Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Tuesday, October 22, 2024

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

Lexington-Fayette Urban County Council
Schedule of Meetings
October 21 – October 28, 2024

Monday, October 21
No Meetings

Tuesday, October 22
Environmental Quality & Public Works Committee……1:00 p.m.
Government Center – Council Chamber, 2nd Fl.

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

Wednesday, October 23
Transportation Policy Committee……1:30 p.m.
Virtual Meeting

Parks & Recreation Advisory Board……4:00 p.m.
McConnell Springs - 416 Rebmann Ln.

Thursday, October 24
Public Input Subcommittee……3:00 p.m.
Government Center – Conference Rm., 5th Fl.

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

Friday, October 25
No Meetings

Monday, October 28
No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
October 22, 2024

I. **Public Comment - Issues on Agenda**

II. **Requested Rezonings/ Docket Approval- Yes**

III. **Approval of Summary- Yes**

- **a.** Table of Motions: Council Work Session, October 15, 2024, p. 1 - 2

IV. **Budget Amendments- Yes, p. 3 - 4**

V. **Budget Adjustments - For Information Only- Yes, p. 5 - 9**

VI. **New Business- Yes, p. 10 - 24**

VII. **Communications From the Mayor – Appointments- Yes, p. N/A**

VIII. **Communications From the Mayor – Donations- No**

IX. **Communications From the Mayor – Procurements- No**

X. **Continuing Business/ Presentations- Yes**

- **a.** Summary: Environmental Quality & Public Works Committee, August 20, 2024, p. 25 - 29

XI. **Council Reports**

XII. **Public Comment - Issues Not on Agenda**

XIII. **Adjournment**

Administrative Synopsis - New Business Items

a	**1007-24**	Authorization to enter into an agreement with cieTrade Systems, Inc. to purchase three (3) software licenses and a production database to assist with accurately tracking revenue and tonnages of materials at the Materials Recovery Facility and for more efficient reporting, for a total software license fee of $18,750 in FY 2025, in addition to annual support, and estimated professional services. Funds are budgeted. (L1007-24) (Howard/Albright), p. 10 - 11
b	**1026-24**	Authorization to execute a professional service agreement with Dr. Patricia Howard for the position of EMS Training Coordinator at an annual cost not to exceed $28,900 to oversee the paramedic training program. Funds will be requested in the FY 2026 Budget. (L1026-24) (Wells/Armstrong), p. 12
c	**1028-24**	Authorization to enter into a Clinical Affiliation agreement with the University of Kentucky Healthcare for paramedic students within the Division of Fire and Emergency Services to gain the practical experience required. No budgetary impact. (L1028-24) (Wells/Armstrong), p. 13
d	**1039-24**	Authorization to enter into a Memorandum of Agreement with Fayette County Public Schools for the use of their John Price Administration building, located at 450 Park Place, during a disaster event. No budgetary impact. (L1039-24)(Larkin/Armstrong), p. 14
e	**1046-24**	Authorization to execute an Agreement with Roadway Asset Services, pursuant to RFP 47-2024, for Pavement condition survey and pavement management planning support services, at a cost not to exceed $235,888. Funds are budgeted. (L1046-24)(Dugas/Albright), p. 15
f	**1047-24**	Authorization to execute a consultant services agreement, pursuant to RFP No. 48-2024, with GRW, for professional design services of the Division of Water Quality Headquarters and Operations building renovation and refit project, at a cost not to exceed $299,120. Funds are budgeted. (L1047-24)(Dugas/Albright), p. 16
g	**1051-24**	Authorization to execute a Public Infrastructure Program Forgivable Loan Agreement with Turner Property 4 LLC in the amount of $366,680 for the construction of sidewalk and public parking improvements to serve a forty (40) acre site located at 125 Turner Commons Way. Funds are budgeted. (L1051-24)(Bencz/Atkins), p. 17 - 18

h	**1052-24**	Authorization to execute an agreement with Federated Global Ventures, LLC., a sole source provider, to provide private security services for the community's motel-based winter shelter for persons experiencing homelessness in an amount not to exceed $220,320.00 for the 2024-2025 winter season. Funds are budgeted. (L1052-24)(Herron/Lanter), p. 19
i	**1053-24**	Authorization to execute an Agreement (RFP No. 50-2024) with Hospice of the Bluegrass, Inc., d/b/a Bluegrass Care Navigators, for the operation of motel-based winter shelter services for elderly/disabled persons experiencing homelessness, in an amount not to exceed $201,023.00. The program will operate between November 1, 2024, and April 1, 2025. Funds are budgeted. (L1053-24)(Herron/Lanter), p. 20
j	**1054-24**	Authorization to execute Memoranda of Understanding with the following seven (7) social service agencies: Arbor Youth Services, Inc. ($12,500.00); AVOL Ky, Inc. ($25,000.00); Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. ($37,500.00); GreenHouse17, Inc. ($12,500.00); Hope Center, Inc. ($62,500.00); Lexington Rescue Mission, Inc. ($50,000.00); and New Beginnings, Bluegrass, Inc. ($12,500.00), to provide supportive services to participants of the temporary, motel-based winter shelter for persons experiencing homelessness, at a total cost not to exceed $212,500.00. Will operate between November 1, 2024, and April 1, 2025. Funds are budgeted. (L1054-24)(Herron/Lanter), p. 21
k	**1055-24**	Authorization to abolish one (1) classified position of Staff Assistant Sr. (Grade 511N) and create one (1) position of Administrative Specialist (Grade 516N) in the Division of Planning, effective upon passage of Council. This has a 12-month fiscal impact of $13,817.12. (L1055-24)(George/Hamilton), p. 22 - 23
l	**1056-24**	Authorization to create one (1) classified position of Planner Sr. (Grade 523N) in the Division of Planning, effective upon passage of Council. This has a 12-month fiscal impact of $95,674.66. (L1056-24)(George/Hamilton), p. 24

URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
October 15, 2024

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

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

III. Approval of Summary

Motion by Ellinger II to approve the October 8, 2024 Work Session Summary. Seconded by Gray. Motion passed without dissent.

IV. Budget Amendments

V. Budget Adjustments – For Information Only

VI. New Business

Motion by Sevigny to approve New Business, as amended. Seconded by Gray. Motion passed without dissent.

Motion by Reynolds to remove item L under New Business, pertaining to software licenses for the Materials Recovery Facility. Seconded by Ellinger II. Motion passed without dissent.

VII. Communications from the Mayor- Appointments

VIII. Communications from the Mayor- Donations

IX. Communications from the Mayor- Procurements

X. Continuing Business/Presentations

Motion by Wu to approve Council Capital Projects. Seconded by Plomin. Motion passed without dissent.

