

Linda Gorton – Vice Mayor
Charles Ellinger – At-Large
Steve Kay - At-large
Chris Ford – 1st District
Diane Lawless – 3rd District
Julian Beard – 4th District
Bill Farmer – 5th District
Jennifer Mossotti – 9th District
Harry Clarke – 10th District
Peggy Henson – 11th District

Staff:
Jenifer Benningfield

AGENDA

PLANNING AND PUBLIC WORKS

COMMITTEE

January 15th, 2013

1:00pm

- | | | |
|---|-----------------|----------------|
| 1. Election of Committee Chair | Gorton | |
| 2. November 20th, 2012 Summary | | (1-6) |
| 3. December 11th, 2012 Summary | | (7-11) |
| 4. Exploring the Use of Alternative Fuel Resources
For Fayette County – CNG Update | Hamilton | (12-17) |
| 5. Items Referred to Committee | | (18) |

Future Committee Meetings

February 12th, 2013
March 12th, 2013
April 16th, 2013
May 14th, 2013
June 11th, 2013
August 20th, 2013
September 17th, 2013
October 8th, 2013
November 12th, 2013
December 3rd, 2013

“Planning and Public Works Committee, to which should be referred matters relating to the Division of Planning and including, but not limited to, matters related to housing, infill and redevelopment, purchase of development rights and historic preservation, and any related partner agencies and the Department of Public Works and its related divisions, including capital improvement projects and any related partner agencies.”



Planning and Public Works Committee
November 20th, 2012
Summary and Motions

CM Bill Farmer chaired the meeting and called it to order at 1:02pm. Committee members CM Chuck Ellinger, VM Linda Gorton, CM Steve Kay, CM Chris Ford, CM Tom Blues, and CM Peggy Henson were in attendance. CM Stinnett attended the meeting as a non-voting member.

Chair Farmer called the meeting to order at 1:02pm.

1. October 16th, 2012 Summary

CM Ellinger made a motion to approve the summary. CM Kay seconded the motion. The motion passed without dissent.

2. Review of Street Tree and Street Tree Protection Ordinances

David Leonard came to the podium to present on the street tree ordinances. He said that it is recommended that a city have 40% canopy cover and that Lexington has between 7-20%. He said that healthy forests have environmental, social and economic benefits. Trees are carbon storage units so they have a large impact on air quality. Leonard said that healthy urban forests decrease storm water run off as well.

Leonard cited a report that stated people come to cities that have significant tree cover. They also stay longer and spend more money in those communities. He said that trees increase the value of homes and makes them easier to sell. Three trees properly planted around a home can also decrease energy bills.

Leonard spoke about the challenges that our urban forest faces. He showed photos of trees that had been topped, hit with lawnmowers and infected with root rot and insects. Leonard expressed concern about the placement and the maintenance of street trees. He also mentioned a lack of tree diversity.

Leonard continued his presentation by reporting to the committee members that Lexington is the oldest tree city in the state. He said that Lexington has been a tree city

for 24 years. Leonard said that Lexington does not have the staff in place to enforce our current ordinances.

Leonard reported the recommendations of the tree board to committee members. He suggested reviewing and revising Chapter 17B of the Code of Ordinances and Article 6-10 of Subdivision Regulations, Article 18 and Article 26 of the Zoning Ordinance. Leonard said that they need to optimize planting conditions for street trees with adequate space and suitable soil and promote placing the right trees in the right places.

Leonard said that there should be an emphasis on strong public outreach and education for residential properties. He also suggested creating an authority to compel removal of hazardous trees on private property that are a safety hazard.

For commercial properties, Leonard recommended adequate inspection resources (a landscape examiner) to proactively enforce landscaping requirements and the promotion of the installation of green infrastructure. Leonard also suggested that the city and the business community work to resolve conflicts between street trees and commercial signage.

Leonard said that the process is currently complaint driven. He said that we have lost hundreds of trees that have not been replaced.

CM Stinnett asked Leonard to explain any negatives that accompany tree planting. He asked Leonard about leaves entering the storm sewers and homeowners removing trees. Stinnett said that we are requiring developers to plant street trees and then after 15 years they have to remove them because they were not properly cared for. Stinnett asked Leonard if they have discussed changing the requirement for the placement of street trees.

