

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky September 26, 2024

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on September 26, 2024 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: F. Brown, J. Brown, Ellinger, Elliott Baxter, Fogle, Gray, LeGris, Lynch, Monarrez (via virtual teleconference), Plomin, Reynolds, Sevigny, Sheehan, and Wu. Absent was Council Member Worley.

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

Ordinances No. 101-2024 through 104-2024, inclusive, and Resolutions No. 465-2024 through 492-2024, inclusive, were reported as having been signed and published and ordered to record.

*

*

*

The Invocation was given by Pastor David Prince of Ashland Avenue Baptist Church.

*

*

*

Upon motion by Mr. Sevigny, seconded by Ms. Gray, and approved by unanimous vote, the Minutes of the September 12, 2024 Council Meeting were approved.

*

*

*

At 6:05 p.m., Mr. Preston Worley joined the meeting.

*

*

*

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

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

An Ordinance amending the Unclassified Civil Service authorized strength by transferring one (1) unclassified position of Administrative Specialist, Grade 516N, to the Div. of Revenue, and transferring the incumbent, effective upon passage of Council.

An Ordinance amending the Classified Civil Service authorized strength by creating one (1) classified position of Odor Control Manager, Grade 523E, in the Div. of Water Quality, creating one (1) classified position of Traffic Engineer, Grade 525E, in the Div. of Traffic Engineering, creating one (1) classified position of E911 Manager, Grade 527E, in the Div. of Enhanced 911, effective July 1, 2024.

An Ordinance amending the civil service authorized strength by abolishing one (1) unclassified position of Construction Supervisor, Grade 524E, and creating one (1) unclassified position of Construction Manager, Grade 531E, all in the Dept. of Environmental Quality, 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. 8.

* * *

Upon motion by Ms. Elliott Baxter, seconded by Ms. Reynolds, and approved by unanimous vote, an Ordinance pursuant to Section 2-1(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government, adopting a schedule of meetings for the Council for the calendar year 2025 was amended to schedule a Council meeting at 5 p.m. on July 1, 2025, schedule a Social Services and Public Safety Committee at 3 p.m. on July 3, 2025, schedule a Council meeting at 5 p.m. on July 3, 2025, and remove the meetings scheduled for July 8 and July 10, 2025.

Vice Mayor Wu asked about a question about the process of amending the Council calendar. Mr. Michael Cravens, Dept. of Law, responded.

The Ordinance received first reading as amended and was ordered to be placed on file for public inspection until October 10, 2024.

* * *

The following ordinance received first reading and was ordered to be placed on file for public inspection until November 12, 2024:

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Mobile Home Park (M-1P) zone, for 16.541 net (16.754 gross) acres, for property located at 421 Price Road (a portion of). (Fayette MHC, LP; Council District 2)

The following ordinances received first reading and were ordered to be placed on file for public inspection until October 10, 2024:

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Highway Service Business (B-3) zone, for 1.000 net (1.177 gross) acres, for property located at 2090 Harrodsburg Rd. (Beverly A. Chewning; Council District 10).

An Ordinance amending Section 1 of Ordinance No. 134-2023, as amended by Ordinance No. 023-2024, which adopted a Schedule of Meetings for the Lexington-Fayette Urban County Council for Calendar Year 2024, to remove the October 29, 2024 Budget Finance, and Economic Development Committee Meeting scheduled for 1:00 pm and add a Budget Committee of the Whole Meeting to be held on October 29, 2024 at 10:00 am.

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) classified position of Traffic Signal Technician Senior, Grade 517N, and creating one (1) classified position of Outside Plant (OSP) Network Integrator Senior, Grade 519N, in the Div. of Traffic Engineering, effective upon passage of Council.

An Ordinance amending the Classified Civil Service authorized strength by creating one (1) classified position of Recreation Manager, Grade 520N, in the Div. of Aging Services, effective July 1, 2024.

