Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Tuesday, November 2, 2021

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

Urban County Council
Schedule of Meetings
November 1, 2021 – November 8, 2021

Monday, November 1
No Meetings

Tuesday, November 2
Planning & Public Safety Committee……………………………………………………..……….1:00 pm
Council Chamber – 2nd Floor Government Center

Council Work Session……………………………………………………………………………………..3:00 pm
Council Chamber – 2nd Floor Government Center

Special COW – ARPA Public Input…………………………………………..…………..…………..5:00 pm
Council Chamber – 2nd Floor Government Center

Wednesday, November 3
IR Steering Committee……………………………………………………………………………………10:30 am
Video Teleconference

Thursday, November 4
Special COW – ARPA Funds…………………………………………..………..………..……………..4:00 pm
Council Chamber – 2nd Floor Government Center

Council Meeting…………………………………………………………………………..…………………6:00 pm
Council Chamber – 2nd Floor Government Center

Friday, November 5
Senior Services Commission……………………………………………………………………………8:30 am
Senior Center – 195 Life Lane

Monday, November 8
No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
November 2, 2021

I. Public Comment - Issues on Agenda

II. Requested Rezonings/ Docket Approval – Yes

III. Approval of Summary – Yes, p. 1-4

- **a** Table of Motions: Council Work Session, October 26, 2021

IV. Budget Amendments – p. 5

V. New Business – p. 6-20

VI. Continuing Business/ Presentations

- **a** Neighborhood Development Funds: November 2, 2021, p. 21
- **b** Summary: Planning & Public Safety Committee, September 21, 2021, p. 22-27

VII. Council Reports

VIII. Mayor's Report – Yes

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

a	**1077-21**	Authorization to execute a Second Amendment to the Purchase of Service Agreement (PSA) for Community Action Council related to the Economic Development Grant Program, at a cost of $20,000. This is to reduce the Organization's goal numbers and, as a result, its grant award for Year 2. (Funds are budgeted. (L1077-21) (Dickinson/Atkins) p. 6
b	**1082-21**	Authorization to sign an agreement with Norfolk Southern Corporation for a railroad safety project at Waveland Museum Lane. LFUCG needs this action to provide a maintenance understanding with Norfolk Southern Corporation on the installed improvements. (L1082-21) (Burton/Albright) p. 7-9
c	**1083-21**	Authorization to accept the proposal from Element Design for $36,200.00 to design six (6) sports courts at various parks. Four of the projects are funded with ARPA funds; two are funded by the Division of Water Quality to replace courts impacted by sanitary sewer upgrades. Funds are budgeted. (L1083-21) (Conrad/Ford) p. 10
d	**1098-21**	Authorization to execute an amendment to the Flexible Spending Benefits Plan Document with Chard, Snyder & Associates, Inc. in order to comply with the CARES CAA Act and American Rescue Plan Act provisions, effective upon passage of Council. There is no budgetary impact for this action. (L1098-21) (Maxwell/Hamilton) p. 11
e	**1099-21**	Authorization to execute a partial release of a sanitary sewer easement at 3891 Real Quiet Lane. No budgetary impact. (L1099-21) (Martin/Albright) p. 12-13
f	**1100-21**	Authorization to execute a partial release of a sanitary sewer easement at 3875 Real Quiet Lane. The easement is no longer needed. No budgetary impact. (L1100-21) (Martin/Albright) p. 14-15
g	**1101-21**	Authorization to execute Supplemental Agreement No. 2 with Kentucky Transportation Cabinet (KYTC) for project management staff of Mercer Road at Greendale Road Turn Lanes project, at a cost of $126,953. Budget amendment in process. (L1101-21) (Burton/Albright) p. 16
h	**1103-21**	Authorization to execute the second amendment to an agreement with Community Action Council to move Community Development Block Grant program CARES Act funds to hotel vouchers, security and food from hotel rent in the amount $24,468.84. Funds are budgeted. (L1103-21) (Lanter/Hamilton) p. 17
i	**1104-21**	Authorization to abolish one (1) vacant classified position of Polygraph Technician (Grade 514N) and create one (1) classified position of Background Investigation Specialist (Grade 515N), in the Division of Police, effective upon passage of Council. This will have a future impact of a cost of $2,814.16 and funds are budgeted. (L1104-21) (Maxwell/Hamilton) p. 18-19

j	**1105-21**	Authorization to execute Change Order #1 with E.C. Matthews for the Woodland Park Restroom Building, increasing the contract price by the sum of $147,600 from $379,950 to $527,550. Funds are budgeted. (L1105-21) (Conrad/Ford) p. 20

URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
October 26, 2021

Mayor Gorton called the meeting to order at 3:00pm. All Council Members were present.

Motion by Kay to that the presentation on the Police Collective Bargaining Agreement be taken out of order and given prior to Public Comment-Issues on the Agenda. Seconded by Ellinger, Motion passed without dissent.

I. Public Comment – Issues on Agenda

Motion by Kay to go into closed session pursuant to KRS 61.810(1)(c) for the purpose of discussing potential litigation. Seconded by Plomin. Motion passed without dissent.

Motion by Plomin to return from closed session. Seconded by Ellinger. Motion passed without dissent.

II. Requested Rezonings/Docket Approval

Motion by Baxter to approve the October 28, 2021 Council meeting docket. Seconded by Plomin, Motion passed without dissent.

Motion by J. Brown to place on the docket without a public hearing, an Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone, for 0.32 net (0.47 gross) acre, for properties located at 309, 311 and 315 Race St. and 431 and 433 E. Third St. Seconded by Kay. Motion passed without dissent.

Motion by LeGris to place on the docket without a public hearing, an Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Restricted Light Industrial (I-1) zone, for 2.33 net (2.49 gross) acres, for property located at 720-740 National Ave., and for 1.69 net (2.41 gross) acres, for property located at 737 National Ave. Seconded by Worley. Motion passed without dissent.

Motion by Bledsoe to place on the docket for the Thursday, October 28, 2021 Council Meeting, a Resolution allocating $1,000,000.00 in federal funds awarded under the American Rescue Plan Act of 2021 to VisitLEX, authorizing the Mayor to execute any necessary agreements with VisitLEX related to these funds, and authorizing the Mayor to transfer unencumbered funds within the grant budget. Seconded by Kay. Motion passed without dissent.

Motion by Bledsoe that an ordinance for a Budget Amendment to allocate $1 million of U.S. Department of Treasury American Rescue Plan Act funds for Visit Lex to fund a destination marketing campaign be added to Thursday's Council Meeting docket. Seconded by Sheehan, Motion passed without dissent.

