

Farmer, Chair
Mossotti, Vice Chair
Gorton
Ellinger
Kay
Ford
Lawless
Beard
Clarke
Henson

A G E N D A

Planning & Public Works Committee

October 14, 2014

1:00 P.M.

1. **Committee Summary** (1-7)
2. **Items Referred** (8-9)
3. **Leaf Collection Update** – Farmer (10-26)
4. **Snow Removal Plan** – Stinnett (27-37)
5. **Electrical Inspection Fees** – Gorton (38-66)
6. **Code Enforcement Nuisance Abatement Process** – (67-78)
General Services Link

“Planning & 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”

-Council Rules & Procedures, Section 2.102(1)

2014 Meeting Schedule

January 14	June 17
February 11	July 1
March 4	August 12
April 8	September 9
May 6	October 14

**Planning and Public Works Committee Meeting
September 9, 2014
Summary and Motions**

Chair Bill Farmer Jr. called the meeting to order 1:00 p.m. Committee members Mossotti, Ellinger, Kay, Ford, Beard, Henson, and Clarke were in attendance. Committee members Gorton and Lawless were absent. CMs Akers and Stinnett were also in attendance.

1. July 1, 2014 Special Committee Summary

Motion by CM Ellinger, second CM Ford to approve the August 12, 2014 committee summary.
Motion passed unanimously.

2. Permanent Barricading of Agape Drive

CM Clarke introduced the item, and discussed concerns with regard to removing the existing barricade on Agape Drive to provide a vehicular connection. He asked that the committee move this item forward to the full Council for additional consideration.

John Yozwiak spoke in favor of barricading the northern terminus of Agape Drive. He provided information related to increases in traffic that would result from the connection of Agape Drive, and stated concern for the impact on the existing Dogwood Trace community. Mr. Yozwiak stated in favor connecting Twain Ridge Drive rather than Agape Drive.

Roger Schnabel stated that the proposed development and connection would bring a tremendous amount of traffic to Agape Drive, and stated that Twain Ridge Drive would be a more reasonable connection point.

Mark Sok provided a petition in favor of permanently barricading Agape Drive, which was signed by more than 75 percent of the affected community (more than 500 signatures). He stated that Agape Drive does not have an adequate pavement width to be classified as a connector. Twain Ridge should be developed as a connector. Mr. Sok stated safety concerns with connecting Agape Drive. He provided goal and objective language from the Roadway Manual supportive of the request to barricade Agape Drive, and asked that the committee move this item forward for a full Council vote.

Bob Pattie stated safety concerns with the connections to Harrodsburg Road. He stated that traffic backs up at Military Pike on both sides of Harrodsburg Road.

Donna Bruszewski stated that the left turn movement into Dogwood Trace from Harrodsburg Road is hazardous due to the curve on Harrodsburg Lane near the turn, and the addition of additional traffic will cause additional traffic issues. Ms. Bruszewski spoke in favor of a permanent barricade on Agape Drive.

Chris King stated that the Planning Commission, the Planning Department, Traffic Engineering, Police, and Fire oppose the permanent barricading of Agape Drive. He provided exhibits from the 1988 Comprehensive Plan and current Comprehensive Plan, and discussed the development and connectivity adjacent to the subject area.

Mr. King explained that the LFUCG cannot legally require connectivity of Twin Ridge Drive, and stated the importance of the Agape Drive connection. Agape Drive was reduced from 36 feet to 31 feet wide at the time of construction with approval from the LFUCG as a traffic calming measure, and in recognition of the localized nature of traffic that will use the street. He shared an exhibit showing that the majority of streets in Lexington-Fayette County are 31 feet in width or less.

Dowell Hoskins-Squier stated that the Division of Traffic Engineering does not support the barricading of Agape Drive at its northern terminus for reasons of connectivity and safety. Connectivity reduces travel times, and reduces service times. She stated that the traffic study showed approximately 100 peak hour vehicle trips using Agape Drive, which is a relatively small number of trips.

Captain Greg Lengal provided a comparison of access points in adjacent communities, and related this to response times. Fire does not support the barricading of Agape Drive.

CM Henson requested clarification regarding access points to Dogwood Trace; clarification was offered with regard to a second point of access from Jessamine County.

In response from a question from CM Mossotti, Chris King clarified proposed access to the community. CM Mossotti stated concerns with safety and access.

CM Stinnett asked if cost estimates had been completed to extend Twain Ridge. Mr. King responded that the LFUCG is in the early stages of producing those estimates. In response to a question from CM Stinnett, Mr. King stated that a future Council could vote to remove the barricade. CM Stinnett stated that the decision is premature until the property directly to the north is developed. CM Stinnett requested additional clarification regarding emergency access and secondary access points.

In response to a question from CM Kay, Mr. King replied that the recommendation for connectivity of Twain Ridge would have remained regardless of the lawsuit issue. CM Kay asked if development of the adjacent property to the north would result in additional access points to Harrodsburg Road. Mr. King responded that direct connections to Harrodsburg Road would not be provided, due to safety and roadway capacity issues. Connectivity issues will be addressed at the time that property is developed.

CM Henson stated that Agape Road is too narrow to be a connector street. She stated that speeding in neighborhoods is an issue.

CM Mossotti stated that Council had decided not to utilize barricades in 1997, and received confirmation from the Law Department that this issue would be revisited when the parcel to the immediate north is developed.

In response to a question from CM Stinnett, Mr. King stated that staff would advocate for the right-of-way to remain open. He stated the existing homes on Agape Drive need the existing paved stubout for access.

CM Kay asked if construction of Twain Ridge would affect staff's opinion regarding Agape Drive. Mr. King stated that the staff recommendation would be for both roadways to be available. CM Kay stated that this decision should be made at the time the property to the immediate north is developed, and that he is not in favor of moving this item forward to Council at this time.

CM Henson stated that a pathway should be considered rather than a street for park access.

CM Farmer asked for clarification regarding the proposed location of a barricade, and CM Clarke responded that the barricade would be placed at the northern terminus of Agape Drive. CM Farmer asked for clarification regarding a waiver, and CM Clarke responded that he had followed that process.

CM Clarke stated that Agape Drive should not be a connector street. He refuted staff objections to the barricade.

Motion to approve to request Law to draft a resolution to permanently barricade Agape Drive at the northern terminus in order to protect the character of the Dogwood Trace Neighborhood and place the resolution into Work Session for full Council consideration. Seconded by CM Beard. Motion passed unanimously.

CM Ford asked if two cars could pass on Agape Drive if cars are parked on both sides of the street. Mr. King stated that it depends on the type of vehicles, but the width of the street would provide traffic calming. He stated that excess road width encourages speeding, which is detrimental to the character of neighborhoods. In response to a question from CM Ford, Mr. King stated that Agape Drive is shown as a collector street in the Comprehensive Plan.

CM Kay stated that he is not in support of closing the street at this time, but would vote in favor of moving the item forward to Council for discussion.

CM Mossotti stated that the street is already barricaded. CM Clarke responded that he was seeking language formalizing permanent barricading of Agape Drive.

3. Municipal Aid Program (MAP)

Commissioner Paulsen reported the Law Department has determined that KRS 177.365 allows for the use of Municipal Aid Program (MAP) funds for the construction of trails. He presented the use of MAP funds by LFUCG divisions over the past five years, with a summary of projects.

CM Stinnett stated that the LFUCG needs to establish a local policy regarding the use of MAP funds. He stated that there is no long-range plan for trails, and formulation of a local policy should be part of that plan. In response to a question from CM Stinnett, Commissioner Paulsen stated that a bicycle plan is being developed, and a monthly meeting with divisions receiving MAP funds and Finance is being held for coordination purposes. CM Stinnett stated that the need exists for one staff person that coordinates planning, construction and maintenance of trails.

In response to a question from CM Beard, Commissioner Paulsen stated that shared use pathways are not necessary adjacent to roadways. He clarified that shared use paths are not necessarily designed for vehicular access.

4. Todd's Road Widening Phase II

Keith Lovan stated that the project is currently in the right-of-way acquisition phase, and 9 of 52 necessary parcels have been acquired. Utility relocations are underway. District 7 of the Highway Department will begin construction in Spring 2015, and the project will be completed by August 2016.

CM Stinnett asked if fiber optic lines will be installed adjacent to the road during construction, and stated that the city needs to take advantage of the opportunity to install fiber optic lines during roadway construction projects.

5. Fiber Optic Technology

Aldona Valicenti, CIO, presented the item, discussed cities that have self-invested in fiber optic infrastructure, and provided approximate costs for same. She discussed financing models, which include investing through utility structures and bonding, discussing investment with cable providers, exploring public-private partnerships, and exploring non-traditional models such as selecting several broadband service providers.

CIO Valicenti stated that the Traffic Division is in the eighth year of a ten year plan to install fiber optic cable along major corridors for better communication with traffic signals and streaming video. The city has formed a Fiber Team with representatives from each department, and has had discussions with several companies. Conversations will continue with potential providers, with the goal to issue an RFI and eventual RFP.

CM Stinnett stated the need to provide free WiFi access to the community. CIO Valicenti responded that the implementation of broadband infrastructure is the first step in that process.

CM Farmer stated that the Mayor has announced that Lexington is taking steps towards becoming a Gigabit City, and thanked CIO Valicenti for her presentation.

Meeting adjourned at 2:56 PM.

CLB 2014-09-29

ID: 1584
Plan: DP 2013-96
Name: Harvey P Property
Comment:
Approved: 2/27/2014
Sign: 5/9/2014



4704 AGAPE DR

AGAPE DR

4705 AGAPE DR

Barricade

4736 AGAPE DR

4740 AGAPE DR

4744 AGAPE DR

4748 AGAPE DR

4752 AGAPE DR

AGAPE DR

4749 AGAPE DR

HARRODSBURG RD

DOGWOOD TRACE BLVD

RESOLUTION NO. _____-2014

A RESOLUTION DIRECTING THAT AGAPE DRIVE BE PERMANENTLY BARRICADED AT ITS NORTHERN TERMINUS POINT.

WHEREAS, in order to protect the character of Agape Drive it is necessary that Agape Drive be barricaded at its northern terminus point (meaning the northern point just past LaCross Court at the current stub street point of Agape Drive) ; and

WHEREAS, permitting Agape Drive, a small residential street with on-street parking, to be converted into a connector would cause traffic congestion and endanger the safety and welfare of the residents of Agape Drive; and

WHEREAS, the portion of Agape Drive that would be extended is currently too narrow to be considered a major thoroughfare and barricading Agape Drive at its northern terminus point will not effect the adequacy of the ingress and egress points for the residents of this portion of the street; and

WHEREAS, historically, traffic flow on Agape Drive has not been a problem and sufficient evidence has not been presented to demonstrate that granting the barricade requests will create a traffic flow problem in the area.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Council agrees to waive the procedure for action on requests to dead end a public street, provided in Resolution No. 339-81.