Council Member Worley provided a summary of the September 10, 2024, GGP Committee Meeting and a partial summary of the October 15, 2024, GGP Committee Meeting.

Motion by Worley to approve the proposed updates to the Paid Parental Leave Policy as presented to the General Government & Planning Committee on September 10, 2024.

Motion by Worley to approve the proposal (as amended in committee) relating to short-term rentals in the Rural Service Area, [amendments include: Table in Section 3-13(b), to permit with a conditional use permit, unhosted short-term rentals on parcels 10 acres or less and Section 3-13(g)(v), to change the spacing requirements from 1 mile to 500 feet for unhosted short-term rentals with a conditional use permit on parcels of 10 acres or less] and to initiate a Zoning Ordinance Text Amendment and changes to the Code of Ordinances related to rural short-term rentals. Seconded by Reynolds. Motion passed without dissent.

Motion by Worley to table all changes to the Code of Ordinances related to rural short-term rentals until the ZOTA changes are referred back from the Planning Commission and reported out to Council. Motion passed without dissent.

XI. Council Reports

XII. Public Comment – Issues Not on Agenda

XIII. Adjournment

Motion by Baxter to adjourn at 4:28 p.m. Seconded by Sevigny. Motion passed without dissent.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	150865-66	**DIVISION**	Traffic Engineering	**Fund Name**	General Fund
				Fund Impact	1,350.00
					1,350.00CR
					.00

To provide funds for the installation of Speed tables on North Broadway Park by recognizing revenue received from the neighborhood for cost share portion of Neighborhood Traffic Management Program project.

JOURNAL	150905-06	**DIVISION**	Environmental Services	**Fund Name**	General Fund
				Fund Impact	2,233.00
					2,233.00CR
					.00

To decrease funds for Turf Mowing contract for state right of ways to reflect approved agreement with Kentucky Transportation Cabinet District 7.

JOURNAL	150907-08	**DIVISION**	Environmental Services	**Fund Name**	General Fund
				Fund Impact	13,786.00
					13,786.00CR
					.00

To provide funds for a seasonal position for construction inspection for the Corridors Commission's North Broadway Median Greening Project by transferring funds from General Fund Capital Projects Fund for this purpose.

JOURNAL	150911-12	**DIVISION**	Office Of The Mayor	**Fund Name**	General Fund
				Fund Impact	563.00
					563.00CR
					.00

To provide funds for assistance by recognizing a refund for a crisis response client, all within One Lexington.

JOURNAL	150959	**DIVISION**	Social Services Administration	**Fund Name**	General Fund
				Fund Impact	6,663.57
					6,663.57CR
					.00

To provide funds for Partners for Youth Summer Job Training Program High School Senior Co-Op by decreasing professional services funds in Youth Services.

JOURNAL	151168	**DIVISION**	Finance/ Social Services/Parks and Recreation	**Fund Name**	General Fund
				Fund Impact	59,370.00
					6,533.42CR
					52,836.58

To provide funds for clerk positions at Black and Williams and Pam Miller Arts Center and allow for additional payroll recovery for Social Services/Human Services covered under the American Rescue Plan Act (ARPA) State and Local Recovery Funds grant.

JOURNAL	150909	**DIVISION**	Environmental Services	**Fund Name**	General Capital Fund
				Fund Impact	13,786.00
					13,786.00CR
					.00

To provide funds for a transfer to General Fund for personnel related to the Corridors Commission's North Broadway Median Greening Project by decreasing funds for this project in the General Fund Capital Projects Fund.

JOURNAL	150997	**DIVISION**	Environmental Services	**Fund Name**	Urban Fund
				Fund Impact	100,000.00
					.00CR
					100,000.00

To provide funds for contracted knuckle-boom operators for yard waste service in the Urban Service Districts. This will aid in transfer from the drop locations to the compost pad at the landfill.

JOURNAL	150782-83	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of HHS
				Fund Impact	250,000.00
					250,000.00CR
					.00

To budget award from KY Community Crisis Co-Response Grant Program award for Fire and Emergency Services in FY 2025.

JOURNAL	151169-70	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of Treasury
				Fund Impact	6,533.42
					6,533.42CR
					.00

To reallocate funds from American Rescue Plan Act (ARPA) State and Local Recovery Funds completed projects to ARPA Human Services/Social Services payroll to spend down the ARPA funds.

JOURNAL	151147	**DIVISION**	Environmental Services	**Fund Name**	Sanitary Sewer Fund
				Fund Impact	31,000.00
					.00CR
					31,000.00

To provide funds for Environmental Education contract with Kentucky Association for Environmental Education to allow for additional education about the sanitary sewer system and career options in wastewater and treatment plant operations and maintenance.

JOURNAL	150922	**DIVISION**	Water Quality	**Fund Name**	Sewer Construction
				Fund Impact	5,200,000.00
					5,200,000.00CR
					.00

To provide funds for Remedial Measures New Circle Road Trunk Sewer A and B project by reallocating balances from other projects.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	52,836.58
1105	General Fund Capital Projects	0.00
1115	Full Urban Services District Fund	100,000.00
3190	US Department of Health & Human Services	0.00
3230	US Department of Treasury	0.00
4002	Sanitary Sewer Revenue and Operating Fund	31,000.00
4003	Sanitary Sewer Construction Fund	0.00

INFORMATION ONLY

BUDGET ADJUSTMENT LIST
APPROVED SEPTEMBER 23 THROUGH OCTOBER 11, 2024

JOURNAL	150326	**DIVISION**	Council Office	**Fund Name**	General Fund	
				Fund Impact		450.78
						450.78CR
						.00

To provide Neighborhood Development Funds to Parks and Recreation for rental of the show mobile for an event. This is authorized by NDF resolution 492-2024.

JOURNAL	150706	**DIVISION**	Code Enforcement	**Fund Name**	General Fund	
				Fund Impact		2,500.00
						2,500.00CR
						.00

To provide funds in Professional Services - Licensing for Accreditation fees by reducing funds in Professional Services - Other.

JOURNAL	150759	**DIVISION**	Facilities and Fleet Management	**Fund Name**	General Fund	
				Fund Impact		15,000.00
						15,000.00CR
						.00

To provide funds for renting a backup temporary emergency generator for the Government Center until the permanent replacement generator is installed.

JOURNAL	150773	**DIVISION**	Fire and Emergency Services	**Fund Name**	General Fund	
				Fund Impact		1,600.00
						1,600.00CR
						.00

To provide funds for the Citizens Fire Academy Food and Household Items by reducing funds in Clothing/Equipment - Other.

