

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, September 13, 2022

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Urban County Council
Schedule of Meetings
September 12, 2022 – September 19, 2022**

Monday, September 12

No Meetings

Tuesday, September 13

Goal 4 Workgroup.....10:00 am
Conference Room – 5th Floor Government Center

Environmental Quality & Public Works Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

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

Wednesday, September 14

Transportation Technical Committee.....9:00 am
Conference Room – 7th Floor Phoenix Building

Tree Board.....10:30 am
Conference Room – 5th Floor Government Center

Commission on Veterans Affairs.....11:30 am
Senior Center – 195 Life Lane

Homeless Prevention and Intervention Board.....1:30 pm
Central Library – 4th Floor HR Training Room

Thursday, September 15

CANCELLED Lexington Industrial Authority Board.....9:00 am
Conference Room – 12th Floor Government Center

Corridors Commission.....11:30 am
Conference Room – 5th Floor Government Center

Friday, September 16

No Meetings

Monday, September 19

No Meetings

**Lexington-Fayette Urban County Council
Work Session Agenda
September 13, 2022**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – No**
- III. Approval of Summary – Yes, p. 1-2**
 - a** Table of Motions: Council Work Session, September 6, 2022
- IV. Budget Amendments – No**
- V. New Business – Yes, p. 3-9**
- VI. Continuing Business/ Presentations**
 - a** Summary: Environmental Quality & Public Works Committee, July 5, 2022,
p. 10-13
- VII. Council Reports**
- VIII. Mayor's Report – No**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **0894-22** Authorization for the Mayor to execute an application from the Kentucky Department of Education (KDE) for Preschool Education Services for the Family Care Center. The application allows the Family Care Center to provide Preschool Education Services for the 2022-2023 school year. These services under Kentucky Administrative Regulations (KAR) include the Preschool Education Program, KY All STARS 5-STAR Tiered Quality Rating and Improvement Status, parent outreach, related services by licensed professionals for children with disabilities, transportation, and food services. No budgetary impact. (L0894-22) (Horton-Holt/Allen-Bryant) p. 3
- b** **0897-22** Authorization to establish Handtevy Pediatric Emergency Standards as a sole source provider for the purchase of the Handtevy Pediatric Emergency Standards system to reduce the occurrence of medication dosing errors when treating pediatric patients, at a cost of \$30,785.35. Funds are budgeted. (L0897-22) (Wells/Armstrong) p. 4
- c** **0898-22** Authorization to enter into an agreement with the Bureau of Prisons Federal Medical Center to define roles and responsibilities for reciprocal fire protection assistance. No budgetary impact. (L0898-22) (Wells/Armstrong) p. 5
- d** **0906-22** Authorization to amend the classified and unclassified civil service authorized strength by creating positions as approved in the FY 2023 budget process, to become effective July 1, 2022. The fiscal impact for FY 2023 (26 pay periods) will be budget neutral. All funding for the new positions are included in the FY 2023 approved budget. (L0906-22) (Walters/Hamilton) p. 6
- e** **0910-22** Authorization to submit the 2022 Continuum of Care application, as a Collaborative Applicant, to the U.S. Department of Housing and Urban Development requesting funding in an amount up to \$2,432,934 for the operation of programs by community nonprofit organizations to reduce homelessness in Fayette County and to accept award of federal funds, if offered, in the amount of \$166,115 for project planning expenses and software database management related to monitoring of all programs. Funds are not budgeted. If awarded, a budget amendment will be processed. (L0910-22) (Lanter) p. 7
- f** **0911-22** Authorization to execute agreement and accept federal funds in the amount of \$177,000 for the design phase of the Alumni Drive Shared Use Path Project, as funded under the Kentucky Transportation Cabinet Transportation Alternatives Program (TAP) for capital improvements projects. The acceptance obligates the Urban County Government for the expenditure of \$44,250 as a local match. Budget amendment in process. (L0911-22) (Burton/Albright) p. 8-9

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
September 6, 2022**

Mayor Gorton called the meeting to order at 3pm. Council Members Kay, Moloney, Ellinger, J. Brown, McCurn, LeGris, Lamb, Sheehan, Kloiber, F. Brown, Baxter, Bledsoe and Reynolds were present. Council Members Worley and Plomin were absent.

- I. Public Comment – Issues on Agenda
- II. Requested Rezonings/Docket Approval

Motion by Ellinger to approve the September 8, 2022 Council meeting docket. Seconded by McCurn. Motion passed without dissent.

