

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Tuesday, September 26, 2023

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

I. Public Comment - Issues on Agenda

- Present** 13 - Dan Wu, James Brown, Chuck Ellinger, Tayna Fogle, Shayla Lynch, Hannah LeGris, Brenda Monarrez, Liz Sheehan, Denise Gray, Fred Brown, Whitney Elliott Baxter, Jennifer Reynolds, and Kathy Plomin
- Absent** 2 - Preston Worley, and Dave Sevigny

II. Requested Rezonings/ Docket Approval

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 9/28/2023.The motion PASSED by unanimous vote.

A Resolution amending Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, as follows: amending Section 4.106 relating to public comment during meetings, to set forth the process for public comment at Council Meetings and Council Work Sessions and to adopt guidelines for public participation at Council Meetings and Council Work Sessions; amending Section 4.107 relating to distribution of informational materials by members of the public during meetings, to provide for materials to be distributed to Council by placement in a tray outside Council Chambers; and amending Section 4.108 relating to public hearings and public forums, to delete a redundant provision related to public comment. [Council Office, Thompson]

A motion was made by Council Member Hannah LeGris, 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 9/28/2023.The motion PASSED by unanimous vote.

III. Approval of Summary

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A motion was made by Council Member Dan Wu, seconded by Council Member Kathy Plomin, 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 2024 SCHEDULE NO. 0014.

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion

PASSED by unanimous vote.

V. Budget Adjustments - For Information Only

VI. New Business

- Present** 14 - Dan Wu, James Brown, Chuck Ellinger, Tayna Fogle, Shayla Lynch, Hannah LeGris, Brenda Monarrez, Liz Sheehan, Denise Gray, Preston Worley, Fred Brown, Whitney Elliott Baxter, Jennifer Reynolds, and Kathy Plomin
- Absent** 1 - Dave Sevigny

VII. Continuing Business/ Presentations

a Neighborhood Development Funds September 26, 2023

A motion was made by Council Member Chuck Ellinger II, seconded by Council Member Tayna Fogle, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 9/28/2023.The motion PASSED by unanimous vote.

b AN ORDINANCE AMENDING CERTAIN OF THE BUDGETS OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT TO REFLECT CURRENT REQUIREMENTS FOR FUNDS IN THE AMOUNT OF \$75,000 TO PROVIDE FUNDS FOR COUNCIL CAPITAL PROJECTS IN THE DIVISIONS OF PARKS AND RECREATION AND TRAFFIC ENGINEERING, AND APPROPRIATING AND RE-APPROPRIATING FUNDS, SCHEDULE NO. 0016.

A motion was made by Council Member Dan Wu, 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 9/28/2023.The motion PASSED by unanimous vote.

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Received and Filed

VIII. Council Reports

IX. Mayor's Report

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

X. Mayor's Report - Price Contract Bid Recommendations

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

XI. Public Comment - Issues Not on Agenda

A motion was made by Council Member Dan Wu, seconded by Council Member Tayna Fogle, that this Agenda Item be Approved and Referred to Docket and sent to the Urban County Council to return on 9/28/2023. The motion PASSED by unanimous vote.

XII. Adjournment

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

Administrative Synopsis - New Business Items

- a** Authorization to execute an agreement with Davis Park Station, LLLP. in the amount of \$950,000 in federal funds from the American Rescue Plan Act under the U.S. Department of Housing and Urban Development HOME Investment Partnerships Program to construct five (5) units to provide housing and supportive services to individuals and households who are homeless, at risk of homelessness, and other vulnerable populations. (L0724-23) (Reynolds/Lanter)
- A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.**
- b** Authorization to approve a third amendment of Resolution No. 457-2020, increasing the easement acquisition budget by \$30,635.00, from \$132,413.27 to \$163,048.27, for the New Circle Road Trunks A and B Consent Decree Project. This recommended increase is necessary for remaining property interest(s) currently in condemnation proceedings. Funds are budgeted. (L0938-23) (Martin/Albright)
- A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.**
- c** Authorization to execute a release of a partial sanitary easement at 555 East Fifth Street. The easement is no longer needed because the facilities in the easement will be removed or safe-loaded. No budgetary impact. (L0941-23) (Martin/Albright)
- A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.**
- d** Authorization to execute a Purchase of Service Agreement and Exhibits A & B with the Bluegrass Area Development District (ADD) for access to resources related to aging services, workforce development, and regional planning. Local member dues in the amount of \$61,288.30 are budgeted. (L0942-23) (Allen-Bryant)
- A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.**
- e** Authorization to execute a Purchase of Service Agreement with Bluegrass Area Development District to provide the regional match in the

