

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, January 24, 2017

3:00 PM

**Packet
Packet**

Council Chamber

Urban County Council Work Session

**Urban County Council
Schedule of Meetings
January 23, 2017 – January 30, 2017**

Monday, January 23

No Meetings

Tuesday, January 24

State of the City Address.....11:30 am
Hyatt Regency – Patterson Ballroom

Environmental Quality & Public Works Committee.....1:30 pm
Council Chamber – 2nd Floor Government Center

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

Wednesday, January 25

Parks Advisory Board.....4:00 pm
McConnell Springs – 416 Rebmann Lane

Thursday, January 26

No Meetings

Friday, January 27

No Meetings

Monday, January 30

No Meetings

**Lexington-Fayette Urban County Council
Work Session Agenda
January 24, 2017**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – No**
- III. Approval of Summary – Yes, p. 1-3**
 - a** Table of Motions: Council Work Session, January 17, 2017
- IV. Budget Amendments – No**
- V. New Business – Yes, p, 4-16**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, January 24, 2017, p. 17
 - b** Committee Summary: Environmental Quality & Public Works Committee, November 15, 2016 & January 17, 2017, p. 18-22
- VII. Council Reports**
- VIII. Mayor's Report – No**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **0028-17** Authorization to accept a donation of \$1,300 from Julius Marks Elementary. The Julius Marks Elementary Student Technology Leadership Program has raised \$1,300 for the purchase of a ballistic vest (and other K-9 equipment with leftover funds) for the Lexington Police Department Canine Unit. (L0028-17) (Barnard/Bastin) p. 4
- b** **0029-17** Authorization to execute a Memorandum of Understanding (MOU) with the United States Marshals Service, Violent Offender Task Force (VOTF). There will be no budgetary impact. (L0029-17) (Barnard/Bastin) p. 5
- c** **0031-17** Authorization to accept award in the amount of \$15,000 from the Kentucky Bicycle and Bikeway Commission's Paula Nye Memorial Bicyclist and Pedestrian Education Program for operation of a public education program for bike and pedestrian safety. (L0031-17) (Duncan/Paulsen) p. 6
- d** **0049-17** Authorization to execute Change Order No. One (1) to the Contract with Riddell Construction, Inc., for the General Services Building Roof Replacement Project, increasing the contract price in the amount of \$18,359.40 from \$325,000.00 to \$343,359.40 and extending the construction schedule an additional forty-two (42) calendar days. Funds are budgeted. (L0049-17) (Baradaran/Reed) p. 7-10
- e** **0051-17** Authorization to approve Sonitrol of Lexington as a sole source provider contract for the purchase of electronic access equipment for fire stations. Council has already approved them as sole source for grant money we received in 2015 (Resolution 288-2016). The cost for this Fiscal Year is \$75,000.00. Funds are budgeted. (L0051-17) (Chilton/Bastin) p. 11
- f** **0052-17** Authorization to execute agreement with BlueJeans Network, Inc. in the amount of \$6,000 for video conferencing services for the Division of Emergency Management/E-911. This cost for this Fiscal Year is \$6,000.00. Funds are budgeted. (L0052-17) (Duggar/Bastin) p. 12
- g** **0053-17** Authorization to submit applications to the Kentucky Office of Homeland Security requesting federal funds in the amount of \$180,635 for the Division of Police under the 2017 State Homeland Security Grant Program. No matching funds are required. Funds are budgeted. (L0053-17) (Barnard/Bastin) p. 13
- h** **0054-17** Authorization to submit applications, and accept awards if offered, to the Kentucky Transportation Cabinet for participation in Traffic Safety Programs to include Traffic Safety and Speed Enforcement for Fiscal Year 2018. Total federal funding in the amount of \$164,752.00 is being requested for Fiscal Year 2018 for officer overtime, Medicare, unemployment and equipment. No local match is required. (L0054-17) (Barnard/Bastin) p. 14

i **0056-17** Authorization to approve an FY17 (Class A) Stormwater Quality Projects Incentive Grant for Friends of Wolf Run, Inc. in the amount of \$43,520.00. Funds will be used to support the stream buffer stewardship program for Wolf Run. Funds will also provide educational outreach by communicating with streamside property owners and installation of educational signage. Funds are budgeted. (L0056-17) (Martin/Hoskins-Squier) p. 15-16

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
January 17, 2017**

Mayor Gray called the meeting to order at 3:01pm. All Council Members were present.

