

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Tuesday, August 10, 2021

3:00 PM

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, Hannah LeGris, Susan Lamb, Liz Sheehan, David Kloiber, Preston Worley, Fred Brown, Whitney Elliot Baxter, Amanda Bledsoe, and Jennifer Reynolds
- Absent** 1 - Kathy Plomin

II. Requested Rezonings/ Docket Approval

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

A motion was made by Council Member Richard Moloney, seconded by Council Member James Brown, that this Resolution be Approved and Referred to Docket without Hearing.and sent to the Urban County Council to return on 8/12/2021.The motion PASSED by unanimous vote.

An Ordinance changing the zone from a Restricted Highway Service Business (B-3) zone to a Restricted Highway Service Business (B-3) zone with modified conditional zoning, for 16.4 net (20.68 gross) acres, for property located at 3801, 3901 and 3955 Harrodsburg Rd. (Fountains at Palomar; Council District 10). Approval 10-0 (To Be Heard By September 22, 2021) [Div. of Planning, Duncan]

A motion was made by Council Member Amanda Bledsoe, seconded by Council Member Richard Moloney, that this Ordinance be Approved and Referred to Docket without Hearing.and sent to the Urban County Council to return on 8/12/2021.The motion PASSED by unanimous vote.

An Ordinance changing the zone from a Townhouse Residential (R-1T) zone to a High Density Apartment (R-4) zone, for 0.46 net and (1.39 gross) acres, for property located at 850 DeRoode St. (WEK Jr. Investments, LLC; Council District 2). Approval 11-0 (To Be Heard By September 22, 2021) [Div. of Planning, Duncan]

A motion was made by Council Member Josh McCurn, seconded by Council Member Fred Brown, that this Ordinance be Approved and Referred to Docket without Hearing.and sent to the Urban County Council to return on 8/12/2021.The motion PASSED by unanimous vote.

III. Approval of Summary

- a** Table of Motions: Council Work Session, July 6, 2021

A motion was made by Council Member Preston Worley, seconded by Council Member Chuck Ellinger II, 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. 0005.

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 8/12/2021.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 \$450.00 FOR THE DIVISION OF TRAFFIC ENGINEERING FOR SPEED HUMPS ON DEPORRES AVENUE, SCHEDULE NO. 0006.

A motion was made by Council Member James Brown, 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 8/12/2021.The motion PASSED by unanimous vote.

AN ORDINANCE AMENDING CERTAIN OF THE BUDGETS OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT TO PROVIDE FUNDS FOR PURCHASE ORDERS AND PRE-PAID EXPENSES ROLLING FROM FY 2021 INTO FY 2022, AND APPROPRIATING AND RE-APPROPRIATING FUNDS, SCHEDULE NO 0004.

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 8/12/2021.The motion PASSED by unanimous vote.

V. New Business

VI. Continuing Business/ Presentations

a Neighborhood Development Funds: August 10, 2021

A motion was made by Council Member James Brown, 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 8/12/2021.The motion PASSED by unanimous vote.

b Committee Summary: Planning & Public Safety, July 6, 2021

A motion was made by Council Member James Brown, 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 return on 8/10/2021.The motion PASSED by unanimous vote.

c Public Hearing: Residential Parking Permit Program (RPPP), 500 Block of Fairfield Drive

e Presentation: FY2022 Ad Valorem Options; By: Melissa Lueker

A motion was made by Council Member Amanda Bledsoe, 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 return on 8/26/2021. The motion PASSED by unanimous vote.

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A motion was made by Council Member Amanda Bledsoe, 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 return on 8/26/2021. The motion PASSED by unanimous vote.