Motion by Lamb to place a presentation recognizing AVOL Dining Out for Life on the docket for the September 8, 2022 Council meeting. Seconded by McCurn. Motion passed without dissent.

- III. Approval of Summary

Motion by Kay to Approve III. Approval of Summary. Seconded by LeGris. Motion passed without dissent.

- IV. Budget Amendments

Motion by Sheehan to approve budget amendments. Seconded by McCurn. Motion passed without dissent.

- V. New Business

Motion by Baxter to Approve V. New Business. Seconded by Reynolds. Motion passed without dissent with one no vote on item F and item H. Moloney voted no on item F and item H.

- VI. Continuing Business/Presentations

Motion by McCurn to approve neighborhood development funds. Seconded by Kay. Motion passed without dissent.

Motion by Reynolds to amend the NDF list to add a neighborhood development fund allocation of \$800.00 to Acclivity Dance & Performing Arts, LLC. Seconded by Ellinger. Motion passed without dissent.

Lamb provided a summary of the August 16, 2022 General Government and Social Services Committee meeting.

Motion by Lamb to approve a draft ordinance amending Section 12-1 of the Code of Ordinances related to the property maintenance code (as approved at the August 16, 2022 General Government and Social Services Committee meeting). Seconded by Baxter. Motion passed without dissent.

There were no additional motions to report from the meeting.

VII. Council Reports

Motion by Moloney to open the Collective Bargaining Agreement for Police to look at ways to improve recruitment and retention. Seconded by Ellinger. Motion passed without dissent as amended.

Motion by Kay to amend and instruct the administration to work on MOUs with police for this purpose and bring recommendations to council. Seconded by Ellinger. Motion passed without dissent.

VIII. Mayor's Report

Motion by Ellinger to approve the Mayor's Report. Seconded by Kay. Motion passed without dissent.

IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Bledsoe to adjourn at 3:39pm. Seconded by Kay. Motion passed without dissent.

MAYOR LINDA GORTON



LEXINGTON

KACY ALLEN-BRYANT
COMMISSIONER
SOCIAL SERVICES

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Kacy Allen-Bryant, Commissioner of Social Services

DATE: September 2, 2022

SUBJECT: Preschool Education Services Application
Kentucky Department of Education (KDE)

Request:

Request Council Authorization for the Mayor to execute an application from the Kentucky Department of Education (KDE) for Preschool Education Services for the Family Care Center.

Purpose:

This application allows the Family Care Center to provide Preschool Education Services for the 2022-2023 school year. These services under Kentucky Administrative Regulations (KAR) include the Preschool Education Program, KY All STARS 5 STAR Tiered Quality Rating and Improvement Status, parent outreach, related services by licensed professionals for children with disabilities, transportation, and food services.

Budgetary Implication:

There are no budgetary implications with this application.

Are the funds budgeted?

There is no cost associated with this application.

File Number: 0894-22

Director/Commissioner: Shelia Horton-Holt / Kacy Allen-Bryant



MAYOR LINDA GORTON



LEXINGTON

Jason G. Wells
Fire Chief

TO: Mayor Linda Gorton

FROM: Jason G. Wells, Fire Chief

DATE: August 30, 2022

SUBJECT: Sole Source Certification for Handtevy Pediatric Emergency Standards

The Division of Fire and Emergency Services request authorization to establish a sole source provider contract with Handtevy Pediatric Emergency Standards.

Why are you requesting? We are requesting to establish Handtevy Pediatric Emergency Standards as a sole source in order to purchase their program that will reduce the occurrence of medication dosing errors when treating pediatric patients in the pre-hospital setting.

Department needs this action completed because: To ensure proper medication dosing when treating pediatric patients and having the program will ensure proper documentation to aid in reimbursement.

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

The cost for this FY is: \$30,785.35

The cost for future FY is: N/A

Are the funds budgeted? Yes, funds are budgeted.

Account #1101 505702 5712 75101 571

File Number:

Director/Commissioner: Wells/Armstrong



MAYOR LINDA GORTON



LEXINGTON

Jason G. Wells
Fire Chief

TO: Mayor Linda Gorton
FROM: Jason G. Wells, Fire Chief
DATE: August 30, 2022
SUBJECT: MOU with the Bureau of Prisons Federal Medical Center

The Division of Fire and Emergency Services request authorization to enter into an agreement with the Bureau of Prisons.

Why are you requesting?

We are requesting to enter into the agreement because it will define the roles and responsibilities between the Division of Fire and the BOP in order to maintain the safety and security of the public.

