

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky June 27, 2024

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on June 27, 2024 at 6:11 p.m. Present were Vice Mayor Wu in the chair presiding, in the absence of Mayor Gorton, and the following members of the Council: Lynch, Monarrez, Plomin, Reynolds, Sevigny, Sheehan, Worley, F. Brown, J. Brown, Ellinger, Fogle, and LeGris. Absent were Council Members Elliott Baxter and Gray.

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

Ordinances No. 051-2024 through 054-2024, inclusive, and Resolutions No. 282-2024 through 301-2024, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by John Rhodes, Chaplain in the Div. of Community Corrections.

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Upon motion by Ms. Monarrez, seconded by Ms. Fogle, and approved by unanimous vote, the Minutes of the May 9, 2024, May 16, 2024, June 11, 2024, and June 13, 2024 Regular Council Meetings were approved.

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Vice Mayor Wu asked Angela Justice to join him at the podium, along with Mr. J. Brown, and read a Proclamation declaring June 27, 2024 as Angela Justice Day in Lexington.

Vice Mayor Wu spoke of the importance of and respect he had for special education teachers, noting his wife was also a special education teacher.

Mr. J. Brown read a statement on behalf of Ms. Elliott Baxter in her absence. The statement held Ms. Justice in high esteem noting her energy and ability to connect with her students, and included warm sentiments made by the children of Ms. Elliott Baxter.

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An Ordinance amending the Lexington-Fayette Urban County Zoning Ordinance as follows: amending Article 1-11, relating to definitions; amending Article 3-6, relating to Workforce and Affordable Housing Bonuses; amending Articles 8-11(b), (c), (e), (f), (g), (h), (i), (m), and (o), relating to the Mixed Low-Density Residential (R-2) zone; amending Articles 8-13(d), (f), (g), (h), (m) and (o), relating to the Medium Density Residential (R-4) zone; amending Articles 8-14(d), (g), (h), (i) and (m), relating to the High Density Residential (R-5) zone; amending Articles 8-16(b), (c), (d), (e), (h), (m), and (o), relating to the Neighborhood Business (B-1) zone; amending Articles 8-20(b), (c), (d), (e), (h), (j), (k), (l) and (o) and creating Article 8-20(o)(3), relating to the Corridor Business (B-3) zone; creating Article 8-25, relating to the Corridor Node (CN) zone; amending Articles 9-1, 9-2, 9-3, and 9-6 and creating Article 9-8, relating to Group Residential Projects; amending Articles 11-2(a), (b), and (h), relating to the Interchange Service Business (B-5P) zone; amending Article 12-3(g) and creating Article 12-3(i), relating to the Commercial Center (B-6P) zone; and amending Articles 17-11(d) and (g), relating to signs permitted by specific zone, all in order to modernize the R-2, R-4 and R-5 zones, provide clear delineation between the B-1 and B-3 zones, create a New Corridor Node zone and propose density bonuses for affordable housing was on the docket for second reading.

Upon motion be Mr. Ellinger, seconded by Mr. F. Brown and approved by majority vote (Lynch, Reynolds, Sheehan, Wu, Fogle, LeGris voted No), the Council agreed to allow public comment prior to the second reading of the ordinance.

Mr. Bruce Simpson, attorney, spoke on behalf of several business owners regarding the potential negative impacts of the proposed ordinance and implored the Council to postpone the item until the July 2nd meeting.

Ms. Lynch asked if the postponement would be prudent. Mr. Ellinger responded.

Vice Mayor Wu asked Mr. Worley a question regarding parliamentary procedure. Mr. Worley responded.

Ms. Lynch voiced support to postpone.

Ms. LeGris asked a question about parliamentary procedure. Mr. Worley responded.

Ms. Reynolds asked a procedural questions. Mr. Worley responded. Ms. Reynolds asked Mr. Simpson a question regarding his clients' awareness of the legislation. Mr. Simpson responded.

Mr. J. Brown spoke about the legislative process and asked about the timeline to prepare an amendment. Mr. Simpson responded. Mr. J. Brown asked Dir. Jim Duncan, Div. of Planning, a question regarding potential changes, effects and deadlines to apply for exceptions. Mr. Duncan responded.

Ms. Fogle asked about the timeframe regarding compliance to the ordinance. Mr. Simpson responded.

Mr. Sevigny spoke about notification of the legislation.

Mr. Ellinger motioned, seconded by Mr. F. Brown, to postpone the second reading of the ordinance until July 2, 2024. The motion failed by the following vote:

Aye: Monarrez, Plomin, Worley, F. Brown, -----5
Ellinger

Nay: Lynch, Reynolds, Sevigny, Sheehan, Wu, -----8
J. Brown, Fogle, LeGris

The ordinance received second reading. Upon motion by Mr. Ellinger, and seconded by Ms. Reynolds, the ordinance was approved by the following vote:

Aye: Lynch, Monarrez, Plomin, Reynolds, -----12
Sevigny, Sheehan, Worley, Wu, J. Brown,
Ellinger, Fogle, LeGris

Nay: F. Brown -----1

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An Ordinance amending Section 4-13 of the Code of Ordinances, prohibiting the sale of dogs and cats by pet retail stores; establishing definitions; and providing a penalty for the violation thereof; and creating Section 4-13.1, prohibiting the offering of dogs and cats for sale by individuals in public places; and providing a penalty for the violation thereof, effective November 1, 2024 received second reading.