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

Motion by Stinnett to reschedule the ED ZOTA hearing scheduled for February 19, 2017 at 7:00pm to April 13, 2017 at 7:00pm. Seconded by Mossotti. Motion passed without dissent.

Motion by Henson to approve the docket for the January 19, 2017 Council meeting. Seconded by Kay. Motion passed without dissent.

Motion by Gibbs to place ordinance #4 on the docket without a public hearing [an ordinance changing the zone from a Professional Office (P-1) zone to a High Rise Apartment (R-5) zone for 3.05 net (3.29 gross) acres, for property located at 353 Waller Avenue (CAPKY Bluegrass Properties, LLC; Council District 3)]. Seconded by Plomin. Motion passed without dissent.

Motion by Mossotti to place ordinance #2 on the docket with a public hearing scheduled for February 9, 2017 at 7:00pm [an ordinance changing the zone from n Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 10.14 net and gross acres, for property located at 3455 Saybrook Road (Lex Properties, LLC; Council District 9)]. Seconded by Henson. Motion passed without dissent.

Motion by Evans to place ordinance #3 on the docket without a public hearing [an ordinance changing the zone from a Professional Office (P-1) zone to a Wholesale and Warehouse Business (B-4) zone, for 3.91 net (5.18 gross) acres, for property located at 2300 Fortune Drive (Fortune Business Centre, LLC; Council District 6)]. Seconded by Henson. Motion passed without dissent.

- III. Approval of Summary

Motion by Scutchfield to approve the December 9, 2016 work session summary. Seconded by Farmer. Motion passed without dissent.

IV. Budget Amendments

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

V. New Business

Motion by Farmer to approve new business. Seconded by Henson. Motion passed without dissent.

VI. Continuing Business/Presentations

Motion by Kay to approve Neighborhood Development Funds. Seconded by Henson. Motion passed without dissent.

Council Member Lamb provided a summary of the November 1, 2016 General Government & Social Services committee meeting.

No action items were reported from the meeting.

Council Member Mossotti provided a summary of the December 6, 2016 Planning & Public Safety committee meeting.

Motion by Mossotti to approve the Greenway Maintenance Plan, adopting sections 1-5 (1. Proceed with acceptance process for the 44 parcel with recorded plats; 2. Proceed with acceptance process for 13 future parcels as developments are completed; 3. Use existing budget to cover annual mowing costs for the 57 parcels (from savings in woody debris/litter removal activities); 4. Develop annual process for greenway acceptance in conjunction with budget development; 5. DES takes over management of parcels and consider enhancements as funding allows and with neighborhood involvement) of the proposed path forward. Seconded by Henson. Motion passed without dissent.

No additional action items were reported from this meeting.

Council Member Mossotti notified Council Members that the corrected summary of the October 11, 2016 Planning & Public Safety committee was included in the packet for their information.

VII. Council Reports

Motion by Gibbs to refer the establishment of a Residential Parking Permit district on Shawnee Place to the Planning & Public Safety Committee. Seconded by Farmer. Motion passed without dissent.

Motion by Moloney to refer the LFUCG employee evaluation process to the General Government & Social Services Committee. Seconded by Lamb. Motion passed without dissent.

Motion by Kay to schedule a Special Planning & Public Safety Committee meeting on January 19, 2017 at 5:55pm. Seconded by Farmer. Motion passed without dissent.
Motion by Farmer to refer an annual status update on the Energy Improvement Fund to the Environmental Quality & Public Works Committee. Seconded by Henson. Motion passed without dissent.

VIII. Mayor's Report

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

IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Farmer to adjourn at 4:43pm. Seconded by Bledsoe. Motion passed without dissent.



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Ronnie Bastin
Commissioner

TO: Mayor Jim Gray
Urban County Council



FROM: Chief Mark Barnard
Lexington Police Department

CC: Commissioner Ronnie Bastin
Department of Public Safety

DATE: January 11, 2017

SUBJECT: Donation – Julius Marks Elementary

Request

Authorization to accept a donation of \$1,300 from Julius Marks Elementary.

Why are you requesting?

The Julius Marks Elementary Student Technology Leadership Program has raised \$1,300 for the purchase of a ballistic vest (and other K-9 equipment with leftover funds) for the Lexington Police Department Canine Unit. Requesting Mayor Gray and Council approval to accept donated funds.

