



Special Public Safety Committee

October 15th, 2013

Summary and Motions

Chair Peggy Henson called the meeting to order at 11:00am. Council Members Kevin Stinnett, Chuck Ellinger, Diane Lawless, Bill Farmer, George Myers, Jennifer Mossotti, Harry Clarke, and Ed Lane. Shevawn Akers was absent. Chris Ford attended as a non-voting member.

1. Approval of Summary

Motion by Clarke to approve the summary. Seconded by Lawless. Motion passed without dissent.

2. Tenant Transition and Household Disposal

Henson said that she had asked Steve Feese to come to the committee with a plan.

Feese began his presentation. He said that he would be reviewing the current overflow/bulky item pickup, explaining the overflow/bulky item collection service process in other communities, providing the cost for operating a 24-hour response "on-call" of bulky system, propose changes to service for evictions, propose changes to service for emergency of bulky item disposal, discuss proposed revisions to Sec. 16-14 of the Code of Ordinances, and finally, answer any questions the committee members may have.

Feese said that there is currently one (1) overflow/bulky item truck for three (3) residential routes (no call-in). These trucks collect extra bags, furniture, mattresses (non-insect infested), small appliances/televisions, and other items outside of the Herbie.

Feese told committee members that citizens can call for special collection services or route drivers inform dispatch for the following items:

- Tires (four (4) passenger vehicle size/off rim)
- Mattresses
- Appliances
- Small Animal Disposal

Feese told committee members that the standard response time is within 48 hours. He went on to say that these items cannot go in with the normal waste. They must be picked up separately.

Feese said that his drivers pickup approximately 3000 service points with no call-in and 135 service points with a call-in each week. The current call-ins represent 4.3% of the total overflow/bulky service points.

Feese placed a chart on the overhead that illustrated overflow and bulky item collections in other communities. Austin Texas and Louisville Kentucky pick up bulky items two (2) times per year. Cincinnati and Columbus Ohio, Owensboro Kentucky, and Georgetown Kentucky pick up on a call-in basis only. Madison Wisconsin picks up bi-weekly. The response times vary from two (2) days to two (2) weeks. Additionally, some communities charge an additional fee for this service.

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Feese said that they would have to gear up for the worst case scenario. His list of assumptions for his 24-hour response calculation is as follows:

- Overflow/bulky items calculated as 5% of total residential refuse weight collected
- Estimated average weight of an overflow/bulky setout to be 50 pounds
- Based on call service capacity per truck at 100 stops per day
- Rear Loader trucks with two (2) employees
- Assumed an unequal distribution for call volumes from one collection day to another

Feese said that he thinks the weekends will generate the largest quantity of bulky items. Feese said that his calculations for 24-hour response were as follows:

ITEM	COST
1 Additional LexCall Supervisor	\$60,000
4 Additional LexCall Call Takers	\$216,000
1 DWM Dispatch CSR (Weekend 10hr/Day)	\$45,000
2 WM Supervisors – Additional	\$100,000
23 Rear Loader Trucks (Cost Amortized)	\$575,000
Yearly Truck Maintenance Cost (\$15K/Truck)	\$345,000
4 Additional Maintenance Mechanics	\$240,000
Additional Yearly Fuel Cost for 18 Trucks	\$604,800
Truck Bays	\$86,250
Additional Labor (21 Drivers + 21 PSW)	\$1,491,000
Recurring Annual Total Cost	\$3,763,050

Feese said that there are obstacles to implementation. He said that there are 23 truck driver vacancies. He said they struggle to fill those positions. They also do not have enough trucks to adequately cover existing routes. He went on to say that increasing the WM fleet size by a significant amount would place much higher maintenance demands on the Division of Fleet Services. Feese also suggested educating residents to the new call in procedure. He also said that there could be negative implications for current enforcement activity.

For evictions, Feese proposed that the Constable or Sheriff provide the Division of Waste Management (DWM) with the address of eviction. He also suggested that the DWM deliver a Loan A Box and place it at the curb in front of the property within three (3) hours of notification at the specified address. He went on to suggest that an ordinance be drafted to require mandatory fees to be charged to homeowner.

For emergency overflow/bulky item disposal, Feese suggested the DWM obtain the necessary street placement permits and provide an expedited Loan-a-Box placement for citizens with emergency overflow/bulky item disposal via service requests. Feese went on to suggest providing a possible citizen drop-off location for overflow/bulky item disposal.

Feese said that the ordinance, as currently drafted, is confusing and it is not reflective of the service that is currently provided or has currently been provided.