Department needs this action completed because:

This will define the rolls between the Division of Fire and the BOP.

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

The cost for this FY is: N/A

The cost for future FY is: N/A

Are the funds budgeted? N/A

File Number:

Director/Commissioner: Wells/Armstrong



MAYOR LINDA GORTON



LEXINGTON

TAMARA WALTERS
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: 
Tamara Walters, Director
Division of Human Resources

DATE: September 1, 2022

RE: Abolish and Create Positions - FY 2023 Budget

The attached action amends the classified and unclassified civil service authorized strength by creating positions as approved in the FY 2023 budget process, to become effective July 1, 2022.

These approved positions include the following:

- Create one (1) classified civil service position of Recreation Supervisor (Grade 514E) in the Department of Social Services.
- Create one (1) unclassified civil service position of Administrative Specialist Sr. (Grade 516N) in the Office of the Mayor.

The fiscal impact for FY 2023 (26 pay periods) will be budget neutral. All funding for the new positions are included in the FY 2023 approved budget.

File Number:

0906-22

Director/Commissioner: Tamara Walters/Sally Hamilton

If you have questions or need additional information, please contact Alisha Lyle 859-258-3957.



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: SEPTEMBER 2, 2022

SUBJECT: 2022 HUD Continuum of Care Program Competition

Request: Council authorization to submit the 2022 Continuum of Care application, as a Collaborative Applicant, to the U.S. Department of Housing and Urban Development requesting funding in an amount up to \$2,432,934 for the operation of programs by community nonprofit organizations to reduce homelessness in Fayette County and to accept award of federal funds, if offered, in the amount of \$166,115 for project planning expenses and software database management related to monitoring of all programs.

Purpose of Request: The Office of Homelessness Prevention and Intervention serves as the Collaborative Applicant for the Lexington Fayette County Continuum of Care and is responsible for annual development and submission of the Continuum of Care Program funding application to the U.S. Department of Housing and Urban Development for homelessness funding in the community. The LFUCG, in the role of Collaborative Applicant, has responsibility for scoring and ranking projects, submission of application for all funds, and monitoring compliance by all projects with the Homeless Management Information System. If approved by HUD, funds in the amount of \$2,432,934 will be used to implement community projects that reduce homelessness. These funds will be awarded directly to the various organizations from HUD. Each organization will provide the required 25% grant match from their own resources.

LFUCG will submit two grant applications totaling \$166,115 for planning purposes and software database management which will be used by the Office of Homelessness Prevention and Intervention to offset personnel and operating costs of compliance monitoring.

What is the cost in this budget year and future budget years? If the planning grant is awarded, match in the amount of \$15,573 will be required. If the Homeless Management Information System grant is awarded, match in the amount of \$25,956 will be required.

The cost for this FY is: \$0
The cost for future FY is: \$41,529

Are the funds budgeted? The funds are not yet budgeted as impact would be to FY24. If approved, a budget amendment will be initiated. Account number: 1145-155003-0001-7820

File Number: 0910-22

Director/Commissioner: Reynolds/Lanter



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: SEPTEMBER 1, 2022

SUBJECT: KYTC Agreement for Alumni Drive Shared Use Path Project – Design Phase

Request: Council authorization to execute agreement and accept federal funds in the amount of \$177,000 for the design phase of the Alumni Drive Shared Use Path Project, as funded under the Kentucky Transportation Cabinet Transportation Alternatives Program (TAP) for capital improvements projects. The acceptance obligates the Urban County Government for the expenditure of \$44,250 as a local match.

Purpose of the Request: The Kentucky Transportation Cabinet (KYTC) has approved for the Lexington-Fayette Urban County Government to use federal funds from the TAP Program for the design of the Alumni Shared Use Path Project. The Kentucky Transportation Cabinet has offered the LFUCG funds for the design phase in the amount of \$177,000. Local match in the amount of \$44,250 is required for a total design phase cost of \$221,250.

The Alumni Drive Shared Use Path project will involve a 2 mile long, 12 foot wide, shared use path from Tates Creek Road to New Circle Road (KY 4). The project includes intersection crossing improvements at Chinoe Road and New Circle Road to enhance pedestrian and bicycle access.

