Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Tuesday, August 19, 2025

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

Lexington-Fayette Urban County Council
Schedule of Meetings
August 18 – 25, 2025

Monday, August 18
No Meetings

Tuesday, August 19
Budget, Finance, and Economic Development Committee……………………………………………………..1:00 p.m.
Government Center – Council Chamber, 2nd Fl.

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

Wednesday, August 20
Access Lexington Commission……………………………………………………………………………………..10:30 a.m.
Virtual

Thursday, August 21
Corridors Commission………………………………………………………………………………………………12:00 p.m.
Government Center – Conference Room, 5th Fl.

Friday, August 22
No Meetings

Monday, August 25
No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
August 19, 2025

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

II. **Requested Rezonings/ Docket Approval- No**

III. **Approval of Summary- Yes**

- **a.** Table of Motions: Council Work Session, August 12, 2025, p. 1 - 3

IV. **Budget Amendments- No**

V. **Budget Adjustments - For Information Only- No**

VI. **New Business- Yes, p. 4 - 19**

VII. **Communications From the Mayor – Appointments- No**

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

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

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

- **a.** Council Capital Projects, August 19, 2025, p. 20
- **b.** Summary: Budget, Finance, and Economic Development Committee, June 24, 2025, p. 21 - 23
- **c.** Summary (partial): General Government and Planning Committee, July 1, 2025, p. 24 - 31

XI. **Council Reports**

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

XIII. **Adjournment**

Administrative Synopsis - New Business Items

a	**0722-25**	Authorization to execute lease agreements between Lexington Fayette Urban County Government and tenants for the following houses: 4051 Richmond Road location rented for $203.50 (Ada Williamson), 3401 Shamrock Lane rented at $770.00 a month (Teresa Jill Farmer) and 3561 Shamrock Lane rented at $605.00 a month (Victoria Hamm). The terms of the leases are August 1, 2025, through June 30, 2026. (L0722-25)(Conrad/Ford), p. 4
b	**0735-25**	Authorization to approve the partial release of a sanitary easement at 1504 Winners Circle. The easement is no longer needed. No budgetary impact. (L0735-25)(Martin/Albright), p. 5 - 6
c	**0738-25**	Authorization to execute lease agreement with the Board of Education of Fayette County, KY, to lease a twenty-five (25) acre portion of Southern Middle School for one dollar ($1.00) from the date of execution through June 30, 2026. Funds are budgeted. (L0738-25) (Conrad/Ford), p. 7
d	**0751-25**	Authorization to enter a memorandum of understanding between the Division of Fire and Emergency Medical Services and the Kentucky Division of Forestry (KDF) to enhance wildland fire training and operational capabilities within the jurisdiction of the KDF and to foster mutual benefits through joint training, operational experience, and the development of personnel qualifications to support future in-state mutual aid opportunities. No budgetary impact. (L0751-25)(Wells/Armstrong), p. 8
e	**0754-25**	Authorization to execute change order #6 with Haire Construction LLC in increase the original scope to include the construction and installation of a new park sign for Phoenix Park. The increased amount is $74,885.25, bringing the new contract total to $3,355,398.91. Funds are budgeted. (L0754-25)(Conrad/Ford), p. 9 - 13
f	**0758-25**	Authorization to enter into a Real Estate Exchange Agreement with Fayette County Public Schools (FCPS) for the necessary right-of-way to extend Winburn Drive to Citation Boulevard. The agreement will facilitate LFUCG taking legal title to a parcel of land containing a total of 38,839 square feet, currently a part of the Winburn Middle School site. FCPS shall take legal title to a parcel of land containing 4.0 acres of which is currently part of Martin Luther King Jr. Park and a cash payment of $122,265. FCPS will also receive funds to construct a new bus lane at Winburn Middle School in the amount of $294,946. At a total cost of $417,211 Funds are budgeted. (L0758-25)(Burton/Albright), p. 14 - 16

g	**0760-25**	Authorization to execute Amendment No. 2 to the grant agreement (Resolution 390-2024) with the Bluegrass Area Development District to reduce the recognized revenue to $45,291 for the federal award and $102,160 for the state award for the Senior Citizens Center in FY 2025. This obligates the government to provide an increase in match of $6,613.27. Budget amendment in process. (L0760-25)(Stambaugh/Allen-Bryant), p. 17
h	**0761-25**	Authorization to approve the release of a Utility Easement at 1120 Commercial Drive & 1245 Eastland Drive, it is no longer needed. No budgetary impact. (L0761-25)(Martin/Albright), p. 18 - 19

URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
August 12, 2025

Mayor Gorton called the meeting to order at 3:00 p.m. Council Members Wu, Brown, Ellinger II, Morton, Lynch, LeGris, Curtis, Sheehan, Hale, Beasley, Baxter, Sevigny, Reynolds, and Boone were present.

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

<u>Motion by Ellinger II to approve the August 14, 2025 Council Meeting Docket. Seconded by Sevigny. Motion passed without dissent.</u>

III. Approval of Summary

<u>Motion by Wu to approve the July 1, 2025 Work Session Summary. Seconded by Baxter. Motion passed without dissent.</u>

IV. Budget Amendments

<u>Motion by Reynolds to approve Budget Amendments. Seconded by Wu. Motion passed without dissent.</u>

V. Budget Adjustments – For Information Only

VI. New Business

<u>Motion by Baxter to approve New Business. Seconded by LeGris. Motion passed 13 – 0. Reynolds recused on item m.</u>

VII. Communications from the Mayor- Appointments

<u>Motion by Wu to approve Communications from the Mayor – Appointments. Seconded by Hale. Motion passed without dissent.</u>

VIII. Communications from the Mayor- Donations

<u>Motion by Curtis to approve Communications from the Mayor – Donations. Seconded by Morton. Motion passed without dissent.</u>

IX. Communications from the Mayor- Procurements

<u>Motion by Sheehan to approve Communications from the Mayor – Procurements. Seconded by Baxter. Motion passed without dissent</u>

X. Continuing Business/Presentations

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

LeGris provided a summary of the June 10, 2025 Environmental Quality and Public Works Committee (EQPW) Meeting.

Motion by Brown to set the General Services Fund ad valorem real property tax rate at Option 3; to set the General Services Fund ad valorem personal property tax rate including public service companies, noncommercial aircraft, and noncommercial watercraft at Option 3; and, to set the General Services Fund ad valorem tax rates for motor vehicles, tobacco in storage, agricultural products in storage, insurance companies' capital, and abandoned urban property at the same rates as the prior fiscal year (the current rates)(.088, .015, .045, .15, and 1.00). Seconded by Ellinger II. Motion passed without dissent.

