

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Tuesday, February 28, 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, Brenda Monarrez, Liz Sheehan, Denise Gray, Preston Worley, Whitney Elliott Baxter, Jennifer Reynolds, and Kathy Plomin

Absent 2 - Fred Brown, and Dave Sevigny

II. Requested Rezonings/ Docket Approval

III. Approval of Summary

a Table of Motions: Council Work Session, February 14, 2023

A motion was made by Council Member Chuck Ellinger II, seconded by Council Member Jennifer Reynolds, that this Summary be Approved. The motion PASSED by unanimous vote.

IV. Budget Amendments

V. Budget Adjustments - For Information Only

VI. New Business

VII. Continuing Business/ Presentations

a Neighborhood Development Funds, February 28, 2023

A motion was made by Council Member Chuck Ellinger II, seconded by Council Member Jennifer Reynolds, that this Agenda Item be Approved and Referred to Docket and sent to the Urban County Council to return on 3/9/2023. The motion PASSED by unanimous vote.

b Summary: Budget, Finance and Economic Development Committee, January 31, 2023

Received and Filed

c Proclamation: Mary Ann Henderson

Received and Filed

d Presentation: Flock Safety LPR Update

Received and Filed

VIII. Council Reports

IX. Mayor's Report

X. Mayor's Report - Price Contract Bid Recommendations

XI. Public Comment - Issues Not on Agenda

XII. Adjournment

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

Administrative Synopsis - New Business Items

- a** Authorization to approve a Class B Education Stormwater Quality Project Incentive Grant for The Fayette County Public Schools Education Foundation Corporation (FCPS) in the amount of \$6,000.00. Funds are budgeted. (L0168-23) (Martin/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- b** Authorization to approve a Class B Infrastructure Stormwater Quality Project Incentive Grant for First United Methodist Church of Lexington, Kentucky, Inc., in the amount of \$359,814.00. Funds are budgeted. (L0169-23) (Martin/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- c** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept in-kind donation of books from the International Book Project for use the William Wells Brown, Dunbar, Castlewood, Kenwick, and Tates Creek Community Centers. [Div. of Parks and Recreation, Conrad]

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- d** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Revised Drainage Easement and Agreement for 4196 Weber Way with Atkins Homes LLC, for a drainage easement. [Div. of Engineering, Burton]

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- e** Authorization to execute a partial release of a Drainage and Sanitary Easement at 121 Sand Lake Drive. The easement is no longer needed. No budgetary impact. (L0180-23) (Martin/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- f Authorization to approve a Class A Neighborhood Stormwater Quality Project Incentive Grant for Neighbors United for South Elkhorn Creek, Inc., in the amount of \$120,000.00. Funds are budgeted. (L0182-23) (Martin/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- g Authorization to approve a Class B Infrastructure Stormwater Quality Project Incentive Grant for LCP Holdings, LLC, in the amount of \$20,000.00. Funds are budgeted. (L0183-23) (Martin/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- h A Resolution authorizing the Div. of Fire and Emergency Services to purchase stretchers from Stryker Emergency Care, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Stryker Emergency Care, related to the procurement, at a cost not to exceed \$168,038.37. [Div. of Fire and Emergency Services, Wells]

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- i A Resolution authorizing the Div. of Fire and Emergency Services to purchase inventory tracking software from Station Automation, Inc. (dba PSTrax), a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Station Automation, Inc. (dba PSTrax), related to the procurement, at a cost not to exceed \$36,000. [Div. of Fire and Emergency Services, Wells]

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- j A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an additional award of \$112,647.91 in Federal funds under the American Rescue Plan Act (ARPA), from the Ky. Cabinet for Health and Family Services, Dept. for Community Based Services, in order to support child care expenses in the Extended School Program in the Div. of Parks and Recreation, the acceptance of which

does not obligate the Urban County Government to the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Parks and Recreation, Conrad]

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- k** Authorization to execute Amendment No. 1 to the Agreement with Strand Associates, Inc. for the East Lexington Trail Connectivity and Traffic Safety Study to extend the performance period of the agreement to June 30, 2023. No budgetary impact. (L0200-23) (Duncan/Atkins)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- l** A Resolution authorizing the Div. of Fire and Emergency Services to purchase Lucas devices from Stryker, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Stryker, related to the procurement, at a cost not to exceed \$82,000. [Div. of Emergency Management, Dugger]

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- m** Authorization to execute Change Order No. 2 with Lagco, Inc., in the amount of \$147,110.64 for the construction of Meadows/Northland/Arlington Public Improvement Project, Phase 6B1 & 6B2, bringing the new contract total to \$2,772,879.64. Funds are budgeted. (L0202-23) (Burton/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- n** Authorization to execute the approval of the Constitutional Officer's Performance Bond in the amount of \$400,000 for Fayette County Clerk, Susan Lamb. Moreover, the Division of Human Resources will record the bond with surety, along with a certified copy of the resolution in the Office of the Fayette County Clerk, effective upon passage of Council. Pursuant to Section 22-55.1 of the LFUCG Code of Ordinances, each elected officer shall present a bond with sureties for approval to Council. There is no fiscal impact for this action. (L0203-23) (Walters/Hamilton)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion

PASSED by unanimous vote.