Leonard said that the Tree Board thinks it would be better to move them inside the sidewalk. There would be less heaving of the sidewalks and less overhang over the sidewalk. Stinnett asked Leonard who inspects the trees when they are planted. Tim Queary said that his office is responsible for that inspection. They work with contractors to place door hangers at each residence.

CM Blues said that the Council and the Administration need to deal with these issues. CM Blues also said that he appreciated Leonard mentioning the economic development impact of trees for communities. CM Blues said that he thinks the issue is a serious challenge for the LFUCG.

CM Kay said that there are two parts to the equation. The policies can be dealt with by the LFUCG but the impact of the health of the trees is another issue. CM Kay said that he would like to know if it is better to work with the trees that are already in existence

or to remove them. Leonard said that the evidence is there to work to save the trees. Leonard said that he would provide that information to Council Members.

CM Farmer said that he would like to keep the issue in committee. He suggested that the Tree Board put in a request during the budget process. CM Farmer also suggested that the Tree Board make recommendations for changes to the Code of Ordinances to the Planning and Public Works Committee.

Karen Angelucci, a member of the Tree Board, said that she sees one solution regarding tree planting. She recommended allowing the tree to be planted five feet inside the sidewalk. The trees will then be away from the utilities.

3. Working with FCPS to Sustain Road Salt Services

Kevin Wenthe said that he had a meeting with various entities to discussion preparation. Wenthe said that he is concerned about requests made outside of the LFUCG's snow plan. Wenthe said that FCPS would be interested in partnering with the LFUCG when salt is purchased each year.

Wenthe said that he worked with Pat Tatum regarding calls to LexCall that are actually authorized calls for snow removal.

VM Gorton asked Wenthe about the list of authorized requesters. Wenthe said that he will be provided that list this year. Sam Williams said that he has worked with John Kiser in the past. He said that the plan that Wenthe has worked out will be better for the LFUCG. VM Gorton asked Wenthe to elaborate on the snow removal plan that was discussed with FCPS. Wenthe said that FCPS does ask the LFUCG to look at additional streets such as Armstrong Mill and Trent Boulevard.

Wenthe went on to say that FCPS would be interested in working with the LFUCG to order more salt to lower their costs. CM Farmer said that if the LFUCG is doing something to get the students to school, we need to figure out what that is worth.

CM Stinnett asked about the ranking of roads around schools. Wenthe said the rankings can differ. CM Stinnett said that there are roads around schools that they may not get to anyway.

4. Vacuum Leaf Collection

Rob Allen came to the podium to present on vacuum leaf collection. All citizens in the Urban Service Area who receive Urban County Government waste collection services have this service available to them. This is approximately 90,000 residential addresses.

The leaf collection will start Monday, November 26, 2012. It will be completed by the end of the year. The service area is divided into 4 separate zones and a downtown zone.

Allen reminded citizens not to rake their leaves into the street. They can be issued a citation for doing so. Citizens can also use the Lennys, paper yard waste bags, mulch their leaves, compost their leaves, take the leaves directly to Haley Pike Landfill or utilize private collection.

Allen said that the leaf collection information is communicated various ways, including GTV3, the LFUCG website, local media, through Council Members, LexCall and the WasteNot newsletter.

CM Stinnett asked if less people are using the service. Allen said yes. CM Stinnett said that overtime they may not need to offer the leaf collection service all over town.

Allen said that Streets and Roads is the division now in charge of the program. Street sweeping is going to be suspended during leaf collection. However, the downtown and UK areas will continue to have street sweeping through the month of December.

Allen said that there are two managers, three supervisors, twenty full-time employees, two administrative staffers and thirty-five temporary workers. He said that they use eleven leaf vacuums, six dump trucks, five rear-end load garbage trucks, and at least two street sweepers.

Allen said that the primary function of Streets and Roads is snow removal so if there is a snow situation, leaf collection will be delayed.

CM Blues asked how much the LFUCG spends on leaf bags. Allen said that he would have to ask Waste Management. CM Blues said that he thinks it is around \$300,000/year.