JOURNAL	150787	**DIVISION**	Family Services	**Fund Name**	General Fund	
				Fund Impact		281.00
						281.00CR
						.00

To provide additional grant match for Head Start Grant.

JOURNAL	150864	**DIVISION**	Social Services Administration	**Fund Name**	General Fund	
				Fund Impact		530.00
						530.00CR
						.00

To provide funds for Business Travel by reducing funds for Operating Supplies.

INFORMATION ONLY

JOURNAL	150904	**DIVISION**	Environmental Services	**Fund Name**	General Fund
				Fund Impact	497.00
					497.00CR
					.00

To provide funds for Professional Services by reducing funds for Operating Supplies and Expenses, all within Environmental Education and Outreach section.

JOURNAL	150582	**DIVISION**	Council Office	**Fund Name**	General Capital Fund
				Fund Impact	1,350.00
					1,350.00CR
					.00

To provide funds for Council Projects in the Division of Traffic Engineering for speed tables on North Broadway Park. This is authorized by Council Capital resolution 497-2024.

JOURNAL	150584	**DIVISION**	Council Office	**Fund Name**	General Capital Fund
				Fund Impact	4,000.00
					4,000.00CR
					.00

To provide funds for Council Projects in the Division of Parks and Recreation for a tree planting project with Gardenside Neighborhood Association. This is authorized by Council Capital resolution 497-2024.

JOURNAL	150586	**DIVISION**	Council Office	**Fund Name**	General Capital Fund
				Fund Impact	5,000.00
					5,000.00CR
					.00

To provide funds for Council Projects in the Division of Parks and Recreation for the "Sense of Place" hamlet initiative project. This is authorized by Council Capital resolution 497-2024.

JOURNAL	150708	**DIVISION**	Council Office	**Fund Name**	General Capital Fund
				Fund Impact	29,800.00
					29,800.00CR
					.00

To provide funds for Council Projects in the Division of Streets and Roads for fence painting on Clays Mill Road from Man O War Boulevard to Twain Ridge. This is authorized by Council Capital resolution 488-2024.

JOURNAL	150716	**DIVISION**	Council Office	**Fund Name**	General Capital Fund
				Fund Impact	5,000.00
					5,000.00CR
					.00

To provide funds for Council Projects in the Division of Parks and Recreation for capital improvements at Brucetown Park. This is authorized by Council Capital resolution 488-2024.

INFORMATION ONLY

JOURNAL	150731	**DIVISION**	Council Office	**Fund Name**	General Capital Fund
				Fund Impact	1,500.00
					1,500.00CR
					.00

To provide funds for Council Projects in the Corridors Commission for the Bluesman art sculpture installation on an 11th District corridor. This is authorized by Council Capital resolution 488-2024.

JOURNAL	150733	**DIVISION**	Council Office	**Fund Name**	General Capital Fund
				Fund Impact	25,000.00
					25,000.00CR
					.00

To provide funds for Council Projects in the Division of Environmental Services for the Kilrush Greenspace Food Forest project. This is authorized by Council Capital resolution 497-2024.

JOURNAL	150785	**DIVISION**	Council Office	**Fund Name**	General Capital Fund
				Fund Impact	3,975.00
					3,975.00CR
					.00

To provide Council Projects in the Department of Social Services for the purchase and installation of gym mats and accessories at the Charles Young Center. This is authorized by Council Capital resolution 488-2024.

JOURNAL	150788	**DIVISION**	Council Office	**Fund Name**	General Capital Fund
				Fund Impact	11,000.00
					11,000.00CR
					.00

To provide funds for Council Projects in the Division of Streets and Roads for construction of a fence between the service road and Wilson Downing Road to enhance traffic safety in aschool zone. This is authorized by Council Capital resolution 488-2024.

JOURNAL	150998	**DIVISION**	Chief Development Officer	**Fund Name**	Lex Economic Dev Fund
				Fund Impact	150,000.00
					150,000.00CR
					.00

To move funds for tech recruitment study into a more appropriate section of the Chief Development programs in order to better track the project.

JOURNAL	150827	**DIVISION**	Facilities and Fleet Management	**Fund Name**	2025 Bond Projects
				Fund Impact	484,341.40
					484,341.40CR
					.00

To reallocate budget for vehicles and motorized equipment to match Facilities and Fleet Services current expenses and anticipated needs within the FY 2025 Bond.

INFORMATION ONLY

JOURNAL	150976	**DIVISION**	Waste Management	**Fund Name**	Landfill Fund
				Fund Impact	1,079.63
					1,079.63CR
					.00

To move funds remaining in Waste Management for Landfill Improvement to Environment Services. Environmental Services is now handling the landfill projects for leachate.

JOURNAL	150726	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of Agriculture
				Fund Impact	978,731.50
					978,731.50CR
					.00

To correct account code used for previous USDA National Resources Conservation Service Agricultural Conservation Easement Program grant revenues. This is a clerical correction.

JOURNAL	150666	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of Justice
				Fund Impact	1,348.43
					1,348.43CR
					.00

To reallocate remaining funds to spend down Justice Assistance FY 2022 grant.

JOURNAL	150826	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of Justice
				Fund Impact	75.00
					75.00CR
					.00

To reallocate funds to match current expenses for Justice Assistance FY 2024 grant.

JOURNAL	150784	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of HHS
				Fund Impact	28,700.00
					28,700.00CR
					.00

To move reallocating existing grant funds on KY Community Crisis Co-Response Grant Program award for Fire and Emergency Services.

JOURNAL	150804	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of HHS
				Fund Impact	13,966.00
					13,966.00CR
					.00

To move funds to spend down remaining funds on Substance Abuse and Mental Health Services Administration (SAMHSA) Barrier Free Re-Entry and Recovery Initiative FY 2023.

JOURNAL	150679	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of Homeland Sec
				Fund Impact	4,000.00
					4,000.00CR
					.00

To move funds within Chemical Stockpile Emergency Preparedness Program (CSEPP) FY 2023 allocation to provide funds for computer equipment.

INFORMATION ONLY

BUDGET ADJUSTMENT SUMMARY

1101	General Services District Fund	0.00
1105	General Fund Capital Projects	0.00
1144	Lexington Economic Development Fund	0.00
2615	2025 Bond Projects	0.00
3100	US Department of Agriculture	0.00
3140	US Department of Justice	0.00
3190	US Department of Health & Human Services	0.00
3200	US Department of Homeland Security	0.00
4121	Landfill Fund	0.00

MAYOR LINDA GORTON

LEXINGTON

TRACEY THURMAN
DIRECTOR
WASTE MANAGEMENT

MEMORANDUM

TO: Mayor Linda Gorton
Urban County Council

FROM: _____
John Howard, Acting Director
Division of Waste Management

DATE: October 8, 2024

SUBJECT: Request Council Authorization to Execute a Software License & Support Agreement with cieTrade Systems, Inc. to Obtain User Software Licenses and Production Database Between LFUCG Material Recovery Facility (MRF) Division of Waste Management and cieTrade Systems, Inc.