Motion by Brown to set the Urban Services Fund – Refuse Collection ad valorem real property tax rate at Option 3; to set the Urban Services Fund – Street Lights ad valorem real property tax rate at Option 3; to set the Urban Services Fund – Street Cleaning ad valorem real property tax rate at Option 3; and, to set the Urban Services Fund – Public Service Companies ad valorem tax rate at Option 3 (the combined amount of the 3 urban service rates) and Insurance Co. Capital at .0920, the same rate as the prior fiscal year. Seconded by Reynolds. Motion passed without dissent.

Motion by Brown to place on the docket for the Thursday, August 14, 2025 Council Meeting an ordinance pertaining to all of the tax rates for general services and urban services as provided in the respective amounts from the above motions and levying them at these rates on each $100 of assessed valuation. Seconded by Baxter. Motion passed without dissent.

Motion by Brown to set the public health ad valorem real property tax rate at 0.0243 and the public health ad valorem personal property tax rate at 0.0243, and to place an ordinance on the docket for the Thursday, August 14, 2025 Council Meeting levying the taxes at these rates on each $100 of assessed valuation. Seconded by Baxter. Motion passed without dissent.

Motion by Brown to set the soil and water conservation district ad valorem real property tax rate at 0.001, and to place an ordinance on the docket for the Thursday, August 14, 2025 Council Meeting levying the tax at this rate on each $100 of assessed valuation. Seconded by Wu. Motion passed without dissent.

Motion by Brown to schedule a public hearing on all of these ad valorem tax rates for the August 28, 2025 Council Meeting at 6 p.m. Seconded by Morton. Motion passed without dissent.

XI. Council Reports

Motion by Sheehan to place the sewer clean out reimbursement program into the EQPW Committee. Seconded by Brown. Motion passed without dissent.

XII. Public Comment – Issues Not on Agenda

XIII. Adjournment

Motion by Sevigny to adjourn at 4:03 p.m. Seconded by Curtis. Motion passed without dissent.

MAYOR LINDA GORTON

LEXINGTON

MONICA CONRAD
DIRECTOR, PARKS & RECREATION

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: Monica Conrad, Director, Parks and Recreation

DATE: July 31, 2025

SUBJECT: Lease Agreements

Request:

Request Council Authorization for the Mayor to execute Residential Lease Agreements with Ada Williamson, Victoria Hamm, and Teresa Jill Farmer.

Purpose:

Residential Lease Agreements will provide funding to support Parks and Recreation. The agreements between Lexington Fayette Urban County Government and tenants are reviewed annually with the goal of achieving fair market value. Properties within agreements are as follows: 4051 Richmond Road rented for $203.50 per month, 3401 Shamrock Lane rented for $770.00 per month, and 3561 Shamrock Lane rented for $605.00 per month.

Budgetary Implication: ,

The cost for Fiscal Year 2026 is $0. The revenue for Fiscal Year 2026 is $18,942.00.

Are the funds budgeted?

Yes, revenue - 1101-707606-7672-42181

File Number: 0722-25

Director/Commissioner: Monica Conrad/Chris Ford

MAYOR LINDA GORTON

LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

FROM: Gregory S. Lubeck, P.E., Deputy Director
Division of Water Quality

DATE: July 24, 2025

SUBJECT: PARTIAL RELEASE OF A SANITARY EASEMENT AT 1504 WINNERS CIRCLE

Request

The purpose of this memorandum is to request a resolution authorizing the Mayor on behalf of the Lexington-Fayette Urban County Government to execute a partial release of a sanitary easement at 1504 Winners Circle.

Purpose of Request

The easement is no longer needed.

Project Cost in FY25

There is no cost with this request.

Project Cost Impact for Future Budget Years

There is no projected future cost.

Are Funds Budgeted

N/A.

Law Review

E. Thompson, 07/18/2025.

Martin/Albright

DRB
cc: Debbie R Barnett
Gregory Lubeck, PE

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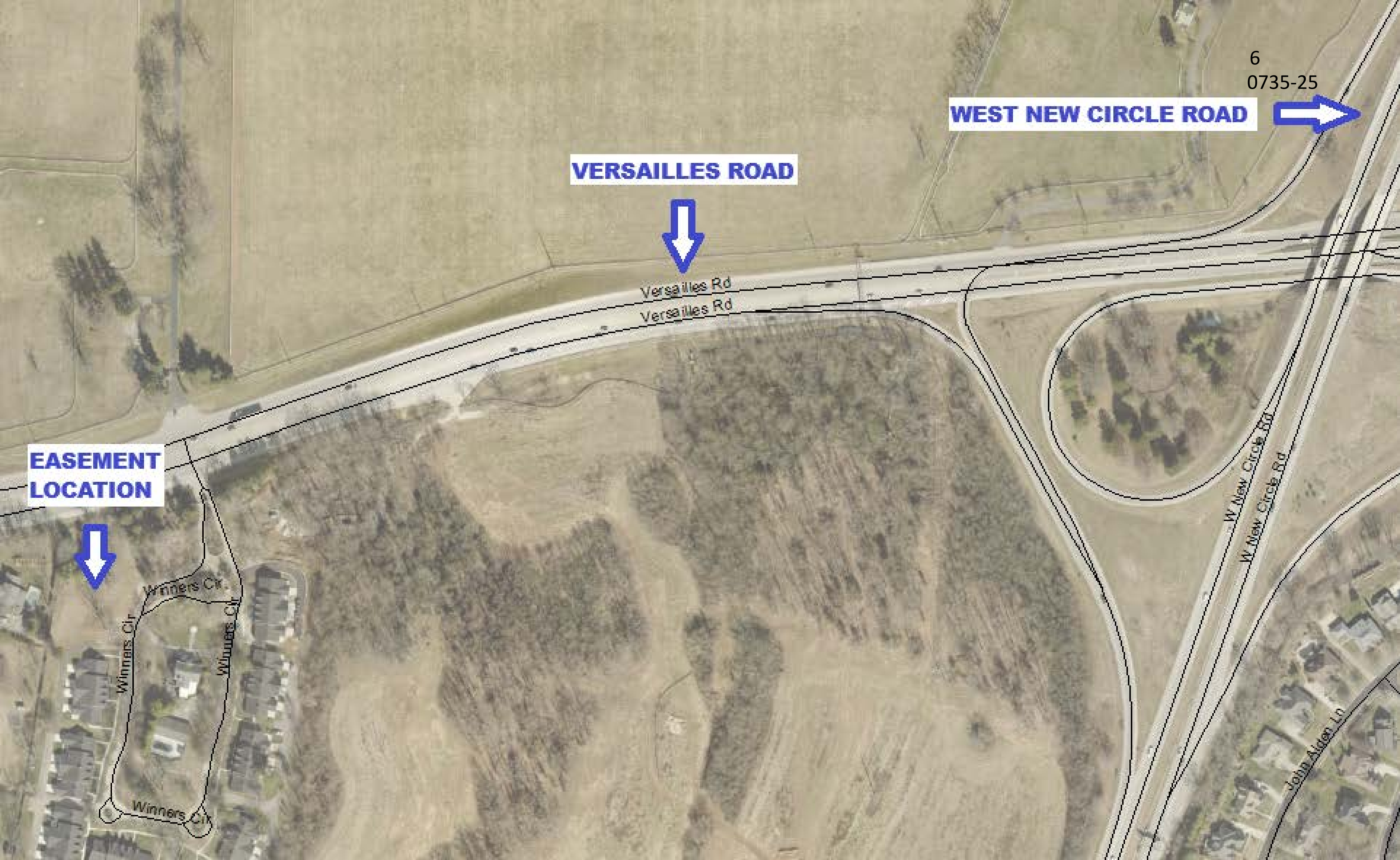
0735-25


