

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, March 19, 2024

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Lexington-Fayette Urban County Council
Schedule of Meetings
March 18 – March 25, 2024**

Monday, March 18

No Meetings

Tuesday, March 19

Budget, Finance & Economic Development Committee.....1:00 p.m.
Government Center, Council Chamber, 2nd Fl.

Council Work Session.....3:00 p.m.
Government Center, Council Chamber, 2nd Fl.

Wednesday, March 20

Access Lexington Commission.....10:30 a.m.
Lexington Senior Center, 195 Life Lane | [Zoom Video Teleconference](#),
Meeting ID: 811 6185 3811, Passcode: 992802

Thursday, March 21

Corridors Commission.....12:00 p.m.
Lexington Public Library, Marksbury Family Branch, 2197 Versailles Rd.

Waste Digester Task Force.....1:30 p.m.
Government Center, Council Caucus Room, 2nd Fl.

Council Meeting.....6:00 p.m.
Government Center, Council Chamber, 2nd Fl.

Friday, March 22

No Meetings

Monday, March 25

No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
March 19, 2024

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval- Yes**
- III. Approval of Summary- Yes, pp. 1 - 2**
 - a.** Table of Motions: Council Work Session, March 12, 2024
- IV. Budget Amendments- Yes, pp. 3 - 5**
- V. Budget Adjustments - For Information Only- Yes, pp. 6 - 8**
- VI. New Business- Yes, pp. 9 - 22**
- VII. Continuing Business/ Presentations- Yes**
 - a.** Neighborhood Development Funds, March 19, 2024, p. 23
 - b.** Council Capital Projects, March 19, 2024, p. 24
 - c.** Summary: Budget, Finance, and Economic Development Committee, February 27, 2024, pp. 25 - 26
 - d.** Presentation: National Social Work Month, p. N/A
 - e.** Presentation: Medicinal Cannabis Legislation, pp. 27 - 34
- VIII. Council Reports**
- IX. Mayor's Report- Yes, p. N/A**
- X. Mayor's Report - Price Contract Bid Recommendations- Yes, p. 35**
- XI. Public Comment - Issues Not on Agenda**
- XII. Adjournment**

Administrative Synopsis - New Business Items

- a. **0264-24** Authorization to execute Memorandum of Understanding with Lexington Convention and Visitors Center A/K/A VisitLex to collaborate and share costs for an Assessment of the existing Wayfinding Signs. LFUCG and VisitLex will split the cost of the Assessment 50/50. LFUCG's cost is not to exceed \$14,600 for the assessment. (L0264-24) (Dugas/Albright), p. 9
- b. **0265-24** Authorization to establish a sole source provider contract with Atlantic Emergency Solutions for proprietary parts and repair of Pierce Manufacturing fire apparatus. (L0265-24) (Wells/Armstrong), p. 10
- c. **0266-24** Authorization to approve a Sole Source purchase of replacement parts from HACH Company for the rehabilitation of dissolved oxygen monitoring equipment at West Hickman WWTP. The cost of the replacement parts is not to exceed \$61,286.40. Funds are budgeted. (L0266-24) (Martin/Albright), p. 11
- d. **0267-24** Authorization to approve a Sole Source purchase of replacement parts and diagnostic from Southern Sales for 4 Sulzer Blowers located at West Hickman WWTP, at a cost not to exceed \$104,925.00. Funds are budgeted. (L0267-24) (Martin/Albright), p. 12
- e. **0275-24** Authorization to execute a Letter of Agreement with the Commission on Fire Accreditation International (CFAI) formalizing the commitment to maintaining accredited status and following CFAI standards and requirements, at an estimated cost of \$8,000, encompassing annual dues and continuous training expenses. Funds are requested in the FY 2025 budget. (L0275-24) (Wells/Armstrong), p. 13
- f. **0278-24** Authorization to execute a Concession Agreement with the Oakwood Neighborhood Association for the management and operation of the Oakwood Neighborhood Park Center, located at 1050 Briarwood Drive, for a term of two (2) years, with automatic renewal for a two (2) year period. The neighborhood association is eligible for financial stipends and allowances up to \$6,000 per year. Funds requested in the FY 2025 budget. (L0278-24) (Conrad/Ford), p. 14
- g. **0279-24** Authorization to execute a Concession Agreement with the Cardinal Valley Park Activity Board, Inc. for the management and operation of the Cardinal Valley Neighborhood Park Center, located at 2077 Cambridge Drive, for a term of two (2) years, with automatic renewal for a two (2) year period. The neighborhood association is eligible for financial stipends and allowances up to \$6,000 per year. Funds requested in the FY 2025 budget. (L0279-24) (Conrad/Ford), p. 15

- h. 0280-24** Authorization to execute a Concession Agreement with the Meadowthorpe Neighborhood Association for the management and operation of the Meadowthorpe Neighborhood Park Center, located at 333 Larch Lane, for a term of two (2) years, with automatic renewal for a two (2) year period. The neighborhood association is eligible for financial stipends and allowances up to \$6,000 per year. Funds requested in the FY 2025 budget. (L0280-24) (Conrad/Ford), p. 16
- i. 0285-24** Authorization to approve a Second Material Modification to the Consent Decree, extending the full compliance deadline from December 31, 2026 to December 31, 2030. This modification would amend Paragraph 15.G (vii) of the Consent Decree so that the final deadline for all remedial measures capital construction projects is no later than December 31, 2030. No budgetary impact. (L0285-24) (Martin/Albright), p. 17
- j. 0286-24** Authorization to execute an Engineering Service Agreement with Prime AE in the amount of \$424,619 for design of the North Limestone Improvements Project, from mid-block between Fairlawn Avenue and Withers Avenue to New Circle Road. Funds are budgeted. (L0286-24) (Burton/Albright), pp. 18 - 19
- k. 0287-24** Authorization to submit a grant application to the Kentucky 911 Service Board in the amount of \$132,516.59 for the purchase of hardware, servers, project management, installation services, and shipping of the Geo-Diverse Solacom Host Controllers through its managed service provider, A.K. Associates, Inc. The Division of Enhanced 911 is responsible for the Central Kentucky 911 Network (CKy911net). A match of \$14,724.07 is required and requested in the FY 2025 Capital Fund Budget. (L0287-24) (Patton/Armstrong), pp. 20 - 21
- l. 0289-24** Authorization to execute a Concession Agreement with the Pralltown Neighborhood Association for the management and operation of the Pralltown Neighborhood Park Center, located at 190 Prall Street, for a two (2) year term, with an automatic renewal period of two (2) years. The neighborhood association is eligible for financial stipends and allowances, up to \$6,000 per year. Funds have been requested in the FY 2025 Budget. (L0289-24) (Conrad/Ford), p. 22

