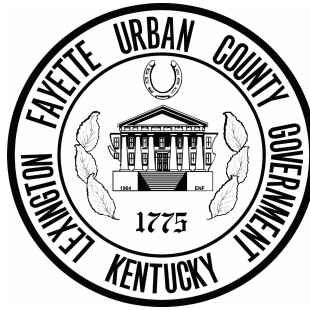


# Lexington-Fayette Urban County Government

200 E. Main St  
Lexington, KY 40507



## Minutes

Tuesday, November 10, 2020

3:00 PM

Virtual Meeting Packet

Council Chamber

**Urban County Council Work Session**

**I. Public Comment - Issues on Agenda**

**Present** 14 - Steve Kay, Richard Moloney, Chuck Ellinger, James Brown, Josh McCurn, Susan Lamb, Bill Farmer Jr., Lisa Higgins-Hord, Fred Brown, Jennifer Mossotti, Amanda Bledsoe, Jennifer Reynolds, Kathy Plomin, and Mark Swanson

**Absent** 1 - Preston Worley

**a** Public Hearing: Urban Service Changes

**Received and Filed**

**II. Requested Rezonings/ Docket Approval**

**A motion was made by Council Member Farmer, Jr., seconded by Council Member Plomin, that the be Approved The motion PASSED by unanimous vote.**

An Ordinance changing the zone from a Two Family Residential (R-2) zone to a High Rise Apartment (R-5) zone, for 0.655 net (.717 gross) acre, for property located at 325, 329 and 333 Blackburn Ave. (Blackburn Development, LLC; Council District 2). Approval 7-3 Objectors (**Public Hearing on November 17, 2020 at 5:00 p.m.**) [Div. of Planning, Duncan]

**A motion was made by Council Member Josh McCurn, seconded by Council Member Steve Kay, that this Ordinance be Approved and Referred to Docket with Hearing, and sent to the Urban County Council to be returned on 1/12/2021. The motion PASSED by unanimous vote.**

**III. Approval of Summary**

**a** Table of Motions: Council Work Session, October 27, 2020

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Josh McCurn, that this Summary be Approved. The motion PASSED by unanimous vote.**

**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, FY 2021 SCHEDULE NO. 0019.

**A motion was made by Council Member Mark Swanson, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

**V. New Business**

**Present** 15 - Steve Kay, Richard Moloney, Chuck Ellinger, James Brown, Josh McCurn, Susan Lamb, Bill Farmer Jr., Lisa Higgins-Hord, Preston Worley, Fred Brown, Jennifer Mossotti, Amanda Bledsoe, Jennifer Reynolds, Kathy Plomin, and Mark Swanson

**Absent** 0

**VI. Continuing Business/ Presentations**

**a** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with East End Community Development Corp. (\$625), Hill-N-Dale Neighborhood Association (\$500), and Pine Meadows Neighborhood Association (\$1,100), for the Office of the Urban County Council, at a cost not to exceed the sums 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 11/12/2020. The motion PASSED by unanimous vote.**

**b** Council Capital Projects, November 10, 2020

AN ORDINANCE AMENDING CERTAIN OF THE BUDGETS OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT TO REFLECT CURRENT REQUIREMENTS FOR FUNDS IN THE AMOUNT OF \$40,000 TO PROVIDE FUNDS FOR COUNCIL PROJECTS IN THE DIVISION OF ENVIRONMENTAL SERVICES FOR THE RICHMOND ROAD BEAUTIFICATION PROJECT AND APPROPRIATING AND RE-APPROPRIATING FUNDS, SCHEDULE NO. 0021.

**A motion was made by Council Member Josh McCurn, seconded by Council Member Susan Lamb, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

**c** Committee Summary: General Government & Social Services, October 13, 2020

**Received and Filed**

**d** Presentation: Coldstream Property Memorandum of Understanding  
By: Craig Bencz, Administrative Officer Senior

**Received and Filed**

**A motion was made by Council Member Brown, seconded by Council Member Reynolds, that this Agenda Item be Amended. The motion Passed by the following vote:**

**Aye:** 8 - Steve Kay, Chuck Ellinger, James Brown, Josh McCurn, Lisa Higgins-Hord, Preston Worley, Amanda Bledsoe, and Jennifer Reynolds