CM Henson said that she has concerns about the impact of the leaves on the storm water system. She said that she is not supportive of the program.

VM Gorton asked for clarification on Angelucci's comments. She told committee members that she asked Wenthe about the easement extending five feet within the sidewalk. Allen said it is dedicated planning easement where the developer would choose to put the street behind the sidewalk. Allen said that it is a designation, not a true easement. The tree planted there would be regulated like a street tree. Gorton asked if Wenthe could still follow-up on her question.

5. Design Excellence Task Force Update

CM Blues presented the committee members an interim report on the progress of the Design Excellence Task Force. He said that sub-committees have worked all summer on specific issues and they also added three members to the Task Force.

CM Blues spoke about the downtown inventory. Brandi Berryman came to the podium to present. She said that her group met nine times over a fourteen week period. Berryman said that they walked through the streets and they inventoried different parcels. She said they then identified sub-districts. She said that their recommendations are available in a lengthy document and they will be used when drafting the design guidelines.

CM Blues said that another sub-committee did a review and analysis of the current Courthouse Area Design guidelines. Jeff Fugate led the sub-committee and they found that the guidelines are working very well for rehab projects. The guidelines are less reliable for large new 'from the ground up' projects.

CM Blues said that they have worked towards the selection of a consultant. He said that they released the RFQ and it is included in the packet. The consultant will advise, assist and collaborate with the Task Force.

CM Blues said that the purpose of the project is to synthesize current community goals and previous downtown efforts and policies; provide a clear guide and predictable framework for both developers and citizens; and serve as a powerful graphic tool for visualizing preferred downtown rehabilitation, infill and redevelopment. CM Blues said that the respondent will exhibit the capacity to provide professional consultation to the LFUCG and LDDA design staff.

The Task Force will serve as the project steering committee. CM Blues said that this decision was based on three key factors:

1. The budget
2. Vast number of previous studies that can be used for reference going forward
3. The expertise of LFUCG, DDA and Task Force membership

CM Blues said the deadline for responses in November 28th, 2012. He is anticipating the receipt of competitive submissions.

CM Farmer said that if a consultant is selected by the December Planning and Public Works Committee meeting, CM Blues is welcome to report it at that time.

6. Items Referred to Committee

VM Gorton made a motion to refer the Amendment of Article 5-1 (a) Right-of-Entry back into the Planning and Public Works Committee. CM Kay seconded the motion. The motion passed without dissent.

VM Gorton made a motion to adjourn. CM Henson seconded the motion. The motion passed without dissent.

Submitted by Jenifer Benningfield, Council Administrative Specialist



Planning and Public Works Committee
December 11th, 2012
Summary and Motions

Chair Farmer called the meeting to order at 1:02pm. Council Members present were CM Ellinger, VM Gorton, CM Kay, CM Ford, CM Blues, CM Beard, CM Martin and CM Henson. CM Lawless was absent.

1. Approval of Summary

Motion by Beard to approve the summary. Seconded by Blues.

Gorton asked about the last paragraph on page 4 regarding her comments about easements. Gorton asked Kevin Wentz to provide further clarification. Wentz said it is a recommendation, not a requirement. Gorton said that there is no easement for planting street trees inside the sidewalk.

Farmer asked Benningfield to revise the minutes.

Beard withdrew his motion. Blues withdrew his second.

The minutes will be reviewed at the January 2013 meeting.

2. Re-Paving Program

Commissioner Jane Driskell came to the podium to present an update to the Committee members. Driskell said that there are several points they are taking into consideration. The first being when they will spend the money. Second, when it might be best to borrow the money and finally, the job outlook and how it might affect rates. She has looked at initial borrowing around March 2013. Driskell said she is also reviewing cash flow needs while looking at other bonding for the upcoming year.

Driskell said there will be a schedule distributed before her departure from LFUCG. The Bond Council, financial advisors, and budget staff will receive the schedule.

Wentz came to the podium and introduced Brian Billings from ATS. Wentz said they will continue using the same information allocated to Council earlier in the year. He stressed that they would like Council Members to report their list to his department by the end of January or first week of February. Farmer asked Wentz about the 12 way split. Wentz said that he will work on the allocations based on what they have already paved this year.