WEST NEW CIRCLE ROAD
VERSAILLES ROAD
Versailles Rd
Versailles Rd
EASEMENT
LOCATION
Winners Cir
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John Alden Ln

MAYOR LINDA GORTON

LEXINGTON

MONICA CONRAD
DIRECTOR, PARKS & RECREATION

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: Monica Conrad, Director, Parks and Recreation

DATE: August 5, 2025

SUBJECT: Meadowbrook Golf Course Lease Agreement with Fayette County Public Schools

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Request:

Request Council Authorization for the Mayor to execute Lease Agreement with the Board of Education of Fayette County, KY, to lease a Twenty-Five (25) acre portion of Southern Middle School for One ($1.00) Dollar from the date of execution through June 30, 2026.

Purpose:

This Lease Agreement with Fayette County Public Schools provides access to a portion of the Southern Middle School property to allow public recreation for golf.

Budgetary Implication: $1

Are the funds budgeted?

Yes - 1101-707606- 7647-75101-766

File Number: 0738-25

Director/Commissioner: Monica Conrad/Chris Ford

MAYOR LINDA GORTON

LEXINGTON

Jason G. Wells
Fire Chief

TO: Mayor Linda Gorton

FROM: Jason G. Wells, Fire Chief

DATE: August 7, 2025

SUBJECT: MOU with Ky Division of Forestry

The Division of Fire and Emergency Services request authorization to enter a Memorandum of Understanding with the Kentucky Division of Forestry.

Why are you requesting? The agreement seeks to establish a cooperative framework to enhance wildland fire training and operational capabilities within the jurisdiction of the KDF and to foster mutual benefits through joint training, operational experience, and the development of LFD personnel qualifications to support future in-state mutual aid opportunities.

Department needs this action completed because: It Provides our members an opportunity to operate in the wildland fire environment under the direction of KDF supervisors/personnel. It also provides our crews experience in the safest possible way. This training will build the experience level of our entire Wildland Fire Group.

Either Party may terminate this MOU at any time by providing written notice to the other Party if the MOU becomes unsuitable to its organizational needs.

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

The cost for this FY is: 0

The cost for future FY is: 0

Are the funds budgeted? N/A

File Number:

Director/Commissioner: Wells/Armstrong

LINDA GORTON
MAYOR

LEXINGTON

MONICA CONRAD
DIRECTOR
PARKS & RECREATION

MEMORANDUM

TO: Linda Gorton, Mayor
Urban County Council

FROM: Monica Conrad, Director of Parks & Recreation

DATE: August 8, 2025

RE: Authorization to execute Change Order 06 for $74,885.25 with Haire Construction LLC. for Phoenix Park Reimagined Project. The new contract total is $3,355,398.91

Request
Request for Council authorization to execute Change Order 06 with Haire Construction LLC. in the amount of $74,885.25 for Phoenix Park Reimagined Project Contract # 114-2024 / Bid #20-2024

Why are you requesting?
The construction and installation of a new park sign for Phoenix Park. This includes the manufacturing of the sign, all infrastructure to sign, the footer for mounting, and installation of sign.

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

The cost for this FY is: $74,885.25
The cost for future FY is: $0

The funds are budgeted.

Account number:
PHOENIX_PK_2024/CONSTRUCT_CAP 2614 707602 7221 91015 774 2024 $32,385.25
DISTRICT03_2024/COUNCIL 1105 707602 7221 91015 774 2024 $42,500.00

File Number: 0754-25

Director/Commissioner: Conrad/Ford

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER
Page 1

Date:	July 18, 2025	
Project:	Phoenix Park Reimagined	
Location:	100 East Main Street	
Contract No.	114-2024	
Original Contract Amt.	$3,023,680.00	
Cumulative Amount of Previous Change Orders	$256,833.66	
Percent Change - Previous Change Orders		8.49%
Total Contract Amount Prior to this Change Order	$3,280,513.66	
Change Order No.	6	

To (Contractor):
Haire Construction LLC
11214 Decimal Dr.
Louisville, KY 40299

You are hereby requested to comply with the following changes from the contract plans and specification;

Current Change Order

Item No.	Description of changes-quantities, unit prices, change in completion date, etc.	Decrease in contract price	Increase in contract price	
1	Phoenix Park Sign		$53,000.00	
2	Phoenix Park Donor Sign		$1,643.00	
3	Underground electrical and wire		$2,800.00	
4	Site prep and foundation		$2,200.00	
5	General contracting fee		$8,946.00	
	See Attached Sheet		$6,296.25	
	Total decrease	$0.00		
	Total increase		$74,885.25	
	Net Amount of this Change Order	$74,885.25		
	New Contract Amount Including this Change Order	$3,355,398.91		
	Percent Change - This Change Order			2.48%
	Percent Change - All Change Orders			10.97%

The time provided for the completion in the contract and all provisions of the contract will apply hereto.

