

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Tuesday, October 31, 2023

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

I. Public Comment - Issues on Agenda

- Present** 13 - Dan Wu, James Brown, Chuck Ellinger, Tayna Fogle, Shayla Lynch, Hannah LeGris, Denise Gray, Preston Worley, Fred Brown, Whitney Elliott Baxter, Dave Sevigny, Jennifer Reynolds, and Kathy Plomin
- Absent** 2 - Brenda Monarrez, and Liz Sheehan

II. Requested Rezonings/ Docket Approval

A motion was made by Council Member Elliott Baxter, seconded by Council Member Fogle, that the be Approved The motion PASSED by unanimous vote.

An Ordinance modifying conditional zoning restrictions in a Neighborhood Business (B-1) zone for 0.485 net (0.666 gross) acres, for property located at 509 East Main St. (509 E. Main, LLC; Council District 3.) Approval 6-2 (To Be Heard By January 10, 2024) [Div. of Planning, Duncan]

A motion was made by Council Member Hannah LeGris, seconded by Council Member Denise Gray, that this Ordinance be Approved and Referred to Docket with Hearing.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

III. Approval of Summary

Table of Motions: Council Work Session, October 24, 2023

A motion was made by Council Member Dan Wu, seconded by Council Member Kathy Plomin, that this Summary be Approved.The motion PASSED by unanimous vote.

IV. Budget Amendments

AN ORDINANCE AMENDING CERTAIN OF THE BUDGETS OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT TO REFLECT CURRENT REQUIREMENTS FOR MUNICIPAL EXPENDITURES, AND APPROPRIATING AND RE-APPROPRIATING FUNDS, FY 2024 SCHEDULE NO. 0022.

A motion was made by Council Member Preston Worley, seconded by Council Member Dan Wu, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

V. Budget Adjustments - For Information Only

VI. New Business

VII. Continuing Business/ Presentations

Neighborhood Development Funds October 31, 2023

A motion was made by Council Member Tayna Fogle, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

AN ORDINANCE AMENDING CERTAIN OF THE BUDGETS OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT TO REFLECT CURRENT REQUIREMENTS FOR FUNDS IN THE AMOUNT OF \$62,360 TO PROVIDE FUNDS FOR COUNCIL CAPITAL PROJECTS IN THE DIVISION OF TRAFFIC ENGINEERING AND PARKS AND RECREATION, AND APPROPRIATING AND RE-APPROPRIATING FUNDS, SCHEDULE NO. 0024.

A motion was made by Council Member Dan Wu, seconded by Council Member Chuck Ellinger II, that this Agenda Item be Amended.The motion PASSED by unanimous vote.

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

Presentation: Fayette County Clerk Election Update

Received and Filed

Presentation: SPOKE Award

Received and Filed

VIII. Council Reports

IX. Mayor's Report

Approved

X. Mayor's Report - Price Contract Bid Recommendations

A motion was made by Council Member Fogle, seconded by Council Member Sevigny, that the be Approved The motion PASSED by unanimous vote.

Accepting and approving the following bids and establishing price contracts for the following Depts. or Divs. as to the specifications and amount set forth in the terms of the respective bids:

- (a) Div. of Environmental Services - Bulk Printing - 118-2023 - Copy Express, Elite Graphics LLC, Warners Printing Service LLC, Accuprint Inc.

XI. Public Comment - Issues Not on Agenda

XII. Adjournment

A motion was made by Council Member Sevigny, seconded by Council Member Gray, that the be Adjourned The motion PASSED by unanimous vote.

Administrative Synopsis - New Business Items

- a** Authorization to approve a Memorandum of Agreement between Bluegrass Community Foundation (BGCF) and LFUCG. This agreement outlines the terms, conditions and responsibilities of LFUCG and BGCF to support the development of a master plan with community engagement for Kelley's Landing, as well as a marketing and public relations campaign related to the project. BGCF has been gifted \$175,000 to support the project. No budgetary impact. (L1009-23) (Conrad/Ford)
- A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.**
- b** Authorization to increase the total cost of the agreement with Mackey Group, LLC. d/b/a Wisner Strategies for media placement from \$360,000 to \$380,000 to increase ads related to Safe Streets messaging. Cost not to exceed \$380,000. Funds are budgeted. (L1078-23) (Carey/Albright)
- A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.**
- c** Authorization to execute an agreement between the LFUCG and Lexington Christian Academy for Lexington Parks & Recreation to hold its annual Kiddie Kapers Holiday Show at Lexington Christian Academy at a cost of \$1,500. Funds are budgeted. (L1088-23) (Conrad/Ford)
- A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.**
- d** Authorization to execute a three-year renewal of the expanded jurisdiction agreement with the Kentucky Department of Housing, Buildings, & Construction to retain responsibility for commercial project permitting and inspections within Lexington-Fayette County. No budgetary impact. (L1089-23) (Crowe/Albright)
- A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.**
- e** Authorization to execute a three year renewal HVAC expanded jurisdiction contract renewal with the Kentucky Department of Housing, Buildings, & Construction to retain responsibility for commercial and residential HVAC project permitting and inspections within

