

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky May 9, 2024

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on May 9, 2024 at 6:02 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Fogle, Gray, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sevigny, Sheehan, Worley, Wu, F. Brown, J. Brown, and Ellinger. Absent was Council Member Elliott Baxter.

The reading of the Minutes of the previous meeting was waived.

Ordinances No. 037-2024 through 040-2024, inclusive, and Resolutions No. 160-2024 through 200-2024, inclusive, were reported as having been signed and published and ordered to record.

*

*

*

The Invocation was given by Adam Jones, Pastor of Open Door Church and Co-Chair of B.U.I.L.D.

*

*

*

Mayor Gorton asked CASA (Court Appointed Special Advocate) of Lexington's Executive Director, Melynda Jamison, to join her at the podium. Mayor Gorton welcomed the CASA volunteers in attendance, and thanked Fayette County's four Family Court Judges: Judge Libby Messer, Judge Traci Brislin, Judge Ross Ewing, and Judge Tiffany Yahr, for their service. She asked the CASA Board Members to stand and be recognized. She spoke of the vast number of cases involving children who are left navigating the court system. CASA volunteers assist those children in the process, and 44 of those volunteers

have earned President Joe Biden's Volunteer Service Award for their contribution, having collectively volunteered for over 10,000 hours of service. The volunteers' names were read aloud and each were asked to come to the front of the Chamber to be recognized: Dave Sevigny, Jane Crickard, Renee Sanner, Nick Luddy, Barbara Phipps, Debora Gabbard, Brittany Thomas, and Jan Colbert.

*

*

*

Mayor Gorton asked Angel Laketa Moore and Marcus Tanksley to join her at the podium, along with Ms. Lynch, and read a Proclamation declaring May 9, 2024 as Angel Laketa Moore and Marcus Tanksley Day in Lexington.

Mayor Gorton shared awards and accomplishments of Ms. Moore and Mr. Tanksley during their careers in the entertainment industry.

Mr. Tanksley thanked the Mayor and Council for the recognition and spoke of his pride regarding his roots in Lexington.

Ms. Moore thanked the Mayor and Council for the honor, and all those who had made the recognition possible. She thanked the City of Lexington for the acclamation.

Ms. Lynch spoke of the importance of honoring those local figures who have reached great attainment; she congratulated them both on their success.

*

*

*

At 6:21 p.m., Mayor Gorton declared open a public hearing on the FY25 Mayor's Proposed Budget and invited public comment.

Whit Whitaker, Dist. 2, thanked the Council and Mayor and spoke about a proposal to allocate money to fight gun violence, with a focus on victims. This allocation would also help to engage people in the community by partnering with local law enforcement as well

as non-government agencies throughout the city. He spoke of his personal experience with gun violence.

Rick Day, Dist. 3, requested money be allocated to the compensation system of salaries. He shared his concerns with the workforce and salary study done in the past.

Brittany Roethemeier, Dist. 5, representing the Fayette Alliance, spoke in support of the investments in affordable housing and Complete Streets. She spoke in opposition to the Urban Service Boundary expansion, but in favor of infill and development.

At 6:34 p.m., with no one else appearing to speak, Mayor Gorton declared the public hearing closed.

*

*

*

An Ordinance amending Article 8-16 of the Zoning Ordinance to allow truck and trailer rental and leasing businesses as principal uses in the Neighborhood Business (B-1) zone (U-Haul of Louisville, KY) was on the docket for second reading.

Upon motion by Vice Mayor Wu, seconded by Ms. LeGris, and approved by unanimous vote, the Council agreed to hear the item out of order and vote upon it separately.

Mayor Gorton asked a procedural question. Michael Cravens, Dept. of Law, responded.

Mr. Worley confirmed the procedural order. Mayor Gorton and Mr. Cravens responded in the affirmative.

The Ordinance received second reading. Upon motion by Vice Mayor Wu, and seconded by Ms. Reynolds, the Ordinance failed by the following vote:

Aye:	-----0
Nay:	Fogle, Gray, LeGris, Lynch, Monarrez, -----14 Plomin, Reynolds, Seigny, Sheehan, Worley, Wu, F. Brown, J. Brown, Ellinger

*

*

*

The following Ordinances received second reading. Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the Ordinances were approved by the following vote:

Aye:	Fogle, Gray, LeGris, Lynch, Monarrez, -----14 Plomin, Reynolds, Seigny, Sheehan, Worley, Wu, F. Brown, J. Brown, Ellinger
Nay:	-----0

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone, for 0.481 net (1.675 gross) acres, for property located at 1120 Alexandria Dr. (William E. McAlpin; Council District 11).

An Ordinance changing the zone from a Single Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone, for 2.462 net and gross acres for property located at 766 Paradise Lane. (Red Draw Development, LLC; Council District 7).

An Ordinance changing the zone from a Professional Office (P-1) zone to a Planned Neighborhood Residential (R-3) zone, for 0.404 net (0.522 gross) acres, for property located at 592 Eureka Springs Dr. (Jenny Talbott; Council District 5).