- o** Authorization to execute the approval of the Constitutional Officer's Performance Bond in the amount of \$25,000 for Fayette County Constables and \$10,000 for Fayette County Deputy Constables and reimburse their bond fees in the amount of \$1,152.45. Moreover, the Division of Human Resources will record the bond with surety, along with a certified copy of the resolution in the Office of the Fayette County Clerk, effective upon passage of Council. Pursuant to Section 22-55.1 of the LFUCG Code of Ordinances, each elected officer shall present a bond with sureties for approval to Council. Budget amendment in process. (L0204-23) (Walters/Hamilton)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- p** Authorization to approve a Class B Infrastructure Stormwater Quality Project Incentive Grant for Centenary United Methodist Church, Inc. in the amount of \$302,672.00. Funds are budgeted. (L0205-23) (Martin/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- q** Authorization to execute Supplemental Agreement No. 2 with Kentucky Transportation Cabinet to accept additional federal SLX funds in the amount of \$408,000 for the construction phase of the Mt Tabor Road Multimodal Improvements Project, as funded under the Kentucky Transportation Cabinet Surface Transportation Program (SLX) for capital improvements projects. Match funds of \$102,000 is required. Budget amendment in process. (L0207-23)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- r** Authorization for approval to participate in the Kentucky Utilities (KU) Solar Share Program with the purchase of 24 solar shares at a cost of \$799.00/share, with each share representing a share of solar capacity in LGE-KU's solar farm, for a term of 25 years, for a total of \$19,176.00 using Energy Improvement Funds. The cost reflects a one-time payment and shares may be transferred to another LFUCG account with KU in the event of early termination of service. Funds are budgeted. (L0208-23) (Carey/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

s A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept in-kind donation of laptops from the United Health Care for the William Wells Brown Community Center. [Div. of Parks and Recreation, Conrad]

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

t Authorization to execute an agreement with Solar Energy Solutions, LLC, pursuant to RFP No. 69-2022, to install a roof-mounted solar photovoltaic system at Fire Station No. 9, located at 2234 Richmond Rd., at a cost not-to-exceed \$29,784.21. Budget amendments in process. (L0212-23) (Carey/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

u A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Consultant Services Agreement (awarded pursuant to RFP No. 01-2023), with Patrick D. Murphy Co., Inc., for professional design services for the Government Center Annex and Police Headquarters Roof Replacement Project, for the Dept. of General Services, at a cost not to exceed \$60,000. [Div. of Facilities and Fleet Management, Baradaran]

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

v Authorization to enact article LI of Chapter 2 of the code of ordinances to create the Opioid Abatement Commission, which shall be charged with recommending the appropriate uses for abatement funds received by the LFUCG, and shall consist of thirteen voting members appointed by the mayor and confirmed by the urban county council who shall not be employees of the LFUCG with the exception of the Chief of Police or their designee. No budgetary impact. (L0217-23) (Scott)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

w Authorization execute Supplemental Agreement No. 2 in the amount of \$141,093.00 for the construction phase of the Squires Road Sidewalk

Project, as funded under the Kentucky Transportation Cabinet Office of Local Programs Congestion Mitigation and Air Quality (CMAQ) Program for capital improvements projects. Match of \$35,273.25 is required. Budget amendment in process. (L0218-23) (Burton/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- x** Authorization to execute Supplemental Agreement No. 4 in the amount of \$740,000.00 for the construction phase of the Wilson Downing Road Sidewalk Project, as funded under the Kentucky Transportation Cabinet Office of Local Programs Congestion Mitigation and Air Quality (CMAQ) Program for capital improvements projects. Match of \$185,000 is required. Budget amendment in process. (L0219-23) (Burton/Albright)

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- y** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreement Amendment with Educational Media Foundation, for radio tower lease, at a cost not to exceed \$21,920.16. [Div. of Enhanced 911, Patton]

A motion was made by Council Member Kathy Plomin, 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 3/9/2023.The motion PASSED by unanimous vote.

- z** A Resolution rescinding the Council's prior determination to preliminarily award \$6,000,000 in Federal funds (American Rescue Plan Act of 2021) to the Salvation Army (\$2,000,000) and the Lexington Farmer's Market (\$4,000,000), and allocating \$1,000,000 of these funds to the Dept. of General Services, for the Black & Williams Community Center Gymnasium Building Improvements Project, and \$5,000,000 to the Office of Affordable Housing, for Affordable Housing Projects, and further authorizing the Mayor or her designee to take any additional necessary action related to this matter. [Office of the Chief Administrative Officer, Wuorenmaa]

A motion was made by Council Member James Brown, seconded by Council Member Jennifer Reynolds, 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 Liz Sheehan, that this Agenda Item be Approved and Referred to

Docket and sent to the Urban County Council to return on 3/9/2023. The motion PASSED by unanimous vote. Council Member Hannah LeGris and Council Member Jennifer Reynolds disclosed their involvement with the Community Land Trust Board.