Request: The purpose of this memorandum is to request approval to enter into an agreement with cieTrade Systems, Inc. to purchase Software Licenses and Production Database to assist with accurately tracking revenue and tonnages of materials for both inbound and outbound loads at the Materials Recovery Facility. This agreement would allow the division to be more efficient with revenue reports to our affiliates and annual reporting requirements.

Authorization to: Approve purchase agreement for Software Licenses (3) Software Licenses fees $6,250 each – Total $18,750 Annual Support and Maintenance $4, 128 and Production Database. This agreement shall have an Initial 60 month term for the use of licenses, maintenance and support. Upon expiration of the initial term, as long as license fees are paid in full, the agreement for continued Maintenance & Support can continue for up to an additional 24 months at the current rate. After that time cieTrade reserves the right of a rate increase up to 10% per year. If LFUCG cancels, fails to renew or fails to pay Maintenance & Support fees within 45 days after they are due cieTrade has the right to charge a $7500 reinstatement fee to reestablish Maintenance & Support.
LFUCG has a right to terminate Agreement with or without cause. If this Agreement is Terminated for any reason LFUCG will be required to pay the Licenses fees in full and be entitled to continue authorized use of the licensed program without restriction. However, cieTrade shall have no further obligation to provide any assistance or support under any circumstances.

Why are you requesting? For several years the MRF Division of Waste Management has been using an outdated Excel program to produce reports and track commodities. The Excel program is no longer serving it's intended purpose without extensive time of multiple staff members correcting flaws in the formulas running the program causing delays in reporting. This agreement would allow the Division to work with cieTrade to continue to improve the tracking of commodities and revenue of the MRF.

MAYOR LINDA GORTON

LEXINGTON

TRACEY THURMAN
DIRECTOR
WASTE MANAGEMENT

Are the funds budgeted? Yes. Account: 1115-303501-0001-71208 FY25 $10,000
Account: 1115-303505-3571-71299 FY25 $21,846

The funds are budgeted, or a budget amendment is in process: Yes

cc: Nancy Albright, Commissioner- EQPW

MAYOR LINDA GORTON

LEXINGTON

Jason G. Wells
Fire Chief

TO: Mayor Linda Gorton

FROM: Jason G. Wells, Fire Chief

DATE: October 8, 2024

SUBJECT: Professional Service Agreement EMS Training Coordinator

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The Division of Fire and Emergency Services request authorization to authorization to enter a professional service agreement with Dr. Patricia Howard for the position of EMS Training Coordinator.

Why are you requesting? Department needs this action completed because the EMS Training Coordinator oversees the paramedic training program, approving and developing the curriculum, coordinating clinical hours, and ensuring compliance with accreditation standards. This is for FY2026 but is needed to be approved in advance for accreditation purposes.

This agreement may be terminated by either party by providing the other party with at least thirty (30) days advanced written notice of termination.

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

The cost for this FY is: The funds will be requested for FY2026 $28,900.00

The cost for future FY is: $28,900.00

Are the funds budgeted? Funds will be requested in the FY2026 budget.

File Number:

Director/Commissioner: Wells/Armstrong

MAYOR LINDA GORTON

LEXINGTON

Jason G. Wells
Fire Chief

TO: Mayor Linda Gorton

FROM: Jason G. Wells, Fire Chief

DATE: October 9, 2024

SUBJECT: Clinical Affiliation Agreement with the University of Kentucky Healthcare

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The Division of Fire and Emergency Services request authorization to enter into a Clinical Affiliation agreement with the University of Kentucky Healthcare.

Why are you requesting? We are requesting so that our paramedic students will be able to gain the practical experience in a clinical setting as part of their curriculum and to aid in the process of them becoming paramedics. Education agreements are required according to 202 KAR 7:401 Reg. and the Commission on Accreditation of Allied Health Programs, which sets the accreditation standards for our paramedic education program.

Department needs this action completed because: To benefit the Division of Fire with teaching and training of our paramedic students.

Either party may terminate this Agreement, with or without cause, upon thirty (30) days' advance written notice to the other party, such notice being given as set forth in the Notice provisions of this Agreement; provided, however, that students enrolled at the time of termination shall be allowed to complete the internship in which they are involved.

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

The cost for this FY is: N/A

The cost for future FY is N/A

Are the funds budgeted? N/A

File Number: 1028-24

Director/Commissioner: Wells/Armstrong

MAYOR LINDA GORTON

LEXINGTON

ROBERT LARKIN
DIRECTOR
EMERGENCY MANAGEMENT

TO: Mayor Linda Gorton and Urban County Council

FROM: Ashley Walo, Emergency Planning Coordinator

DATE: October 10, 2024

SUBJECT: Memorandum of Agreement with Fayette County Public Schools

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Request

The Division of Emergency Management requests the authorization to enter into a Memorandum of Agreement with Fayette County Public Schools for the use of their John Price Administration building during a disaster event.

Why are you requesting?

The Division of Emergency Management is requesting this action because the John Price Administration building has been identified as a suitable facility to house the Urban County Council, the Commissioners and their staff if the Government Center is deemed inoperable after a disaster has occurred. The building has the information technology capabilities for the Urban County Government to continue their mission essential functions in the recovery phase of a disaster.

Term on Contract: The respective duties, responsibilities, and commitments of the parties in this agreement shall begin on the date this agreement is signed by the parties. The term of this agreement is one year after this date to be automatically renewed every year except by written termination of a party. The parties agree that a 30- day notice shall be given prior to the termination of this agreement.

File Number:

Director/Commissioner: Larkin/Armstrong

MAYOR LINDA GORTON

LEXINGTON

NANCY ALBRIGHT
COMMISSIONER
ENVIRONMENTAL QUALITY & PUBLIC WORKS

TO: Mayor Linda Gorton
Urban County Council

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

DATE: October 11, 2024

SUBJECT: Purchase Services Agreement for Pavement Condition Survey, Pavement Management System, and Pavement Management planning support services.

Request
Request Council approval for the Mayor to execute a purchase services agreement with Roadway Asset Services for Pavement Condition Survey, Pavement Management System, and Pavement Management planning support services.