Billings said that ATS has three asphalt plants in Fayette County but they only ran one plant this year. A plant can do 250-350k tons in a year. They can do 800k-900k tons in a given year. He said that they would be happy to open the other two plants if needed. Farmer asked Sam Williams if they have enough inspectors to do that amount of paving. Williams said that they have two full time inspectors now and they can pull from other areas to get the inspections completed. He said three inspectors would be adequate.

Williams said that it costs \$100 per installed ton.

Beard asked Driskell if the bond amount is \$13MM. Driskell said yes. Driskell said there was also \$3MM in MAP and also some money from coal severance and County Aid funds. The \$13MM is in addition to what was budgeted.

Henson asked Williams about interruptions to traffic patterns. Williams said that most of the paving will not be done to major thoroughfares. Williams said that they will work with the contractor to do busier roads during off hours. He said they usually pave between 9:00 am – 3:00 pm. They can also do night paving if necessary.

Henson asked if they are really prepared to do this much paving in one year. Williams said that they are prepared.

Driskell said that MAP money will be used for debt service. \$1.5MM will be debt service each year on the bond.

Farmer asked Billings about the New Circle road widening. Billings said that he would be surprised to see it started before FY14. Billings said that it will be a good improvement for the north side of town.

3. Erecting Large Utility Poles in the Right of Way

Martin introduced his legislative aide Jonathan Hollinger to begin the presentation.

Hollinger mentioned the utility poles that had been erected on Euclid Avenue and Rose Street and on Cooper Drive. He also mentioned Landsdowne Drive.

Hollinger said that his presentation would define the current LFUCG policies on utility poles, discuss policies in other cities and suggest ordinance changes and aesthetic guidelines. He read Chapter 17C-3: Annual General Permit. This is a permit given to utility companies for work in the right-of-way. He said that the annual general permit means a permit issued annually by the division to repair, replace, or maintain existing above-ground facilities, including poles, in the same location with no street, curb, apron, or sidewalk cuts, provided any replacement facilities are not more than twenty (20) percent larger in size than the existing facilities. The annual general permit does not cover the installation of any facility that is not listed in 17C-3. The permittee shall be required to provide daily notifications to the division as further provided in subsection 17C-21(a).

Hollinger said that Chapter 17C-20 deals with utility poles and says that to the extent possible, registrants should use existing poles and conduit existing at the time of permitting in installing their facilities.

Hollinger went on to explain Article 6-5(a) of the Subdivision Regulations. All distribution lines or cables for utilities shall be installed below ground within the subdivision. Major facilities may be located above ground.

Hollinger mentioned the policies of other comparable cities. He said that in Boulder Colorado, no permits are issued for above ground utility structures. All new, replacement, and relocated utilities must be installed underground. Ann Arbor Michigan allows the Council to create underground utility districts by resolution. The policy does not apply to transmission lines in excess of 34,500 volts.

Hollinger said that in Madison Wisconsin, there are no new overhead entrance facilities for buildings in the downtown area or on specified corridors. Replacement entry facilities must be installed underground when the cost of remodeling exceeds 50% or more of the assessed value of the building. That requirement is waived if the cost of new entrance facilities exceeds 5% of the total remodeling cost.

In Nashville Tennessee, all new residential developments must have underground utilities. Any residential plot greater than 40,000 square feet is exempt. Furthermore, distribution lines on major streets, and transmission lines are exempt. Finally, the property owner or developer is responsible for costs of undergrounding.

The final city mentioned in Hollinger's presentation was Raleigh North Carolina. Their ordinance states that all utilities that serve a subdivision must be installed underground within the entire development. Ground mounted transformers cannot be in the public right-of-way within subdivisions of land.

Hollinger presented various policy options to the Committee members:

- Require more stringent review of proposed overhead utility structures by amending Chapter 17C.
- Require notification of property owners upon application to install major utility infrastructure.
- Establish aesthetic guidelines already referenced in Chapter 17C.

Hollinger then presented potential ordinance changes:

- Remove "more than 20%" from 17C-3.
- Amend the criteria for denying an installation permit.
- Could require applicants for installation to notify property owners.