Section 2- That the Division of Streets and Roads take whatever action is necessary to erect a permanent barricade at the northern terminus point of Agape Drive (meaning the northern point just past LaCross Court at the current stub street point of Agape Drive), and Traffic Engineering take whatever action is necessary to rename any Agape Drive street remnants created by this barricade .

Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL



Lexington-Fayette Urban County Council

TO: Bill Farmer, Councilmember
District 5

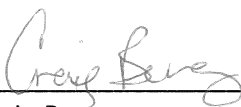
FROM: Craig Bencz
Research Analyst

DATE: September 3, 2014

In order to assist the Planning and Public Works Committee in reviewing the current list of referral items, I have highlighted those items on the list that generally meet one or more of the following criteria:

1. Item was referred two (2) or more years ago with no currently scheduled actions;
2. Item was heard by the committee recently (2014), and is not associated with a clear action item; and/or
3. Per Council Member or staff input, the item may be removed.

Items meeting these criteria are indicated on the referrals page as "potentially inactive" for the committee's consideration. Please feel free to contact me with any questions.



Craig Bencz
Research Analyst

Planning and Public Works Committee Referrals

<u>Item</u>	<u>Referred By</u>	<u>Date</u>	<u>Status</u>
Review Street Tree & Tree Protection Ordinances	Farmer	11.20.12	Summer 2014
Possible Revision of Sign Ordinance	Farmer	6.12.12	Summer 2014
Private Streets: Enforcement, Maintenance & Specifications	Mossotti	11.29.13	Summer 2014
H-1 Notification Process	Myers	1.19.13	Fall 2014
Greenway Manual & Plan	Mossotti	10.8.13	February 2014
Explore Providing Assistance to Low Income Homeowners with Code Compliance	Gorton	12.5.13	May 2014
Homeowner Associations Rights & Responsibilities	Akers	12.3.13	March 2014
Multi-Way Stop Glendover Rd @ Valley Rd	Beard	1.30.14	February 2014
Code Enforcement Fines	Lawless	2.11.14	May 2014
Building Inspection Civil Offenses	Lawless	2.11.14	Summer 2014
Off Premise Signage	Lawless	2.11.14	July 2014
Streetlight Installation Plan	Stinnett	2.11.14	August 2014
Snow Removal Plan	Stinnett	2.11.14	October 2014
Initiate Zoning Text Amendments for Food Trucks in the P-1 and AU Zones	Akers	2.18.14	August 2014
Design Excellence Ordinance	Kay	4.22.14	Late 2014
Affordable Housing Issue	Gorton		June-July After Break
Fiber Optic Technology	Farmer	5.6.14	September 2014
University of Kentucky Master Plan	Gorton	5.27.14	August 2014
MAP Fund Usage Policies	Stinnett	6.10.14	August 2014
Electrical Inspection Fees	Gorton	6.17.14	October 2014
Code Enforcement Nuisance Abatement Progress	General Services Link	7.10.14	October 2014
Landscape Examination Procedure	General Services Link	7.10.14	Late 2014
Permanent Barricading of Agape Drive	Clarke	7.1.14	September 2014
<u>Item</u>	<u>Referred By</u>	<u>Date</u>	<u>Status</u>
Oliver Lewis Way Update	Akers (Blues)	4.9.09	March 2014
Todd's Road Widening Phase II	Stinnett	4.15.09	September 2014
Downtown Traffic Study	Farmer	4.13.12	Date uncertain
Design Excellence Update	Kay	4.8.14	Late 2014

(potentially inactive item)

VACUUM LEAF COLLECTION FY15

OCTOBER 14, 2014

PLANNING AND PUBLIC WORKS COMMITTEE

Who Receives Leaf Collection?

2

- Citizens with city trash collection.
- Approximately 90,000 residential addresses.

Leaf Collection Guidelines

3

- Leaves should be raked into piles between the sidewalk and the curb, or close to the street if there is no sidewalk.
- Leaves should not be raked into the street.
 - ▣ Safety hazard.
 - ▣ Causes problems for workers, traffic, and clogs storm sewers and drainage ways.
- No limbs, rocks, dead animals, or trash should be in the leaf piles.

Alternative Leaf Disposal Options

4

- ☐ Lenny yard waste container.
- ☐ Paper yard waste bags.
- ☐ Mulch leaves when mowing.
- ☐ Home compost operation.
- ☐ Residents can take leaves to Haley Pike Landfill.
 - ☐ Monday, Tuesday, Thursday and Friday, 8am-6pm.
 - ☐ Open first Saturday of each month, 9am to 3pm.
- ☐ Private collection.

2014 Leaf Collection Schedule

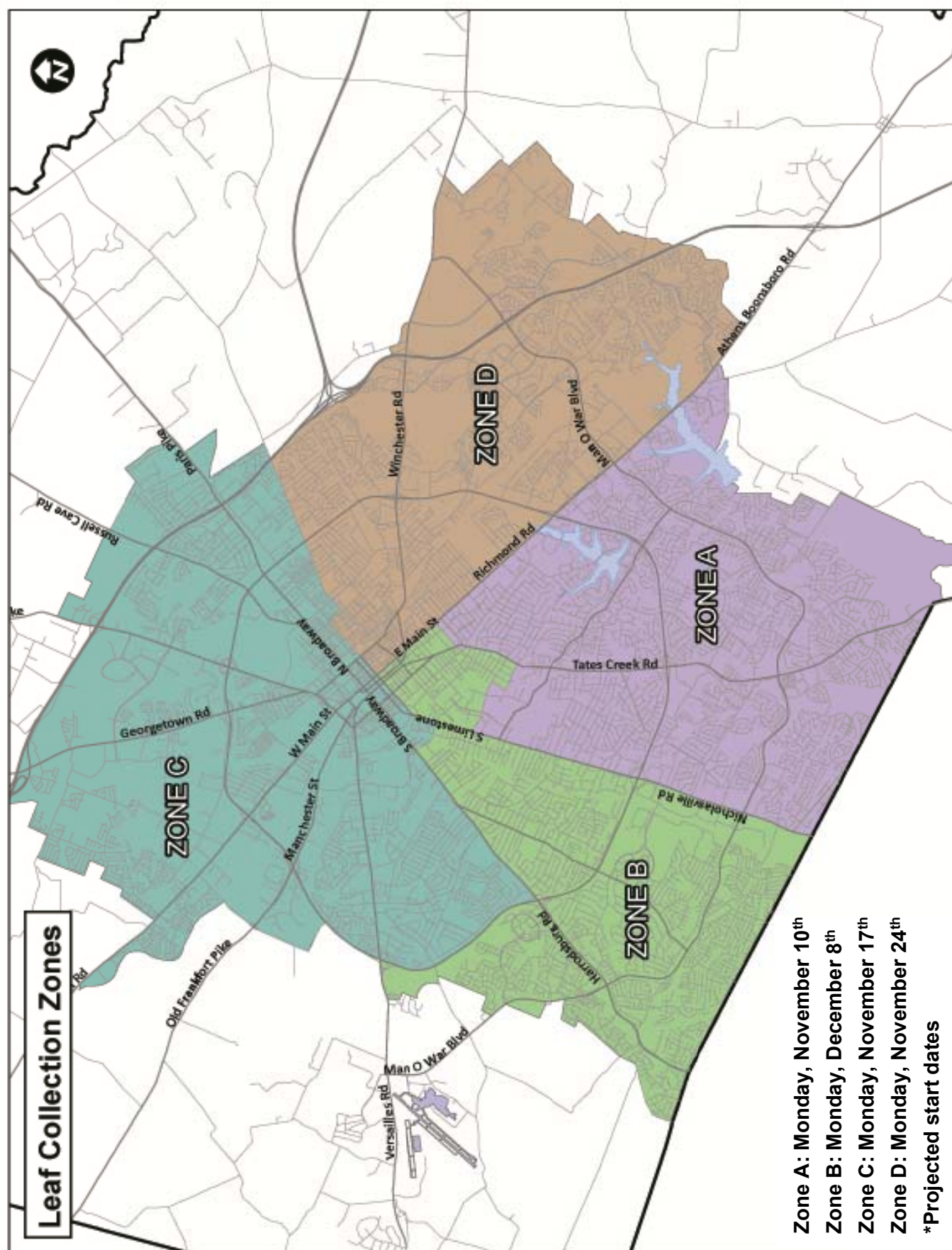
5

- Scheduled to begin Monday, November 10, 2014, Zone A.
- Scheduled completion date of Friday, December 19, 2014.
 - ▣ Completion date is subject to change based on weather.
- Service area is divided into four zones, each with seven to eight subzones.
 - ▣ Each zone is assigned one to two weeks of leaf collection.

Start Time Flexibility

6

- ❑ Weather unpredictable.
- ❑ Trees need cooler temperatures, shorter days, and water to drop leaves.
- ❑ Collect the maximum number of leaves in one pass.



Leaf Collection Logistics

8

- One round of collection for each zone.
- Street sweeping will be suspended.
 - ▣ Except in the Downtown and University of Kentucky areas.
- No parking signs will be placed along the street 24 hours prior to the collection.

2014 Leaf Collection Pilot Program

9

- ❑ Streets & Roads will perform leaf collection with assistance from a private contractor.
- ❑ As part of a pilot program, the private contractor will be deployed in 25% of the zones.
- ❑ Zone C was chosen for the pilot program.

2014 Extended Hours

10

- ❑ Monday through Friday - 7:30AM to 6:30PM.
- ❑ Saturday - 8:00AM to 4:00PM.
- ❑ Shift length extended to make up for lost time, depending on weather and daylight.
- ❑ Collection will be suspended for snow removal and emergencies requiring a response from Streets and Roads.

Communication Plan

11

- LFUCG website enhancements, including an interactive map.
 - www.lexingtonky.gov/leaves
- Facebook and Twitter updates.
- Government Communication news releases.
- GTV3
 - Lexington Now & bulletin board

Communication Plan

12

- Information will be sent to all local media.
 - Radio, print, and TV
- Council Members
 - Neighborhood association meetings, newsletters, etc.
- LexCall 311
- Division of Waste Management's WasteNot Newsletter & Live Green Newsletter.