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

Aye: Lynch, Monarrez, Plomin, Reynolds, -----11
Sevigny, Sheehan, Wu, J. Brown,
Ellinger, Fogle, LeGris

Nay: F. Brown -----1

Recuse: Worley

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

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

Nay: -----0

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone, for 0.458 net (0.600 gross) acres, for property located at 800 and 802 Golfview Dr. (Anthony Humphress; Council District 11).

An Ordinance changing the zone from a Professional Office (P-1) zone to a Medium Density Residential (R-4) zone, for 13.09 net (13.82 gross) acres, for property located at 2350 Remington Way (Denton Floyd Real Estate Group; Council District 2).

An Ordinance amending the Lexington-Fayette County Zoning Ordinance as follows: amending Article 1-11 to create definitions for Cannabis business, Cardholder, Medicinal cannabis, Medicinal cannabis cultivator, Medicinal cannabis dispensary, Medicinal cannabis processor, Medicinal cannabis producer, Medicinal cannabis product, and Medicinal cannabis safety compliance facility; amending Article 1-11 to exclude Medicinal cannabis cultivators, Producers, and Processors from the definition of Commercial Greenhouse; and amending the following Sections to define and allow for Medical Cannabis-Based Businesses under the Zoning Ordinance: Sections 8-1(d) and (e), 8-2(d) and (e), 8-3(d) and (e), 8-4(d) and (e), 8-5(e), 8-13(e), 8-14(e), 8-15(b) and (e), 8-16(b) and (e), 8-17(e), 8-19(e), 8-20(b) and (e), 8-21(b) and (e), 8-22(b) and (e), 8-23(e), 8-24(e), and Sections 23A-9(b) and (e) and 23A-10(b) and (e) of Appendix 23A to the Zoning Ordinance, all effective upon passage of Council. (Urban County Planning Commission). Approval of Alternative Text 7-1

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. 46.

An Ordinance approving and adopting revised “Lexington Jobs Fund Policies and Guidelines.”

An Ordinance amending the authorized strength by creating one (1) classified position of Program Specialist, Grade 514N, and creating one (1) classified position of Community Outreach Program Manager, Grade 522E, all in the Div. of Environmental Services, effective upon passage of Council.

An Ordinance amending the authorized strength by creating one (1) unclassified position of Mobile Crisis Responder, Grade 519N, in the Div. of Fire and Emergency Services, effective upon passage of Council.

An Ordinance amending Section 13-13(B) of the Code of Ordinances to create five (5) Medicinal Cannabis Business (Cultivator, Dispensary, Processor, Producer, and Safety Compliance Facility) special fees licenses and setting their fees; creating Section 13-83 of the code to define terms regarding the regulation of Medicinal Cannabis Businesses; creating Section 13-84 of the Code to require an entity who operates a Medicinal Cannabis Business to obtain the applicable special fees license(s), as further defined in Sections 13-85 through Section 13-89, and to provide the information required in the application for a Medicinal Cannabis Business special fees license, and to set the criteria by which the Dir. of Revenue may deny an application, refuse to renew a license, or revoke a license; creating Section 13-90 to require payment of occupational license fees on net profits and on withholdings; creating Section 13-91 of the Code to provide the authority to issue subpoenas to the Administrative Hearing Board, created pursuant to Section 12-6 of the Code, to determine whether violations of this Ordinance have occurred, and setting penalties for violations, and specifying the manner of appeal for citations; and creating Section 13-92 of the Code to provide the procedure to use before denying an application, revoking a license, or refusing to renew a license; and authorizing the Div. of Revenue to amend its regulations consistent with this Ordinance.

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An Ordinance amending Section 23-30(b)(4)(a) of the Code of Ordinances, relating to employees of the Div. of Fire and Emergency Services who are appointed to the positions of Assistant Fire Chief and Fire Battalion Chief, to provide that employees appointed to those positions shall receive a bi-weekly stipend in an amount authorized by the Urban County Council; authorizing a stipend for the appointed position of Fire Battalion Chief in the amount of \$771 bi-weekly; and authorizing a stipend for the appointed position of Assistant Fire Chief in the amount of \$1,471 bi-weekly; all effective July 1, 2024 received first reading.

Upon motion by Ms. Reynolds, seconded by Mr. Ellinger, and approved by unanimous vote, the rules were suspended and the ordinance received second reading.