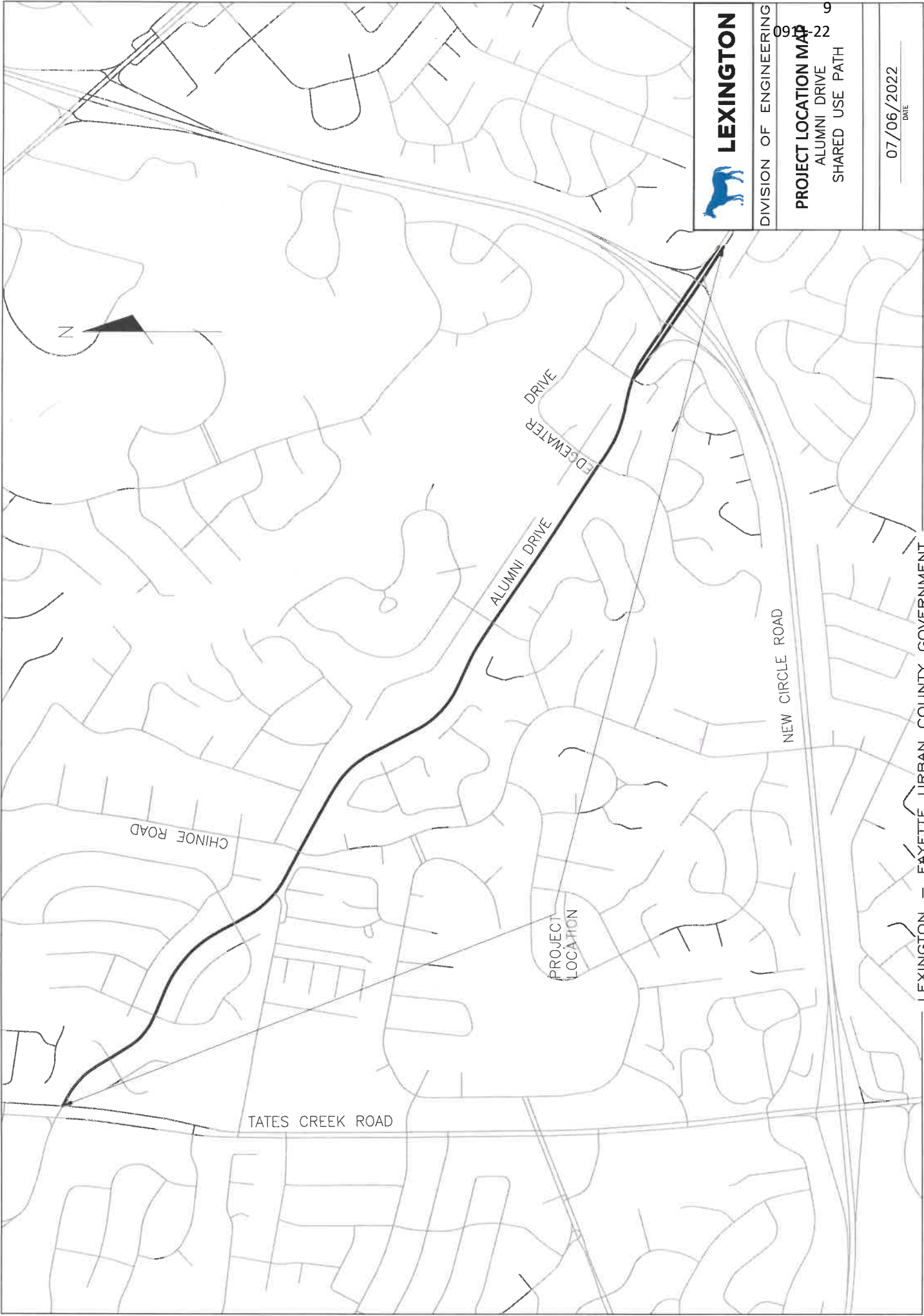
What is the cost in this budget year and future budget years? The cost for FY23 is \$221,250 total: \$177,000 federal funds and \$44,250 local match Future years funding is dependent upon availability of grant funding.

Are the funds budgeted? Budget amendment 11863 is in process.

File Number: 0911-22

Director/Commissioner: Burton/Albright





 LEXINGTON	DIVISION OF ENGINEERING	0922
	PROJECT LOCATION MAP	
ALUMNI DRIVE		9
SHARED USE PATH		
07/06/2022		DATE



Environmental Quality & Public Works Committee

July 5, 2022

Summary and Motions

Chair F. Brown called the meeting to order at 1:01 p.m. Committee Members Kay, Ellinger, Moloney, McCurn, LeGris, Sheehan, Kloiber, and Bledsoe were present. Committee Member Worley was absent. Council Members J. Brown, Baxter, Reynolds, and Plomin were also present as non-voting members.