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. 42.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$50,000 to provide funds for Council Capital Projects in the Div. of Parks and Recreation and appropriating and re-appropriating funds, Schedule No. 43.

*

*

*

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. 44 was on the docket for first reading.

Upon motion by Mr. J. Brown, seconded by Ms. Reynolds, and passed by unanimous vote, the Ordinance was amended to provide funds for Environmental Quality and Public Works for a change order related to the Jefferson Street Viaduct project in the amount of \$96,661. Funds are being reallocated within U.S. Department of Treasury American Rescue Plan Act funds to cover this expense.

The Ordinance, as amended, received first reading and was ordered to be placed on file for public inspection until May 16, 2024.

*

*

*

The following Ordinances received first reading and were ordered to be placed on file for public inspection until May 16, 2024:

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$15,000 to provide funds for Council Capital Projects in the Div. of Parks and Recreation and appropriating and re-appropriating funds, Schedule No. 45.

An Ordinance amending the authorized strength by abolishing one (1) classified position of Environmental Initiatives Specialist, Grade 518N, and creating one (1) classified position of Utilities Data Analyst, Grade 518N, in the Div. of Environmental Services, effective upon passage of Council.

An Ordinance amending Section 7-45 of the Code of Ordinances, which provides for Budget Adjustments for certain Budget Amendment items to add SubSection (I) pertaining to Council Capital Project funding, effective upon passage of Council.

An Ordinance amending Section 7-6 of the Code of Ordinances, pertaining to providing for an alternative process for the acceptance, approval, and establishment of price contracts for purchases for which funds have been Budgeted, to allow the same process to be used for fixed-price bids and sole source procurements that only require the Urban County Government to enter into a unilateral Contract or issue a Purchase Order, effective upon passage of Council.

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to an Agreement with Lexington Habitat for Humanity, Inc., under the HOME Investment Partnerships Program, extending the period of performance through December 31, 2024, and further authorizing the Mayor to execute any other necessary amendments related to this Agreement received second reading.

Upon motion by Mr. Ellinger, and seconded by Ms. Fogle, the Resolution was approved by the following vote:

Aye: Fogle, Gray, LeGris, Monarrez, Plomin, -----13
Reynolds, Sevigny, Sheehan, Worley,
Wu, F. Brown, J. Brown

Nay: -----0

Recuse: Lynch

*

*

*

The following Resolutions received second reading. Upon motion by Mr. Ellinger, and seconded by Ms. Fogle, the Resolutions were approved by the following vote:

Aye: Fogle, Gray, LeGris, Lynch, Monarrez, -----14
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu, F. Brown, J. Brown

Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Memorandum of Agreement with the Lyric Theatre for the purchase of new theatrical lighting at a cost not to exceed \$83,000.

A Resolution authorizing the Div. of Emergency Management to purchase an outdoor warning siren system from Federal Signal, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Federal Signal, related to the procurement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreements with Tetra Tech, Inc., for MS4 Program Management Services, for the Div. of Water Quality, decreasing the Contract by the collective sum of \$440,720.55, from \$1,446,377.00 (\$719,258.00 in FY

2021 and \$727,119.00 in FY 2022) to \$1,005,656.45 (\$523,997.20 in FY 2021 and \$481,659.25 in FY 2022).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreements with Tetra Tech, Inc., for MS4 Program Management Services, for the Div. of Water Quality, decreasing the Contract by the collective sum of \$126,357.15, from \$2,448,000.00 (\$816,000.00 in FY 2014; \$816,000.00 in FY 2018; and \$816,000.00 in FY 2020) to \$2,321,642.85 (\$795,028.32 in FY 2014; \$785,597.71 in FY 2018; and \$741,016.82 in FY 2020).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement (PSA) with the Downtown Lexington Corporation d/b/a Downtown Lexington Partnership, to provide funds to the organization for the funding of their FUSUS Grant Program, at a cost not to exceed \$10,000.

A Resolution authorizing and directing the Dept. of Finance to designate a fund for the maintenance of football fields, to be funded by maintenance fees collected pursuant to approved Facility Usage Agreements with youth football organizations, and further authorizing and directing the Dept. of Finance to designate a fund for the maintenance of soccer fields, to be funded by maintenance fees collected pursuant to approved Facility Usage Agreements with youth soccer organizations.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Memorandum of Agreement authorized by Resolution 401-2023, related to an allocation of Council Capital Expenditure Funds to AVOL Ky. incorporated, extending the period of performance to December 31, 2024, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Hope Center, Inc., for the Fayette County Detention Center Recovery Program to provide daily recovery services to the inmates of the Fayette County Detention Center, effective July 1, 2024, through June 30, 2025, at an estimated cost not to exceed \$228,000, for FY2025, subject to appropriation by Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a street light and drainage easement on the property located at 2845 Kearney Creek Lane.

