



Lexington-Fayette Urban County Government  
OFFICE OF THE CITIZENS' ADVOCATE  
OMBUDSMAN

Jim Newberry  
Mayor

Joan R. Beck  
Citizens' Advocate

## MEMORANDUM

TO: Mayor Jim Newberry  
Vice Mayor Jim Gray  
Council Members

From: Joan R. Beck  
Citizens' Advocate Ombudsman

Date: January 15, 2010

Re: 4th Quarter 2009 Activity Report

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### Synopsis of Concerns

As 2009 drew to a close the number of contacts to the Citizens' Advocate Office declined. This is normal, as people concentrate on other things as the days get shorter. There were two noticeable trends in the fourth quarter. First, we were contacted frequently by people who could not find the right contact for help. Referrals to outside agencies outnumbered jurisdictional contacts. Second, Public Safety generated the most complaints. Within this Department, complaints about Code Enforcement mainly arose from the imposition of civil penalties, while Police complaints often were related to requests for additional service.

### Abatement – Tenants Without Hot Water

The Citizens' Advocate Office was able to assist with directing citizens accordingly, when several tenants called to complain about their apartment complex having had no hot water for over 20 days. According to one of the tenants complaining, the landlord lease agreement stated that all water, heat and air utilities are to be included in the monthly rent payment, but he has failed to make the necessary repairs to provide hot water for several of the apartment units. The initial call received in our office was forwarded through LexCall and assigned to the Division of Code Enforcement for abatement. Upon re-inspection by the Officer on December 15<sup>th</sup>, the landlord complied by making the necessary repairs to the various apartment units noted in the complaint. A thorough check was made by the Officer testing the water temperature in intervals of 1, 3, and 5 in the respective units and found that the water temperature to be at the appropriate 120 degrees. Thanks to Code Enforcement, several residents in the 8<sup>th</sup> District will be able to survive this brutally cold winter with a sign of relief now that they have hot water to bathe and take care of their essential needs.

**STATISTICAL DATA:****TABLE 1: SUMMARY OF ACTIVITIES THIS QUARTER**

4th Quarter of 2009					
Complaints Received this Quarter:		38			
Activity This Quarter:					
(10/01/2009 - 12/31/2009)	Cases Closed:	32			
	Cases Pending:	5			
	Pending Cases Rolled over from previous quarters:	(2009) 4th Quarter	1st Quarter	2nd Quarter	3rd Quarter
		1	0	0	1
Top Complaints per Department:					
		11	Public Safety		
		8	Mayor, Council & Elected Officials		
		4	Public Works & Development		
		13	Partner or Outside Agency		

**Type 1:**  
Assistance = 8  
Complaints = 22  
Informational = 8

**Type 2:**  
Email = 1  
Fax = 0  
Phone = 32  
Visit = 4  
Written = 1

**Type 3:**  
Jurisdictional = 18  
Non-Jurisdictional = 20

**TABLE 2: SPECIFIED NUMBER OF DEPARTMENT / AGENCY CONTACTS RELATED TO COMPLAINTS RECEIVED WITHIN A COUNCIL DISTRICT**

4th QUARTER Council District Totals:	Finance & Administration	General Services	Law	Public Safety	Environmental Quality	Public Works & Development	Social Services	Mayor/Council & Other Elected Officials	Partner or Outside Agency	TOTAL DEPT. CONTACTS PER DISTRICT	Actual Intakes Per District
1st District James	2		1	1						4	4
2nd District Blues				4		1	1	1	3	10	8
3rd District Lawless										0	0
4th District Beard										0	0
5th District Feigle						1		1		2	1
6th District Stinnett				2		1				3	3
7th District Crosbie				1						1	1
8th District Myers			1	1	1		1	1		5	3
9th District McChord								2		2	1
10th District Martin										0	0
11th District Henson	1									1	1
12th District Lane										0	0
Non-Specified District At-Large				2		1	1	3	10	17	16
<b>TOTAL CONTACTS PER DEPARTMENT / AGENCY</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>11</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>8</b>	<b>13</b>	<b>45</b>	<b>38</b>