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) position of Recreation Supervisor, Grade 514E, and creating one (1) position of Recreation Supervisor, Grade 514N, in the Div. of Social Services, abolishing three (3) positions of Recreation Specialist senior, Grade 516E, and creating three (3) positions of Recreation Specialist Senior, Grade 516N, in the Div. of Aging and Disability Services, abolishing four (4) positions of Recreation Supervisor, Grade 514E, and creating four (4) positions of Recreation Supervisor, Grade 514N, abolishing five (5) positions of Recreation Specialist Senior, Grade 516E, and creating five (5) positions of Recreation Specialist Senior, Grade 516N, and abolishing five (5) positions of Recreation Manager, Grade 520E, and creating five (5) positions of Recreation Manager, Grade 520N, all in the Div. of Parks and Recreation, 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 the first pay period following 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. 9.

*

*

*

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

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

A Resolution accepting the bid of Perdue Environmental Contracting Co. Inc., in the amount of \$4,079,804.89 for the Leachate Management Construction at Haley Pike, for the Div. of Environmental Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Perdue Environmental Contracting Co. Inc., related to the bid.

A Resolution authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Change Order No. 1 to the Stormwater Quality Projects Incentive Grants with the Unitarian Universalist Church of Lexington (UUCL), for Stormwater Quality Projects, increasing the Grant award by the sum of \$60,522.40, from \$299,477.60 to \$360,000.00.

A Resolution authorizing the Div. of Streets and Roads to purchase first aid training from Red Cross, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Red Cross, related to the purchase, at a cost not to exceed \$1,520.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Addendum No. 1 to the Agreement with the University of Ky. Research Foundation (UKRF), for the provision of evaluation services for the Lexington-Fayette Urban County Government's Community Paramedicine Overdose Outreach (CPOOL) under the Comprehensive Opioid, Stimulant, and Substance Use Program from the Dept. of Justice, Bureau of Justice Assistance Grant Program,

extending the period of performance through September 30, 2025, at a cost not to exceed \$83,619.

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 the Town Branch Park Access Improvements Project, increasing the Contract price by the sum of \$50,000, from \$100,000 to \$150,000.

A Resolution authorizing and directing the Mayor, or her designee, on behalf of the Urban County Government, to execute Change Order No. 1 to the License Agreement with Cincinnati, New Orleans and Texas Pacific Railway Co. (Norfolk Southern Railway Co.), and any other necessary document related thereto, for additional permit fees for the Spurr and Dotson Pump Station Sanitary Sewer Infrastructure Project, increasing the contract by the sum of \$20,000, from \$21,135 to \$41,135.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award from the Environmental Protection Agency Solid Waste Infrastructure for Recycling Grant Program, for the Dept. of Environmental Quality and Public Works, Div. of Waste Management, which Grant funds are in the amount of \$1,800,000 in Federal funds for Fiscal Year 2025, for equipment and facility upgrades at Lexington Fayette Urban County Government Materials Recovery Facility, 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 the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Meadowthorpe Neighborhood Association, to fund a Public Art Project, with funds from the percent for Art Fund, in celebration of the Meadowthorpe Neighborhood's 75th anniversary, through the Public Art Commission's Collaborative Grant Program, in an amount not to exceed \$21,250.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Participating Addendum/Cooperative Purchasing Master Agreement with Konica Minolta Business Solutions, Inc. USA through NASPO VALUEPOINT, establishing a price contract for the purchase of multi-function devices and related software, services and cloud solutions, and further authorizing the Director of

Procurement or his designee to execute any other necessary documents related to the price contract.

A Resolution of the Lexington-Fayette Urban County Government accepting an additional Grant of \$1,186,810 (for a total of \$13,054,095) in Federal funds from the Ky. Cleaner Water Round 2 Grant (ARPA) for the design and construction of Ultraviolet Disinfection Systems at each Wastewater Treatment Plants as part of the Consent Decree Remedial Measures Plan Project, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, approving the Grant Assistance Agreement, authorizing the amendment of the Lexington-Fayette Urban County Government's Annual Budget, and authorizing a representative to sign all related documents.

