



Environmental Quality & Public Works Committee

September 13, 2022

Summary and Motions

Chair F. Brown called the meeting to order at 1:02 p.m. Committee Members Kay, Ellinger, Moloney, McCurn, LeGris, Sheehan, Kloiber, Worley, and Bledsoe were present.

I. Approval of July 5, 2022 Committee Summary

Motion by Ellinger to approve the July 5, 2022 Environmental Quality & Public Works Committee Summary. Seconded by Sheehan. Motion passed without dissent.

II. Annual Stormwater Drainage Program Update

Greg Lubeck, Deputy Director with Division of Water Quality, provided an overview of the Stormwater Drainage Program which was developed in 1996 at the request of the Urban County Council. He explained the severity score process. He reviewed how a project is considered for the Stormwater priority list and conditions that must be met for storm events less than the 25-year, 24-hour event (5.23 inches). He spoke about new projects which must be waitlisted for two years before any action is taken. He referenced the phases of the Southland/Wolf Run Project which includes the areas of Goodrich/Pensacola and Southland Park/Tucson/Yuma. He spoke about minor projects around the city which include smaller projects to mitigate nuisance flooding, pending construction projects, and current design projects. He displayed photos to illustrate some of the "minor" stormwater projects. He reviewed some frustrating outcomes such as street flooding at Alexandria Drive south of the roundabout. He discussed some supply chain issues that create delays in obtaining construction material and he noted that bid prices are higher than in 2020-2021.

Ellinger referenced the map on page 11 in the packet and asked what the purple area indicates. Lubeck explained that this was the Southland project which included 5 existing priority list projects and the boundary was drawn to include all of those. Ellinger asked about the Southland/Wolf Run, Phase 1 - WGPL, which was completed in 2020. He questioned if the street need to be completed by finishing the curb and sidewalks of Goodrich to Nicholasville Road. Lubeck said the project didn't go that far up the street. He explained that there is a pipe at the end of Penmoken that doesn't drain and that pipe runs to the back of the houses. Charlie Martin, Director of Division of Water Quality, mentioned that there is a reoccurring sanitary sewer overflow manhole against the railroad tracks on the other side of the basin. It is in the RMP that we will get to when we get to Wolf Run Trunk F, but we are on Wolf Run Trunk E currently. Martin clarified that the reason they only went up so far on these streets is because once you approach Nicholasville Road, it drains toward Nicholasville Road and we were focused on what drains to the basin.

Bledsoe spoke about the purple area on the map and said there are a number of projects in one project and in 2017, we combined a number of projects into a large watershed area which is why it stops where it does which is to include all of them together to make sure we are looking at this holistically. It was a large and costly project when it was combined, but she feels it will be successful because you are seeing a holistic approach to some of the water challenges because they have a domino effect with the same watershed area. She spoke about the positive feedback from the Southland area and said this speaks volumes to how well our city handled the project.

LeGris spoke about Mentelle Park project that is listed as “in progress” and asked if the GIS map is the best way for residents to access information and understand the status of projects. Lubeck said the best way would for them to call him or Mark Sanders and they will happy to talk with them.

Worley spoke about the Peachtree/Woodhill project and the inconvenience of traffic in that area with construction, but he appreciates how the division spoke with the neighborhoods that might be impacted.

Moloney spoke about developments in the last 6 years or so that are now starting to cause flood problems such as Walnut Hill behind Greenbriar Golf Course and he asked those get on the list. Lubeck is not aware of projects on the list in that area. Moloney referenced a constituent who makes daily calls about this problem and Lubeck asked for the constituent to call him.

F. Brown asked if any of this ties into the Consent Decree and Lubeck said it is separate. Lubeck mentioned that there may be some minor realignments of the sanitary sewer system to get over or under the proposed storm system but we are not getting in the way of the Consent Decree projects.

No further comment or action was taken on this item.

