



Environmental Quality & Public Works Committee

August 22, 2017

Summary and Motions

Chair Farmer called the meeting to order at 1:01 p.m. Committee Members Stinnett, Moloney, Gibbs, F. Brown, Mossotti, Plomin, Bledsoe and Scutchfield were present. Council Members Kay Smith, J. Brown and Henson were also in attendance as non-voting members. Council Member Evans was absent.

I. Approval of Committee Summary – April 18, 2017

A motion was made by CM Plomin to approve the April 18, 2017 Environmental Quality & Public Works Committee Summary & Motions, seconded by CM Bledsoe. The motion passed without dissent.

II. 5-year Solid Waste Management Plan

Tracey Thurman, Director of Waste Management, presented an update on the 5-year Solid Waste Management Plan for 2018-2022. She said this plan includes a summary of current waste management programs and initiatives for the next five years. She reviewed the public notice and the comment period. She also discussed the collection and disposal services. She closed with a review of the achievements within the last 5-year plan period.

CM F. Brown stated that he can only speak regarding his district, but they get very few complaints. If they do, they are taken care of quickly. He asked if they had someone to monitor containers that are left out. Thurman stated that they do actually have enforcement officers who do this and they report several things back to Waste Management. She said they try to give people a couple of chances before they are fined and they try to educate people on the rules.

CM F. Brown asked about the environmental rules for the landfills (specifically on Old Frankfort Pike). Thurman said everything there has been resolved and we are in compliance. CM F. Brown asked if Haley Pike was officially closed. Thurman said it is officially closed and they have to spend the 30-year time period monitoring to make sure we are at the appropriate levels. CM F. Brown asked where it is in the 30-year plan. Thurman said post-closure, we are in year 6.

CM Moloney asked about plans to expand the Urban Service Area. He feels we need to be proactive and that we are living behind the times with dumpsters. He asked if we are going to start using compactors for developments. Thurman said we are experiencing a significant growth so this is something we are looking at. She commented that they have been studying this and they look to Council for direction as developments are planned. She said they will look at a coordinated approach. CM Moloney asked about recycling glass, adding that other cities are doing this. Thurman stated that Barry Prater with Materials Recovery Facility (MRF) is looking for ways to utilize glass. She added that in the long-term it sounds great.

CM Moloney asked if we are saving money or if it is about the same. Thurman said we are saving money. Brad Stone with Environmental Quality and Public Works stated that we are saving approximately \$1M per year under the new transfer station contract.

CM Plomin commented on the expansion of the Central Kentucky landfill in Scott County and asked if this is true. Thurman said their contract states that they will take our waste wherever they have locations. CM Plomin asked if there was data that shows how many residents outside of the Urban Services Boundary use the Loan A Box program. Thurman said she can provide an update on that and get actual numbers. She said last year we had over 2,000 Loan A Boxes and this is something we need to look at.

CM Gibbs expressed gratitude for the hazardous waste disposal that takes place twice a year. He asked if we had done anything to encourage home composting. Thurman said there is a pilot program for doing this and they are working with Seedleaf. She said there is a class on October 3 on home composting as well. CM Gibbs asked for the details so that they could be included in his newsletter. CM Gibbs commented on the cans that are left in the streets which is a problem in the University neighborhoods. He asked if it is possible to have sweeps in that area. Thurman said they can and they try to increase that during move-in and move-out days as well as providing educational awareness. CM Gibbs asked about underground waste collection in the downtown area. Thurman said we have been looking at that and the opportunity is there. She said the problem is we do not have a lot of alleyways to store something out of sight.

CM Henson stated that there have been issues in her district, but she has seen improvement. CM Henson commented on the underground waste collection saying she likes this idea. She said she is also curious about the landfill. CM Henson said she missed the Keep Lexington Beautiful Commission meeting where the 5-year plan was discussed, but asked what the advisory group will entail. Thurman commented that they will come back and report periodically and get input on the plan.

CM Mossotti asked what else as Council Members we can be doing. Thurman said any opportunities for Waste Management to come to their districts and schools and speak about this recycling and waste collection would be great. CM Mossotti asked about neighborhoods that do not have city waste collection, but they have to use private collection. CM Mossotti asked if there is a collaborative effort for the city to work with private collectors. Thurman said there is a petition process for someone to come into the urban service area. She said they can still go out and educate about waste collection and recycling in the districts; the neighborhoods don't have to have to use the city service.

