

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky November 3, 2022

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on November 3, 2022 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Ellinger, Kay, Kloiber, Lamb, LeGris, Moloney, Plomin, Reynolds, Sheehan, Baxter, Bledsoe, F. Brown, and J. Brown. Absent were Council Members McCurn and Worley.

The reading of the Minutes of the previous meeting was waived.

Ordinances No. 112-2022 through 121-2022, inclusive, and Resolutions No. 567-2022 through 609-2022, inclusive, were reported as having been signed and published and ordered to record.

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At 6:04 p.m. Mr. McCurn joined the meeting.

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The Invocation was given by Rev. Micah Gaines, Worship Pastor of Consolidated Baptist Church.

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Upon motion by Ms. Bledsoe, seconded by Ms. Plomin, and approved by unanimous vote, the Dunbar High School Boys' Soccer Team presentation was postponed.

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At 6:07 p.m. Mr. Worley joined the meeting.

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Mayor Gorton asked Chief Jason Wells, Div. of Fire and Emergency Management, to join her at the podium, along with Firefighters Sarah McGill, Chelsie Brown, Erin Lucas, and Michelle Spanyer, and read a Proclamation declaring November 3, 2022 as Lexington Fire Ladies Day in Lexington.

Mayor Gorton shared that the Lexington Fire Ladies had recently won the title of 2022 World Champions, in the Female Fire Dept. Relay Team category, at the 2022 Worlds XXXI Firefighter Challenge in Sandy, Utah.

Chief Wells spoke of the phenomenal dedication that the relay teams displayed. He also emphasized the history of strong female leadership exhibited throughout the City.

Firefighter Sarah McGill thanked the Council and Mayor for the recognition and support, stating it was her pleasure to represent Lexington throughout the country.

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The following ordinances received second reading. Upon motion by Mr. Ellinger, and seconded by Vice Mayor Kay, the ordinances were approved by the following vote:

Aye: Ellinger, Kay, Kloiber, Lamb, LeGris, -----15
McCurn, Moloney, Plomin Reynolds,
Sheehan, Worley, Baxter, Bledsoe, F.
Brown, J. Brown

Nay: -----0

An Ordinance amending Article 23A-9(b) and 23A-9(d) of the Zoning Ordinance to permit hotels and motels in the Community Center (CC) Zone. (Jason L. Justice).

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. 16.

An Ordinance creating Article V of Chapter 7 of the Code of Ordinances, Sections 7-44 to 7-48, pertaining to Budget amendments, exceptions, reporting, fiscal year transition, and Grants; repealing Ordinance No. 97-2021 pertaining to Grant Budget transfers; all effective upon passage of Council.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government for various appropriations as initially approved on October 25, 2022, and appropriating and re-appropriating funds, Schedule No. 18.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until November 17, 2022:

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. 17.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government for Council appropriations for the ADA Improvement Plan from American Rescue Plan Act (ARPA) State and Local Recovery Funds, as preliminarily

approved on November 1, 2022, and appropriating and re-appropriating funds, FY 2023 Schedule No. 0020.

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The following resolutions received second reading. Upon motion by Ms. Baxter, and seconded by Ms. Plomin, the resolutions were approved by the following vote:

Aye: Ellinger, Kay, Kloiber, Lamb, LeGris, -----15
McCurn, Moloney, Plomin Reynolds,
Sheehan, Worley, Baxter, Bledsoe, F.
Brown, J. Brown

Nay: -----0

A Resolution authorizing the Div. of Fire and Emergency Services to purchase maintenance service for Stryker Stretchers 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 \$47,579.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Standard Service Agreement with the University of Kentucky, Kentucky Transportation Center, for Snowplow Route Optimization Services, at a cost not to exceed \$120,000.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to accept a Federal award in the amount of \$616,704, from the U.S. Department of Health and Human Services from the Congressional Directive Spending Projects under the Consolidated Appropriation Act, 2022 for the Barrier Free Re-Entry and Recovery Initiative (BFREE), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a modification to an Agreement with the Ky. Dept. of Military Affairs, Div. of Emergency Management, extending the Period of Performance through September 30, 2023, under the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2020.