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

Are the funds budgeted? NA

File Number: - 0028-17

**Director/Commissioner: Mark Barnard, Chief
Lexington Police Department**

MB/rmh



Lexington-Fayette Urban County Government
CHIEF ADMINISTRATIVE OFFICE

Jim Gray
Mayor

Sally Hamilton
CAO

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Mark Barnard
Lexington Police Department

CC: Commissioner Ronnie Bastin
Department of Public Safety

DATE: January 11, 2017

SUBJECT: Memorandum of Understanding – United States Marshals Service
Violent Offender Task Force

Request

Authorization to accept a Memorandum of Understanding (MOU) with the United States Marshals Service, Violent Offender Task Force (VOTF).

Why are you requesting?

The primary mission of the task force is to investigate and arrest, as part of joint law enforcement operations, persons who have active state and federal warrants for their arrest. The intent of the joint effort is to investigate and apprehend local, state and federal fugitives, thereby improving public safety and reducing violent crime. Each participating agency agrees to refer cases for investigation by the VOTF. Cases will be adopted by the VOTF at the discretion of the District Chief Deputy. Targeted crimes will primarily include violent crimes against persons, weapons offenses, felony drug offenses, failure to register as a sex offender, and crimes committed by subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offenses. Upon receipt of a written request, the VOTF may also assist non-participating law enforcement agencies in investigating, locating and arresting their fugitives. Task force personnel will be assigned federal, state and local fugitive cases for investigation. Investigative teams will consist of personnel from different agencies whenever possible. Participating agencies retain responsibility for the cases they refer to the VOTF. The Lexington Police Department is requesting approval from the Urban County Council to authorize Mayor Gray to sign the attached MOU. Upon signing, please return original version of MOU to the Chief's Office.

What is the cost in this budget year and future budget years? No budgetary impact

Are the funds budgeted? N/A

File Number: - 0029-17

Director/Commissioner: Mark Barnard, Chief
Lexington Police Department

MB/rmh

MAYOR JIM GRAY

**LEXINGTON**IRENE GOODING
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JANUARY 12, 2017

SUBJECT: Paula Nye Memorial Bicyclist and Pedestrian Education Grant Award

Request

Council Authorization to accept award in the amount of \$15,000 from the Kentucky Bicycle and Bikeway Commission's Paula Nye Memorial Bicyclist and Pedestrian Education Program for operation of a public education program for bike and pedestrian safety

Why are you requesting:

On October 13, 2016 (Resolution #621-2016), Council approved submission of a grant application to the Kentucky Bicycle and Bikeway Commission (KBBC) by the LFUCG's Division of Planning. The KBBC has approved the grant in the amount of \$15,000 for the Bicycle and Pedestrian Safety Marketing Campaign with the goal of reducing the incidence of collisions between bicyclists, pedestrians and motorists; increasing public awareness of the rules of the road; and fostering mutual respect among motorists, pedestrians and bicyclists. The project scope includes developing marketing materials and purchasing ads through various media (radio, television, print and digital) to reach target audiences. No matching funds are required. The source of these funds is Kentucky's "Share the Road" specialty license plate program.

What is the cost in this budget year and future budget years? \$15,000 is being budgeted for Fiscal Year 2017. There is no cost in future years.

Are the funds budgeted? BA #8077 is in process.

File Number: 0031-17

Director/Commissioner: Duncan/Paulsen

Irene Gooding, Director



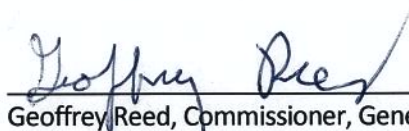
MAYOR JIM GRAY

**LEXINGTON**

GEOFFREY REED
COMMISSIONER
GENERAL SERVICES

TO: Mayor Jim Gray
Urban County Council

FROM:


Geoffrey Reed, Commissioner, General Services

CC: Jamshid Baradaran, Director, Facilities and Fleet Management
Jessica Walker, Administrative Officer, General Services
Jim Powell, Project Manager, Facilities Management
Sandra Lopez, Administrative Officer, General Services

DATE: January 13, 2017

SUBJECT: Request a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Riddell Construction, Inc., for the General Services Building Roof Replacement Project, increasing the contract price in the amount of \$18,359.40 from \$325,000.00 to \$343,359.40 and extending the construction schedule an additional forty-two (42) calendar days.

