

SERVICES COMMITTEE SUMMARY

AUGUST 12, 2008

CM Ellinger chaired the committee meeting. The meeting was called to order at 1:00 p.m. Dr. Stevens was present also.

1. News Rack Ordinance

CM DeCamp gave an overview of the News Rack Ordinance Task Force.

David Barberie, Law Department, gave an overview of what the draft ordinance does and does not do.

CM Blevins asked why the draft ordinance states the "annual fee for issuing a permit shall not exceed \$200".

Mr. Barberie stated the thought was that if it ended up being significantly less than that then they would not charge the full \$200. He stated council can decide what the fee is going to be.

The committee heard from a few citizens.

CM Crosbie asked if LFUCG would be paying for the corrals.

Mr. Barberie stated LFUCG would pay for the corrals but there are additional restrictions of the types of boxes that will fit in the corrals that the publishers would have to pay for. He stated the fee is supposed to cover the administrative cost.

CM Crosbie asked if publishers have ever been asked to do self regulating of the boxes.

CM DeCamp stated the feeling of the committee was if it was going to be done right then regulations had to be made.

CM Crosbie asked if there were any small publishers that were on the committee.

CM DeCamp stated no. He stated the Herald Leader had someone on the committee. He also stated the public was notified of the meetings and could attend.

CM McChord stated we have had a law on the books that has been ignored. He stated he doesn't feel the self policing really works.

CM Blues asked if the publishers have any recommendations.

Chuck Creacy, Smiley Pete Publishing, stated he would be happy to compile those and submit to the task force.

CM DeCamp stated we need to know what is being placed in the public right of ways.

CM Lane recused himself from the vote.

A motion by CM DeCamp to accept the draft ordinance with the caveat that the 4 issues of liability, annual permit fee, single additional fee and more reasonable phase in time be looked at by the committee and recommendations be brought up at the time it is presented to full council, seconded by CM Myers, passed with one dissent.

2. Residential Parking Permit Procedures

CM Ellinger relinquished the chair to CM Myers.

Dick Murphy, attorney for Mr. & Mrs. Hardin, stated about 10 years ago council passed a residential parking system for Transylvania Park. He stated that system worked well, however; 2 years ago the ordinance was amended to exempt seven properties from that parking system without notifying the owners. The ordinance states that people living in those seven properties may not get permits to park on the street. He stated they are concerned about this because his client has a duplex that has three off street parking spaces and they have more residents than that. Mr. Murphy stated they are concerned about due process as well. He stated they would hope the ordinance would go back to a residential parking system for Transylvania Park. If not, they would like for Mr. Hardin's residents to be allowed to park on the street in front of the place they live. He stated there is another duplex on the street that is allowed to get residential permits but the Hardin's may not.

Craig Hardin spoke to the committee regarding the parking exemption.

CM Ellinger stated it looks as if all the seven properties that are exempted have plenty of parking spaces except Mr. Hardin's.

A motion by CM Ellinger to exempt 315 Transylvania Park from the parking restriction and have it repealed from the ordinance, seconded by CM Crosbie, motion failed.

CM DeCamp stated permit parking goes from 7:00 a.m. to 4:00 p.m. He stated the PVA records are not complete and there are a lot of

discrepancies with the properties on Transylvania Park. CM DeCamp stated he would like for the parking authority to meet with the neighborhood and study this now that they are the new regulatory agency for parking and come back to the committee next month with recommendations.

CM Blevins asked if it would be better to work with BOAR to get Mr. Hardin his fourth spot in the off street parking.

Mike Johnson resident of Transylvania Park spoke to the committee.

A motion by CM DeCamp to turn this situation over to the parking authority for them to work with the neighborhood and come back to the Services Committee next month with recommendations, seconded by CM Ellinger, passed without dissent.

CM Myers turned the chair back over to CM Ellinger.

3. Items in Committee

A motion by CM Myers to combine Citizen's Advocate Standards and Citizen's Advocate Policy/Procedures and place into Intergovernmental Committee, seconded by CM Crosbie, passed without dissent.

The meeting adjourned at 2:30 pm.