Motion by Bledsoe that an ordinance for a Budget Amendment to allocate $10 million of U.S. Department of Treasury American Rescue Plan Act funds for Affordable Housing projects be added to Thursday's Council Meeting docket. Seconded by Sheehan, Motion passed without dissent.

Motion by Bledsoe to place on the docket for the October 28, 2021 Council meeting, a resolution authorizing and directing the Mayor to execute any documents related to the Urban County Government's commitment of $10,000 towards a Broadband Deployment Grant Program through the Kentucky Infrastructure Authority and in partnership with Spectrum Mid-America, LLC, for the provision of broadband to up to 250 households in Fayette County. Seconded by Kay. Motion passed without dissent.

Motion by Bledsoe that an ordinance for a Budget Amendment to allocate $30,000 of U.S. Department of Treasury American Rescue Plan Act funds for broadband infrastructure be added to Thursday's Council Meeting docket. Seconded by Kay. Motion passed without dissent.

Motion by Bledsoe that an ordinance for Budget Amendments to allocate $1,400,000 for winter weather temporary overnight shelter from U.S. Department of Treasury American Rescue Plan Act funds and decreasing funding of this program in the General Fund be added to Thursday's Council Meeting docket. Seconded by Sheehan. Motion passed without dissent.

Motion by Bledsoe to place on the docket of the October 28, 2021 Council meeting: (1) an ordinance suspending Ordinance No. 292-2005 for the submission off the Mayor's Proposed Annual Operating and Capital Improvements Budgets For FY2023, and directing that these budgets be submitted to the Urban County Council by no later than April 19, 2022; and (2) Amend item number 1069-21 on the work copy docket pertaining to the ordinance adopting the Council's meeting calendar for calendar year 2022 to reflect this change. Seconded by Baxter. Motion passed without dissent.

III. Approval of Summary

Motion by Plomin to approve the October 19, 2021 work session summary. Seconded by Sheehan. Motion passed without dissent.

IV. Budget Amendments

Motion by Kay to approve budget amendments. Seconded by Baxter. Motion passed without dissent.

V. New Business

Motion by Ellinger to approve new business. Seconded by Reynolds. Motion passed without dissent with one no vote on item G and item H. Moloney voted no on items G and H.

VI. Continuing Business/Presentations

Motion by Plomin to approve neighborhood development funds. Seconded by Baxter. Motion passed without dissent.

Council Member Bledsoe provided a summary of the September 28, 2021 Budget, Finance & Economic Development Committee meeting. There were no motions to report from the meeting.

Council Member Bledsoe provided a partial summary of the October 26, 2021 Budget, Finance & Economic Development Committee meeting.

Motion by Bledsoe to allocate $403,500 from fund balance for parking repairs in the Government Center (as approved at the October 26, 2021 Budget, Finance & Economic Development Committee meeting). Seconded by Kay. Motion passed without dissent.

Motion by Bledsoe to allocate $125,000 from fund balance for a compensation consultant (as approved at the October 26, 2021 Budget, Finance & Economic Development Committee meeting). Seconded by Kay. Motion passed without dissent.

Motion by Bledsoe to allocate $150,000 from fund balance for IT infrastructure at Community Corrections (as approved at the October 26, 2021 Budget, Finance & Economic Development Committee meeting). Seconded by Plomin. Motion passed without dissent.

Motion by Bledsoe to assign the remaining fund balance of $26,709,827 to budget stabilization (as approved at the October 26, 2021 Budget, Finance & Economic Development Committee meeting). Seconded by Kay. Motion passed without dissent.

There were no additional motions to report at this time.

VII. Council Reports

Motion by Bledsoe to schedule a Special Committee of the Whole meeting on Tuesday, November 2, 2021 at 5pm for the purpose of allowing public input on ARPA funds. Seconded by Plomin. Motion passed without dissent.

Motion by Bledsoe to schedule a Special Committee of the Whole meeting on Thursday, November 4, 2021 at 4pm to continue the discussion of ARPA fund allocation. Seconded by Sheehan. Motion passed without dissent.

VIII. Mayor’s Report

Motion by Bledsoe to approve the Mayor's Report. Seconded by Plomin. Motion passed without dissent.

IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Baxter to adjourn at 4:15pm. Seconded by LeGris. Motion passed without dissent.

SAM, 10/26/21

BUDGET AMENDMENT REQUEST LIST

JOURNAL	131589-90	**DIVISION**	Fire and Emergency Services	**Fund Name**	General Fund
				Fund Impact	8,437.72 8,437.72CR .00

To provide funds for operating supplies for Fire Apparatus maintenance by recognizing surplus sales and scrap metal sales.

JOURNAL	131601-02	**DIVISION**	Fire and Emergency Services	**Fund Name**	General Fund
				Fund Impact	81,103.50 81,103.50CR .00

To provide funds for overtime by recognizing reimbursements for events worked.

JOURNAL	131546-47	**DIVISION**	Family Services	**Fund Name**	Donation Fund
				Fund Impact	2,000.00 2,000.00CR .00

To provide funds for Family Care Center programs by recognizing a contribution from Lexington Trots Breeders Association.

JOURNAL	131560	**DIVISION**	Engineering	**Fund Name**	Municipal Aid Program
				Fund Impact	426,353.00 60,000.00CR 366,353.00

To provide funds for agreements with Kentucky Transportation Cabinet for administration of Armstrong Mill and Mercer/Greendale projects. These funds are reserved for this purpose in MAP Fund Balance.

JOURNAL	131611	**DIVISION**	Engineering	**Fund Name**	Municipal Aid Program
				Fund Impact	165,610.23 .00CR 165,610.23

To provide funds for Clemens Road Bridge repair project by utilizing unallocated revenue in the Municipal Aid Fund.

JOURNAL	131660	**DIVISION**	Water Quality	**Fund Name**	Sanitary Sewer Fund
				Fund Impact	8,200.00 8,200.00CR .00

To provide funds to cover price increase of pumper truck being purchased by Fleet Services for Water Quality.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	.00
1103	Donation Fund	.00
1136	Municipal Aid Program Fund	531,963.23
4002	Sanitary Sewer Revenue and Operating Fund	.00

MAYOR LINDA GORTON

LEXINGTON

Kevin Atkins
Chief Development Officer
OFFICE OF THE MAYOR

TO: Linda Gorton, Mayor
Urban County Council

FROM: Elodie Dickinson, Director of Business & Workforce Engagement

CC: Kevin Atkins, Chief Development Officer

DATE: October 18, 2021

SUBJECT: Economic Development Grant (Community Action Council) – Year 2 PSA Amendment

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REQUEST

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to approve the submitted Second Amendment to the Purchase Of Service Agreement (PSA) for Community Action Council related to the Economic Development Grant Program, to reduce the Organization's goal numbers and, as a result, its grant award for Year 2.