Upon motion by Ms. LeGris, and seconded by Ms. Sheehan, the ordinance was approved by the following vote:

Aye: Lynch, Monarrez, Plomin, Reynolds, -----13
Seigny, Sheehan, Worley, Wu, F. Brown,
J. Brown, Ellinger, Fogle, LeGris

Nay: -----0

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The following ordinances received first reading and were ordered to be placed on file for public inspection until July 2, 2024:

An Ordinance amending the authorized strength by abolishing one (1) classified position of Information Systems Specialist Senior, Grade 517N, and creating one (1) classified position of Software Developer, Grade 523E, all in the Div. of Computer Services, effective upon passage of Council.

An Ordinance amending Section 16-203 of the Lexington-Fayette Urban County Code of Ordinances to update div. titles and remove the penalty reduction for failing to contest citations, effective upon passage of Council.

An Ordinance amending Section 17B-1 of the Lexington-Fayette Urban County Code of Ordinances to define “root zone”; amending Section 17B-2 of the Code to remove the recommended spacing between street trees and other trees and reducing the required distance between street trees and stop or yield signs; amending Section 17B-3 of the Code to remove gendered language and include reference to the street tree’s stump in the requirements of the Section; amending Section 17B-4 of the Code to include

prohibitions on parking a vehicle or otherwise storing materials on the root zone of a street tree in such a way as to compact the soil; amending Section 17B-6 of the Code to clarify that appeals of civil citations issued pursuant to Section 17B-12 of the Code are not heard by the Tree Board; repealing Section 17B-11 of the Code; and amending Section 17B-12 of the Code to increase the administrative fee and penalty for violations of Chapter 17B of the Code to one hundred and fifty dollars (\$150) and an amount not to exceed two thousand five hundred dollars (\$2,500) per violation, respectively, and to provide factors from which the penalty determination is made; all effective upon passage of Council.

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 2025 Schedule No. 1.

An Ordinance amending the compensation system salary schedules to provide a one and one-half percent (1.5%) structure movement, applicable to all full-time and part-time positions in the Unified Pay Plan, to the position of Council Administrator, and to two (2) positions of Police and Fire Pension Benefits Specialist; providing that all full-time and part-time employees included in the Unified Pay Plan shall receive a three percent (3.0%) pay increase for FY2025; providing that the Council Administrator and two (2) positions of Police and Fire Pension Benefits Specialist shall receive a three percent (3%) pay increase for FY2025; providing that Sections 21-29(b) and 22-26(b) notwithstanding, all employees at or above the maximum of the grade salary range shall receive a three percent (3.0%) pay increase for FY2025; amending Section 23-28(a) to increase the existing step structure for the positions of Police Chief, Grade 324E, and Fire Chief, Grade 324E, by three percent (3.0%) and adjusting salaries accordingly; and increasing the salary by three percent (3.0%) for three (3) positions of Law Clerk - P\T within the Dept. of Law and one (1) position of Park Patrol Coordinator - P/T within the Div. of Parks and Recreation, all effective July 1, 2024.

An Ordinance amending the authorized strength by abolishing ten (10) classified positions of Early Child Care Teacher, Grade 512E, and creating ten (10) classified positions of Early Child Care Teacher, Grade 512N, in the Div. of Family Services, thereby changing the Fair Labor Standards Act (FLSA) status of the positions from exempt to

non-exempt; transferring all incumbents to the non-exempt position; and converting the biweekly salary of all incumbents to an hourly rate of pay, effective July 1, 2024.

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

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

Nay: -----0

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Crom, LLC, for Town Branch Wastewater Treatment Plant Concrete Channel Repairs, for the Div. of Water Quality, decreasing the Contract by the sum of \$343,177.46, from \$2,995,420.00 to \$2,652,242.54.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet (KYTC), delegating responsibility for operation and maintenance costs for traffic signals and electrical traffic control devices on the State Primary Rd. System in Fayette County, which shall be reimbursed by KYTC up to \$426,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Bluegrass Community and Technical College for Fire personnel to earn college credits at a cost not to exceed \$100,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Engineering Services Agreement (awarded pursuant to RFP No. 31-2024) with All4 LLC for Osha Compliance Program Management, for the Div. of Water Quality, at a cost not to exceed \$337,000.

A Resolution authorizing and approving the transfer of Council Capital Projects funds in the amount of \$13,495.36 to the Div. of Streets and Roads for the completion of paving work associated with a water quality project in the Castlegate Neighborhood.

A Resolution accepting the bid of C&R Asphalt LLC in the amount of \$117,200 for pavement repairs and additions at Community Corrections, for the Div. of Community

Corrections, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with C&R Asphalt LLC, related to the bid.

