



Budget & Finance Committee January 28th, 2014 Summary and Motions

Council Member Ellinger called the meeting to order at 1:00pm. Council Members Stinnett, Gorton, Kay, Ford, Beard, Farmer, Scutchfield and Henson were present. Council Member Mossotti was absent. Council Members Myers, Akers and Clarke were present as non-voting attendees.

1. December 10, 2013 Committee Summary

Motion by Beard to approve the December 10, 2013 committee summary. Seconded by Gorton. Motion passed without dissent.

Motion by Stinnett to postpone item #4 (Police and Fire Pension Update) to the next meeting due to lack of information in the packet. Seconded by Scutchfield. Motion passed without dissent.

Motion by Kay to move item #5 (Parking Fines in Handicap Zones) to the top of the agenda for public comment. Seconded by Gorton. Motion passed without dissent.

2. Parking Fines in Handicap Zones

Kristy Stambaugh and Donnie Wittler presented to the committee on the Commission for Citizen's with Disabilities recommendations for the issue of handicap parking violations. They would like to erect a sign saying no parking anytime for the wheelchair loading area, they also would like to add no parking anytime language in paint to the striped area as well as change the striping to blue. They have received a grant from LexPark to assist with the cost for businesses that want to come into compliance prior to the language becoming law. Our current citation rate for Lexington is \$15. They propose that the fine be raised to a minimum of \$150 (or whatever Council determines appropriate but would like to see it set at more than \$15).

Gorton asked how much the grant was for. Stambaugh said \$10K this fiscal year and \$10K in July from LexPark. They anticipate going in for half of the cost with interested businesses. Gorton asked if these would be in Fayette Co. Stambaugh said yes. They will approach all businesses but will start with the list provided where people have the most issues with finding handicap parking. Gorton asked if towing the cars was possible. Stambaugh said she wasn't sure but added that the committee had discussed graduated fees for repeat offenders.

Myers asked if they considered raising the fee to \$250 or \$300. Stambaugh said they would gladly raise the fee to anything the council decided.

Stinnett asked if this was the same for public and private property (some are marked \$300). Stambaugh said yes. If police write it as a traffic violation the fine is \$250 and the money goes to the state but if they write the ticket as a parking violation the fee is \$15 and the money goes to the city. They plan to speak with the police to update them on the ordinance change and request patrolling assistance. Means commented that there are two separate pads used for tickets, which is where the two fees come into play. All local parking citations are paid at LexPark and go to the parking program.

Farmer asked about the pricing listed on page 36. Stambaugh said we already had the stencil so we could provide them that and cover half of the associated cost. If they are upgrading 6 spaces, the city would cover 3.

Clarke asked how long it would take to make this happen and why we are giving them so long to correct this issue. Stambaugh said they did not want this to become a controversial issue and prevent businesses from wanting to come to or stay in Lexington. They do not want to create undue hardship and hit them with something that is not currently on their radar. Clarke stated that this can't really be a huge expense and feels that the sooner the better. Is there a way for a driver to know that the fine is \$150 or whatever is decided. Stambaugh said they can do this through the education campaign but that the ADA does not require us to post the cost of the fine. Clarke feels we need to post something for people who come in from out of town to let them know the amount of the fine. Stambaugh stated that the state citation is \$250 and that is out there for everyone to see and know.

Ellinger added that we could add that to the bottom of the sign.

3. Parking Fines

Gary Means commented on the difference between the two issues. The handicap parking fine issue requires an ordinance. The presentation on parking fines is just an update to Council on a previous discussion and does not require any action by Council because they are not increasing anything more than \$100.

Ellinger asked if these new fines were in effect yet. Means said no that they were waiting until July 1, 2014 to implement but that the rates in the packet have been approved by the Parking Authority. Ellinger asked if Means had advice on what the handicap violation should be. Means said he agrees that it should be \$250 which is what the current fine is for the state.

Farmer asked about the changes that were higher than the average, five examples. Farmer added that Council has very little say in this but added that he does not support the ones that are increasing above the average.

Henson stated that the ones that are more frequent than others should be increased in her opinion and asked for clarification.

Clarke asked if there were curb markings all over the city that would make it obvious to citizens that you can't park there. The distance is not clear to everyone. Means said there are some hydrants that have no coloring and some have yellow. He agrees that it would make sense to

mark them all. Clarke added on putting a "maximum of" on the sign stating would make it seem like the fine could be less. Means agreed that we need to work on the wording for the signage. Myers commented on where they came up with the pricing for the various fines He gave an example of dropping his child off at Maxwell Elementary and seeing fire trucks having problems getting out of the fire station for calls due to people parking in front of the station. Farmer clarified that everything on the list has already been done except for the handicap parking fine which needs Council approval. Means agreed adding that the fines have not been implemented at this time, they have just been adopted by the Parking Authority. Scutchfield commented on issues at her school where citations are being issued that had not been issued previously adding that we need to communicate this to anyone impacted. Gorton asked if we had to have a range or can we just set the fine at \$250 for handicap violations. Graham said they can just set the fine without a range. Gorton asked about signage with a tow truck on it, can this be used for handicap parking as well. Graham stated that the existing ordinance has a provision in the penalty part of it but she would have to check to see if this can be added to other sections. Gorton asked if this could be added for people who continue to park illegally in a handicap zone. Means suggested that the policy could state a fine of \$250 or possible towing. This would allow Council to set the number of offenses that would result in towing at a later date.

Motion by Henson to set the fine at a minimum \$150 up to \$250. Seconded by Scutchfield. Motion passed without dissent as amended.

Farmer asked for clarification on the language in the packet "no less than \$250 and no more than \$500" will the language of the motion replace this. If so, how does this flow into item I, will it be the same. He does not see the distinction between D and I but they are listed separately. Barberie stated that the idea behind I was to give an incentive to pay it or the amount increases.

Motion by Gorton to amend the setting the fine at \$250. Seconded by Beard. Motion passed 8 – 1. Ellinger, Stinnett, Gorton, Kay, Ford, Beard, Scutchfield and Henson voted yes. Farmer voted no.

Motion by Farmer to approve signage as submitted in the presentation. Seconded by Gorton. Motion passed without dissent.

Ellinger will report the motion out to the full council at the February 4, 2014 work session. He will add the towing issue for that discussion.

4. Monthly Financial Report

Commissioner O'Mara, Melissa Lueker and Rusty Cook walked the committee through the monthly financial presentation.

Gorton asked about the salt budget. Lueker stated that they are looking for money to do a budget amendment to cover more salt.

Simon Kemmer, Dean Dorton Allen and Ford, walked the committee through the Comprehensive Annual Financial Report (CAFR) and Audit.

5. Items Referred to Committee

Motion by Gorton to remove parking fines issue from the committee referral list. Seconded by Scutchfield. Motion passed without dissent.

Motion by Gorton to adjourn. Seconded by Farmer. Motion passed without dissent.