WHY ARE YOU REQUESTING?

Due to unforeseen circumstances related to the COVID-19 pandemic, Community Action Council was unable to meet its goals for Grant Year 1 and believes it will be unable to do so for Grant Year 2. As part of this Amendment, the required Grant Year 2 outcomes and the resulting grant amount have been reduced. Community Action Council has agreed to refund LFUCG an amount total of $17,000, proportional to the number of individuals it was unable to train in Grant Year 1. As a result of this Amendment, the maximum Community Action Council can receive under Grant Year 1 and Year 2, collectively, is $28,000 ($8,000 in Year 1 and $20,000 in Year 2), rather than the $100,000.00 ($50,000 in Year 1 and $50,000 in Year 2) provided in the original Purchase of Service Agreement.

What is the cost in this budget year and future budget years?

The cost for this FY '22 is: $20,000

Are the funds budgeted?: Yes

File Number:

Director/Commissioner: Elodie Dickinson / Kevin Atkins

MAYOR LINDA GORTON

LEXINGTON

DOUG BURTON
DIRECTOR
ENGINEERING

TO: Mayor Linda Gorton
Urban County Council

FROM: Doug Burton, P.E., Director
Division of Engineering

DATE: October 20, 2021

SUBJECT: Waveland Museum Lane – Railroad Crossing – Safety Improvements

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Request:

Authorization for the Mayor to sign an agreement with Norfolk Southern Corporation for a railroad safety project at Waveland Museum Lane.

Purpose of Request:

LFUCG needs this action to provide a maintenance understanding with Norfolk Southern Corporation on the installed improvements.

What is the cost in this budget year and future budget years?

The cost for this FY is: $0

The cost for future FY is: $0

Are the funds budgeted? N/A

File Number: 1082-21

Director: W. Douglas Burton Commissioner: Nancy Albright

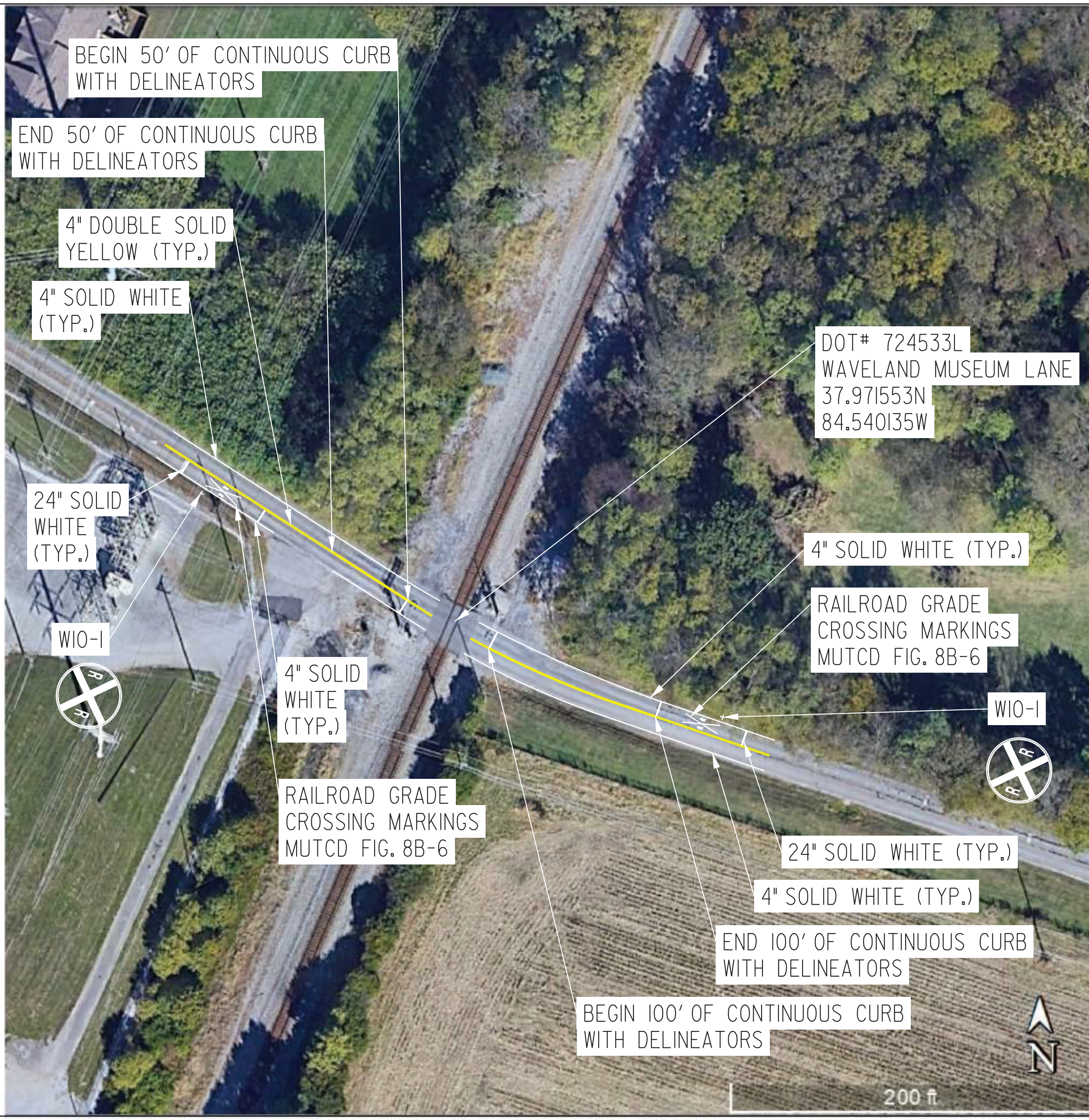


EXHIBIT C - PROPOSED SAFETY IMPROVEMENTS

PROJECT DESCRIPTION: TO INCREASE SAFETY AT THIS RAIL ROAD CROSSING, SECTIONS OF CONTINUOUS CURB ARE BEING PROPOSED TO CHANNELIZE VEHICLES THAT ARE QUEUED AT THE RAIL ROAD CROSSING. THIS WILL DETER DRIVERS FROM DRIVING AROUND THE CROSSING ARM WHEN THE SIGNAL IS ACTIVATED. NEW PAVEMENT MARKINGS, STRIPING, AND ADVANCED WARNING SIGNS ARE ALSO BEING PROPOSED.