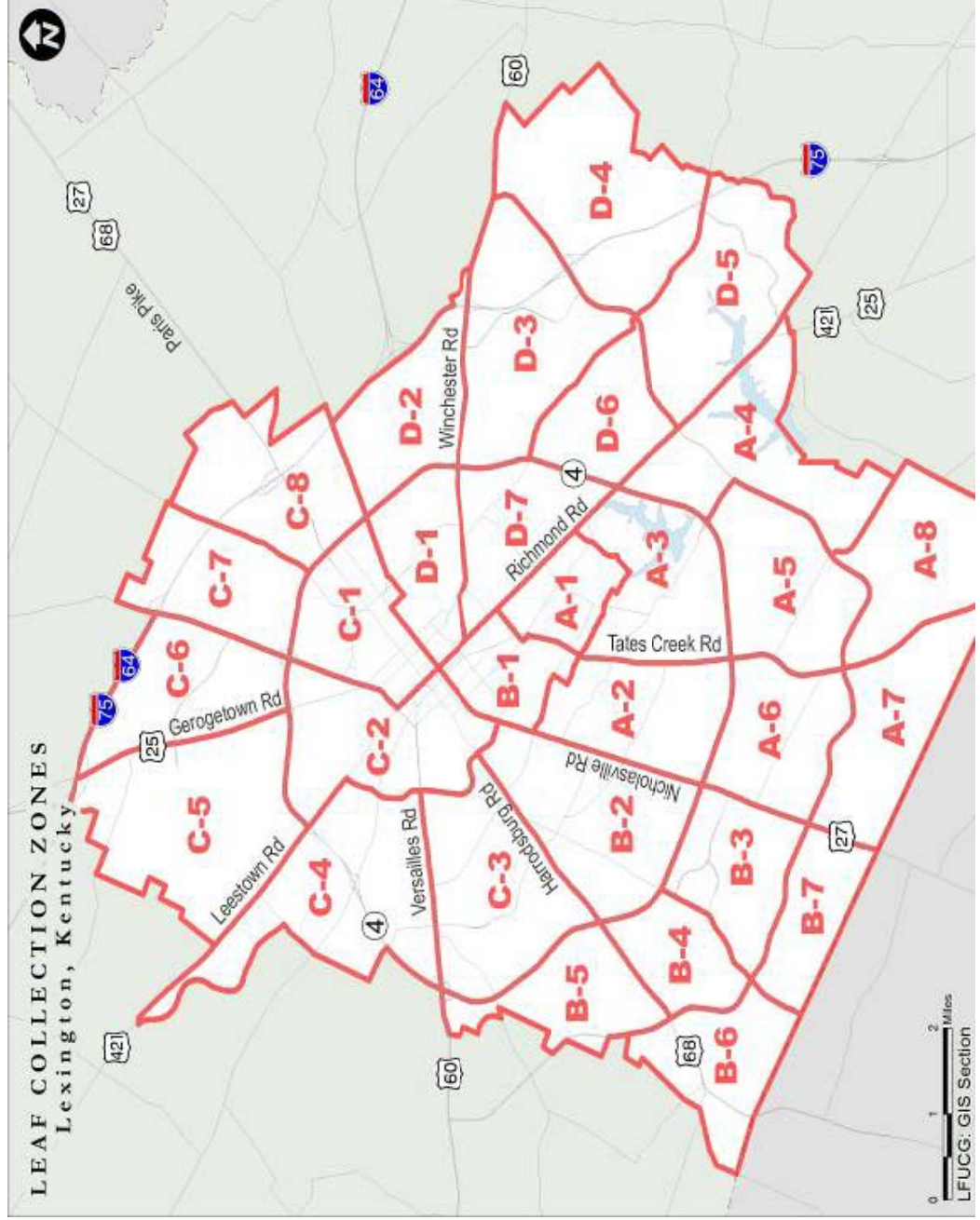
Interactive Map

13

- An interactive web map will be used to provide citizens with access to timely information regarding leaf collection.
- Citizens will be able to:
 - ▣ Locate their address within leaf collection zones.
 - ▣ View up-to-date schedules of when leaves will be collected in their zone.

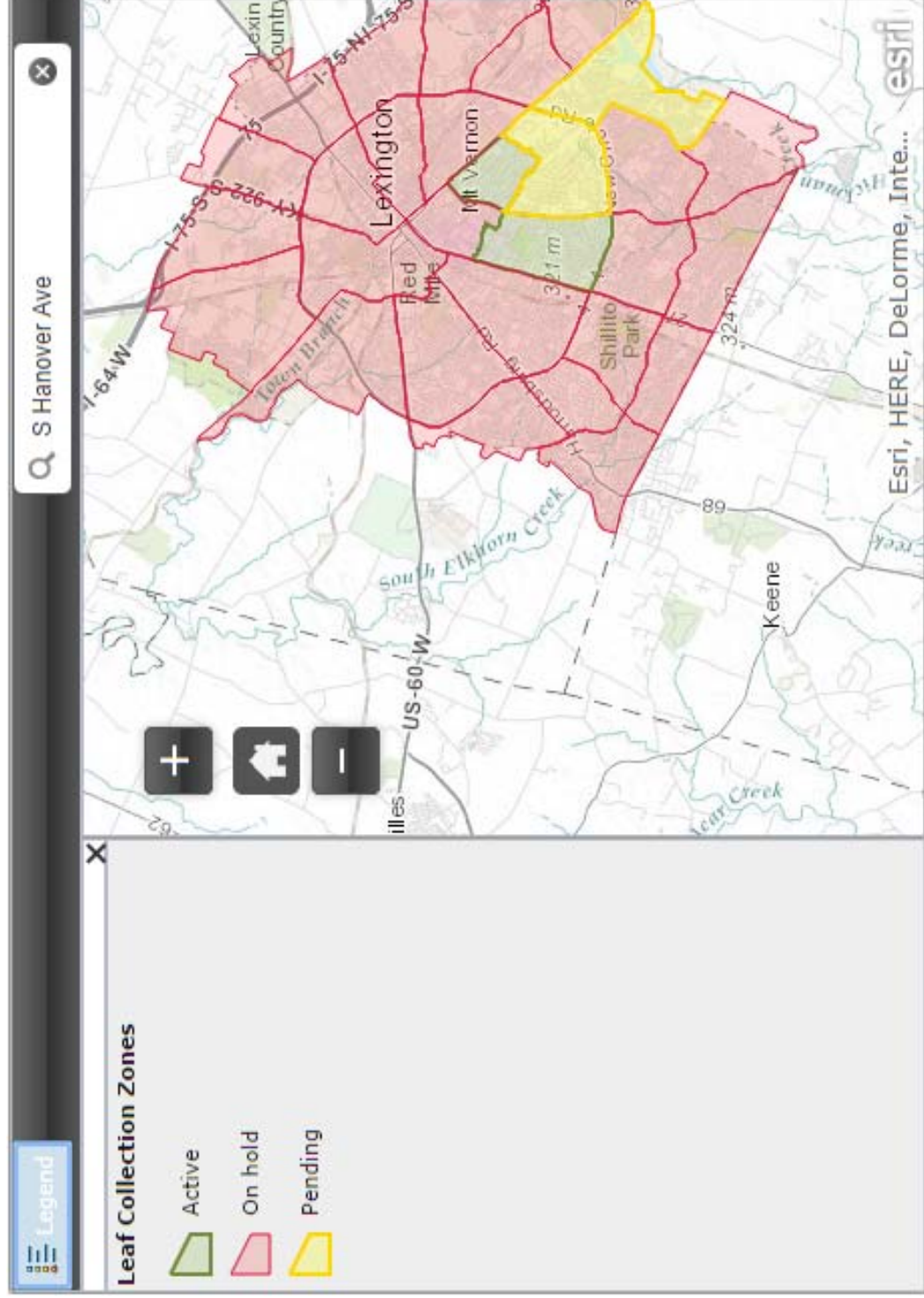
Interactive Map

14



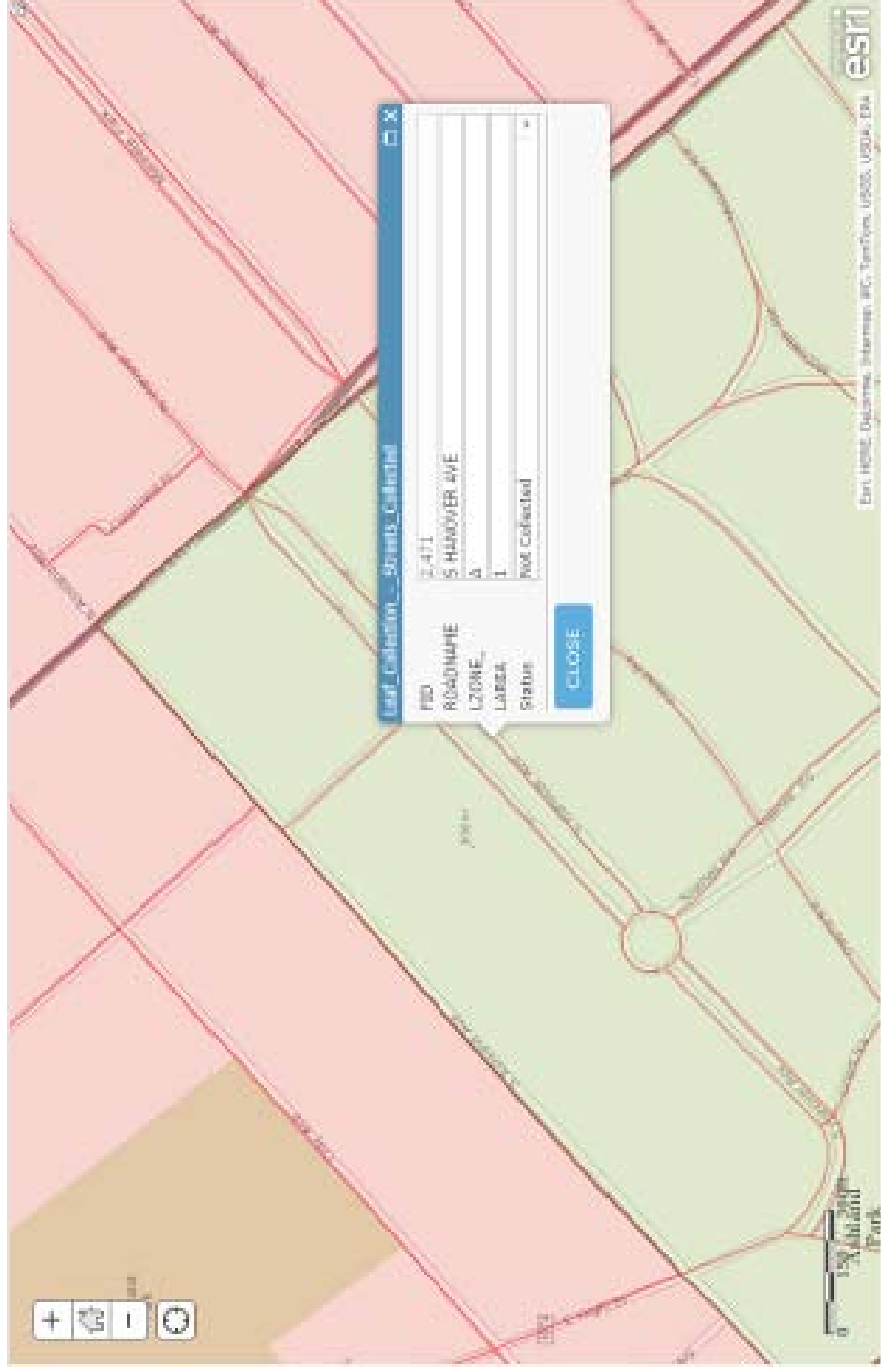
Interactive Map

15



Interactive Map

16



QUESTIONS?