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
March 12, 2024**

Vice Mayor Wu called the meeting to order at 3:00 p.m. Council Members J. Brown, Ellinger II, Fogle, Lynch, LeGris, Monarrez, Sheehan, Gray, Worley, F. Brown, Baxter, Sevigny, Reynolds, and Plomin were present. Mayor Gorton was absent.

- I. Public Comment – Issues on Agenda
- II. Requested Rezonings/Docket Approval
- III. Approval of Summary

Motion by Ellinger II to approve the March 5, 2024 Work Session Summary. Seconded by Gray. Motion passed without dissent.

- IV. Budget Amendments
- V. Budget Adjustments – For Information Only
- VI. New Business

Motion by Plomin to approve New Business. Seconded by Gray. Motion passed without dissent.

- VII. Continuing Business/Presentations

Sheehan provided the summary for the February 6, 2024 Environmental Quality & Public Works Committee and a partial summary for the March 12, 2024 Environmental Quality & Public Works Committee.

Motion by Sheehan to place on the docket for the March 21, 2024 council meeting, a resolution establishing a grant program to be known as the Lex Grow Trees Grant Program and providing for its purpose and objectives; approving and adopting guidelines for the Lex Grow Trees Grant Program; and providing for the authority of the Tree Canopy Ad Hoc Committee over the Lex Grow Trees Grant Program, at a total cost not to exceed \$1,000,000.00. Seconded by LeGris. Motion passed without dissent.

- VIII. Council Reports
- IX. Mayor's Report
- X. Mayor's Report – Price Contract Bid Recommendations
- XI. Public Comment – Issues Not on Agenda

XII. Adjournment

Meeting adjourned by Vice Mayor Wu at 3:30 p.m.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	146564-65	DIVISION	Traffic Engineering	Fund Name	General Fund	
				Fund Impact		26,769.13
						26,769.13CR
						.00

To provide funds for Operating Supplies and Expenses, Professional Services, Street Light Construction and Kentucky Avenue Speed tables by recognizing revenue received for these purposes.

JOURNAL	146597-98	DIVISION	Engineering	Fund Name	General Fund	
				Fund Impact		200.00
						200.00CR
						.00

To provide funds for Quarry Occupancy Renewal inspection by recognizing revenues for this purpose.

JOURNAL	146599-00	DIVISION	Fire and Emergency Services	Fund Name	General Fund	
				Fund Impact		15,000.00
						15,000.00CR
						.00

To provide funds for accreditation by recognizing additional miscellaneous revenues for reimbursements.

JOURNAL	146601-02	DIVISION	Fire and Emergency Services	Fund Name	General Fund	
				Fund Impact		15,000.00
						15,000.00CR
						.00

To provide funds for overtime by recognizing miscellaneous revenue for overtime reimbursements.

JOURNAL	146706-07	DIVISION	Office Of The Mayor	Fund Name	Donation Fund	
				Fund Impact		10,000.00
						10,000.00CR
						.00

To provide funds for the One Lexington annual scholarship by recognizing a donation.

JOURNAL	146714-15	DIVISION	Parks and Recreation	Fund Name	Donation Fund	
				Fund Impact		32,500.00
						32,500.00CR
						.00

To provide funds for bench installation at Davis Park and accessible recreation at Cardinal Run North by recognizing donations for these purposes.

JOURNAL	146522	DIVISION	Community Corrections	Fund Name	General Capital Fund	
				Fund Impact		40,000.00
						40,000.00CR
						.00

To provide funds for purchase of metal detectors by decreasing funds for remaining for Corrections projects that are no longer needed.

JOURNAL	146603-04	DIVISION	Streets and Roads	Fund Name	General Capital Fund
				Fund Impact	380,288.53
					380,288.53CR
					.00

To provide funding for paving by recognizing revenues received for Paving Cost Share program from utilities.

JOURNAL	146730	DIVISION	Environmental Quality & Public Works Admin	Fund Name	Coal Severance Fund
				Fund Impact	14,600.00
					.00CR
					14,600.00

To provide funds to conduct an assessment for the Wayfinding Signs as a cost share with VisitLex. Funding was remaining in FY 2023 but the project was not far enough along to carry forward in to FY 2024 on a purchase order.

JOURNAL	146708	DIVISION	Grants and Special Programs	Fund Name	US Dept of Treasury
				Fund Impact	25,876.05
					25,876.05CR
					.00

To reallocate funds from American Rescue Plan Act (ARPA) State and Local recovery funds from Parks Administration accounts to the ARPA River Hill Pickleball Project.

JOURNAL	146743	DIVISION	Grants and Special Programs	Fund Name	US Dept of Treasury
				Fund Impact	101,423.00
					101,423.00CR
					.00

To reallocate American Rescue Plan Act (ARPA) State and Local Recovery Funds from the Harrodsburg Trail to Dunbar Community Center. This adjustment is needed to accommodate additional flooring expenses at Dunbar as well as to address ARPA deadlines.

JOURNAL	146585-86	DIVISION	Grants and Special Programs	Fund Name	Grants - Other
				Fund Impact	1,000.00
					1,000.00CR
					.00

To establish a grant budget for Reforest the Bluegrass from Bass Pro Shops/Cabela's - FY 2024.

JOURNAL	146526	DIVISION	Water Quality	Fund Name	Sanitary Sewer Fund
				Fund Impact	75,000.00
					75,000.00CR
					.00

To provide funds for Overtime and Operating Supplies by decreasing funds for remodeling.

