

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Tuesday, January 15, 2019

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

I. Public Comment - Issues on Agenda

II. Requested Rezonings/ Docket Approval

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this be Approved. The motion PASSED by unanimous vote.

III. Approval of Summary

a Table of Motions: Council Work Session, December 4, 2018

Approved

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, Schedule No. 15. [Div. of Budgeting, Lueker]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

V. New Business

VI. Continuing Business/ Presentations

a A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Louisiana Ave. Neighborhood Association (\$450) for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Council Office, Maynard]

A motion was made by Council Member Chuck Ellinger II, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

VII. Council Reports

VIII. Mayor's Report

(1) Recommending the appointment of Ms. Peggy Henson and Mr. Joe Smith to the Transit Authority Board, both with terms expiring June 30, 2022.

A motion was made by Council Member Steve Kay, seconded by Council

Member Kathy Plomin, that this Communication be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by an unanimous vote.

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Adjourned

Administrative Synopsis - New Business Items

- a** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a sale and installation Agreement and amendment thereto with SimplexGrinnell, LP, for the design, installation, and certification of a sprinkler system in the Mounted Police Barn at 575 West Sixth St., Lexington, Ky., at a cost not to exceed \$48,500. [Div. of Facilities and Fleet Management, Baradaran]
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.**
- b** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a licensing Agreement with QuickSeries, for the IOS/Android BeReadyLexington mobile app, at no cost to the government. [Div. of Emergency Management/911, Dugger]
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.**
- c** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to Lease Agreement with Partners for Youth for the relocation of Partners for Youth from the Phoenix Building at 101 East Vine St. to the Government Center Annex at 162 East Main St., Room 210, at no cost to the Urban County Government. [Dept. of General Services, Reed]
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.**
- d** A Resolution approving, pursuant to Section 22-55.1 of the Code of Ordinances, the bond with surety of Kenneth Wayne Winburn, Second District Constable (\$10,000), and directing the Div. of Risk Management to record the bond with surety, along with a certified copy of this Resolution, in the office of the Fayette County Clerk. [Div. of Risk Management, Johnston]
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.**
- e** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the United States Dept. of

Justice, which Grant funds are in the amount of \$30,869 Federal funds, under the 2017 State Criminal Alien Assistance Program (SCAAP), for the reimbursement of costs related to the incarceration of undocumented criminal aliens, 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. [Div. of Community Corrections, Haney]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

- f** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Contract with Bri Den Roofing, A Tecta America Co., LLC, for the Police Training Center Roof Replacement Project, increasing the Contract price by the sum of \$35,332.89 from \$259,737.84 to \$295,070.73 and adding sixty-seven (67) work days to the construction schedule. [Div. of Facilities and Fleet Management, Baradaran]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

- g** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Board of Emergency Medical Services, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$10,000 Commonwealth of Ky. funds for FY 2020, and are for the purchase of mass casualty equipment for the Div. of Fire and Emergency Services. [Div. of Fire and Emergency Services, Chilton]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

- h** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Rural and Inner City Adopt-A-Spot Program Agreements with Christian Youth Fellowship (\$1,942.48); Royal Priesthood Ministries (\$2,191.56); Greater Faith Apostolic Church BSA #228 (\$523.00); First United Methodist Church BSA Troop 1789 (\$772.00); Ambassadors Christ Ministry (\$400.00); El Shaddai Temple House of Yahweh (\$1,992.32); Bluegrass Chapter Order of Demolay (\$360.00); Phillips Memorial Church (\$448.28); Bluegrass Baseball Club (\$921.44); Phillips Memorial Church (\$636.12); Lexington Swingers Golf Club, Inc. (\$1,616); U Educate U (\$1,658.92); El Shaddai Temple House

