



Environmental Quality & Public Works Committee

December 5, 2023

Summary and Motions

Chair Sheehan called the meeting to order at 1:04 p.m. Committee Members Lynch, LeGris, Monarrez, Gray, Worley, F. Brown, and Sevigny were present. Committee Members Wu and Fogle were absent.

I. Approval of October 24, 2023 Committee Summary

Motion by Sevigny to approve the October 24, 2023 Environmental Quality & Public Works Committee Summary. Seconded by Gray. Motion passed without dissent.

II. Consent Decree and Remedial Measures Plan

Charlie Martin, Director of Division of Water Quality, explained the overall status of the Consent Decree. Storm water and supplement obligations are complete. Capacity, Management, Operations and Maintenance (CMOM) obligations are ongoing and Sanitary Sewer Remedial Measures Plan (RMP) projects continue, pending approval of a revised schedule. He reviewed the schedule modification status broken down by what LFUCG requested and what the EPA and Kentucky have agreed to. He spoke about the 2nd material modification status which is expected to be filed with District Court by late November 2023. Out of 117 projects: 75 are complete, 22 are active and 20 are pending. Active and upcoming projects include East Hickman, West Hickman, Delong Road Pump Station, Wolf Run Truck F, Parkers Mill Trunk, New Circle A & B Trunk, Plainview Trunk Phase 1, Floyd Drive Trunk, and Merrick Trunk. He shared a summary of the Consent Decree obligations and where we currently stand. Martin confirmed the sanitary sewer user fees are used to pay for sanitary sewer obligations. Speaking about Green Tree and if we work with the water company on projects, Martin stressed the importance of having everyone work together so things move along more quickly. Addressing concerns with Floyd Drive, Martin does not see an issue with that area being a flood zone. There was some discussion about the location of the New Circle A & B Trunk. No action was taken on this item.

III. Environmental Best Practices in Paving Process

Rob Allen, Director of Streets and Roads, spoke about Reclaimed or Recycled Asphalt Pavement (RAP) which is the milling portion of paving. About 20% is used on normal roads and this has been done for years. There are grants available to fund these innovative, sustainable, and environmentally friendly practices. RAP asphalt is slightly less expensive than comparative asphalt. We are using the highest RAP content (45%) in the country right now on collector roads as part of an experiment. He spoke about the ability to add Kevlar fiber and Polymer to the asphalt to allow for the use of more RAP asphalt. He displayed photos to show what the high RAP, fiber and polymer roads look like. Through the paving formula, 10% of the paving budget goes toward preventative maintenance. When asked if there is a different process for using RAP on the different types of roads, Allen said the only difference is traffic control. Addressing preventive maintenance, Allen confirmed this happens year-round, and crack sealing is happening now. When asked about crack seal, paving, and rejuvenation, Allen said we do not self-perform, but we do have a small crack seal machine for certain road patches.

Addressing what to tell constituents about the duration of paving, Allen said arterials could go 3-5 years, collectors can last 5-7 years, and residential roads could go about 25 years. It was mentioned that ATS began earlier than planned in one district and it caused traffic backups in certain areas with no notice provided. When asked how we keep this from happening, Allen said ATS has made personnel changes and communication has improved. When asked about sealant, Allen clarified crack seal is permanent until the road gets resurfaced. Mr. Billings, with ATS Construction, spoke about the paving team and providing resources to accomplish Lexington's resurfacing needs. He spoke about the importance of putting RAP into our pavement. No action was taken on this item.

IV. Environmental Commission – Ordinance Updates

Grace Downey, Chairperson of the Environmental Commission, spoke about proposed changes to the Commission's ordinance. The Environmental Commission currently consists of up to forty members of the community who volunteer their time and expertise and want to better the city's natural environment and its practices. The Commission serves to improve the natural environment in our city and county by promoting sustainability and environmental resilience practices. Downey requested changes to their by-laws and the current ordinance related to these by-laws. She reviewed the sections in the ordinance where changes would make the commission more efficient.

Motion by LeGris to approve an ordinance amending section 2-96 of the Lexington Fayette Urban County code of ordinances to rename the "Metropolitan Environmental Improvement Commission of the Lexington Fayette Urban County Government" to the "Environmental Commission of Lexington Fayette County," consistent with current practice; amending section 2-97 of the code of ordinances to reduce the number of members to twenty-five (25) and adding a councilmember as a non-voting ex-officio member; and amending section 2-99 of the code of ordinances to add an information officer as an officer of the commission and setting officers' terms at two (2) years; effective upon passage of council. Seconded by Monarrez. Motion passed without dissent.

V. Items Referred to Committee

Motion by LeGris to remove *Short-Term Rentals (STR) Enforcement* from committee. Seconded by Gray. Motion passed without dissent.

Motion by Worley to remove *Environmental Best Practices in Our Paving Process* from committee. Seconded by F. Brown. Motion passed without dissent.

Motion by Sevigny to remove *Environmental Commission - Ordinance Updates* from committee. Seconded by F. Brown. Motion passed without dissent.

The meeting was adjourned at 2:14 p.m.