Hollinger then mentioned aesthetic guidelines components:

- Location based restrictions

- Requirements to examine alternate paths
- Cost threshold requirements
- Priority installation areas
- Size, materials, and landscaping requirements

Hollinger reminded the Committee members that PSC regulated utility companies can ask for a rate increase based on a local policy that causes them to incur additional costs.

Hollinger concluded his presentation by suggesting that the Committee members discuss aesthetic guidelines components and ordinance changes. They could then draft guidelines and corresponding changes to the code of ordinances based on committee suggestions. Next they should engage stakeholders. Finally, the Committee should move their recommendations forward to the full Council.

Blues asked Hollinger what an entrance facility is. Hollinger said that it is where the utility lines come from the utility pole from a business or a home.

Henson spoke funding opportunities. She mentioned the fund that pays for street lights. Hollinger said that in Ann Arbor the homeowner must pay to convert the wire that runs to their home from the utility line. According to Kentucky Utilities that conversion can cost upwards of \$2000.

Henson also asked about available data on power outages with underground utilities versus overhead. Hollinger said that there is a lot of literature on the issue, but even if a line is underground in a specific area, the line does come out of the ground somewhere. Also, overhead utilities are much faster to fix than underground. Hollinger said that he would find better data and provide it to Henson.

Beard said that it is more difficult to locate a break when the utilities are underground. Beard asked Hollinger if the cities he mentioned deal with private utilities. Hollinger said that he thinks there are all private but will double check and provide the information to Beard.

Martin said that he would like to get some direction from Council Members for the staff to move forward on the issue. Martin said that what happened on Euclid Avenue cannot happen again. Martin said the total ban of overhead utility lines is not feasible now. Martin asked Hollinger what a major utility is. Hollinger said that it could be measured in kilovolts but suggested that someone with engineering expertise answer the question.

Martin said that they must work to balance the cost with quality of life for Fayette County's citizens.

Gorton said that when Pam Miller was the Mayor, the Council made it a priority to put a certain amount of money into the budget to bury lines in the downtown corridor.

Farmer said that they will keep the issue in committee and would like the staff to continue to work on the issue.

Martin suggested that the new committee invite Kentucky Utilities to come to an upcoming meeting.

4. Items Referred to Committee

Gorton said that a Council Member can pick up an issue referred by an outgoing Council Member if they are interested in continued discussion of that item.

Motion by Ellinger to remove the Building Permit Extensions in ND-1 and H-1 from the items referred list. Seconded by Blues. Motion passed without dissent.

Farmer asked Henson if he could change the Emergency Preparedness item as referred by her and she agreed to that change.

Gorton suggested changing the Design Excellence item as referred from Blues to Kay. Kay agreed to that change.

Blues gave a brief update on the Design Excellence item. Blues said that they received two responses to the RFQ and the working group will meet with both firms to ask questions that they did not think were fully answered in the two proposals.

Motion by Gorton to adjourn. Seconded by Beard. Motion passed without dissent.

Submitted by Jenifer Benningfield, Council Administrative Specialist



Compressed Natural Gas

A Viable Alternative for
Lexington-Fayette Urban County
Government



Fuel Cost – A Driving Factor

- 79% of the Fleet budget is fuel cost.
- In FY 2012, LFUCG spent over \$5.8 million for fuel alone.
- Can LFUCG deliver basic services at a reduced cost to taxpayers?