A Resolution authorizing the Div. of Police to purchase support services from DNA Labs International, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with DNA Labs International.

A Resolution authorizing the Div. of Emergency Management to purchase a three-year warranty on generator parts from Boyd Cat, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Boyd Cat, related to the procurement, at a cost not to exceed \$2,860.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of \$6,292.51 in Federal funds from the Bluegrass Area Agency on Aging and Independent Living, under Title IIIB of the American Rescue Plan Act (ARPA), for the Lexington Senior Center, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, authorizing the Mayor to

execute any necessary Agreements related to these funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 3 to the Engineering Services Agreement with Palmer Engineering, for additional engineering services related to the Town Branch Trail Phase V Project, for the Div. of Engineering, increasing the Contract by the sum of \$46,000, from \$740,002 to \$786,002.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award from the PNC Foundation of \$75,000 for the implementation and/or enhancement of a high-quality, nature-based play and learning environment in the Family Care Center, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Professional Services Agreement (awarded pursuant to RFP No. 17-2024) with Calhoun Construction Services, Inc. for the installation of a roof-mounted solar photovoltaic system on Fire Station #22, at a cost not to exceed \$59,873.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: John Rothrock, Attorney Senior, Grade 530E, \$3,924.88 biweekly in the Dept. of Law, effective April 16, 2024; Samantha Wittig, Telecommunicator, Grade 517N, \$23.824 hourly in the Div. of Enhanced 911, effective April 16, 2024.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Extension Agreement with Securus Technologies, LLC (f/k/a Securus Technologies, Inc.) for telephone and tablet services for the inmate population at the Div. of Community Corrections, through July 31, 2024, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Purchase of Service Agreement (awarded pursuant to RFP No. 8-2024) with CivicLex, Inc. for boards and commissions consulting services, at a cost not to exceed \$95,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with St. Joseph Health, for paramedic onsite training.

A Resolution authorizing the Mayor or the Chief Information Officer, on behalf of the Urban County Government to execute the necessary documents for the Lexington-Fayette Urban County Government to procure software and related services under the same terms and conditions as RFP #030321, a Contract between Sourcewell and Konica Minolta Business Solutions U.S.A, Inc., including the Statement of Work related to the scanning of documents to OnBase for the Div. of Planning (cost estimated not to exceed \$21,509), which is attached hereto and incorporated herein by reference, and future Statements of Work related to the procurement of software and service solutions for various Depts. and Divs. of the Urban County Government, as further determined to be necessary, cost effective and feasible by the Chief Information Officer and the Div. of Procurement, all subject to the appropriation of sufficient funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Frontrunners Lex, Inc., for the annual Pride Run, at a cost not to exceed \$1,100.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Commerce Lexington and Greater Lex, Inc., to provide \$130,000 in funding to Greater Lex, Inc. for the Regional Economic Development Collective, and to assign the previous Agreements and funding for the Collective from Commerce Lexington to Greater Lex, Inc.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$51,208 in Federal funds under the Victim Assistance Formula Grant funded by the Victims of Crime Act (VOCA), for support of Contract Forensic Nursing Advocates in the Div. of Police, the acceptance of which obligates the Urban County Government to an expenditure of \$17,070 as a local match, and authorizing the Mayor to transfer encumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$100,000 in Federal funds under the Victim Assistance Formula Grant funded by the Victims of Crime Act (VOCA), for the implementation of the

Underserved Minority Victims Advocacy Program in the Dept. of Social Services, the acceptance of which obligates the Urban County Government to an expenditure of \$57,644 as a local match, and authorizing the Mayor to transfer encumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit the 2024 Consolidated Plan/Grant Application to the United States Dept. of Housing and Urban Development (HUD), to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of \$3,994,940 in Federal funds, for the FY 2025 Community Development Block Grant (CDBG) Program (\$2,340,927), Home Program (\$1,449,360), and Emergency Solutions Grant (ESG) Program (\$204,653), the acceptance of which obligates the Urban County Government to the expenditure of \$359,611 from various funding sources as a local cash match and \$145,042 as an in-kind match; and authorizing the Mayor to execute Agreements for the approved plan; and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 1 with the Ky. Transportation Cabinet to accept an additional Grant of \$263,000 in Federal funds from the Ky. Transportation Cabinet Transportation Alternatives Program (TAP), for the design phase of the Alumni Dr. Shared Use Path Project, the acceptance of which obligates the Urban County Government to the expenditure of \$65,750 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Engineering Services Agreement (awarded pursuant to RFP 2-2023) with Strand Associates, for the design of the Alumni Dr. Shared Use Path Project, for the Div. of Engineering, at a cost not to exceed \$541,401.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a utility easement on the property located at 1940 and 1956 Bryant Rd. and 1953 and 1975 Justice Rd.

A Resolution authorizing the dissolution of the Lexington-Fayette Urban County Government Public Library Corporation; and taking other related action.