A Resolution accepting the bid of L-M Asphalt Partners, Ltd. d/b/a ATS Construction in the amount of \$587,405 for Barnard Dr. Stormwater Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with L-M Asphalt Partners, Ltd. d/b/a ATS Construction, related to the bid.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Jessica McClung, Administrative Specialist, Grade 516N, \$24.091 hourly in the Div. of Revenue, effective May 20, 2024, Michael Todd Fuller, Engineering Technician Principal, Grade 519N, \$27.893 hourly in the Div. of Engineering, effective June 4, 2024, Christopher Stone, Administrative Specialist, Grade 516N, \$23.174 hourly in the Div. of Streets and Roads, effective May 20, 2024, Calvin Trowel, Public Service Worker Sr., Grade 510N, \$19.688 hourly in the Div. of Streets and Roads, effective February 28, 2024, Jimmy Coots, Skilled Trades Worker, Grade 515N, \$21.181 hourly in the Div. of Streets and Roads, effective April 23, 2024, Nathan Rainey, Skilled Trades Worker, Grade 515N, \$20.804 hourly in the Div. of Streets and Roads, effective April 23, 2024, Alfred Godfrey, Public Service Worker Sr., Grade 510N, \$16.180 hourly in the Div. of Streets and Roads, effective April 16, 2024, Gregory Taulbee, Operations Supervisor, Grade 519E, \$2,477.52 biweekly in the Div. of Streets and Roads, effective May 20, 2024, Bryan Beasley, Project Manager Sr., Grade 522N, \$35.000 hourly in the Div. of Streets and Roads, effective May 6, 2024, Dalton Bartram, Heavy Equipment Operator, Grade 516N, \$22.113 hourly in the Div. of Streets and Roads, effective May 20, 2024, Christina Balding, Environmental Initiatives Specialist, Grade 518N, \$29.121 hourly in the Div. of Environmental Services, effective June 18, 2024.

A Resolution amending Section 3.104(1)(VIII) of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, relating to continuing business, presentations, and employee recognition at Council Work Sessions, to provide that continuing business includes requests for Neighborhood Development Funds, Council Capital Projects, and Council Committee Summaries, and to allow up to three (3) presentations per Work Session, with each presentation not to exceed fifteen (15)

minutes, which presentations may include presentations pursuant to legal requirements, presentations constituting official business, proclamations, and employee recognition, with priority given to presentations pursuant to legal requirements and presentations constituting official business, effective upon passage of Council.

A Resolution authorizing the Div. of Waste Management to purchase baler wire from Accent Wire Tie, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Accent Wire Tie, related to the procurement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and accept deeds of conveyance and easement from the owners of record on properties needed for the construction of the Mason Headley Improvement Project at a cost not to exceed \$369,000.

A Resolution approving the Granting of an inducement to Infineon Technologies LLC, or its successor or affiliate, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to rebate annually one percent (1%) of the Company's occupational license fees for a term of no longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any Agreement with the Ky. Economic Development Finance Authority or the Urban County Government related to the project, and taking other related action.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Forgivable Loan Agreement and related documents with Wellington Park Apartments, LLC, pursuant to the Public Infrastructure Program, for construction of an access road and related infrastructure from Wellington Way as well as the creation of jobs, at a cost not to exceed \$500,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Agreement with Bluegrass Contracting Corporation, for construction of Davis Park, increasing the Grant award by \$6,498.25, raising the total Contract amount from \$1,141,801.00 to \$1,148,299.25, and to accept additional Grant funds from the Ky. Transportation Cabinet (KYTC) in the amount of \$4,979.25.

A Resolution authorizing Crosslin, PLLC, to conduct a financial audit of all Lexington-Fayette Urban County Government funds for Fiscal Year 2024 for an amount not to exceed \$187,250 (FY2025), and authorizing and directing the Mayor or the Commissioner of Finance, on behalf of the Urban County Government, to execute a Letter Agreement and any other necessary documents with Crosslin, PLLC related to the audit.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Nelson Systems, Inc., for an Eventide Logging Recorder at a cost not to exceed \$268,350.21.

A Resolution changing the street name and property address number of 1875 Newtown Pike to 1850 Pisacano Dr., 3211 Nicholasville Rd. to 101 Lexington Green Circle, 1016 S. Broadway to 380 Virginia Ave., 152 Jefferson St. to 161 Bruce St., 1210 Red Mile Rd. to 751 Tattersalls Way, 544 S. Forbes Rd. to 1307 Versailles Rd. and 2160 Versailles Rd. to 988 Mason Headley Rd., all effective thirty (30) days from passage.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Consultant Services Agreement (awarded pursuant to RFP No. 9-2024) with Toole Design Group, LLC, for the Complete Streets Design Manual Project, at a cost not to exceed \$450,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet ("Cabinet") in order to accept a Grant from the Cabinet and the Lexington Area Metropolitan Planning organization ("MPO"), which Grant funds are in the amount of \$360,000 in Surface Transportation Block Grant-Lexington (STBG-SLX) Federal funds for the Complete Street Design Standards Project for FY 2024, as part of the MPO'S FY 2021-2024 Transportation Improvement Program, the acceptance of which obligates the Urban County Government to the expenditure of \$90,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution approving and adopting substantial amendments to the 2019 Annual Action Plan reallocating funding from existing Cares Act Community Development Block Grant (CDBG-CV) Projects, and decreasing funding for the Community Development Block Grant Administration (\$237,328.51), Urban League (\$100,000.00), Lexington Housing Authority (\$49,131.27), Food Chain (\$5,865.40), National Alliance on Mental

