

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Tuesday, January 17, 2023

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

I. Public Comment - Issues on Agenda

- Present** 14 - Dan Wu, James Brown, Chuck Ellinger, Tayna Fogle, Shayla Lynch, Hannah LeGris, Liz Sheehan, Denise Gray, Preston Worley, Fred Brown, Whitney Elliott Baxter, Dave Sevigny, Jennifer Reynolds, and Kathy Plomin
- Absent** 1 - Brenda Monarrez

II. Requested Rezonings/ Docket Approval

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

An Ordinance amending Article 8-16 of the Zoning Ordinance to re-categorize community center, day shelter, and adult day care uses from a Principal Use to a Conditional Use within the Neighborhood Business (B-1) zone (Keith Clark). Disapproval 10-0 [Div. of Planning, Duncan]

A motion was made by Council Member Jennifer Reynolds, seconded by Council Member Chuck Ellinger II, that this Agenda Item be Refer.and sent to the General Government and Planning Committee The motion PASSED by unanimous vote.

An Ordinance changing the zone from a High Density Apartment (R-4) zone to a Professional Office (P-1) zone, for 0.768 net (1.027 gross) acres, for property located at 203 E. Fourth St. (Elmwood Oz Fund LLC; Council District 1). Approval 9-1 (To Be Heard By February 15, 2023) [Div. of Planning, Duncan]

A motion was made by Council Member Tayna Fogle, seconded by Council Member Chuck Ellinger II, that this Ordinance be Approved and Referred to Docket without Hearing.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by majority vote (CM Worley recused).

III. Approval of Summary

- a** Table of Motions: Council Work Session, December 6, 2022

A motion was made by Council Member Liz Sheehan, seconded by Council Member Kathy Plomin, that this Summary be Approved.The motion PASSED by unanimous vote.

IV. Budget Amendments

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

V. Budget Adjustments - For Information Only

VI. New Business

VII. Continuing Business/ Presentations

- a Neighborhood Development Funds: January 17, 2023

A motion was made by Council Member Chuck Ellinger II, 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 1/19/2023.The motion PASSED by unanimous vote.

- b Summary (for information only): General Government and Social Services Committee, November 15, 2022

Received and Filed

- c Summary (for information only): Planning and Public Safety Committee, December 6, 2022

Received and Filed

VIII. Council Reports

IX. Mayor's Report

A motion was made by Council Member Gray, seconded by Council Member Elliott Baxter, 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 Sevigny, seconded by Vice Mayor Wu, that the be Approved The motion PASSED by majority vote (CM Fogle was absent).

XI. Public Comment - Issues Not on Agenda

XII. Adjournment

A motion was made by Council Member Plomin, seconded by Council Member Sevigny, that the be Adjourned The motion PASSED by majority vote (CM Fogle was absent).

Administrative Synopsis - New Business Items

- b** Authorization to execute an agreement with the Internal Revenue Service for the provision of Volunteer Income Tax Assistance/Tax Counseling for the Elderly (VITA/TCE) program to provide free tax preparation and filing to low-to-moderate income citizens in Fayette County. LFUCG will provide program space for VITA/TCE at the Charles Young Center (540 East Third Street), January 30 through April 11, 2023. No budgetary impact. (L1229-22) (Allen-Bryant)
- A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.**
- c** Authorization to execute a contract between Fayette County Public Schools and the Division of Family Services, for preschool services at the Family Care Center. No budgetary impact. (L1254-22) (Horton-Holt/Allen-Bryant)
- A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.**
- d** 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 to earn BCTC credits. The term of this Agreement is approximately July 1, 2022 to June 30, 2023, at a cost of \$60,000. Funds are budgeted. (L1292-22) (Weathers/Armstrong)
- A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.**
- e** Authorization to approve the fee simple property acquisition of 5.80 acres located at 2500 Armstrong Mill Road along with the additional permanent/temporary easements necessary for the future construction of the Armstrong Mill Pump Station Replacement, formerly Delong Road Pump Station, at a total cost of \$651,200.00, excluding typical closing costs and recording fees. Funds are budgeted. (L1293-22) (Martin/Albright)
- A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion**

PASSED by unanimous vote.