JOURNAL	146532	DIVISION	Water Quality	Fund Name	Sewer Construction
				Fund Impact	3,225,789.35
					3,225,789.35CR
					.00

To reallocate funds remaining for various project and increase funds for Wolf Run Trunk G Remedial Measures project.

JOURNAL	146741	DIVISION	Water Quality	Fund Name	Sewer Construction
				Fund Impact	219,127.54
					219,127.54CR
					.00

To move savings from completed projects to cover increased paving expenses as required for the sanitary sewer rehabilitation program.

JOURNAL	146732-33	DIVISION	Finance	Fund Name	PFC - General Fund
				Fund Impact	351,000.00
					351,000.00CR
					.00

To increase revenue and expense budgets for the Kentucky Theatre to accurately reflect current year trends in both accounts.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	.00
1103	Donation Fund	.00
1105	General Fund Capital Projects	.00
1139	Coal Severance Fund	14,600.00
3230	US Department of Treasury	.00
3300	Grants - Other	.00
4002	Sanitary Sewer Revenue and Operating Fund	.00
4003	Sanitary Sewer Construction Fund	.00
4022	PFC - General Fund	.00

FOR INFORMATION ONLY

BUDGET ADJUSTMENT LIST
APPROVED FEBRUARY 26 THROUGH MARCH 8, 2024

JOURNAL	146502	DIVISION	Planning	Fund Name	General Fund
				Fund Impact	94,228.00
					94,228.00CR
					.00

To adjust grant match for SLX - FY 2024 into the correct account based on divisions performing services for the grant.

JOURNAL	146527	DIVISION	Computer Services	Fund Name	General Fund
				Fund Impact	17,000.00
					17,000.00CR
					.00

To provide funds for OnBase scanning project in Computer Services by transferring funds from Enterprise Services.

JOURNAL	146530	DIVISION	Environmental Services	Fund Name	General Fund
				Fund Impact	1,300.00
					1,300.00CR
					.00

To provide funds for the safety equipment by reducing funds for renting or leasing equipment, all within Urban Forestry section.

JOURNAL	146550	DIVISION	Facilities and Fleet Management	Fund Name	General Fund
				Fund Impact	14,500.00
					14,500.00CR
					.00

To provide funding for preventative maintenance services on the Computer Room Air Conditioning units at the Government Center, Police Headquarters, Police Technical, Versailles Road Campus, and Public Safety Operations Center.

JOURNAL	146569	DIVISION	Finance	Fund Name	General Fund
				Fund Impact	18,000.00
					18,000.00CR
					.00

To provide funds for professional services in Finance Administration by reducing funds for professional services in other Finance divisions. These funds will allow for unplanned but necessary programming and upgrades to the Exactions Program database.

JOURNAL	146583	DIVISION	Finance	Fund Name	General Fund
				Fund Impact	1,265,766.00
					1,265,766.00CR
					.00

To reallocate budget from Contingency to divisions where expenses occurred in General Fund for lump and sick payouts through January, 2024.

FOR INFORMATION ONLY

FOR INFORMATION ONLY

JOURNAL	146709	DIVISION	Finance	Fund Name	General Fund	
				Fund Impact		7,800.00
						7,800.00CR
						.00

To provide funds for Software Maintenance in the Finance Department by reducing funds for training, travel, and professional services in various Finance divisions.

JOURNAL	146343	DIVISION	Environmental Services	Fund Name	Water Quality Mgmt Fund	
				Fund Impact		5,000.00
						5,000.00CR
						.00

To reallocate funds to cover expenses for Art by Nature Professional Services Contact.

JOURNAL	146531	DIVISION	Environmental Services	Fund Name	Water Quality Mgmt Fund	
				Fund Impact		900.00
						900.00CR
						.00

To provide funds for the purchase of safety items by reducing funds for renting or leasing equipment, all in the Administrative section.

JOURNAL	146584	DIVISION	Finance	Fund Name	Water Quality Mgmt Fund	
				Fund Impact		2,561.00
						2,561.00CR
						.00

To reallocate budget from Contingency to divisions where expenses occurred in Water Quality Management Fund for lump and sick payouts through January, 2024.

JOURNAL	146358	DIVISION	Grants and Special Programs	Fund Name	US Dept of Justice	
				Fund Impact		68,353.26
						68,353.26CR
						.00

To move funds from salary and fringe benefits into Overtime-CERS on Comprehensive Opioid, Stimulant, and Substance Abuse Program FY 2021.

JOURNAL	146390	DIVISION	Grants and Special Programs	Fund Name	US Dept of Homeland Sec	
				Fund Impact		30,600.00
						30,600.00CR
						.00

To move funds per grantor's reallocation of award on Chemical Stockpile Emergency Preparedness Program (CSEPP) - 2023.

FOR INFORMATION ONLY**BUDGET ADJUSTMENT SUMMARY**

1101	General Services District Fund	.00
3140	US Department of Justice	.00
3200	US Department of Homeland Security	.00
4051	Water Quality Management Fund	.00

FOR INFORMATION ONLY

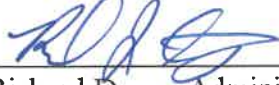
MAYOR LINDA GORTON



LEXINGTON

NANCY ALBRIGHT
COMMISSIONER
ENVIRONMENTAL QUALITY & PUBLIC WORKS

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Richard Dugas, Administrative Officer Sr.
Environmental Quality and Public Works

DATE: March 6, 2024

SUBJECT: Request authorization to execute Memorandum of Understanding with Lexington Convention and Visitors Center A/K/A VisitLex to collaborate and share costs for an Assessment of the existing Wayfinding Signs.

Request

Request authorization to execute Memorandum of Understanding with Lexington Convention and Visitors Center A/K/A VisitLex to collaborate and share costs for an Assessment of the existing Wayfinding Signs. LFUCG and VisitLex will split the cost of "the Assessment" 50/50.

Why are you requesting?