A Resolution authorizing payment of Federal funds received from the Ky. Dept. of Military Affairs, Div. of Emergency Management, through the Chemical Stockpile

Emergency Preparedness Program (CSEPP), in a sum not to exceed \$242,967 in FY 2022, to Management Registry, Inc., (f/k/a Omnisource Integrated Supply, LLC), to fund CSEPP support staff, and further authorizing the Mayor to execute any necessary Agreements, including amendments thereto, with Management Registry, Inc., (f/k/a Omnisource Integrated Supply, LLC) related to the use of these funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Justice (DOJ) under the Edward Byrne Memorial Justice Assistance Grant Program - FY 2023, which Grant funds are in the amount of \$144,461 in Federal funds, for the purchase of equipment and technology investments for the Div. of Police, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Karrie Kelley, Administrative Specialist, Grade 513N, \$20.797 hourly in the Div. of Police, effective November 9, 2022, Lindsay Medley, Social Worker Sr., Grade 517E, \$1,950.64 biweekly in the Div. of Aging and Disability Services, effective October 11, 2022, Richard Sheehy, Administrative Specialist, Grade 513N, \$19.572 hourly in the Div. of Planning, effective October 11, 2022.

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase Supervisory Control and Data Acquisition (SCADA) Citect/Historian Support Services for the Town Branch and West Hickman Waste Water Treatment Plants and pump stations, from Advantage Industrial Automation, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Advantage Industrial Automation, Inc. related to the procurement, at a cost not to exceed \$35,145.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Resident Project Agreements (awarded pursuant to RFP No. 47-2022) with Vision Engineering, LLC, and Prime AE Group, Inc., for resident project representative services to assist in the completion of Remedial Measures Plan (RMP) projects required by the Consent Decree, with future work awarded and funds Budgeted on a project basis.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Buildingeye Inc., for the renewal of a data visualization application relating to the Accela software platform, for the Div. of Computer Services, at a cost not to exceed \$37,230, subject to 5% annual increases.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of flood hazard area and drainage easement on the property located at 3212 Sweetwater Court.

A Resolution amending Section 4.104(a) IV. of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, to add Budget Adjustments and renumber other affected items, and repealing Part 6. Budget and Section 4.601. Budget Amendments of the Council rules in its entirety, all effective upon passage of Council.

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At 6:29 p.m. Vice Mayor Kay departed the meeting.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Grayshift LLC, for software to examine electronic evidence received first reading.

Upon motion by Mr. J. Brown, seconded by Mr. McCurn, and approved by majority vote (Kay was absent), the rules were suspended and the resolution received second reading.

Upon motion by Mr. Ellinger, and seconded by Ms. Baxter, the resolution was approved by the following vote:

Aye: Ellinger, Kloiber, Lamb, LeGris, -----14
McCurn, Moloney, Plomin Reynolds,
Sheehan, Worley, Baxter, Bledsoe, F.
Brown, J. Brown

Nay: -----0

Absent: Kay

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to donate a 2005 Ford Explorer to the Neon Volunteer Fire Department received first reading.

Upon motion by Mr. J. Brown, seconded by Ms. Plomin, and approved by majority vote (Kay was absent), the rules were suspended and the resolution received second reading.

Upon motion by Mr. Ellinger, and seconded by Ms. Baxter, the resolution was approved by the following vote:

Aye: Ellinger, Kloiber, Lamb, LeGris, -----14
McCurn, Moloney, Plomin Reynolds,
Sheehan, Worley, Baxter, Bledsoe, F.
Brown, J. Brown

Nay: -----0

Absent: Kay

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The following resolutions received first reading and were ordered to be placed on file for public inspection until November 17, 2022:

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with U.S. Fish and Wildlife Services to restore a Monarch habitat at Lakeside Golf Course, for the Div. of Parks and Recreation.