A Resolution authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Change Order No. 2 to the Agreements with Tetra Tech, Inc., for the Former Jacks Creek Pike Landfill Improvement Project, for the Div. of Water Quality, decreasing the Contract price by the collective sum of \$36,900, from \$156,350 to \$119,450.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three (3) to the Agreement with Prime AE (formerly Integrated Engineering, PLLC), for design services of Meadows/Northland/Arlington Public Improvements Project, Phase 7, increasing the Contract price by the sum of \$44,300 and raising the total Contract price from \$360,823 to \$405,123.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to an Agreement, the final form of which is subject to the approval of the Dept. of Law and the Div. of Grants and Special Programs, with Davis Park Station Limited Liability Limited Partnership, under the HOME Investment Partnerships Program, to allocate an additional \$277,576 of Federal funds awarded under the American Rescue Plan Act (ARPA), pending approval of any necessary Budget amendments, to provide housing and supportive services to individuals and households who are homeless, at risk of homelessness, or other vulnerable populations at Davis Park

Station, and further authorizing the Mayor to execute any other documents related to this amendment.

A Resolution initiating a Zoning Ordinance text amendment to amend Article 17 and allow for electronic digital billboards.

A Resolution initiating a Zoning Ordinance text amendment to amend Articles 3, 8 and 23A, revising terms and conditions for short-term rentals.

*

*

*

A Resolution accepting the bid of BMI LLC d/b/a BMI Builds LLC, in the amount of \$89,888 for the Front-Loading Dock Repair at MRF, for the Div. of Facilities and Fleet Management, 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 Mr. Worley, seconded by Ms. Fogle, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution accepting the bid of Lagco Inc., in the amount of \$581,100 for the Police Headquarters HVAC Replacement and Controls Upgrade, for the Dept. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lagco Inc., related to the bid received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution accepting the bid of Pearce-Blackburn Roofing, LLC, in the amount of \$397,980 for the Police Technical Roof Replacement, for the Dept. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with Pearce-Blackburn Roofing, LLC, related to the bid received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Renewal Agreement with Toro NSN, for irrigation software support and service, and Extended Warranty Agreement at Kearney Hill Golf Links, at a cost estimated not to exceed \$6,900 received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Subrecipient Agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. ("CAC"), allocating \$122,823 of funds awarded pursuant to the American Rescue Plan Act (ARPA) to the CAC to provide temporary emergency shelter and supportive services to homeless families caring for minor children, 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. Fogle, seconded by Mr. Ellinger, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with New Vista, for call referral coordination received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the lease with Davis Park Station, LLLP, for space at 501 De Roode Street for the Davis Park Workforce Center, at an estimated cost not to exceed \$16,536.65 in FY 2025 received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution accepting the bid of Ground Hog Excavating and Farm Services, Inc., in the amount of \$212,238, for the North Broadway Median Greening Project, for the Div. of Environmental Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ground Hog Excavating and Farm Services, Inc., related to the bid received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution authorizing and approving the transfer of Council Capital Project funds to the Div. of Parks and Recreation in the amount of \$5,000 for Capital Improvements at Brucetown Park, the Div. of Streets and Roads in the amount of \$29,800, for fence painting on Clays Mill Rd. from Man O War Boulevard to Twain Ridge, RadioLex in the amount of \$45,000 for Capital Improvements to RadioLex's broadcast equipment and to upgrade from analog to digital equipment, the LFUCG Corridors Commission in the amount of \$1,500 for the Bluesman Art Sculpture installation on an 11th District Corridor, the Dept. of Social Services in the amount of \$3,975 for the purchase of gym mats and accessories for installation for the gymnasium at Charles Young Center, and the Div. of Streets and Roads in the amount of \$11,000 for construction of a vinyl plank fence between the Service Rd. and Wilson Downing Rd. to enhance traffic safety in a school zone received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution approving the updated guidelines for the Lex Grow Trees Grant Program received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement renewal (second year) with Bateman Community Living an Elio Co. dba Trio Community Meals, LLC, for catering services for the Family Care Center, at a cost not to exceed \$181,498.80 received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Sevigny, Sheehan,
Worley, Wu