Request

Authorization to: Execute Change Order #1 with Riddell Construction, Inc. in the amount of \$18,359.40 and extending the construction schedule an additional 42 calendar days for the General Services Building Roof Replacement Project Contract #242-2016. The new contract amount including this change order is \$343,359.40.

Why are you requesting? Necessity for change: Gutters were removed to reroof the building and before reinstall were found in need of paint. Per PR #1, prep and paint ~ 280 linear feet of existing half round gutter and brackets prior to reinstallation for \$3,948.36. Per PR #2, after adequate access to the interstitial roof space was acquired through partial demo, the original design for roof venting would not work. Install alternate vents and end caps for the new venting solution for \$18,467.78 and provide a credit for original vents and elimination of soffit modifications for original venting design for a credit of \$4,056.74. Add 42 calendar days to the construction schedule. Actual delivery time of new vents will produce a new change order for additional days to the construction schedule only.

Department needs this action completed because: To adjust the contract as required for construction.



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

The cost for this FY is: \$18,359.40

The cost for future FY is: N/A

Are the funds budgeted?

The funds are budgeted or a budget amendment is in process: Budgeted

Account number:

FUND	DEPT ID	SECTION	ACCOUNT	BUDGET REF	AMOUNT
2607	707201	0001	76101	2017	\$18,359.40

File Number: Riddell Construction, Inc. Contract #242-2016

Commissioner/ Director: Geoffrey Reed, Commissioner, General Services
Jamshid Baradaran, Director, Facilities and Fleet Management



JUSTIFICATION FOR CHANGE

PROJECT: General Services Building Roof Replacement

CONTRACT NO. 242-2016

CHANGE ORDER: 1

1. Necessity for change: Gutters were removed to reroof the building and before reinstall were found in need of paint. Per PR #1, prep and paint ~ 280 linear feet of existing half round gutter and brackets prior to reinstallation for \$3,948.36. Per PR #2, after adequate access to the interstitial roof space was acquired through partial demo, the original design for roof venting would not work. Install alternate vents and end caps for the new venting solution for \$18,467.78 and provide a credit for original vents and elimination of soffit modifications for original venting design for a credit of \$4,056.74. Add 42 calendar days to the construction schedule. Actual delivery time of new vents will produce a new change order for additional days to the construction schedule only.
2. Is proposed change an alternate bid? ___Yes X No
3. Will proposed change alter the physical size of the project? ___Yes X No
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ___Yes X Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ___Yes X No
If "Yes", will the policies be extended? ___Yes ___No
7. Effect on operation and maintenance costs: N/A
8. Effect on contract completion date: Add 42 calendar days to the construction schedule. Actual delivery time of new vents will produce a new change order for additional days to the construction schedule only.

Mayor

Date



TO: Mayor Jim Gray
FROM: Kristin Chilton, Chief
DATE: January 13, 2017
SUBJECT: Sole source for access control at fire stations

Request:

Council authorization to approve Sonitrol of Lexington as a sole source provider contract for the purchase of electronic access equipment for fire stations.

Why are we requesting?

Sonitrol of Lexington has been determined to be the sole source vendor because the company has already installed security access equipment in other stations. Since Sonitrol installed the original system it will insure that the integration of new stations will be completed correctly. Council has already approved them as sole source for grant money we received in 2015 (Resolution 288-2016).

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

The cost for this FY is: \$75,000

The cost for future FY is: N/A

Are the funds budgeted?

Funds are budgeted as follows: 1101-505704-5742-95602

File Number:

Director/Commissioner: Chilton/Bastin



MAYOR JIM GRAY

**LEXINGTON**
 IRENE GOODING
 DIRECTOR
 GRANTS & SPECIAL PROGRAMS

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JANUARY 13, 2007

SUBJECT: Contract with BlueJeans Network, Inc, for video conferencing services for the Division of Emergency Management/E-911

Request

Request Council authorization to execute agreement with BlueJeans Network, Inc. in the amount of \$6,000 for video conferencing services for the Division of Emergency Management/E-911.

Why are you requesting?

The Kentucky Division of Emergency Management has approved the use of grant funds for video conferencing services in the Division of Emergency Management/E-911.

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

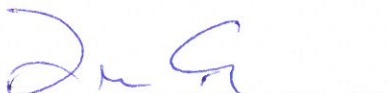
Cost in this budget year is \$6,000. Future budget costs are to be determined and are dependent upon availability of future grant funds.

