

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Thursday, March 19, 2020

6:00 PM

Council Chambers

Urban County Council

I. Roll Call

Present 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger II; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Absent 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

II. Invocation**III. Public Hearing****IV. Ordinances – Second Reading****1.**

An Ordinance re-establishing and continuing, pursuant to KRS 91.750, *et seq.*, the “Downtown Lexington Management District”, previously created and established pursuant to Ordinance No. 52-2015, and providing for its boundaries; a fifteen member Board, the requirements and appointing process for Board members, and their term limits; the powers of the Board; a fiscal year commencing on July 1st, the undertaking of economic improvements by the Board; a budget and audit process; an Affirmative Action Plan; public information; an assessment not to exceed \$.10 of \$100 of the Assessed Property Value for each assessed property within the district; a contesting and appeal process; liens; an Annual Report to property owners; ethical requirements on Board members; termination of the district on July 1, 2025 unless re-established by the Urban County Council in accordance with state statute; board guidelines; Contracting requirements; management, marketing, and administration; reporting requirements; an Advisory Council to the Board; severability; all effective upon date of passage. [Mayor's Office, Atkins]

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

Aye: 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Nay: 0

Absent: 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

2.

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 Farmer, Jr., seconded by Council Member Ellinger, that this Ordinance be Approved. The motion Passed by the following vote:

Aye: 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Nay: 0

Absent: 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

4.

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, Schedule No. 40. [Div. of Budgeting, Lueker]

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

Aye: 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Nay: 0

Absent: 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

6.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,000 to provide funds for Council Projects in the Div. of Parks and Recreation to install a fence at Burley Park and appropriating and re-appropriating funds, Schedule No. 42. [Div. of Budgeting, Lueker]

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

Aye: 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Nay: 0

Absent: 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

7.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$27,000 to provide funds for Council Projects in the Div. of Parks and Recreation for a pedestrian safety project at the Tates Creek

Golf Course and Aquatic Center and appropriating and re-appropriating funds, Schedule No. 44. [Div. of Budgeting, Lueker]

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

Aye: 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Nay: 0

Absent: 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

5. An Ordinance imposing an annual assessment on the real property located at 1810 Bryant Rd. pursuant to the Energy Project Assessment District Program created by Ordinance No. 24-2018 and KRS 65.205 et seq (the Energy Project Assessment District (EPAD) Act of 2015) in the amount provided in the related notice of assessment; authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the notice of assessment, EPAD Program Financing Agreement, and other related Agreements with Rainmaker Holdings VII LLC; SSHCOF III Pace Lexington, LLC; and the Fayette County Sheriff; authorizing and directing the Dept. of Finance to remit the amounts received from the assessments, minus an administrative fee, to the applicable lender; and authorizing and directing the administrator of the EPAD Program to file the notice of assessment in the records of the Fayette County Clerk; all which shall be effective upon passage of Council. [Dept. of Finance, O'Mara]

A motion was made by Council Member Preston Worley, seconded by Council Member Chuck Ellinger II, that this Ordinance be Removed From Docket. The motion PASSED by unanimous vote.

3. An Ordinance of Lexington-Fayette Urban County Government authorizing the issuance of Lexington-Fayette Urban County Government General Obligation Pension Funding Refunding Bonds, Series 2020A (federally taxable), in one or more subseries, in an aggregate principal amount of \$17,775,000 (which amount may be increased by an amount of up to ten percent (10%)) for the purpose of refunding all or a portion of the outstanding principal amount of Lexington-Fayette Urban County Government Taxable General Obligation Pension Funding Bonds, Series 2012A; approving a form of bond; authorizing designated officers to execute and deliver the bonds; providing for the payment and security of the bonds; creating a Bond Payment Fund and Escrow Funds; maintaining the heretofore established Sinking Fund; authorizing a Certificate of Award for the acceptance of the bid of the bond purchaser for the purchase of the Series 2020A Bonds; authorizing an Escrow Trust Agreement; and repealing inconsistent ordinances. [Council Office,

Maynard]

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

Aye: 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Nay: 0

Absent: 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

V. Resolutions – Second Reading

1. A Resolution of the Lexington-Fayette Urban County Government authorizing the advertisement for bids and the distribution of a Preliminary Official Statement for the purchase of the principal amount of its General Obligation Pension Funding Refunding Bonds, Series 2020A (federally taxable) in an aggregate principal amount of \$17,775,000 (which amount may be increased by an amount of up to ten percent (10%)). [Council Office, Maynard]

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

Aye: 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Nay: 0

Absent: 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

2. A Resolution adopting Expansion Area Exaction Rate Tables for January 1, 2015 and March 1, 2020 for roads, parks, stormwater, open space, sewer transmission and sewer capacity to reflect actual and/or Contracted costs for eligible system improvements constructed for the Dept. of Finance, the Dept. of Environmental Quality and Public Works, and the Div.s of Planning and Engineering, and further authorizing and directing the administration to engage necessary consultants to perform a comprehensive review of the existing exactions program to determine whether alternatives exist to equitably allocate and distribute the costs of improvements in the expansion areas, with the ultimate objective of bringing the program to a full and final conclusion. [Council Office, Maynard]

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

Aye: 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Nay: 0

Absent: 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

VIII. Resolutions – First Reading

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$76,243 Federal funds, and are for the continuation of the Street Sales Drug Enforcement Project for FY 2021. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 3/19/2020

A motion was made by Council Member James Brown, seconded by Council Member Bill Farmer, Jr., that this Resolution be Suspended Rules for Second Reading. The motion PASSED by majority vote (F. Brown voted NO).

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

Aye: 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Nay: 0

Absent: 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit four (4) Grant Applications to the Ky. Office of Homeland Security and to provide any additional information requested in connection with these Grant Applications, which Grant funds are in the total amount of \$78,845 in Federal funds, under the Homeland Security Grant Program for Fiscal Year 2020, and are for the purchase of a structural Collapse Specialist Course (\$53,000), Hazmat Camera (\$10,078), Firelite Skid Mounted Tank/Pump/Reel Ensemble (\$8,000), and a Plum Case (\$7,767). [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 3/19/2020

A motion was made by Council Member James Brown, seconded by Council Member Bill Farmer, Jr., that this Resolution be Suspended Rules for Second Reading. The motion PASSED by majority vote (F. Brown voted NO).

A motion was made by Council Member Farmer, Jr., seconded by Council Member Ellinger, that this Resolution be Approved. The motion Passed by the

following vote:

Aye: 11 - Amanda Bledsoe; Fred Brown; James Brown; Chuck Ellinger; Angela Evans; Bill Farmer, Jr.; Susan Lamb; Richard Moloney; Kathy Plomin; Jennifer Reynolds and Preston Worley

Nay: 0

Absent: 3 - Steve Kay; Josh McCurn and Jennifer Mossotti

VI. Fire/Police Discipline - YES

VII. Announcements

VIII. Public Comments

Adjournment