VII. Council Reports

VIII. Mayor's Report

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

Administrative Synopsis - New Business Items

- a** Authorization to execute Lease Agreements for residential park caretaker properties with the following individuals for the listed properties in consideration of the sums stated in annual rent: Hollis Harvill for 705 Caden Lane, \$5,400.00; Robert Craig for 3561 Shamrock Lane, \$6,600.00, Fred Williamson for 4051 Richmond Rd., \$2,200.00 and Samuel Garcia for 3990 Raven Run Way, \$7,080.00. Revenue for FY2022 is \$20,690.00 (L0723-21) (Conrad/Ford)
- Approved and Referred to Docket to the Urban County Council due back on 8/12/2021**
- b** Authorization to execute an agreement with the Kentucky Transportation Cabinet (KYTC) to accept 0.228 acres located at 2931 Leestown Road. No budgetary impact. (L0724-21) (Conrad/Ford)
- Approved and Referred to Docket to the Urban County Council due back on 8/12/2021**
- c** Authorization to enter into an agreement with Century Equipment as a sole source provider for genuine Toro parts for the repair of Toro mowers. (L0725-21) (Baradaran/Ford)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.**
- d** Authorization to approve the Fayette County Sheriff's Settlement - 2020 Taxes, for taxes collected as of April 15, 2021 and granting the Sheriff a Quietus. Budgeted and paid for in FY2021. (L0727-21) (Hensley)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.**
- e** Authorization for the Division of Water Quality to purchase GPS hardware and database maintenance services from Routeware, Inc., a sole source provider, and to execute any necessary agreement with Routeware, Inc., related to the procurement, at a cost estimated not to exceed \$43,905.36. Funds are budgeted. (L0732-21) (Martin/Albright)
- Approved and Referred to Docket to the Urban County Council due back on**

8/12/2021

- f** Authorization for the Div. of Streets and Roads to purchase snowplow parts from J. Edinger and Sons, a sole source provider and to execute any necessary Agreement with J. Edinger and Sons, related to the procurement. (L0733-21) (Allen/Albright)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.**
- g** Authorization to execute a Memorandum of Understanding with the Downtown Lexington Partnership for presentation of public events on behalf of and in partnership with the LFUCG, including Luminate Lexington Christmas Tree Lighting, Christmas Parade, and Thursday Night Live. No budgetary impact. (L0734-21) (Lyons)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.**
- h** Authorization for approval of an order for GPS monthly service fees from Sole Source provider Routeware, at a cost not to exceed \$33,020.46. Approval will allow GPS services to track vehicles while they are in service. Funds are budgeted. (L0735-21) (Allen/Albright)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.**
- i** Authorization certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the Kearney Ridge and Beaumont Woods Detention Basin Improvements Project, at a cost not to exceed \$1,308.00. Funds are budgeted. (L0736-21) (Martin/Albright)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.**
- j** Authorization to approve Excellance Ambulances, maker of ambulances and ambulance remounts as a sole service provider for the Division of Fire and Emergency Services and to execute any necessary agreements with Excellance Ambulances related to the procurement of these goods not to exceed \$750,000.00. Funds are budgeted. (L0737-21) (Wells/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

k

Authorization to execute a certificate of consideration and any other necessary documents, and to accept a deed for the property located at 2220 Thunderstick Drive, for the North Elkhorn Wet Weather Storage Tank Project, a Remedial Measures Project required by the Consent Decree, and authorizing payment in the amount of \$415,000, plus usual and appropriate closing costs. Funds are budgeted. (L0738-21)
(Martin/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

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Authorization to approve the Purchase of Service Agreement with Lexington-Fayette Animal Care and Control, LLC in the amount of \$1,529,403.00. Funds are budgeted. (L0741-21) (Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

m

Approval to accept in-kind donations in the amount of \$6,707.90 from Spectrum, the Lexington Public Library, First5 Lex, Bluegrass Community & Technical College, and the International Book Project for the Black & Williams Neighborhood Reading Room. No budgetary impact. (L0744-21) (Sanders/Allen-Bryant)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

n

Authorization to execute an amendment to the Housing Choice Voucher Program Purchase of Service agreement Resolution #421-2020 from September 18, 2020. This amendment will continue the partnership and expand the program to meet the increased need of households with housing instability by amending the benefit standard to up \$4000 per household (the additional maximum benefit must be made available to previous recipients) and continuing the program until December 31, 2021, as funds are available. No budgetary impact. (L0745-21)
(Allen-Bryant)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

- o** Authorization to execute a Purchase of Service Agreement with Bluegrass Area Development District for regional match to state Homecare funds, at a cost of \$48,610. LFUCG's contribution represents grant match to the state-funded Homecare program. Bluegrass ADD operates the Homecare Program, which provides in-home assistance for low-income, home-bound seniors in Fayette County. Funds are budgeted. (L0747-21) (Stambaugh/Allen-Bryant)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

- p** Authorization to execute a Purchase of Service Agreement and Exhibits A & B with the Bluegrass Area Development District (ADD) for local member dues, in the amount of \$58,600. Funds are budgeted. (L0748-21) (Allen-Bryant)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

- q** Approval to accept in-kind donation of sixteen Chromebooks for the participants in Partners for Youth's Metro C.A.T.S. Program from Anthem Kentucky Medicaid. No budgetary impact. (0749-21) (Sanders/Allen-Bryant)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