The existing Wayfinding Sign program was initiated in 2000 culminating in the installation of over ninety signs being installed in 2011. In the intervening thirteen years several signs have been damaged or destroyed. This joint effort will result in a complete inventory and condition assessment of all the existing sign. This assessment will form the basis for next steps for the Wayfinding Sign program.

What is the cost in this budget year and future budget years?

The cost of the assessment will be \$29,200 (\$14,600 LFUCG/\$14,600 VisitLex).
The results of the assessment will determine potential cost in future budget years.

Are the funds budgeted?

FY23 funding for Wayfinding but was not encumbered and moved to fund balance.
BA has been requested move funds back for this project: 1139-313101-3101-91614

Director/Commissioner Dugas / Albright



MAYOR LINDA GORTON



LEXINGTON

Jason G. Wells
Fire Chief

TO: Mayor Linda Gorton
FROM: Jason G. Wells, Fire Chief
DATE: March 6th, 2024
SUBJECT: Sole source certification for Atlantic Emergency Solutions

The Division of Fire and Emergency Services request authorization to establish a sole source provider contract with Atlantic Emergency Solutions for proprietary parts and repair of Pierce Manufacturing fire apparatus.

Why are you requesting? This vendor is the only dealer for Pierce Manufacturing, Inc in the state of Kentucky. The Fire Department possesses 22 fire apparatus from this manufacturer. Many parts that we utilize for in-house repairs are proprietary to Pierce and only available from Atlantic Emergency Solutions. As the dealer, their technicians have the training, experience, and access to technical information necessary to complete the more involved repairs and programming that is beyond the capabilities of our in house service shop.

Department needs this action completed because: Due to the large size of our Pierce fleet and the proprietary nature of the manufacturer, the \$40,000 limit on sole source goods and services is not enough to keep our fleet in good operating condition.

What is the cost in this budget year and future budget years?

The cost for this FY is: N/A

The cost for future FY is: N/A

Are the funds budgeted? Yes. These costs would come from existing, budgeted vehicle repair and maintenance accounts.

File Number: 265-24

Director/Commissioner: Wells/Armstrong



MAYOR LINDA GORTON



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

To: Mayor Linda Gorton
Urban County Council

From: 
Charles H. Martin, P.E., Director
Division of Water Quality

Date: March 4, 2024

Subject: Replacement of Dissolved Oxygen Monitoring Equipment
SOLE SOURCE

Request

The Division of Water Quality requests approval of a sole source purchase of replacement parts from Hach Company for the rehabilitation of dissolved oxygen monitoring equipment at West Hickman WWTP. The amount of the replacement parts is not to exceed \$61,286.40.

Purpose of Request

The purpose of this memorandum is to request approval to purchase replacement parts of dissolved oxygen monitoring equipment at West Hickman WWTP. Dissolved oxygen measurement and monitoring is critical to achieve treatment at the WWTP. Hach Company is the manufacturer of the monitoring equipment used at West Hickman WWTP and replacement parts are factory direct supply.

Cost in FY24

\$61,286.40

Are Funds Budgeted

Funds are budgeted in: 4002 303403 0001 91017

Director/Commissioner
Martin/Albright



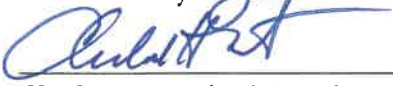
MAYOR LINDA GORTON



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Charles H. Martin, P.E., Director
Division of Water Quality

DATE: March 4, 2024

SUBJECT: Diagnostic and Replacement Parts for 4-Sulzer Blowers @ West Hickman WWTP

Request

The Division of Water Quality requests approval of a sole source purchase of diagnostic and repair for 4 Sulzer Blowers located at West Hickman WWTP in the amount of \$104,925.00.

Purpose of Request

The purpose of this memorandum is to request approval to purchase Sole Source parts and repair from 4-Sulzer Blowers located in zone 1 & zone 2 of Aeration. Southern Sales is the Sole Source provider in Kentucky & Tennessee.

Project Cost in FY24

\$104,925.00

Are the funds budgeted?

Fund are budgeted in:

4002-303403-0001-91017

Director/Commissioner

Martin/Albright



MAYOR LINDA GORTON



LEXINGTON

CHIEF JASON WELLS
LEXINGTON FIRE DEPT.

TO: Linda Gorton, Mayor
Urban County Council

FROM: Jason Wells, Fire Chief
Division of Fire and Emergency Services

DATE: March 07, 2024

RE: Letter of Agreement-Commission on Fire Accreditation International

Request: The Division of Fire and Emergency Services requests authorization for the Mayor or a designee, on behalf of the Urban County Government, to execute a Letter of Agreement with the Commission on Fire Accreditation International (CFAI) accepting the terms set forth for an accredited organization. These terms require adherence to CFAI policies, the appointment of an Accreditation Manager, timely submission of an Annual Compliance Report, payment of dues, and promotion of accreditation integrity while refraining from modifying Toolkit images.

Purpose of Request: The Commission on Fire Accreditation International (CFAI) awarded accredited status to the Lexington Fire Department on February 27, 2024. The accreditation is for five years and will expire on March 31, 2029. The agreement with the CFAI is to formalize the commitment of the Urban County Government, represented by the Lexington Fire Department, to maintain accredited status and adhere to the standards and requirements set forth by the CFAI.

Cost in this Budget year and future budget years: The budgetary effect for FY 2024 has been roughly \$20,000. It is anticipated that the forthcoming budget impact is estimated at \$8,000, encompassing annual dues and continuous training expenses.

Are the funds budgeted? Yes, 1101 505701 5701 71299

Advance Document Review:

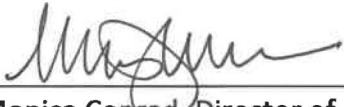
Law: Yes, Completed by Chris Eller, 03/05/2024

File Number: 0275-24

Director/Commissioner: Wells/Armstrong



TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Monica Conrad, Director of Parks & Recreation

DATE: March 7, 2024

SUBJECT: Neighborhood Park Center Concession Agreement
Oakwood Neighborhood Association

Request:

Request Council authorization to execute a Concession Agreement with the Oakwood Neighborhood Association for the management and operation of the Oakwood Neighborhood Park Center, located at 1050 Briarwood Drive.