Recommended by: Sam Futia _______________ (Proj. Mngr.) Date: 8-11-25
Accepted by: Chad Taylor _______________ (Contractor) Date: 8/11/25
Approved by: _______________ (Director) Date: 8/11/25
Approved by: Todd Slatin _______________ (Director - Procurement) Date: 8-13-25
Approved by: _______________ (Commissioner) Date: 8/11/25
Approved by _______________ (Mayor or CAO) Date: _______________

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CHANGE ORDER

Page 2

DATE:	July 18, 2025
Change Order #:	6
CONTRACT #:	114-2024

Project: Phoenix Park Reimagined

You are hereby requested to comply with the following changes from the contract plans and specifications;

Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
6	ADD	Relocate 100amp panel in restroom	1	lump	$6,296.25	$ -	$ 6,296.25
						$ -	$ -
						$ -	$ -
						$ -	$ -
						$ -	$ -
						$ -	$ -
Total decrease						$ -	
Total increase							$ 6,296.25
Net (increase) in contract price							$ 6,296.25

JUSTIFICATION FOR CHANGE	PROJECT:	Phoenix Park Reimagined
	CONTRACT NO.	114-2024
	CHANGE ORDER:	6

1. Necessity for change: Addition of a new design Phoenix Park sign. Underground electrical to supply power to new sign. Concrete foundation for base of sign. Relocation of 100amp electrical panel into 400amp panel to make room for fogging system equipment.

2. Is proposed change an alternate bid? ___Yes _X_No

3. Will proposed change alter the physical size of the project? ___Yes _X_No
   If "Yes", explain.

4. Effect of this change on other prime contractors: None

5. Has consent of surety been obtained? ___Yes _X_Not Necessary

6. Will this change affect expiration or extent of insurance coverage? ___Yes _X_No

   If "Yes", will the policies be extended? ___Yes ___No

7. Effect on operation and maintenance costs: None

8. Effect on contract completion date: None

Mayor ____________________ Date ____________________

CONTRACT HISTORY FORM

Project Name: Phoenix Park Reimagined

Contractor: Haire Construction

Contract Number and Date: 114-2024

Responsible LFUCG Division: Parks & Recreation

CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount:	$	3,023,680.00	
Next Lowest Bid Amount: $3,940,000.00			
B. Amount of Selected Alternate or Phase:	$		
C. Cumulative Amount of All Previous Alternates or Phases:	$		
D. Amended Contract Amount:	$	3,023,680.00	
E. Cumulative Amount of All Previous Change Orders:	$	256,833.66	8.5% (Line E / Line D)
F. Amount of This Change Order:	$	74,885.25	2.5% (Line F / Line D)
G. Total Contract Amount:	$	3,355,398.91	

SIGNATURES

Project Manager: Sam Futia Date: 8-1-25

Reviewed by: Date:

Division Director: Date: 8.1.25

MAYOR LINDA GORTON

LEXINGTON

Doug Burton
Director of Engineering

TO: Mayor Linda Gorton
Urban County Council

FROM: Doug Burton, Director
Division of Engineering

DATE: August 11, 2025

SUBJECT: Recommendation for authorization to enter into a Real Estate Exchange Agreement with Fayette County Public Schools

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Request:

Council authorization to enter into a Real Estate Exchange Agreement with Fayette County Public Schools for the necessary Right-of-Way to extend Winburn Drive to Citation Boulevard.

The Agreement will facilitate the Lexington Fayette Urban County Government taking legal title to a parcel of land containing 4.467 acres together with three adjoining parcels of land containing a total of 38,839 square feet, all of which are currently a part of the Winburn Middle School site. Fayette County Public Schools shall take legal title to a parcel of land containing 4.0 acres of which is currently a part of Martin Luther King Jr. Park and a cash payment of $122,265. Fayette County Schools shall also receive a cash payment to construct a new bus lane at Winburn Middle School in the amount of $294,946, if bid in 2025, with increases of seven percent (7%) annually if bid thereafter.

This agreement is contingent upon the US Secretary of the Interior, or his authorized designee, complete release of the property from the terms of a Declaration of Restrictive Covenants currently associated with the Martin Luther King Jr. Park.

200 East Main St., Lexington, KY 40507 / 859.258.3401 Phone / 859.258.3403 Fax / lexingtonky.gov

Purpose of Request:

To acquire needed right-of-way from Fayette County Public Schools for the construction of the extension of Winburn Way and Citation Boulevard Phase III-A&B.

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

The cost for this FY is: $417,211.00
The cost for future FY is: as directed by agreement

Are the funds budgeted?

Yes, the funds are budgeted in:
Account: 91715-2610-303202-3251

File Number: 0758-25

Director/Commissioner: Burton/Albright

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0758-25

CITATION BOULEVARD EXTENSION
COMBINED PHIII A & B DESIGN

OCTOBER 2024

Scale: 1"=100'

MAYOR LINDA GORTON

LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

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

DATE: AUGUST 8, 2025

SUBJECT: Amendment No. 2 to Senior Citizens Agreement for Fiscal Year 2025

Request: Council authorization to execute Amendment No. 2 to the grant agreement with the Bluegrass Area Development District to the reduce recognized revenue to $45,291 for the federal award and $102,160 for the state award for the Senior Citizens Center in FY 2025. This obligates the government to provide an increase in match of $6,613.27

Purpose of Request: On July 9, 2024 (Resolution 390-2024), Council approved to execute an agreement and accept an award with Bluegrass Area Development District for $183,455. Grant match adopted in the FY 2025 general fund budget in the amount of $234,580 also supports the project. Amendment No. 2 reduces the federal funding by $27,219.00 and the state funding by $8,785.00 for a total decrease of $36,004 for FY 2025.

The Bluegrass Area Development District awarded funds in the amount of $45,291 for federal and $102,160 for state for total award of $147,451 under Title IIII of the Older Americans Act for operation of the Lexington Senior Center in FY 2025. The minimum local match required for the operation of the project is 15%; however, the amount of general fund budget obligation increased to $241,193.27 which obligates the increased match of $6,613.27 to cover expenses. Grant funded staff includes a Center Director, a Social Worker, Social Worker Senior, a Staff Assistant Senior and an Administrative Specialist Senior.

What is the cost in this budget year and future budget years? Federal and state funds were awarded in the amount of $147,451 for the operation of the center in Fiscal Year 2025. The grant match increase is $6,613.27. Funds for future budget years are dependent upon availability of grant funds.

Are the funds budgeted? Budget amendment is in process.

File Number: 0760-25

Director/Commissioner: Stambaugh/ Allen-Bryant

MAYOR LINDA GORTON

LEXINGTON

:HARLES H. MARTIN, P.E.
)IRECTOR
VATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

FROM: Gregory S. Lubeck, P.E., Deputy Director
Division of Water Quality

DATE: August 11, 2025

SUBJECT: RELEASE OF A UTILITY EASEMENT AT 1120 COMMERCIAL DRIVE AND 1245 EASTLAND DRIVE

<u>Request</u>

The purpose of this memorandum is to request a resolution authorizing the Mayor on behalf of the Lexington-Fayette Urban County Government to execute a release of a utility easement at 1120 Commercial Drive and 1245 Eastland Drive.

<u>Purpose of Request</u>

The easement is no longer needed.

<u>Project Cost in FY25</u>

There is no cost with this request.