- f** Authorization to abolish two (2) vacant unclassified positions of Aide to Council Part-time (Grade 518E) and create one (1) unclassified position of Aide to Council (Grade 518E) in the Office of the Urban County Council, effective upon passage of Council. This action will be budget neutral. (L0003-23) (Walters/Hamilton)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- g** Authorization to execute a release of Utility Easements at 2560 and 2660 Palumbo Drive that are no longer needed. No budgetary impact. (L0006-23) (Martin/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- h** Authorization for the payment of \$25,000 each to the Kentucky State Treasurer and to the U.S. Department of Justice for Sanitary Sewer Overflows (SSOs) in accordance with the provisions of Paragraph 44(ii) of the Consent Decree between LFUCG, the Commonwealth of Kentucky and the U.S. Environmental Protection Agency (EPA), for a total cost of \$50,000. Funds are budgeted. (L0007-23) (Martin/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- i** Authorization to enter into an agreement with Lake Cumberland CDL Training School, Inc., to provide necessary training for drivers of heavy trucks and equipment, at a cost of \$3,800 per employee. Funds are budgeted. (L0008-23) (Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- j** Authorization to increase the sole source provider contract with CavCom, Inc. by \$239.34 to include the shipping cost for communication devices for the Division of Emergency Management for a new total cost not to exceed \$50,022.14. Funds are budgeted. (L0010-23) (Dugger/Armstrong)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion

PASSED by unanimous vote.

- k** Authorization to accept an award of \$5,000 from the Consumer Product Safety Commission 2022 Fire Safety Program for a Fire Safety and Prevention Project. No match is required. (L0011-23) (Wells/Armstrong)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- l** Authorization to execute a Conditional Commitment Letter and a Final Assistance Agreement to accept an award of federal funding from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) in the amount of \$906,645. This grant is for the design and construction of water quality improvements on LFUCG property located at 862-898 Furlong Drive. No matching funds required. (L0012-23) (Martin/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- m** Authorization to execute a Conditional Commitment Letter and a Final Assistance Agreement to accept an award of federal funding from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) in the amount of \$1,345,000. This grant is for the design and construction of West Hickman Creek improvements on LFUCG property located at Veterans Park. No matching funds are required. (L0013-23) (Martin/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- n** Authorization to execute a Conditional Commitment Letter and a Final Assistance Agreement to accept an award of federal funding from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) in the amount of \$9,497,206 for the Armstrong Mill PS Replacement (DeLong Road RS/FM) EH-16 Project. No matching funds required. (L0014-23) (Martin/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- o** Authorization to accept award of federal funds in the amount of \$21,025 from the American Rescue Plan Act (ARPA) 2021 administered by the Justice and Public Safety Cabinet's Grants Management Division for the

Division of Police. Funds will be used for salary, training and travel between the period of November 1, 2022 through October 31, 2023. No matching funds required. (L0015-23) (Weathers/Armstrong)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- p** Authorization to execute Professional Services Agreements with Marinda Beasley, Kristin Beers, Angela Begley, Anita Capillo, Megan Magsam and Angela Wallace to serve as Sexual Assault Nurse Examiners on an "on-call" basis for the performance of forensic examinations in 2023. Funds are budgeted. (L0016-23) (Weathers/Armstrong)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- q** Authorization to execute an Institution Review Board agreement with the University of Kentucky Research Foundation (UKRF) for the provision of evaluation services for the Barrier Free Re-Entry and Recovery Initiative (BFREE) under the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Service Administration from the Consolidated Appropriations Act, 2022. No budgetary impact. (L0017-23) (Allen-Bryant)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- r** Authorization to execute Change Order No. 1 with Tetra Tech, Inc. to provide construction administration services for the Former Jacks Creek Pike Landfill Improvement Project at a cost of \$119,350.00, increasing the total contract amount from \$37,000.00 to \$156,350.00. Funds are budgeted. (L0019-23) (Carey/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- s** Authorization to establish Q-Free America through Traffic Control Products as a sole source provider and to execute an annual Software Maintenance Agreement for the computerized traffic signal control system at a cost not to exceed \$41,000. Funds are budgeted. (L0020-23) (Neal/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to

Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- t** Authorization to abolish one (1) vacant classified civil service position of Enforcement Officer (Grade 516N) and create one (1) classified civil service position of Environmental Enforcement Specialist (Grade 518N) in the Division of Environmental Services. Funding for the new position was included in the FY 2023 approved budget. (L0023-23) (Walters/Hamilton)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- u** Authorization to accept a grant award of \$500 from Kentucky American Water's Firefighting Support Grant Program for the purchase of Personal Protective Equipment for the Division of Fire and Emergency Services. No match required. (L0026-23) (Wells/Armstrong)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- v** Authorization to execute Amendment No. 1 to accept additional Terms and Conditions for the use of federal funds from the Kentucky Transportation Cabinet in the amount of \$72,600 for transit planning. There is no budgetary impact. (L0027-23) (Duncan/Atkins)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- w** Authorization to execute an agreement and accept additional funding for the Kentucky Opioid Response Effort from the Cabinet for Health and Family Services, in the amount of \$75,150 for the Community Paramedicine Program, and for execution of any amendments as needed. No matching funds required. (L0028-23) (Wells/Armstrong)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- x** Authorization to accept grant funds of \$162,976.50 from the Kentucky Energy and Environment Cabinet for the continuation of the Litter Abatement Grant Funding Program in Fayette County for Fiscal Year 2023. (L0029-22) (Carey/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to

Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- y** Authorization to execute an agreement with the Kentucky Transportation Cabinet to accept federal funds in the amount of \$25,120 for the right of way phase of the Citation Trail Phase 2, as funded under the Kentucky Transportation Cabinet Surface Transportation Alternatives Program (TAP) for capital improvements projects. Required matching funds of \$6,280 are budgeted. (L0030-23) (Burton/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- z** Authorization to purchase temporary construction easements, totaling \$31,400, for the right of way phase of the Citation Trail Phase 2 Project. Budget amendment in process. (L0031-23) (Burton/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- aa** Authorization to submit an application to the Kentucky Division of Water under the 2023 Section 319(H) Grant Program requesting funding in the amount of \$320,000 for Wolf Run Watershed Project for the Division of Environmental Services. A match in the amount of \$300,000 is required. (L0032-23) (Carey/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- bb** Authorization to execute Change Order No.5, with Pace Contracting, for the Town Branch Commons Corridor Construction Project for work in Zone 1, increasing the contract price by the sum of \$160,969.18 from \$22,097,518.78 to \$22,258,487.96 pending KYTC approval. Funds are budgeted. (L0033-23) (Peacher/Scott)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

- cc** Authorization to submit an application and accept award if offered, to FEMA's Hazard Mitigation Grant Program (HMGP) requesting federal funding in the amount of \$900,000, with the State agency share \$48,000, for the Joyland Area Stormwater Improvements - Phase 2 portion. Required matching funds of \$52,000 are budgeted. (L0034-23) (Martin/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

dd

Authorization to abolish one (1) classified civil service position of Grants Compliance Officer (Grade 518N) and create one (1) classified civil service position of Grants Compliance Officer Sr. (Grade 519N) in the Division of Grants and Special Programs, effective upon passage of Council. This has a 12-month future impact of a cost of \$2,308.78. Funds are budgeted. (L0035-23) (Walters/Hamilton)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

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Authorization to execute an amendment to the agreement with AVOL Kentucky, under the HOME Investment Partnerships Program, for a Tenant Based Rental Assistance program, to extend the period of performance through September 30, 2023. No budgetary impact. (L0037-23) (Reynolds/Lanter)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.

ff

Authorization to submit an application and accept award if offered to the U.S. Department of Homeland Security under the 2022 Assistance to Firefighters Grant (AFG) Program requesting federal funding in the amount of \$1,000,000 to host a paramedic training course. A match of \$100,000 is required. (L0038-23) (Wells/Armstrong)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 1/19/2023.The motion PASSED by unanimous vote.