



## Planning & Public Safety Committee

March 14, 2017

### Summary and Motions

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Chair Scutchfield called the meeting to order at 1:00 p.m. Council Members Mossotti, Kay, J. Brown, Higgins, Gibbs, Lamb, Bledsoe, Henson, and Plomin were in attendance. Council Members Stinnett and F. Brown were also in attendance as non-voting members.

#### I. Approval of Committee Summary

A motion was made by Henson to approve the February 14, 2017 Planning & Public Safety Committee Summary, seconded by Kay. The motion passed without dissent.

#### II. Fire Station #24

Eric Chambers, Architect with Brandstetter Carroll, Inc., presented this item and Fire Chief Kristin Chilton was available to answer questions. Chambers reviewed the site plan and the location of the fire station. He also reviewed the floor plan, entrances/exits, telephone, security, office areas and other rooms and living facilities. Chambers discussed the key features and expansion capabilities; he also discussed the budget for the fire station. Lastly he reviewed the timeline for completion of the project.

Gibbs asked about a fire pole and if that was still utilized in a fire station. Chambers said the norm now is not to have them put in place - for safety reasons.

Stinnett asked what the budget is for this station. Chambers said the total project budget is \$5.2 million. Stinnett commented that Station #2 was supposed to be regional station and asked if this station was supposed to be a regional station as well because it is more than Station #2; he said he is trying to see why this price is more than Station #2 when it should be less and he asked why we need such a big station out there. Chilton said this station will be able to house the same amount of personnel as Station #2. She said they are running out of space to put future apparatus. Stinnett asked if this will hold an EC unit as it is. Chilton said yes, barely; but they would have to back the trucks up. Stinnett said he is just trying to figure why this one costs so much more and questions if we will be able to meet our fire needs with the cost being so high; he wants to see what we are getting for that amount of money. Chambers said the \$5.2 million is the total project cost, construction of the station is \$3.8 million which is approximately \$700,000 -800,000 less than Station #2. He said that this is a 2-story station and we are adding 2 stairwells and an elevator which drives the cost up. Stinnett asked if this would take the place of the one in Meadowthorpe and will those persons move out to this one. Chilton said it is a brand new station and not a replacement for a current station. Stinnett said he thought that the plan was to close Meadowthorpe because of the age of the building and it not being a good environment to work from. Chilton said they are about to come back to Council with an update of the PSSI study that was done in 2015, but she said that study did not recommend closing Meadowthorpe. Stinnett asked how many people would this include and Chilton said 24.

Mossotti asked if this station is compatible with what was suggested from PSSI study. She said she thought Meadowthorpe was closing as well and asked what the reason is for keeping Meadowthorpe open. Chilton said it has to do with response time and the area and because of the distance and location to downtown. Mossotti asked if they would come back to them with that study because she thought after spending money for a consultant that they would close some stations down that were not efficient. Chilton said there were recommendations made from that study for potentially closing some stations, but Meadowthorpe was not one of those mentioned. Mossotti asked when they would be coming back and Chilton said it is scheduled for April.

Henson asked about response time and will this station provide coverage for the rural areas. Chilton said yes, it will have easy access to get into areas of the county. Henson asked if Lexington firefighters were able to look at the plans of this station. Chilton said some of them did, yes. She said they got ideas and input from them, but they were not from companies that were already there who were involved like there were with station #2's plan.

J. Brown asked how many firefighters will staff station #2 and Chilton said about 10 per day. J. Brown said costs went up to make the building complement the surrounding residential area. He asked what the procedure is for when the engine is dispatched and they turn on the siren because the residential area will probably be developed before the station is complete. He asked if there was a plan to address that. Chilton said it is close to Citation and they don't turn on the siren until they are on a main roadway; and a night if there is no traffic they do not use their sirens unless they have to, so sirens should not be an issue.

F. Brown asked about FY18 EC unit in budget. Chilton said they have requested one and are evaluating the best location for that. F. Brown asked how we would pay for it and what the cost is. Chilton said the EC unit vehicle is \$385,000. F. Brown asked if they are asking for personnel. Chilton said yes, an additional 12 people are requested in FY18. F. Brown asked if this would increase their authorized strength and Chilton said yes. F. Brown asked what their authorized strength would be in FY19 and Chilton said 584. F. Brown said he would like to see a map of all of the fire stations and a radius drawn, he said we need to get a handle on our fire stations and our response times. He asked if there was a plan out there for the future. Chilton said yes, with the growth over the next 10 years, the needs are not going to be met; she said some of those recommendations are in the PSSI study that was done.