CM Stinnett commented that he has also noticed a positive change. He asked about the growth in services and asked if those were residential points of service. Thurman said that number is container count by location. CM Stinnett asked if the increase in the number of containers was due to new development. Thurman said sometimes it is, but sometimes it is because someone has asked for an additional container. CM Stinnett asked about the growth in tonnage of waste and if that was due to other waste companies using the MRF. Thurman said it is. CM Stinnett

asked about recycling and said the numbers have leveled out which indicates that we are incentivizing people to recycle. He asked if it is time to re-evaluate and have discussion on this. He asked if more money goes back to the city by going through our transfer station with garbage versus what we sell the recycling for. Thurman said they have tried to key in on specific areas and try to motivate and influence that behavior, but they are still working on that. She said they have a lot of growth outside the Urban Service District and they are educating those people. CM Stinnett said it looks like we are flattening out and asked how we get to the next level. Thurman said she will follow up on that.

CM Scutchfield asked what the different sizes of the receptacles are. Thurman said they have a 64-gallon and 95-gallon which is traditional. CM Scutchfield said she appreciates that they have different sizes available based upon the customer needs.

CM Moloney commented on recycling and said he believes we are doing our part.

A motion was made by CM Mossotti to approve the 5-year Solid Waste Management Plan item and move it to the full Council on August 29, 2017, seconded by CM Plomin, the motion passed without dissent.

III. Review of Article 17-C of the Code of Ordinances

Doug Burton, Urban County Engineer, presented a review of Article 17-C. He discussed street cuts and penalties for doing work without a permit.

CM Scutchfield asked for an example of this occurring. Burton said utility companies have a master plan so they know in advance where they are going to be working. The problem occurs when there is a 4x4 cut they are working on to repair a small pipe and they put in a cold patch which is left for months. He said if it is not maintained then we get several calls and he said that is the number one call he gets in Engineering. He said they are looking for a way to incentivize them to get the patches done quicker. He said right now there is no language in 17-C to enforce this or force their hand. CM Scutchfield asked how much of this is happening. Burton said there are a couple of primary offenders and a couple of entities that are worse and added that this happens more often than it should.

VM Kay asked what the standards are for the temporary and the final fix and how is that monitored. Burton said they are set forth in their standard drawings and they have inspectors that go out and check those. He said after the 21 days, they go out to see if the complete restoration has been done and if it is up to standard; if it is not, then they will hit the extension again. Burton said the process does not change at all; the only change is that if they have to go out there and the cold patch is still there after 21 days or they have done a poor job on the final restoration, then they extend the permit along with a \$250 fee. He said the goal is that if these contractors are not doing restorations up to standard, it will become obvious very quickly. VM Kay asked if it was supposed to look like it did before. Burton said yes, but it would have a patch. Otherwise, it will look like it did before. VM Kay asked about the final patch and if it would be smooth. Burton said it should function like the pavement that was there before.

CM F. Brown stated that he assumed these were all utility companies doing this work. He said if they are having problems with the work being performed, he feels they need to be educated or fined. Burton said that is essentially what this is. The fee assessed is like a fine. CM F. Brown asked if they work with streets and roads. Burton said they do and they have multiple coordination levels. He said their Right of Way Manager and Capital Manager attend paving meetings every week and there is a monthly meeting with Streets and Roads about these projects. CM F. Brown asked if there was duplication of services and Burton said no.

CM Gibbs asked about the utility strip. Burton said if a utility company works on a utility strip without a permit, it goes from being \$100 installation to \$200. CM Gibbs asked if the sidewalk is separate because he sees gravel on sidewalks for an extended period of time. Burton said the temporary fix for sidewalks can sometimes be gravel, but with the final restoration, they will restore it to what it was previously. CM Gibbs asked if this discussion will include sidewalks. Burton said no, it is just for street cuts where they are hit with a fee every time it goes past 21 days because in the street is where the predominant problem is.

A motion by CM F. Brown to Approve the Draft Review of Article 17-C of the Code of Ordinances, seconded by CM Mossotti, the motion passed without dissent.