NOTE:
CONCEPTUAL - NOT FOR CONSTRUCTION

REV	BY	DATE	DESCRIPTION

DO NOT SCALE THIS DRAWING FOR DIMENSIONS NOT GIVEN

NORFOLK SOUTHERN

CNO & TP NORTH DISTRICT
MIDWEST DIVISION

ATLANTA, GA

DOT# 724533L -- LEXINGTON, KY
WAVELAND MUSEUM LANE

STV INCORPORATED
1201 PEACHTREE STREET, NE, SUITE 1550
ATLANTA, GEORGIA 30361
678-735-7650

DGN	VAL SEC N/A	MAP N/A	MILEPOST 86.71
CHK	FILE N/A		DATE 22-APR-2021
SHEET NO 01 OF 01		DRAWING NO N/A	

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: **TODD SLATIN, DIRECTOR**
DIVISION OF CENTRAL PURCHASING

FROM: **CHARLIE LANTER, DIRECTOR**
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: **October 25, 2021**

RE: **RFP #24-2021 Design Services for Sports Courts Construction and Renovation for Division of Parks and Recreation**

With this memorandum I am providing concurrence with the Divison of Parks and Recreation on the award of Professional Services Agreement with Element Design in the amount of $36,200 for Design Services for Sports Courts Construction and Renovation.

Parks and Recreation advertised an RFP for design services and received only one proposal from Element Design. Based on previous experience, this firm is highly qualified to perform the work needed. And, the proposed fee of 4.8% of project total is very competitive for these types of services.

Therefore, Parks and Recreation recommends accepting the proposal from Element Design for $36,200.00 to design six (6) sports courts at various parks. Four of the projects are funded with ARPA funds; two are funded by the Division of Water Quality to replace courts impacted by sanitary sewer upgrades.

The projects are funded in the following accounts:

Fund	Dept ID	Section	Account	Site	Bud Ref	Project	Activity	Amount
3230	707602	7221	91015	711	2022	AR_BRYHLL_2022	FED_GRANT	$8,415
3230	707602	7221	90312	726	2022	AR_DGWOOD_2022	FED_GRANT	$4,570
3230	707602	7221	91015	762	2022	AR_MRYTDD_2022	FED_GRANT	$5,670
3230	707602	7221	90321	782	2022	AR_RVRHILL_2022	FED_GRANT	$7,930
4003	303408	3466	92811	737; 801	2020	WRMAINTRK_2020	CONSENT_DE	$9,615

File Number: 1083-21

Director/Commissioner: Conrad/Ford

MAYOR LINDA GORTON

LEXINGTON

JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES

M E M O R A N D U M

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: John Maxwell, Director
Division of Human Resources

DATE: October 20, 2021

SUBJECT: **Flexible Spending Benefits Plan Amendment**

Request:
The attached action authorizes the Mayor to execute an amendment to the Flexible Spending Benefits Plan Document with Chard, Snyder & Associates, Inc. in order to comply with the CARES CAA Act and American Rescue Plan Act provisions, effective upon passage of Council.

What is the cost in this budget year and future budget year?
There is no budgetary impact for this action.

File Number:
1098-21
Director/Commissioner: John Maxwell/Sally Hamilton

If you have any questions or additional information is warranted, please contact Alisha Lyle at (859) 258-3957.

MAYOR LINDA GORTON

LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

FROM: Gregory S. Lubeck, P.E., Deputy Director
Division of Water Quality

DATE: October 18, 2021

SUBJECT: PARTIAL RELEASE OF SANITARY SEWER EASEMENT AT 3891 REAL QUIET LANE

Request
The purpose of this memorandum is to request a resolution authorizing the Mayor on behalf of the Lexington-Fayette Urban County Government to execute a partial release of a sanitary sewer easement at 3891 Real Quiet Lane.

Purpose of Request
The easement is no longer needed because there are no facilities in the easement.

Project Cost in FY22
There is no cost with this request.

Project Cost Impact for Future Budget Years
There is no projected future cost.

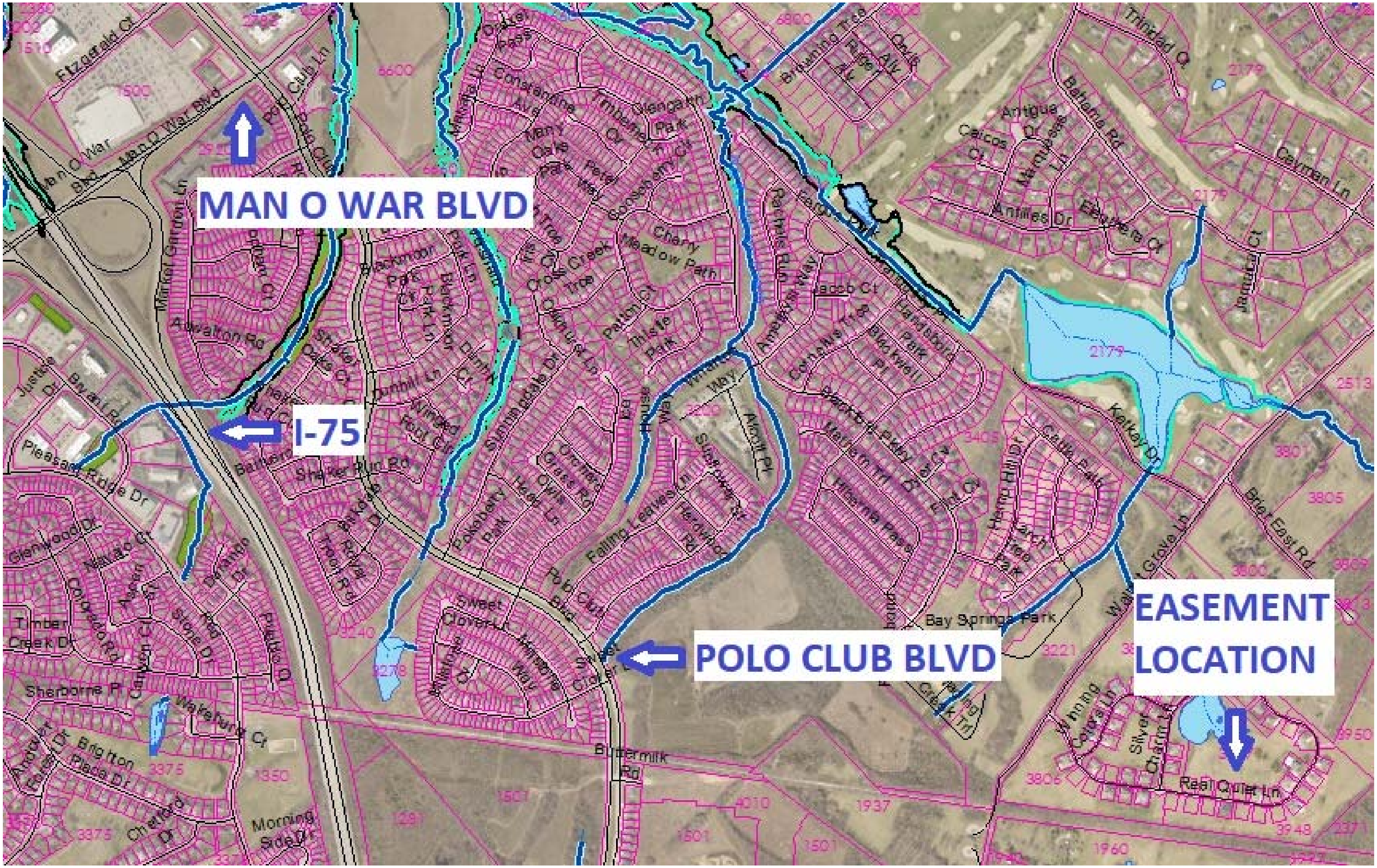
Are Funds Budgeted
N/A.