Nay: -----0

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Voices of Hope - Lexington, Inc., to provide drug and alcohol addiction recovery services for the inmate population at the Div. of Community Corrections, at no cost to the Urban County Government received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Elliott Baxter, -----15
Fogle, Gray, LeGris, Lynch, Monarrez,
Plomin, Reynolds, Seigny, Sheehan,
Worley, Wu

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 LFUCG Parks and Recreation (\$450.78); Autism Society of Ky. Bluegrass, LLC (\$2,200.00); Beaumont Residential Association, Inc. (\$1,500.00); Natalie's Sisters, Inc. (\$1,750.00); Lexington Fisher House Foundation, Inc. (\$2,200.00); Paul Laurence Dunbar Swim Team Boosters, Inc. (\$950.00); East End Family Reunion Coalition, Incorporated (\$1,000.00); Tates Creek Mansionettes, Inc. (\$2,000.00); Winburn Neighborhood Association, Inc. (\$1,250.00); Oakwood Neighborhood Association, Inc. (\$1,000.00); Brighton East Homeowners Association, Inc. (\$1,000.00); Friends of Lexington Senior Center Inc. (\$2,000.00); Sisters & Supporters Working Against Gun Violence Inc (\$1,600.00); Total Grace Church, Inc. (\$2,000.00), for the Office of the Urban County Council, at a cost not to exceed the sum stated received first reading.

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

Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the resolution was approved by the following vote:

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

Nay: -----0

Recuse: Lynch -----1

*

*

*

The following resolutions received first reading and were ordered to be placed on file for public inspection until October 10, 2024:

A Resolution pursuant to KRS 381.755, KRS 67A.060, and 901 KAR 5:090 authorizing the removal and relocation of graves in an abandoned cemetery located upon property consisting of 0.036 acres located at 6300 Cedar Creek Lane, Lexington, Ky., owned by Ky. American Water Co.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement (PSA) with Commerce Lexington, Inc., pursuant to RFP #35-2024, to assist with new business development and existing business retention and expansion, at a cost not to exceed the sum of \$209,061.41.

A Resolution establishing Emergent as a Sole Source Provider of nasal Narcan for United States Substance Abuse and Mental Health Services Administration (SAMSHA) FY2022 First-Responders Comprehensive Addiction and Recovery Support Services Act Grant for Year 3 Continuation of the Expanded First Responders and Community Partners Overdose Prevention Project (EFRCPOPP), for the Dept. of Social Services, and authorizing the Mayor, or her designee, on behalf of the Urban County Government, to execute any necessary agreements with Emergent related to the procurement of these goods, at a cost not to exceed \$92,250.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Commerce Lexington, Inc., related to the Innovation Dr. and Georgetown Rd. Improvement Project, at no cost to the Urban County Government.

A Resolution authorizing and approving the transfer of Council Capital Project Funds to the Div. of Traffic Engineering in the amount of \$12,000 for two (2) sets of Speed Tables on Endon Dr., and \$1,350 for speed tables on North Broadway Park, the Div. of Environmental Services in the amount of \$25,000 for the Kilrush Greenspace Food Forest Project, and the Div. of Parks and Recreation in the amount of \$5,000 for the "Sense Of Place" Hamlet Initiative Project and \$4,000 for a tree planting project with Gardenside Neighborhood Association.

