

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

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

II. Requested Rezonings/ Docket Approval

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

A Resolution adopting goals and objectives for the 2023 Comprehensive Plan-Imagine Lexington 2045. [Council Office, Maynard]

A motion was made by Council Member Dan Wu, seconded by Council Member Denise Gray, that this Resolution be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2023.The motion PASSED by unanimous vote.

Requested Rezonings/ Docket Approval

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

Authorization to enter into a lease agreement with Ridgefield Investments, LLC for office space located at 4071 Tates Creek Centre Drive for the Division of Police Behavior Health and Wellness Advocate, with an initial term of two years beginning on July 1, 2023, at an annual cost of \$10,716. Funds are budgeted. (L0627-23) (Ford)

A motion was made by Council Member Jennifer Reynolds, seconded by Council Member Liz Sheehan, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/15/2023.The motion PASSED by unanimous vote.

III. Approval of Summary

- a** Table of Motions: Council Work Session, May 30, 2023

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, 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 2023 SCHEDULE NO. 0042.

A motion was made by Council Member Dan Wu, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/15/2023.The motion PASSED by unanimous vote.

V. Budget Adjustments - For Information Only

VI. New Business

VII. Continuing Business/ Presentations

a Summary: Social Services and Public Safety Committee, May 2, 2023

Received and Filed

b For Information Only: Special Committee of the Whole, Table of Motions: May 23, 2023 and June 1, 2023 and Redline version of 2045 Comprehensive Plan Goals & Objectives

Received and Filed

c A Resolution ratifying and approving the fiscal year 2024 Budget of the Downtown Lexington Management District. (Public Hearing on June 29, 2023 at 6:00 p.m.) [Council Office, Maynard]

A motion was made by Council Member Hannah LeGris, seconded by Council Member Jennifer Reynolds, that this Resolution be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/15/2023.The motion PASSED by unanimous vote.

VIII. Council Reports

IX. Mayor's Report

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

X. Mayor's Report - Price Contract Bid Recommendations

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

XI. Public Comment - Issues Not on Agenda

XII. Adjournment

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

Administrative Synopsis - New Business Items

a Authorization to approve Facilitron Permits and Honorariums between the Fayette County Board of Education and the LFUCG Parks and Recreation, Extended School Program (ESP) and Recreational Enrichment and Learning (REAL) program, at a cost of \$70,750 for the 2022-2023 school year. Funds are budgeted. (L0503-23) (Conrad/Ford)

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

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Authorization to execute a Memorandum of Understanding (MOU) with LexArts, Inc. to provide operating and personnel support for FY 2024 via the American Rescue Plan Act (APRA) at a cost not to exceed \$325,000. Funds are budgeted. (L0564-23) (Wuorenmaa/Hamilton)

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

wc Authorization to execute a First Amendment to the Agreement (pursuant to RFP No. 5-2023) with Mahan Multimedia, LLC, to revise the budget in

the amount of \$135,000 to expand phase 3 of the *It's Time* campaign and extend the period of performance through June 30, 2024, and authorization to execute any other necessary amendments related to that Agreement. Funds are budgeted. (L0569-23) (Theakston/Allen-Bryant)

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

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Ordinance of the Council of the Lexington-Fayette Urban County Government Authorizing And approving the execution and delivery of an Eighth Supplemental Lease Agreement between the Lexington-Fayette Urban County Airport Board as the Lessor And the Lexington-Fayette Urban County Government as the Lessee relating to the issuance and sale of an amount not to exceed \$110,000,000 in aggregate principal amount of Lexington-Fayette Urban County Airport Board General Airport Revenue and Revenue Refunding Bonds, 2023 Series (Lexington-Fayette Urban County Government General Obligation) for the purposes of (i) financing the costs of the 2023 Project To Be Located at the Blue Grass Airport in Fayette County, Kentucky (ii) refunding all or a portion of certain outstanding prior Bonds issued by the Board, (iii) funding a deposit to the Debt Service Reserve Fund and (iv) paying the costs of issuance in connection therewith. [Dept. of Finance, Hensley]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

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Authorization to execute a renewal agreement with the Kentucky Transportation Cabinet (KYTC), delegating responsibility for operation and maintenance costs for traffic signals and electronic traffic control devices on the State Primary Road System in Fayette County, from July 1, 2023 through June 30, 2024, which shall be reimbursed by KYTC up to \$396,000. (L0578-23) (Neal/Albright)

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

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Authorization to execute an agreement with the Commonwealth of Kentucky Transportation Cabinet for construction of the Alexandria Drive at Trailwood Lane Left Turn Lane (Item No

