



Public Safety Committee

August 13, 2013

Summary and Motions

Chair Peggy Henson called the meeting to order at 1:05 PM. Committee members present were Kevin Stinnett, Chuck Ellinger, Shevawn Akers, Bill Farmer, George Myers, Jenifer Mossotti, Harry Clarke, and Ed Lane. Committee member Diane Lawless was absent. Chris Ford attended as a non-voting member.

1. Approval of Summary

Motion by Mossotti to approve the summary. Seconded by Ellinger. Motion passed without dissent.

2. Tenant Transition and Household Disposal

Chris Ford introduced the Tenant Transition and Household Disposal item. Ford walked the committee through the packet, including his summary of facts and recommendations:

Summary of Facts

- The Lexington-Fayette Urban County Government (LFUCG) provides waste disposal services; including landfill bound waste, recycling, yard waste, bulky item pickup, and special collections.
- LFUCG does not provide household storage services.
- The public right-of-way is not a temporary storage site.
- Property removed as the result of evictions is placed in the right-of-way because the former tenant is not allowed (via court order) to return to the property; the right-of-way is the nearest site for temporary storage of the removed property.
- The Constable's role in evictions is to officiate court orders in order to return the premises to the landlord's control; they do not physically move items.
- The Constable's role includes the confiscation and temporary storage of hazardous materials and items that are a threat to public safety (weapons, adult material, dangerous chemicals, etc.).
- Current policies do not conflict with the Landlord-Tenant Act.

- Absolute and exclusive application of once a week collection of bulky items (regular collection day) conflicts with special collection provisions of section 16-14 of the Code of Ordinances.

Recommendations and Discussion Items

- Residents should primarily utilize regular collection day bulky item service.
- Once a week bulky item disposal (regular collection day) is too infrequent and logistically impractical in many move-out and eviction situations.
- Timely bulky item pickup response within 72 hours would alleviate the blight caused by non-collection day set-outs.
- LFUCG employees in the field and citizens can report bulky items set-outs.
- 24-Hour Emergency Abatement by Code Enforcement is adequate for set-outs that are a threat to public safety.

Akers spoke about requiring landlords to rent dumpsters for house cleanouts. Ford stated that landlords are required to hold the property for a reasonable time in the case of a legal eviction.

Mossotti asked about bulky item pickup. Ford stated that the 16-10 and 16-14 of the Code of Ordinances are in conflict with regard to bulky item pickup. Mike Sanner from the Department of Law was called to speak. Sanner commented on collection procedures, packaging requirements, and pick up schedules. Sanner reiterated that 16-10 and 16-14 are in conflict with regard to bulky item collections.

Ford stated that he believes LFUCG should be responding to bulky item pickup requests within 72 hours, also stating that the current process only speaks to the responsibility of the citizen and does not address the government's service responsibility.

Director of Waste Management, Steve Feese, was called to speak. He stated he met several times with Ford and others about the item.

Akers stated that she concurred with Ford's interpretation of 16-14 (c) of the Code of Ordinances. Akers asked Feese about collection procedures and special pickups. Feese agreed that the rules need to be clarified. He stated that most bulky item pickup is on the regular collection day, but some areas do have problems with non-collection day set outs.

Clarke asked how the Division of Waste Management picks up bulky items versus regular trash. Feese stated that there are overflow trucks; typically about one for every three regular trucks.

Ford spoke about his recommendations and stated that he would like to expand our collections to take care of bulky item set outs. He believes 48 to 72 hours is a reasonable timeframe for pickup. He stated that upholstered items are picked up for health reasons, and that we should have a more coordinated approach.

Stinnett asked about bulky item pickup. Feese responded that bulky item trucks are typically on the same schedule as normal trucks. There is one appliance truck, and one mattress truck.

Stinnett stated that 72 hours is too long for something to sit at the curb; 24 hours is more appropriate.

Stinnett asked Feese to bring the committee a proposal to achieve more frequent bulky item pickup operationally. Feese asked what standard should be used for what constitutes a bulky item pickup. Stinnett said that the Division of Waste Management should provide that recommendation to the committee.

Henson stated that some areas have more problems than others with this issue, stating the problems mainly occur in multi-family housing with high turnover. She believes we could target pickup to these areas, also stating that she thinks that people don't know the rules.

Henson asked what fines are issued for illegal set outs. Feese responded it is generally \$45, and it is not an effective deterrent. Henson stated she thought we needed an extra bulky item pickup day.

Ford concluded that we should try to keep the right-of-way clear, and we should try to provide the services stipulated in 16-14.

Clarke asked if Feese could come back to the committee with a proposal.

Henson agreed and asked the Division of Waste Management to bring a proposal back at the October meeting.

3. Update on Kitchen Floor at Jail

Director of Community Corrections, Rodney Ballard, provided a brief update on the kitchen floor at the jail. The Division of Community Corrections has hired Brandstetter Carroll, a local architecture firm, to advise the division about the floor. They have issued their recommendations and a Request for Proposals (RFP) has been sent to the Division of Purchasing to be released.

Mossotti asked why an architect was needed to fix a floor. Mr. Ballard said there is a moisture issue that required additional expertise.

Henson asked about a transition plan for the installation of the new floor. Ballard confirmed they have a plan for the transition period.

4. Items in Committee

Farmer stated he would like to keep the "Compiling a List of Safe Places to go in times of a Weather or Emergency" item in committee until the next steps can be determined.

Myers stated they are looking at some opportunities for the "Abandoned Housing" item at the state level, but would like to keep the item in committee.

Stinnett stated he would like to keep the “Division of Police Home Fleet Policy” in committee for an annual update.

Motion by Clarke to adjourn. Seconded by Ellinger. Motion passed without dissent.

The meeting adjourned at 2:04 PM.

Submitted by Jonathan Hollinger, Legislative Aide