A Resolution specifying the intention of the Urban County Council to expand and extend the Full Urban Services District #1 to provide street lighting, street cleaning, and garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area,

which area is defined as certain properties on the following streets: Bay Shoals Dr.; Blackford Parkway; Calista Flat; Caversham Park Lane; Clematis Way; Corsage Court; Cravat Pass; Man O War Boulevard; Night Heron Way; Peninsula Way; Polo Club Boulevard; Sandersville Rd.; Shady Cove; Squires Rd.; and Stolen Horse Trace.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Harper Woods Lane; Kestrel Cove; Koah Park; Spring Bay Court; Spring Leaf Court; Raven Circle; and Weston Park.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #4 to provide street lighting; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on Higbee Mill Road.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #5 to provide street lighting and garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Denver Lane; Hannibal Ct.; Plymouth Dr.; Vanderbilt Dr.; and Weber Way.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute and submit an application to the Ky. Dept. of Education, for provision of Preschool Education Services at the Family Care Center for the 2024-2025 school year.

A Resolution authorizing the Mayor on behalf of the Urban County Government, to execute a Memorandum of Understanding with KVC Behavioral Healthcare Ky., Inc., to provide psychoeducational mindfulness-based workshops for teen mothers in the Parent Education Program at the Family Care Center as part of the Victims of Crime Act (VOCA) Victim Assistance Grant Program, at no cost.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection

of the Ad Valorem Urban Service District Taxes for the 2024 property tax year, at a cost not to exceed \$350,000, with the payments to be treated as a commission and the Urban County Government to receive any related payment (\$87,500) from the Commonwealth of Ky.

A Resolution authorizing the Div. of Facilities and Fleet Management to purchase in-house Level 3 CNG diagnostic testing and repair training from Alternative Fuel Vehicle Institute (AFVI), a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with AFVI, related to the procurement, at a cost not to exceed \$21,625.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Memoranda of Agreement with the Stonewall Equestrian Estates Association, Inc. and various property owners within said association, for relocation and boarding of horses on parcels needed for the Blenheim Sanitary Trunk Sewer Project, for the Div. of Water Quality, at a cost not to exceed \$36,690.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to the Purchase of Service Agreement with Career Edge, LLC, for a cloud-based online career services learning management system for residents, extending the term to June 30, 2025, at no additional cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept deeds from owners of record, for property interests needed for the Blenheim Way Trunk Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$1,500.

A Resolution authorizing the Div. of Police to purchase maintenance and support for an automated fingerprint identification system, from Idemia Identity & Security USA LLC., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Idemia Identity & Security USA LLC, related to the procurement at a cost not to exceed \$10,817.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Multi-Year Agreement with the Blue Grass Community

Foundation, establishing the Lexington Public Art Maintenance Fund to support permanent public artworks that are owned by the Urban County Government and located on Urban County Government property, with the administrative costs not to exceed one percent of the fund or a minimum of \$250 a year.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Quitclaim Deeds and any other documents necessary to transfer portions of non-utilized right-of-way adjacent to the properties located at 139 Wabash Dr. and 141 Wabash Dr. to the abutting property owners.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed and any other documents necessary to transfer a portion of non-utilized right-of-way located adjacent to the property at 564 Asbury Lane to the abutting property owner.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Neighborhood Action Match Grant Program Contracts with the following: Aintree Condominium, Inc. (\$8,000), Ashland Neighborhood Association, Inc. (\$5,456), Autumn Ridge Homeowners Association, Inc. (\$8,000), Hamburg Park Townhomes Owners Association (\$8,000), Open Gates Neighborhood Association (\$427.33), Quail Run Townhomes Association, Inc. (\$5,000), Stonewall Equestrian Estates Association, Inc. (\$8,000), Lakeview Islands Security and Maintenance Association (\$8,000), the Village at Rabbit Run Condominium Association, Inc. (\$3,005), the Village at Tates Creek Homeowners Association, Inc. (\$8,000), the Villages of Kirkwood Homeowners Association, Inc. (\$8,000), the Villas at Andover Homeowners Association, Inc. (\$8,000), and Wellington Maintenance Association, Inc. (\$8,000), for the purpose of carrying out various neighborhood activities and improvements for FY 2025, at a cost not to exceed \$85,888.33.

A Resolution authorizing and approving the transfer of percent for art funds in the amount of \$33,600 to the Lexington Senior Center, as approved by the Public Art Commission, to fund a public art project to be displayed permanently at the Lexington Senior Center.