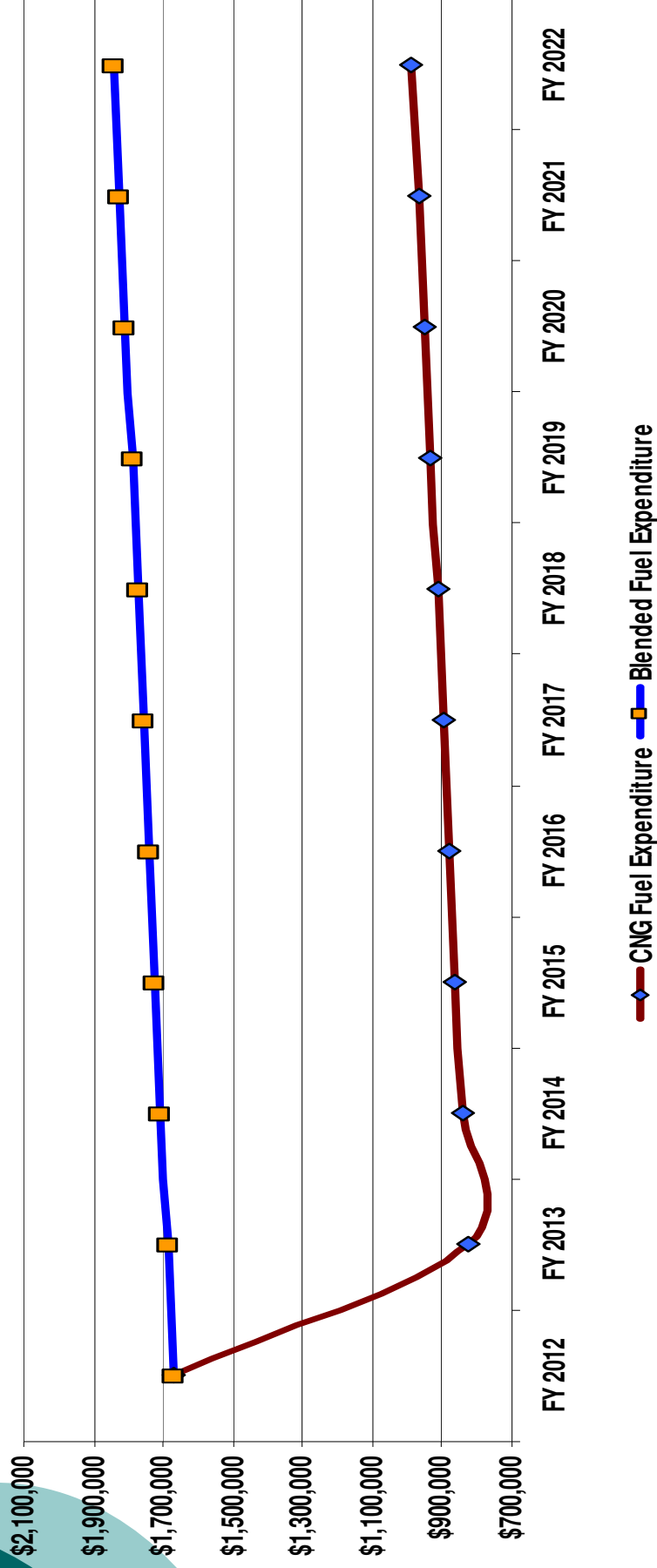


Compressed Natural Gas

- Averages \$1-2 per gallon less than diesel/gasoline.
- 20-30% less greenhouse emissions.
- 98% of all natural gas produced in North America.
- Cheaper fuel + less preventive maintenance = Viable Opportunity for LFUCG.