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Second Amendment to the Agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. ("CAC"), the final form of which shall be subject to the approval of the Dept. of Law, allocating an additional \$41,500 (\$130,000 total) of Federal funds (ARPA) to the CAC, in order to provide temporary emergency shelter and supportive services to homeless families caring for minor children, and extending the performance period to May 31, 2024, and authorizing the Mayor to execute any other needed agreements or amendments with the CAC Related to these funds received first reading.

Upon motion by Ms. Reynolds, seconded by Vice Mayor Wu, and approved by majority vote (Worley was absent), the rules were suspended and the Resolution received second reading.

Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Resolution was approved by the following vote:

Aye: Fogle, Gray, LeGris, Lynch, Monarrez, -----14
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu, F. Brown, J. Brown, Ellinger

Nay: -----0

*

*

*

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Fordham University, providing for the placement of Social Work student interns for field experience in support of services provided by the Urban County Government, at no cost to the Urban County Government received first reading.

Upon motion by Ms. Sheehan, seconded by Ms. LeGris, and approved by unanimous vote, the rules were suspended and the Resolution received second reading.

Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Resolution was approved by the following vote:

Aye: Fogle, Gray, LeGris, Lynch, Monarrez, -----14
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu, F. Brown, J. Brown, Ellinger

Nay: -----0

*

*

*

A Resolution establishing Jerry Pate Turf & Irrigation as a sole source provider of Toro Commercial turf equipment and parts and Toro golf course irrigation products for use on LFUCG golf courses for the Div. of Parks and Recreation, and authorizing the Mayor, or her designee, on behalf of the Urban County Government, to execute any

necessary Agreements with Jerry Pate Turf & Irrigation related to the procurement of these goods received first reading.

Upon motion by Mr. Worley, seconded by Mr. Ellinger, and approved by unanimous vote, the rules were suspended and the Resolution received second reading.

Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Resolution was approved by the following vote:

Aye: Fogle, Gray, LeGris, Lynch, Monarrez, -----14
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu, F. Brown, J. Brown, Ellinger

Nay: -----0

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Girl Scouts of Ky.'s Wilderness Rd. Council, Inc. (\$1,000.00); the Open Gates Neighborhood Association, Inc. (\$750.00); the Friends of the Parks of Fayette County, Inc. (\$250.00); Wyndham Meadows Homeowner's Association, Inc. (\$1,000.00); Eastland Parkway Neighborhood Association, Inc. (\$2,000.00); Lexington Ballet Co., Inc. (\$1,498.00); Bike Walk Ky., Inc. (\$7,300.00); Greater Gardenside Association LLC (\$1,500.00); Transylvania Park Committee, Inc. (\$2,300.00); Historic South Hill Neighborhood Association, Inc. (\$400.00); the Pasadena Neighborhood Association Incorporated (\$420.00); Trees Lexington! Inc. (\$1,000.00); Pensacola Park Neighborhood association LLC (\$500.00); Ellerslie Homeowners Association (\$2,500.00); Lexington Leadership Foundation, Inc. (\$1,134.60); Idle Hour Neighbors Alliance, Inc. (\$1,236.00); Junior League of Lexington (\$500.00); E1st Sean Howard

Foundation LLC (\$1,250.00); Girls on the Run Central Ky. Corporation (\$1,550.00); Henry Clay High School Band Boosters, Inc. (\$1,000.00); Lady Veterans Connect Inc. (\$1,100.00); Joyland Neighborhood Association Incorporated (\$1,750.00); Junior League of Lexington (\$500.00); Pearlz of Wisdom, Inc. (\$1,000.00); Lexington Housing for the Handicapped, Inc. (\$2,000.00); the Salvation Army (\$1,000.00); Harrods Hill Neighborhood Association, Inc. (\$1,000.00); Mobile Mission Experience, Inc. (\$1,100.00); Sandersville Elementary PTA, Inc. (\$800.00); Downtown Lexington Corporation (\$5,000.00); Bluegrass Community Foundation, Inc. (\$5,000.00); Lexington Chamber Chorale, Inc. (\$2,950.00); Project Kids 1st LLC (\$3,300.00); Lexington Pet Pantry Inc. (\$950.00); Jubilee Jobs of Lexington, Inc. (\$1,300.00), for the Office of the Urban County Council, at a cost not to exceed the sum stated received first reading.

Upon motion by Ms. Reynolds, seconded by Mr. Sevigny, and approved by majority vote (Fogle and Monarrez recused, Worley was absent), the rules were suspended and the Resolution received second reading.

Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Resolution was approved by the following vote:

Aye: Gray, LeGris, Plomin, Reynolds, -----11
Sevigny, Sheehan, Worley, Wu, F.
Brown, J. Brown, Ellinger

Nay: -----0

Recuse: Fogle, Lynch, Monarrez

*

*

*

A Resolution accepting the bid of BMI LLC d/b/a BMI builds LLC, in the amount of \$1,514,024.88 for the Valley Park Building Renovation and Expansion, for the Dept. of

General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with BMI LLC d/b/a BMI Builds LLC, related to the bid received first reading.

