

# Lexington-Fayette Urban County Government

200 E. Main St  
Lexington, KY 40507



## Minutes

Tuesday, March 15, 2022

3:00 PM

REVISED 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, Hannah LeGris, Susan Lamb, Liz Sheehan, David Kloiber, Preston Worley, Whitney Baxter, Amanda Bledsoe, and Jennifer Reynolds

**Absent** 2 - Fred Brown, and Kathy Plomin

**II. Requested Rezonings/ Docket Approval**

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

Request Council authorization for the Mayor to sign an agreement that provides WDKY the ability to have access to Public Safety radio traffic and respond to scenes reference media coverage.

**A motion was made by Council Member Whitney Baxter, seconded by Council Member James Brown, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

**A motion was made by Council Member Whitney Baxter, seconded by Council Member Liz Sheehan, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

Request Council authorization to authorize the Reimbursement Resolution to allow approved spending on the attached list of Fiscal Year 2023 Fleet Vehicles Bond Projects which has been given advance approval by Council.

**A motion was made by Council Member Chuck Ellinger II, seconded by Council Member Jennifer Reynolds, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

**A motion was made by Council Member James Brown, 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 return on 3/17/2022.The motion PASSED by unanimous vote.**

The purpose of this memorandum is to request approval of a Memorandum of Understanding (MOU) with Greer Land Co Smyrna #2, LLC regarding off-site mitigation on city-owned property for the redevelopment of 1108 S Broadway.

**A motion was made by Council Member Jennifer Reynolds, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred**

to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.

### III. Approval of Summary

a Table of Motions: Council Work Session, March 8, 2022

**A motion was made by Council Member Chuck Ellinger II, seconded by Council Member Steve Kay, 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 2022 SCHEDULE NO. 0033.

**A motion was made by Council Member Susan Lamb, seconded by Council Member Hannah LeGris, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

AN ORDINANCE AMENDING CERTAIN OF THE BUDGETS OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT FOR COUNCIL APPROPRIATIONS FOR VARIOUS PROJECTS FROM AMERICAN RESCUE PLAN ACT (ARPA) STATE AND LOCAL RECOVERY FUNDS, AS APPROVED FEBRUARY 17, 2022 AND AMENDED MARCH, 15, 2022, AND APPROPRIATING AND RE-APPROPRIATING FUNDS, SCHEDULE NO 0034.

**A motion was made by Council Member Susan Lamb, seconded by Council Member Hannah LeGris, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

### V. New Business

### VI. Continuing Business/ Presentations

a Neighborhood Development Funds: March 15, 2022

**A motion was made by Council Member Steve Kay, seconded by Council Member Jennifer Reynolds, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

b Presentation: Police Technology; By: Assistant Chief Eric Lowe

**Received and Filed**

**C**

Received and Filed

**VII. Council Reports**

**VIII. Mayor's Report**

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

**IX. Public Comment - Issues Not on Agenda**

**X. Adjournment**

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

## Administrative Synopsis - New Business Items

- a** Authorization for the Mayor to execute a renewal of a Software Maintenance/End User License Agreement for Representative Payee software with Horizon Information Systems at a cost of \$670.40. Funds are budgeted. (L0194-22) (Sanders/Lanter)
- A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**
- b** Authorization to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the Leestown Road Industrial Pump Station Project, at a cost not to exceed \$8,372.00. Funds are budgeted. (0234-22) (Martin/Albright)
- A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**
- c** Authorization of the update Solid Waste Management Area Designation and Plan for Lexington-Fayette County for 2023-2027 as part of the solid waste management five-year planning process, pursuant to KRS 224.43-340 and 224.43-345. No budgetary impact. (L0238-22) (Thurman/Albright)
- A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**
- d** Authorization to execute an agreement awarding a Class B (Infrastructure) Incentive Grant to Beaver Creek Hydrology, LLC, for stormwater quality projects, in the amount of \$127,050.00. Funds are budgeted. (0239-22) (Martin/Albright)
- A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**
- e** Authorization to execute an agreement awarding a Class B (Education) Incentive Grant to The Living Arts and Science Center, Inc., for stormwater quality projects, in the amount of \$34,426.00. Funds are budgeted. (L240-22) (Martin/Albright)
- A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

- f** 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. (0241-22) (Allen-Bryant)
- A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**
- g** Authorization to execute an agreement awarding a Class B (Education) Incentive Grant to The University of Kentucky Research Foundation (UKRF), for stormwater quality projects, in the amount of \$34,997.00. Funds are budgeted. (L0242-22) (Martin/Albright)
- A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**
- h** Authorization to abolish one (1) vacant classified position of Administrative Specialist Sr. (Grade 516N) and create one (1) classified position of Paralegal (Grade 517N) in the Department of Law, effective upon passage of Council. This action has a future impact of a cost of \$3,164.53 and funds are budgeted. (L0243-22) (Maxwell/Hamilton)
- A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**
- i** Authorization to establish Metals Treatment Technologies (MT2) Firing Range Services as a Sole Source Vendor for lead remediation of the berm at the Police Firearms Range at a cost of \$50,460.00, which is required by US EPA. Funds are budgeted. (L0252-22) (Weathers/Armstrong)
- A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**
- j** Authorizing to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the East Hickman Force Main Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$26,000.00. Funds are budgeted. (L0253-22) (Martin/Albright)
- A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**
- k** Authorizing to execute an agreement between LFUCG and Columbia Gas for the

relocation of an existing 6-inch gas main needed for the Wolf Run Trunk E Remedial Measures Project, at a cost not to exceed \$14,786.00. Funds are budgeted. (L0255-22) (Martin/Albright)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