Lexington Fayette Urban County Government

Snow and Ice Control Plan Winter 2014-2015



DEPARTMENT OF ENVIRONMENTAL QUALITY
&
PUBLIC WORKS

Snow and Ice Control Plan Winter 2014-2015

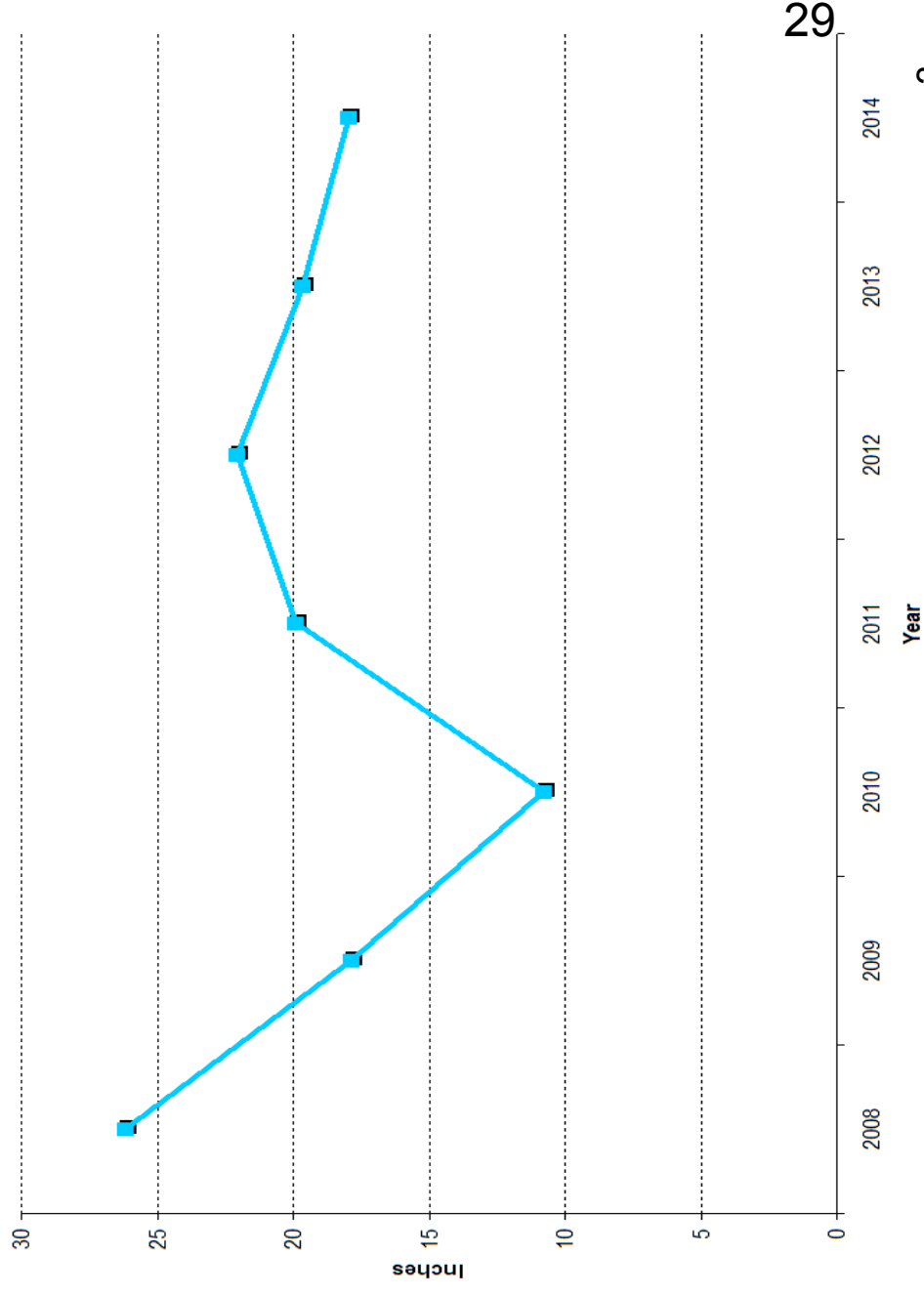
Lessons Learned

- Improve Ground Speed Controls on salt trucks to prevent spilling salt while trucks are idle at intersections.
- Additional signage along Snow Emergency Routes (240+ signs).
- Edits to snow routes within the Snow & Ice Control Plan to enhance connectivity (GIS).
- Incorporate social media in our communication plan with the public via Facebook and Twitter news feeds.
- More can be done with additional equipment, materials and staff.

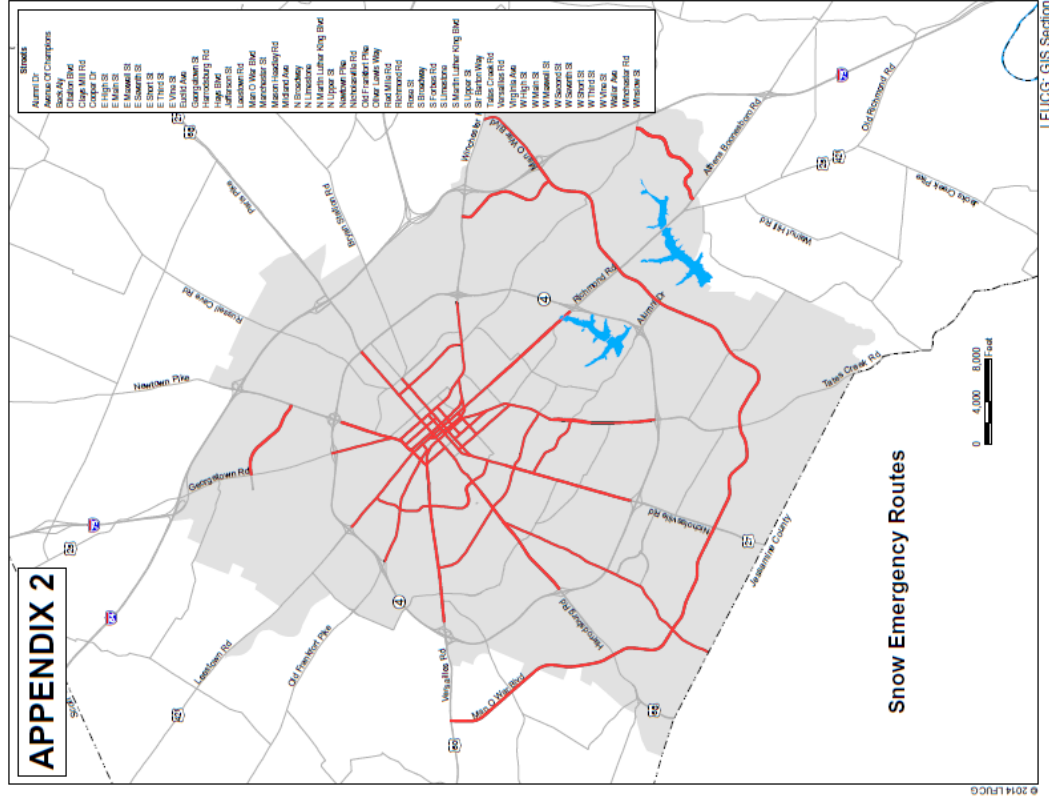
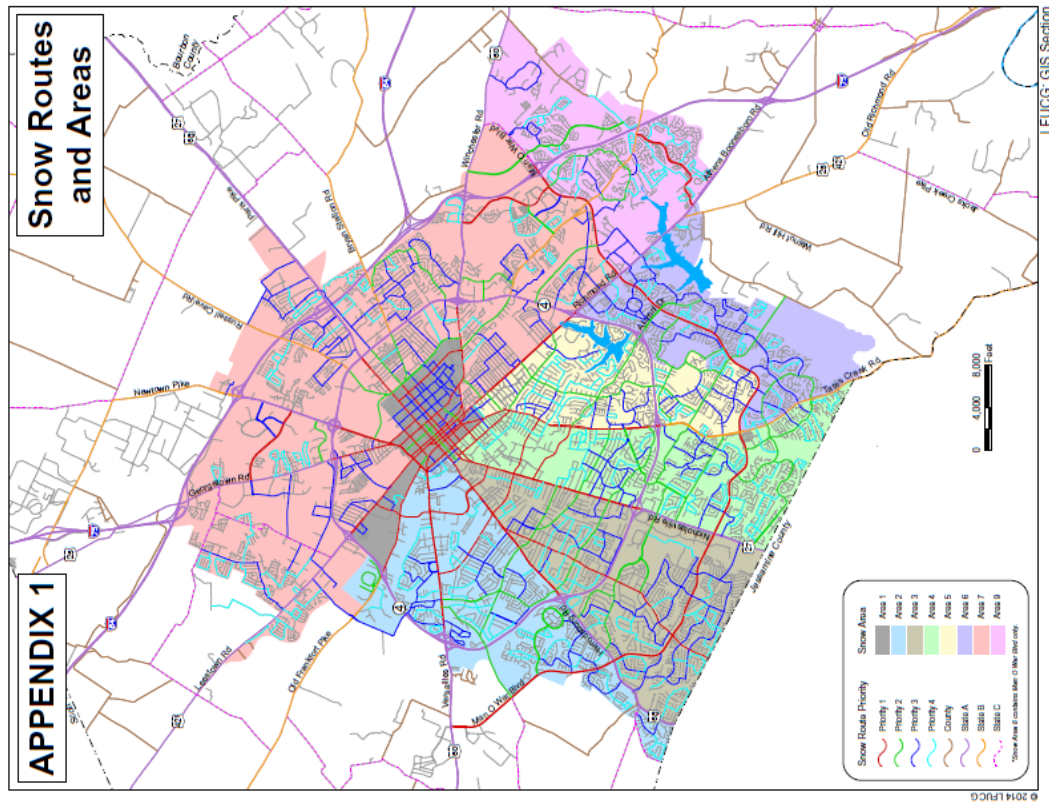
Complexities of Snow Removal

- Between 2008 – 2014 the avg. snowfall in Lexington was 19 in. per year.
- On average, there are 3 – 5 significant snow events per year.
- Last year we mobilized **32** times.