Purpose:

Parks & Recreation has traditionally longstanding partnerships with neighborhood associations for the management and operation at neighborhood park center facilities. The Concession Agreement formally extends and further defines the partnership roles and responsibilities for community programming at the facility, through the guiding principles of 1) *Neighborhood Engagement and Activation*, and 2) *Shared Governance and Accountability*. The concession agreement allows for neighborhood associations to designate Center Keyholders, who manage public access and community programming, on behalf of the neighborhood association. Rental income is retained by the neighborhood association, solely for reinvestment in community programming and public benefit. Biannual financial reports are required for submission to Parks and Recreation. The neighborhood association will procure and maintain commercial general liability insurance in the amount of \$2 million, as well as worker's compensation insurance. Parks and Recreation will be responsible for utility and capital improvement costs at the facility. The initial term of the agreement is for 2 years, with an automatic renewal for an additional 2 years.

Budgetary Implication:

The neighborhood association is eligible for financial stipends and allowances, up to a total of \$6,000 per year. Funds have been requested in the FY 25 budget.

File Number: 0278-24

Director / Commissioner: Monica Conrad / Chris Ford





TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Monica Conrad, Director of Parks & Recreation

DATE: March 7, 2024

SUBJECT: Neighborhood Park Center Concession Agreement
Cardinal Valley Park Activity Board, Inc.

Request:

Request Council authorization to execute a Concession Agreement with Cardinal Valley Park Activity Board, Inc. for the management and operation of the Cardinal Valley Park Center, located at 2077 Cambridge Drive.

Purpose:

Parks & Recreation has traditionally longstanding partnerships with park activity boards for the management and operation at neighborhood park center facilities. The Concession Agreement formally extends and further defines the partnership roles and responsibilities for community programming at the facility, through the guiding principles of 1) Neighborhood Engagement and Activation, and 2) Shared Governance and Accountability. The concession agreement allows for park activity boards to designate Center Keyholders, who manage public access and community programming, on behalf of the park activity board. Rental income is retained by the park activity board, solely for reinvestment in community programming and public benefit. Biannual financial reports are required for submission to Parks and Recreation. The park activity board will procure and maintain commercial general liability insurance in the amount of \$2 million, as well as worker's compensation insurance. Parks and Recreation will be responsible for utility and capital improvement costs at the facility. The initial term of the agreement is for 2 years, with an automatic renewal for an additional 2 years.

Budgetary Implication:

The neighborhood association is eligible for financial stipends and allowances, up to a total of \$6,000 per year. Funds have been requested in the FY 25 budget.

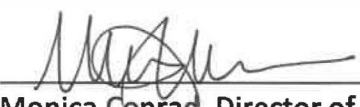
File Number: 0279-24

Director / Commissioner: Monica Conrad / Chris Ford





TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Monica Conrad, Director of Parks & Recreation

DATE: March 7, 2024

SUBJECT: Neighborhood Park Center Concession Agreement
Meadowthorpe Neighborhood Association

Request:

Request Council authorization to execute a Concession Agreement with the Meadowthorpe Neighborhood Association for the management and operation of the Meadowthorpe Neighborhood Park Center, located at 333 Larch Lane.

Purpose:

Parks & Recreation has traditionally longstanding partnerships with neighborhood associations for the management and operation at neighborhood park center facilities. The Concession Agreement formally extends and further defines the partnership roles and responsibilities for community programming at the facility, through the guiding principles of 1) Neighborhood Engagement and Activation, and 2) Shared Governance and Accountability. The concession agreement allows for neighborhood associations to designate Center Keyholders, who manage public access and community programming, on behalf of the neighborhood association. Rental income is retained by the neighborhood association, solely for reinvestment in community programming and public benefit. Biannual financial reports are required for submission to Parks and Recreation. The neighborhood association will procure and maintain commercial general liability insurance in the amount of \$2 million, as well as worker's compensation insurance. Parks and Recreation will be responsible for utility and capital improvement costs at the facility. The initial term of the agreement is for 2 years, with an automatic renewal for an additional 2 years.

Budgetary Implication:

The neighborhood association is eligible for financial stipends and allowances, up to a total of \$6,000 per year. Funds have been requested in the FY 25 budget.

File Number: 0280-24

Director / Commissioner: Monica Conrad / Chris Ford



MAYOR LINDA GORTON



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

To: Mayor Linda Gorton
Urban County Council

From: 
Charles H. Martin, P.E., Director
Division of Water Quality

Date: March 4, 2024

Subject: Motion for Second Material Modification to the Consent Decree
Remedial Measure Plan Completion Schedule Modification

Request

The Division of Water Quality is requesting approval of the Second Material Modification to the Consent Decree, extending the full compliance deadline from December 31, 2026 to December 31, 2030.

Purpose of Request

This modification would amend Paragraph 15.G (vii) of the Consent Decree so that the final deadline for all remedial measures capital construction projects is no later than December 31, 2030. This modification would also amend paragraph 29A, allowing for the submission of semi annual reports in place of the current quarterly report requirement. The format of those reports remains unchanged.

This modification, if approved by LFUCG along with the appropriate state and federal agencies, will be filed for entry with the United States District Court, Eastern District of Kentucky, Central Division at Lexington.

Cost in FY24 and Future Fiscal Years NA

Are Funds Budgeted NA

Director/Commissioner

Martin/Albright



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

**TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL**

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: MARCH 11, 2024

**SUBJECT: Authorization to Execute Engineering Service Agreement with Prime AE for
North Limestone Improvements Project**

Request: Council authorization to execute an Engineering Service Agreement with Prime AE in the amount of \$424,619 for design of the North Limestone Improvements Project.

Purpose of the Request: On September 8, 2022, (Resolution 510-2022), Council approved acceptance of SLX funds in the amount of \$480,000 and a local match in the amount of \$120,000, for the design phase of the North Limestone Improvements Project, for a total design phase funding of \$600,000.