<u>Project Cost Impact for Future Budget Years</u>

There is no projected future cost.

<u>Are Funds Budgeted</u>

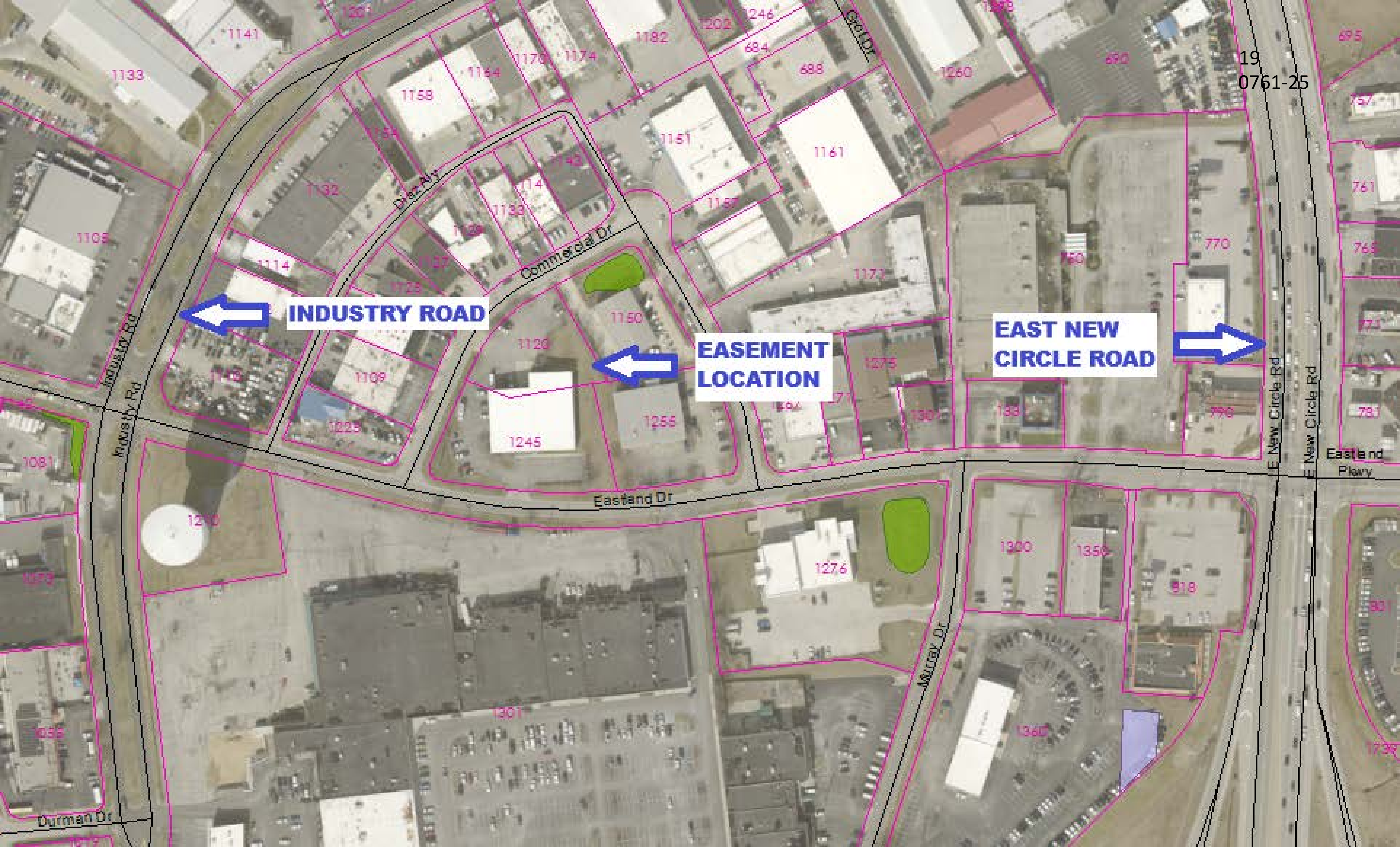
N/A.

<u>Law Review</u>

E. Thompson, 08/07/2025.

<u>Martin/Albright</u>

DRB
cc: Debbie R Barnett
Gregory Lubeck, PE


19
0761-25
INDUSTRY ROAD
EASEMENT
LOCATION
EAST NEW
CIRCLE ROAD
Industry Rd
Commercial Dr
Eastland Dr
Murray Dr
E New Circle Rd
Eastland
Pkwy
Durman Dr

Council Capital Projects
August 19, 2025
Work Session

Amount	Recipient	Purpose
$ 9,549.10	Central Kentucky YMCA Jessica Berry 1105-121001-0001-71102	To purchase technology equipment, including a smart board and classroom bots, for the Power Scholar program

Budget, Finance & Economic Development Committee
June 24, 2025
Summary and Motions

Chair James Brown called the meeting to order at 1:01 p.m. Vice Mayor Dan Wu and Council Members Chuck Ellinger, Shayla Lynch, Hannah LeGris, Liz Sheehan, Denise Gray, Whitney Baxter, Dave Sevigny, and Jennifer Reynolds were in attendance. Council Members Tyler Morton, Emma Curtis, Joseph Hale, Amy Beasley, and Hil Boone were also present as non-voting members.

I. Approval of March 18, 2025 Committee Summary

A motion by Ellinger to approve the March 18, 2025, Committee Summary, seconded by Baxter, the motion passed without dissent.

II. Monthly Financial Update – May 2025

Commissioner Hensley and Directors Holbrook and Lueker presented the monthly financials. Revenue collections in May were higher than expected, following a slower than anticipated April. Through May, revenue collections are 1.4% above budget. Personnel is running within 4% of budget, showing little change in variance from April reporting. Operating savings will be less than reported due to open purchase orders that will be paid out in the next fiscal year. Additionally, budget amendments passed in June for prefunding will adjust this variance. Year over year comparison shows a 2.6% increase in revenue across categories. Expenses for FY25 compared to FY24 increased by 5.7%. No action was taken on this item.

III. Digital Accessibility

Troy Black, Administrative Specialist, presented on Digital Accessibility. Congress passed the Digital Equity Act in 2021 as part of the Bipartisan Infrastructure Law which included $2.75 billion for programs aimed at closing the digital divide and ensuring all communities have the technology and skills needed to participate in the digital economy. Digital equity is when individuals and communities have the information technology resources they need to participate fully in the economy and society. Kentucky's Digital Equity Plan was presented in early 2024 and the state was awarded federal funding to implement the plan. The plan was developed in collaboration with Kentuckians to address issues like internet affordability, digital literacy, and access to devices.