- r** Authorization to execute Purchase of Service Agreements with 29 Extended Social Resource (ESR) Program - Community Based Initiatives grantee agencies, pursuant to RFP #10-2021 Community Wellness and Safety; RFP #11-2021 Childhood and Youth Development; and RFP #12-2020 Food Insecurity and Nutritional Access, at a cost of \$2,198,878. A total of 31 programs will be funded. Funds are budgeted. (L0750-21) (Allen-Bryant)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

- s** Approval for the implementation of two databases, one for Electronic

Monitoring and one for Adult Probation, for The Division of Community Corrections, at a cost of \$9,860.00. Funds are budgeted. (L0751-21) (Farmer/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

t

Authorization to execute Change Order #2 to the agreement with Hazen & Sawyer, P.S.C., for Sanitary Sewer Remedial Measures Program Management Consulting Services, increasing the contract price by the sum of \$900,000.00, from \$1,800,000.00 to \$2,700,000.00, and extending the contract through August 29, 2022. Funds are budgeted. (L0752-21) (Martin/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

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Authorization to execute Change Order No. 2 to the agreement with Todd Johnson Contracting, Inc., for the Jimmie Campbell Bridge Project, increasing the contract price by the sum of \$11,048.78, from \$291,091.54 to \$302,140.32. Funds are budgeted. (L0757-21) (Martin/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

v

Authorization to transfer one (1) classified position of Administrative Officer (Grade 523E) and the incumbent along with the funds associated with the position from the Division of Facilities and Fleet Management to the Division of Parks and Recreation, effective August 16, 2021. The transfer of this position is to expand the administrative capacity and support the operational efficiency at the Division of Parks and Recreation. There is no fiscal impact associated with this action. (L0763-21) (Maxwell/Hamilton)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

- w** Authorization to amend the classified civil service authorized strength by abolishing and creating positions as approved in the FY 2022 budget process, to become effective July 1, 2021. The fiscal impact for FY 2022 (26 pay periods) will be budget neutral. All funding for the new positions is included in the FY 2022 approved budget. (L0765-21)
(Maxwell/Hamilton)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.**
- x** Authorization to accept award of \$4,000 from the Energy and Environment Cabinet Department of Environmental Protection Division of Waste Management for waste tire disposal/recycling for Fiscal Year 2022. Budget amendment in process. (L0766-21) (Thurman/Albright)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.**
- y** Authorization to accept \$250,000 of grant funds from the American Water Charitable Foundation and National Recreation and Park Association for the design and construction of a nature inspired water play area in Charles Young Park called Splash! No matching funds required. Budget amendment in process. (L0767-21) (Conrad/Ford)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.**
- z** Authorization to accept an award of federal funds from Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc., in the amount of \$41,544 for provision of early childhood care and education services under the Head Start Program at the Family Care Center for FY 2022. The acceptance obligates the government to provide match of \$12,353. Budget amendment in process. (L0769-21)
(Rodes/Allen-Bryant)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by majority vote (Council Member Jennifer Reynolds abstained).**
- aa** Authorization to abolish one (1) vacant classified civil service position of Program Specialist (Grade 513E) and create one (1) classified civil service position of Administrative Specialist Sr. (Grade 516N) in the Office of the Mayor, effective upon passage of Council. The purpose of

this request is to provide administrative duties for the international center and multicultural efforts, to support substantial grant funding and to provide program development and management. This will have a future impact of a cost of \$8,453.68 and funds are budgeted. (0770-21) (Maxwell/Hamilton)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

bb

Authorization to a test licensing agreement between Stanard and Associates, Inc. and the Lexington-Fayette Urban County Government in order to administer their Police Officer Selection Test (POST) for police recruit candidates. Cost not to exceed \$7,500 and will be funded from the division's Professional Services/Police account (1101-160502-1821-71299). Funds are budgeted. (L0771-21) (Maxwell/Hamilton)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

cc

Authorization to accept award of \$94,818.62 for Pam Miller Downtown Arts Center, Moondance and Ballet Under the Stars and an award of \$327,411.13 for the Kentucky Theater from the Small Business Administration for lost revenue during the COVID-19 pandemic. No matching funds required. Budget amendment will be initiated. (L0772-21) (Conrad/Ford)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.

dd

Authorization to execute 2nd year continuation Purchase of Service PSAs with economic development partner agencies at a total cost of \$298,744.60 funded by Local Recovery Funds from the American Rescue Plan Act (ARPA). (L0774-21) (Atkins)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/12/2021.The motion PASSED by unanimous vote.