Inc., related to this project. [Office of Homelessness Prevention and Intervention, Herron]
- 41. 1245-23** A Resolution establishing Sandoval Custom Creations, Inc., as a sole source provider for the purchase of Multi-Use Platform System Equipment, for the Div. of Police, and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Sandoval Custom Creations, Inc., related to the procurement of these goods, at a cost not to exceed \$46,705. [Div. of Police, Weathers]
- 42. 1251-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Administrative Services Agreement with Anthem Health Plans of Ky., Inc. for administrative services, rates and fees within the Agreement for the 2023 Plan year. [Div. of Human Resources, George]
- 43. 1252-23** A Resolution authorizing the Div. of Police to purchase maintenance and support for an automated fingerprint identification system from Idemia Identity & Security USA LLC, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Idemia Identity & Security USA LLC, related to the procurement, at a cost not to exceed \$10,302. [Div. of Police, Weathers]

- 44. 1276-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Sisters & Supporters Working Against Gun Violence, Inc. (\$800) and Greater Gardenside association, LLC (\$750), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Hall]

VI. Fire/Police Discipline - NO

VII. Announcements

VIII. Public Comments

Adjournment