I. Approval of June 7, 2022 Committee Summary

Motion by Sheehan to approve the June 7, 2022 Environmental Quality & Public Works Committee Summary. Seconded by LeGris. Motion passed without dissent.

II. Traffic Engineering: N. Limestone Road Diet

Grace Foley, Traffic Engineer Senior with Division of Traffic Engineering, explained that a road diet is described as removing travel lanes from a roadway and utilizing the space for other uses and travel modes. She mentioned that the N. Limestone road diet was developed out of neighborhood concerns regarding extreme speeding, frequent collisions, wrong-way driving, bicyclist and pedestrian safety, parked vehicle collisions, and racing vehicles. She reviewed traffic data on a variety of concerns and collision history for this area from 2015-2020 and she pointed out that of 149 collisions, 49 involved a parked car. She highlighted a preliminary design of the 400-700 blocks of N. Limestone, and she spoke about enhancements for wrong-way driving and the addition of signs in this area. The overall outcomes should reduce speeding, improve driver awareness, reduce parked collisions, eliminate "drag strip", and maintain traffic flow.

McCurn asked if we have looked at a safer method for bike lanes. Foley said the initial design was to have bike lanes on the right side, but the issue is getting bicycles back to the shoulder across the lanes of traffic. McCurn spoke about creating a pathway or an interchange and he asked if there is any point at which the bike lane is not going to be fluid. Foley said that upon reaching 7th street, bicycles will share the lane with vehicular traffic due to the width of the road. She added that they need to maintain two-way traffic to get vehicles from Loudon Avenue to Upper Street.

LeGris mentioned cyclists sharing the road with vehicles and asked if it is possible to have a study of a street scape redesign or safer options from Loudon Avenue to New Circle Road. Foley said this is something that has been discussed long-term and the plan presented today would be step one.

Ellinger asked Chris Evilia, Director of Metropolitan Planning Organization, to speak about the road design project. Evilia mentioned the area from Withers to New Circle Road said there is a project in the design phase right now that is looking at sidewalks and bike lanes for that section. He said there is a drainage component to that and the MPO has put federal dollars toward the project completion, but it may be a few years before it is addressed. Ellinger highlighted Polo Club as an example of a good bike lane design. Foley said they looked at adding bollards, but that would reduce the road width and could impede emergency vehicle response and city services. Foley added that the significant issue with this is that bicycles would have to merge with vehicular traffic in the center and get all the way over if they were going through 7th street and rather than merging, they would have to get across the lane. Ellinger asked what the best practice is for something like this. Foley said they have looked at examples from other cities,

but it depends on the goal. If the goal is to meet driver expectations, then the bike lane would be on the side we are showing today because that is where drivers would expect a bicycle to be. She said the initial design was for the bike lane to be on the right side, but that would mean the cyclist would have to cross over lanes of traffic in order to go straight at 7th street.

Moloney asked if the locations of the bike lane and parking lane could be switched. Foley said they have looked at this but this would impede emergency access and any waste collection vehicle would cause through traffic on N. Limestone to come to a complete stop because you couldn't get around if the bike lane is moved to the other side of parking. Foley added that in order for us do this, we would have to eliminate parking and many of the residents there do not have off-street parking options.

Bledsoe expressed appreciation for the presentation and the work of Traffic Engineering to address these issues.

J. Brown said there are a lot of variants and challenges to consider when addressing these concerns. There has been a good response from neighbors in this area saying how this will improve traffic flow and driver awareness. He asked what the timeline is and what notification will be sent to let neighbors know about the change. Foley said they are working on allocation of funds and figuring out paving times for various blocks of the street and she is still determining the best way to provide notification. J. Brown asked what the cost of this project would be and Foley said \$45-50,000. Ideally, they will use remaining funds from corridor improvements and reallocate funds from some of the pedestrian improvements, but funds were not specifically allocated for this project.

No further comment or action was taken on this item.

III. 5-Year Solid Waste Plan

Nancy Albright, Commissioner of Environmental Quality & Public Works, presented the 5-year solid waste plan which is required for all municipalities in Kentucky by state regulations. The update is a summary of current waste management programs and initiatives for the next five years (January 2023 – December 2027). She spoke about the public notice which will be posted July 6, 2022 with a period from that date until August 4 during which allows people to submit written comments or requests for a public hearing. She noted that Lexington is the largest municipal waste operation in Kentucky with a budget of \$50 Million. She spoke about the disposal services and the various drop off locations. She highlighted achievements that have been made since the last 5-year update period. Goals for the next 5 years include studying a bio digestion disposal system, seeking expanded opportunities for recyclables, improving leachate treatment, and looking for closer options for glass recycling.