Lexington Winter Snow Accumulation

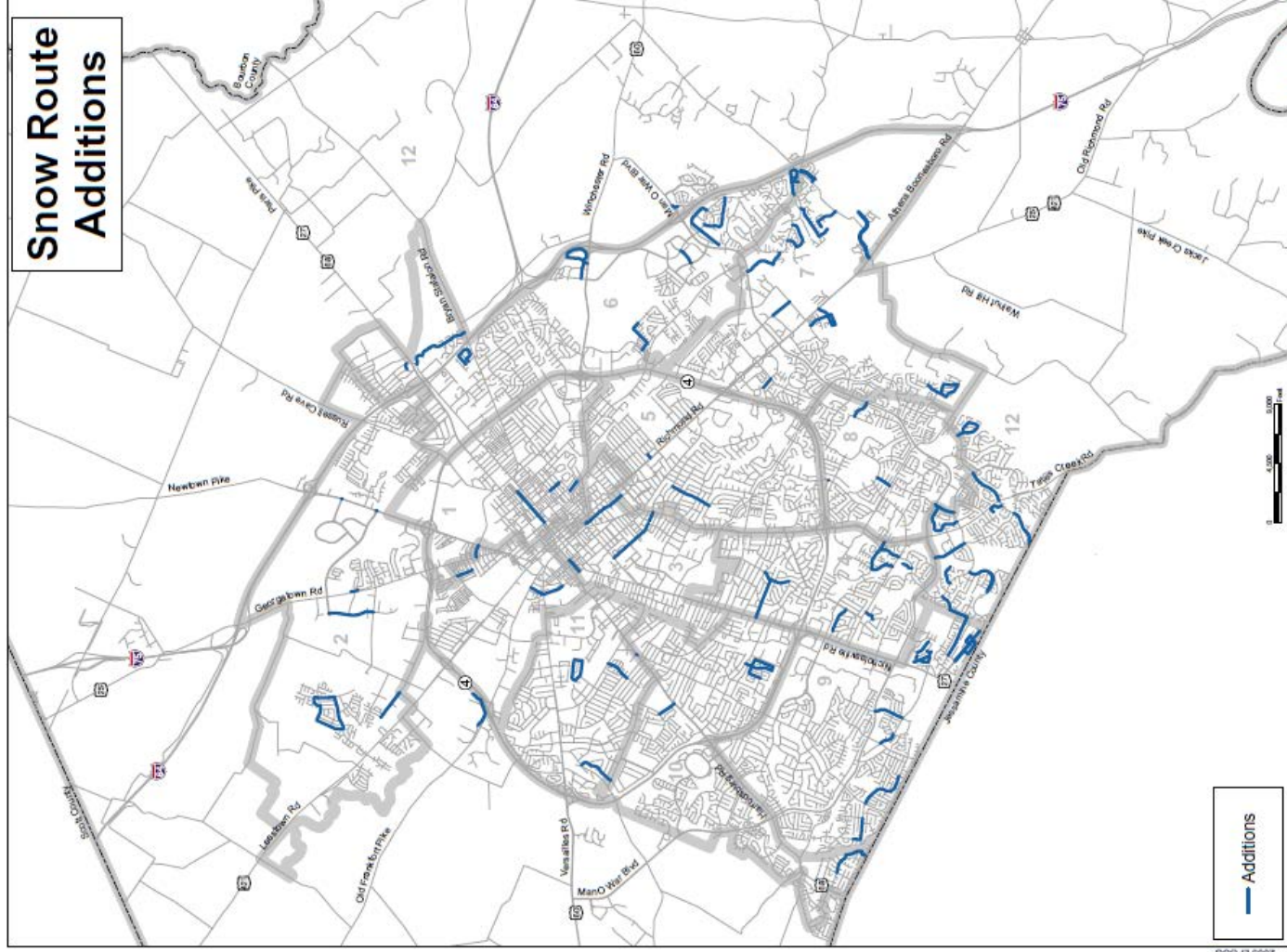


Areas of Snow Removal



Snow and Ice Control Plan Winter 2014-2015

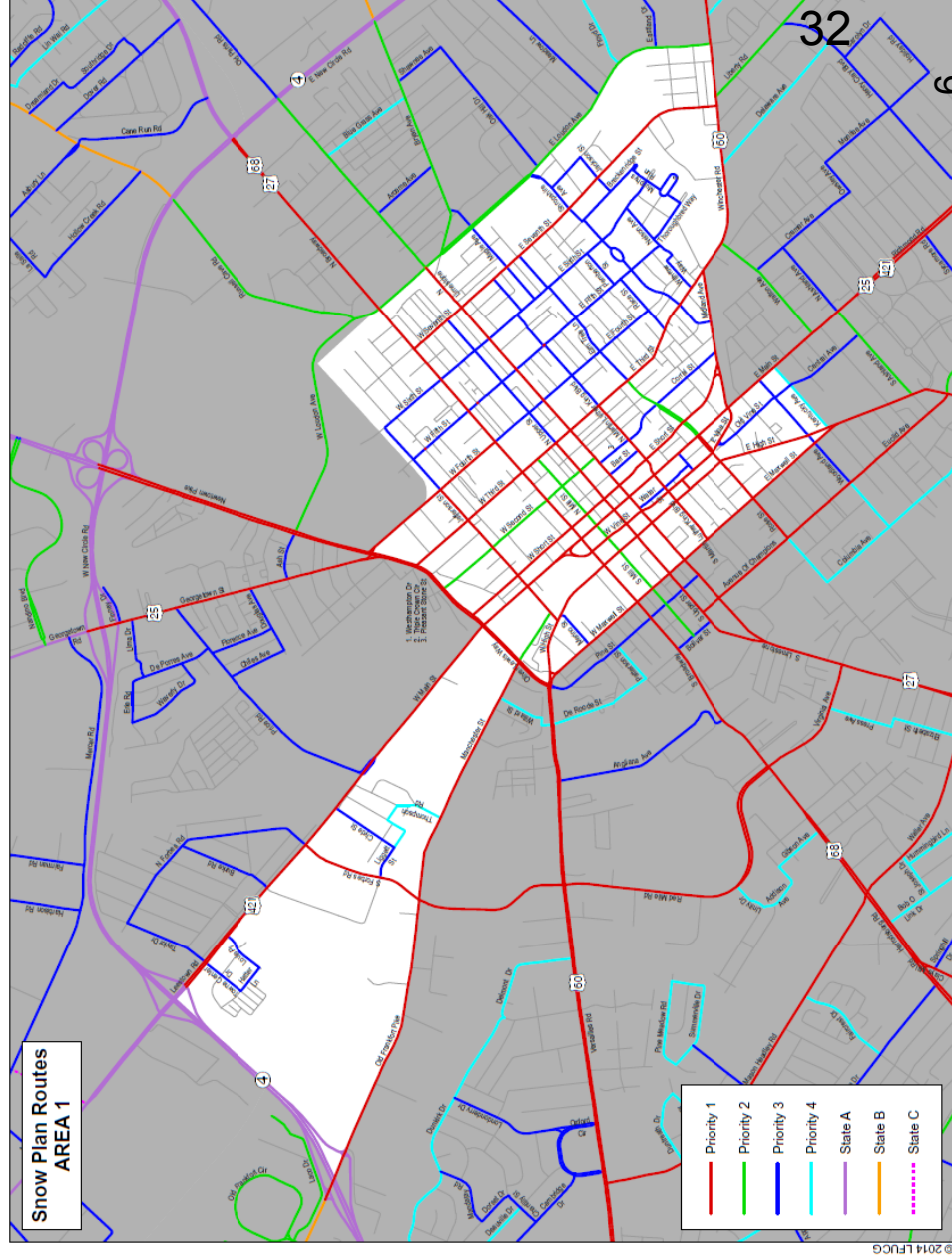
We get new streets to add to our priority list based on Fayette Co. Public Schools bus routes.



Streets Plowed by Priority

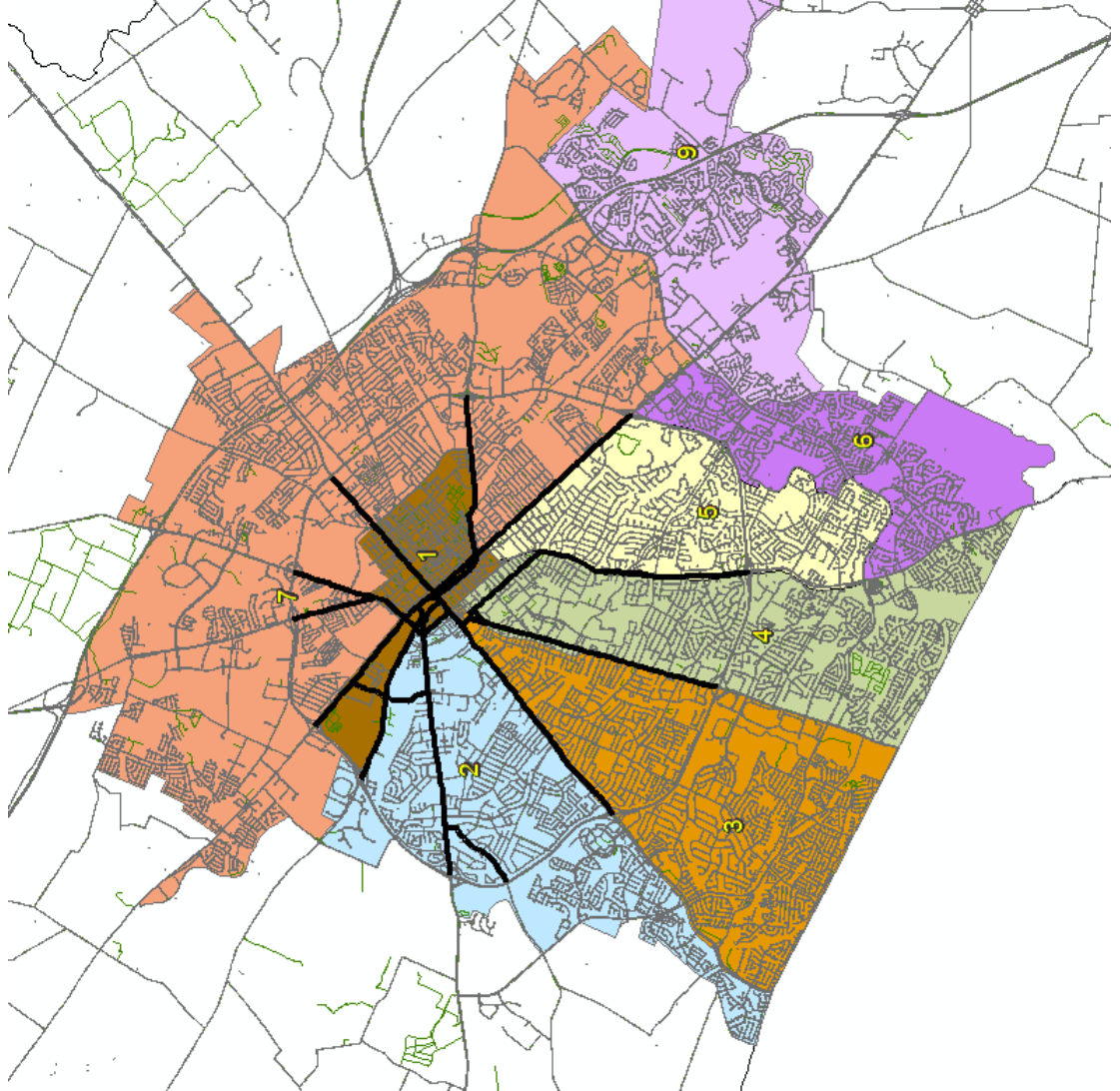
Priority routes have been developed by considering traffic volume, access to public transportation, access to emergency services, and access to Fayette County Public Schools.