07-00963.00). The current project estimate is \$330,000. A 10% local match in the amount of \$33,000.00 is required. Funds are budgeted. (L0601-23) (Burton/Albright)

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

- g** Authorization to execute a 10-year maintenance agreement with Tait Communications for the existing Public Safety Radio System for a term of July 2023 through June 2033 at an overall cost of \$4,085,406, to be billed annually with an approximate 2% escalation per year. The FY 2024 (Year 1) cost is \$388,829. Funds are included in the FY 2024 Mayor's Proposed Budget. (L0602-23) (Patton/Armstrong)

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

- h** Authorization to accept the Memorandum of Agreement with the Bluegrass Community and Technical College (BCTC), a college of the Kentucky Community and Technical College System (KCTCS), for the participation of Police personnel in college courses associated with the Police Academy, with the opportunity for them to earn BCTC credits, at a cost not to exceed \$60,000. Funds are budgeted. (L0603-23) (Weathers/Armstrong)

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

- i** Authorization to execute a Memorandum of Understanding (MOU) with NAMI Lexington, INC. at a cost not to exceed \$170,000 in FY 2024 for the Mental Health Court. Funds are budgeted via the American Rescue Plan Act (ARPA). (L0606-23) (Wuorenmaa/Hamilton)

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

- j** Authorization to approve the acceptance of Deeds of Easement from the owners of record on properties needed for the construction of the Joyland Area Storm Drainage Phase II Project at a cost not to exceed \$4,000.00. This will provide funds for the purchase of temporary and permanent easements on six (6) affected parcels. Funds are budgeted. (L0608-23) (Martin/Albright)

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 63-2022) with Palmer Engineering co., for design engineering services for the Mason Headley Multimodal Improvement Project, for the Div. of Engineering, at a cost not to exceed \$330,874. [Div. of Engineering, Burton]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a five-year lease Agreement with Quadient Leasing USA, Inc., through Central Business Systems, Inc., for mail machine equipment and web-based software, for the Div. of General Services, at an annual cost not to exceed \$10,603.56, with future fiscal years subject to the appropriation of sufficient funds, and further authorizing the Mayor to execute any other documents related to this lease Agreement. [Dept. of General Services, Ford]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

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A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Norfolk Southern Railroad, to review five (5) specified crossings for safety improvements required in order to establish a railroad quiet zone in the vicinity of each crossing, at an estimated cost not to exceed \$17,500, effective upon passage of Council. [Div. of Traffic Engineering, Neal]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

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Authorization to amend Ordinance section 2-96 of the Code of

Ordinances for the Environmental Commission to change officers' term length, the addition of an information officer, a reduction in membership from 40 to 25 members, the addition of a Council member seat, the designation of an ex officio member, and the name of the commission to The Environmental Commission of Lexington-Fayette County. No budgetary impact. (L0613-23) (McCartt-Smyth/Scott)

A motion was made by Council Member Liz Sheehan, seconded by Council Member Dave Sevigny, that this Agenda Item be Table.and sent to the Urban County Council to return on 7/11/2023.The motion PASSED by unanimous vote.

- o** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. State Police, to disseminate personally identifying information. [Div. of Police, Weathers]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

- p** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Seven (7) to the Agreement with ATS Construction, for the Town Branch Trail Phase 6, increasing the Contract price by \$238,600.00 and raising the total Contract price to \$5,224,064.75. [Div. of Engineering, Burton]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

- q** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 3 with the Ky. Transportation Cabinet (KYTC) for the design phase of the West Loudon Avenue Streetscape Project, as funded under the Ky. Transportation Cabinet Transportation Alternatives Program (TAP), at no cost to the Urban County Government. [Div. of Engineering, Burton]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

- r** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement to accept a Grant of \$15,000 from Ky. State University, for the Div. of Parks and Recreation, to establish an agroforestry demonstration plot at Raven Run Sanctuary, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, and authorizing the Mayor to transfer

unencum-bered funds within the Grant Budget. [Div. of Parks and Recreation, Conrad]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

s A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application seeking \$21,720,000 in Federal Funds from the U.S. Dept. of Transportation under the Safe Streets for All (SS4A) Discretionary Grant Program, for the implementation of the Safe Streets for Lexington Project, and to provide any additional information requested in connection with this Grant Application. [Div. of Engineering, Burton]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