Health (\$2.18), Refuge Clinic (\$9,179.33) and New Vista (\$40,613.34), and reallocating those funds to the National Alliance on Mental Health (\$170,000.00) and Recovery Supportive Living Assistance (RSLA) (\$272,120.03), 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 Change Order No. 3 to the Professional Services Agreement with Gresham Smith, for Phase III Archeological Data Recovery for the Legacy Business Park, increasing the Contract by the sum of \$485,094, from \$2,548,210 to \$3,033,304.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY 2025 for excess liability insurance from Marsh & McLennan Insurance Agency, and to execute any necessary Contracts and documents on behalf of the Urban County Government with, the following insurance companies and/or their respective broker Marsh & McLennan Agency: aviation from Westchester Fire Insurance (CHUBB) at a cost not to exceed \$54,014.06; general, public officials, auto, employer, and law enforcement liabilities from Safety National Casualty Corporation at a cost not to exceed \$779,655.74; on the road auto from Safety National Casualty Corporation at a cost not to exceed \$64,341.66; excess liability from Gemini Insurance Co. at a cost not to exceed \$538,850.16; property from Affiliated Factory Mutual (FM) at a cost not to exceed at \$800,418.00; cyber from Axis Co. at a cost not to exceed \$56,745.36; pollution from Illinois Union Insurance Co. (CHUBB) at a cost not to exceed \$27,695.96; and workers' compensation from Safety National Casualty Corporation at a cost not to exceed \$515,201.00; all subject to sufficient funds being appropriated.

A Resolution authorizing the Div. of Waste Management to purchase maintenance to the electrical system at Materials Recovery Facility from AE Electrical Solutions, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with AE Electrical Solutions, related to the procurement.

A Resolution authorizing the Div. of Waste Management to purchase parts and services from Machinex Technologies, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Machinex Technologies, related to the procurement.

A Resolution authorizing the Div. of Waste Management to purchase Professional Consulting Services from Resource Recycling Systems, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Resource Recycling Systems, related to the procurement.

A Resolution authorizing the Div. of Waste Management to purchase parts, repairs and installation services from Bullitt County Belting & Supply, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Bullitt County Belting & Supply, related to the procurement.

A Resolution amending Section 3.106 of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, relating to Public Comment during meetings, to clarify that the privilege of Public Comment afforded during Council Meetings and Work Sessions is an opportunity for spoken comment addressed to Council and does not include the making of presentations, multimedia or otherwise; and amending Section 3.107 of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, relating to distribution of informational material, to clarify how members of the public may distribute informational material to Council, all effective upon passage of Council.

A Resolution ratifying and approving the Fiscal Year 2025 Budget of the Lexington-Fayette Urban County Industrial Authority.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement, pursuant to RFP No. 12-2024, with EHI Consultants, for the Dept. of Housing Advocacy and Community Development, to conduct a study of Shelter and Transitional Housing Feasibility, at a cost not to exceed \$155,000 in FY 2024 received first reading.

Upon motion by Ms. Fogle, seconded by Ms. Reynolds, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Fogle, and seconded by Ms. Monarrez, the resolution was approved by the following vote:

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement (RFP No. 30-2024), with Lexington-Fayette Urban County Housing Authority, for operation of a Landlord Engagement and Recruitment Program, at a cost not to exceed \$300,000, and further authorizing the Mayor to execute any other necessary amendments, addenda, or other documents related to these funds received first reading.

Upon motion by Ms. Fogle, seconded by Mr. Ellinger, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Fogle, and seconded by Ms. Monarrez, the resolution was approved by the following vote:

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Health Services Agreement with CHS TX, Inc., d/b/a YesCare, for the provision of medical care and mental health services for the offender population at the Div. of Community Corrections, at a cost not to exceed \$10,278,132 in Fiscal Year 2025 received first reading.

Upon motion by Ms. Reynolds, seconded by Mr. Sevigny, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Fogle, and seconded by Ms. Monarrez, the resolution was approved by the following vote:

Aye: Lynch, Monarrez, Plomin, Reynolds, -----13
Seigny, Sheehan, Worley, Wu, F. Brown,
J. Brown, Ellinger, Fogle, LeGris

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Operating Agreement with Aramark Correctional Services, LLC, for food services for the Div. of Community Corrections, at a cost not to exceed \$1,336,608 for the Fiscal Year 2025, and subject to sufficient funds being appropriated in future fiscal years received first reading.