of Yahweh (\$1,472.00); Ambassadors Christ Ministry (\$1,980.00); New Beginnings Youth Dept. (\$1,736.12); JRC Crew 728 (\$2,057.32); Lexington Swingers Golf Club, Inc. (\$2,238.45); U Educate U (\$1,979.40); Royal Priesthood Ministries (\$1,704.12); House of Prayer (\$828.10); Bluegrass Baseball Club (\$722.08); Christ United Methodist Church BSA #220 (\$1,304.12); Bluegrass Chapter Order of Demolay (\$1,332.32); Dunbar Men Soccer Team (\$1,103.60); Tates Creek Christian Church BSA #59 (\$1,567.20); Immanuel Baptist Church BSA #41 (\$1,231.68); New Beginnings House of Prayer (\$1,265.40); BSA Troop 98 (\$1,157.40); House of Prayer (\$1,038.28); New Beginnings House of Prayer (\$1,401.00); Dunbar Men Soccer Team (\$1,621.40); Boy Scout Troop #110 (\$1,820.85); Sisters Rd. to Freedom (\$2,024.00); Apostolic House of Prayer (\$1,705.95); JRC Crew 728 (\$1,980.24); Bluegrass Baseball Club (\$1,984.72); and JRC Crew 728 (\$1,917.80), for participation in the Adopt-A-Spot Roadway Cleanup Program, at a cost not to exceed \$52,635.67. [Div. of Environmental Services, Plueger]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

- i A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Hope Center, for the operation of a Street Outreach Program, at a cost not to exceed \$56,250. [Office of Homelessness Prevention and Intervention, Ruddick]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

- j A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) (Final) to the Agreement with ATS Construction, for the Man O' War Boulevard and Richmond Rd. Project, decreasing the Contract price by the sum of \$34,270.84 from \$250,103.75 to \$215,832.91. [Div. of Engineering, Burton]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

- k A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Services Agreements with Anita Capillo, Kristin Beers, Sara Charles, and Teresa Haines, as Sexual Assault Nurse Examiners, to provide on-call forensic examinations and

services under the Sexual Assault Nurse Examiner Program, at a cost not to exceed \$40 for each scheduled on-call period, \$230 for each completed forensic examination, \$50 per case for professional testimony in court, and the reasonable cost of medical liability insurance. [Div. of Police, Weathers]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

- I** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Kentucky. Albert B. Chandler Medical Center, for the provision of space in the University of Kentucky Hospital Emergency Room for use as a clinical practice area for the Sexual Assault Nurse Examiner (SANE) Program for FY 2019, at a cost not to exceed \$3,000. [Div. of Police, Weathers]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Commonwealth of Ky.'s Dept. of Community Based Services, for certification of the Family Care Center as a vendor with the state-funded Child Care Assistance Program, at no cost to the Urban County Government. [Div. of Family Services, Rodes]

A motion was made by Council Member Susan Lamb, seconded by Council Member Angela Evans, that this Agenda Item be Amended. The motion PASSED by unanimous vote.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

- n** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding, with the United States Marshals Service, Violent Offender Task Force, for participation in the Task Force, at no cost to the Government. [Div. of Police, Weathers]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. 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 Agreement with Alpha Co. 4th Law Enforcement Battalion for shared personnel, at no cost to the Government. [Div. of Police, Weathers]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

p A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to the Living Arts and Science Center, Inc., for stormwater quality projects, at a cost not to exceed \$32,842. [Div. of Water Quality, Martin]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

q A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Link Electric Co., Inc., for the Pam Miller Downtown Arts Center Lighting and Controls Upgrade Project, increasing the Contract price by the sum of \$3,922 from \$154,340 to \$158,262. [Div. of Facilities and Fleet Management, Baradaran]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

r A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Ky. State Police, Internet Crimes Against Children Program, for participation in the Task Force, at no cost to the Government. [Div. of Police, Weathers]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

s A Resolution approving, pursuant to KRS 62.055 and Section 22-55.1 of the Code of Ordinances, the bond with surety of Donald W. Blevins, Jr., County Clerk (\$400,000), and directing the Div. of Risk Management to record the bond with surety, along with a certified copy of this Resolution, in the Office of the Fayette County Clerk. [Div. of Risk Management, Johnston]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council

Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

t A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with University of Kentucky Dept. of Educational, School, and Counseling Psychology, for the placement of Practicum Students in the Office of Homelessness Prevention and Intervention, at a cost not to exceed \$24,000. [Office of Homelessness Prevention and Intervention, Ruddick]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

u A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Smith Contractors, Inc., for the West Hickman 7 Pump Station and Wet Weather Storage Tank Project, increasing the Contract price by the sum of \$476,733, from \$10,453,000 to \$10,929,733, and extending the date of completion by 103 days, to April 15, 2019. [Div. of Water Quality, Martin]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

v A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the Cane Run Trunk Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$16,250. [Div. of Water Quality, Martin]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

w A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the certificate of consideration and other necessary documents, and to accept a deed for the property located at 1871 Pensacola Drive, for the Wabash Goodrich Pensacola Lackawanna (WGPL) Stormwater Improvements Project, at a cost not to exceed \$160,000. [Div. of Water Quality, Martin]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

- x** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$75,000 Federal funds, and are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of \$35,000 as a local match, authorizing the Mayor to transfer unencumbered funds within the Grant Budget, and authorizing and directing the Mayor to execute an Agreement with the Fayette County Commonwealth's Attorney's Office, for a full-time prosecutor for the Street Sales Drug Enforcement Project, at a cost not to exceed \$90,300 for FY 2020. [Div. of Police, Weathers]
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.**
- y** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to appoint Patricia L. Dugger as the Local Emergency Management Director, pursuant to KRS 39B.020. [Div. of Emergency Management/911, Dugger]
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.**
- z** A Resolution approving and adopting a substantial amendment to the 2017 Annual Action Plan decreasing funds for the Community Action Council Youth 180 Program (\$10,000.00), reallocating those funds to the Realtor Community Housing Foundation RAMP Program (\$10,000), and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. **Public Hearing on January 31, 2019 at 6:00 p.m.** [Div. of Grants and Special Programs, Lanter]
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.**
- aa** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Waterford II Homeowners Association, Inc., for stormwater quality projects, at a cost not to exceed \$16,132. [Div.

of Water Quality, Martin]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

bb

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Growing Together Preschool, Inc., for stormwater quality projects, at a cost not to exceed \$17,852. [Div. of Water Quality, Martin]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

cc

An Ordinance amending the authorized strength by abolishing one (1) vacant unclassified position of Innovation Director, Grade 531E, and creating one (1) unclassified position of Administrative Aide to Mayor, Grade 523E, and one (1) unclassified position of Administrative Specialist, Grade 513N, in the Office of the Mayor, effective upon passage of Council. [Div. of Human Resources, Maxwell]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

dd

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement, with the Lexington Fayette County Health Dept., for provision of worker's compensation for Lexington Fayette Medical Reserve Corps, at no cost to the Government. [Div. of Emergency Management/ 911, Dugger]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

ee

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Opportunity Workshop of Lexington, Inc., d/b/a Opportunity for Work and Learning, Inc., for stormwater quality projects, at a cost not to exceed \$300,000. [Div. of Water Quality, Martin]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.

ff

A Resolution authorizing the Mayor, on behalf of the Urban County Government, pursuant to the Jobs Fund Program, to execute a loan Agreement and related documents with Elite Rad Reporting, LLC, d/b/a Thynk Health, in an amount not to exceed \$250,000, for the creation and retention of at least five (5) new jobs with an average hourly wage of at least \$30, exclusive of benefits. [Mayor's Office, Atkins]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. 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 and submit a Grant Application to the Kentucky Heritage Council, and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$16,200 Federal funds, under the Certified Local Government Program, and are for the completion of a Historical Survey of the Pensacola Park area, the acceptance of which obligates the Urban County Government for the expenditure of \$10,800 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Historic Preservation, Kerr]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 1/17/2019. The motion PASSED by unanimous vote.