Are the funds budgeted? Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3200	505204	5291	71299	EMRG_MGMT_2017	FED_GRANT	2017

File Number: 0052-17

Director/Commissioner: Pat Duggar/Ronnie Bastin



Irene Gooding, Director



MAYOR JIM GRAY

**LEXINGTON**

IRENE GOODING

DIRECTOR

GRANTS & SPECIAL PROGRAMS

**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JANUARY 13, 2017

SUBJECT: Grant applications for the 2017 State Homeland Security Grant Program

Request:

Council authorization to submit applications to the Kentucky Office of Homeland Security requesting federal funds in the amount of \$180,635 for the Division of Police under the 2017 State Homeland Security Grant Program

Purpose of Request:

The Kentucky Office of Homeland Security is accepting applications from local governments requesting federal funding from the Fiscal Year 2018 Homeland Security Grant Program. This federally funded program, originating from the Department of Homeland Security, provides financial assistance to the states to prevent, respond to, and recover from acts of terrorism. The states have the responsibility for apportioning funding to local governments. All projects must be related to the Goals and Objectives of the State Homeland Security Strategy.

The **Division of Police** has prepared the following applications:

Equipment for the Hazardous Devices Unit to improve ability to respond to explosive/firearm threats to include personal protective equipment, disruptors, electronics kits, and front line and rigging kits. Funds in the amount of \$44,386 are requested.

Equipment for the Air Support Unit to include a searchlight for use in aircraft and an Aviator Night Vision Imaging System. Funds in the amount of \$136,249 are requested.

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

A total of \$180,635 in federal funds is requested for Fiscal Year 2018. No matching funds are required. Future years funding is dependent upon availability of grant funding.

Are the funds budgeted? Funds will be budgeted if approved for funding.

File Number: 0053-17

Director/Commissioner: Barnard/Bastin

Irene Gooding, Director



MAYOR JIM GRAY

**LEXINGTON**

IRENE GOODING
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: JANUARY 13, 2017

SUBJECT: Fiscal Year 2018 applications for submission to the Kentucky Transportation Cabinet for participation In Traffic Safety Programs

Request:

Request Council authorization to submit applications, and accept awards if offered, to the Kentucky Transportation Cabinet for participation in Traffic Safety Programs to include Traffic Safety and Speed Enforcement for Fiscal Year 2018

Purpose of the Request:

The Division of Police has prepared four applications for submission to the Governor's Highway Safety Program in the Department of Transportation Safety/Kentucky Transportation Cabinet requesting federal funding for continuation of the Lexington-Fayette Urban County Government's Traffic Safety Programs for FY 2018. These federal funds originate from the U.S. Department of Transportation's Highway Safety Standards Branch. These programs are:

- **Traffic Safety Program.** Federal funding in the amount of \$106,580 is requested. If approved, funds will be used to continue the utilization of officers on an overtime basis to detect speeders and other traffic violators. Funds will also be used for purchase of new PBT units.
- **Speed Enforcement Project.** Federal funding in the amount of \$58,172 is requested. If approved, federal funds will be used for officer overtime for enforcement of the speed limit laws and for purchase of radar equipment. The goal of this program is to reduce the number of speed related collisions and injuries.

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

Total federal funding in the amount of \$164,752 is being requested for Fiscal Year 2018 for officer overtime, Medicare, unemployment, and equipment. No local match is required. There is no cost in future budget years.

Are the funds budgeted? If grant applications are approved, funds will be budgeted in Fiscal Year 2018.

File Number: 0054-17

Director/Commissioner: Barnard/Bastin



Irene Gooding, Director

200 East Main St., Lexington, KY 40507 / 859.258.3070 Phone / 859.258.3081 Fax / lexingtonky.gov

MAYOR JIM GRAY

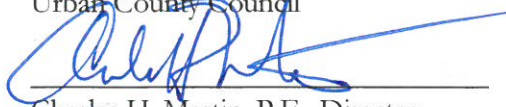


LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Jim Gray
Urban County Council

FROM :


Charles H. Martin, P.E., Director
Division of Water Quality

DATE: January 13, 2017

SUBJECT: Recommendation for a FY17 (Class A) Stormwater Quality Projects Incentive Grant for Friends of Wolf Run, Inc. (FOWR)

Request

The purpose of this memorandum is to request approval of a FY17 (Class A) Stormwater Quality Projects Incentive Grant for Friends of Wolf Run, Inc. (FOWR), in the amount of \$43,520.00.