Upon motion by Ms. Reynolds, seconded by Mr. Seigny, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Fogle, and seconded by Ms. Monarrez, the resolution was approved by the following vote:

Aye: Lynch, Monarrez, Plomin, Reynolds, -----13
Seigny, Sheehan, Worley, Wu, F. Brown,
J. Brown, Ellinger, Fogle, LeGris

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with NAMI Lexington, Inc., related to the operation of the Fayette Mental Health Court, at a cost not to exceed \$100,000, using funds allocated from the FY 2025 General Fund received first reading.

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

Upon motion by Ms. Fogle, and seconded by Ms. Monarrez, the resolution was approved by the following vote:

Aye: Lynch, Monarrez, Plomin, Reynolds, -----13
Seigny, Sheehan, Worley, Wu, F. Brown,
J. Brown, Ellinger, Fogle, LeGris

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Fayette County Public Schools, for the transition of Day Treatment Program services and the continued operation of a Day Treatment Program by Fayette County Public Schools at the Audrey Grevious Center, at a cost not to exceed \$300,000 in FY2025, subject to and conditioned upon the obtaining of all other approvals necessary to give force and effect to the Agreement received first reading.

Upon motion by Ms. Reynolds, seconded by Ms. Lynch, and approved by majority vote (Mr. J. Brown and Mr. Worley voted No), the rules were suspended and the resolution received second reading.

Upon motion by Ms. Fogle, and seconded by Ms. Monarrez, the resolution was approved by the following vote:

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Fayette County Public Schools, for the leasing of the property located at 1177 Harry Sykes Way, also known as the Audrey Grevious Center, to Fayette County Public Schools, for a period of two (2) years, for its exclusive use in the continuing operation of a Day Treatment Program on the premises, in consideration of the substantial public purposes promoted thereby, subject to and conditioned upon the obtaining of all other approvals necessary to give force and effect to the Agreement received first reading.

Upon motion by Ms. Reynolds, seconded by Ms. Lynch, and approved by majority vote (Mr. J. Brown voted No), the rules were suspended and the resolution received second reading.

Upon motion by Ms. Fogle, and seconded by Ms. Monarrez, the resolution was approved by the following vote:

Aye: Lynch, Monarrez, Plomin, Reynolds, -----13
Seigny, Sheehan, Worley, Wu, F. Brown,
J. Brown, Ellinger, Fogle, LeGris

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Agreement with Champlin/Haupt Architects Inc. dba EOP Architects, for professional services for the new Senior and Therapeutic Center, increasing the amount by \$215,617, raising the total Contract amount from \$736,133 to \$951,750 received first reading.

Upon motion by Ms. Ms. Reynolds, seconded by Ms. Lynch, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Fogle, and seconded by Ms. Monarrez, the resolution was approved by the following vote:

Aye: Lynch, Monarrez, Plomin, Reynolds, -----13
Seigny, Sheehan, Worley, Wu, F. Brown,
J. Brown, Ellinger, Fogle, LeGris

Nay: -----0

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A Resolution authorizing the Mayor or her designee to execute Sponsorship Agreements related to the celebration of Lexington's 250th Anniversary, the final form of which shall be subject to approval in form and content by the 250Lex Commission and the Dept. of Law, and further authorizing the Mayor to execute any other needed amendments or Agreements related to 250Lex sponsorships received first reading.

Upon motion by Mr. J. Brown, seconded by Mr. Ellinger, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Fogle, and seconded by Ms. Monarrez, the resolution was approved by the following vote:

Aye: Lynch, Monarrez, Plomin, Reynolds, -----13
Seigny, Sheehan, Worley, Wu, F. Brown,
J. Brown, Ellinger, Fogle, LeGris

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until July 2, 2024:

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Downtown Lexington Management District (DLMD), providing funding for additional deputies from the Office of the Fayette County Sheriff to patrol in and around Tandy Park beginning July 1, 2024 through October 31, 2024, at a cost not to exceed \$50,000 (FY25).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the fourth and final renewal of the Agreement with Tetra Tech, Inc., for Municipal Separate Storm Sewer System (MS4) Program Management Services, at a cost not to exceed \$664,223 in FY 2025.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with LinkedIn Corporation, to promote open positions with the Lexington-Fayette Urban County Government on its platform, for the Office of Public Information, at a cost not to exceed \$18,450.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three (3) to the Contract with Strand Associates, for the Old Frankfort Pike Salt Dome, increasing the Contract amount by \$7,500 and raising the total Contract amount to \$223,280.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to amend an existing Agreement with Management Registry, Inc., extending the period of performance through September 30, 2025, for the Div. of Emergency Management, in order for support staff for the Chemical Stockpile Emergency Preparedness Program (CSEPP) to close out the project, at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Professional Services Agreements with Eva Harrison, Kayla Keeping, and Megan Magsam, as Contract Forensic Nursing Advocates, to provide direct advocacy services to sexual assault victims

under the Forensic Nursing Advocacy Program for Fiscal Year 2024, at a cost not to exceed \$29,302.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 1 to the Agreement with the Bluegrass Area Development District, to accept an additional award of \$41,931.73 in Federal Funds, under Title IIIB of the American Rescue Plan Act (ARPA) for FY2025, 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 an Agreement with Flock Group Inc., for the purchase of twenty-five flock cameras, warranty and implementation of the cameras at a cost not to exceed \$453,375 in FY 2025.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Honey Hill Farm, LLC, to have the Honey Hill Farm Petting Zoo at the Family Care Center, at a cost not to exceed \$532.50.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Republic Services, to continue service at the Family Care Center for FY 2025, at a cost not to exceed \$900, or \$75 per month.