Reynolds asked if locations for burning are incorporated in the 5-year plan. Albright explained that this would only be included if it was part of the process for what we take or send somewhere else. She added that the state dictates what is allowed to be burned and where.

Plomin asked how the word gets out to non-profits for electronic recyclables and Albright said this would go through the Division of Waste Management (DWM). The non-profits can sign up with DWM and be notified when items are available.

Moloney spoke about the need to be more mindful of clean energy and ways to save money by reusing materials. He asked if the RFP has been issued for a waste digester. Albright said the RFP for a consultant to review a waste digester should be issued in the next week and responses should be received within 30

days of issuance. Responding to Reynolds question about burning, Moloney said a permit from the fire department is required for burning in the city.

No further comment or action was taken on this item.

IV. Annual Urban Forestry / Street Trees Update

Jennifer Carey, Director of Division of Environmental Services, provided an update on street trees and the urban forestry program. She provided a background and said 10% of the 50,000 trees are maintained publicly and 90% are maintained by property owners with some assistance from the city. She spoke about the *Hazardous Street Tree Cost Share Program* and the requirements for participating in that program. She said the original budget for this program was \$150,000 in FY20 but the program was suspended in March due to COVID-19. She added that \$32,729 was paid out in FY21 and as of mid-June \$51,388 was paid out for FY22. Carey reviewed LFUCG's share of expenses which is 50% and she noted that in the last 8 years, 1,107 trees were removed with 1,038 replaced. She highlighted some of the success stories which include a reduction in ice/wind damage, reduction in Lex-calls, and positive comments from citizens. She closed the presentation by reviewing future initiatives.

LeGris asked for additional detail on the equity discussion such as low-income assistance available at 100% and barriers for people seeking access to this program. Carey said the low assistance guidelines are specified. She said they are looking to explore ways to bridge the gap between the 50% reimbursement and the 100% reimbursement that low income assistance eligible folks would be able to receive. She mentioned being able to issue a check directly to the vendor so the person would not have to pay the cost and wait for reimbursement. LeGris spoke about the street tree clearance pruning program and she asked why there are zero in Council District 3. Carey said the pruning program is limited to the full service tax districts. They also look at the age of the subdivision and if it is an older subdivision with trees that are more mature, they may not need pruning.

McCurn asked if there is anything in the ordinance that says trees have to be trimmed back away from street lights or at a certain clearance. Carey does not believe this is specifically stated in the ordinance, but they encourage folks to call Lex-call and they also work with Traffic Engineering and the Urban Forester to assess the situation on a case-by-case basis.

Sheehan asked what residents should know about removing a street tree and the process for replacing it. Carey said they encourage people to get a permit before removing a street tree and a condition on the permit is that the street tree must be replaced within one year. If a street is removed without a permit, DES will try to initiate conversations with a property owner to encourage them to get a permit for replacing the street tree. When it comes to tree replacement, Sheehan asked if there are community partners they would recommend residents to work with. Carey mentioned *Trees Lexington* or there are arborist companies in Lexington that could assist.

Plomin spoke about the *Hazardous Street Tree Removal* item she referred to committee. She mentioned that in the Westmoreland neighborhood, there are about 75 homes that have used this program in the past. This year, they applied again and received approval, but it was rescinded. The intent for this item is to find out why that happened because there are other older neighborhoods that will be impacted.

Reynolds asked about marketing and outreach and how to educate on who is responsible for certain services related to trees and street trees and how residents could apply for help. Carey said they probably have some literature that could be made available.

No further comment or action was taken on this item.

V. Items Referred to Committee

Motion by Kay to remove the *Traffic Engineering: N. Limestone Road Diet* item from the list of committee referrals. Seconded by Ellinger. Motion passed without dissent.

Motion by Sheehan to remove the *5-Year Solid Waste Plan* item from the list of committee referrals. Seconded by Ellinger. Motion passed without dissent.

Motion by Kloiber to remove the *CNG Conversion and Use* item from the list of committee referrals. Seconded by Bledsoe. Motion passed without dissent.

Motion by Sheehan to adjourn at 2:33 p.m. Seconded by Bledsoe. Motion passed without dissent.