



Planning and Public Safety Committee Meeting

August 21, 2018

Summary and Motions

CM Mossotti called the meeting to order at 1:05 p.m. Committee Members Kay, Bledsoe, Gibbs, Henson, Plomin, J. Brown, Lamb, Smith, and Worley were present. Council Members Stinnett, Moloney, F. Brown, and Farmer were also present as non-voting members. Council Members Bledsoe and Henson were absent.

I. Approval of June 12, 2018 Committee Summary

A motion was made by CM Plomin to approve the June 12, 2018 Planning and Public Safety Committee Summary, seconded by CM Gibbs, the motion passed without dissent.

II. Fayette County Public Schools Security Update

A motion was made at the start of the meeting to extend the time allowed for the presentation to 25 minutes; there was no objection to this motion. Manny Caulk, superintendent of Fayette County Public Schools (FCPS) introduced John White, Chief Financial Officer, who reviewed the budget and impacts to FCPS. White compared FCPS to other districts and he reviewed the plan to balance the General Fund budget. Caulk discussed the District Safety Advisory Council which was charged to bring forward recommendations to make schools safer. He spoke briefly about the 10-point safety plan and the white paper that was published in May 2018. He introduced his other team members including Lisa Deffendall, District Spokesperson; Myron Thompson, Chief Operations Officer; Martin Schafer, Chief of Law Enforcement; Darryl Thompson, Acting Equity Officer; and Faith Thompson, Director of Student Support Services. Each FCPS team member highlighted various points on the 10-point safety plan as they pertained to that team member's Division in the FCPS organizational structure. A motion was made to extend the time allowed for the presentation by 5 minutes; there was no objection to this motion. Caulk concluded the presentation by saying that the 10 points are not separate; they all work together to form an integrated system.

CM Lamb asked what method of transparency will be utilized so people can see how the \$13 million is being used and if it is being used for what is intended. Caulk said they will have a press conference and share the timeline for implementation of the initiatives discussed earlier. He said there will be monthly updates including project timelines on the FCPS web site which will be easily discernable. CM Lamb commented on the pension amount and asked if that is based on the phase-in or if it is based on the total amount; and she asked what that total amount is. White said the total amount without a phase-in was \$5.4 million. He said with the phase-in, year one would be \$1.5 million and in subsequent years actuarial studies will be done and the amount would be recalculated. CM Lamb asked what the plan is if the pension case does not get resolved. Caulk said they are watching that very closely and they have already begun to look internally to see how they will deal with a potential impact. He said they will advocate for a system that lessens the impact and the burden on local districts and local municipalities.

VM Kay commented on metal detectors and security ambassadors and asked how much of the \$2.26 million is allocated for hardware and how much is ongoing cost. Myron Thompson said the hardware is roughly \$20,000 for the metal detector with training and about \$100,000 annually per school for security ambassadors. VM Kay asked if the majority of the \$2.26 million would be ongoing costs and Thompson said yes. VM Kay said that would leave about \$3 million that would be hard cost investment and asked if any thought has been given to the allocation of these funds rolling forward. Caulk said the investment is in personnel, but we are a growing district and we are looking to open new schools with new staff, security, and safety equipment. He said dollars are reinvested to expand and add more mental health professionals. Deffendall said the \$1.5 million for comprehensive school health promotion is for the 6 high schools. She said they would also like to have this at the 10 program schools and 12 middle schools. She said this cost is for the first year of implementation; the following year it would be \$3 million and the year after would be \$4.5 million. VM Kay said people are concerned that the underlying issue is mental health and support for students. He said he hopes that we can continue to invest more to increase the mental health support for students.

CM Bledsoe commented on the proximity of Dunbar High School to her home and said there have been a number of situations where students are leaving campus and going to Palomar Shopping Center or nearby residences. She asked, from a security perspective, if this will protect them coming in and going out so staff will know where they are. Caulk said there will be emergency door alarms to notify when the door has been compromised or a student is trying to sneak out; cameras will also help identify the student(s). He said currently there are teachers and faculty inspecting the doors between periods because we don't want the doors compromised while instruction is going on and making the school more vulnerable. He said this will help us to know instantly when a door has been compromised, but it takes an entire community to keep the kids safe.

CM Henson asked if there would be training about seriousness of keeping the schools safe and a protocol to follow with serious consequences for failing to do so. Caulk said yes and the staff, parents, and the community need to be aware how to respond.

CM Plomin commented on the comprehensive adolescent assessment and health promotion and asked how the mental health professionals assess the students. Deffendall said the model came from the head of UK adolescent medicine which has been used in other communities. She said the act of an initial general conversation with a professional led to a 50% reduction in risk-taking behaviors. CM Plomin asked if the assessment would be given to all students or just the ones who are acting out; Faith Thompson said it would be given to all of them.

CM Mossotti said this is a challenge and asked what the anticipated timeline would be. Caulk said it would be a shared timeline and they anticipate the investment to come in November which will determine if they can move forward. Caulk said FCPS would be at the forefront because of the commitment and hard work of the District Safety Advisory Council.

No further comment or action was taken on this item.

III. Pedestrian and Traffic Safety Enforcement Update

Dwayne Holman, Assistant Chief with the Lexington Police Department presented the item. He discussed the ordinance which prohibits pedestrians from approaching vehicles or being upon a median. He said the focus is on arterial roadways that handle the majority of traffic in Fayette County. He reviewed the specific prohibitions of the ordinance as well as the exceptions. Lastly, he reviewed the citations for violations issued from August 1, 2017 through July 31, 2018 and the notable locations of those violations.