IV. Road Exchange with KYTC

Doug Burton, Urban County Engineer, presented the Road Exchange program with KYTC. He said LFUCG will assume ownership of 13.942 lane miles and KYTC will assume ownership of 17.704 lane miles. He said this ownership includes maintenance responsibility for the vehicular traveled roadways as well as storm sewers.

CM Gibbs said he supports this as he sees the need for it in his district.

CM F. Brown commented that the city does a better and faster job at paving than the state does and he asked if paving would be our responsibility with the trade. Burton said yes, but a lot of those streets have been recently paved. CM F. Brown said he likes the concept of route continuity, but feels the state needs to update its signage. He asked if when they looked at this if they looked at traffic flow and how traffic would flow better as a result. Burton said yes and he said they will have to clean up the signage. CM F. Brown asked if this will affect the area around the Civic Center. Burton said yes, we will be getting several streets in that area. CM F. Brown expressed concerned about Parkers Mill because of the condition it is in and what we will need to do to improve the street, which the state has not done. CM F. Brown asked how much they looked at future costs using Armstrong Mill as example. He said as he understands it, Parkers Mill will take a significant amount of money to improve it correctly. Burton commented on a couple of things that the state will do. He said the state has a Highway Safety Improvement Project (HSIP) in place that will remove the old concrete wall and improve safety along that road. He added that this is a prime candidate for CMAQ funds. CM F. Brown added that we have a long list ahead of this that would also be considered for CMAQ projects.

CM Stinnett has concerns about Parkers Mill and he said we received an estimate from the state that it would be \$8M to improve it. He said he cannot support this road. He is also

concerned about the Jefferson Street viaduct. He wants to know where we are on what happens to the land should we take ownership and remove it. Burton said it is ours. Stinnett asked what we are going to do with it. Burton said those discussions have not happened yet and nothing can happen until it is ours. CM Stinnett would like to have the discussion before we agree to take it. He feels it is a serious issue. He cannot support this trade until discussions have been had.

CM Henson is also concerned about these two roads. She does not have enough information to see what this will look like. She said she is very concerned with the Jefferson Street viaduct. She would like to see a traffic study to see what the traffic flow will look like and asked if one had been done. Burton said there has been one, adding that Oliver Lewis takes a lot of it now. CM Henson said it would be problematic for traffic on Oliver Lewis. Burton commented that traffic on Jefferson Street is minimal since Oliver Lewis opened. Burton added that the state is not interested in separating out Jefferson Street. They will not do anything without the entire package, which could delay the Convention Center project. CM Henson said she would like to have a presentation before Jefferson Street is removed that will explain traffic flow and what the plans will look like. She would also like to know what the current paving costs are and what they would be with these changes. Burton said we are getting fewer roads in the trade so the cost will go down. He added that it is not just paving costs and provided examples of other maintenance costs that we will be saving on.

CM Plomin feels splitting ownership of roads may be confusing. She said they get a lot of calls from people who do not know who is taking care of the road. She also said she feels like Virginia Avenue and S. Ashland Avenue would be confusing. Burton said when they are doing the road swap for route continuity it will clean things up for them and gives us control of the roads we want control of so we can make necessary changes.

CM Moloney expressed concern about the roads chosen and does not understand why the state ever had Euclid Avenue. He asked why we are giving up Virginia Avenue. Burton said the primary reason is route continuity. CM Moloney commented on Parkers Mill saying that it should be consistent and said splitting it up is not a good idea. CM Moloney said he feels we are trading good roads for bad roads.

CM Bledsoe commented on Parkers Mill. She said this road has been discussed for a long time and she said there is no easy way to access Cardinal Run Field unless you drive to it. She added that the volume on Parkers Mill is getting more intense and it does not have the capacity to handle the traffic and she feels that it does not have the support of our state partners to want to fix the problems. CM Bledsoe said if we do not take this road, she feels that the improvements we desperately need on that road will not be done. Burton agreed that we can solve these challenges, but he is not sure the state will.