A Resolution authorizing the Div. of E911 to purchase a single database for 911 location records from 911 Datamaster LLC, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with 911 Datamaster LLC, related to the procurement at a cost not to exceed \$46,732.

A Resolution authorizing the Div. of E911 to purchase web-based queries of 911 statistics from Intrado Life & Safety Solutions ECATS, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Intrado Life & Safety Solutions ECATS, related to the procurement at a cost not to exceed \$7,579.20.

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 (KYTC) for the acceptance of Federal funds, which Grant funds are in the amount of \$480,000 for the Intelligent Transportation System/Congestion Management System (ITS/CMS) Traffic Improvements Project for FY 2025, the acceptance of which obligates the Urban County Government to the expenditure of \$120,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing The Div. of E911 to purchase telephone technology from Kraus Associates, Inc. d/b/a AK Associates, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Kraus Associates, Inc. d/b/a AK Associates.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with economic development partner agencies, including the Kable Group/TSJ Staffing, the Child Care Council of Ky., Building Institute of Central Ky., Community Action Council, Stable Recovery, Jubilee Jobs, Lexington Rescue Mission, and IEC of the Bluegrass, for Workforce Services, at a cost not to exceed \$400,000 for Year 1 in FY 2025.

A Resolution amending and restating Resolution No. 221-2024, and 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 and RFP #090320, both Contracts 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) and the statement of work related to the digital transformation of forms for the Div. of Human Resources (cost estimated not to exceed \$51,000), and future Statements of Work related to the procurement of software and service solutions for various Depts. and Divs. of the Urban County Government under either Contract, as further determined to be necessary, cost effective and feasible by the Chief Information Officer and the Div. of Procurement, subject to the appropriation of sufficient funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement and accept a Grant from the Lexington-Fayette

County Health Dept. in the amount of \$356,000 in Federal funds and \$101,000 in Commonwealth of Ky. funds (including \$41,000 in 853 Home Visiting Service Grant funds), for a total of \$457,000 for the Home Network Program, also known as Ky. health Access Nurturing Development Services (HANDS), for the Family Care Center for FY 2025, the acceptance of which does not obligate the Urban County Government for 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 accept a Grant from the Ky. Energy and Environment Cabinet, Dept. of Environmental Protection, Div. of Waste Management, which Grant funds are in the amount of \$4,000 in Commonwealth of Ky. funds for Fiscal Year 2025 for the disposal and recycling of waste tires, 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 an Amendment to the Neighborhood Action Match Program Agreement with the Garden Meadows Homeowners Association, extending the period of performance through December 1, 2024, at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the U.S. Dept. of Treasury, for access to investigative data.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements with the following seven (7) Extended Social Resource (ESR) Program -Grantee agencies, pursuant to Administrative Agreements and RFP #25-2024 or RFP #34-2024 (Emergency Shelter): Hope Center, Inc. (\$850,000), GreenHouse17, Inc. (\$190,000), Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. (\$245,406), Arbor Youth Services, Inc. (\$269,116), Hospice of the Bluegrass, Inc. D/b/a Bluegrass Care Navigators (\$87,650), New Life Day Center, Inc. (\$150,715) and the Salvation Army (\$125,127); to provide emergency shelter services, at a cost not to exceed \$1,918,014.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Grant award Agreements related to Grants awarded under the Lex Grow Trees Grant Program with Andover Forest Homeowners Association, Inc. (\$100,000.00); Bluegrass Greensource, Inc. (\$95,312.50); Bread & Circuses LLC (\$6,000.00); Eastland Parkway Neighborhood Association, LLC (\$18,271.85); Friends of the Parks in Fayette County, Inc. (\$4,172.00); Friends of Wolf Run Inc. (\$97,935.00); Hartland Homeowner's Association, Inc. (\$76,785.20); Pensacola Park Neighborhood Association, LLC (\$6,000.00); and Trees Lexington! Inc. (\$86,655.00) for the Div. of Environmental Services, at a cost not to exceed the sum stated.