- I** Authorization to execute an agreement with Cloudburst Consulting Group with funding from the America Rescue Plan Act for a Racial and Equity Analysis, providing recommendations to align systems of care and organizations across Fayette County to prevent and end homelessness with a primary focus on racial equity, at a cost not to exceed \$87,385.00. Funds are budgeted. (L0256-22) (Lanter)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

- m** Authorization to accept a donation from the Creech Family Foundation, Inc., in the amount of \$30,000.00 for the purchase of handicap accessible fitness equipment to be added to Castlewood Park. (L0258-22) (Conrad/Ford)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

- n** Authorization to accept the Collective Bargaining Agreement between LFUCG and Lexington Professional Firefighters IAFF Local 526, on behalf of Firefighters, Lieutenants and Captains. The agreement is for a three-year term (retroactive July 1, 2021) with an additional cost of \$2.4 million for this fiscal year. Funds are budgeted and a budget amendment will be processed as needed. (L0259-22) (Barberie/Speckert)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

- o** Authorization to amend Section 22-53.1(c) of the Code of Ordinances to change the maximum age requirement for a Police Academy Examination Candidate from thirty-seven to forty-one. The candidate shall not have reached their forty-first birthday by the application filing deadline date. No budgetary impact. (L0260-22) (Weathers/Armstrong)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion**

**PASSED by unanimous vote.**

- p** Authorization to amend Section 18-47(a) of the Code of Ordinances to change the minimum age requirement for a Police Safety Officer from twenty-one (21) years of age to eighteen (18) years of age. The Safety Officer shall be at least eighteen (18) years of age. No budgetary impact. (L0261-22) (Weathers/Armstrong)

**A motion was made by Council Member Steve Kay, seconded by Council Member Josh McCurn, that this Agenda Item be Removed From Docket. The motion PASSED by unanimous vote.**

- q** Authorization to submit an application, and accept award if offered, to the Division of Waste Management in the amount of \$102,000 for the support of a one-day household hazardous waste recycling event for Fayette County. A match in the amount of \$25,500 is required. Funds are budgeted. (L0265-22) (Thurman/Albright)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket. and sent to the Urban County Council to return on 3/17/2022. The motion PASSED by unanimous vote.**

- r** Authorization to accept a direct reallocation of federal Emergency Rental Assistance grant funds totaling \$11,700,000.00 from the U.S. Department of the Treasury for the continued administration of the Housing Stabilization Program by the Division of Grants & Special Programs. No matching funds are required. A budget amendment is in process. (L0265-22) (Lanter)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket. and sent to the Urban County Council to return on 3/17/2022. The motion PASSED by unanimous vote.**

- s** Authorization to approve Advanced Eco Systems as a sole source provider for the purchase of Zumro decontamination accessory kits for hospitals for the Division of Emergency Management at a cost not to exceed \$136,362.00. Funds are budgeted. (L0266-22) (Dugger/Armstrong)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket. and sent to the Urban County Council to return on 3/17/2022. The motion PASSED by unanimous vote.**

- t** Authorization to submit an application, pending match confirmation with partners, to the U.S. Department of Transportation under the RAISE Discretionary Grants Program requesting federal funds in the amount not to exceed \$25,000,000 and providing a local match not to exceed \$11,000,000 for the High Street Corridor Safety and Mobility



Improvements Initiative. (L0267-22) (Peacher/Scott)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

**u**

Authorization to amend Resolution No. 457-2020, authorizing the acceptance of deeds for property interests needed for the New Circle Road Trunk Sewers A & B Project, a Remedial Measures Project required by the Consent Decree, increasing the cost of acquisition of easements by \$40,000.00, from \$51,000.00 to \$91,000.00. Funds are budgeted. (L068-22) (Martin/Albright)

**..Summary**

Authorization to amend Resolution No. 457-2020, authorizing the acceptance of deeds for property interests needed for the New Circle Road Trunk Sewers A & B Project, a Remedial Measures Project required by the Consent Decree, increasing the cost of acquisition of easements by \$40,000.00, from \$51,000.00 to \$91,000.00. Funds are budgeted. (L068-22) (Martin/Albright)

Budgetary Implications [select]: Yes

Advance Document Review:

**Law:** Yes, Completed by Michael Cravens 3/3/2022

**Risk Management:** No

Fully budgeted [select]: Yes

Account Number: 4003-303408-3466-92811

This Fiscal Year Impact: \$40,000

Annual Impact: \$

Project: NEWCIR\_TRUNK\_A

Activity: CONSENT\_DE

Budget Reference: 2019

Current Balance: \$6,488,690.98

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

**v**

Authorization to execute an amendment to a sub-recipient agreement with Community Action Council and allocate \$10,530,000.00 of Emergency Rental Assistance grant funds from the U.S. Department of the Treasury for the continued operation of the Housing Stabilization Program. A budget amendment is in process. (0269-22) (Lanter)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion**

**PASSED by unanimous vote.**

**W**

Authorization to execute Supplemental Agreement No. 1 with the Kentucky Transportation Cabinet to amend the funding agreement for Mt Tabor Road Multimodal Improvements Project (Item No 07-003721.00), as funded under the Congestion Mitigation and Air Quality (CMAQ) Program, moving funds from the utility phase to the construction phase. A budget amendment will be processed. (L0270-22) (Burton/Albright)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**

**X**

Authorization to enter into a Memorandum of Agreement with Bluegrass Community and Technical College (BCTC) to set forth and ensure compliance with any and all terms and conditions of the participation of fire personnel in college courses associated with the Fire Academy, with the opportunity for these personnel to earn BCTC credits that apply toward an Associate of Fire Science Degree. Costs not to exceed \$45,000.00. Funds are budgeted. (L0257-22) (Wells/Armstrong)

**A motion was made by Council Member Liz Sheehan, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/17/2022.The motion PASSED by unanimous vote.**