Why are you requesting?
The roadway network maintained by LFUCG is routinely scanned and analyzed to assist in the ongoing evaluation and prioritization of maintenance and replacement activities. This purchase agreement is for services competitively bid under RFP 47-2024. Those services will include a full scan and analysis along with additional service relative to the entire LFUCG roadway network. This data and analysis are critical components in the LFUCG roadway maintenance program.

What is the cost in this budget year and future budget years?
The cost for Fiscal Year 2025 is $ 235,888 which covers service thru 6/30/2027.
The cost for Fiscal Year 2028 will be $19,425 each successive year increases are capped at 5%.

Are the funds budgeted?
Yes, budgeted in 2615-303301-0001-71299

Law: Yes, E. Thompson 10/11/2024

Director/Commissioner Dugas / Albright

MAYOR LINDA GORTON

LEXINGTON

NANCY ALBRIGHT
COMMISSIONER
ENVIRONMENTAL QUALITY & PUBLIC WORKS

TO: Mayor Linda Gorton
Urban County Council

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

DATE: October 11, 2024

SUBJECT: Consultant Services Agreement for Professional Design Services – Division of Water Quality Headquarters and Operations building.

Request
Request Council approval for the Mayor to execute a consultant services agreement with GRW for professional design services of the Division of Water Quality Headquarters and Operations building Renovation & Refit Project.

Why are you requesting?
Professional design services are needed for renovation & refit of the recently purchased property at 130 W. New Circle Road. Once renovated the building will be utilized as Division of Water Quality Headquarters and Operations, consolidating staff into a single location. This agreement was competitively advertised under RFP #48-2024.

What is the cost in this budget year and future budget years?
The cost for Fiscal Year 2025 is $ 299,120

Are the funds budgeted?
Yes, budgeted in 4003-303401-3401-92811-DWQFACILITY-BUILD_ACQU

Law: Yes, E. Thompson 10/11/2024

Director/Commissioner Dugas / Albright

MAYOR LINDA GORTON

LEXINGTON

KEVIN ATKINS
CHIEF DEVELOPMENT OFFICER

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

FROM: **CRAIG BENCZ**
ADMINISTRATIVE OFFICER SR.

DATE: **October 10, 2024**

SUBJECT: **PUBLIC INFRASTRUCTURE PROGRAM AGREEMENT: TURNER PROPERTY 4 LLC**

REQUEST:
Authorization to execute a Public Infrastructure Program Forgivable Loan Agreement with Turner Property 4 LLC in the amount of $366,680 for the construction of sidewalk and public parking improvements to serve a forty (40) acre site located at 125 Turner Commons Way.

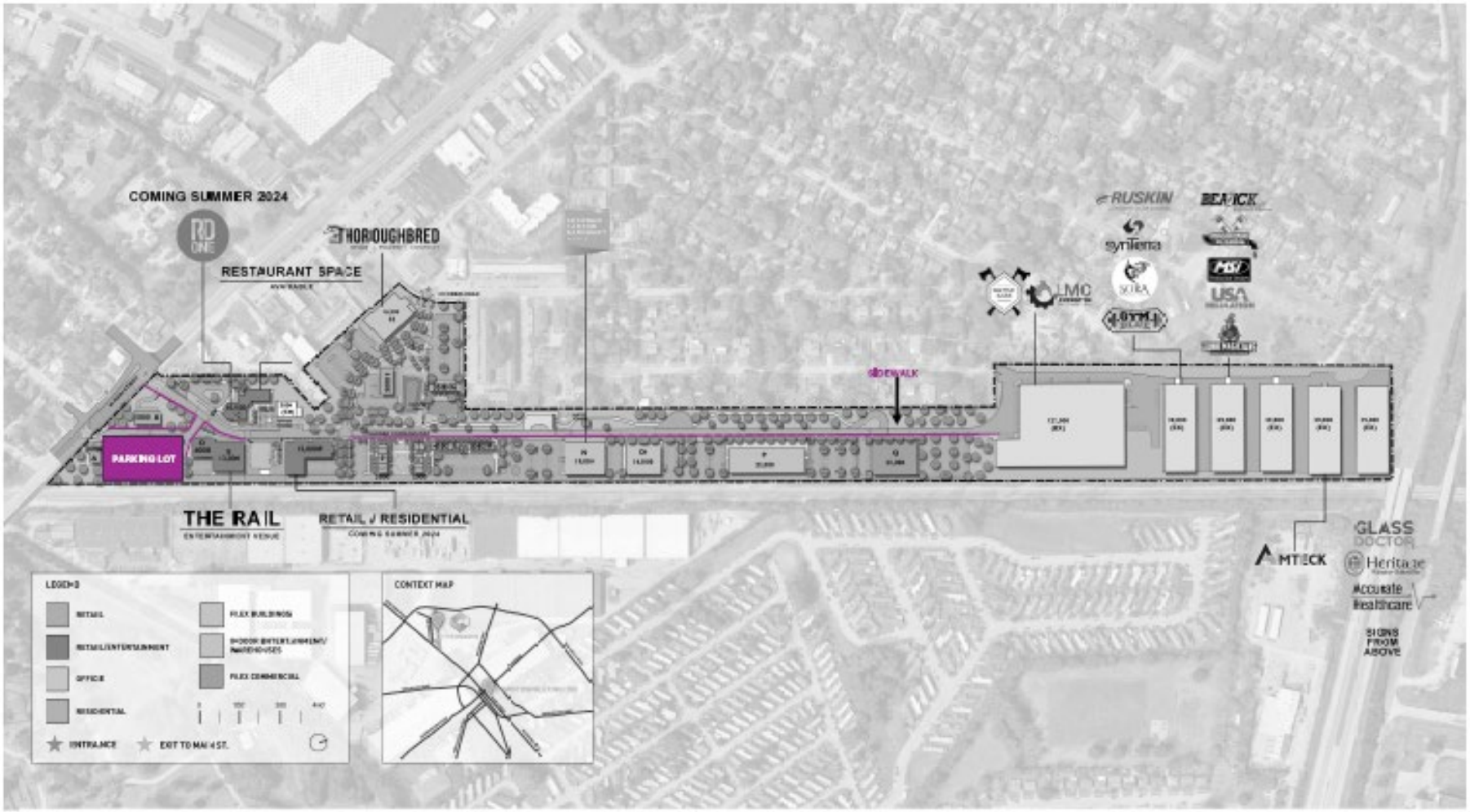
REASON FOR REQUEST:
The Lexington Economic Development Investment Board reviewed the application from Turner Property 4 LLC at their September 10, 2024 meeting. The Board voted unanimously to approve a forgivable loan in the amount of $366,680 to Turner Property 4 LLC for the construction of sidewalk and public parking improvements that will serve the project site and the surrounding community. The mixed-use project has created over 400 jobs and is expected to create a minimum of 75 additional jobs subsequent to the completion of these improvements.