The LFUCG Division of Engineering needs this action to design the North Limestone Improvements project. The project will involve roadway/sidewalk improvements to North Limestone from mid-block between Fairlawn Avenue and Withers Avenue to New Circle Road. The road will be upgraded from a mostly rural cross section to an urban cross section, with the addition of curb and gutter, storm sewers, and sidewalks.

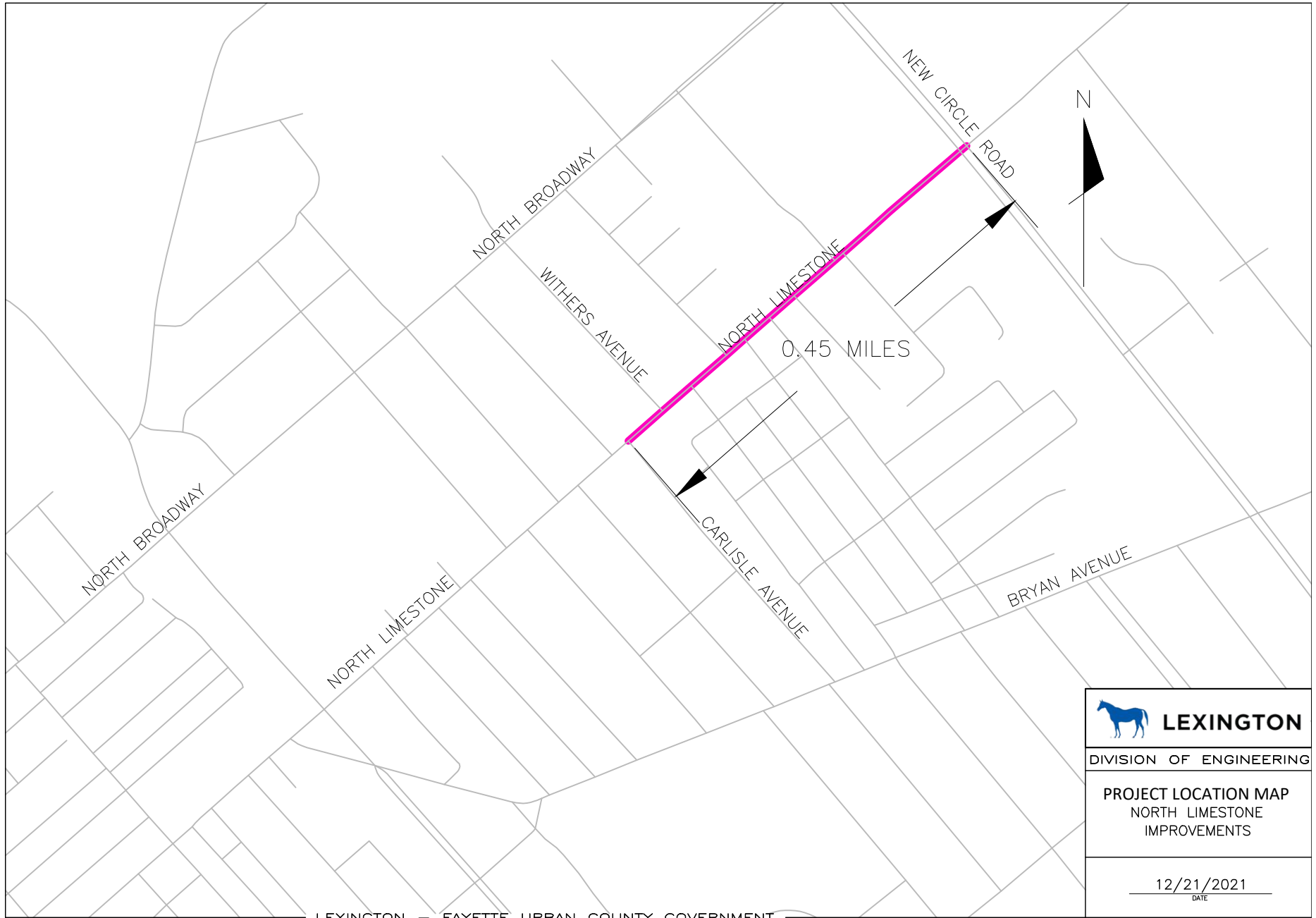
The cost in this budget year and future budget years: \$424,619 is the cost in FY2024. There are no anticipated costs in future budget years.

Are the funds budgeted? Yes, 3160-303202-3251-91715 NLIMESTONE_2023 DESIGN

File Number: 0286-24

Director/Commissioner: Burton/Albright





MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

**TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL**

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: MARCH 11, 2024

SUBJECT: Authorization to submit a grant application to the Kentucky 911 Service Board

Request: Council authorization to submit a grant application to the Kentucky 911 Service Board in the amount of \$132,516.59 for the purchase of hardware, servers, project management, installation services, and shipping of the Geo-Diverse Solacom Host Controllers through its managed service provider: A.K. Associates, Inc. The Lexington-Fayette Urban County Government's Division of Enhanced 911 is responsible for the Central Kentucky 911 Network (CKy911net), a Category 1 'Host/Remote' provider of selective routing/controller services and ALI/DBMS services for 911 agencies that have agreements with Lexington.

Purpose of the Request: Lexington's goal is to provide a cost-effective host/remote solution to 911 centers. CKy911net is an ESInet, that provides a highly reliable and cost-effective point-to-point delivery of 911 calls throughout the state. The overall IP network is provided by Windstream via their multi-node Multi-Protocol Label Switching (MPLS) managed by Kentucky Postsecondary Education Network (KPEN). Lexington has a managed service provider, A.K. Associates, Inc., under a long-term contract to provide Solacom-trained technicians who are available 24 hours a day and are capable of providing rapid remote diagnostics and on-site support for major technical issues within two (2) hours anywhere in Kentucky.