A Resolution of the Lexington-Fayette Urban County Government approving the execution and delivery by Clark County Fiscal Court of its Clark County Fiscal Court Healthcare Revenue Bonds, Series 2022 (Ky. Easter Seal Society, Inc. Project) in an amount not to exceed \$10,000,000 (the "Bonds"), and the use of the proceeds thereof to assist Ky. Easter Seal Society, Inc. (the "Corporation") (a) to pay off that certain loan with Central Bank & Trust Co. the proceeds of which were used to make certain capital improvements to the Corporation's property located at 1900 Richmond Rd., Lexington, Ky. 40502 ("Property"), (b) to finance the costs of making capital improvements to the corporation's property, and (c) to pay the costs of issuance.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an addendum to the Information System Agreement (executed pursuant to Resolution No. 495-2015) and related documents, with Systems & Software, Inc., to upgrade the EnQuesta system for the Div. of Revenue, at an additional cost estimated not to exceed \$691,174 in FY2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the annual MOU with Ky. Board of Emergency Medical Services, for continuation of the Paramedicine program.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 56-2022) with Hazen and Sawyer, P.S.C., for Sanitary Sewer Remedial Measures Program Management Consulting Services, at a cost estimated not to exceed \$900,000 in FY 2023.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a five-year Agreement with Oracle America, Inc., a sole source provider, for the Div. of Computer Services to purchase ongoing software maintenance services for the PeopleSoft Financials and Human Capital Management modules, at a cost not to exceed \$147,528.86 for FY 2023, with future years subject to 5% annual increases and the appropriation of sufficient funds; and authorizing the chief Information Officer, or her designee, on behalf of the Urban County Government, to execute any necessary documents for the continuation of maintenance services.

A Resolution authorizing the Div. of Waste Management to purchase parts and services for the Marathon Baler from Municipal Equipment, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Municipal Equipment, related to the procurement.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Plan Renewal Agreement and any other necessary documents with Humana for the Medicare Advantage Plan for Police and Fire Retirement, for the period beginning January 1, 2023 through December 31, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of \$175,000 in Federal funds from the U.S. Dept. of Justice, Office of Community Oriented Policing Services (COPS), under the Law Enforcement Mental Health & Wellness Act Grant program for FY 2023 and FY 2024, for the expansion of the Wellness Unit in the Div. of Police, 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 for this Grant.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute modifications to Agreements with the Ky. Office of Homeland Security, in partnership with the State Board of Elections (SBE), for the purchase, installation, and servicing of Cradlepoint Devices, to protect the security of elections.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an additional Grant award of \$134,713 in Federal funds from the United States Dept. of Housing and Urban Development (HUD), authorizing the Mayor to execute any necessary Agreements or amendments with subrecipients related to the use of these funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court to acquire right-of-way and temporary construction easements upon portions of the property located at 1376 Silver Springs Drive for the Citation Boulevard Phase 3A Project.

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Ms. Lamb discussed the Capital Expenditure Policy, noting that the use of the funds was infrequent but stated her intention to amend the policy.

Upon motion by Ms. Lamb, seconded by Ms. LeGris, and approved by majority vote (Kay was absent) the Capital Expenditure Police was amended.

Ms. Lamb also announced the pickle ball courts at Kirklevington Park now had lights so that games could be played after dark.

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Ms. Sheehan reminded all that there would be a Public Hearing held on November 17, 2022 at 6:00 p.m. regarding the healthcare revenue bonds delivered by the Clark County Fiscal Court.

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Ms. Baxter announced the Clemens Heights Neighborhood Association would be hosting a park clean-up event Saturday, November 5, 2022 from 2:00 p.m. to 4:00 p.m. at Waverly Park.

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Mr. Worley spoke about the housing shortage in Lexington and about projects and efforts in other cities to address the issue. He suggested mirroring an endeavor made in Cincinnati wherein the local municipality bought investment property to keep rental prices and availability affordable and accessible.

Upon motion by Mr. Worley, seconded by Mr. McCurn, and approved by majority vote (Kay was absent) the topic was placed in the Planning and Public Safety Committee.

Mr. Reynolds asked for clarification of the project. Mr. Worley responded.

Mr. Moloney voiced his support for the idea.

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Ms. LeGris encouraged all to attend the Tandy Park Takeover event, as well as other events being held around downtown in celebration of the Breeders' Cup. She noted that some streets would be blocked off to accommodate the increase in pedestrian traffic and to plan accordingly.

Ms. LeGris also spoke with enthusiasm about Mr. Worley's idea to address the housing shortage.

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Ms. Bledsoe announced the Fraternal Order of Firefighters kicked off their Toy Drive on November 3, 2022. She also shared that the Annual Southland Drive Christmas Tree Lighting event would be held at Station 12 on December 2, 2022 at 5:30 p.m. This event would be accompanied by the Lafayette High School Choir and Orchestra.

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Dottie Bean, Council Dist. 8, spoke about affordable housing, current development projects, and the cost of inflation experienced in the local housing market.

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Upon motion by Ms. Bledsoe, seconded by Ms. Baxter, and approved by unanimous vote, the meeting adjourned at 6:48 p.m.

Clerk of the Urban County Council