Law Review
M. Cravens, 10/8/2021.

Martin/Albright

DRB

cc: Debbie R. Barnett
Greg Lubeck, PE


MAN O WAR BLVD
I-75
POLO CLUB BLVD
EASEMENT
LOCATION

MAYOR LINDA GORTON

LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

FROM: Gregory S. Lubeck, P.E., Deputy Director
Division of Water Quality

DATE: October 18, 2021

SUBJECT: PARTIAL RELEASE OF SANITARY SEWER EASEMENT AT 3875 REAL QUIET LANE

Request
The purpose of this memorandum is to request a resolution authorizing the Mayor on behalf of the Lexington-Fayette Urban County Government to execute a partial release of a sanitary sewer easement at 3875 Real Quiet Lane.

Purpose of Request
The easement is no longer needed because there are no facilities in the easement.

Project Cost in FY22
There is no cost with this request.

Project Cost Impact for Future Budget Years
There is no projected future cost.

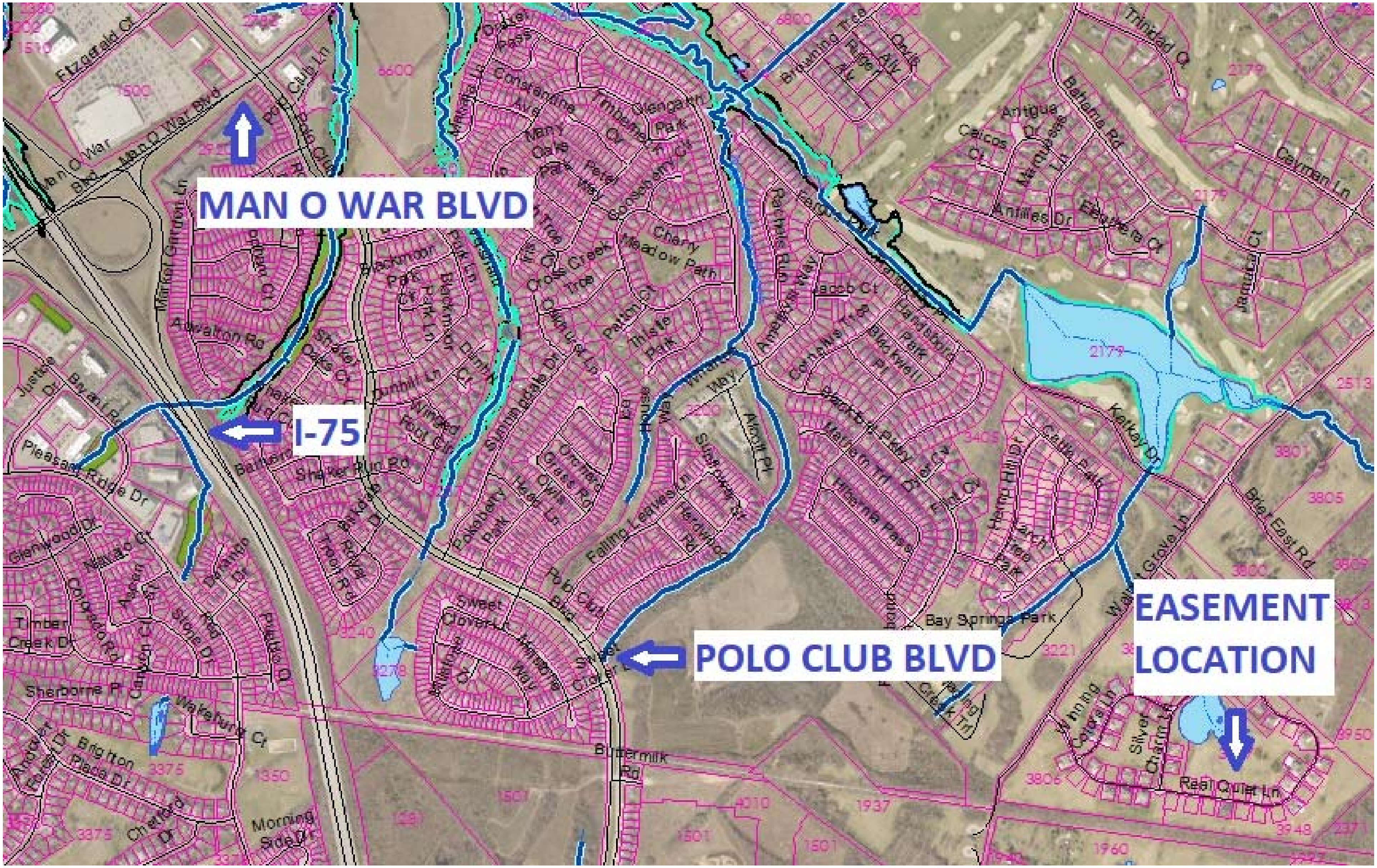
Are Funds Budgeted
N/A.

Law Review
M. Cravens, 10/8/2021.

Martin/Albright

DRB

cc: Debbie R. Barnett
Greg Lubeck, PE


MAN O WAR BLVD
I-75
POLO CLUB BLVD
EASEMENT
LOCATION

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

FROM: CHARLIE LANTER, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: OCTOBER 22, 2021

SUBJECT: Supplemental Agreement No. 2 for Improvements on Mercer Road at Greendale Project

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Request: Council Authorization to execute Supplemental Agreement No. 2 with Kentucky Transportation Cabinet (KYTC) for project management staff of Mercer Road at Greendale Road Turn Lanes project.