Refreshing the Solacom Controllers helps to ensure reliable delivery of 911 calls to and between participating counties throughout the state. The two Geo-Diverse controllers support 100 remote call-taking positions in 30 PSAPs serving 34 counties in the Commonwealth. Host controllers are connected to Lexington's selective router and deliver the 911 call to the appropriate 911 center based on the ESN. Having agencies use Lexington's host controller resources, versus individual ownership of similar controllers and licenses by each PSAP, is a cost-efficient approach that is in full compliance with Kentucky's NG911 plan. The Division of Enhanced 911 has requested capital funds in FY25 for \$14,724.07, which represents 10% of the total expense.

The cost in this budget year and future budget years: \$147,240.66 is the cost in FY2025. If grant is awarded, a match is required in FY25 in the amount of \$14,724.07 in 911 capital funds. There are no anticipated costs in future budget years.



Are the funds budgeted? No, funds are not yet budgeted. If the Kentucky 911 Board approves the grant request, a budget amendment will be initiated.

File Number: 0287-24

Director/Commissioner: Patton/Armstrong



TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Monica Conrad, Director of Parks & Recreation

DATE: March 12, 2024

SUBJECT: Neighborhood Park Center Concession Agreement
Pralltown Neighborhood Association

Request:

Request Council authorization to execute a Concession Agreement with the Pralltown Neighborhood Association for the management and operation of the Pralltown Neighborhood Park Center, located at 190 Prall Street.

Purpose:

Parks & Recreation has traditionally longstanding partnerships with neighborhood associations for the management and operation at neighborhood park center facilities. The Concession Agreement formally extends and further defines the partnership roles and responsibilities for community programming at the facility, through the guiding principles of 1) *Neighborhood Engagement and Activation*, and 2) *Shared Governance and Accountability*. The concession agreement allows for neighborhood associations to designate Center Keyholders, who manage public access and community programming, on behalf of the neighborhood association. Rental income is retained by the neighborhood association, solely for reinvestment in community programming and public benefit. Biannual financial reports are required for submission to Parks and Recreation. The neighborhood association will procure and maintain commercial general liability insurance in the amount of \$2 million, as well as worker's compensation insurance. Parks and Recreation will be responsible for utility and capital improvement costs at the facility. The initial term of the agreement is for 2 years, with an automatic renewal for additional 2 years.

Budgetary Implication:

The neighborhood association is eligible for financial stipends and allowances, up to a total of \$6,000 per year. Funds have been requested in the FY 25 budget.

File Number: 0289-24

Director / Commissioner: Monica Conrad / Chris Ford



**Neighborhood Development Funds
March 19, 2024
Work Session**

Amount	Recipient	Purpose
\$ 1,765.36	Tates Creek High School PTSA Amy Beasley 1111 Centre Parkway Lexington, KY 40517	For spelling bee (prizes, passes, custodians) and LexTran youth bus passes for students
\$ 200.00	Hayes Middle School PTSA Carla Mack 260 Richardson Place Lexington, KY 40509	To assist with food for the annual Dance Blue fundraiser
\$ 800.00	Growing Together Preschool Denise Menshouse 599 Lima Drive Lexington, KY 40511	For a beautification project on the preschool grounds
\$ 3,000.00	Pensacola Park Neighborhood Association Francois Pomerleau 143 Goodrich Ave Lexington, KY 40503	To replant trees lost in last year's ice storm/cold snap in the neighborhood
\$ 800.00	Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Leidy Borges-Gonzalez PO Box 11610 Lexington, KY 40576	To assist with Winburn Community Partners to provide food and drinks at community events from April through October 2024
\$ 2,000.00	Southern Middle School PTSA Kandace Bright 400 Wilson Downing Rd. Lexington, KY 40517	For Spartan Day staff and student t-shirts, Kona Ice for students, and giveaway prizes
\$ 3,846.00	Pinnacle Homeowners Association Mike Habersack 717 Rose Hurst Way Lexington, KY 40515	For beautification, landscaping, cleanup, and beaver dam removal
\$ 2,300.00	Explorium of Lexington 440 W. Short St. Lexington, KY 40507 Colby Ernest	To assist with their fundraising event and support of "night at the museum" event
\$ 1,200.00	African American Arts Association 945 Delaware Ave. Lexington, KY 40505 Joshua McCann	For their Alpha Project program that provides alternatives to negative lifestyle choices for youth such as free creative and performing art, sports, teams, leadership,
\$ 2,375.00	LexArts Inc. 161 N. Mill Street Lexington, KY 40507	For the Tahlsound Concert Series to subsidize cost for the rental of the venue, portable toilets, and handwash stations

**Council Capital Projects
March 19, 2024
Work Session**

Amount	Recipient	Purpose
\$ 55,000.00	LFUCG - Parks and Recreation Michelle Kosieniak 1105-707602-7221-91015	For Tates Creek entrance improvements
\$ 140,000.00	LFUCG - Parks and Recreation Michelle Kosieniak 1105-707602-7221-90513	For Hartland Park picnic shelter
\$ 30,000.00	LFUCG - Parks and Recreation Monica Conrad 1105-707603-7221-91015	For Constitution Park basketball court renovation



Budget, Finance & Economic Development Committee

February 27, 2024

Summary and Motions

Chair James Brown called the meeting to order at 1:02 p.m. Council Members Chuck Ellinger, Hannah LeGris, Liz Sheehan, Fred Brown, Whitney Baxter, Jennifer Reynolds, and Kathy Plomin were in attendance. Council Members Tayna Fogle, Shayla Lynch, Brenda Monarrez, Denise Gray, and Dave Sevigny were also present as non-voting members.

I. Approval of January 30, 2024 Committee Summary

A motion by Sheehan to approve the January 30, 2024 Committee Summary, seconded by LeGris, the motion passed without dissent.

II. Monthly Financial Update – February 2024

Commissioner Hensley provided a brief update on the monthly financials. Revenues are running positive to variance with performance better than expected to budget. Personnel cost is very close to budget. Year over year seeing more spending on expenses.

End of the year item is net profit collections that happen April 15th to May 15th. Revenue estimate is conservative based on where we have historically landed. Investment income is from interest earned from investments.

No action was taken on this item.