**Nay:** 7 - Richard Moloney, Susan Lamb, Bill Farmer Jr., Fred Brown, Jennifer Mossotti, Kathy Plomin, and Mark Swanson

**Absent:** 0

**A motion was made by Council Member McCurn, seconded by Council Member Kay, that this Agenda Item be Approved and Referred to Docket., and sent to the Urban County Council, due back on 11/12/2020. The motion Passed by the following vote:**

**Aye:** 8 - Steve Kay, Chuck Ellinger, James Brown, Josh McCurn, Lisa Higgins-Hord, Preston Worley, Amanda Bledsoe, and Jennifer Reynolds

**Nay:** 7 - Richard Moloney, Susan Lamb, Bill Farmer Jr., Fred Brown, Jennifer Mossotti, Kathy Plomin, and Mark Swanson

**Absent:** 0

## VII. Council Reports

## VIII. Mayor's Report

- (1) Recommending the appointment of Deidra Dennie to the Affordable Housing Governing Board, with a term expiring October 23, 2024;
- (2) Recommending the reassignment of Frances Elsen, from Herald-Leader Representative to At large, to the Picnic with the Pops Commission, with a term expiring July 1, 2022; and,
- (3) Recommending the reappointment of Celeste Lewis, LFUCG Representative, to the Public Arts Commission, with a term expiring December 31, 2024.

**A motion was made by Council Member Chuck Ellinger II, seconded by Council Member Steve Kay, that this Communication be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

## IX. Adjournment

**A motion was made by Council Member Farmer, Jr., seconded by Council Member Ellinger, that the be Adjourned The motion PASSED by unanimous vote.**

## Administrative Synopsis - New Business Items

a

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Commonwealth of Ky. Justice and Public Safety Cabinet, Ky. State Police, for the acceptance of Federal funds in the amount of \$20,000, under the Ticketing Aggressive Cars and Trucks (TACT) Grant Program - FY 2021, the acceptance of which obligates the Urban County Government for the expenditure of \$4,413 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Police, Weathers]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

b

An Ordinance pursuant to Section 2-1(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government adopting a Schedule of Meetings for the Council for the calendar year 2021. [Council Office, Maynard]

**A motion was made by Council Member Amanda Bledsoe, seconded by Council Member Kathy Plomin, that this Agenda Item be Refer, and sent to the Urban County Council Work Session to be returned on 12/1/2020. The motion PASSED by unanimous vote.**

c

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 (Final) to the Agreement with WRC 1, LLC d/b/a W. Rogers Co., LLC, for the Wabash, Goodrich, Pensacola, and Lackawanna (WGPL) Storm Sewer Project, decreasing the Contract price by the sum of \$68,566.75, from \$1,301,512.78 to \$1,232,946.03, and extending the date of completion to April 10, 2020. [Div. of Water Quality, Martin]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

d

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a certificate of consideration and other necessary documents, and to accept a deed for the property located at 500 Lisa Dr., for the Joyland Area Storm Drainage Project, at a cost not to exceed \$50,000. [Div. of Water Quality, Martin]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

- e** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of \$250 from a recovery group meeting to be used for park maintenance. [Div. of Parks and Recreation, Conrad]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

- f** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Maintenance Agreement with Q-Free America, for maintenance of computerized traffic control system, at a cost not to exceed \$39,000. [Div. of Traffic Engineering, Neal]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

- g** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Professional Services Agreement with LexArts Inc., to provide support to the arts community, at a cost not to exceed \$200,000. [Mayor's Office, Lyons]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

- h** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Ky. State Police of two (2) REMOTEC Robots, for use at the Div. of Police, at no cost to the Urban County Government. [Div. of Police, Weathers]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

- i** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter of No Objection with Columbia Gas of