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

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

u An Ordinance amending the compensation system salary schedules providing a two and one-half percent (2.5%) structure movement to the salary schedules applicable to all full-time and part-time positions in the Unified Pay Plan; providing that all full-time and part-time employees included in the unified pay Plan shall receive a five percent (5.0%) pay increase for FY2024; providing that Sections 21-29(b) and 22-26(b) notwithstanding, all employees at or above the maximum of the grade salary range shall receive a five percent (5.0%) pay increase for FY2024; amending Section 23-32(d) of the Code of Ordinances increasing the existing step structure for the positions of Police Chief, Grade 324E, and Fire Chief, Grade 324E, by five percent (5.0%) and adjusting salaries accordingly; increasing the salary by five percent (5.0%) for three (3) positions of Law Clerk - P/T, within the Dept. of Law; one (1) position of Council administrator within the Office of the Urban County Council; and one (1) position of Park Patrol Coordinator - P/T, within the Div. of Parks and Recreation; and amending Section 22-53.2(b) of the code to increase starting pay for School Crossing Guards to \$15.75 per hour, all

effective June 19, 2023. [Div. of Human Resources, Walters]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

- v** An Ordinance amending the authorized strength by abolishing one (1) vacant Unclassified Civil Service Position of Juvenile Probation Officer, Grade 517N, and creating one (1) Unclassified Civil Service Position of Social Worker, Grade 516E, in the Div. of Youth Services, effective upon the passage of Council. [Div. of Human Resources, Walters]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

- w** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY 2024 for Excess Liability Insurance from Marsh & McLennan Insurance Agency, and to execute any necessary Contracts and documents on behalf of the Urban County Government with, the following insurance companies and/or their respective broker Marsh & McLennan Agency: Aviation from Westchester Fire Insurance (Chubb) at a cost not to exceed \$46,310.86; General, Auto, Public Officials, Law Enforcement, and Professional from Safety National Casualty Corporation at a cost not to exceed \$645,856.00; Excess Liability from Gemini Insurance Co. at a cost not to exceed \$421,889.65; Property from Affiliated Factory Mutual (FM) at a cost not to exceed \$774,752.00; Cyber from Berkley Assurance Co. at a cost not to exceed \$77,255.28; Pollution from Illinois Union Insurance Co. (Chubb) at a cost not to exceed \$26,337.73; and Workers' Compensation from Safety National Casualty Corporation at a cost not to exceed \$491,845.00; all subject to sufficient funds being appropriated. [Div. of Human Resources, Walters]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

- x** A Resolution amending Resolution No. 95-2023 to provide funds to Solar Energy Solutions as payment for solar installations on low-to-moderate income homeowners' properties, as part of the Solarize Lexington Program, at a cost not to exceed \$1,000,000. [Div. of Environmental Services, Carey]

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023.The motion PASSED by unanimous vote.

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An Ordinance pursuant to Section 6.12 of the Charter of the Lexington-Fayette Urban County Government to reorganize and restructure LFUCG Divs. and Depts., as follows: renaming the Dept. of Planning, Preservation and Development as the Dept. of Planning and Preservation; transferring the Div. of Planning, and all incumbents in all authorized positions and all vacant positions at their current job classification, pay grade, and salary, from the Office of Chief Development Officer to the Dept. of Planning and Preservation; transferring the Div. of Historic Preservation, and all incumbents in all authorized positions and all vacant positions at their current job classification, pay grade, and salary, from the Dept. of Housing Advocacy and Community Development to the Dept. of Planning and Preservation; transferring the Office of Purchase of Development Rights, and all incumbents in all authorized positions and all vacant positions at their current job classification, pay grade, and salary, from the Office of the Chief Administrative Officer to the Dept. of Planning and Preservation; amending the Unclassified Civil Service authorized strength by abolishing one (1) vacant unclassified position of Comm. of Planning, Preservation, and Development, Grade 536E, in the Dept. of Planning, Preservation, and Development, and creating one (1) Unclassified Civil Service Position of Comm. of Planning and Preservation, Grade 537E, in the Dept. of Planning and Preservation; and amending the Classified Civil Service authorized strength as follows: abolishing one (1) vacant Classified Civil Service Position of Administrative Officer, Grade 523E, in the Dept. of Planning, Preservation, and Development, and creating one (1) Classified Civil Service Position of Administrative Officer Sr., Grade 526E, in the dept. of planning and preservation, and abolishing one (1) vacant Classified Civil Service Position of Administrative Specialist Sr., Grade 516N, in the Dept. of Planning, Preservation, and Development, and creating (1) Classified Civil Service Position of Administrative Specialist Sr., Grade 518N, in the Dept. of Planning and Preservation, all effective July 1, 2023.

A motion was made by Council Member Chuck Ellinger II, 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 6/15/2023. The motion PASSED by unanimous vote.