Upon motion by Ms. Reynolds, seconded by Vice Mayor Wu, and approved by majority vote (Worley was absent), the rules were suspended and the Resolution received second reading.

Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Resolution was approved by the following vote:

Aye: Fogle, Gray, LeGris, Lynch, Monarrez, -----14
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu, F. Brown, J. Brown, Ellinger

Nay: -----0

*

*

*

A Resolution accepting the bid of Bison Services, LLC, in the amount of \$219,060 for the installation of an upgraded ventilation system at Fleet Services, for the Div. of Facilities and Fleet Management, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bison Services, LLC, related to the bid received first reading.

Upon motion by Mr. Worley, seconded by Ms. Plomin, and approved by unanimous vote, the rules were suspended and the Resolution received second reading.

Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Resolution was approved by the following vote:

Aye: Fogle, Gray, LeGris, Lynch, Monarrez, -----14
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu, F. Brown, J. Brown, Ellinger

Nay: -----0

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Housing and Urban Development, which Grant funds are in the amount of \$1,506,791 in Federal funds, for continuation of the Housing Opportunities for Persons with AIDS (HOPWA) program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, authorizing the Mayor to transfer unencumbered funds within the Grant Budget, and authorizing and directing the Mayor to execute a Subrecipient Agreement with AVOL Ky., Inc., for continuation of the project, at a cost not to exceed \$1,461,588 received first reading.

Upon motion by Ms. Reynolds, seconded by Vice Mayor Wu, and approved by majority vote (Worley was absent), the rules were suspended and the Resolution received second reading.

Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Resolution was approved by the following vote:

Aye: Fogle, Gray, LeGris, Lynch, Monarrez, -----14
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu, F. Brown, J. Brown, Ellinger

Nay: -----0

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award from the Ky. Dept. of Military Affairs, Div. of Emergency Management, in an amount of \$669,904.55 in Federal funds, provided from the Federal Emergency Management Agency, and \$107,184.72 in Commonwealth of Ky. Funds, for expenses incurred from damage from the March 2023 Wind Storm, the acceptance of which obligates the Urban County Government to the expenditure of \$116,116.79 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget received first reading.

Upon motion by Ms. Reynolds, seconded by Ms. Gray, and approved by majority vote (Worley was absent), the rules were suspended and the Resolution received second reading.

Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Resolution was approved by the following vote:

Aye: Fogle, Gray, LeGris, Lynch, Monarrez, -----14
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu, F. Brown, J. Brown, Ellinger

Nay: -----0

*

*

*

Upon motion by Mr. J. Brown, seconded by Ms. Reynolds, and approved by unanimous vote, a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Agreement with Lagco, Inc. for the Main Street Baptist Church Parking Lot Renovation (Jefferson Street Viaduct), increasing the Contract price by the sum of \$91,971.00, raising the total price to \$1,522,477.35 was

placed on the docket to receive first reading and ordered to be placed on file for public inspection until May 16, 2024.

*

*

*

The following Resolutions received first reading and were ordered to be placed on file for public inspection until May 16, 2024:

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Second Amendment to the Agreement (awarded pursuant to RFP No. 5-2023) with Mahan Multimedia, LLC, to revise the Budget in the amount of \$51,000 to extend Phase 3 of the It's Time Campaign, and to extend the period of performance through December 31, 2024, and further authorizing the Mayor to execute any other necessary amendments with Mahan Multimedia, LLC, related to the Agreement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a quote with Steelcase, for office furniture, at a cost not to exceed \$10,479.58.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a sanitary sewer easement on the property located at 979 Edgewater Dr.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order #2 to Contract # 236-2021 with Element Design for additional professional services on LFUCG Phoenix Reimagined, in the increased amount of \$71,250 for the new Contract total of \$207,450.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an easement release, releasing a sanitary sewer easement on the property located at 649 Bizzell Dr.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Salary Data Agreement with Salary.com for access to salary research and salary studies for all classified and unclassified positions for the Div. of Human Resources, at a cost not to exceed \$10,000 in the Fiscal Year 2025, to increase no more than 5% upon renewal which shall be subject to the appropriation of funds; effective upon passage of Council.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Strand Associates Inc., for additional design services for Brighton Trail Connection, increasing the Contract price by the sum of \$12,658, from \$103,652 to \$116,310.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Professional Services Agreement with Eva Harrison as a Sexual Assault Nurse Examiner, to provide on-call forensic examinations and services under the Sexual Assault Nurse Examiner Program for Fiscal Year 2024, at a cost not to exceed \$72,167.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with R.J. Corman Railroad Co. for the setup and execution of Lexington's 4th of July Fireworks display at Railroad's Lexington Yard on July 4, 2024.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington Philharmonic for the setup and execution of Lexington's Patriotic Concert on July 3, 2024, at a cost not to exceed \$45,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Rozzi's Famous Fireworks to furnish and deliver a Fireworks display on July 4, 2024, or the postponement date of July 5, 2024, for a cost of \$23,000 with an additional fee of ten percent (10%) if fired on the postponement date.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of \$244,535.22 in Federal funds from the Federal Emergency Management Agency (FEMA), from Ky. Emergency Management, for reimbursement of expenses related to the Eastern Ky. Flood and Severe Weather Event, for the Div. of Fire and Emergency Services, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution approving the FY 2025 Budget of the Lexington and Fayette County Parking Authority (LexPark) pursuant to KRS 67A.921.