Purpose of Request

Grant provides for funds to support the stream buffer stewardship program for Wolf Run. Activities include performing stream clean-ups, removal of invasive plant species, and planting of native vegetation along Wolf Run and its tributaries at various volunteer-selected stewardship sites. Furthermore, the project will provide educational outreach by communication with streamside property owners and installation of educational signage at stewardship sites.

Project Cost in FY17 and in Future Budget Years

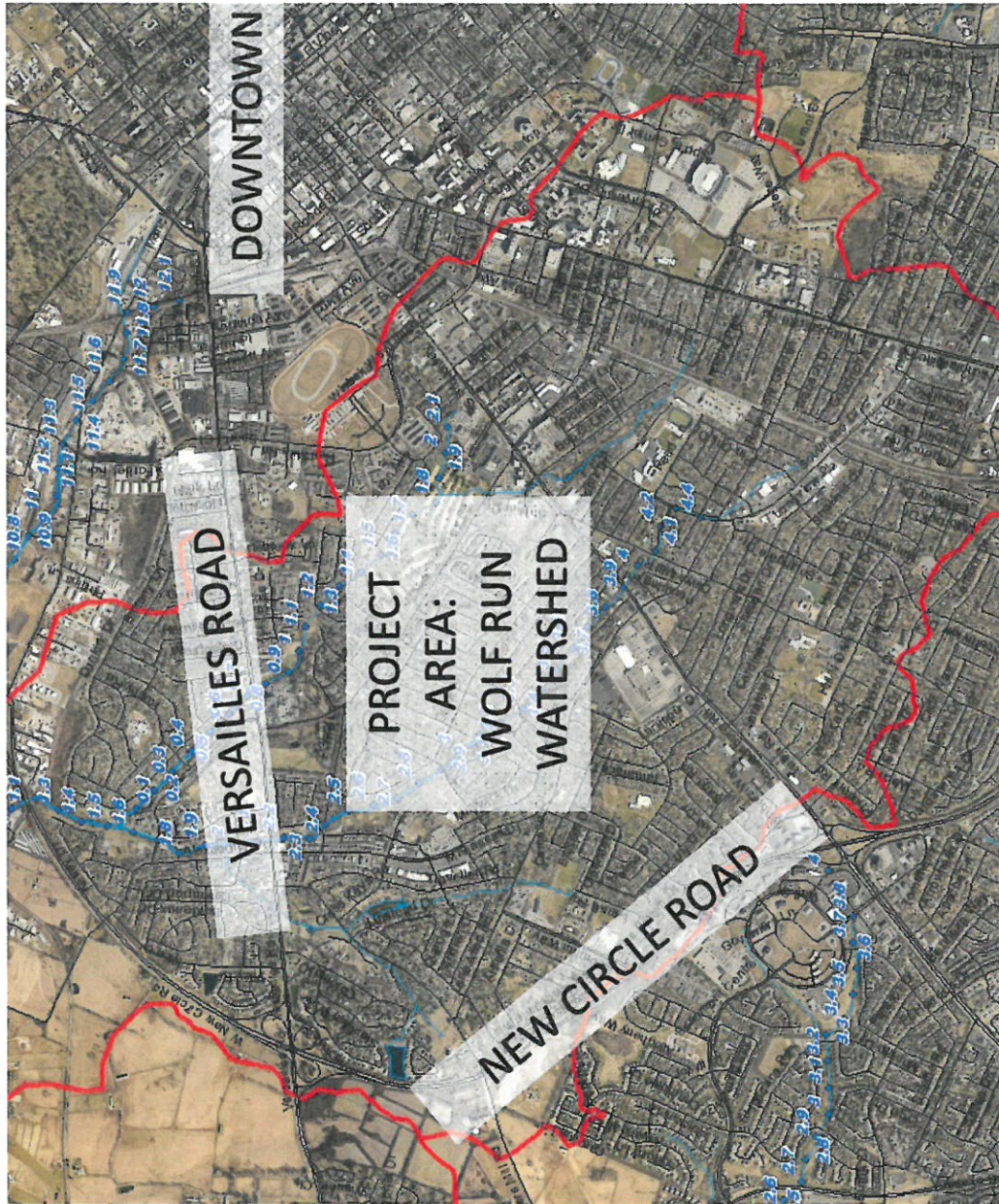
The grant has been approved by the Water Quality Fees Board in the amount of \$43,520.00 and will be fully spent by FY18.