III. Annual Vacuum Leaf Collection Program Update

Nancy Albright, Commissioner of Environmental Quality & Public Works, spoke about the 2022 Vacuum Leaf Collection program and challenges that have surfaced this year. Some labor challenges include employee turnover, a more restrictive federal CDL requirement, and a historic unemployment rate. She spoke about equipment challenges and since 2021, 3 rear loading garbage trucks were redlined. Dump trucks slow the process and require additional coordination for leaf disposal. She pointed out that new equipment will take a year to acquire. Service challenges include staffing and available equipment, capacity, and longer collection time. A challenge with staffing is this will now take 12-15 weeks for completion as opposed to the previous completion in 7 weeks. This could lead to a new set of complaints. She reviewed options for 2022 Leaf Collection: 1. Provide service with existing LFUCG staffing and contractor or 2. Expand Republic Services contract area to take another quadrant. She pointed out that the contractor is experiencing staffing issues as well. Work is still being done on and it is recommended that the contract be extended. Yard waste alternatives include hauling to Haley Pike, using a private landscaper/hauler, using yard waste bins and/or bags, mulching/mowing, and backyard composting. Expanded alternatives would be waiving the fee for a 2nd grey bin, and advertise environmentally friendly alternatives.

Kay mentioned that even when the program is working, it doesn't work. He spoke about complaints regarding the program because of the unpredictable leaf dropping. He suggested discontinuing the program and spending more money on relaying information to the public about grey bins and the recyclable bags. He understands those would be picked up as part of the normal routine for yard waste at no additional cost. We should let people know that we will no longer have this program because it is not a good use of the city's money.

Kloiber asked about the salary breakdown for this program which Albright did not have, but she said she will send this following the meeting. Kloiber said the justification for this was to remove leaves from the storm water system and asked if there is evidence to show that this has been successful. Charlie Martin, Director of Division of Water Quality, said it is isolated in certain areas, but we have them in areas we are not serving. Kloiber said that by not accomplishing the task this was intended for and with the increased

costs and the amount of complaints, he agrees with Kay's recommendation to discontinue the program and find alternatives that might help with these problems moving forward.

Bledsoe said there is an opportunity cost that is lost for every dollar amount we spend on this that we are not spending on something that is a better value for the taxpayer. She said we have finally reached a point where we can't meet the expectation from a personnel perspective, not to mention equipment and whether this is working to achieve the goal. She asked if there is a way to add more grey bins and have them picked up more often. Albright referenced previous discussions internally where they talked about not utilizing the vacuum. She said Division of Streets and Roads could assist Division of Waste Management with collection, but it is difficult for them to do both (vacuum and pick up) at the same time. Bledsoe and Albright clarified that if we are not going to do the vacuum leaf collection, we could reallocate some opportunities to ease the burden on the waste side and provide better services to the tax payer.

Sheehan is interested in more of the stormwater data and she has concerns about complaints that will be heard when these services are discontinued. She expressed concern about the cost and taxes people pay for city services who will now be receiving less for what they are paying. She mentioned that the program is helpful for people with mobility issues and asked if there are alternatives that could be explored. She spoke about a change last year in the way this information is provided on the web site and asked if it has been successful. Poe said last year we put out the map and we put out an anticipated schedule with a disclaimer that it could change due to unpredictability of weather, equipment, personnel, or other challenges. She said they talked about not putting out a schedule this year because of how unpredictable it is and with the challenges Commissioner Albright reviewed. Albright spoke about the mobility challenged residents and she noted that there is an alternative that allows the Division of Waste Management to get their cart(s) from the side of the house so they don't have to bring them to the street.

Moloney asked about the pothole crews that were assigned to leaf collection last year and if this has been monitored. Albright said they would have to look because there will only be a year of data and there are several factors involved. Moloney has concerns with the discontinuing the problem this close to when the leaf collection would be starting. Albright said the intention was to execute as we have in the past and the intention was not to bring concerns because we have been trying to find ways to make it work.

Bledsoe expressed sympathy for the 5th district because when the program doesn't work, it is a waste of tax payer money and taxpayers are not getting what was promised to them. We can't continue this when it is not working for the greater good of the community.

Motion by Bledsoe to request the administration to continue to develop a leaf collection program without using the vacuums in consideration of what that means to the rest of our departments and with respect to Republic Services. Seconded by Kay. Motion passed 7-3 (Yes: Bledsoe, F. Brown, Kay, Kloiber, LeGris, McCurn, and Worley; No: Ellinger, Moloney, and Sheehan).