CM Scutchfield stated that the road swap seems haphazard and she asked if there was only one road in the exchange that is being discussed for closure. Burton said yes. CM Scutchfield added that we would be getting a bridge which would be more expensive to maintain. Burton said yes, if we kept it, adding that the whole purpose of this was to close Jefferson Street and demo the

bridge. CM Scutchfield asked how many other bridges we would get in this exchange. Burton said one small one on South Forbes. CM Scutchfield commented on needs of other districts that were held up with the state and she has street concerns in her district as well. She asked at what point we can say "we will do this when you do this." Burton commented on the desire to get Jefferson Street for the Town Branch project. He reminded the committee that the state will not separate Jefferson Street and it could delay the project. CM Scutchfield asked if this exchange would happen if it was not for Jefferson Street. Burton said no. He said we were not talking about a road exchange until Jefferson Street came up.

VM Kay commented on route continuity which can be difficult to understand. He said many citizens do not follow a route; they follow a street by name so this is what people are having a hard time with. He added that the main objective is for us to have control of the Jefferson Street viaduct so we can make the decision on what to do with it. VM Kay asked what the options are for next steps. Burton said we have a rough draft of the agreement and based on discussion, but we will have to make some adjustments. He said for example, mowing more frequently on Citation Boulevard. VM Kay asked if there would be a final plan to be approved by this Committee or placed on the docket and approved by Council. Burton said the next step would be to move it to the docket stating that the committee agrees with the road swap and he will work out the details and bring it before Council.

CM Smith commented on Jefferson Street and the church parking. He feels we need to have an open discussion with them about this. Burton said this would need to include the Lexington Convention Center, Main Street Baptist Church and LFUCG for the parking. He said there have been preliminary discussions and it will be a three-way discussion to figure out what works well for all parties. He said they all have needs and challenges which will need to be discussed.

CM J. Brown asked if this had an impact on the expansion of Lexington Convention Center or was it only impacting the Town Branch Park. Burton said it essentially impacts both because the expansion and the park meet on the east side of the bridge. CM J. Brown asked the Lexington Convention Center board members if delaying this would delay their expansion. CM Stinnett stated that they had not heard from the state about Jefferson Street being a deal breaker. The state has contributed to the project and would be putting that in jeopardy by forcing us into a bad deal. Tony McGaha with KYTC confirmed that this is a package deal and they will not separate out Jefferson Street. CM Stinnett asked what if we say no and asked if the viaduct would stay there forever. McGaha said it would go into negotiations as it is a state road. He said Lexington Convention Center can negotiate with the Transportation Cabinet which can be more difficult than dealing with LFUCG. He said if it is a city road, we can do this much quicker than the state. CM J. Brown asked if the maintenance of Citation was also a deal breaker. Burton said no, adding that the state would be more than willing to allow us to maintain their road. CM J. Brown feels like the Lexington Convention Center expansion will take place regardless of the road swap. He feels the park is what will be impacted depending on the bridge coming down or staying. Burton said that the Lexington Convention Center project wants to use viaduct for staging during the construction project but that ultimately it would impact both; not one or the other.

CM Mossotti asked if the list of roads in the exchange had changed over time. Burton said it has changed some.

CM Stinnett stated that he is in favor of taking Jefferson Street, but thinks it is wrong to hold it up with these other streets. He said he thinks it is wrong for the Lexington Convention Center and the Town Branch project. He added that we also need to know what the future plans are for the church land. He said they will not have a final price for the Convention Center project until late September and he does not see the urgency in including Jefferson Street with the other roads.

McGaha commented that this was important for them to clean up their system. They are not trying to give the city bad roads or dupe LFUCG. The continuity is important to them. He said that Jefferson Street initiated the discussion and it would not have taken place without it.

CM F. Brown asked who was in charge and who is making the decision. McGaha said it was his project and he said it will go through the Commissioner's office and the Secretary. He said they have already agreed to it, but it can be changed. F. Brown said he agrees with the continuity but thinks it should be pared down.

CM Moloney commented that giving up Virginia Avenue and S. Ashland Avenue does not make sense. McGaha said for continuity on US-27, Virginia Avenue is the road that makes sense.

CM Gibbs said Virginia Avenue makes sense and he said some of the streets we are getting in exchange, we will be able to make safer.

No further comment or action on this item.

V. Fiber Optics Technology

Presentation and discussion of this item was postponed to the next meeting due to time constraints.

VI. Man O' War Small Area Plan Study

Presentation and discussion of this item was postponed to the next meeting due to time constraints.

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

The meeting was adjourned at 3:00 p.m.

K.T. 8.29.17