- **Priority 1** streets are the primary arteries in and out of the city.
- **Priority 2** streets are the major connecting streets.
- **Priority 3** streets are collector routes.
- **Priority 4** are local streets within subdivisions, which allow residents access to the main roads.



Snow and Ice Control Plan Winter 2014-2015

We plow all 134 lane miles of state
streets inside of New Circle Road.



Areas Likely to Freeze

Bridges

Alumni Dr
Clays Mill Rd
Citation Blvd
Henry Clay Blvd
Jefferson St
Loudon Ave
Man-O-War Blvd
Martin Luther King Blvd
Seventh St
Pasadena Dr
Tates Creek Rd
Versailles Rd
Virginia Ave
W Main St
Wilson Downing Rd

Hills

Albany Rd
Armstrong Mill
Beacon Hill
Castleton Way
Clays Mill Rd
Emerson Dr
Fontaine Rd
Forbes Rd
Fourth St
Gainesway Dr
Lakeshore Dr
Lane Allen @ Parkers Mill
Lansdowne Dr
Malibu Dr
N Upper St
Oxford Circle
Pasadena Dr
Pebble Lake Dr
Reynolds Rd
Roanoke Dr
S Broadway
S Mill St
S Upper St
Shriners Ln
Trent Blvd
Zandale Dr

Lexington-Fayette Urban County Government

Snow and Ice Control Plan

Winter 2014-2015

- Snow plan routes are prioritized based on traffic volumes.
- They are selected to efficiently and effectively circulate our vehicles to reach the majority of residents.
- LFUCG treats/plows over half of the streets in Lexington/Fayette County that we, as a City, are responsible to maintain.
- Within a 12 hour shift; 1 truck can treat & plow approximately 30 lane miles.
- With current equipment fully operational, our fleet can treat & plow all snow plan routes within 24 hours.
- LFUCG has a total of 46 trucks with plows:
 - 32 dump trucks
 - 8 super-duty trucks
 - (6) 4x4 pickup trucks
- Additionally, there is 1 front-end loader, 2 skid loaders, 1 grader, and 2 backhoes.

Lexington-Fayette Urban County Government

Snow and Ice Control Plan

Winter 2014-2015

Salt Budget

- Amount of Salt we have on hand is 2,400 tons.
- Current Salt budget = \$700,000.
- Cost of Salt has increased from \$60.49/ton to \$77.40/ton - a 28% increase.
- Total amount to be purchased @ \$77.40/ton = 9,044 tons.
- 15,000 tons used in FY14.
- Salt will be stored at Streets & Roads facility on Old Frankfort Pike.



QUESTIONS?

Electrical Inspection Fees

OCTOBER 14, 2014

PLANNING AND PUBLIC WORKS COMMITTEE

Presentation Overview



- Electrical Inspection Process
- Electrical Inspection Fees
- Electrical Inspection Fee Review Process
- Recommendations

Electrical Inspection Process

- ❑ LFUCG staff issues permits for electrical work, but do not perform inspections
- ❑ LFUCG has never performed electrical inspections internally
- ❑ Since 1996 LFUCG has used a single, outside entity for inspections, selected through a bid process
 - ▣ Commonwealth Inspection Bureau
- ❑ Contracts are for one-year, renewable for five additional one-year terms

Electrical Inspection Process

- The selected contractor collects inspection fees, no other payment is received from LFUCG
- Fees are set in section 5-76 of the Code of Ordinances
- Contract Specifies a minimum level of service:
 - ▣ Three Inspectors
 - ▣ Inspections must be performed within 24 hours
 - ▣ Minimum of three vehicles for staff
 - ▣ Local office and required hours of service

Fee Increase Request

- Commonwealth Inspection Bureau has requested a fee increase
- Previous fee increases:
 - ▣ 1991
 - ▣ 2002
 - ▣ 2009

Fee Increase Request

- Commonwealth Inspection Bureau has provided the following rationale for the fee increase:
 - ▣ Change in National Electric Code
 - ▣ Changes at state level that increase printing costs
 - ▣ Increased expenses
 - See packet

Reported Expenses

April 2014

Expenses	August 2009	August 2013	Change 2009 to 2013
Bank Charges	\$1,960.67	\$1,448.09	(\$512.58)
Dues and Subscriptions	\$506.99	\$1,063.00	\$556.01
Building Rent	\$12,115.44	\$13,200.00	\$1,084.56
Business Insurance	\$644.60	\$626.96	(\$17.64)
Auto Insurance	\$7,457.12	\$12,340.69	\$4,883.57
Health Insurance	\$13,964.08	\$18,774.72	\$4,810.64
Life Insurance	\$4,295.40	\$4,872.80	\$577.40
Workers' Comp Insurance	\$3,221.00	\$2,993.00	(\$228.00)
Licenses & Fees	\$88.00	\$322.00	\$234.00
Office Supplies	\$3,745.29	\$6,825.13	\$3,079.84
Salaries	\$127,394.87	\$152,715.11	\$25,320.24
Property Tax	\$279.97	\$428.65	\$148.68
Telephone	\$2,482.84	\$9,067.55	\$6,584.71
Fuel and Maintenance	\$7,824.66	\$8,624.57	\$799.91
FICA Tax Expense	\$7,898.48	\$9,468.33	\$1,569.85
Medicare Tax Expense	\$1,847.22	\$2,214.36	\$367.14
SUTA Tax Expense	\$834.73	\$3,959.94	\$3,125.21
Total	\$196,561.36	\$248,944.90	\$52,383.54

Reported Inspections and Expenses

October 2014

	2011	2012	2013
Total Inspections	7,309	8,911	9,750
Inspection Fees	\$475,508	\$584,056	\$614,920
Expenses	\$397,180	\$410,310	\$527,296

Detailed Reported Expenses

October 2014

	2011	2012	2013
Salaries and Wages	\$223,872	\$240,022	\$234,014
Payroll Taxes	\$18,610	\$23,147	\$23,512
Taxes and License	\$989	\$1,034	\$654
Kentucky Taxes	\$175	\$175	\$175
Kentucky City Taxes	\$3,291	\$4,809	\$2,436
Repairs and Maintenance	\$13,665	\$10,076	\$3,673
Bad Debts	\$2,525	\$656	\$500
Rent Office	\$17,608	\$18,150	\$18,150
Interest Expense		\$933	\$3,154
Depreciation Expense	\$38,775	\$25,237	\$10,558
Advertising	\$32		\$227
Employee Health Insurance	\$11,360	\$12,124	\$11,583
Auto Expense			
Bank Charges	\$3,757	\$3,915	\$2,654
Business Licenses	\$444	\$176	\$946
Casual Labor	\$600	\$1,125	\$225
Continuing Education			\$1,425
Dues and Subscriptions	\$411	\$516	\$1,633
Insurance	\$16,764	\$17,625	\$21,905
Legal and Accounting	\$4,956	\$7,520	\$9,227
Meals and Entertainment	\$185	\$413	\$354
Miscellaneous Expense			\$1,894
Office Expense			\$1,354
Office Supplies	\$6,630	\$7,359	\$7,745
Postage and Supplies	\$1,480	\$1,194	\$605
Registrations	\$636	\$558	\$507
Auto Expense	\$17,843	\$21,104	\$23,847
Utilities and Telephone	\$12,572	\$12,442	\$14,412
Loss Due to Theft			\$129,927

Proposed Inspection Fees

Inspection Category	Current Fees	Proposed Fees
Rough Wire Inspection	\$45.00 for first 10 circuits	\$55.00 for first 10 circuits
	\$0.65 each circuit 11-20	
	\$0.40 each circuit over 20	\$0.50 per each circuit over 10
Rewire Inspection	\$45.00 for service change inspection	\$55.00 per service change inspection
Re-inspection/Return Trip	\$35.00 per inspection	\$35.00 per inspection

Proposed Inspection Fees

Inspection Category	Current Fees	Proposed Fees
Final Inspection	\$45.00 for service and fixtures up to 10 circuits.	\$55.00 for service and fixtures up to 10 circuits
	\$0.40 for each fixture over 10	\$0.50 for each fixture over 10
	\$1.10 for each 240 volt circuit	\$0.50 for each 240 volt circuit
	\$1.10 each small appliance circuit	\$0.50 for each small appliance circuit
Temporary on Permanent Inspection	\$45.00	\$55.00
Manufactured or Mobile Home Service	\$45.00	\$55.00
		48

Proposed Inspection Fees

Inspection Category	Current Fees	Proposed Fees
Apartment: Rough wire and temporary on permanent	\$45.00 for first unit- 1 building \$12.00 each additional building	\$30 for each unit
Apartment: Final Inspection	\$45.00 for first unit \$12.00 each additional unit \$1.10 for each 240 volt circuit \$1.10 each additional small appliance circuit	\$30 for each unit

Proposed Inspection Fees

Inspection Category	Current Fees	Proposed Fees
Contracts of \$50,000 and more	1% of the total cost for the first \$300,000. $\frac{3}{4}$ of 1% for \$300,001 through \$600,000. $\frac{1}{2}$ of 1% for all construction costs over \$600,000.	N/A
Contracts of \$30,00 and more	N/A	1% of total cost for the first \$2,000,000. $\frac{3}{4}$ of 1% for all construction over \$2,000,000

Inspection Fee Review Process

- Inspection fees are reviewed on an ad hoc basis, rather than on a regular schedule
- Fees have been increased:
 - ▣ 1991
 - ▣ 2002
 - ▣ 2009
- The ad hoc nature of the fee review process can lead to an imbalance as electrical code requirements change frequently

Recommendations

- Annual or bi-Annual report to Planning and Public Works Committee:
 - ▣ Total inspections by type
 - ▣ Inspections fees collected by type
 - ▣ Total expenses
 - ▣ Changes to the National Electrical Code that may have impact on inspection expenses
- Regularly scheduled presentations will allow for the contractor to present issues as they arise

Questions?

Electrical Inspection Fees: Current and Proposed

Inspection Category	Current Fees	Proposed Fees
Rough Wire Inspection	\$45.00 for first 10 circuits \$0.65 each circuit 11-20 \$0.40 each circuit over 20	\$55.00 for first 10 circuits \$0.50 per each circuit over 10
Rewire Inspection	\$45.00 for service change inspection	\$55.00 per service change inspection
Re-inspection/Return Trip	\$35.00 per inspection	\$35.00 per inspection
Final Inspection	\$45.00 for service and fixtures up to 10 circuits. \$0.40 for each fixture over 10 \$1.10 for each 240 volt circuit \$1.10 each small appliance circuit	\$55.00 for service and fixtures up to 10 circuits \$0.50 for each fixture over 10 \$0.50 for each 240 volt circuit \$0.50 for each small appliance circuit
Temporary on Permanent Inspection	\$45.00	\$55.00
Manufactured or Mobile Home Service	\$45.00	\$55.00
Apartments-rough wire and temporary on permanent	\$45.00 for first unit-1 building \$12.00 each additional building	\$30 for each unit
Apartments-Final Inspection	\$45.00 for first unit \$12.00 each additional unit \$1.10 for each 240 volt circuit \$1.10 each additional small appliance circuit	\$30 for each unit
Contracts of \$50,000 and more	1% of the total cost for the first \$300,000. $\frac{3}{4}$ of 1% for \$300,001 through \$600,000. $\frac{1}{2}$ of 1% for all construction costs over \$600,000.	NA
Contracts of \$30,00 and more	NA	1% of total cost for the first \$2,000,000. $\frac{3}{4}$ of 1% for all construction over \$2,000,000

NOVEMBER 2013

Reasons for Price Increase Request

I. Governmental Actions

A. 2014 National Electric Code coming out in February, 2014

1. The updated code will increase the time needed to complete inspections and communications regarding inspections due to new ground fault and arch fault circuit requirements and other expected changes to the code, will increase the need for additional education for contractors and small business electricians and will increase the paperwork necessary for each inspection.
2. The National Electric Code changes come out every three (3) years and the process of obtaining fee increases by way of ordinance has failed to keep pace - the most recent price increase occurred in 2009, the increase prior to that took place in 2002 and before that, the last increase had taken place in 1991.