WHAT IS THE COST IN THIS BUDGET YEAR AND FUTURE BUDGET YEARS?
The cost for this FY is: $366,680
The cost for future FY is: N/A

ARE THE FUNDS BUDGETED?
The funds are budgeted.
Account number: 1144-133004-0001-78103

DIRECTOR/COMMISSIONER: Craig Bencz/Kevin Atkins

18
1051-24



THECOMMONS

THE COMMONS

TENANT MASTER PLAN

1301 W MAIN STREET LEXINGTON, KY

LORD AECK SARGENT

5

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
COMMISSIONER
HOUSING ADVOCACY & COMMUNITY
DEVELOPMENT

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

FROM: **CHARLIE LANTER, COMMISSIONER**
DEPARTMENT OF HOUSING ADVOCACY & COMMUNITY DEVELOPMENT

DATE: **October 14, 2024**

SUBJECT: **Security Services for 2024-25 Winter Motel Shelter**

Request: Council authorization to execute an agreement with Federated Global Ventures, LLC., to provide private security services for the community's motel-based winter shelter in an amount not to exceed $220,320.00.

Purpose of Request: Each year, the Office of Homelessness Prevention and Intervention engages stakeholders in the development of a winter weather response plan, which includes strategies to temporarily increase shelter capacity during the winter season. This year, the OHPI will operate a motel-based shelter to achieve this expanded capacity. Approximately 95 motel rooms will be utilized at two adjacent motels, where individuals will be placed to receive emergency shelter, assistance with basic needs, and supportive services toward permanent housing.

In order to ensure the safety of participants, to mitigate issues that might arise, and to minimize impact to the surrounding neighborhood, the OHPI seeks to maintain 24/7 private security for the motel shelter program. This includes 2 security personnel on-duty at all times. Private security has been a key component to previous winter shelter models, including other motel-based shelters as well as the site-based Hope Village temporary shelter utilized in the 2023-24 winter season.

What is the Cost in this budget year and future budget years? Cost in FY25 is $220,320.00.
The cost for future FY26 is: $0

Are the funds budgeted? Yes
Account number: 1145-155003-0001-78112

File Number: 1052-24

Director/Commissioner: Herron/Lanter

MAYOR LINDA GORTON

LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

FROM: **CHARLIE LANTER, COMMISSIONER**
HOUSING ADVOCACY & COMMUNITY DEVELOPMENT

DATE: **October 14, 2024**

SUBJECT: **Temporary Winter Motel Shelter for Elderly, Disabled Persons Experiencing Homelessness**

Request: Council authorization to execute an agreement with Hospice of the Bluegrass, Inc., d/b/a Bluegrass Care Navigators, for operation of Temporary Winter Motel Shelter Services in an amount not to exceed $201,023.00. This program will provide temporary emergency shelter during the winter season for elderly, disabled persons.

Purpose of Request: The Office of Homelessness Prevention and Intervention engages stakeholders each year to develop a winter weather response plan, which includes expanded shelter capacity to meet increased demand over the winter months. While the OHPI has worked to develop a winter shelter program for the general population, some individuals and households presenting within the homeless response system have complex needs that require specialized services, such as those with significant health issues and/or mobility issues. The OHPI seeks to fund a program better equipped to meet those needs, both providing shelter and basic needs as well as facilitating linkages to needed medical supports and/or higher levels of care as appropriate.

This temporary winter motel shelter program will accept referrals from street outreach teams, congregate shelters, and the OHPI to meet the needs of households not adequately served by other shelter options. Specifically, the program will serve households with elderly persons and persons with significant disabling conditions. Households will be placed into motel-based shelter and receive an individualized case plan toward permanent housing and/or higher levels of care. The program will operate between November 1, 2024, and April 1, 2025.

What is the Cost in this budget year and future budget years? Cost in FY25 is $201,023.00
The cost for future FY26 is: $0

Are the funds budgeted? Yes
Account number: 1145-155003-0001-78112

File Number: 1053-24

Director/Commissioner: Herron/Lanter

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
COMMISSIONER
HOUSING ADVOCACY & COMMUNITY
DEVELOPMENT

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

FROM: **CHARLIE LANTER, COMMISSIONER**
DEPARTMENT OF HOUSING ADVOCACY & COMMUNTIY DEVELOPMENT

DATE: **October 14, 2024**

SUBJECT: **Purchase of Service Agreements – OHPI Winter Shelter Supportive Services**

Request: Council authorization to execute Memoranda of Agreement with the following seven social service agencies: Arbor Youth Services, Inc. ($12,500.00); AVOL Ky, Inc. ($25,000.00); Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. ($37,500.00); GreenHouse17, Inc. ($12,500.00); Hope Center, Inc. ($62,500.00); Lexington Rescue Mission, Inc. ($50,000.00); and New Beginnings, Bluegrass, Inc. ($12,500.00) to provide supportive services for participants of the temporary, motel-based winter shelter for persons experiencing homelessness, at a total cost not to exceed $212,500.00.

Purpose of Request: The Office of Homelessness Prevention and Intervention engages stakeholders each year in the development of a winter weather response plan. This plan includes expansion of shelter capacity to meet increased need seen during the winter months. This year's plan includes the operation of a motel-based temporary winter shelter operating between November 1, 2024, and April 1, 2025.

To sufficiently meet the needs of individuals and households participating in the temporary winter shelter program, the OHPI seeks to generate agreements with multiple community provider organizations. Organizations will provide supportive services to include assistance with basic needs and the development of individualized permanent housing plans.

What is the Cost in this budget year and future budget years? Cost in FY25 is $212,500.00
The cost for future FY26 is: $0

Are the funds budgeted? Yes, funds are budgeted.

Account number: 1145-155003-0001-78112

File Number: 1054-24

Director/Commissioner: Herron/Lanter

MAYOR LINDA GORTON

LEXINGTON

GLENDA HUMPHREY GEORGE
DIRECTOR
HUMAN RESOURCES

MEMORANDUM

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: Glenda Humphrey George, Director
Division of Human Resources

DATE: October 14, 2024

SUBJECT: Abolish/Create positions - Division of Planning

Request:
The attached action is requesting to abolish one (1) classified position of Staff Assistant Sr. (Grade 511N) and create one (1) position of Administrative Specialist (Grade 516N) in the Division of Planning, effective upon passage of Council.

Why are you requesting:
The Division of Planning requests this position due to increased administrative duties over the years. The new Administrative Specialist classification will attract employees to stay for a longer term reducing the disruption to the work needed during the training of new staff.