Ky., Inc, authorizing the construction of an access driveway in a portion of right of way and easement on the property located at 2349 Richmond Rd., at no cost to the Urban County Government. [Div. of Water Quality, Martin]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

j

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of an additional \$39,000 in Federal funds from the Ky. Cabinet for Health and Family Services, Dept. for Community Based Services, to support child care expenses at the Family Care Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and to transfer unencumbered funds within the Grant Budget. [Div. of Family Services, Rodes]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

k

An Ordinance amending Section 2-479 of the Lexington-Fayette Urban County Government Code of Ordinances to remove the requirement that the Affordable Housing Governing Board manage the financial and administrative actions of the Affordable Housing Fund, to remove the requirement that the board perform housing studies and instead require that the board review housing studies, to require that the board establish funding priorities based on identified needs, to authorize the board to establish a Technical Assistance Advisory Group to assist the board and staff, and to remove the requirement that the board submit annual reports on the activities of the Affordable Housing Fund; amending Section 2-480 of the Lexington-Fayette Urban County Government Code of Ordinances to remove the requirements that the Office of Affordable Housing work in conjunction with a technical assistance advisory group and other Divs. within the Dept. of Planning, Preservation, and Development, and to require the Office of Affordable Housing to submit annual reports on the activities of the Affordable Housing Fund; amending Section 2-483 of the Lexington-Fayette Urban County Government Code of Ordinances to remove the requirement that projects funded by the affordable housing fund be non-supplative, to clarify that the Affordable Housing Funds may be used for the acquisition, construction, or rehabilitation of all forms of housing, to authorize the use of Affordable Housing Funds for the refinancing of existing debt, to clarify that Affordable Housing Funds may

be used for technical assistance directly related to creating any form of housing project, to remove the requirement that applicants submit an annual report of affordability to the Affordable Housing Governing Board, and to clarify that Affordable Housing Developments are subject to inspection. [Div. of Grants and Special Programs, Lanter]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

**I** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter of Agreement with Lexington Air Traffic Control Tower, for designation of discrete transponder codes and radiotelephony call signs. [Div. of Police, Weathers]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

**m** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the ad valorem Urban Service District taxes for the 2020 property tax year, at a cost not to exceed \$350,000, with the payments to be treated as a commission and the Urban County Government to receive any related payment (\$87,500) from the Commonwealth of Ky. [Dept. of Finance, Hensley]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

**n** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Agreement with Meadowbrook Concrete, LLC, for the Old Frankfort Pike Scenic Overlook, increasing the Contract Price by the sum of \$11,457 from \$496,750 to \$508,207. [Div. of Engineering, Burton]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

**o** A Resolution authorizing and directing the Mayor, on behalf of the Urban



County Government, to execute an amendment to an Agreement with the Fayette County Commonwealth Attorney's Office, extending the period of performance through December 31, 2020, for operation of the Street Sales program. [Div. of Police, Weathers]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

p

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from Ky. American Water, which Grant funds are in the amount of \$500 under Ky. American Water's 2020 Firefighting Support Grant Program, for the purchase of Personal Protective Equipment Hoods, 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 Fire and Emergency Services, Chilton]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

q

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Lexington-Fayette County Health Dept., to provide it temporary access to the Black & Williams Center for its local Covid-19 Response. [Dept. of Social Services, Ford]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

r

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to approve and adopt substantial amendments to the 2019 Consolidated Plan Annual Action Plan and to accept additional Community Development Block Grant funds from the U.S. Dept. of Housing and Urban Development, which Grant funds are in the amount of \$1,343,569 in Federal funds provided under the CARES Act, for the Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas counties (\$620,211), Refuge Ministries, Inc. (\$60,000), the Explorium (in partnership with William Wells Brown Elementary) (\$56,372), New Vista of the Bluegrass (\$166,135), Foodchain (\$53,195), NAMI Lexington (\$180,000), and administrative fees for the LFUCG Div. of Grants and Special Programs (\$207,656), 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 Grants and Special Programs, Lanter]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**

**s**

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Volunteer Income Tax Assistance/Tax Counseling for the Elderly (VITA/TCE) Partner Sponsor Agreement and an Internal Revenue Service Civil Rights Assurance, for provision of the 2021 Volunteer Income Tax Assistance Program at the Charles Young Center, at no cost to the Urban County Government. [Dept. of Social Services, Ford]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. 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 the Ky. Justice and Public Safety Cabinet to accept a Grant in the amount of \$52,156 Federal funds under the Victim Assistance Formula Grant funded by the Victims of Crime Act ("VOCA"), for the support of a Bilingual Victim's Advocate in the Div. of Police in FY 2021, the acceptance of which will include the Urban County Government making an expenditure of \$13,539 as a planned local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Police, Weathers]

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Mark Swanson, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 11/12/2020. The motion PASSED by unanimous vote.**