CM Plomin asked how the citation process works. Assistant Chief Holman said if they violate conditions of the ordinance, a citation will be issued and they will have to appear in court. CM Plomin commented on the ones who are found guilty and asked if there were any consequences for it. Assistant Chief Holman said sometimes there are other charges like intoxication or impairment and these charges might be blended together so they might end up with more serious charges and could spend time in jail.

VM Kay commented on intersections near downtown where people appear to always be standing and panhandling. He asked for clarification that as long as they stay on sidewalk, they can't be cited. Holman said with regard to this ordinance, that is correct unless intoxicated or aggressive. VM Kay said many citizens ask why we aren't doing anything about this. Holman said there have been improvements made as well as education. He said people would not be standing there asking for money if they were not receiving donations. He said we should be educating the motorists that they not be providing donations in traffic.

CM Moloney said he has concerns that the people on the street are getting more aggressive. He said a way to simplify this would be that police investigate these people and look for a permit; without a permit they will be asked to leave. He said if they do have a permit and they violate the ordinance it gives us a record. He said this has worked in other cities and if we require permits, it will solve some of the enforcement problems.

CM Bledsoe asked if they keep track of the phone calls received reporting people in intersections. Holman said yes, monthly reports are sent to Polly Ruddick with the Division of Homelessness Prevention and Intervention. CM Bledsoe said it is frustrating to know that our legislation is not deterring offenders who do not care about being cited. Holman said his concern is that we aren't supported by the judicial system, and if we do not get support in court, this will become ineffective. Bledsoe commented on the new bus tickets which provide a ride for these people to get to other places for free. She asked if it was considered how this might affect the pedestrian and traffic safety ordinance. Holman said these people know where they are going to get the most sympathy and donations from motorists. CM Bledsoe said we should find ways to make the judicial branch realize the importance of this because she does not want to see this become unenforceable. Holman said it is important to know that while we have talked about panhandlers, we have cited people who are not panhandlers; the ordinance affects everyone and it is a safety issue.

CM Lamb asked what we can do in order to engage in conversations with the judicial system to encourage support. Keith Horn with the Law Department said when this ordinance was initially drafted and adopted, we had discussions with the County Attorney; they cannot control what the judiciary does, but that could be where we start to see what the issues might be. CM Lamb said we need to encourage more support from the judicial system so it does not get out of hand. She asked what the fine is. Holman said the fine is small, but it is the added court cost that will be higher. CM Lamb asked if they know of other cities that have permits and if that was vetted. Horn said this is something we have looked at, but our own panhandling ordinance was struck down by our own court. He said this is a huge first amendment issue as far as people being allowed to solicit contributions so it is difficult to outlaw begging. He said courts are having a tough time with cities trying to adopt ordinances that outlaw poverty. He said if people see odd behaviors, they should be reported because there are many behaviors that are illegal.

CM J. Brown said that many of these notable locations are in District 1 and they are situated near facilities that have many pedestrians. He asked if we have made efforts to partner with facilities like the Greyhound Bus Station, Hope Center, or Catholic Action Center to provide their patrons with awareness of Pedestrian and Traffic Safety Ordinance. He also suggested having signage that explains ways to donate as well as the ordinance and our concern for safety in these intersections. Horn said there have been signs posted and a new series of signs coming out regarding reporting aggressive behavior and they will be posted as well. Holman added that it is important that people notify police with concerns because they cannot enforce this without witnessing the behavior.

CM Stinnett asked what other things they are citing for because he sees people loitering for several hours every day. Holman said loitering on public property is illegal for gambling, narcotics, and prostitution; however, the behavior in question is not prohibited. He said most commonly, it is public intoxication or alcohol intoxication and it could turn into other things depending on further conversation, but typically it is intoxication. CM Stinnett said as a City Council we should send a message to citizens to stop donating in this manner and also to our judicial system in the form of a resolution asking for their support in this matter because it is a problem. Holman said we have just recently been made aware of the reluctance from the judiciary and we are having conversations with the County Attorney as well as some judges; we are trying to get a better understanding as to why this is an issue and we need their support.

CM Mossotti asked if he noticed a significant uptick. Holman said he has not seen a decrease and he cannot say he has seen an uptick, but he is not out in the community on a regular basis. Ruddick said from her perspective they have seen a decrease. She said you are seeing the same people in same place every day and these are the individuals who will not get on the van. She said cutting off their revenue source will show a significant decrease. She said aggression has increased in the last few months and they are working on a marketing campaign to improve that. CM Mossotti asked what to say to these people when they are being aggressive. Ruddick said the easiest thing is to say you don't carry cash and in most cases, this makes them go away and if you are being followed or you feel like you are in danger, call 911.

CM Lamb commented on the fund that was created and asked where that money goes. Ruddick said they have

raised about \$25,000 and it is generating some sustainability funding for the van. She said that does not go to her office, it goes to van operator which is currently New Life Day Center.

No further comment or action was taken on this item.

IV. Items Referred to Committee

A motion was made by CM Gibbs to remove the Rose Street Permanent Closure item from committee, seconded by CM Bledsoe, the motion passed without dissent.

A motion was made by CM Plomin to remove the Zoning Along Commercial Corridors item from committee, seconded by CM Bledsoe, the motion passed without dissent.

A motion was made by CM Mossotti to remove the New Initiative to Combat Violent Crime in Lexington item from committee, seconded by CM J. Brown, the motion passed without dissent.

A motion was made by CM Mossotti to remove the Fayette County Schools Security Update item from committee, seconded by VM Kay, the motion passed without dissent.

A motion was made by CM Plomin to adjourn, seconded by VM Kay, the motion passed without dissent.

The meeting was adjourned at 2:35 p.m.

KT 8.29.2018