III. Lexington Economic Workforce & Revenue Update

The Lexington Economic Workforce and Revenue Update was provided by Director of Business Engagement, Amy Glasscock. Workforce development is the number one issue for economic development in Fayette County. Developing, keeping, attracting, and maximizing the potential of people in the community is a huge difference maker for economic development. In 2020, Fayette County had a population count of 322,570 people which amounts to a 30% increase in population growth since 1990. Since 1990, Lexington-Fayette County has added 47,295 jobs.

Local gross domestic product is a comprehensive measure of the economies of counties, metropolitan statistical areas, and some other local areas. GDP measures the value of goods and services produced in an area. Total GDP for Lexington economy in 2022 was \$21,209,754 (measured in \$1,000's) approximately and had a 3.11% growth rate.

Annual unemployment rate for Fayette County as of October 2023, was 3.1%. Unemployment rates have remained stable since quarter 3 of 2020. As of quarter 2 of 2023, there were

approximately 200,000 jobs in Fayette County. Healthcare and education, transportation and trade and utilities, and professional and business services are the top 3 job industries.

Overall, Lexington is growing and our economy is healthy. With workforce being the number one issue for economic development, it is imperative to build talent pipelines, support job retention, remove barriers to employment, and expand our labor force.

No action was taken on this item.

IV. Lexington Economic Outlook & Occupational Tax Forecast

Dr. Mike Clark, Director of the University of Kentucky's Center for Business and Economic Research, presented on the annual Lexington Economic Outlook and Occupational Tax Forecast. The national economy is slowing, inflation pressures have eased, employment continues to grow but at a slower pace and there has been slower wage growth. Lexington has strong employment growth across most major sectors in FY23, but is expected to slow down in FY24 and FY25.

Current Fayette County unemployment rate is very low right now but is expected to rise slightly in the next year. Total non-farm employment has grown by 8.1% since 2020. Financial activity sector has grown by 18.2% since 2020. The manufacturing metropolitan statistical area (MSA) percent change has stayed relatively flat. Construction, mining, and logging employment percent change is at 14.9 % and decreasing.

The sectors that are slowing down are natural resources and manufacturing. Sectors that are growing are construction, trade, transportation, and utilities, professional and business services, education and health services, leisure and hospitality, and government. Drivers of payroll tax in Lexington are employment, average wages, and payroll tax revenue. Growth in payroll tax in revenues in FY23 were from 45% growth in employment and 55% growth in wages. Payroll tax estimated to be \$273.8 million in FY25. Net profit tax revenue for FY25 projected to be \$68.9 million. Net profits do not typically follow payroll tax trends. National growth is predicted to be low.

Farm employment is difficult to measure well which is why the industry is excluded. Employment numbers come from employers self-reporting. Best estimate for these employees is a census conducted by the USDA every 5 years. Total farm employment is a relatively small share of the economy and slowly declining.

No action was taken on this item.

V. Adjournment

A motion by Plomin to adjourn at 2:26pm, seconded by LeGris, the motion passed without dissent.

MEDICINAL CANNABIS LEGISLATION

March 19, 2024

Work Session



LEXINGTON



- Legal Framework
- Local Government Authority
- Timeline
- Zoning Ordinance Text Amendment



Legal Framework—Generally

- 2023 SB47 legalizes medicinal cannabis effective January 1, 2025. Pending legislation amends the effective date.
- Excludes medicinal cannabis from the definition of “marijuana” for criminal law.
- Outlines requirements for operation of cannabis businesses, qualifying medical conditions, process and procedures for dispensing and possessing medicinal cannabis.
- Broad regulatory authority granted to the Cabinet for Health and Family Services and the Kentucky Medical Cannabis Program.
- 5 categories of “cannabis business entities,” which will require licensing by the state and subject to limited local regulation.



Cannabis Business Entities

- Cultivator
 - 4 tiers based on size of growing area
 - Processor
 - Producer
 - Safety Compliance Facility
 - Dispensary
-
- May not be located within 1,000 feet of existing elementary or secondary school or daycare center.
 - Very detailed security and operational requirements overseen by the Cabinet.



Local Government Authority – KRS 218B.130

- “Enact ordinances not in conflict with this chapter or with the cabinet’s administrative regulations, regulating the **time, place, and manner** of cannabis business operations, except that a local government shall not enact ordinances that impose an undue burden or make cannabis business operations unreasonable or impractical.”
 - Zoning
 - May also impose fees consistent with ordinary and reasonable local fees. Currently being drafted.
- Enact an ordinance prohibiting all cannabis business operations.
 - Public question initiated by petition may be submitted to voters.
- Enact a resolution putting the question to voters.



Pending Amendments and Timeline

- “Medicinal cannabis businesses cannot ensure an adequate supply of medicinal cannabis in 2025 without becoming licensed and operational in 2024.”
- Accelerates effective date.
 - Senate Bill 337--licensing process can start immediately upon passage.
 - House Bill 829—licensing process can start August 1st.
 - Licensing decision within 45 days of receipt of completed application.
- Local governments under a short timeline to enact any desired regulations.



Zoning Ordinance Text Amendment

- Planning Commission initiated ZOTA on March 14.
- Draft ZOTA includes recommended zones for all Cannabis Business Entities.
- Public Input on Draft ZOTA:
 - April 8: Mailed notice to Neighborhood Associations
 - May 2: Planning Commission Zoning Committee
 - **May 9: Planning Commission Public Hearing**
 - June 11: Council Work Session docket
 - **June 13: Council First Reading**

QUESTIONS?



LEXINGTON



Urban County Council Council Meeting March 21, 2024

The following price contract bid recommendations will be placed on the Mayor's Report for approval at the March 21, 2024 Council Meeting;

- (1) Accepting and approving the following bids and establishing price contracts for the following Departments or Divisions as to the specifications and amount set forth in the terms of the respective bids:
 - (a) Div. of Waste Management – Uniforms for Waste Management – 146-2023 – National Workwear, Inc.
 - (b) Div. of Water Quality – Wet Well Site Clearing & Grubbing – 119-2023 – The Ground Guys of Lexington and Szabo Project Services, Inc.