B. Commonwealth of Kentucky additional requirements

1. In July, 2013, the Commonwealth's Department of Housing, Buildings and Construction announced that beginning January 1, 2014, all inspection stickers and certificates of compliance must be purchased from them rather than each electrical inspector or inspection company being able to have those stickers and certificates printed privately by the lowest bidder or least expensive printer. Based on the expected prices to be charged for these stickers and certificates, Commonwealth Inspection Bureau, Inc. expects its printing costs to increase by thirty percent (30%) in 2014 and stay at that level for the remaining years of its contract.
2. While not a tremendous increase in time and expense, due to a new requirement adopted for 2014 and beyond by the Department of Housing, Buildings and Construction, Commonwealth Inspection Bureau, Inc. will have to prepare affidavits for each of its inspectors in order for them to renew their certification each year. Just one more act of record keeping and paperwork which requires compliance by Commonwealth Inspection Bureau, Inc.

C. LFUCG Action

1. In 2012, the LFUCG Law Department agreed to present a request for a fee increase for electrical inspections along with an "across the board" increase in government inspection fees being formulated on behalf of many LFUCG departments in need of increased fees. This presentation, to our knowledge, never made it to any committee or full session of the Urban County Council.

2. Over the past eleven (11) years, Commonwealth Inspection Bureau, Inc. has worked with the Urban County Government to implement a method by which electrical inspection fees could be made flexible to increase either by being tied to economic models such as the Consumer Price Index or by a set formula set forth in the ordinance itself to enable the fee structure to increase based on future events, not on prior, historical economic factors which has been the basis of prior fee increases.
3. Unfortunately, there has been a turnover in the managerial position that governs the dealings between Commonwealth Inspection Bureau, Inc. and the Urban County Government. The department commissioners have been varied in their positions on the unique situation faced by Commonwealth Inspection Bureau, Inc. Some have taken the position that price increase requests should coincide with approval of the RFP for electrical inspection services and not be submitted during the term of the contract. Others have taken the position that such requests should be taken directly to the Urban County Council if they have been approved by the Division of Building Inspection. Others have taken the position that the Division of Building Inspection must initiate such a request. It has been a difficult process to secure a proposed amendment to Section 5-76 of the Code of Ordinances.

II. Economic Factors

A. Increased Costs.

1. Table of increased costs experienced by Commonwealth Inspection Bureau, Inc. since 2009 is attached. Even with some costs having decreased, the overall cost of doing business for Commonwealth Inspection Bureau, Inc. has increased more than thirty percent (30%) in the past four (4) years.
2. The electrical inspection company for the Urban County Government is a private entity bound to a six (6) year contract without the ability to adopt a price increase. This is unprecedented for a private sector business.
3. This binding contract requires a minimum number of employees, office facilities, vehicles, office staff along with required insurance coverages, none of which are not required for other private electrical inspectors for most of Kentucky's 119 other counties.
4. The price increases obtained in 1991, 2002 and 2009 were all based on prior economic indicators and thus, each increase was obsolete when it was enacted.. Not once in any of the periods of time between these price increases did costs ever go down.



None of Commonwealth Inspection Bureau, Inc.'s employees have had a raise since 2009, including its owner and president, an electrical inspector himself.

Expense Comparison

NOVEMBER 2013

<u>Expenses:</u>	<u>August-09</u>	<u>August-13</u>	<u>Difference</u>
Bank Charges	\$1,960.67	\$1,448.09	(\$512.58)
Dues & Subscriptions	\$506.99	\$1,063.00	\$556.01
Building Rent	\$12,115.44	\$13,200.00	\$1,084.56
Business Insurance	\$644.60	\$626.96	(\$17.64)
Auto Insurance	\$7,457.12	\$12,340.69	\$4,883.57
Health Insurance	\$13,964.08	\$18,774.72	\$4,810.64
Life Insurance	\$4,295.40	\$4,872.80	\$577.40
Worker's Comp Insurance	\$3,221.00	\$2,993.00	(\$228.00)
Licenses & Fees	\$88.00	\$322.00	\$234.00
Office Supplies	\$3,745.29	\$6,825.13	\$3,079.84
Salaries	\$127,394.87	\$152,715.11	\$25,320.24
Property Tax	\$279.97	\$428.65	\$148.68
Telephone	\$2,482.84	\$9,067.55	\$6,584.71
Fuel	\$7,824.66	\$17,624.57	\$9,799.91
FICA Tax Expense	\$7,898.48	\$9,468.33	\$1,569.85
Medicare Tax Expense	\$1,847.22	\$2,214.36	\$367.14
SUTA Tax Expense	\$834.73	\$3,959.94	\$3,125.21
TOTAL	\$196,561.36	\$257,944.90	\$61,383.54

NOTE: Based on 4 employees in
2009 and 2013

Expenses reported in April.2014 Letter to VM Gorton

<u>Expenses:</u>	<u>August-09</u>	<u>August-13</u>	<u>Difference</u> <u>2009 to 2013</u>
Bank Charges	\$1,980.67	\$1,448.09	(\$512.58)
Dues & Subscriptions	\$506.99	\$1,063.00	\$556.01
Building Rent	\$12,115.44	\$13,200.00	\$1,084.56
Business Insurance	\$644.60	\$626.96	(\$17.64)
Auto Insurance	\$7,457.12	\$12,340.69	\$4,883.57
Health Insurance	\$13,964.08	\$18,774.72	\$4,810.64
Life Insurance	\$4,295.40	\$4,872.80	\$577.40
Worker's Comp Insurance	\$3,221.00	\$2,993.00	(\$228.00)
Licenses & Fees	\$88.00	\$322.00	\$234.00
Office Supplies	\$3,745.29	\$6,825.13	\$3,079.84
Salaries	\$127,394.87	\$152,715.11	\$25,320.24
Property Tax	\$279.97	\$428.65	\$148.68
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FICA Tax Expense	\$7,898.48	\$9,468.33	\$1,569.85
Medicare Tax Expense	\$1,847.22	\$2,214.36	\$367.14
SUTA Tax Expense	\$634.73	\$3,959.94	\$3,125.21
TOTAL	\$196,561.36	\$248,944.90	\$52,383.54

**NOTE: Based on 4 employees in
2009 and 2013**

LAW OFFICES

Murphy & Vicroy, PLLC

1850 Lexington Financial Center
250 West Main Street
Lexington, Kentucky 40507-1723

Joseph B. Murphy
Steven F. Vicroy

(859) 255-3371
Fax (859) 259-1571

Of Counsel:
E. Lawson King

October 2, 2014

Mr. Dewey Crowe
Division of Building Inspection
Lexington-Fayette Urban County Government
101 East Vine Street
Lexington, Kentucky 40507

Re: Commonwealth Inspection Bureau, Inc. - request for
an increase in electrical inspection fees

Dear Mr. Crowe:

At the request of Commonwealth Inspection Bureau, Inc., this letter is being sent along with two (2) separate reports containing fee income and company expenses for the company. The first of these reports covers the first six (6) months of calendar year 2014 and shows a revenue breakdown by the number and type of inspections as well as the total income from each type of inspection. My client changed its accounting procedures and with the software now being used, this information could be supplied.

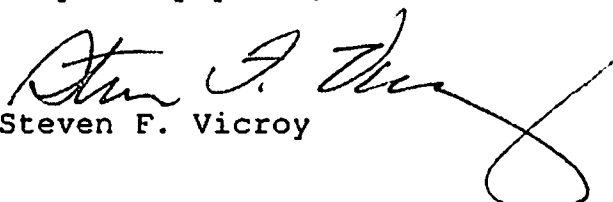
However, no such software had been used prior to January, 2014, and my client's previous accounting only identified fee income by the name of the electrical contractor and without going through 40,000 or more documents, my client cannot provide any more than the information contained on the second report, which contains total fee income, total number of inspections and the itemized expenses for calendar years 2011 through 2013. I am hopeful that this information will assist you, Commissioner Paulsen and Vice Mayor Gorton in your evaluation of the fee increase issue.

I also understand that your office maintains this information by address and therefore, may be just as difficult for the Urban County Government to determine the information by type and number of inspections as well as fee income per type of inspection for those prior years. Hopefully, comparing the information from 2014 to the inspection and fee income information for the prior three (3) years may provide everyone with the information sought by their request.

Mr. Dewey Crowe
October 2, 2014
Page -2-

I spoke with Commissioner Paulsen today by telephone and I will have a preparation ready as well as have Sandy present on October 14, 2014, to address questions and concerns from the committee members. Sandy has a couple of changes in the commercial and multi-family inspection rates and I will provide that to you next Wednesday so you can get that to Commissioner Paulsen. Thank you in advance for your prompt attention to this matter.

Very truly yours,


Steven F. Vicroy

SFV:s

Enclosures

cc: Commonwealth Inspection Bureau, Inc.

Commonwealth Inspection Bureau, Inc.
Inspections and Expenses
January 1, 2014 through June 30, 2014

	Inspection Count	
Income		
Rough Wires	1119	84485.75
Temporary on Permanent	608	32613.75
Final Inspections	1764	\$151,303
Information Visit	46	\$1,610
Trip Charges	8	\$330
EXPENSES		
Salaries and Wages		\$128,489
Payroll Taxes		\$13,765
Taxes and License		\$300
Kentucky Taxes		\$175
Kentucky City Taxes		\$2,436
Repairs and Maintenance		\$4,290
Supplies		\$3,418
Rent -Office		\$8,250
Interest Expense		\$1,076
Employee Welfare		\$458
Employee Health Insurance		\$7,160
Bank Charges		\$2,172
Donations		\$750
Continuing Education		\$10
Dues and Subscriptions		\$2,889
Insurance		\$10,770
Legal and Accounting		\$8,278
Meal and Entertainment		\$736
Miscellaneous Expense		\$142
Office Expense		\$353
Office Supplies		\$1,557
Postage and Supplies		\$686
Registrations		\$102
Auto Expense		\$8,435
Utilites and Telephone		\$7,144
Printing and Reproduction		\$1,077
Total Expenses		\$214,918

Commonwealth Inspection Bureau, Inc.