A Resolution pursuant to KRS 65.028(10) rejecting all proposals submitted in response to Request for Proposal #48-2023 Downtown City Hall Development and cancelling all remaining activity related to the RFP.

A Resolution accepting the bid of CarbUSA LLC, in the amount of \$110,200.79 for the activated carbon replacement, for the Div. of Water Quality.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Ronald Hinton, Operations Supervisor, Grade 519E, \$2,211.53 biweekly in the Div. of

Streets and Roads, effective February 28, 2024; Michaela Land, Safety and Loss Control Specialist, Grade 520E, \$2,108.40 biweekly in the Div. of Human Resources, effective May 20, 2024; Matthew Christopher, Vehicle & Equipment Technician Sr., Grade 519N, \$28.060 hourly in the Div. of Facilities and Fleet Management, effective May 6, 2024; Nicholas Clouse, Vehicle & Equipment Technician Sr., Grade 519N, \$27.460 hourly in the Div. of Facilities and Fleet Management, effective May 6, 2024; Padhraic Sweet, Vehicle & Equipment Technician Sr., Grade 519N, \$28.205 hourly in the Div. of Facilities and Fleet Management, effective May 6, 2024; Rosa Castro, Custodial Worker, Grade 506N, \$17.000 hourly in the Div. of Aging and Disability Services, effective March 25, 2024.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with the YMCA of Central Ky., Lexington Youth Soccer Association, and Fayette United Soccer Association for a period of one year, with automatic renewal for two successive one year terms.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement (RFP No. 15-2024) with Special Electronics, Inc., for Intermediate and Advanced Electronic IED Disablement Training and related equipment, for the Div. of Police, at a cost not to exceed \$89,200.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Council on Accreditation (COA), a service of Social Current, providing for the reaccreditation of the Dept. of Social Services, at a cost not to exceed \$22,066.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Site Specific Agreement with the Jessamine South Elkhorn Water District and CF Apartments, LLC, to provide sanitary sewer conveyance and treatment capacity to a portion of the Hulett Property in Jessamine County.

A Resolution authorizing payment of a civil penalty the amount of \$4,000 to the Commonwealth of Ky., Ky. State Treasurer for plant effluent discharge violations at the West Hickman Wastewater Treatment Plant.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Agreement with Delmae LLC for services related to the Pebble Creek Bank Stabilization Project, for the Div. of Water Quality, at a cost not to exceed \$83,300.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a five-year Lease Agreement with VertiQ Software, LLC, for software for the Coroner's data management system, at a cost not to exceed the sum of \$13,781 in FY 2025.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with KY Crisis Intervention Team-Crisis Solution, LLC., for training curriculum.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, or the Chief Information Officer, as the Mayor's designee, to execute a Maintenance Agreement, and any other necessary documents, with Unified Technologies, Inc., for the purposes of supporting voice communications systems at Black and Williams Neighborhood Center and Lexington Senior Center, at a cost estimated not to exceed

\$5,964.42, and further authorizing the Mayor or the Chief Information Officer as her designee to execute any future Statements of Work related to the procurement of these services for various Depts. and Divs. of the Urban County Government, as further determined to be necessary, cost effective and feasible by the Chief Information Officer and the Div. of Procurement, all subject to the appropriation of sufficient funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Accela, Inc., and any other necessary documents, for the purpose of operating, supporting, and maintaining permitting, licensing, and code enforcement software, at a cost estimated not to exceed \$444,763.59, subject to sufficient funds being appropriated in FY2025.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Memorandum of Understanding with the Federal Bureau of Investigation - Transnational Organized Crime Western Hemisphere Task Force to delineate task force responsibilities.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement for the Police Training Academy with the Ky. Community & Technical College System at the BCTC Newtown Campus for a period of three years beginning July 1, 2024, at a cost of \$131,597, for FY2025, subject to appropriation by Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Justice and Public Safety Cabinet, which Grant funds are in the amount of \$40,000 in Federal funds, for the continuation of the Street Sales Drug Enforcement Project for FY 2025, the acceptance of which obligates

the Urban County Government for the expenditure of \$13,334 as a local match, authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet for the acceptance of Federal funds, which Grant funds are in the amount of \$600,000, from the Fiber Optic Cable Installation Program Grant for FY 2024, for installation of conduit and fiber optic cabling, the acceptance of which obligates the Urban County Government to the expenditure of \$150,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with National Insurance Crime Bureau, for access and use of ISO Claim-Search.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 10 (Final) to the Agreement with ATS Construction, for the Town Branch Trail Phase 6 (-\$699,377.79) and turn lanes at Manchester and Forbes Projects (-\$24,410.18) in order to reconcile quantities installed for closeout, decreasing the Contract price by \$723,787.97 and decreasing the total Contract price to \$5,420,636.83.