amount of \$48,610 to the state-funded Homecare program operated by Bluegrass ADD. Funds are budgeted. (L0943-23) (Stambaugh/Allen-Bryant)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- f** Authorization to execute an Agreement, Addendum and Community Crime Map with LexisNexis Risk Solutions to allow the Lexington Police Department to share crime data with the public for a one (1) year term with automatic one (1) year renewals. Cost for the initial year is \$4,800. Funds are budgeted. (L0944-23) (Weathers/Armstrong)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- g** Authorization to enter into an agreement with Atlantic Emergency Solutions for a full refurbishment of a 2003 Pierce Dash Ladder Truck currently owned by the LFUCG, in accordance with National Fire Protection Association (NFPA) 1912, at a cost of \$1,151,768. Funds are budgeted. (L0950-23) (Wells/Armstrong)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- h** Authorization to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the Ad Valorem Urban Service District Taxes for the 2023 property tax year, at a cost not to exceed \$350,000, with the payments to be treated as a commission and the Urban County Government to receive any related payment (\$87,500) from the Commonwealth of Ky. Funds are budgeted. (L0951-23) (Hensley)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- i** Authorization to accept a donation of 200 Deterra (Medium Pouches) Drug Deactivation System bags from the Kentucky Office of the Attorney General for the Community Paramedicine Program. (L0952-23) (Wells/Armstrong)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- j Authorization to execute Change Order No. 3, in the amount of \$9,740 with EOP Architects for design services for the Government Center Elevator Replacement, increasing the contract from \$96,172.28 to \$105,912.28. Funds are budgeted. (L0959-23) (Baradaran/Ford)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- k Authorization to execute an Agreement with the New Life Day Center for extended hours of operation of a homeless day center and improvements to outdoor space including a shaded space, a water filling station, portable toilets, and a portable handwashing station, in an amount not to exceed \$154,959. Budget Amendment in process. (L0960-23) (Herron/Lanter)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- l Authorization to amend the salary range for the position of Council Administrator to \$72,007.52 to \$119,466.88, effective September 18, 2023. All funding is included in the FY 2024 budget. (L0962-23) (Walters/Hamilton)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- m Authorization to increase the salaries of the Pension Board secretaries. On behalf of the Police and Fire Pension Board of Trustees, a motion was approved at the September 13, 2023 board meeting to grant a 16% salary increase to the two board secretaries, Susan Redmon and Tonia Walters. This percentage does not pose an issue for Ms. Walters; however, for Ms. Redmon, the proposed percentage would exceed maximum of the grade. Therefore, we are requesting approval to increase Ms. Walters' salary by 16% and increase Ms. Redmon's salary to the maximum amount allowed for this job classification, effective the beginning of next pay period following passage of Council. This action has a 12-month future impact of a cost of \$14,825.05. Funds are not yet budgeted. If approved, a budget adjustment will be initiated. (L0963-23) (Walters/Hamilton)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- n** Authorization to execute an agreement with the Kentucky Office of Homeland Security under the 2021 State Homeland Security Grant Program, extending the period of performance through June 30, 2024, for the Lexington Police Department Air Support Unit to utilize remaining grant funds for the purchase of thermal camera cabling. (L0970-23) (Weathers/Armstrong)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- o** Authorization to execute FY24 Neighborhood Action Match Program contracts with the following: Andover Forest Homeowners Association (\$7,500), Andover Neighborhood Association, Inc. (\$7,500), Beaumont Residential Association (\$7,500), Bent Tree Condominium