Purpose of the Request: On September 28, 2017 (Resolution 577-2017), Council approved acceptance of federal funds to design the Improvements on Mercer Road at Greendale Project. On November 21, 2019 (Resolution 654-2019) Council approved to accept additional funds in the amount $206,400 for the Right of Way Phase of the project. The Kentucky Transportation Cabinet requests execution of Supplemental Agreement No. 2 for the project management staff. Match will come from Fund 1136 (Municipal Aid Program).

The Division of Engineering needs this action due to the previous shortage of project management staff.

The cost in this budget year and future budget years: Cost for FY 2022 is $126,953. No additional costs are anticipated.

Are the funds budgeted? Budget amendment is in process.

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF	AMOUNT
1136	303202	3251	71205	MERCER_2018	PROF SVC-ENGINEER	2018	$126,953

File Number: 1101-21

Director/Commissioner: Burton/Albright

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: **LINDA GORTON, MAYOR**
URBAN COUNTY COUNCIL

FROM: **CHARLIE LANTER, DIRECTOR**
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: **OCTOBER 22, 2021**

SUBJECT: **Second Amendment to Agreement with Community Action Council**

Request: Council authorization to execute the second amendment to an agreement with Community Action Council to move Community Development Block Grant program CARES Act funds to hotel vouchers, security and food from hotel rent in the amount $24,468.84.

Purpose of Request: On November 19, 2020 (Resolution 568-2020), Council authorized acceptance of federal Community Development Block Grants (CDBG) funds from U.S. Department of Housing and Urban Development under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for response to COVID-19. Community Action Council was awarded $620,211 to provide shelter, security and food to eligible homeless households impacted by the coronavirus in Lexington-Fayette County. Community Action Council requests a grant adjustment to increase hotel vouchers, security and food and reduce hotel rent by $24,468.84 for a total amount of $620,211.

What is the cost in this budget year and future budget years? All funds were previously budgeted. Funds for future budget years are dependent upon availability of grant funds.

Are the funds budgeted? Grant funds are budgeted

File Number: 1103-21

Director/Commissioner: Lanter/Hamilton

MAYOR LINDA GORTON

LEXINGTON

JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES

MEMORANDUM

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: John Maxwell, Director
Division of Human Resources

DATE: October 25, 2021

SUBJECT: Abolish/Create position – Division of Police

Request:
The attached action is requesting authorization to abolish one (1) vacant classified position of Polygraph Technician (Grade 514N) and create one (1) classified position of Background Investigation Specialist (Grade 515N), in the Division of Police, effective upon passage of Council.

Why are you requesting?
Upon the request of the division, and in accordance with the Code of Ordinances, the Division of Human Resources conducted a classification study on the requested position. The study was conducted according to standard procedures using Job Analysis Questionnaires (JAQs) and position audits. The position was analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for the requested position is described in this action.

What is the cost in this budget year and future budget year?
This will have a future impact of a cost of $2,814.16 and funds are budgeted.

Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Polygraph Technician	($41,778.88)	$0	($41,778.88)
Background Investigation Specialist	$0	$43,867.20	$43,867.20
Total Annual Impact/ Salary and Benefits $2,814.16			

File Number:

1104-21

Director/Commissioner: John Maxwell/Sally Hamilton

If you have questions or additional information is warranted, please contact Alisha Lyle at (859) 258-3957.

MAYOR LINDA GORTON

LEXINGTON

CHARLIE LANTER
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: **LINDA GORTON, MAYOR**
URBAN COUNTY COUNCIL

FROM: **CHARLIE LANTER, DIRECTOR**
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: **October 25, 2021**

SUBJECT: **Authorization to execute Change Order No. 1 with E. C. Matthews Co., Inc. for the Woodland Park Restroom Building, Contract #156-2021 increasing the price by $147,600.**

Request:
Council authorization to execute Change Order #1 with E.C. Matthews for the Woodland Park Restroom Building, increasing the contract price by the sum of $147,600 from $379,950 to $527,550.

Purpose of Request:
On August 26, 2021 (Resolution 472-2021), Council awarded the Woodland Park Restroom Builing Contract #156-2021 to E. C. Matthews Co. in the amount of $379, 950. The Division of Parks and Recreation requests a change order for the addition of the multipurpose room to expand the functionality of the building and provide space for programming. It also allows for the demolition of the existing structure upon completion of the new structure. Both items are alternates on the original bid (73-2021).

What is the cost in this budget year and future budget years? The cost for FY22 is $147,600. No additional costs in future budget years anticipated.

Are the funds budgeted? Funds are budgeted as following 3230-707602-7221-90511-803 AR_WDLAND_2022

File Number: 1105-21

Director/Commissioner: Conrad/Ford

Neighborhood Development Funds
November 2, 2021
Work Session

Amount	Recipient	Purpose
$ 1,000.00	Greenhouse17 Darlene Thomas PO Box 55190 Lexington, KY 40555	To support the Walnut Hill 2021 Bike Ride to benefit Greenhouse17.
$ 1,900.00	Salvation Army Linda Edin 736 West Main Street Lexington, KY 40508	To assist with the Christmas breakfast and Red Kettle kick off.

Planning and Public Safety Committee Meeting

September 21, 2021

Summary and Motions

Chair J. Brown called the meeting to order at 1:02 p.m. Ellinger, McCurn, Kloiber, Baxter, Bledsoe, and Reynolds were in attendance. Committee Members Lamb, Plomin and Worley were absent. VM Kay and Council Member F. Brown were present as non-voting members.

I. Approval of August 10, 2021 Committee Summary

Motion by Bledsoe to approve the August 10, 2021 Committee Summary. Seconded by Ellinger. Motion passed without dissent.

II. Home-Based Business: Inclusion of Hairdressing

Autumn Goderwis, Planner Senior in the Division of Planning, reviewed the Zoning Ordinance Text Amendment that will allow haircutting as a home-based business. She began with an overview of how homebased work is regulated in the Zoning Ordinance which currently lists 3 levels of home-based work, based on the level of intensity of the business occurring inside the home. The first category is the *home office* which is an office for record keeping and administration of work; *home occupation* is home-based processing which could be baking, decorating cookies, or making soaps for online sales. The most intense level is the *home-based business* which involves customers/clients coming to the residence for such things as fitness class, music instruction, or counseling. She said currently home office and home occupation are regulated as accessory uses which means they are allowable by right when accessory to the residential use because they do not typically cause a nuisance to neighbors. Home-based businesses are regulated as a conditional use which is approved by the Board of Adjustment (BOA) and requires notification to neighbors as well as a public hearing because they could create a nuisance or impact traffic. She said current regulations state that a home-based business shall not include barber shops or beauty parlors and these uses have been prohibited since the late 1950s. If there is a consensus to change the Zoning Ordinance to allow for these services, she said, the changes to the Zoning Ordinance text would be minor and would only eliminate the prohibition on "barber shops and beauty parlors" in Article 1.

