

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Thursday, November 3, 2022

6:00 PM

Council Chambers

Urban County Council

I. Roll Call

Present 13 - Steve Kay; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger II; James Brown; David Kloiber; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Absent 2 - Josh McCurn and Preston Worley

II. Invocation

Present 14 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger II; James Brown; David Kloiber; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Absent 1 - Preston Worley

III. Presentations

Received and Filed

IV. Ordinances – Second Reading

Present 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger II; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Absent 0

- 1. 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). Approval 11-0 [Div. of Planning, Duncan]

A motion was made by Council Member Ellinger, seconded by Council Member Kay, that this Ordinance be Approved. The motion PASSED by the following vote:

Aye: 14 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 1 - Preston Worley

- 2. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, FY 2023 Schedule No. 16. [Div. of Budgeting, Lueker]

A motion was made by Council Member Ellinger, seconded by Council Member Kay, that this Ordinance be Approved. The motion PASSED by the following vote:

Aye: 14 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 1 - Preston Worley

3.

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. [Council Office, Maynard]

A motion was made by Council Member Ellinger, seconded by Council Member Kay, that this Ordinance be Approved. The motion PASSED by the following vote:

Aye: 14 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 1 - Preston Worley

4.

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. [Div. of Budgeting, Lueker]

A motion was made by Council Member Ellinger, seconded by Council Member Kay, that this Ordinance be Approved. The motion PASSED by the following vote:

Aye: 14 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 1 - Preston Worley

V. Ordinances – First Reading

5.

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. [Div. of Budgeting, Lueker]

Received First Reading to the Urban County Council due back on 11/17/2022

- 6. 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. [Div. of Budgeting, Lueker]

Received First Reading to the Urban County Council due back on 11/17/2022

VI. Resolutions – Second Reading

- 1. 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. [Div. of Fire and Emergency Services, Wells]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

- 2. 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. [Dept. of Environmental Quality and Public Works, Albright]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

- 3. 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. [Dept. of Social Services, Allen-Bryant]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

4. 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. [Div. of Emergency Management, Dugger]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

5. 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. [Div. of Emergency Management, Dugger]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following

vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

6.

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. [Div. of Police, Weathers]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

7.

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. [Div. of Human Resources, Walters]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

8. 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. [Div. of Water Quality, Martin]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

9. 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. [Div. of Water Quality, Martin]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

10. 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. [Div. of Computer Services, Nugent]

A motion was made by Council Member Baxter, seconded by Council Member

Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

11. 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. [Div. of Water Quality, Martin]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

12. 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. [Council Office, Maynard]

A motion was made by Council Member Baxter, seconded by Council Member Plomin, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

VII. Resolutions – First Reading

13. 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. [Div. of Parks and Recreation, Conrad]

Received First Reading to the Urban County Council due back on 11/17/2022

14. 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. [Office of the Mayor, Atkins]

Received First Reading to the Urban County Council due back on 11/17/2022

15. 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. [Div. of Police, Weathers]

Received First Reading to the Urban County Council due back on 11/3/2022

A motion was made by Council Member James Brown, seconded by Council Member Josh McCurn, that this Resolution be Suspended Rules for Second Reading. The motion PASSED by majority vote (Vice Mayor Kay was absent).

A motion was made by Council Member Ellinger, seconded by Council Member Baxter, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

16. 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. [Div. of Revenue, Holbrook]

Received First Reading to the Urban County Council due back on 11/17/2022

17. 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. [Div. of Fire and Emergency Services, Wells]

Received First Reading to the Urban County Council due back on 11/17/2022

18. 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. [Div. of Water Quality, Martin]

Received First Reading to the Urban County Council due back on 11/17/2022

19. 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. [Div. of Fire and Emergency Services, Wells]

Received First Reading to the Urban County Council due back on 11/17/2022

A motion was made by Council Member James Brown, seconded by Council Member Amanda Bledsoe, that this Resolution be Suspended Rules for Second Reading. The motion PASSED by majority vote (Vice Mayor Kay was absent).

A motion was made by Council Member Ellinger, seconded by Council Member Baxter, that this Resolution be Approved. The motion PASSED by the following vote:

Aye: 15 - Steve Kay; Josh McCurn; Richard Moloney; Susan Lamb; Hannah LeGris; Whitney Baxter; Amanda Bledsoe; Fred Brown; Chuck Ellinger; James Brown; David Kloiber; Preston Worley; Jennifer Reynolds; Liz Sheehan and Kathy Plomin

Nay: 0

Absent: 0

20. 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. [Div. of Computer Services, Stiefel]

Received First Reading to the Urban County Council due back on 11/17/2022

21. 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. [Div. of Waste Management, Thurman]

Received First Reading to the Urban County Council due back on 11/17/2022

22. 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. [Div. of Human Resources, Walters]

Received First Reading to the Urban County Council due back on 11/17/2022

23. 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. [Div. of Police, Weathers]

Received First Reading to the Urban County Council due back on 11/17/2022

24. 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. [Div. of Grants and Special Programs, Reynolds]

Received First Reading to the Urban County Council due back on 11/17/2022

25. 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. [Div. of Grants and Special Programs, Reynolds]

Received First Reading to the Urban County Council due back on 11/17/2022

26. 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.
[Council Office, Maynard]

Received First Reading to the Urban County Council due back on 11/17/2022

VIII. Fire/Police Discipline - NO

IX. Announcements

X. Public Comments

Adjournment

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