

Environmental Quality Committee  
September 17 2013  
Summary

Stinnett called the meeting to order at 11:03 AM. All committee members were in attendance except Gorton and Farmer. Kay also attended.

1. August 20, 2013 Committee Summary

On a motion by Scutchfield, second by Clarke the August 20, 2013 Committee summary was approved unanimously.

2. Empower Lexington Update

Stinnett announced that this item would be postponed until the October 8 meeting due to an illness in the presenter's family.

3 Capacity Assurance Program (CAP) Update

Martin discussed the CAP program. He stated that the Consent Decree requires that Lexington certify there is adequate capacity in the sanitary sewer before authorizing any new connections or flow increases.

Martin also discussed the banked credit system, earned capacity credit and grandfathering developments.

Martin stated that the CAP plan was submitted to the EPAS on December 21, 2012. He stated that the Consent Decree required implementation within 30 days of EPA approval. While EPA has not approved the CAP plan yet the Administration opted to implement the Plan starting on July 3, 2013 to eliminate the risk of penalty for missing the implementation deadline.

Martin discussed the outreach that the Division of Water Quality has conducted with the development community and others regarding the implementation of the CAP plan.

He discussed new employee additions that will be responsible for implementing and interfacing with CAP.

Martin also discussed the external management information system Capacity Tracking Information Management System (CTIMS)

He discussed specific projects that will improve capacity deficiencies, including the proposed Town Branch Wet Weather Storage, a proposed West Hickman Wet Weather Storage and a proposed Lower Cane Run Wet Weather Storage facility. He stated that numerous long term and short term projects will greatly enhance the CAP program. He also discussed the sump pump redirection program as well.

He also discussed lessons learned from ramping up the CAP program as well as challenges moving forward.

Henson discussed the sump pump program. She said that she was pleased with the results of the redirection efforts.

Clarke asked about financing the improvements. In response Martin stated that his office is working with Finance regarding cash flow and budgetary actions. He stated that the ability to use Kentucky Infrastructure funds has greatly improved cash flow issues. He stated that fees will need to be raised to finance long term improvements but they don't know when the increases will need enacted.

Mossotti discussed using the Board of Realtors to educate the public.

Stinnett discussed long term capital projects, combining water quality and stormwater efforts and the capital projects priority list.

Henson discussed language barriers in some areas of the community.

#### 4. Distillery District Update

Paulsen provided an update on the Distillery District project. He discussed the original focus of the existing \$ 2.2 million bond and the Build America bond. He stated that \$ 1.7 million remains from the original bond. Its original focus was for design and construction of the trail and streetscape improvements. Paulsen stated that the feasibility component was added in 2010.

Paulsen gave an overview of the Town Branch Trail. He stated that it currently goes from Masterson Station Park to Alexandria Drive a distance of 2.2 miles. He stated that there are 4 additional sections. He stated that 1 section near Alexandria was funded and the other sections were not funded at this point.

Paulsen stated that the Distillery District phase of the trail is in two sections: the west section and the east section. He provide estimated costs for both sections; \$ 1.0 million for the west area (\$ 100,000 for design; \$ 200,000 for ROW; and \$ 700,000 for construction). He stated that the east section was \$ 1.45 million and it includes the Distillery District streetscape improvements.

Paulsen stated that to complete the trail within the Distillery District is \$ 2.45 million. He stated that the Town Branch Park and trail extension into downtown was estimated to cost \$ 500,000, bringing that total to \$ 2.95 million.

He recommended that the existing distillery district bond had approximately \$ 1.7 remaining. Paulsen stated that a CMAQ grant of \$ 1.3 million could be added to the existing bond allowing for completion of the Distillery District sections of the trail and the Town Branch Park.

Greg Leverage and Clay Angelucci, leasing agents for the property spoke. They discussed recent tenant activity. Angelucci stated that the project needed public involvement and discussed the need for streetscape improvements including way finding signage, benches, landscaping and lighting.

Mossotti asked about the timing of the streetscape improvements. In response Leverage stated that real estate uses momentum and stated that if potential clients saw benches, signage or landscaping being installed they would be more inclined to invest in the district.

Barry McNeese also spoke about the project and streetscape infrastructure needs.

Kay discussed timing of public improvements. He stated that he was somewhat frustrated by the lack of public and private action on the project. He asked if streetscape improvements could be made in the near future.

In response Paulsen stated that the streetscape on the east end could be implemented. He stated that an RFP would need to be completed for the engineering and design. Once a selection was made the design and engineering could be completed and then an RFP for construction would take place. He stated that this would take about 1 year.

Akers asked about the length of the trail on the east side of the Distillery District. In response Paulsen stated that that section was about 0.5 in length.

Akers agreed with Kay that the process was taking too long.

Clarke discussed the streetscape elements of the project. He also asked about the mix of businesses in the District and about connections between the Distillery District trail and the Legacy Trail and downtown.

Myers discussed the need for the floodplain study. He asked McNeese if the developers would commit to the conducting the floodplain study. In response McNeese stated that there are many parties that would benefit from that work including Rupp Arena, the Convention Center, Town Branch Commons and not just the distillery district.

Myers stated that the public had committed \$ 2.23 of public funds for this project.

McNeese also stated that the developers wanted the City to spend its money on streetscape improvements and not the feasibility study. He stated that several feasibility and economic studies were already conducted on the property.

Akers asked Paulsen about the cost of the floodplain study. In response Paulsen stated that the hydrology study for the area was estimated to be about \$ 500,000.

A motion by Akers second by Myers to allocate the remaining bond proceeds to the Distillery District east section streetscape element. The motion failed on a 2-5 vote (Akers & Henson –Yes; Stinnett, Mossotti, Myers, Clarke & Lane-No).

Stinnett discussed the history of the Distillery District bond. He stated that at this point it may be best to re think the project. He stated that he would be meeting with Paulsen to determine what can be accomplished; whether to commit to the Administration proposal; or the streetscape effort; or to identify other more appropriate measures.

#### 5. Division of Water Quality Projects

Martin stated that the Division is presently undertaking \$ 51.8 million in capital projects, including cash and Kentucky Infrastructure proceeds.

Stinnett stated that the October meeting will include the Empower Lexington Update, a presentation on climate adaption and will start with the monthly financial report.

The meeting adjourned at 1:03 PM.

Pas 09.25.2013