



Planning & Public Safety Committee

May 9, 2017

Summary and Motions

Chair Scutchfield called the meeting to order at 1:00 p.m. Council Members Mossotti, Kay, J. Brown, Gibbs, Lamb, Bledsoe, Henson, and Plomin were in attendance. Council Members Stinnett and F. Brown were also in attendance as non-voting members. The 2nd District seat was vacant.

I. Approval of April 11, 2017 Committee Summary

A motion was made by CM Plomin to approve the April 11, 2017 Planning & Public Safety Committee Summary, seconded by CM Bledsoe. The motion passed without dissent.

II. Body Cameras Update

Dwayne Holman, Assistant Police Chief, presented the item. He gave a brief overview of the body-worn cameras and reviewed statistics.

CM Mossotti asked how long these videos will be retained and asked who will have access. Holman said the contract specifies unlimited storage for body worn camera videos. He said we need to identify a retention schedule and have certain videos come off automatically depending on the retention schedule. He said some things will be kept forever depending on what it is. CM Mossotti asked if it is treated like an open records request and Holman said yes. CM Mossotti asked if it has been determined if they are successful. Holman said he believes a person's behavior improves in the presence of a camera. He said they have to measure data before body worn camera deployment and will also measure data afterwards to compare hard data.

CM Plomin asked how many instances this has cleared up. Holman said there are two parts to this - incidence and evidentiary. He said he can't put a hard number on it, but they are pleased with how many issues have been resolved based on a complaint or a random review by a supervisor that have addressed issues. CM Plomin asked if officers have reacted positively and if they like having them. Holman said yes. He said there was hesitation in the beginning but over time with national events becoming more prominent, they look forward to it. He said it serves as a 3rd observer for them.

VM Kay asked what policies exist to dictate when cameras are turned on and off and asked what that procedure is. Holman said there was input from different entities that represented different parts of the community including the Commonwealth's Attorney and County Attorney's office; and they also reviewed best practices across the country. He said anytime there is law enforcement contact the camera should be turned on.

CM Bledsoe said the body worn cameras have been helpful to the Commonwealth Attorney's office and she expressed appreciation of that.

CM Stinnett asked what the morale is like since the cameras have been utilized. Holman said with the anecdotal evidence they have, officers have heard cases where another officer has been absolved of a complaint; and that reinforces the need for the body worn camera. He said as an agency, the officers have accepted it and morale is high when it pertains to the body worn camera. CM Stinnett asked if there was a way to show things that happen that are good. As an example, he asked whether an officer going out of his way to help someone if this would be recorded by the camera. Holman said yes there is. CM Stinnett asked if we have published the procedure online for an open records request to obtain a video and he asked if it has increased staff's time to respond to these. Holman said they increased Open Records staff by one. He said that policy and other policies are online. CM Stinnett asked what format the video would be delivered in and Holman said DVD.

No further action or discussion on this item.

III. PSSI Fire Study Update

Kristin Chilton, Chief of Lexington Fire Department, presented the item. She gave an overview of the PSSI Study and the recommendations from that study.

A motion by CM Bledsoe to allow 0532-17 PSSI Fire Update additional 5 mins, seconded by CM Plomin, the motion passed without dissent.

VM Kay commented on the 4-minute response maps and asked if the white areas that are close to a station are just the nature of streets that need to be traversed. He asked what accounts for location and drive time between Nicholasville Road and Tates Creek Road and he also asked what the white area is. Chief Chilton said the stations are not that far apart, it is based on drive time. VM Kay commented on new developments where there are stations nearby and adding developments in an area that is already serviced; he asked if it is about density as well as how long it takes to get to a particular location. As an example he asked about the Summit if it gets fully developed. Chief Chilton said it would still be drive time. VM Kay commented on the building across from Fire Station 1 that was funded in FY17 that was scheduled to come down and be replaced. Chief Chilton said it was bid out 3 times and it was finally approved. She said as soon they begin construction on the new building, they will be able to tear down the old one.

CM Bledsoe asked how drive time is determined. Chief Chilton said it is based on speed limit, going around curves, making turns, etc. She said it harder to maneuver streets in a large apparatus. CM Bledsoe commented on Station 12 and asked if it will be repaired if it is decided that it will not close. Chief Chilton said recommendations were made concerning all of the older stations and the recommendation is that eventually they all need to be replaced. CM Bledsoe commented on EMS runs with NARCAN distribution and asked how much it taxes emergency responses. Chief Chilton said EMS runs are up about 9% for end of April. She said patient percentage is up 15% for this year. CM Bledsoe commented on NARCAN pertaining to

overdoses and asked if we send EMS only or if fire apparatuses also go. Chief Chilton said a first responder (engine) is dispatched to administer NARCAN and an EC unit is also dispatched.

CM Lamb has concerns about closing station 12 and moving station 7 down with the intention of reaching those neighborhoods to service the area of Station 12; she said that would mean more traffic in the area. CM Lamb commented on the 4-minute response map and the white area near Station 15 and she asked who services that area. Chief Chilton said Station 7 or Station 15; she said there will be a small area that is in white. Chief Chilton added that this area is part of the gap where they are recommending a new fire station across from the Summit.