Kay asked if we could potentially renegotiate the contract for Republic Services or back away from it. Albright said it would be difficult to back away from it at this point, but we could potentially redirect how we use them. She pointed out that it is a short-term contract. Kay feels that notifying the public that the program isn't working and encouraging them to shift the way they think about it, will change the culture. People will begin to think about this differently and they will understand they need a bin, bags, or they need to mulch.

Worley supported motion and said it was a good starting point and the numbers make sense for stopping this. By taking away the vacuum and redirecting Republic Services, he asked what capacity we would be gaining and what cost we are saving by discontinuing the program. Albright said this is difficult to quantify on the spot, but she will look into this. Worley is concerned if we are gaining enough capacity back and saving enough money to justify this piece and if we are overburdening anyone else. Albright said staff would be available to assist DWM. Worley asked for data to be presented to the full council that will show capacity efficiencies, cost savings, and overburdening other agencies which are things that will need to be considered.

Moloney does not support because this is the time of year when people will prepare for leaf collection. These types of decisions should be made earlier in the year. People need more notice to become familiar with what they need to do. Giving people a one-month notice before discontinuing a program they have been expecting sends the wrong message.

Sheehan is open to seeing proposals of what this could look like in the future, but she can't support cutting the program at this point without seeing what that would look like. She is in favor of adding additional leaf collection bags and using the grey bins as much as possible and increasing the communication. If we cut the program, Sheehan asked what the new role would be for Republic Services. Albright said this is something she would have to explore and work out since they are under contract right now. It could vary depending on whether the vacuum leaf collection program is cancelled or if the program is repurposed. We would have to determine what their new role is - whether they would provide support to Waste Management or service more of the mobility-challenged people. She said there are challenges in front of figuring out how this will look different

Kloiber supports the motion and said working with the administration to develop this is the best way to move forward on this today rather than saying we are discontinuing the entire program without an alternative plan.

Kay emphasized that if this program had mostly been working well or if the Commissioner came to us today and she they are ready to go with program this year, he would agree that the timing is not right and we should hold off on discontinuing the program. But neither of these is the case. This program has not been working and we do not have the resources right now to make it work. The right move is to move forward and let the community know we are making a shift.

F. Brown is in favor of the motion and said it is time we say that vacuum leaf collection is not working so let's do away with that part of it. He requested a plan to replace vacuum leaf collection be brought back to committee next month.

Bledsoe and Albright discussed the timeline and Albright explained that between now and the next conversation, they would develop a couple of options for how this could look different. With the next committee meeting being October 11, they would want to start communicating with the public in early October. Bledsoe suggested that upon this passing in committee, a new plan could be presented to Work Session for the full Council to consider which could move this along faster and also provide time for another conversation. Ellinger and F. Brown clarified that, upon passage out of committee, this could be reported out today with the intention that an alternative plan will be presented on October 11.

[At this time a vote was taken on the motion.]

Motion by Kay to suspend the rules and have the motion stated above reported out at Work Session today, September 13, 2022. Seconded by McCurn. Motion passed 9-1 (Yes: Ellinger, Bledsoe, F. Brown, Kay, Sheehan, Kloiber, LeGris, McCurn, and Worley; No: Moloney).

IV. Pavement Management Plan Subcommittee

Chair F. Brown appointed CM McCurn, CM Ellinger, CM LeGris, and himself to the Pavement Management Subcommittee. He noted that they would schedule a meeting in the near future.

No further comment or action was taken on this item.

V. Items Referred to Committee

Motion by Kloiber to remove the *Consideration of a Local Tree Protection Ordinance* item from the list of committee referrals. Seconded by Bledsoe. Motion passed without dissent.

Motion by Worley to move the *Recycling General Practices* item from the list of working referrals to the list of annual updates. Seconded by McCurn. Motion passed without dissent.

Motion by McCurn to adjourn at 2:28 p.m. Seconded by Ellinger. Motion passed without dissent.