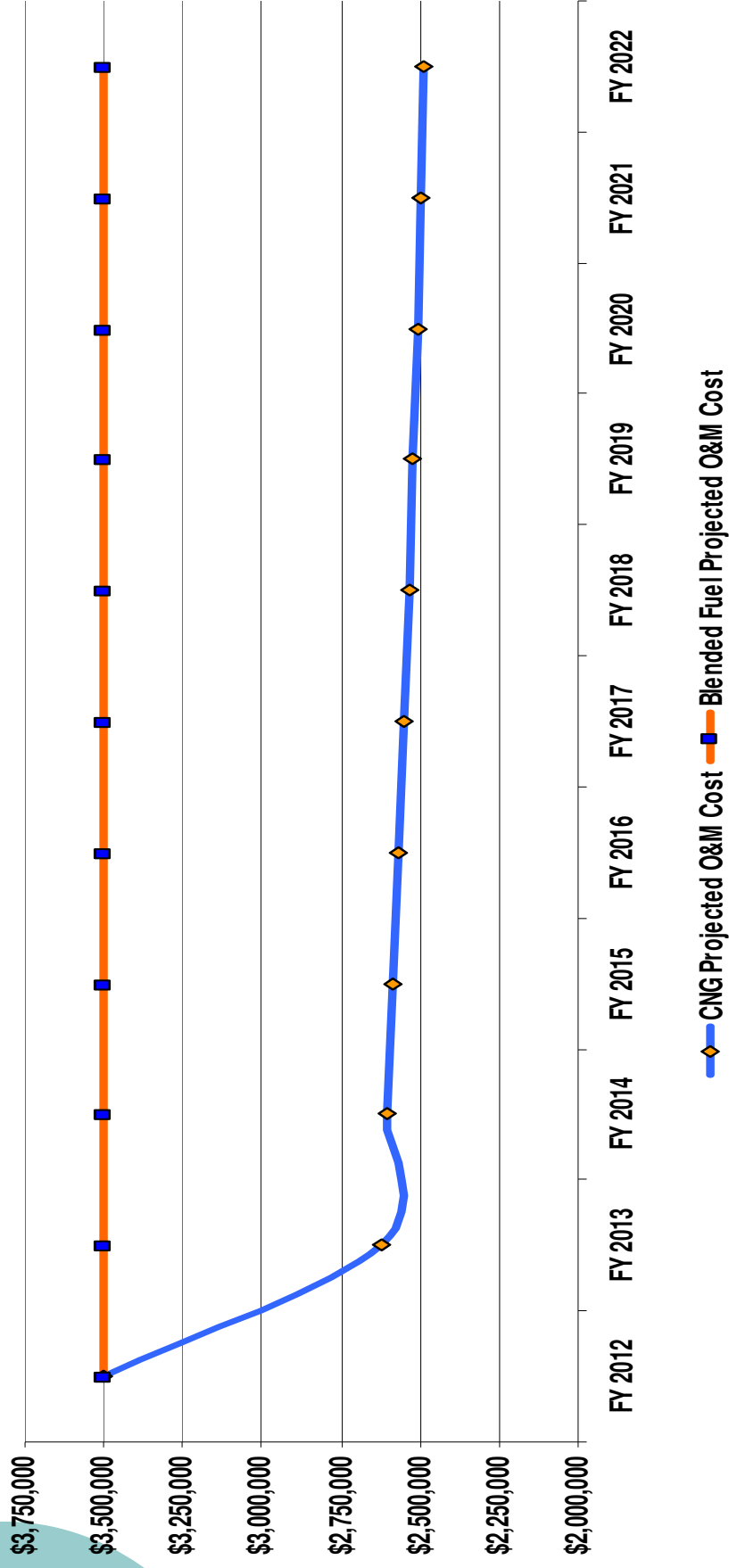
Return On Investment

Projected CNG Annual Fuel Expenditure Vs. Blended Fuel



Return On Investment

Projected CNG Vs. Blended Fuel Annual O&M Cost





Challenges & Opportunities

- Infrastructure – Fueling Station, Portable Skid Fueling, and Commercial Fuel Contract.
- Vehicles – Conversion and Procurement.
- Facility Modifications – Dedicated Service Bays.
- Partnership Opportunities.

Planning and Public Works Committee Referrals

Item	Referred by	Date	Status
Oliver Lewis Way Project	Blues	04/09/2009	Quarterly Update
Todds Road Widening Phase II	Stinnett	04/15/2010	Quarterly Update
Erecting Large Utility Poles in ROW	Martin	03/12/2010	12/11/2012
Re-Paving Program	Martin	04/13/2011	08/14/2012, 10/16/2012, 12/11/2012
Working with FCPS to sustain Road Salt Services	EQ Link	06/19/2011	11/20/2012
Downtown Traffic Study			Quarterly Update
Review Street Tree and Tree Protection Ordinances	Martin	09/27/2011	11/20/2012
Article 16 Zoning Ord: Off Parking Requirements/StormWater Management	Lawless	11/22/2011	
Emergency Preparedness	Henson	05/17/2012	
Possible Revision of Sign Ordinance	Farmer	06/12/2012	
Design Excellence Update	Kay		Quarterly Update
Exploring the Use of Alternative Fuel Resources for Fayette County	Farmer	07/10/2012	08/14/2012, 01/15/2013
Adult Day Care Centers	Kay	10/11/2012	09/18/2012
Amendment of Article 5-1(a) Right-of-Entry	Gorton	08/18/2011	