

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Tuesday, March 10, 2020

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

I. Public Comment - Issues on Agenda

Present 13 - Steve Kay, Richard Moloney, Chuck Ellinger, James Brown, Josh McCurn, Susan Lamb, Bill Farmer Jr., Angela Evans, Fred Brown, Jennifer Mossotti, Amanda Bledsoe, Jennifer Reynolds, and Kathy Plomin

Absent 1 - Preston Worley

II. Requested Rezonings/ Docket Approval

III. Approval of Summary

a Table of Motions: Council Work Session, March 3, 2020

Approved

IV. Budget Amendments

V. New Business

VI. Continuing Business/ Presentations

a Council Capital Projects: March 10, 2020

A motion was made by Council Member Kathy Plomin, seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved. The motion PASSED by unanimous vote.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$43,500 to provide funds for Council Projects in the Div. of Parks and Recreation to assist with Phase 1 of Masterson Station Playground Improvements and appropriating and re-appropriating funds, Schedule No. 41. [Div. of Budgeting, Lueker]

A motion was made by Council Member Kathy Plomin, 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 be returned on 3/19/2020. The motion PASSED by unanimous vote.

b A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with the Lexington History Museum (\$750), Mark Hinkel Pedaling Forward, Inc. (\$2,000), Fayette County Farm Bureau of Fayette County, Ky, Inc. (\$250), Highlands Neighborhood Association, Inc. (\$1,000), Meadowthorpe Elementary PTA, Inc. (\$300), 16th District PTA c/o Brenda Cowan Elementary (\$975), America in Bloom Lexington, Inc. (\$2,000), Alpha League, Inc. (\$250), East End

Community Development Corp., Inc. (\$350), Lexington Branch #23 of National Association of Black Vets, Inc. (\$200), Lexington's Women's Garden c/o Ky Cancer Link (\$300), Southpoint Residential Association, Inc. (\$1,000), and Bryan Station High School Alumni Association, Inc. (\$500), 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 Steve Kay, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 3/19/2020. The motion PASSED by unanimous vote.

C

Committee Summary: Planning & Public Safety, February 18, 2020

Received and Filed

An Ordinance amending Section 13-76 of the Lexington-Fayette Urban County Government Code of Ordinances to define additional terms; creating Section 13-77 of the code to prohibit any host from owning or operating a short term rental in Lexington-Fayette County unless the host possesses a valid local business license and has registered the short term rental with the Urban County Government, which registration shall result in the short term rental being issued a unique local registration number, cost \$100.00, and be renewed by no later than December 31st each year, further authorizing the administration to refuse to register or renew registration, and to revoke registration, of short term rentals that are being operated in violation of law or are subject to unsatisfied penalties, fines or liens, further establishing a right for citizens to appeal such refusals or revocations to the Administrative Hearing Board established in Sec. 12-6 of the code; creating Section 13-78 of the code to explain that hosts are responsible for the collection and payment of transient room taxes, but a hosting platform May pay and collect transient room taxes on behalf of hosts by written Agreement with the Lexington-Fayette Urban County Government, and that all income generated by operation of a short term rental is business income on which hosts must pay occupational license fees; creating Section 13-79 of the code to place certain duties on hosts, including ensuring that safety requirements are met, that the local registration number be placed on all advertisements for the short term rental, that a monthly report be filed with the administration unless the host advertises exclusively with hosting platforms that have voluntary tax collection Agreements with the Urban County Government, and that the short term rental abide by all applicable requirements within the zoning Ordinance; creating Section 13-80 of the code to allow hosts registered with the Urban County Government to advertise their short term rentals for stays of less than thirty days and to provide authority to the Code Enforcement Hearing Board to subpoena information from hosting platforms pursuant to Krs 65.8821 to ensure compliance by hosts; creating Section 13-81 to provide penalties for

violations of this article; and authorizing the Div. of Revenue to amend the license fee regulations (5th edition) as necessary to implement this Ordinance. [Council Office, Maynard]

A motion was made by Council Member Brown, seconded by Council Member Farmer, Jr., that this Ordinance be . The motion Passed by the following vote:

Aye: 8 - Richard Moloney, James Brown, Josh McCurn, Bill Farmer Jr., Fred Brown, Amanda Bledsoe, Jennifer Reynolds, and Kathy Plomin

Nay: 3 - Susan Lamb, Angela Evans, and Jennifer Mossotti

Absent: 1 - Preston Worley

Recuse: 2 - Steve Kay, and Chuck Ellinger

d Presentation: On the Table; By: Richard Young, CivicLex

Received and Filed

VII. Council Reports

VIII. Mayor's Report

IX. Public Comment - Issues Not on Agenda

X. Adjournment

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

Administrative Synopsis - New Business Items

a

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Warrenton Woods Street Maintenance Association, Inc., for Stormwater Quality Projects, at a cost not to exceed \$49,450. [Div. of Water Quality, Martin]

A motion was made by Council Member Steve Kay, 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 3/19/2020. The motion PASSED by unanimous vote.

b

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the University of Kentucky Albert B. Chandler Medical Center, for the provision of skilled clinical personnel for medical forensic services for the Sexual Assault Nurse Examiner (SANE) Program. [Div. of Police, Weathers]

A motion was made by Council Member Steve Kay, 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 3/19/2020. The motion PASSED by unanimous vote.

c

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Lexington-Fayette County Health Dept., for the implementation of a Jail Education Program, at no cost to the Urban County Government. [Div. of Community Corrections, Haney]

A motion was made by Council Member Steve Kay, 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 3/19/2020. The motion PASSED by unanimous vote.

d

An Ordinance amending the Classified Civil Service authorized strength by transferring one (1) position of Operations Manager, Grade 520E, from the Div. of Waste Management to the Div. of Environmental Services, transferring the incumbent, effective upon passage of Council. [Div. of Human Resources, Maxwell]

A motion was made by Council Member Steve Kay, 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 3/19/2020. The motion PASSED by unanimous vote.

e

A Resolution establishing Missouri Great Dane, as a sole source provider, for customization services of a trailer used by the Div. of Environmental Services for their public information engagement (pie) program, and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Missouri Great Dane, related to the procurement of these goods and services. [Div. of Facilities and Fleet Management, Baradaran]

A motion was made by Council Member Steve Kay, 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 3/19/2020. The motion PASSED by unanimous vote.