CM Mossotti commented on the station relocation challenges and asked how we deal with those and what the game plan is. She asked if we shouldn't follow some of the recommendations listed in the study so we aren't stretched so thin and then we find ourselves in a brownout situation. Chief Chilton said the brownout situation was because of staffing versus station. Chief Chilton said this study gave us recommendations to go on, but we have to put our heads together and decide where we want to go from here. She said we would want to look at consolidating some stations, relocating stations, or closing stations. CM Mossotti asked if they were going to come to Council and ask to implement some of the recommendations or do they have another plan moving forward. Chief Chilton said she is not sure that some of these recommendations would be feasible because of the challenges we have. Chief Chilton said we have brought forward the recommendations and we can look at these to see which ones Council would support. CM Mossotti asked if they could come back in a year after analyzing the recommendations and say which ones are most advantageous. Chief Chilton said based on the 4-minute response map, she will not recommend closing any stations based on the ISO rating we received.

CM Plomin commented on the 4-minute response and the white areas in District 12. She asked if there is a range or standard they try to keep in the rural area. Chief Chilton said it is availability. She said the last station built in that area was Station 19 because a farm owner donated the land. CM Plomin asked what the average response time is in that area. Chief Chilton said they have maps that show a 4-minute or 8-minute response.

No further action or discussion on this item.

IV. Code Enforcement: Chapter 12 Update

Ken Armstrong, Director of Code Enforcement, presented the item. He discussed the Chapter 12, Property Maintenance Code and gave an overview of the notable changes.

CM J. Brown commented on the automobile portion and asked if this will help to prevent unnecessarily citing unlicensed vehicles on properties. Armstrong said right now we can only cite junked or wrecked vehicles. He said there are sometimes vehicles parked in the backyard that have been unlicensed for years. He said in the past they could not cite those vehicles; however, with this addition, those vehicles could be cited. That person would have to license

the vehicle, make it operable or remove it from the property. CM J. Brown asked about noxious weeds and if this is grass naturally growing too high. Armstrong said yes it is.

VM Kay said issues that he has been concerned about have been addressed. He referenced 106.4.1(a) – regarding fines and asked if “shall” would allow judgment as typically it does not; he said this has been an issue in the past. Armstrong said this gives a person 60 days to be compliant. If that time has passed and they are not in compliance, they will be issued a citation. VM Kay said in the past it has been difficult to find documentation where a continuance has been issued and asked if that information will now be included in the file. Armstrong said it is and they have to have documentation explaining why time was extended. VM Kay asked about civil fines under section b. Armstrong said they have had to use this one time for apartments in Woodhill that continued to be a safety issue. He said the normal operating procedure is subsection a. Michael Sanner, Managing Attorney with Department of Law, said subsection b was passed when Saddle Brook Apartments had several buildings on different parcels and they could only fine \$500 per building per parcel. This subsection was passed because the whole area was unsafe and this was a way to fine higher for the whole property. He said this is only used in special emergencies. Armstrong added that if we ever used that stipulation, it would be in correlation with the law.

CM Gibbs asked at what length grass needs to be cut and asked if the property maintenance code addresses this. Armstrong said lengths are mentioned in it, but it does not say a specific length.

CM F. Brown commented on the grass cutting requirement and asked about the response time and how much time is allowed for a person to cut their grass to code. Armstrong said the grass would have to be over 12-inches in length to cite and then they are given 14 days to cut the grass. CM F. Brown commented on the nuisance section and asked if the red ink is new information. Armstrong said that would be the new additions. CM F. Brown said there are new things have been added that have fallen through the cracks in the past. He said we need to educate the public on the new provisions so it would be helpful to have a printout of these nuisance requirements. Armstrong said he can provide that. CM F. Brown asked what the effective date for this is. Armstrong said it would depend on Council’s recommendations.

VM Kay asked when we would have something to approve. Armstrong deferred to Law. Sanner said we could have it at next committee meeting. Chair Scutchfield asked if it could be brought back in June with other items. Armstrong said yes.

No further action or discussion on this item.

V. Eldemere Road Residential Parking Resolution Amendment

Gary Means, Executive Director of Lexington and Fayette County Parking Authority, presented this item discussing the amendment to an established Residential Parking Permit District on Eldemere Road.

A motion was made by CM Gibbs to approve the Eldemere Road Residential Parking Resolution (amended) and move to the full council, seconded by CM Bledsoe. The motion passed without dissent.

VI. West Second Street Residential Parking Permit District Proposal

Gary Means, Executive Director of Lexington and Fayette County Parking Authority, presented this item discussing the establishment of a Residential Parking Permit District on West Second Street.

A motion was made by VM Kay to approve the West Second Street Residential Parking Permit District Proposal and move to the full council, seconded by CM Lamb. The motion passed without dissent.

VII. Special Event Permitting

CM Plomin gave a brief update regarding a presentation of this item to be made in June.

No further action or discussion on this item.

VIII. Items Referred to Committee

A motion was made by CM Gibbs to remove the Eldemere Road Residential Parking Resolution Amendment item from committee, seconded by CM Bledsoe. The motion passed without dissent.

A motion was made by CM Gibbs to remove the West Second Street Residential Parking Permit District Proposal item from committee, seconded by CM Plomin. 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.