\*\* A TOTAL OF 38 INTAKES IMPACTED THE VARIOUS DEPARTMENTS 45 TIMES

\*\*\* SOME INTAKES MAY AFFECT SEVERAL DIFFERENT DEPARTMENTS

**STATISTICAL DATA:**

TABLE 3: SUMMARY OF DATA COLLECTED FROM CONTACTS RECEIVED PER COUNCIL DISTRICT

COUNCIL MEMBERS	COUNCIL DISTRICT	INITIAL DATE	DEPARTMENT OR CATEGORY	DIVISION OR AGENCY	Type 1 of Grievance	Type 2	Type 3	CLOSED DATE	DESCRIPTION	TOTAL INTAKES PER DISTRICT
JAMES	1	10/7/2009	Finance & Administration	Community Development	Assistance	Jurisdiction	Phone	10/7/2009	Requesting contact information for person who dealt with home repairs to her home cause she can't remember whom she spoke with a few years back.	4
	1	11/6/2009	Finance & Administration	Human Resources	Complaint	NJ	Phone	11/6/2009	Employee complaint against HR policy change.	
	1	11/23/2009	Law Department	Litigation	Complaint	NJ	Visit	12/3/2009	Needing assistance with abatement lien on rental property located on Jackson Street	
	1	12/7/2009	Public Safety	Code Enforcement	Complaint	Jurisdiction	Visit	Pending	Ongoing problem with code violations, fines assessed by CE on property located on Campsie Place	
BLUES	2	10/13/2009	Outside Agency Council	ABC Administration Councilmember	Complaint	NJ	Phone	10/13/2009	Complaint against ABC Administration.	8
	2	10/28/2009	Public Safety	Code Enforcement	Complaint	Jurisdiction	Phone	11/4/2009	Complaint against CE for lien on rental property.	
	2	10/28/2009	Public Safety	Code Enforcement	Complaint	Jurisdiction	Visit	Pending	Dispute with CE about property condition.	
	2	10/29/2009	Outside Agency	KY American Water Company	Complaint	NJ	Phone	11/3/2009	Ongoing complaint b/tw Citizen and KAW.	
	2	10/30/2009	Outside Agency Social Services	KY American Water Company Adult & Tenant Services	Complaint	NJ	Phone	10/30/2009	Complaint against owner increasing water usage bill at the Imperial Trailer Park	
	2	12/14/2009	Public Safety	Commissioner's Office	Assistance	NJ	Phone	12/14/2009	Towing complaint at apartment complex.	
	2	12/17/2009	Public Works & Development	Planning Building Inspection	Complaint	Jurisdiction	Phone/Visit	Pending	Complaint alleged about Building Inspection and Planning.	
	2	12/22/2009	Public Safety	Code Enforcement Police Department	Assistance	Jurisdiction	Phone	Pending	Problem with neighbors parking on church property.	
FEIGEL	5	10/1/2009	Council Public Works & Development	CM Cheryl Feigel Planning Traffic Engineering	Assistance	Jurisdiction	Phone	10/1/2009	Caller needing to confirm who is her CM.	1
STINNETT	6	11/23/2009	Public Works & Development	Planning	Assistance	Jurisdiction	Phone	11/23/2009	Complaint about city approving rental property construction in neighborhood.	3
	6	12/14/2009	Public Safety	Police - IA	Complaint	NJ	Phone	12/14/2009	Citizen alleging improper conduct by a police officer for violation of civil rights.	
	6	12/16/2009	Public Safety	Community Corrections	Complaint	Jurisdiction	Visit	Pending	Complaint about excessive charges from the jail.	
CROSBIE	7	10/12/2009	Public Safety	Commissioner's Office Community Corrections	Complaint	Jurisdiction	Phone	10/12/2009	Wife of inmate at the FC Jail wanted to complaint about incident.	1
MYERS	8	12/7/2009	Social Services Public Safety	Adult & Tenant Services Code Enforcement	Assistance	Jurisdiction	Phone	12/7/2009	Complaint about not having hot water.	3
	8	12/23/2009	Public Safety	Police	Complaint	Jurisdiction	Email	12/30/2009	Complaint from citizen about disruptive behavior on the part of a neighbor's friend along Alumni Drive.	