Are Funds Budgeted

Funds are budgeted in: 4052 – 303204 – 3373 – 78112 – WQINCENTIVE_17 – WQ_GRANT

Martin/Hoskins-Squier





**Neighborhood Development Funds
January 24, 2017
Work Session**

Amount	Recipient	Purpose
\$ 1,050.00	Walnut Ridge HOA, Inc. 850 Spyglass Lane Lexington, KY 40509 Scott Haag	To assist with the completion of their neighborhood entrance that was removed due to the Todds Road expansion.
\$ 500.00	East End Community Development Corp. 549 Mustang Crossing Lexington, KY 40508 Billie Mallory	To ahelp with distribution of promotional materials for upcoming community events.
\$ 500.00	Aylesford NA 439 Marquis Avenue Lexington, KY 40502 Robin Michler	To provide funds for the purchase of snow shovels for neighborhood snow removal assistance.



Environmental Quality & Public Works Committee

November 15, 2016

Summary and Motions

Chair Farmer called the meeting to order at 1:00 p.m. Committee Members Stinnett, Moloney, J. Brown, Gibbs, Evans, F. Brown, Mossotti and Plomin were present. Committee Member Kay was absent.

I. Approval of Committee Summary – October 18, 2016

A motion was made by Stinnett to approve the October 18, 2016 Environmental Quality & Public Works Committee Summary & Motions, seconded by Mossotti. The motion passed without dissent.

II. Private Streets

Mossotti introduced James Duncan, Planning Manager, who presented the item. Duncan gave an overview of the process involved for approving private residential streets. He reviewed the process for accepting private streets as public. Duncan also described the issues Associated with private streets, including limited service, maintenance, and cost. He also proposed a text amendment that would require developers to install permanent signs that state “End of Public Maintenance” at any location where a private street intersects or abuts a public street.

Evans asked if signs would be installed for new construction only or if the city would go back and install signs on existing private streets. Duncan said the developer would be required to install signs for new developments only and that this is not required on anything that already exists. Evans questioned recourse options when maintenance is not kept up, asking if there is any assistance offered. Duncan said it is a challenge, and that this small effort is a way for developers to be clear on maintenance requirements. He added that there may be qualified neighborhoods where government could provide assistance to help make improvements. He stated that maintenance of private streets is an issue without a clear solution.

Plomin commented about rural private streets where it is not known the street is private and the street is almost impassable. Because it is an older neighborhood, there is no HOA and they do not have the resources to invest in repairs. Plomin added the cost associated with bringing the street up to standards is exorbitant. She said Police and fire can't get down the street to homes and asked what options are there in those cases. Duncan said the government can make those decisions to repair. He said there is nothing standardized; it would be a policy decision the government can make.

Moloney stated that Maywick Drive is in the 11th District and was private but never maintained. He asked if there are any other roads similar to the South Park development that are private and for commercial use. Duncan said this presentation was meant to be for residential streets. He added that perhaps there is a public access easement, but he is unsure if it is a private road.

Duncan said that Mall Road is a private road with a public access easement. He added that Maywick has been an issue, especially as redevelopment occurs. He said there are ongoing issues with access easements. Moloney asked if there are many private roads in rural areas inside New Circle like The Lane that aren't in gated communities. Duncan said there are a couple of roads like The Lane, and for the most part they are not gated.

Mossotti asked why Rojay Drive was allowed to be made private. Duncan said it was evolutionary; it happened over time. Originally it was a parking lot behind Fayette Mall and as development continued, the road was extended. Mossotti if this road (Rojay) was built up to specifications because of all of the traffic. He said there is incentive for retailers to maintain private commercial streets. She asked if there are other commercial private streets like this one. Duncan responded that it isn't always obvious which commercial streets are private, and that access easements are provided.

A motion was made by Mossotti to approve the proposed text amendment requiring developers to install a permanent sign denoting "End of Public Maintenance" at each location where a private street intersects or otherwise abuts a public street, and refer the item to the full Council, seconded by Plomin. The motion passed without dissent.