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Mr. J. Brown moved, pursuant to Section 5.05 of the Urban County Government Charter, to override all of the Mayor's June 18, 2024, line item vetoes of the FY2025 Budget Ordinance (Ordinance No. 51-2024) and restore all of these items to Ordinance No. 51-2024 in their entirety. Mr. Worley seconded. The motion passed by the following vote:

Aye: Lynch, Monarrez, Plomin, Reynolds, -----11
Sevigny, Sheehan, Worley, Wu, J. Brown,
Fogle, LeGris

Nay: F. Brown, Ellinger -----2

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Mr. J. Brown motioned to amend the Communications from the Mayor (Appointments) to remove the recommendation to reappointment Janice Meyer to the Planning Commission with a term expiring July 1, 2028, pending the results of the confirmation hearings on June 27, 2024. The motion was seconded by Ms. Lynch and passed by unanimous vote.

Upon motion by Mr. Worley, and seconded by Mr. Ellinger, the Communications from the Mayor (Appointments), as amended, were approved by unanimous vote and were as follows: (1) Recommending the appointment of Jerome Flynn, replacing Jason Wright, Timothy Schuler, and Miranda Wyles, replacing Andrea Miller, to the CASA of Lexington Board of Directors with all terms expiring July 1, 2028; (2) Recommending the reappointment of Ivy Barksdale to the Planning Commission both a term expiring July 1, 2028, pending the results of the confirmation hearings on June 27, 2024; and, (3)

Recommending the reappointments of Harry Ellington, Steven Katz and Steven Tyner-Wilson, all Qualified Members, to the Senior Services Commission with all terms expiring September 1, 2028.

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The following Communications from the Mayor were received for information only:

(1) Probationary Classified Civil Service Appointment of Teri Conner, Staff Assistant Sr., Grade 511N, \$18.003 hourly in the Div. of Revenue, effective June 17, 2024; (2) Probationary Classified Civil Service Appointment of Patrick Philpot, Treatment Plant Operator, Grade 518N, \$24.264 hourly in the Div. of Water Quality, effective June 24, 2024; (3) Probationary Classified Civil Service Appointment of Salihah Muhammad, Resource Recovery Operator, Grade 515N, \$20.795 hourly in the Div. of Waste Management, effective June 24, 2024; (4) Probationary Classified Civil Service Appointment of Robin Brooks, Human Resources Generalist, Grade 524E, \$2,847.52 biweekly in the Div. of Human Resources, effective June 27, 2024; (5) Probationary Classified Civil Service Appointment of Yvonne Brown, Administrative Specialist, Grade 516N, \$24.750 hourly in the Div. of Human Resources, effective June 24, 2024; (6) Probationary Classified Civil Service Appointment of Alma Diaz, Administrative Specialist, Grade 516N, \$23.956 hourly in the Div. of Human Resources, effective July 22, 2024; (7) Probationary Classified Civil Service Appointment of Melissa Fleming, Staff Assistant Sr., Grade 511N, \$18.559 hourly in the Div. of Code Enforcement, effective July 8, 2024; (8) Probationary Classified Civil Service Appointment of Alan Brady, Commercial Building Inspector, Grade 519N, \$29.333 hourly in the Div. of Building Inspection, effective July 1, 2024; (9) Probationary Classified Civil Service Appointment of Christopher Fultz, Public Service Worker Sr., Grade 510N, \$18.430 hourly in the Div. of Parks and Recreation, effective July 1, 2024; (10) Probationary Classified Civil Service Appointment of James Davis, Trades Worker, Grade 510N, \$16.846 hourly in the Div. of Parks and Recreation, effective July 1, 2024; (11) Probationary Classified Civil Service Appointment of Nancy Nolasco, Housing Advocate, Grade 517N, \$22.654 hourly in the Dept. of Housing Advocacy & Community Development, effective June 24, 2024; (12) Sworn Reinstatement of Jerrad Vanhooose, Firefighter, Grade 311N, \$25.453 hourly in the Div. of Fire and Emergency Services, effective July 1, 2024; and, (13) Unclassified Civil

Service Appointment of Jenifer Wuorenmaa, Senior Special Projects Administrator, Grade 530E, \$5,202.88 biweekly in the Office of the Chief Administrative Office, effective July 1, 2024

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Ms. Fogle shared some recent events that took place in Dist. 1 and recognized the Winburn Schools Public Safety Officers.

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Zach Skubiz, Dist. 5, spoke in support of the recently passed Zoning Ordinance Text Amendments.

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Bram Coffey, Dist. 1, spoke about the war in Gaza and asked the Council to pass a resolution calling for a cease fire.

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Rabbi Litvin, Dist. 3, spoke about the war in Gaza, the political climate here and abroad, and his concerns. He spoke about the future of Judaism and the Jewish community.

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Arsh Ansari, Dist. 3, spoke about the war in Gaza and called on the Council to pass a resolution for cease fire. He spoke of crimes against Palestinians in the U.S.

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Seeing no objection, Vice Mayor Wu declared the meeting adjourned at 7:46 p.m.

Clerk of the Urban County Council