*

*

*

Upon motion by Ms. Reynolds, and seconded by Ms. Plomin, the Communications from the Mayor (Appointments) were approved by unanimous vote and were as follows:

(1) Recommending the appointments of Tiffany Masden, replacing Charlie Lanter, and Jordan Owens, replacing Jeffrey Fugate, to the Affordable Housing Governing Board, both with terms expiring October 23, 2028; (2) Recommending the appointment of Francis McDonnel, KTC District 7 Representative- voting, filling the unexpired term of Hunter Pace, to the Corridors Commission, with a term expiring August 1, 2025; (3) Recommending the appointment of Laramie Scott, At large, filling an unexpired term, to the Domestic and Sexual Violence Prevention Coalition, with a term expiring January 1, 2025; (4) Recommending the appointment of Will Krost, Full-time ER Physician, St. Joe Hospital, filling an unexpired term, to the Emergency Medical Advisory Board, with a term expiring January 1, 2025; (5) Recommending the reappointments of Susan Cohn, District 11 Representative, Blaine Early, District 10 Representative, and Katherine Grace Leppert Downey, District 6 Representative, to the Environmental Commission, all with terms expiring September 30, 2028; (6) Recommending the appointments of Chris Primeaux, replacing Janice James, and David Shadd, replacing Alicia Braunum, to the Homelessness Prevention and Intervention Board, both with terms expiring October 1, 2028; (7) Recommending the reappointment of Anne-Tyler Morgan to the Industrial Authority Board, with a term expiring December 1, 2028; and, (8) Recommending the appointments of Ryessia Russell, filling the unexpired term of Nicholas Glover, and Stacie Sexton, Filling the unexpired term of Michelle Lee, to the Social Services Advisory Board, both with terms expiring September 1, 2027.

*

*

*

Upon motion by Vice Mayor Wu, and seconded by Ms. Fogle, the Communications from the Mayor (Procurements) 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. as to the specifications and amount set forth in the terms of the respective bids: (a) Div. of Fleet Services - Heavy Duty Auto Parts - 120-2024 - Bachman Auto Group, Inc., Bluegrass International Trucks, Buses, RV's and Idealease, Duke's A&W Enterprises, LLC, Fleetpride Inc., Lexington Auto Spring Co., Napa Auto Parts, Neopart Transit, LLC, Paul Miller Ford, Inc., Smyth Automotive, Total Truck Parts,

TruckPro, LLC and Worldwide Equipment; (b) Div. of Facilities Management - Custodial Services for Coroner's Office - 56-2024 - Jani-King of Lexington; (c) Div. of Facilities Management - Custodial Services for Wellness Center - 32-2024 - Jani-King of Lexington; (d) Div. of Traffic Engineering - Traffic Signs - 132-2024 - Lightle Enterprises of Ohio LLC, Stello Products Inc. and Vulcan Signs; and, (e) Div. of Traffic Engineering - Vehicle Radar Detection System - 127-2024 - Path Master Inc. (2) Accepting and approving the following vendors as sole source providers: (a) Dept. of Public Safety - Integrated Security Solutions - Security cameras, software, servers, maintenance and other related items.