	8	12/29/2009	Environmental Quality Council Law	Sanitary Sewers CM Risk Management-Claims	Complaint	Jurisdiction	Phone	1/13/2010	Dispute about problem with sewer line.	
MCCHORD	9	10/7/2009	Mayor's Office Council Office	Sr. Advisor CM	Assistance	NJ	Phone	10/7/2009	Complaint about utility companies changing billing due dates.	1
HENSON	11	12/29/2009	Finance & Administration	Human Resources	Complaint	NJ	Phone	12/29/2009	Complaint against HR for not processing final payout for leave time in a timely manner. REF to HR Director and Council per directive.	1
NON-SPECIFIED	13	10/1/2009	Outside Agency	State Ombudsman	Complaint	NJ	Phone	10/1/2009	Complaint involving the Cabinet for Family and Children.	16
	13	10/2/2009	Outside Agency	Legal Services KY Court of Justice NAMI	Information	NJ	Phone	10/2/2009	Complaint about action taken by Judge during court proceedings.	
	13	10/6/2009	Outside Agency	Legal Aid	Information	NJ	Phone	10/6/2009	Call LM regarding court date and needing court appointed attorney.	
	13	10/6/2009	Outside Agency	AOC	Information	NJ	Phone	10/6/2009	Caller LM for help getting criminal record expunged.	
	13	10/7/2009	Public Safety	Police	Complaint	Jurisdiction	Phone	10/7/2009	Complaint about pick-up truck parked on Vine and Lime in front of Engineering Office.	
	13	10/27/2009	Public Works & Development	Forestry	Assistance	Jurisdiction	Phone	10/27/2009	Disabled anonymous woman asking for assistance to have dead tree on her property cut down.	
	13	10/27/2009	Council	Citizens' Advocate Office	Information	Jurisdiction	Written	10/30/2009	RE: Derby Drive - Citizen open records request.	
	13	10/27/2009	Council Social Services	REF BY CM Adult & Tenant Services	Complaint	Jurisdiction	Phone	10/30/2009	Complainant referred by CM Office about grievance with handling of request by A & T Svs.	
	13	10/28/2009	Public Safety	Division of Police - IA	Complaint	Jurisdiction	Phone	10/28/2009	LVM about missing daughter and police are not being helpful.	
	13	10/29/2009	Outside Agency	State Ombudsman	Complaint	NJ	Phone	10/29/2009	Complaint about SSI stating they overpaid her and then took out difference from her next SSI check.	
	13	10/30/2009	Outside Agency	Friends of the Court	Complaint	NJ	Phone	10/30/2009	Citizen missed DUI Court Date and needs information on how to handle matter.	
	13	12/14/2009	Outside Agency	County Attorney's Office	Information	NJ	Phone	12/14/2009	Domestic dispute between mother and daughter and son.	
	13	12/14/2009	Outside Agency	Pro Bono Legal Services Legal Services of the Bluegrass Friends of the Court - Civil	Information	NJ	Phone	12/14/2009	Civil dispute between landlord and tenant.	
	13	12/15/2009	Council	Citizens' Advocate Office	Information	NJ	Phone	12/14/2009	Requested info as to who is the city EEO Officer.	
	13	12/16/2009	Outside Agency	Credit Bureau Agency	Information	NJ	Phone	12/16/2009	Dispute about bill on credit report. Referred to credit reporting agency.	
	13	12/22/2009	Outside Agency	ABC Administration	Complaint	NJ	Phone	12/22/2009	Caller feels that ABC office's actions are racially motivated and improper and wants to file a complaint. Referred by LFUCHRC - Ray Sexton.	

**Citizen Quote for the Quarter:**

*"Thanks for being there to listen to my concerns and for sending me in the right direction for help. It's good to know who to call when I have a complaint."*