Lexington city officials held a series of internal meetings and discussions to determine the best course of action to support the Digital Equity Act and the Kentucky Digital Equity Plan. It was determined that a local Digital Accessibility Plan that incorporates community voices, identifies services and gaps, informs policy, and guides access to resources was needed for Lexington. The

Lexington Digital Accessibility Workgroup was created with the mission of a thriving Lexington where every resident regardless of age, background, or location has access to affordable broadband, reliable devices, and the skills to navigate the digital world. By leveraging technology and collaborative partnerships Lexington aims to unlock new economic opportunities, improve health outcomes, and enhance educational experiences.

The workgroup has held meetings at 4 different partner locations across Lexington that offer digital accessibility resources and has worked to promote the Kentucky Asset Inventory Survey to increase the number of businesses listed as offering digital accessibility services in Lexington. Valuable feedback was generated at these meetings which has helped refine the vision statement and expand the reach of the digital accessibility initiatives using partner networks to help spread awareness.

Next steps include deploying a local survey and hosting a Digital Accessibility Expo. The local survey will gather community feedback, help organize outreach efforts and shape the digital accessibility roadmap. “Get Connected Lex – A Digital Accessibility Expo” will provide opportunities for community members to learn about Lexington’s digital future and raise awareness about digital resources available in Lexington. The expo will be held on June 28th, from 10:00am to 2:00pm, at the Lexington Senior Center and is open to the public. No action was taken on this item.

IV. Technology Ecosystem Development

Joe Simkins, Senior Economist for TEConomy Partners, presented recommendations on tech-driven workforce and economic development opportunities for Lexington-Fayette County. TEConomy Partners approached the study by conducting situational assessments of which industries are leading tech-based business activities and how they are deploying their talent from an industry and ecosystem perspective as well as a workforce perspective. This led to the identification of opportunities to expand the tech industry, and the workforce needed to achieve that growth.

Key findings from TEConomy Partners analyses include: core tech industry clusters have emerged in Fayette County as major areas of deployment of tech talent; demand is outpacing supply across both tech- and tech-enabled roles; Fayette County’s high-demand, high-priority occupations are driven by significant demand for embedded roles; Lexington is well-positioned to pursue technology-enabled growth across five key opportunity areas, AgTech, Health Tech, Biotech, and Digital Business Services and software as a service; demand from industry persists despite talent pipeline, suggesting need for retention strategies and skills alignment; and forward looking demand indicates need for hybrid skillsets that combine domain knowledge with deep competencies in data and software tools.

TEConomy Partners outlined key roles, skills, education, and trends in each of the 5 opportunity areas for Lexington-Fayette County's workforce development to align with forward looking market trends. TEConomy recommends a strategic framework that focuses on aggregating activities across the economic and workforce development ecosystem that results in engaging with talent and research initiatives, coordinating services through single access points, and serving as a key coordinating and networking umbrella for groups focused on specific tech application verticals.

TEConomy recommends four strategies for growing Lexington-Fayette county's tech and tech-enabled workforce to support economic development: 1) create and elevate a Lexington Tech Council as the centralized convener of Lexington's tech-based ecosystem; 2) grow tech employment by prioritizing connections among educational institutions, students, workers, and employers; 3) support Lexington's innovation and entrepreneurial capacity by building on high growth opportunities 4) accelerate marketing, branding, and storytelling of Lexington's tech ecosystem by focusing on tech-enabled industries.

Each of the 4 recommended strategies is accompanied with a series of actions for growing Lexington-Fayette County's tech and tech-enabled workforce. There are a total of 16 actions to achieve the 4 recommended strategies at an estimated cost of $630,000 in new funding to encourage tech based economic and workforce development. No action was taken on this item.

V. Review of Committee Referrals

A motion by Baxter to remove item #10, Parks Referendum Policies and Procedures, seconded by Wu, the motion passed without dissent.

A motion by Reynolds to remove item #3, Facilities and Fleet Maintenance Plan, seconded by Baxter, the motion passed without dissent.

VI. Adjournment

A motion by Baxter to adjourn at 2:33pm, seconded by Gray, the motion passed without dissent.

General Government & Planning (GGP) Committee

July 1, 2025

Summary and Motions (Partial)

Committee members Liz Sheehan, Dan Wu, James Brown, Chuck Ellinger II, Shayla Lynch, Hannah LeGris, Emma Curtis, Whitney Elliott Baxter, Dave Sevigny, and Jennifer Reynolds were present. Council members Tyler Morton, Joseph Hale, Hil Boone, and Amy Beasley were present as non-voting members.

SOLAR ENERGY SYSTEMS (ZOTA-23-00003) (Sheehan/Sevigny)

As the item's co-sponsor, Chair Sheehan introduced the Zoning Ordinance Text Amendment (ZOTA) for Solar Energy Systems. This ZOTA aims to establish a regulatory framework for solar energy systems in Lexington and aligns with the Comprehensive Plan 2045, specifically the goal of achieving net-zero emissions by 2050. The chair explained to the committee and public that a presentation of the Planning Commission's recommended language would be given by Planning staff, followed by a presentation of an amended version given by Sevigny, the item's co-sponsor.

Daniel Crum, Principal Planner, explained that the ZOTA was a community-initiated proposal, not led by the Urban County Council. He outlined the structure of the ordinance, which was modeled after the Kentucky Resources Council's solar framework. He categorized solar energy systems as integrated, rooftop-mounted, or ground-mounted, with varying thresholds and implications. Crum noted that due to the applicant-driven nature of the ZOTA, planning staff were required to process the request within six months, limiting the time available for public engagement, particularly in rural areas. He emphasized the need for a future, more inclusive planning process for agricultural zones. He also presented maps showing the practical limitations of solar development, highlighting that only land near transmission lines and outside conservation easements would be viable for large-scale solar projects.

Sevigny, co-sponsoring the amendments with Chair Sheehan, explained that the proposal from Council included in the committee packet aligns with the 2045 Comprehensive Plan and the county's commitment to net-zero carbon emissions by 2050. He emphasized the importance of including agricultural areas in the solar zoning framework, arguing for equitable distribution of climate responsibilities. Sevigny proposed increasing the intermediate scale solar threshold from 5 to 10 acres to match the Kentucky Resources Council (KRC) model ordinance. He also added a definition for prime farmland, introduced a 2% cap on agricultural land eligible for large-scale solar, and outlined decommissioning and vegetative cover requirements to protect soil. The proposed amendments aimed to provide a thoughtful, legal, and enforceable pathway for integrating solar systems across all zones, including rural areas.

Reynolds questioned the enforceability of the proposed soil and topography protections for agricultural zones and expressed concerns about whether local ordinances could influence utility companies, which the Kentucky Public Service Commission regulates. She also sought clarification on the 2% land cap and how it was determined.