He suggested the following revision to Ordinance Sec. 16-14 subsection (c):

The following items from residential units will be collected free of charge by calling LexCall 311: tires off rims (up to 4), mattresses, used metal appliances prepared in accordance to subsection (b) and small animal carcasses. Calls will be serviced within 48 operational hours based on the time of the service entry.

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Ford said that the policy decisions are on Council. He said that he wants to focus on Ordinance 16-14 which is special collections. Ford reminded Council Members that the policy has not been updated since 1999.

Ford said that his intent was never 24-hour response. He said that it would be impractical. Ford said that the Division of Code Enforcement does have an emergency 24-hour abatement process. Ford said that there are set-outs everyday in our community with once a week pickups. These set-outs could sit out for 5 or more days.

Ford wants our citizens to be able to call in for a special pickup with 24-hour notice with 48-72 hours to respond.

Ford asked Feese how he arrived at the number of 3000 service points. Feese said that 5% of the total residential pickup in terms of weight is bulky items. They translated that into an average weight of 50 lbs. They calculated that into approximately 3000 service points.

Ford said that Feese's number does not explain how long the bulky items will have been at the curb.

Ford said that the Constable said that their job is not to maintain storage. Ford asked how they will go from a five (5) – six (6) week wait on a roll cart request to now all of a sudden to get a roll cart on the street in three (3) hours. Feese said they will reserve boxes for this purpose. So there will be availability if they get a request to dispatch a box to a particular eviction location.

Lane asked Feese about his calculation for 24-hour response. Lane asked if this would be a cost above and beyond the current cost (\$3,763,050). Feese answered yes.

Lane said that it would be \$71,000 a week and it does not seem to be efficient to do this since they are already picking up within 72 hours anyway.

Feese said that with the new routing system is there is not a lot of undertime. Feese said that this challenge is to not have drivers out until 7:00pm.

Lane asked if there is a bulky item out on the curb now, do the drivers call in and give the address. Feese said that they do report it. Feese said that the third phase of the routing system is going to allow the driver to push a button and it will go directly to dispatch and they will generate a service request for a customized route to service it the same day. Feese said if the bulky truck goes by and sees it, the driver will pick it up unless it is a bed bug infested mattress, tire or dead animal.

Lane told Feese that it is a safety issue when someone gets evicted and the items are placed out near the street because people will rummage through it. Lane asked Feese to work with the Sheriff's Office to be alerted when an eviction is about to take place. Feese said they have done this before but he would like to have a response system in place.

Lawless thanked Feese and the Division of Code Enforcement for their work around the University of Kentucky. Lawless said that around the University of Kentucky's campus, people place unsanitary items at the curb. She said that often they are placed out and nobody calls. She asked Feese if they still issue citations.

Feese said yes, they process 20-25 citations a month through Environmental Policy. Lawless said she would like to look at the fee structure. She reminded homeowners that it is their responsibility to wait to put it out on the curb or call it in.

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Ford said that no one said that 72 hours would be too long. Ford went on to say that six (6) days is too long. Ford said that 48-72 hours is better than six (6) days. Ford said that in the right of way the LFUCG needs to provide the service to remove the items.

Ford asked Feese how often they pick up downtown. Feese said in the business district they pick up eleven times each week. He asked Feese why we pick up more frequently downtown near the businesses. Feese said that there is not room for businesses to place their waste. Ford told Feese that right of ways cannot be storage for bulky waste for up to six (6) days each week.

Ford asked Mike Sanner from the Department of Law to approach the podium. Ford told the committee members that there is a conflict between operations and policy on this issue. We have made our operational practice that bulky items will only be picked up once a week. He said that it is being done piecemeal. He said that we will pick up certain items more than once a week.

Ford said that our ordinance allows constituents to call in for a special pickup. Ford wants to find a way operationally to meet our obligations in the ordinance.

Sanner said that there was confusion about whether or not the special pickup could be on a separate day from the regular collection. They have determined that yes, it can be.

Ford said that constituents are allowed one special pickup per week.

Section 16-14 (c) currently reads:

Items generated from residential units such as televisions, tires off rims (up to four (4)), furniture, small scrap metal pieces, etc., will be collected free of charge by calling the division of solid waste. Calls must be made at least twenty-four (24) hours in advance of the pickup. There is a maximum of one (1) special pickup per week.

Sanner said that the proposed revised language would read:

Items generated from residential units such as televisions, tires off rims (up to four (4)), furniture, small scrap metal pieces, etc., will be collected free of charge by calling the division of solid waste. Calls must be made at least twenty-four (24) hours in advance of the requested special pickup. There is a maximum of one (1) special pickup per week, in addition to the regular pickup.