Mossotti asked where we would put the ambulance and said it would make sense to put it here since it would be cheaper to decide on the front end rather than adding on to the build. Chilton said it would depend on when we get the EC unit. She said if we get it in this year's budget, Station #24 will not be complete so we are trying to determine where to put the EC unit so it can potentially respond to this area and cut down the run time. CAO Hamilton said they would do the design for the EC unit at Masterson Station and then bid it as alternate to see where we are. She said the best time to add it would be during the construction so the amendment would be for about a \$9,000 design change to design the bay for an EC unit. She said then they would bid it as an add alternative.

Stinnett asked why we wouldn't put the EC unit rather than a ladder at the new fire station. Chilton said we have to put an engine there. Stinnett asked why we wouldn't put an EC unit there since we have a ladder at Meadowthorpe. Chilton said as of right now, there is no plan to put a ladder there, just an engine company. Stinnett if they were going to bring a rehash of the PSSI study to committee next month. Chilton said yes.

No further action or discussion on this item.

### **III. Vicious Dogs**

Hilary Angelucci, Council Aide with Lexington-Fayette Urban County Government, presented this item to review proposed revisions to the Vicious Dogs ordinance. Chad Edwards with Law Department and Chief Bowling with Animal Care and Control were available to answer questions.

Lamb commented that section 4-14 (b) should say competent not competition. She asked what type of notification they receive. Chief Bowling said notification is made in writing through registered letter in most cases or they are issued a copy of the law. Lamb asked about determining if a dog is vicious. Bowling said there is an evaluation system and it is a process they go through to determine what caused the animal to bite. She asked what is considered reasonable verification. Bowling said ID or their address; he said they have had issues with this where the information has fallen short if the person moves and they are unable to locate the owner. Lamb asked how you determine whether the owner is charged or not for the service of spaying / neutering. Bowling said it is a fee structure that everyone goes through and he said there are grants available to assist with paying back some of the costs associated with spaying and neutering. Lamb asked how a court declares a dog vicious. Bowling said the owner is charged and it goes through a criminal process to determine.

Mossotti asked how courts are responding now. Bowling said there is frustration. There are nuisance violations and there are show-cause violations that might involve your license or rabies vaccination. For a license violation, they just have to prove to the court that they have a license in good standing and the charge will be dismissed and it does not stay on the record. He said the more serious charge of animal neglect, cruelty to animals and vicious dogs carry jail time so they have to go through the criminal process. Bowling said they prosecute about 10% of cases with about 80% conviction rate for care and treatment, but 40% for vicious dogs because it is very hard to get a court to deem a dog vicious. Mossotti asked if the ordinance will be an aid for them. Bowling said it is an improvement and it is going in the right direction. Mossotti asked if it will still be up to the courts to determine and Bowling said yes.

Daniel Spilling, guest speaker, spoke on this issue and showed video involving his neighbor's aggressive dog in his yard.

F. Brown, responding to Mr. Spilling, said this is not the only time this happens because it happens in his district and he has had complaints. He is not sure the ordinance will correct this. He asked Chief Bowling what the ACC is telling people like this gentleman because that animal is out of its owner's control and it is running loose. Bowling said current laws make it hard to give assurances and that is why there is a part written in there that says they don't have to see the

dog in violation. F. Brown asked if this ordinance will allow them to go a step further. Bowling said yes, but they will still have to process this through the court system. F Brown and Bowling agreed that the point is not that the dog is vicious, but that that they are not being controlled by their owner. Bowling said hopefully these changes will help them and combat this problem. Angelucci clarified that they can only take the dog if it bites a human. If the dogs are running loose and being a nuisance, the owners can be fined, but the dogs would not be removed.

Henson said she would like Animal Care & Control to have the ability to take possession of the dog if the owners do not acknowledge the citations and pay fines. She appreciates the comments from Council.

Rick Curtis with Department of Public Safety spoke about the PSA his department administers with Lexington Humane Society in conjunction with Animal Care & Control said he appreciates having something legitimate they can use because this is critical. He said even though the ordinance is not perfect, it is a step in the right direction. He said you are controlling the animal, but you are also controlling the irresponsible pet owner and that is what we are trying to legislate.

Lamb asked if we can word it to say a human and/or a dog to be bitten. Edwards said under the current draft it includes a human being, but they change it to include domestic animals.

No further action or discussion on this item.

#### **IV. Items Referred to Committee**

A motion was made by Scutchfield to remove the Chronic Nuisance item from committee, seconded by Kay. The motion passed without dissent.

A motion was made by Mossotti to adjourn, seconded by Bledsoe. The motion passed without dissent.

The meeting was adjourned at 2:19 p.m.