

# Lexington-Fayette Urban County Government

200 E. Main St  
Lexington, KY 40507



## Minutes

Tuesday, September 28, 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, Fred Brown, Whitney Elliot Baxter, Amanda Bledsoe, Jennifer Reynolds, and Kathy Plomin
- Absent** 1 - Preston Worley

**II. Requested Rezonings/ Docket Approval**

**A motion was made by Council Member McCurn, seconded by Council Member Elliot Baxter, that the be Approved 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 9/30/2021.The motion PASSED by unanimous vote.**

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone, for 0.53 net (0.62 gross) acre, for property located at 355 American Ave. (Bluegrass Custard, LLC; Council District 3). (To Be Heard By November 24, 2021) [Div. of Planning, Duncan]

**A motion was made by Council Member Hannah LeGris, seconded by Council Member James Brown, that this Ordinance be Approved and Referred to Docket without Hearing.and sent to the Urban County Council to return on 9/30/2021.The motion PASSED by unanimous vote.**

An Ordinance amending Articles 6-4(b) and 7-5(a), (b), (c) and (d) of the Zoning Ordinance to include the notification of both owners and occupants of properties within the designated notification area for Public Hearings. (Planning Commission). Approval of the Staff Alternative Text 8-0 [Div. of Planning, Duncan]

**A motion was made by Council Member Fred Brown, seconded by Council Member Chuck Ellinger II, that this Agenda Item be Refer.and sent to the Planning and Public Safety Committee The motion PASSED by majority vote (Council Member Susan Lamb voted no).**

**III. Approval of Summary**

- a** Table of Motions: Council Work Session, September 21, 2021

**A motion was made by Council Member Steve Kay, 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 2022 SCHEDULE NO. 0012.

**A motion was made by Council Member Chuck Ellinger II, seconded by Council Member Josh McCurn, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 9/30/2021.The motion PASSED by unanimous vote.**

## V. New Business

## VI. Continuing Business/ Presentations

**a** Neighborhood Development Funds: September 28, 2021

**A motion was made by Council Member Susan Lamb, seconded by Council Member Chuck Ellinger II, that this Agenda Item be Amended.The motion PASSED by unanimous vote.**

**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 9/30/2021.The motion PASSED by unanimous vote.**

**b** Committee Summary: Budget, Finance & Economic Development, August 31, 2021

**Received and Filed**

**A motion was made by Council Member Amanda Bledsoe, 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 9/30/2021.The motion PASSED by unanimous vote.**

**c** Presentation: Dantzler Court Greenspace Neighborhood Improvements; By: Kristan Curry & Demetria Mehlhorn

**Received and Filed**

## VII. Council Reports

## VIII. Mayor's Report

**A motion was made by Council Member Plomin, seconded by Council Member Elliot 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 Elliot Baxter, seconded by Council Member Bledsoe, that the be Adjourned The motion PASSED by unanimous vote.**

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## Administrative Synopsis - New Business Items

- a** Authorization to execute Change Order #1 in the amount of \$2,830 with Central Kentucky Sprinkler, Inc. for fire suppression system at Tates Creek Community Center. The original purchase order amount was \$116,000, with a new total of \$118,830. \$37,170 remains in the budget. This change order is to install a new air compressor for the facility's fire sprinkler system and to install a new pump for the existing compressor to provide a backup compressor for a total of \$2,830. Compressor replacement was not anticipated in the initial quote. Funds are budgeted. (L0911-21) (Conrad/Ford)

**A motion was made by Council Member Steve Kay, 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 9/30/2021.The motion PASSED by unanimous vote.**

- b** A Resolution establishing Burdine Security Group as a sole source provider for installing and performing repairs on security systems for LFUCG owned buildings, for the Div. of Facilities and Fleet Management, and authorizing the Mayor or designee, on behalf of the Urban County Government, to execute any necessary Agreements with Burdine Security Group related to the procurement of these goods and services. [Div. of Facilities and Fleet Management, Baradaran]

**A motion was made by Council Member Steve Kay, 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 9/30/2021.The motion PASSED by unanimous vote.**

- c** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Fayette County Public Schools, for transportation services with the Family Care Center, at a cost not to exceed \$91,662.99. [Div. of Family Services, Rodes]

**A motion was made by Council Member Steve Kay, 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 9/30/2021.The motion PASSED by unanimous vote.**