Bledsoe asked if other groups are seeking this kind of allowance or if it is just the hair cutting businesses. Goderwis said the Comprehensive Plan called for a review of all home-based businesses and they anticipate that a similar change would benefit other groups. Bledsoe and Goderwis discussed that changes are made on a case-by-case basis as they are ready to move forward.

J. Brown asked if there are other recommendations regarding issues that have occurred as a result of home based businesses such as traffic and parking. Goderwis said they are not aware of these issues where home-based businesses exist and she added that the conditions put in place by the BOA could alleviate a lot of those concerns. Discussing next steps, Goderwis said they are seeking the committee to move this on to the full Council for initiation of a Zoning Ordinance Text Amendment that would go to the Planning Commission and be heard by the first of next year. J. Brown asked if the text amendment language has been developed and Goderwis referenced an earlier slide that highlighted the changes being recommended which is a simple strike-through of "barber shops and beauty parlors" in Section 1-11 that will allow those businesses to operate as home-based businesses.

Motion by Bledsoe to move forward to the full council the initiation of a Zoning Ordinance Text Amendment regarding home-based businesses [which will remove the prohibition on barber shops and beauty parlors]. Seconded by Reynolds. Motion passed without dissent.

III. Sustainable Growth Study Update

Craig Bencz, Administrative Officer Senior with the Mayor's office, began by speaking about the Urban Service Boundary (USB), established in 1958, and the last expansion was 25 years ago which resulted in the Expansion Area Master Plan. He explained that the *Sustainable Growth Study* is focused on Goals 3 and 4 of Theme E in the Comprehensive Plan and he emphasized that the study does not identify specific areas for future expansion and it will not make assumptions regarding future alignment of the boundary, but it will provide a framework. Bencz highlighted the *Mayor's Sustainable Growth Task Force* which is made up of 13 task force members and 6 advisory committee members, formed to help Lexington make decisions regarding growth and all but one of their assigned tasks have been completed. The study pulled data from over 20 years, including information such as population and demographics, which will be updated annually and serve as a community resource. Bencz displayed a map of Lexington to illustrate land development status. He explained that there are five steps in the evaluation process and he provided examples of how the evaluation process could be applied. The *Mayor's Sustainable Growth Task Force* has recommended the study/framework to the Planning Commission to be reviewed on Oct. 28th. Their recommendation would then get forwarded to the Council for consideration/approval in November.

Kloiber and Bencz discussed how the decision was made for the study to not look for areas appropriate for future expansion when it has been the primary instruction for the task force. Bencz explained that the directive for the Task Force and this study was to put together the objective framework with the understanding that next steps would always be looking outside the boundary to identify areas appropriate for future expansion which will be handled by the Planning Commission moving forward. Kloiber asked if it was initially the purpose of the task force to fulfil this objective, but then they decided it was not their objective to which Bencz explained the specific task was for them to put together the evaluation framework presented today. Kloiber asked where the evaluation framework which references "having enough land" as a metric came from because this does not appear to be a standard in the objectives when looking for potential and specific triggers and thresholds when identifying these lands. Bencz explained that the Task Force and the consultant felt the priority was to first look at existing land inside the USB and determine the timeline for use of that land. Kloiber said it appears that there was an assumption made about a "trigger or specific condition" which was just internalized and it was later decided that the amount of land we had was the condition and not something like gentrification or affordability of houses or other forces that effect our residents. Bencz explained that this is best practice nationwide and the first step is to do a land inventory to determine what is available and how long it will last, then determine a methodology to get that answer. Some communities have a future land use map and quick calculations will show how it builds out according to that map, but our plan was to develop the scenarios which essentially developed our own land use map. Kloiber spoke about the scenarios which indicate we have made one assumption that the only thing that matters is the land we have and the only thing we have stated is that we could put higher density on land to support an increased population. Bencz said that is intended to be one of the options. We are bringing it forward as one of the scenarios, but the scenarios are only intended to inform decisions and not make decisions. Kloiber concluded that this study shows if we want to have more density, we could. He does not find this useful for decision making or a good framework to have moving forward.

Ellinger asked what the next step would be if the Council approves this in November. Bencz said the framework is repeatable which will allow the data and the report card to be updated annually to see how we are doing and this will allow for changes of policy goals. He added that this will take a fresh look at land use in the future as it changes. Ellinger asked if this will be updated by the staff and brought to Planning Commission and then Council. Bencz said it would follow the typical process with staff updating the data and bringing it to the Planning Commission for discussion. Jim Duncan, Director of Planning, confirmed that an update could happen annually.

McCurn asked how Public Safety was involved in the process and Bencz explained that Public Safety was engaged in one of the stakeholder groups internal to LFUCG. McCurn asked if there was input from neighborhood associations that may have recently gone through a zone change. Bencz said for the stakeholder meetings, the Task Force along with staff, put together a list of community organizations that we knew we wanted input from and the community meeting in July was advertised. McCurn spoke about areas that have recently gone through a zone change because there have been conflicting zone changes and when we talk about wanting more density, this is not what those neighbors are saying during those discussions. Bencz said that is one of the drivers for wanting to keep this updated annually. He said it will be important to take into account any zone changes or other changes in the land use of the city as we move forward.

J. Brown spoke about conversations in the last Comprehensive Plan about a new process and what it could mean to the conversation of the Comprehensive Plan development and he asked Duncan if he feels all the promises were met and that we now have a process to address a lot of issues we were confronted with in regard to growth. Duncan explained that this was a "herculean" task and it has been a significant issue for as long as we have had an Urban Service Boundary. There is always the question of what happens to the boundary when we think it is time grow or when property owners outside the USB want to develop their land. He said we had to create a policy to respond to Council in that goal and objective to address future growth which would provide guidance on when we need to look at the USB. J. Brown spoke about applications for land development that is outside the USB and what we would look at to see if it was something we would consider as opposed to denying it just because of the location. He asked council members who served on the task force to speak about the next steps and what some of the challenges are with having this conversation.