Association (\$7,500), Cumberland Hills Association (\$1,782), Dove Creek Townhome Owner's Association (\$7,275), Gleneagles Owner's Association (\$7,500), Gratz Park Neighborhood Association (\$3,000), Heritage Place (\$7,450), Lexington Court Townhomes (\$7,500), Main and Rose Condo Association (\$5,531), Palomar Hills (\$7,450), Palomar Reserve (\$7,500), Pensacola Park (\$2,140), Picadome Neighborhood Association (\$1,500), Pinnacle Homeowners Association (\$7,500), The Gardens of Hartland HOA (\$7,500), West Wind Homeowners Association (\$7,500), and Willow Oak Homeowners Association (\$2,491), for a total cost of \$113,619. Funds are budgeted. (L0971-23) (Reynolds/Lanter)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- p** 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 \$48,309.12 for the provision of early childhood care and education services under the Early Head Start Program at the Family Care Center for FY 2024. A match of \$12,077.28 is required. Budget amendment in process. (L0972-23) (Horton-Holt/Allen-Bryant)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- q** Authorization to accept an additional award of federal funds from the Kentucky Cabinet for Health and Family Services, Department for Community Based Services in the amount of \$264,402 under the American Rescue Plan Act (ARPA) to support child care expenses at the Family Care Center. No matching funds required. (L0973-23) (Horton-Holt/Allen-Bryant)
- A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.**
- r** Authorization to accept award of \$10,000 in state funds from the Kentucky Board of Emergency Medical Services for the purchase EMS training equipment for the training of EMT and Paramedic personnel in the Division of Fire and Emergency Services, for FY 2024. No match is required. (L0974-23) (Wells/Armstrong)
- A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.**
- s** Authorization to execute an agreement with the Kentucky Office of Homeland Security under the 2021 State Homeland Security Grant Program, extending the period of performance through June 30, 2024, for the Lexington Police Department Hazardous Device Unit to utilize remaining grant funds for the purchase of batteries to operate a bomb disposal robot. (L0975-23) (Weathers/Armstrong)
- A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.**
- t** Authorization to accept an award from the Kentucky Justice and Public Safety Cabinet in the amount of \$30,000 for the continuation of the Street Sales Drug Enforcement Project for FY 2024. Match in the amount of \$13,684 is budgeted, for a total project cost of \$43,684. (L0976-23) (Weathers/Armstrong)
- A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.**
- u** Authorization to execute Modification No. 1 to the agreement with the Commonwealth of Kentucky, Department of Military Affairs, Division of Emergency Management to include “if applicable” Agency Terms and Conditions for the Emergency Generator Project at the Division of Streets and Roads. No budgetary impact. (L0977-23)

(Dugger/Armstrong)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- v** Authorization to amend the classified civil service authorized strength by creating ten (10) classified civil service positions of Public Service Worker (Grade 508N) in the Division of Waste Management; and creating one (1) classified civil service position of Public Service Supervisor (Grade 518N) in the Division of Waste Management. The fiscal impact for FY 2024 (26 pay periods) is budget-neutral. All funding for the new positions is included in the FY 2024 approved budget. (0978-23) (Walters/Hamilton)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.

- w** Authorization to close a portion of Concord Drive north of Pine Meadow Road and to quitclaim the city's interest in the former right-of-way to the adjacent property owners (Joel and Jamie Wheeler, and Patrick J. and Cara Dee Cecil) who will accept full responsibility of the maintenance and repair of the portion of right-of-way, at no cost to the Urban County Government. (L0980-23) (Albright)

A motion was made by Council Member Denise Gray, 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 9/28/2023.The motion PASSED by unanimous vote.