- d** Authorization for approval of an agreement between the Lexington Housing Authority and LFUCG to mitigate sanitary / storm sewer construction punch list obligations associated with Bluegrass-Aspendale

Phases 2 and 3. Approval of the agreement authorizes the Housing Authority to pay Lexington the amount of \$399,000 in exchange for Lexington's acceptance of sanitary / storm infrastructure in its present condition, with an accompanying full release of outstanding letters of credit. (L0946-21) (Martin/Albright)

**A motion was made by Council Member Steve Kay, 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 9/30/2021.The motion PASSED by unanimous vote.**

- e** Authorization to accept an agreement with the Drug Enforcement Administration (DEA), Tactical Diversion Squad Task Force Agreement. The term of this agreement shall be from October 1, 2021 through September 30, 2022. No budgetary impact. (L0947-21) (Weathers/Armstrong)

**A motion was made by Council Member Steve Kay, 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 9/30/2021.The motion PASSED by unanimous vote.**

- f** Authorization to accept an agreement with the Drug Enforcement Administration (DEA) Program Funded State & Local Task Force. The terms of the agreement shall be from October 1, 2021 through September 30, 2022. There will be no budgetary impact. (L0948-21) (Weathers/Armstrong)

**A motion was made by Council Member Steve Kay, 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 9/30/2021.The motion PASSED by unanimous vote.**

- g** Authorization to accept the attached agreement with the Drug Enforcement Administration (DEA) Provisional State & Local Task Force. The terms of the agreement shall be from October 1, 2021 through September 30, 2022. There will be no budgetary impact. (L0949-21) (Weathers/Armstrong)

**A motion was made by Council Member Steve Kay, 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 9/30/2021.The motion PASSED by unanimous vote.**

- h** Authorization to accept a donation of \$3,500 from Michael and Allison Johnson for a memorial bench in Harrods Hill Park for Michael Johnson and \$40 toward a memorial tree. (L0950-21) (Conrad/Ford)

**A motion was made by Council Member Steve Kay, 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 9/30/2021.The motion PASSED by unanimous vote.**

i Authorization for the Mayor to execute the Management Agreement with the Friends of the Kentucky Theatre (FOKT). This agreement is for the day-to-day operation and management of the Kentucky and State Theaters, located at 212 and 218 East Main Street. This agreement will begin on November 1, 2021 and expires on October 31, 2022. The lease shall automatically renew for four (4) additional terms of one (1) year each. The *Friends of the Kentucky Theatre* will remit 10 percent of gross receipts generated through operation of the theatre to LFUCG. In addition, LFUCG will also receive 5 percent of gross receipts of special events hosted by the management team (FOKT).

**A motion was made by Council Member Steve Kay, 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 9/30/2021. The motion PASSED by unanimous vote.**

j Authorization to execute Change Order No. 2 with ATS Construction for the Town Branch Trail Phase 6, increasing the contract price by the sum of \$239,388.75 from \$3,908,798.25 to \$4,148,187.00. Funds are budgeted. (L0956-21) (Burton/Albright)

**A motion was made by Council Member Steve Kay, 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 9/30/2021. The motion PASSED by majority vote (Council Member Richard Moloney voted no).**

k Authorization to submit an application, and accept award in the amount of \$79,000, to the Kentucky Department of Education/Division of School and Community Nutrition for participation in the U.S. Department of Agriculture's Child Care Food Program for provision of breakfast, lunch, and supplements at free and reduced rates to infants and toddlers attending the Family Care Center's child care and pre-school programs, subject to the availability of sufficient funds in FY 2022. Budget amendment in process. (L0957-21) (Rodes/Allen-Bryant)

**A motion was made by Council Member Steve Kay, 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 9/30/2021. The motion PASSED by unanimous vote.**

l Authorization to submit an application to the Federal Emergency Management Agency (FEMA) requesting funding in the amount of \$287,072 from the Hazard Mitigation Grant Program to overhaul electrical infrastructure at the Division of Streets and Roads maintenance and dispatch facilities. Match in the amount of \$37,320 is required, a budget amendment will be completed if the project is approved. (L0958-21) (Dugger/Armstrong)

**A motion was made by Council Member Steve Kay, 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 9/30/2021. The motion PASSED by unanimous vote.**