Kay said there is no question that this was a heavy lift and it took a lot of work to get the report to the stage where it is. He pointed out Goal 4 and its objectives and said it is clear that identifying land for future development is part of that goal. He added that it is clear that ensuring the study designates rural land for long-term preservation and identifies land for future development was part of that goal. Part D from that goal says implement the process, superseding Goal 3 and Goal 3 is maintaining the current boundary. He urged people to understand the consultant's report being sent to Planning Commission does not satisfy the terms of Goal 4 and does not supersede Goal 3. If the Planning Commission approves the report and it gets forwarded to Council, he wants to be clear that what we are approving is the results the consultant brought forward and what we are not doing is claiming that we have a new process in place that will help us understand better how to evaluate whether to expand or not and it is not a tool yet that will allow us to avoid the contentious conversations we typically have when the question of expansion arises. Bledsoe agreed with the challenges and said the task force has spent a lot of time trying to do this. She said the Task Force looked for a holistic approach, but this was a lot harder than anyone expected it to be. If you look at the evaluation process and the scenarios brought forward, you can see trying to evaluate them as projects come in and what that looks like. If decisions are made where there is higher density, then it reduces the impact and the growth or the need to continue the conversation on whether or not to expand is the thought process behind this. She said the challenge with this is that she feels the rate should be more forward-moving. Bencz explained that the number the consultants brought forward was 70 percent for the pass/fail line and over time and through discussions with the Task Force, it was evaluated at 70 and 60 and eventually settled at 50 percent which is where scenario 2 works. At 60 or 70 percent, all but scenario 3 were failing which would put the Planning Commission and Council in a difficult spot. He said it was a matter of building flexibility into the process and it is important to understand that the framework is static, but there are opportunities to make changes and it is all meant to be evaluated on an annual basis. Bledsoe concluded that this is a conversation we need to be thinking about because if you look at previous years to see that we only approved low density on those items because what we want in theory and what we pass may be different.

Reynolds said we have seen in zone changes where it is approved by Planning Commission, but people do not want it in their backyard. She asked how we can do better with public engagement and education to help people understand that if we are not going to expand the boundary, we have to have growth and infill. Bencz spoke about an implementation exercise which takes the Comprehensive Plan and implements it in various ways to show what the results are for the community and this may be helpful to inform some future plan updates because results can be demonstrated. He said the Comprehensive Plan update process is pretty robust in terms of community engagement and getting input. With this framework in place, there is a possibility for it to be integrated into those discussions.

Kay said ultimately what we are talking about is what we want our community to look like. Land is a finite resource and once it is developed it will not go back to farmland or become rural. He is thinking to the future when all of the developable land is gone and how much of the rural area has been preserved. If demand is the only criteria, we will use every bit of it. Demand cannot be the only factor when we think about growth and the USB. We have to think about what that rural land contributes to this community and how much of it we want to preserve. And we need to consider how much of that land could conceivably be developed without negatively impacting the farm economy and tourism economy and under what conditions do we want to consider developing land that is available.

J. Brown emphasized that this is the first step and there is still more work to do. J. Brown and Bencz discussed that the Planning Commission had a work session meeting to hear about the framework and the next step is to have a public hearing in October where they will hear public comments and further consider the framework. J. Brown said there might be some confusion with people thinking we are going to have the discussion about growth in the USB sooner than expected and that needs to be clarified because it is not the case. He said we also need to clarify that this is only part of the work that needs to be done. There are still conversations where this is only a piece of the puzzle and we have other pieces of the puzzle we still need to work on. He spoke about the pressures he sees in some of the neighborhoods where this process speaks to density and the impact this has on existing neighborhoods. We still have to figure out how density, gentrification, and displacement get referenced when we talk about density. Because if we don’t have this conversation, it appears that we are pitting one area of the community against the other. He agreed that more outreach is needed and more voices need to be heard in the community. He said we aren't finished here, there are still a lot of conversations to be had.

IV. Lexington Community Paramedicine

Seth Lockard, Lexington Fire Department Captain, provided some history of the Community Paramedicine Program, which was initiated with grant funding and went live March 1, 2018. A police officer was assigned to the team and there were coordinated efforts to build a social worker into the program in 2018. Speaking about grant funding, he said, in 2019 they received $200,000 in grant funding from Baptist Health for backfill overtime costs which was supposed to last a year and has only recently started to run out. In 2020, they received grant funding that allowed them to hire a 2nd Social Worker for a 3 year period. He explained that referrals come from both the Police and Fire Department as well as community members. The Community Paramedicine Program is a team effort with partnerships to serve a variety of client needs. He provided response data to illustrate how this program has served the community. They have received over 300 referrals from the Lexington Police Department and over 100 referrals from local hospitals to follow-up with individuals. Lockard explained how related programs in other communities are different, but LFUCG's program is designed based on the needs of the community.

Reynolds asked about the needs of the program and what it might look like if it were to grow. Jason Wells, Chief of Lexington Fire Department, said it is difficult to quantify the work of the Fire Department but the Paramedicine Program has proven to be measurable. He said the first step moving forward would be to solidify what we have and growth from that point will depend on the residents, Council, and the Administration. He said one consideration might be expanding the team and look at a 24-hour team.

Bledsoe asked if there are other things being measured for future justification of grants and our own dollars toward the program and Wells believes there is more data that has not been extracted and that includes the EMS reporting system which will show the contacts and how many people are being reached which will correlate to the run volume, treatment, and NARCAN administration.

Kay said this program is something that we should continue to provide for our community and we need to be sure that it remains funded. He understands that hospitals benefit, but don’t always contribute so this might be one of the things that only government can do.

Baxter expressed concern about mental health and asked what they are doing to take care of themselves because the work gets very personal. Wells spoke about the camaraderie and trust that is built while working in the fire house which provides a safe space to decompress and talk about what has happened. Wells added that they have recently instituted a peer support team with a dedicated peer support coordinator to oversee a team of people who are available anytime as well extended mental health resources.

McCurn asked about the data from this year and where we are compared to last year and Lockard explained the difficulty with comparing last year to other years because it was an unusual year. Compared to 2019, we have increased a little this year, but it is unknown exactly how many of those calls are COVID-related.

Ellinger mentioned that there needs to be a stronger commitment to funding the program so we do not have to rely only on grant funding because this program is a great benefit to the community.

V. Items Referred to Committee

Motion by Baxter to adjourn at 2:52 p.m. Seconded by Reynolds. Motion passed without dissent.

Sec. 1-11. - Definitions.

Home-based business means a gainful occupation or profession carried on in a residence that involves:

a) Customers or clients coming to the residence; and/or

b) The use of materials or equipment that are potentially disturbing to surrounding properties due to noise, odors, flammability or some other risk factor.

Examples include, but are not limited to, individual music instruction; athletic training; counseling services; and upholstery work.

The term "home-based businesses" shall not include ~~barber shops; beauty parlors;~~ offices for escort services; massage parlors, automobile and small engine repair; medical or dental offices; palm reading or fortune telling; catering or food-handling requiring a commercial kitchen; and uses, other than upholstery, which are first permitted in the B-4, I-1 or I-2 zone.