A Resolution amending Section 3.104(1) of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, pertaining to the order of business for Urban County Council Work Sessions, to change the label "Mayor's Report" to "Communications From the Mayor", to move the Communications From the Mayor to follow New Business Items on the order of business, and to add Donations, and Fixed

Price Bids and Sole Source Procurements that only require the Urban County Government to enter into a unilateral Contract or issue a purchase order, as separate items for consideration under Communications From the Mayor, and relabeling or renumbering other affected items, all effective upon passage of Council.

A Resolution amending and restating Resolution No. 167-91 and Resolution No. 319-2015, to adopt a revised Minority and Women Business Enterprise Goal at an initial 17% minimum goal-including minimum subgoals of 5% for minority business enterprises and 12% for women business enterprises-and to restate a Certified Veteran-Owned Small Business and Certified Service-Disabled Veteran-Owned Small Business minimum 3% goal for government Contracts; and establishing evidentiary criteria for the Div. of Procurement to modify these goals on an annual basis.

*

*

*

Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Communications from the Mayor (Appointments) were approved by unanimous vote and were as follows: (1) Recommending the appointment of Emmanuel Smith, At large, filling an unexpired term, and Brett Tinch, Veteran Services Organization Representative, filling the unexpired term of Michelle Carter, and the seat change of Benjamin Adams, Kentucky Veterans Hall of Fame Inductee, to the Commission on Veterans' Affairs, with terms expiring July 1, 2024, July 1, 2024, and July 1, 2026, respectively; (2) Recommending the appointment of Lawrence Wetherby, Tenant Representing Owners, filling the unexpired term of Jason Ervin, to the Downtown Lexington Management District Board of Directors, with a term expiring December 1, 2025; (3) Recommending the reappointment of Stephanie Spires to the Lexington Children's Museum Board of Directors with a term expiring July 1, 2028;

and, (4) Recommending the appointment of Jessica Berry, filling an unexpired term, and the reappointment of Johnathan Dowell, to the Transit Authority Board, with terms expiring June 30, 2027, and June 30, 2028, respectively.

*

*

*

Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Communications from the Mayor (Price Contracts) were approved by unanimous vote and were as follows: (1) Accepting and approving the following bids and establishing price contracts for the following Depts. or Divs. to the specifications and amount set forth in the terms of the respective bids: (a) Div. of Police - Portable Radio Earpieces - 49-2024 - Waveband Communications Inc and Holzberg Communications Inc.; (b) Div. of Fleet Services - Hydraulic Oil - 57-2024 - Riley Oil Company; (c) Div. of Fire & Emergency Services - Can-Am UTV - 53-2024 - Joe Hill's Auto Center Inc.; (d) Div. of Parks & Recreation - Tennis & Pickleball Court Unit Price Contract - 45-2024 - Tennis Technology Inc and Whitestone Bullitt LLC; (e) Division of Parks & Recreation - Underground Electrical Service - 22-2024 - Davis H Elliot Construction Company Inc and Szabo Project Services Inc.; and, (f) Division of Water Quality - System Integrator and Operational Technology Services - 18-2024 - AE Electrical Systems, LoVo Systems and Rawdon Myers Inc.

*

*

*

The following Communications from the Mayor were received for information only: (1) Probationary Classified Civil Service Appointment of Andrew Smith, Computer Analyst, Grade 521E, \$2,239.60 biweekly in the Div. of Computer Services, effective May 20, 2024; (2) Probationary Classified Civil Service Appointment of Brandon McCannon,

Computer Analyst, Grade 521E, \$2,307.76 biweekly in the Div. of Computer Services, effective May 6, 2024; (3) Probationary Classified Civil Service Appointment of Crystal Martin, Equipment Operator, Grade 512N, \$18.164 hourly in the Div. of Streets and Roads, effective May 20, 2024; (4) Probationary Classified Civil Service Appointment of George Harris, Resource Recovery Operator, Grade 515N, \$21.746 hourly in the Div. of Waste Management, effective May 20, 2024; (5) Probationary Classified Civil Service Appointment of Halsten Higgins, Information Officer - NE, Grade 518N, \$24.200 hourly in the Div. of Environmental Services, effective June 3, 2024; (6) Probationary Classified Civil Service Appointment of Paula Barnes, Risk Analyst, Grade 519E, \$2,378.64 biweekly in the Div. of Human Resources, effective May 20, 2024; (7) Probationary Classified Civil Service Appointment of Breanna Land, Administrative Specialist, Grade 516N, \$21.718 hourly in the Div. of Police, effective May 20, 2024; (8) Probationary Classified Civil Service Appointment of Kathryn Barber, Social Services Coordinator, Grade 520E, \$2,232.56 biweekly in the Div. of Community and Resident Services, effective May 20, 2024; (9) Probationary Classified Civil Service Appointment of Jennifer Meunier, Recreation Manager Sr., Grade 522E, \$2,552.00 biweekly in the Div. of Parks and Recreation, effective May 6, 2024; (10) Probationary Classified Civil Service Appointment of Albert Collins, Custodial Worker, Grade 506N, \$16.294 hourly in the Div. of Facilities and Fleet, effective May 20, 2024; (11) Probationary Sworn Appointment of Michael Harris, Community Corrections Sergeant, Grade 112N, \$32.865 hourly in the Div. of Community Corrections, effective May 1, 2024; (12) Unclassified Civil Service Appointment of Larry Letcher, Public Works Apprentice, Grade 504N, \$15.771 hourly in the Div. of Waste Management, effective May 20, 2024; (13) Classified Civil Service