Baxter asked how Sevigny chose which parts of the KRC model ordinance to incorporate. She expressed concern over the enforcement of ground cover requirements and questioned the influence of Silicon Ranch, a for-profit corporation, in shaping the ZOTA. She suggested more public review was needed before moving forward.

Curtis challenged the quantifiable impact of the ZOTA on climate change goals, questioning whether the ordinance would truly help Lexington achieve net-zero emissions. She expressed concern about including agricultural zones without a broader public planning process, arguing that the urban portion of the county should not bear the entire burden of climate initiatives.

Wu emphasized the importance of setting ambitious goals like net-zero emissions, even when specific implementation steps are uncertain, supporting the ZOTA as one tool among many for achieving sustainability.

Brown inquired about the SolSmart designation and its requirements. He also expressed concerns about engagement equity, noting that similar efforts should be made to include underserved urban communities in planning decisions. He emphasized that climate change disproportionately affects marginalized communities and called for a framework that prioritizes clean energy access.

Boone voiced skepticism about fast-tracking solar projects in agricultural zones. He recommended creating a dedicated workgroup to examine long-term impacts, including soil protection and decommissioning. Boone questioned deviations from the KRC model ordinance and advocated for a more cautious, deliberative approach.

Lynch supported the amended ZOTA, describing it as necessary groundwork for achieving the city's sustainability goals. She emphasized the need for unity across urban and rural communities and rejected the idea of dividing responsibility based on geography.

Morton stressed the importance of equal community engagement, particularly with historic African American neighborhoods. He supported a deeper investigation into how solar zoning would impact diverse communities and hoped for broader discussion with the full council.

Baxter backed the idea of forming a new working group to evaluate solar development in rural areas. She maintained skepticism about large-scale rural solar projects.

Ellinger motioned to approve as amended, Solar Energy Systems (ZOTA-24-00003), as recommended by the Planning Commission. Seconded by Reynolds. The motion passed 8 – 2 *(Yes: Brown, Ellinger, LeGris, Curtis, Sheehan, Baxter, Sevigny, Reynolds; No: Wu, Lynch)*

> Wu motioned to amend and accept the redlined version presented by Councilmember Sevigny. Seconded by Lynch. The motion failed 4 – 6. *(Yes: Wu, Lynch, Sheehan, Sevigny; No: Brown, Ellinger, LeGris, Curtis, Baxter, Reynolds)*
>
> Wu motioned to postpone the decision on the ZOTA to the December 2 General Government & Planning Committee meeting. Seconded by Baxter. The motion failed 4 – 6. *(Yes: Wu, LeGris, Sheehan, Baxter; No: Brown, Ellinger, Lynch, Curtis, Sevigny, Reynolds)*

Curtis motioned to amend and include Sec. 31-5. General Requirements Applicable to Integrated and Rooftop Solar Energy Systems from the amended version. Seconded by Reynolds. The motion passed unanimously.

Sevigny motioned to report Solar Energy Systems (ZOTA-24-00003) as amended to the full Council at the August 19 Work Session. Seconded by Ellinger. The motion passed unanimously.

A full July 1, 2025 Committee Summary will be reported to the Council at the Work Session on September 9, 2025.

ORDINANCE NO. ______- 2025

AN ORDINANCE AMENDING THE LEXINGTON-FAYETTE COUNTY ZONING ORDINANCE BY CREATING ARTICLE 31: SOLAR ENERGY SYSTEMS, IN ORDER TO PROVIDE GUIDANCE IN FACILITATING THE SITING, DEVELOPMENT, CONSTRUCTION, INSTALLATION, AND DECOMMISSIONING OF SOLAR ENERGY SYSTEMS. (URBAN COUNTY COUNCIL).

WHEREAS, the Lexington Fayette Urban County Government's Zoning Ordinance does not include specific sections to govern the siting, development, construction, installation, and decommissioning of solar energy systems; and

WHEREAS, the Urban County Council has determined that it is important to provide clarity for the siting, development, construction, installation, and decommissioning of solar energy systems in Lexington-Fayette County.

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

Section 1 – That Article 31 of the Lexington-Fayette Urban County Government Zoning Ordinance be and hereby is created to read as follows:

ARTICLE 31: SOLAR ENERGY SYSTEMS

Sec. 31-1. Intent

The intent of this Article is to facilitate the siting, development, construction, installation, and decommissioning of solar energy systems in a predictable manner that promotes and protects the safety, health, and welfare of the community. This Article encourages the appropriate siting of solar energy systems to bolster local economic development and job creation, diversify the state's energy portfolio, strengthen energy and grid security, and reduce other environmental impacts. The appropriate siting of solar energy systems considers, avoids to the extent possible, and mitigates any adverse impacts to wildlife, productive and nationally important agricultural lands, forests, endangered species habitat, and historic, natural, and other sensitive lands. The appropriate siting of solar energy systems also establishes standards and requirements to assure that the use and enjoyment of lands located adjacent to and in the proximity of solar energy systems are fully protected.

Sec. 31-2. Definitions

a) *Solar Energy System (SES)* means a device, including its components and subsystems that collects solar energy for electricity generation, consumption, or transmission, or for thermal applications. SESs are categorized as three types depending on how the system is incorporated into the existing land use:

   1) *Integrated Solar Energy System* means an SES where the solar materials are incorporated into the building materials, such that the building and solar system are reasonably indistinguishable, or where the solar materials are used in place of traditional building components, such that the SES is structurally an integral part of the house, building, or other structure. An Integrated SES may be incorporated into, among other things, a building façade, skylight, shingles, canopy, light, or parking meter.

2) *Rooftop Solar Energy System* means an SES that is structurally mounted to the roof of a house, building, or other structure and does not qualify as an Integrated SES.

3) *Ground Mounted Solar Energy System* means an SES that is structurally mounted to the ground and does not qualify as an Integrated SES. Ground Mounted SESs are subcategorized as follows:

(a) *Small Scale Ground Mounted Energy System (Small Scale SES)* which is a Ground Mounted SES with a footprint of less than two thousand five hundred (2,500) square feet.

(b) *Intermediate Scale Ground Mounted Energy System (Intermediate Scale SES)* which is a Ground Mounted SES with a footprint of between two thousand five hundred one (2,501) square feet and five (5) acres.