III. Street Trees

Susan Plueger, Director of Environmental Policy, presented the update on Street Trees. She discussed the background on street trees in Lexington, providing examples of issues, and presented the benefits and challenges associated with planting street trees. She also gave an overview of the street tree requirements, including zoning regulations, developer responsibilities, and HOA requirements. She continued the presentation by discussing enforcement issues such as hazardous street tree removals, compliance issues, traffic sign blockage, public safety, and emergencies. Plueger discussed maintaining current resources, increasing education, and reviewing ordinances and regulations.

Stinnett asked if we require new developments to put trees in the utility strip or if they have an option to put them in the front yard. Plueger said it is the developer's decision; they have the option to plat a street tree easement and plant the tree either in that easement (in the yard) or in the utility strip. Stinnett asked how big the easement has to be and Plueger said it has to be at least 5 feet wide, but can be wider. Stinnett asked if this would be in addition to any utility easement already in place and Plueger responded that they might be able to overlap, but she will check. In response to a follow up question from Stinnett, Plueger stated that replacement of dead street trees can be done in the same location or in the front yard if a waiver is obtained. Stinnett asked who is responsible for pruning and maintenance; is it in house or contracted out. Plueger said we have both a crew available and funding in place for a contract. Stinnett asked about the cost of doing it in house versus contracting it out. Plueger said it ranges from \$20 to \$70 depending on the size of the tree. Stinnett asked what else is needed

from Council for this project. Plueger asked for Council input regarding roads with these issues. She also stated that it will take 2 to 3 years to resolve street tree issues throughout the city.

Mossotti questioned compliance, asking what happens if citations are not paid. Plueger said that a lien could be placed on the property. Mossotti asked about personnel and if there is sufficient staff to address street tree issues. Plueger said she can always use additional resources.

Moloney said curbside trees are the top source of complaints that he receives; he considers them a safety issue. He said stop signs cannot be seen, and asked why street trees can't be located in the front yard rather than the utility easement. He said the property owner would be responsible for maintenance and the easement would be clear. He asked if the city replaces the street trees when they die. Plueger said the street tree ordinance puts the responsibility for replacement of street trees on the abutting property owner, adding that the cost share program can cover half the cost.

Gibbs asked about the designated tree planning easement. Plueger said the developer establishes a tree planting easement on the plat and that designates where trees are planted. Gibbs asked whether the trees planted in front yards are considered street trees, and asked if trees in the front yard must be replaced when they die. Plueger said that trees in the front yard are not required trees, and notices of violation will be issued if they are a hazard to the right-of-way.

Evans stated that we need to educate people and let them know if a street tree is removed that the replacement can be planted in the front yard. She questioned the work backlog and asked for a timeline for completion. Plueger said publicly managed trees in medians or where there is no abutting private property are maintained by the city. She said the backlog comes from street trees that are abutting private property. Plueger estimated that there are approximately 14,000 trees that need to be pruned for clearance, or removed because they are dead or dying.

Farmer asked for additional information regarding the door hanger. Plueger stated that door hangers are used to notify property owners that they have a tree that needs to be pruned, with the understanding that the LFUCG will often provide a courtesy pruning. Farmer asked about the cost share program and if we are changing the structure to make it more proactive. Plueger stated that the program is being reviewed to determine funding needs. The program allows replacement of trees with a 50% cost share from the city.

No further comment or action on this item.

IV. Items Referred to Committee

A motion was made by Mossotti, seconded by Evans to remove the Private Streets: Enforcement, Maintenance and Specifications referral item from committee. The motion passed without dissent.

A motion was made by F. Brown to adjourn, seconded by Stinnett. The motion passed without dissent.

The meeting was adjourned at 2:12 p.m.

K.T. 11.17.2016



Environmental Quality & Public Works Committee – Special Meeting

January 17, 2017

Summary and Motions

Vice Mayor Kay called the meeting to order at 12:45 p.m. Committee Members Moloney, Stinnett, Gibbs, Farmer, Evans, Scutchfield, F. Brown, Mossotti, Bledsoe, and Plomin were present.

I. Election of Committee Chair / Selection of Vice Chair

A motion was made by F. Brown to nominate Farmer as Committee Chair, seconded by Stinnett.

Farmer accepted the nomination, and no other nominations were made.

On a unanimous vote of the Committee, Farmer was elected Chair.

Farmer named F. Brown the Committee Vice Chair.

The meeting was adjourned at 12:48 p.m.

CB 1.19.2017