

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Tuesday, March 21, 2023

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

I. Public Comment - Issues on Agenda

Present 12 - Dan Wu, James Brown, Chuck Ellinger, Shayla Lynch, Liz Sheehan, Denise Gray, Preston Worley, Fred Brown, Whitney Elliott Baxter, Dave Sevigny, Jennifer Reynolds, and Kathy Plomin

Absent 3 - Tayna Fogle, Hannah LeGris, and Brenda Monarrez

II. Requested Rezonings/ Docket Approval

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

A motion was made by Council Member Liz Sheehan, seconded by Council Member Dan Wu, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

A motion was made by Council Member Liz Sheehan, 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 3/23/2023.The motion PASSED by unanimous vote.

A motion was made by Council Member Jennifer Reynolds, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

An Ordinance changing the zone from a Highway Service Business (B-3) zone to a Light Industrial (I-1) zone for 0.823 net (1.037 gross) acres, for property located at 1793 Atoma Dr. (Goodwill Industries of Ky., Inc.; Council District 2). Approval 9-0 (To Be Heard By May 24, 2023) [Div. of Planning, Duncan]

A motion was made by Council Member Shayla Lynch, seconded by Council Member Whitney Elliott Baxter, that this Ordinance be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Light Industrial (I-1) zone for 1.80 net (2.22 gross) acres, for property located at 1301 Winchester Rd. (Eastland Legacy Center, Inc.; Council District 1). Approval 9-0 (To Be Heard By May 24, 2023) [Div. of Planning, Duncan]

A motion was made by Council Member James Brown, seconded by Council Member Dan Wu, that this Ordinance be Approved and Referred to Docket without Hearing.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

An Ordinance changing the zone from Planned Neighborhood (R-3) zone to a Neighborhood Business (B-1) zone, for 0.2916 net (0.3516 gross) acres, for property located at 507 S. Limestone (a portion of). (Dutch Bros, LLC; Council District 3). Disapproval 8-1 (To Be Heard By May 24,

2023) [Div. of Planning, Duncan]

A motion was made by Council Member Preston Worley, seconded by Council Member Chuck Ellinger II, that this Ordinance be Postponed to the 4 -18-23 Work Session (4-20-23 Work Copy Docket)..The motion PASSED by unanimous vote.

III. Approval of Summary

a Table of Motions: Council Work Session, March 14, 2023

A motion was made by Council Member Kathy Plomin, seconded by Council Member Dave Sevigny, 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 2023 SCHEDULE NO. 0032.

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 3/23/2023.The motion PASSED by unanimous vote.

V. Budget Adjustments - For Information Only

VI. New Business

VII. Continuing Business/ Presentations

a Neighborhood Development Funds: March 21, 2023

A motion was made by Council Member Dan Wu, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

b Council Capital Projects: March 21, 2023

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

c Summary: Budget, Finance and Economic Development Committee, February 28, 2023

Received and Filed

d Presentation: Cardinal Run Park North, Phase I Development; By: Pat Hoagland, Brandstetter Carroll, Inc.

Received and Filed

e Presentation: Community & Resident Services, Proposed Ordinance Changes for Financial Programs; By: Charlie Lanter

Received and Filed

VIII. Council Reports

Present 11 - Dan Wu, James Brown, Chuck Ellinger, Shayla Lynch, Liz Sheehan, Denise Gray, Preston Worley, Whitney Elliott Baxter, Dave Sevigny, Jennifer Reynolds, and Kathy Plomin

Absent 4 - Tayna Fogle, Hannah LeGris, Brenda Monarrez, and Fred Brown

IX. Mayor's Report

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

X. Mayor's Report - Price Contract Bid Recommendations

XI. Public Comment - Issues Not on Agenda

XII. Adjournment

A motion was made by Council Member Elliott Baxter, seconded by Council Member Gray, 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 Facility Usage and Concession Agreements with various youth baseball and softball leagues granting the leagues the right to use LFUCG baseball and softball fields and facilities for the 2023 calendar year. [Div. of Parks and Recreation, Conrad]
- A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.**
- b** Authorization to approve a Class B Infrastructure Stormwater Quality Projects Incentive Grant for The Fayette County Public Schools Education Foundation Corporation in the amount of \$360,000.00. Funds are budgeted. (L0273-23) (Martin/Albright)
- A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by majority vote (Council Member Gray recused.)**
- c** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Seagrave Fire Apparatus, for two custom Fire Engine Capital Pumpers with a 1000 GL Tank, at a cost not to exceed \$1,869,224. [Div. of Fire and Emergency Services, Wells]
- A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.**
- d** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Seagrave Fire Apparatus, for a Custom Fire Engine Capital Pumper, at a cost not to exceed \$981,513. [Div. of Fire and Emergency Services, Wells]
- A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.**
- e** An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Administrative Specialist, Grade 519N, and creating one (1) Classified Civil Service Position of Heavy Equipment Technician, Grade 519N, in the Div. of Fire and Emergency Services, effective upon passage by Council. [Div. of Human Resources, Walters]

.Summary

Authorization to abolish one (1) classified position of Administrative Specialist (Grade 516N) and create one (1) classified position of Heavy Equipment Technician (Grade 519N) in the Division of Fire and Emergency Services, effective upon passage of Council. This action has a 12-month future impact of a cost of \$8,945.71 and funds are Budgeted. (L0296-23) (Walters/Hamilton)

Budgetary Implications: Yes

Advance Document Review:

Law: No

Risk Management: No

Fully Budgeted: Yes

Account Number: 1101-505701-5701-63111

This Fiscal Year Impact: \$

Annual Impact: \$

Project:

Activity:

Budget Reference:

Current Balance:

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

f A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Citizens Police Academy Alumni Association of various items, 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 Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by majority vote (Council Member Gray recused.)

g An Ordinance amending the authorized strength by abolishing two (2) classified positions of Maintenance Supervisor, Grade 519E, and one (1) classified position of Pump Station Supervisor, Grade 520E, and creating two (2) classified positions of Maintenance Supervisor, Grade 519N, and one (1) classified position of Pump Station Supervisor, Grade 520N, in the Div. of Water Quality, thereby changing the Fair Labor Standards Act (FLSA) status of the position from exempt to non-exempt; transferring all incumbents to the non-exempt position; and converting the biweekly salary of all incumbents to an hourly rate of pay, effective the first payroll Monday following passage of Council. [Div. of Human Resources,

Walters]

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

h

Authorization to accept the Statement of Affiliation agreement authorizing The Rescue Squad as the only rescue squad officially recognized by and affiliated with the LFUCG, the Division of Emergency Management, and the Kentucky Divisions of Emergency Management. No budgetary impact. (L0305-23) (Dugger/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

i

A Resolution authorizing the Div. of Community Corrections to purchase communication software from Interview Now Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Interview Now Inc., related to the procurement, at a cost not to exceed \$9,000. [Div. of Community Corrections, Colvin]

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

j

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Agreement with George E. Ley Co. for the Lakeside Golf Course Irrigation Replacement Project, extending the completion deadline to April 14, 2023. [Div. of Parks and Recreation, Conrad]

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

k

Authorization to establish Idemia Identity & Security USA LLC as a sole source vendor and accept a Maintenance and Support Agreement for the MorphoBis Latent Expert Workstation, an automated fingerprint identification system, effective November 18, 2022 - November 17, 2023, for a cost of \$9,811. Funds are budgeted. (L0313-23) (Weathers/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred

to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

I

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a deed of easement with Ky. Utilities Co., Granting an electric line easement across a portion of the property located at 650 Southpoint Dr., and further authorizing the Mayor to execute any other documents necessary to transfer the easement, at no cost to the Urban County Government. [Div. of Facilities and Fleet Management, Baradaran]

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

m

Authorization to execute a Purchase of Service Agreement, pursuant to RFP No. 6-2023, with Impressions Marketing & Events, Inc. to perform marketing, communication, and project management services for the Tree Canopy Ad Hoc Committee at a cost of \$144,000.00. Funds are budgeted. (L0319-23) (Carey/Albright)

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

n

A Resolution accepting the Collective Bargaining Agreement by and between the Lexington-Fayette Urban County Government and Lexington Professional Firefighters, IAFF Local 526, on behalf of Majors in the Div. of Fire and Emergency Services. [Dept. of Law, Speckert]

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

o

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement and Addendum with Sonitrol of Lexington, Inc.,, for monitoring services at the firing range, at a cost not to exceed \$2,125 plus \$75 per month. [Div. of Police, Weathers]

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

p

Authorization to execute the amendment to an agreement with NAMI

Lexington to extend the period of performance to June 30, 2023, and to execute any other agreements or amendment with NAMI Lexington related to the use of these funds. No budgetary impact. (L0322-23) (Reynolds/Lanter)

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

- q** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Federalwide Assurance for the protection of human subjects for institutions within the United States, and any other necessary Agreements or documents, related to the Barrier Free Re-Entry and Recovery Initiative (BFREE), at no cost to the Urban County Government. [Dept. of Social Services, Allen-Bryant]

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

- r** Authorization to execute an amendment to the agreement with Main Street Baptist Church Manor, Inc. under the HOME Investment Partnerships Program to extend the period of performance through July 1, 2023. (L0325-23) (Reynolds/Lanter)

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

- s** Authorization to accept award of federal funds in the amount of \$3,000,000 in congressionally directed spending Economic Development Initiative/Community Project Funding (CPF), administered by the Department of Housing and Urban Development, for the William Wells Brown land acquisition and construction project; and to execute an agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc. in the amount of \$3,000,000. No match required. (L0326-23) (Reynolds/Lanter)

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

- t** Authorization to execute an agreement with L-M Asphalt Partners, Ltd., dba ATS Construction, in the amount of \$1,709,072.11 for construction of the Mt. Tabor Road Multimodal Improvements Project. This authorization shall be contingent upon the anticipated pending approval from KYTC to award the contract. (L0327-23) (Burton/Albright)

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

- u** Authorization to execute a deed of conveyance, and any other necessary documents, for the acceptance of donated land and property at 2490 Paris Pike (Floyd Estate Fairway Farm) for use as a public park. (L0328-23) (Conrad/Ford)

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.

- v** Authorization to amend classified and unclassified civil service authorized strength, to include changes in classification, pay grade and pay resulting from the Administrative Review Process. The Division of Human Resources received a total of 217 requests for review. At this time, all requests have been thoroughly studied and their outcomes have been reviewed with the CAO and respective Commissioners. Changes that resulted from our review will be effective November 7, 2022, the implementation date of the compensation study with an approximate cost of \$225,000. Funds are budgeted. (L0332-23) (Walters/Hamilton)

A motion was made by Council Member Whitney Elliott Baxter, seconded by Council Member Denise Gray, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 3/23/2023.The motion PASSED by unanimous vote.