Lexington-Fayette County. No budgetary impact. (L1090-23)
(Crowe/Albright)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

- f** Authorization to execute Change Order No.1 (final) to the agreement with Herrick Company Inc. for the Hartland 3 Pump Station Replacement project, decreasing the contract price by the sum of \$149,904.76 from \$1,110,000.00 to \$960,095.24. The decrease is due to the deletion of bid items not necessary for the project's completion. (L1091-23)
(Martin/Albright)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

- g** Authorization to execute an Economic Incentive Agreement with Keeneland Association, Inc. to provide Public Infrastructure funds in the amount of \$1,000,000 for the development of the Keeneland Paddock Chalet Building, the relocation of back-of-house operations, grandstand upgrades, and the development of a visitor's center. The Economic Development Investment Board has recommended approval. As part of the approval process the Council will waive the requirement in the ordinance related to these public infrastructure funds that the funding be provided in the form of an interest free loan. Budget amendment in process. (L1098-23) (Atkins)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

- h** Authorization to execute a consultant services agreement, pursuant to RFP No. 40-2023, with Champlin/Haupt Architects Inc., dba EOP Architects, for professional design services of the New Senior & Therapeutic Center at a cost of \$736,133. Funds are budgeted. (L1103-23) (Baradaran/Ford)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

- i** Authorization to execute an Economic Incentive Agreement with LSC Stadium Company, LLC to provide the following incentives: 1) a 1% payroll tax refund for a period of ten (10) years; 2) a commitment to the future issuance of an Industrial Revenue Bond ("IRB") Incentive, subject to

the Company obtaining PILOT Agreements with other relevant taxing districts in Fayette County. The Bond(s) shall not exceed fifteen (15) years in duration and a total amount of \$50 million; and 3) a Public Infrastructure Forgivable Loan Incentive in the amount of \$1,000,000 for the development and construction of a professional soccer stadium with a minimum of 5,250 seats, a related training facility, and the creation and retention of between 50 and 150 new full-time or full-time equivalent jobs that must be retained for at least ten (10) years. The Economic Development Investment Board reviewed the requests for IRB and Public Infrastructure Forgivable Loan Incentive for this project, and have recommended Council approval of both incentives. As part of the approval process the Council will waive the requirement in the ordinance related to the public infrastructure funds that the funding be provided in the form of an interest free loan. Budget Amendment in process. (L1104-23) (Atkins)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

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Authorization to amend Ordinance No. 117-2023 Section, revising the grade of the recently created civil service position of Public Service Supervisor, from Grade 518N to Grade 517N, in the Division of Waste Management, effective July 1, 2023. No budgetary impact. (L1105-23) (Walters/Hamilton)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

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Authorization to execute Addendum No.1 to Agreement with the University of Kentucky Research Foundation (UKRF) for the provision of evaluation services for Year 2 of the First Responders and Community Partners Overdose Prevention Project funded under the U.S. Department of Health and Human Service, First Responders - Comprehensive Addiction and Recovery Support Service Grant (FR-CARA). Cost not to exceed \$99,997.00. Funds are budgeted. (L1109-23) (Combs Marks/Allen-Bryant)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

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Authorization to execute Supplemental No. 1 agreement and accept \$32,000 in federal funds under the Kentucky Transportation Cabinet Surface Transportation Program (SLX) for the design phase of the Wilson Downing Intersection Improvements Project. The acceptance

obligates the Urban County Government for the expenditure of \$8,000 as a local match. Budget Amendment in process. (L1110-23)
(Burton/Albright)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

- m** Authorization to accept \$1,300,000 in federal funding from the Bureau of Justice Assistance's Comprehensive Opioid, Stimulant, and Substance Use Site-based Program to reduce the number of overdose fatalities by facilitating access to substance abuse treatment services for those who have recently experienced a non-fatal overdose. No match is required. (L1112-23) (Wells/Armstrong)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

- n** Authorization to execute Contract Modification No. 5 with Strand Associates Inc. for additional design of Town Branch Trail Phase 6 increasing the contract price by \$9,800.00, from \$1,194,174.00 to \$1,203,974.00. Funds are budgeted. (L1113-23) (Burton/Albright)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.

- o** Authorization to sign the Kentucky Transportation Cabinet (KYTC) Application for an Encroachment Permit for converting three concrete medians to beautification beds on North Broadway between Dover Road and the entrance to Parkway Baptist Church just east of Lin Wal Drive. No budgetary impact. (L1119-23) (Carey/Albright)

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 11/2/2023.The motion PASSED by unanimous vote.