What is the cost in this budget year and future budget year?
This has a 12-month future impact cost of $13,817.12.

Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Staff Assistant Sr.	$39,257.92	$0	($39,257.92)
Administrative Specialist	$0	$50,103.04	$50,103.04

Total Annual Impact/ Salary and Benefits $13,817.12

File Number: 1055.24

Director/Commissioner: Glenda Humphrey George/Sally Hamilton

If you have questions or need additional information, please contact Alana Morton at (859) 258-3037.

MAYOR LINDA GORTON

LEXINGTON

GLENDA HUMPHREY GEORGE
DIRECTOR
HUMAN RESOURCES

MEMORANDUM

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: _____
Glenda Humphrey George, Director
Division of Human Resources

DATE: October 14, 2024

SUBJECT: Create position - Division of Planning

Request:
The attached action is requesting to create one (1) classified position of Planner Sr. (Grade 523N) in the Division of Planning, effective upon passage of Council.

Why are you requesting:
This position is needed to help LFUCG implement the roadway projects and highway safety strategies identified in the Lexington Safety Action Plan, adopted by the Metropolitan Planning Organization (Vision Zero).

What is the cost in this budget year and future budget year?
This has a 12-month future impact cost of $95,674.66.

Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Planner Sr.	$0	$70,499.52	$70,499.52
Total Annual Impact/ Salary and Benefits $95,674.66			

File Number: 1056-24

Director/Commissioner: Glenda Humphrey George/Sally Hamilton
If you have questions or need additional information, please contact Alana Morton at (859) 258-3037.

Environmental Quality & Public Works Committee

August 20, 2024

Summary and Motions

Chair Sheehan called the meeting to order at 1:00 p.m. Committee Members, Council Members Fogle, Lynch, LeGris, Gray, Worley, F. Brown, and Sevigny were present. Committee Members Vice Mayor Wu and Council Member Monarrez were absent. Council Member Reynolds was present as a non-voting member.

I. Approval of June 18, 2024 Committee Summary

Motion by Gray to approve the June 18, 2024 Environmental Quality & Public Works Committee Summary. Seconded by LeGris. Motion passed without dissent.

II. Annual Stormwater Priority List Update

Mark Sanders, Engineering Manager, presented the 2024 Stormwater Drainage and Flooding Update. He reviewed the severity score process and how a property gets considered for inclusion on the stormwater priority list. He showed the website where the updated priority list can be found as well as a map that shows where projects are located throughout the city. He highlighted some of the projects in the community as they appear on the priority list. He reviewed stormwater capital projects and provided details such as phase, location, and cost. Capital maintenance projects are smaller projects to mitigate flooding; repair and cleaning projects intended to restore infrastructure; or larger projects which require engineering design and are openly bid for construction. These projects would likely not meet the criteria for priority capital projects.

When asked for more details regarding the Barnard Drive project which has extreme flooding, Sanders stated they are close to being able to start the project. Regarding the Joyland neighborhood, Sanders hopes to advertise next month, but due to weather and time, it will likely be March or April before a contractor can start work. There was discussion about communication and neighborhood outreach. Sanders said from the inception of a project, they work with Council offices and before moving forward with a project, they meet with homeowners of the affected area. When they have buy-in, they look at budgeting and planning for the next step which would be the design phase. Once they reach the design phase, they have regular meetings to ensure everyone understands the plan. No action was taken on this item.

III. Update to Chapter 8 in the Code of Ordinances Related to Blasting

6th District Council Woman, Denise Gray, provided a presentation on proposed changes to Chapter 8 in the Code of Ordinances related to Blasting. Evan Thompson, Attorney in Department of Law, confirmed this update is just to provide notice to the public regarding blasting. He emphasized it is subject to approval by the state before this change goes into effect. When asked if it is the state or the city who is responsible for notifying, Gray explained no one has been designated, this is creating a process to notify our residents. The state is required to send notice within a half a mile of blasting to the city. This update creates an arm to ensure residents have transparency and are informed. Burton added once this is fully vetted by the state, Engineering will work with GIS to pull information from Accela into a GIS map so we can have dots on a map to show people where there is blasting. We are not sending out blast notices, the

contractor sends out that notice to a larger area and then notifies us. In Accela, we are looking to add something that allows them to input information saying they are going to blast on a certain day, between certain hours. The general idea is that we will use the existing infrastructure of Accela and GIS to create some sort of mapping. He compared this to the right of way map when there is digging in someone's yard. When asked about the quarry project on Leestown Road, Burton confirmed there is a standing blasting permit for this project because they blast at the same time every day. This would basically be a dot that says they are blasting all year so it would be different.

Motion by Gray to approve an ordinance creating Chapter 8A in the Code of Ordinances related to Blasting, as presented to the committee. Seconded by Lynch. Motion passed without dissent.

IV. Empower Lexington Plan

Jada Griggs, Sustainability Program Manager, began the presentation with a history of the Empower Lexington Plan. The Empower Lexington Plan 2023 updates were provided by Blaine Early with the Environmental Commission. Stakeholders reviewed information for the following sectors: Materials & resources, natural systems & ecology, transportation & land use, quality of life, water efficiency, energy & Greenhouse Gas (GHG) emissions. The plan includes an updated community-wide GHG emissions inventory and recommended strategies or projects per sector to help us meet our net zero goals by 2050. The community identified their top 3 which are highlighted in the Empower Lexington Plan in blue. Griggs discussed the next steps which include developing emissions reduction plan and setting GHG emissions reduction targets of 50% by 2030 and net zero by 2050.

When asked if we will have to take a first step to encourage cleaner electricity, Griggs said part of the process includes smart goals and prioritizing what we can do. We are working through the comprehensive plan which is the regional plan for the Metropolitan Statistical Area (MSA). We will also have a climate view platform, and that platform will help us see what can be done. One of the things we do as a city is to try to lead by example. When asked if we have things in place on our building projects we are trying to lead with, like the new Government Center, Griggs confirmed she and her colleague, James Bush, Energy Manager, are at the forefront of that question. She said they have been discussing this internally and they have seats at the table to talk about energy efficiency, but there is work to do.

There was a suggestion for training to help people who do not know what to do to qualify for the solarize Lexington program. Some people don't have access to a computer or know how to navigate the website. Griggs said she is happy to participate in neighborhood meetings

Motion by Sheehan to Approve the proposed resolution approving "Empower Lexington: a plan for a resilient community," a community-wide sustainability plan designed to reduce greenhouse gas emissions and energy use in Lexington-Fayette County, and further supporting community efforts in furtherance of its implementation, seconded by Gray. Motion passed without dissent.