(c) *Large Scale Ground Mounted Solar Energy System (Large Scale SES)* means a Ground Mounted SES with a footprint of more than five (5) acres.

b) *Exempt Solar Energy System (Exempt SES)* means a SES that is a facility of a municipally owned electric system or public utility regulated by the Kentucky Public Service Commission or Federal Energy Regulatory Commission, which is exempt from planning and zoning requirements under KRS 100 and otherwise in conformance with then-existing law or regulation.

c) *Footprint* of the SES is calculated by drawing a perimeter around the outermost SES panels and any equipment necessary for the equipment to function, such as transformers and inverters. The footprint does not include perimeter fencing or visual buffers, nor transmission lines or portions thereof that are required to connect the SES to a utility or customer outside the SES perimeter.

d) *Siting Board Regulated SES* means a SES that constitutes a "merchant electric siting facility" under KRS 278, the construction and siting of which is subject to review and approval of the Kentucky State Board on Electric Generation and Transmission Siting. A merchant electric siting facility is an electricity generating facility or facilities that, together with all associated structures and facilities are capable of operating at an aggregate capacity of ten megawatts (10 MW) or more and sell the electricity produced in the wholesale market, at rates and charges not regulated by the Kentucky Public Service Commission.

Sec. 31-3. Applicability

a) This Article applies to the siting, construction, installation, and decommissioning of any new SES within the jurisdiction of the Lexington-Fayette Urban County Government after the effective date.

b) An SES in operation, or which has begun physical construction prior to adoption of this Article, shall be considered to have legal nonconforming status in accordance with KRS 100 and Article Four.

c) Any Exempt SES shall provide the Lexington-Fayette Urban County Planning Commission ("Planning Commission"), Lexington-Fayette Urban County Board of Adjustment ("Board of Adjustment"), or other Lexington-Fayette Urban County authority having jurisdiction, with information concerning service facilities which have been located on and relocated on private property in accordance with KRS 100.

Sec. 31-4. Permitted Uses, Accessory Uses, and Conditional Uses

P: Principal Use. The SES is a use that is permitted as a principal use in a specified zone, subject to the requirements contained herein.

CUP: Conditional Use Permit required. The SES is permitted as a conditional use in a specified zone subject to the review of the Board of Adjustment and the requirements contained herein.

A: Accessory Use. Ground mounted SES may only qualify as accessory if the total area of the system is less than fifty (50) percent of the floor area of the principal structures on the lot.

X: Prohibited

Zones	R-1A, R-1B, R-1C, R-1D, R-1E, R-1T, R-2, R-3, R-3, R-4, R-5, EAR-1, EAR-2, EAR-3, M-1P	B-1, B-2, B-2A, B-2B, B-3, B-5P, B-6P, , P-1, P-2, CC	B-4, I-1, I-2, ED	A-R, A-B, A-N, A-U
Integrated SES	A	A	A	A
Rooftop	A	A	A	A
Ground Mounted SES				
Small Scale	A	A	P	X
Intermediate Scale	X	A	P	X
Large Scale	X	X	CUP	X

Sec. 31-5. General Requirements Applicable to Integrated and Rooftop Solar Energy Systems

a) *Height Restrictions*. A rooftop SES shall be subject to the following regulations:
    1) No solar energy system shall be mounted or affixed to any freestanding wall or fence.
    2) A rooftop solar energy system shall not extend beyond the edge of a roof
    3) Solar panels installed on a building with a sloped roof shall not project vertically more than four (4) feet above the roof surface, ridge line, or highest point of the roof.
    4) Solar panels installed on a building with a flat roof shall not extend more than ten (10) feet above the highest point of the roofline.

b) *Lighting*. Integrated and Rooftop SESs shall not be illuminated.

Sec. 31-6. General Requirements Applicable to Ground Mounted SESs

a) *Lot Coverage.* Solar Energy Systems shall not be included within calculations of minimum lot coverage, or floor area ratio. Solar energy systems utilizing vegetative ground cover shall not be included in calculations of maximum lot coverage.

b) *Height Requirements for Ground Mounted SES*. A Ground Mounted SES shall not exceed twenty (20) feet in height as measured from the highest natural grade below each solar panel. The height restriction excludes utility poles, storage batteries, substation structures, and antennas constructed for the project.

c) *Siting Restrictions for Ground Mounted SES.*

1) An Intermediate or Large Scale Ground Mounted SES, measured from the closer of the outer edge of the nearest panel or perimeter fencing, shall be located at least fifty (50) feet from the property line of any property located within an agricultural or residential zone, at least thirty (30) feet from the property line of any property zoned for commercial, business, industrial, office, or mixed use, and at least fifty (50) feet from the centerline of any public road.

2) An Intermediate or Large Scale Ground Mounted SES, measured from the closer of the outer edge of the nearest panel or perimeter fencing, shall be located no closer than one hundred (100) feet from a residence located on a property other than that on which the Ground Mounted SES is to be installed.

3) These setback provisions above can be waived in writing by the adjacent property owner to whom the property line or residence setback is applicable.

d) *Screening*. Ground Mounted SESs approved as a conditional use shall be screened as per Article 18-3(a)(1)(6). The Board of Adjustment may modify the required screening as needed in order to ensure a reasonable visual buffer is provided.

e) *Signage*. A Ground Mounted SES may include such signage as is required by law.

f) *Decommissioning.* Whenever an application for an intermediate or large scale ground mounted SES is submitted for review, such application shall include a decommissioning plan that shall describe how the use will be decommissioned and dismantled following the discontinuance of the use. A SES shall be considered discontinued after one year of no energy production. Such a plan shall be reviewed and updated every five (5) years and contain the following:

1) The anticipated life of the project and defined conditions upon which decommissioning will be initiated;
2) The estimated decommissioning cost, including removal of the SES and related foundations, pads, underground collector lines and roads, and the salvage value of any equipment in current dollars and the calculations supporting the decommissioning estimate. The estimated salvage value of the material using current, publicly available material indices and/or firm quotes from a decommissioning or recycling company experienced in the decommissioning of SES, shall be provided. The Board of Adjustment or other authority having jurisdiction shall consider the salvage value identified in computing the amount, if any, of financial assurance required under subsection 5 below.
3) The manner in which the project will be decommissioned, including provision and a timetable for the removal of all structures, equipment, and foundations up to a depth of 36 inches, and for the revegetation and restoration of the property to its original condition;
4) The party responsible for decommissioning;
5) A performance bond, letter of credit, or other financial assurance sufficient to cover the net costs identified in subsection F.2 and to assure that decommissioning of the site can be achieved by a third party in the event that a permittee defaults in that obligation, which financial assurance shall be provided prior to commencement of construction. The amount of the proposed bond or similar security shall be determined by an independent, licensed engineer. The proposed amount of the bond or similar security shall be the net present value of the total estimated cost of completing the decommissioning plan, less the current net salvage value of the SES's components.

Section 2 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED:

4919-2555-7340, v. 1