*

*

*

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

(1) Probationary Classified Civil Service Appointment of Carl Flynn, Engineering Technician, Grade 515N, \$23.393 hourly in the Div. of Engineering, effective October 7, 2024; (2) Probationary Classified Civil Service Appointment of Jeffrey May, Public Service Worker Sr., Grade 510N, \$19.448 hourly in the Div. of Streets and Roads, effective September 23, 2024; (3) Probationary Classified Civil Service Appointment of Jeffery Welch, Resource Recovery Operator, Grade 515N, \$23.288 hourly in the Div. of Waste Management, effective September 23, 2024; (4) Probationary Classified Civil Service Appointment of Christopher Reynolds, Resource Recovery Operator, Grade 515N. \$24.000 hourly in the Div. of Waste Management, effective October 7, 2024; (5) Probationary Classified Civil Service Appointment of Casey Pfost, Administrative Specialist, Grade 516N, \$22.683 hourly in the Div. of Community Corrections, effective October 1, 2024; (6) Probationary Classified Civil Service Appointment of Shane Adcock, Telecommunicator, Grade 517N, \$23.473 hourly in the Div. of Enhanced 911, effective September 23, 2024; (7) Probationary Classified Civil Service Appointment of Erin Daniel, Telecommunicator, Grade 517N, \$23.952 hourly in the Div. of Enhanced 911, effective September 23, 2024; (8) Probationary Classified Civil Service Appointment of Zarabeth Lile, Telecommunicator Sr., Grade 519N, \$25.646 hourly in the Div. of Enhanced 911, effective November 4, 2024 (9) Probationary Classified Civil Service Appointment of Patricia Mott, Educational Program Aide, Grade 510N, \$19.710 hourly in the Div. of Youth Services, effective September 23, 2024; (10) Probationary Classified Civil Service Appointment of Chris Chaney, Planner Sr., Grade 523N, \$32.789 hourly in the Div. of

Planning, effective October 14, 2024; (11) Probationary Classified Civil Service Appointment of Jordan Holt, Administrative Specialist Principal, Grade 520N, \$33.200 hourly in the Dept. of Environmental Services, effective October 21, 2024; (12) Unclassified Civil Service Appointment of Hilary Angelucci, Senior Special Projects Administrator, Grade 530E, \$4,413.04 biweekly in the Office of the Chief Administrative Officer, effective September 30, 2024; (13) Unclassified Civil Service Appointment of Jennifer Sutton, Administrative Officer Sr., Grade 526E, \$3,778.88 biweekly in the Office of the Chief Administrative Officer, effective October 7, 2024; (14) Unclassified Civil Service Appointment of James Norris, SLM Technician Apprentice, Grade 509N, \$16.234 hourly in the Div. of Water Quality, effective October 7, 2024; (15) Unclassified Civil Service Appointment of Deidre Jewell, Accountant, Grade 518N, \$26.960 hourly in the Div. of Grants and Special Services, effective September 9, 2024; (16) Sworn Appointment of Teresa Crawford, Corrections Officer PT., Grade 110N, \$39.000 hourly in the Div. of Community Corrections, effective September 9, 2024; (17) Sworn Appointment of Jerrod Stump, Corrections Lieutenant, Grade 114E, \$3,005.23 biweekly in the Div. of Community Corrections, effective September 9, 2024; (18) Sworn Appointment of Nathan Williams, Police Lieutenant, Grade 317E, \$4,363.65 biweekly in the Div. of Police, effective September 9, 2024; (19) Sworn Appointment of Nicholas Whitcomb, Police Lieutenant, Grade 317E, \$4,363.65 biweekly in the Div. of Police, effective September 9, 2024; (20) Sworn Appointment of Brian Misik, Police Seargent, Grade 315N, \$42.126 hourly in the Div. of Police, effective September 9, 2024; (21) Sworn Appointment of Demitri Ray, Police Seargent, Grade 315N, \$42.126 hourly in the Div. of Police, effective September 9, 2024; (22) Sworn Appointment of Cody Coleman, Police Seargent, Grade 315N, \$42.126 hourly in the Div. of Police, effective September 9, 2024; (23) Voluntary Demotion of Antwon Clark, Public Service Worker, Grade 508N, \$17.746 hourly in the Div. of Parks and Recreation, effective September 23, 2024; (24) Unclassified Civil Appointment to the Office of the Urban County Council of Isabelle Ballard, Aide to Council, Grade 518E, \$2,576.96 biweekly in the Office of the Urban County Council, effective September 9, 2024; and, (25) Unclassified Civil Service Pay Increase to the Office of the Urban County Council of Olivia Gigsby, Aide to Council,

Grade 518E, \$2,846.16 biweekly in the Office of the Urban County Council, effective September 16, 2024.