Motion by LeGris to suspend the rules and report out the *Empower Lexington Plan* at Work Session today, August 20, 2024. Seconded by Lynch. Motion passed without dissent.

V. Items Referred to Committee

Motion by Sevigny to remove from the list of committee referrals: Item #5 – Review of Urban Services Funds. Seconded by Gray. Motion passed without dissent.

The meeting adjourned at 2:22 p.m.

ORDINANCE NO. _____ - 2024

AN ORDINANCE CREATING CHAPTER 8A OF THE CODE OF ORDINANCES RELATING TO NOTICE REQUIREMENTS FOR CONSTRUCTION OR DEMOLITION BLASTING OPERATIONS; CREATING SECTION 8A-1 OF THE CODE TO DEFINE TERMS; CREATING SECTION 8A-2 OF THE CODE TO REQUIRE BLASTERS TO PROVIDE NOTIFICATION TO THE DIRECTOR OF THE DIVISION OF ENGINEERING BEFORE COMMENCING BLASTING OPERATIONS; CREATING SECTION 8A-3 OF THE CODE REGARDING PREEMPTION; CREATING SECTION 8A-4 OF THE CODE TO SET PENALTIES FOR VIOLATION OF CHAPTER 8A OF THE CODE; TO AMEND SECTION 14-10 OF THE CODE TO INCLUDE EMPLOYEES WITHIN THE DIVISION OF ENGINEERING AS CITATION OFFICERS FOR THE ENFORCEMENT OF CHAPTER 8A OF THE CODE; AND DIRECTING THE COUNCIL CLERK, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO PROVIDE A CERTIFIED COPY OF THIS ORDINANCE TO THE KENTUCKY DEPARTMENT FOR NATURAL RESOURCES FOR ITS APPROVAL; WITH SECTION 8 OF THIS ORDINANCE EFFECTIVE UPON PASSAGE OF COUNCIL AND THE REMAINING PROVISIONS EFFECTIVE UPON RECEIPT OF APPROVAL THEREOF FROM THE KENTUCKY DEPARTMENT FOR NATURAL RESOURCES PURSUANT TO KRS 351.335.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Chapter 8A, Notification Requirements for Construction or Demolition Blasting Operations, of the Lexington-Fayette Urban County Code of Ordinances be and hereby is created.

Section 2 – That Section 8A-1 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is created to read as follows:

Sec. 8A-1. - Definitions:

As used in this Chapter, unless the context clearly indicates otherwise:

(1) "Blaster" means a person licensed by the Kentucky Department for Natural Resources to fire or detonate explosives in blasting operations;

(2) "Blasting operation" or “blasting” means the use of explosives in any construction or demolition work, but shall not include its use in mining/quarrying subject to the requirements of Section 8 of the Code of Ordinances, in the mining/quarrying of coal, or in agricultural operations;

(3) "Director" means the Director of the Division of Engineering;

(4) “Division” means the Division of Engineering; and

(5) "Explosives" mean any chemical compound or other substance or mechanical system intended for the purpose of producing an explosion, or that contains oxidizing and combustible units or other ingredients in such proportions or quantities that ignition by detonation may produce an explosion, capable of causing injury to persons or damage to property.

Section 3 – That Section 8A-2 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is created to read as follows:

Sec. 8A-2. - Blasting; Notification

(1) The use and storage of explosives for blasting operations shall be conducted in accordance with all applicable rules and regulations of the Kentucky Department for Natural Resources, as well as all applicable federal, state, and local laws and regulations.

(2) (a) *Notice required.* In addition to any notice required by state or federal law, the blaster shall, at least five (5) days before commencing blasting operations, provide electronic notice thereof to the Director on the form promulgated by the Division.

(b) *Changes to dates and times of detonation.* Upon any significant change to any date or time of detonation contained in the notice required in subsection 2(a), the blaster shall provide electronic notice thereof to the Director at least five (5) days before implementing the change in blasting operations.

Section 4 – That Section 8A-3 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is created to read as follows:

Sec. 8A-3. - Preemption.

Nothing contained in this Chapter is intended to conflict with existing laws at either the federal or state levels but shall be an additional requirement on blasters. All provisions of this Chapter not specifically preempted or changed shall remain applicable. This Chapter is enacted to protect the natural environment of the county and, consequently, the health and welfare of the general public within.

Section 5 – That Section 8A-4 of the Lexington-Fayette Urban County Government Code of Ordinances be and hereby is created to read as follows:

Sec. 8A-4. - Penalties

(1) *Notice of Violation:* Any blaster found to be in violation of this Chapter shall be subject to the issuance of a notice of violation. The notice of violation shall state the specific violation and the remedial actions required. The notice of violation is not appealable.

(2) *Fines*. After the issuance of a notice of violation, any blaster failing to comply with any of the provisions, regulations or conditions of this Chapter shall be fined, through the issuance of a civil citation, for every offense, in an amount based upon the number of citations issued within a twelve (12) month period, as follows:

Number of Citations	1	2	3	4	5+
Fine	$100.00	$750.00	$1,500.00	$2,500.00	$5,000.00

Each day's continuance of any such violation shall be a separate offense. All civil penalties may be appealed to the Infrastructure Hearing Board as provided in Chapter 2B of the Code.

(3) Any fines may be recovered by the urban county government in a civil action in the nature of the debt if the violator fails to pay the penalty within a prescribed period of time.

Section 6 – That Section 14-10(f)(3) of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

(3)	Municipal engineer senior; municipal engineer, associate municipal engineer, engineering technician principal, employed in the division of engineering.	Code of Ordinances chapter 8A, sections 14-60, 16-34.1, and 17-21, zoning ordinance articles 19-7(a)(1), 19-7(g), 19-8, and 20 and subdivision regulations article 6-7, and 6-11.

Section 7 – If any one or more of the provisions of this Ordinance should be determined by a court of competent jurisdiction to be contrary to law, then such provisions shall be deemed to be severable from all remaining provisions and shall not affect the validity of such other provisions.

Section 8 – That the Lexington-Fayette Urban County Clerk shall provide a certified copy of this Ordinance to the Department for Natural Resources for its approval.

Section 9 – That Sections 1 through 7 of this Ordinance shall take effect upon approval thereof by the Kentucky Department for Natural Resources pursuant to KRS 351.335.

Section 10 – That Section 8 of this Ordinance shall become effective on the date of this Ordinance's passage.

PASSED URBAN COUNTY COUNCIL:

_____
MAYOR

ATTEST:

_____
CLERK OF THE URBAN COUNTY COUNCIL

PUBLISHED:
XXX-2024:EPT_

4877-2483-1895, v. 4