Acting Assignment of Amanda Sweeney, HR Manager, Grade 527E, \$2,952.00 biweekly in the Div. of Human Resources, effective February 13, 2024; and, (14) Classified Civil Service Acting Assignment of James Baker, Fleet Operations Manager, Grade 527E, \$3,443.36 biweekly in the Div. of Facilities and Fleet Management, effective April 4, 2024.

*

*

*

Chief Jason Wells, Div. of Fire and Emergency Services, presented a disciplinary action regarding Firefighter Jared McGuffey-52463. An allegation has been made that Firefighter McGuffey has committed the offense of Absent without leave in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 1.11 in that on the 12th day(s) of March, 2024, he/she allegedly failed to report to work at the beginning of his scheduled shift.

The appropriate punishment for this conduct is Written reprimand.

Upon motion by Ms. Reynolds, seconded by Mr. Ellinger and approved by unanimous vote, the disciplinary recommendation was approved.

*

*

*

At 7:22 p.m., Ms. Plomin departed the meeting.

*

*

*

Ms. Fogle shared the date for the upcoming ribbon cutting for the Marksburg Family WayPoint Center at the Historic Palmer Pharmacy, which will be held May 13th.

*

*

*

Ms. Sheehan imparted details of a recent training event held for Dementia Friendly Lexington and thanked the core staff and Council Members Lynch, Monarrez, Gray, Elliott Baxter, Seigny, Reynolds, Plomin, J. Brown and Vice Mayor Wu for their participation in

the training. She also thanked the Council Aides- particularly Layton Garrison- for their assistance in organizing the various steps of the training. She invited her colleagues to join in the certification activities.

*

*

*

Ms. Reynolds shared pictures from a recent ribbon cutting at Davis Park and noted the celebration that took place. She thanked Ms. Sheehan for her attendance and spoke of the importance of parks to the community. And, in celebration of National Correctional Officers Week, Ms. Reynolds also shared a promotional video for Community Corrections. She thanked the Corrections team for all their work and dedication.

*

*

*

Vice Mayor Wu noted that Asian American Pacific Islander Heritage Month was still ongoing and mentioned events that were being held around Lexington in observance. He shared that on May 10th, 6:30 p.m., the Carnegie Center would be holding a poetry reading featuring local poets- including Danni Quintos, Zoya Abbas, Teja Sudhakar, and Shauna Morgan- musical performances by Ellen Fei, and a tea tasting.

*

*

*

Mr. Seigny reported that earlier that morning he assisted the Community Montessori School students and members from Trees Lexington in the planting of 150 saplings. He described his positive experience participating in the event and expressed hope that other schools would partake in future events, noting the educational benefits. He detailed the process, and thanked Amy Steele of Trees Lexington for her work, as well as Community Montessori School representatives John Scalf, Erin Rush, and Nelson Griffin.

*

*

*

Ms. Gray reminded all that on June 1st, at 6:30 p.m., the 6th District Free Family Movie Night at Constitution Park would hold its first event of the season, beginning with the movie, The Marvels.

*

*

*

At 7:31 p.m., Ms. Fogle departed the meeting.

*

*

*

Soreyda Begley Dist. 3, shared concerns with the support of BIPOC artists in the community.

*

*

*

Liz Ryh, Dist. 10, spoke about the Hamas/ Israel war and asked for a resolution calling for a cease fire.

*

*

*

Bryce Oquaye, Dist. 8, shared his concerns and experience with the local support of BIPOC artists in the community.

*

*

*

Chas Hite, Dist. 3, spoke about the importance of ESL tutoring and implored the Council to allocate funds for the endeavor. He also spoke about the Hamas/ Israel war.

*

*

*

Rabbi Litvin, Dist. 3, spoke about the Hamas/ Israel war and local protests that have been held in the community.

*

*

*

Upon motion by Ms. Gray, seconded by Ms. Monarrez, and approved by majority vote (Fogle and Plomin were absent), the meeting adjourned at 7:48 p.m.

Clerk of the Urban County Council