*

*

*

Chief Jason Wells, Div. of Fire and Emergency Services, presented a disciplinary action regarding Firefighter Quinn Wright. An allegation has been made that Firefighter Wright has committed the offense of Failure to conform to laws in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 5.01 Conformance to Laws in that on the 24th day(s) of February, 2024, he/she allegedly was charged with and subsequently pled guilty to Driving Under the Influence (DUI) of Alcohol.

The appropriate punishment for this conduct is 112 hour suspension without pay and Mandatory Employee Assistance.

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

Ms. Reynolds confirmed that the DUI arrest had occurred while Firefighter Wright was off duty. Chief Wells answered that it had happened off duty.

Ms. Gray asked about the typical process for a firefighter charged with DUI. Chief Wells stated that there was some leeway dependent upon the context of the situation, but the minimum requirement was the firefighter must seek out help from the Employee Assistance Program.

Mr. Ellinger asked if the firefighter in question drove an apparatus. Chief Wells stated that the firefighter usually drives a fire apparatus but has been on administrative duty until his license is back in good standing.

*

*

*

Chief Jason Wells, Div. of Fire and Emergency Services, presented a disciplinary action regarding Firefighter Johnathan Taylor. An allegation has been made that Firefighter Taylor has committed the offense of Absent without leave, 2nd offense in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 1.11 Tardy, Late, or Absent without Leave in that on the 19th day(s) of April, 2024, he/she allegedly failed to report for a scheduled overtime shift.

The appropriate punishment for this conduct is 96-hour suspension without pay.

Upon motion by Mr. Worley, seconded by Ms. Elliott Baxter and approved by unanimous vote, the disciplinary recommendation was approved.

Mr. Ellinger asked about previous disciplinary actions for prior, similar offenses. Chief Wells responded that the firefighter received a written reprimand and is aware that immediate dismissal is the consequence for a third infraction

*

*

*

Vice Mayor Wu announced that next week is the Week Without Driving Challenge, an effort to encourage alternative modes to transportation other than cars. He stated that it would be the first week that Lexington would be participating in it. He encouraged people to think about alternative modes of transportation. Vice Mayor Wu used this as an opportunity to transition into inviting everyone to the Transportation Expo that the Council would be hosting on October 19, 2024 at the Marksbury Library.

Vice Mayor Wu thanked Jennifer Sutton, Council Office, for her hard work and wished Ms. Sutton luck on her new role in the CAO's office.

*

*

*

Ms. Reynolds spoke about some recent car troubles she had experienced and thanked the Lexington Police Officer who came to her rescue. She thanked him for helping her and getting her son to school.

Ms. Reynolds announced that the Festival Latina would be completely cancelled due to weather concerns.

Ms. Reynolds also talked about the electronic billboard issue that would now be pushed onto the planning commission. She stated that she had received numerous complaints from constituents about light pollution and she would continue to follow up on this issue.

*

*

*

Ms. Fogle expressed concern for unhoused Lexingtonians as the weekend storms rolled in and wondered what could be done about this situation.

Ms. Fogle spoke about Pralltown Neighborhood residents attending the Planning Commission meeting to express concerns about an upcoming planning issue. She welcomed some neighbors in the audience and thanked them for their civic engagement.

*

*

*

Mr. Ellinger congratulated Ms. Plomin on the “Friends of the Farm Bureau” award she had received from the Farm Bureau.

*

*

*

Ms. Brittanie Price, 11th District, spoke about the diversity of core values and beliefs amongst people. She shared her plans for the future including continuing her education at the University of Kentucky.

*

*

*

Shanze Arshad, 8th District, talked about the recent execution of Marcellus Williams and the Israel Hamas War. She expressed her lack of faith in the City Council due to their inability to bring forth a resolution supporting a cease-fire in Gaza.

*

*

*

Upon motion by Ms. Plomin, seconded by Mr. F. Brown, and approved by unanimous vote, the meeting adjourned at 7:08 p.m.

Deputy Clerk of the Urban County Council