	2013	2012	2011
Total Number of Inspections	9750	8911	7309
Inspection Fees	\$614,920	\$584,056	\$475,508
EXPENSES			
Salaries and Wages	\$234,014	\$240,022	\$223,872
Payroll Taxes	\$23,512	\$23,147	\$18,610
Taxes and License	\$654	\$1,034	\$989
Kentucky Taxes	\$175	\$175	\$175
Kentucky City Taxes	\$2,436	\$4,809	\$3,291
Repairs and Maintenance	\$3,673	\$10,076	\$13,665
Bad Debts	\$500	\$656	\$2,525
Rent -Office	\$18,150	\$18,150	\$17,608
Interest Expense	\$3,154	\$933	
Depreciation Expense	\$10,558	\$25,237	\$38,775
Advertising	\$227		\$32
Employee Health Insurance	\$11,583	\$12,124	\$11,360
Auto Expense			
Bank Charges	\$2,654	\$3,915	\$3,757
Business Licenses	\$946	\$176	\$444
Casual Labor	\$225	\$1,125	\$600
Continuing Education	\$1,425		
Dues and Subscriptions	\$1,633	\$516	\$411
Insurance	\$21,905	\$17,625	\$16,764
Legal and Accounting	\$9,227	\$7,520	\$4,956
Meal and Entertainment	\$354	\$413	\$185
Miscellaneous Expense	\$1,894		
Office Expense	\$1,354		
Office Supplies	\$7,745	\$7,359	\$6,630
Postage and Supplies	\$605	\$1,194	\$1,480
Registrations	\$507	\$558	\$636
Auto Expense	\$23,847	\$21,104	\$17,843
Utilities and Telephone	\$14,412	\$12,442	\$12,572
Loss Due to Theft	\$129,927		
Total Expenses	\$527,296	\$410,310	\$397,180

LAW OFFICES
Murphy & Vicroy, PLLC

1850 Lexington Financial Center
250 West Main Street
Lexington, Kentucky 40507-1723

Joseph B. Murphy
Steven F. Vicroy

(859) 255-3371
Fax (859) 259-1571

Of Counsel:
E. Lawson King

October 8, 2014

VIA HAND DELIVERY

Ms. Linda Gorton, Vice Mayor
Lexington-Fayette Urban County Government
200 East Main Street, Fifth Floor
Lexington, Kentucky 40507

Mr. Derek Paulsen
Commissioner,
Lexington-Fayette Urban County Government
101 East Vine Street
Lexington, Kentucky 40507

Mr. Dewey Crowe
Director, Division of Building Inspection
Lexington-Fayette Urban County Government
101 East Vine Street
Lexington, Kentucky 40507

Mr. Craig Bencz
Research Analyst
Lexington-Fayette Urban County Government
200 East Main Street, Fourth Floor
Lexington, Kentucky 40507

Re: Proposed Amendment to Section 5-76 of the LFUCG
Code of Ordinances

Everyone:

This letter will serve to follow up my April 10, 2014 letter to the Vice Mayor. Due to the changes in the National Electric Code, my client has revised the proposed electrical inspection fee schedule that was sent with that letter. I am enclosing the revised fee schedule for each of you to review and make certain that this schedule is replaced in the packets provided to each of the committee members in advance of the meeting next Tuesday relative to my client's request for increased fees under the above

Ms. Linda Gorton
June 5, 2014
Page -2-

referenced ordinance. I apologize for the timing of this revision but the code just went into effect as of October 1, 2014. Had my client had the luxury of additional time, this would have been provided to you earlier.

I thank all of you in advance for your prompt attention to this matter. Should you have any questions, do not hesitate to contact me.

Very truly yours,



Steven F. Vicroy

SFV:s

Enclosure

PROPOSED FEE SCHEDULE FOR 2014

Commonwealth Inspection Bureau, Inc. Lexington & Fayette County Price Listing

Dwellings, Condos, Townhomes and Multi-Family Units with Private Entrances

Rough wire inspection:

\$55.00 per first 10 circuits
\$ 0.50 per each circuit over 10

Rewire inspection:

\$55.00 per service change inspection

Re-inspection/Return Trip:

\$35.00 per inspection

Final inspection:

\$55.00 per service
\$ 0.50 per fixture over 10
\$ 0.50 per 240-volt
\$ 0.50 per small appliance circuit

Temporary on Permanent inspection:

\$55.00 per service

Manufactured or Mobile Home Service:

\$55.00 per service

Multi-Family –With Common Area Entrances

\$35.00 per unit per inspection

Contracts of \$30,000 and more:

The rate for inspections for electrical wiring work including all owner furnished materials costing more than \$30,000.00 shall be 1% of the total cost for the first \$2,000,000.00. Anything over \$2,000,000.00 shall be have a rate of .75%.

Nuisance Abatement Funds

OCTOBER 14, 2014

PLANNING AND PUBLIC WORKS COMMITTEE

What can be abated?

- ☐ Tall grass and weeds
- ☐ Trash and debris
- ☐ Shrubs and trees obstructing the public right-of-way
- ☐ Junk vehicles
- ☐ Exterior storage of indoor furniture

Funding

- Per Resolution 343-2012, a fund of \$200,000 is established annually for the Division of Code Enforcement to abate nuisance violations.

Abatement Fund History

	2009	2010	2011	2012	2013	2014	2015
Budget	\$96,921	\$72,600	\$75,000	\$75,225	\$200,000	\$182,000	\$200,000
Expense	\$88,577	\$93,003	\$58,299	\$52,288	\$63,436	\$97,905	\$47,007
Surplus (Deficit)	\$8,344	(\$20,403)	\$16,701	\$22,937	\$136,564	\$84,095	\$152,993

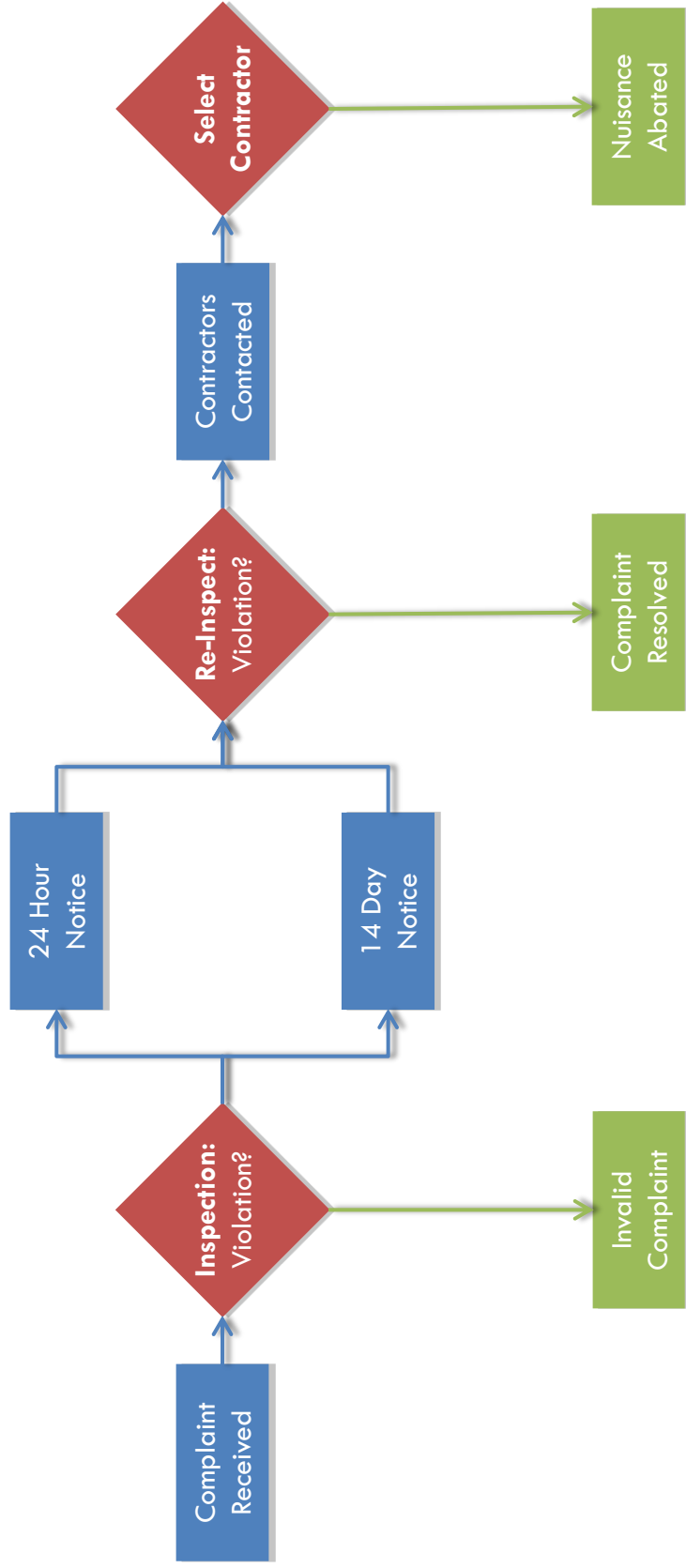
Improving Our Effectiveness

- **Revise Abatement Fund Uses**
 - ▣ Allow zoning enforcement to use abatement funds
- **Tighten Abatement Procedures Timeline**
 - ▣ Map processes to find areas for improvement
- **Address Unenforceable Abatements**
 - ▣ Specify criteria and process
- **Address Unrecoverable Abatements**
 - ▣ Specify process

Proposed Abatement Fund Uses

- Continue to utilize funds for Code Enforcement nuisance abatement.
- Allow funds to be used for zoning enforcement abatement.
- ▣ Examples include clearing obstructions from the sight triangle and removing illegal sign structures.

Nuisance Complaint Process



Unenforceable Nuisance Criteria

- ❑ Property is secured by a locked gate.
- ❑ Conditions on the property pose a danger to those abating the nuisance.
- ❑ The size or nature of the nuisance requires special equipment, training, or is otherwise unable to be abated by approved contractors.

Unenforceable Nuisance Process

- ❑ If a nuisance is deemed unenforceable, a second notice will be sent immediately following the first notice period and civil penalties will begin to apply.
- ❑ The Code of Ordinances specifies the following schedule for nuisance violations:

Notices Within 12 Month Period

	2	3	4	5+
Civil Penalty	\$100	\$250	\$500	\$1,000

Unrecoverable Abatements

- ❑ **If a nuisance meets the criteria for abatement, it will be abated.**
- ❑ This applies to foreclosures, properties with unclear ownership, and other unrecoverable abatements.

Summary

- ❑ Expand abatements to zoning enforcement.
- ❑ Cut the time to abate.
- ❑ Create a standard enforcement mechanism for properties we cannot abate.
- ❑ Address more types of property through the abatement process.

Questions?