Lawless asked if the language change would necessitate the increase in expenses of \$3,763,050. Feese said that the issue he sees is that when the ordinance was changed the last time, furniture and small scrap metal were left in the ordinance when they should not have been left in it. The DWM does not pick these items up during special collections. Feese said the language is not reflective of what the DWM has ever done.

Lawless said that she believes that people are not calling these pickups in; they are setting things on the curb waiting for the weekly collection day.

Ford said again, operationally, the LFUCG is not following the law.

Ford said that the figures provided by Feese are erroneous. He said it would require more funding, but not at that level. He said that a 24-hour response was never what he asked for.

Motion by Lane to discuss and consider the revised language of Section 16-14 provided by attorney Mike Sanner. Seconded by Myers.

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Lane said that he should stick with the current ordinance.

Stinnett had concerns that we do not have the staff or trucks to implement the ordinance if they passed the revision.

Feese said that they would have to hire more people.

Sanner said that he was instructed to clarify the ordinance to illustrate that citizens are allowed their regular pickup and a special pickup if they call the LFUCG 24-hours in advance, allowing two (2) pickups a week.

Stinnett asked Feese how it is different from what they are currently doing.

Feese said that the only materials they respond to by calls from citizens or drivers are tires, dead animals, appliances, and mattresses. Feese said that if they add the proposed language, Feese said that there are often bags sitting out with many other types of items.

Feese said that when the ordinance was changed previously, the scrap metal and furniture were not removed from the language and should have been.

Stinnett said that they are already picking those items up on regular pickup days. Feese said on a given week, they only have 135 calls for tires, mattresses, appliances, and small animals.

Feese said that to move from essentially a no call situation to a call in situation, everything will go to LexCall, they will send it to DWM and they will have to dispatch that route to service the requests with a quick service time.

Feese said that this is not something they have ever done before and no other community of our size provides this service. Feese said that he does not want to come back to the Council and say that he does not have enough money to get this done.

Stinnett asked Feese if he had met with a representative from LexCall on the issue. Feese said that LexCall would have to bring people in on the weekend to process and dispatch the calls.

Stinnett said that he is not sure that Feese is talking about the same things. He said that there is no way that LexCall would need that many additional workers.

Henson said that she feels they are not being heard. She said that there is a problem in her district and she is not sure if this is the answer. She said that even with implementation of the revised ordinance she believes there will still be items left on the curb that have not been called in. She said that people do not call in because they do not know they should or can.

Richard Moloney said that last year they sent notices to certain residents in the 3rd District that they are not allowed to put the trash out for days. Moloney said that when you hit people in the pocket book they start to pay attention. He also mentioned that Georgetown Kentucky is charging their citizens for the extra pickups.

Henson said that the fines need to be increased. She said that it is the same properties time and time again.

Ford said that we have an ordinance on the books that the LFUCG is not enforcing. Ford said that the ordinance is called the "Move-Out Ordinance" and people are moving out every day of the week in Lexington. Ford stressed that they need to keep the special collections in the ordinance.

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Ford went on to say that no one is asking for 24-hour response. He said it is impractical. He asked committee members to support the motion.

Lane said that this issue needs better management. Lane suggested that if a resident places their items on the curb on a non-pickup day, there should potentially be a fee for that. He said that it would incentivize our citizens to place their items out on their normal trash pickup day.

Lane asked Feese to come back with a specific plan with how he would manage this.

Stinnett agreed with Lane. He said that it could be managed better. Stinnett said that he was not sure that it requires an ordinance change. Stinnett said that our DWM employees do a great job. Stinnett said that he would like to see better tracking to see if we need to amp up service.

Ford told committee members that it is not a material change to the ordinance, but merely a clarification. The reason the clarification is needed to send a clear message to management. Ford said that it is clear to him that management does not recognize the ordinance.

Ford is trying to clarify the laws on the books.

Clarke asked why there are three different categories. Feese said that the appliances, mattresses, dead animals, and tires are held for the special collection because they either cannot go into the landfill or they cannot go into the regular truck. The other items are picked up by the regular truck. Clarke referenced the draft ordinance distributed by Ford.

Clarke asked Feese if it is necessary to have three (3) different categories. Feese said no.

Clarke said that what they are not talking about adding anything to the current ordinance. Feese answered that the scope of the special collections would be different. Feese said the question is if the special collections include only televisions, tires, furniture, and small scrap metal pieces or does it include everything else?

Clarke said that it thinks a lot of this is semantics. He said he agreed with Ford that the language needs clarification.

Motion passed without dissent.

3. Division of Police Home Fleet Policy – Postponed

4. E911 Structural Budget Imbalance – Postponed

5. Items Referred to Committee

Motion by Myers to adjourn. Seconded by Lane. Motion passed without dissent.

Submitted by Jenifer Benningfield, Council Administrative Specialist

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