



Traffic Commission

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8560, Fax: (314) 862-0694

CITY OF UNIVERSITY CITY MINUTES OF THE TRAFFIC COMMISSION February 11, 2015

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, February 11, 2015, Chairman Curtis Tunstall called the meeting to order at 6:30 p.m. In addition to Chairman Tunstall, the following members of the commission were present:

- Robert Warbin
- Jeff Hales
- Jackie Womack
- Eva Creer

Also in attendance:

- Councilmember Stephen Kraft
- Director of Public Works and Parks, Richard Wilson P.E.
- Public Works and Parks Liaison, Angelica Gutierrez

Absent (excused):

- Traffic Commissioner Carol Wofsey
- Police Department Representative P.O. Shaun Margul
- Traffic Commissioner Mark Barnes

1. Approval of Agenda

Mr. Hales moved to approve the meeting agenda. The motion was seconded by Ms. Creer. Dr. Warbin mentioned that the proposed changes to the minutes were substantial and made a motion to take up item number 5 on the agenda first, so that any citizens present could be heard before taking up the amendments to the minutes. It was determined that there were no citizens present wishing to speak to the commission on other agenda items. Dr. Warbin withdrew his motion. The motion to approve the meeting agenda was—and unanimously approved.

2. Approval of Minutes

Mr. Hales discussed the recent changes to the way the Traffic Commission minutes are recorded, removing all summaries of discussion by the commission. Mr. Hales agreed that the proposed amendments to the minutes were substantial but noted that the changes made to the way the minutes are recorded was also substantially changed and without the input or consultation of the commission. Mr. Hales discussed the importance of including the discussion of the commission members in the minutes because the discussions of the commissions and the considerations given by the commission give weight to the recommendations made by the commission.

Mr. Hales referenced the suggested method for recording minutes sent to the commission by City Clerk Joyce Pumm and discussed his research into the recording of meeting



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minutes. Mr. Hales indicated that he found that there are three methods to recording minutes, action minutes, which record only the actions taken, summary discussion minutes, and verbatim minutes. Mr. Hales indicated that having looked through past Traffic Commission minutes and City Council minutes that traditionally the minutes have been recorded using a hybrid of verbatim and summary discussion minutes. Mr. Hales discussed the guidelines provided by the City Clerk which were from the Oncology Nurses Society and the American Rock Art Research Association and noted that those were both private, non-governmental organizations.

Mr. Hales produced copies of Traffic Commission minutes from 2010, 2012, 2013, and 2014 that were highlighted with all of the summary discussion. Mr. Hales discussed his research into guidelines for governmental bodies, citing that while Missouri does not require that discussions be recorded in public meeting minutes, they are allowed. Mr. Hales also cited statues and/or guidelines from Nevada, Virginia, Illinois, Massachusetts, Montana, Ohio, Oregon, Nebraska, and South Carolina which all call for a summary of the discussion on all matters discussed in public meetings.

Mr. Hales also produced copies of City Council minutes and cited that while the City Clerk has directed the Traffic Commission not to keep records of discussion, the minutes from the January 5, 2015 Council Study Session and the January 12, 2015 regular city council minutes contain detailed summaries of the discussions of the Council. Mr. Hales stated that he believes it is incumbent upon the Traffic Commission, because it is governed by its own rules and procedures, to make a decision on how our minutes are to be kept now and in the future. Mr. Hales indicated that had Commissioner Barnes been present at the meeting, he would have had no idea what was discussed in the previous meeting, from which he was excused.

Mr. Womack commented on the amount of work done by Mr. Hales, and suggested that the commission should get back to doing things the way it used to.

Dr. Warbin commented that in his experience, things have been done in the past without our understanding of, or documentation of discussion about how recommendations were previously made by previous commissions. Dr. Warbin indicated that there should be some type of archival of records of what is discussed at meetings because that type of information is helpful historically. He indicated that he did not believe it was necessary to include discussion in the minutes. Dr. Warbin indicated that Robert's Rules of Order states very clearly that actions should be recorded, not opinions or discussion or even summaries and he believes Robert's Rules is sufficient and adequate, but believes that there should be a way for verbatim accounts to be accessed. He indicated that votes to approve or not to approve recommendations are the result of open discussion, and through that, informed, thoughtful decisions are reached.

Mr. Womack reflected on the changes on the commission over his terms and expressed his desire for the commission to do things right.



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Mr. Hales thanked Dr. Warbin for his comments and indicated that he and Dr. Warbin had the same book on Roberts Rules: Webster's New World Robert's Rules of Order Simplified and Applied. He cited a chapter on the secretary and the minutes on page 161 which stated "if the minutes are to be published, for example when minutes of public meetings are sent to all of the members, the minutes should contain in addition to the standard information a list of speakers on each side of the question with an abstract text of each address" and goes on to say that "at such a meeting it would be wise to record the meeting". He also cited a question an answer section on page 295 which asked "where can I find the proper and legal requirements for the minutes that I am responsible for?" The answer states that "for the most part, the form of the minutes is the same, the minutes record what was done at the meeting, not what was said, however, if any of these organizations publish the minutes, then you need a tape recorder because everything goes into the meeting word for word". Mr. Hales indicated that Robert's Rules doesn't give a lot of guidance on keeping the minutes, but Robert's Rules, State governments, and the history of the Traffic Commission has been on the side of having clear and transparent minutes that give future members of the commission, the public and the City Council the rationale for the recommendations made by the commission. Mr. Hales indicated that he appreciated Dr. Warbin's desire to keep a record of the discussion, but that the minutes are the only record and the legal record for the commission and that there is ample evidence to suggest that public governmental bodies should err on the side of being transparent.

Mr. Hales made a motion that the amended minutes for the November 12, 2014 and December 10, 2014 minutes.

Chairman Tunstall asked that before a motion is made that staff be consulted.

Ms. Gutierrez clarified that staff has been instructed to document only the actions take at the meeting and that the commission can elect a member to take more detailed minutes if it so chooses, but the agenda is asking for the minutes to be approved as drafted or with the amendments as listed on the agenda.

Mr. Kraft commented that the agenda should be approved in order: a, then b, then c, then d.

Dr. Warbin expressed concern that he believed the amended minutes submitted by Mr. Hales were not amended minutes because the minutes were not approved. He indicated that the amended minutes were really corrections and additions to the minutes prepared by the secretary. He stated that according to Roberts Rules, corrections must be made on only what was done, not what was said and that we do not have two competing sets of minutes.

Mr. Hales cited that in the past he and others have offered changes, corrections and additions to staff and those have been incorporated into the minutes and that the commission has never been presented with corrections or additions to the minutes separately for a vote. He indicated that the change to the way the minutes are recorded was not done by the commission and was imposed upon the commission without notice or



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consultation. Mr. Hales indicated that the commission has a challenge by having a staff person serving as secretary when the staff person cannot take direction from the commission and indicated that a staff person cannot serve as a secretary without taking direction from the body he or she serves. Mr. Hales indicated that at the last meeting, he was reminded that changes to the minutes were usually presented well before the meeting as these amended minutes were and that the commission will need to have serious discussion in the future about the bylaws and the role of the secretary. Mr. Hales indicated that the only means of recording what goes into the recommendations of the commission is in the minutes.

Dr. Warbin disagreed and said he didn't want to be like Sam Ervin, walking around with a constitution during the Nixon hearings which determined the actions which he determined to be appropriate as chair of that committee. He indicated that we don't have a book of rules to deal with the issues that are being raised and again reiterated that Robert's Rules were sufficient to him. He indicated that the minutes the commission has are created by the secretary and within that context he did not understand how we could have two sets of minutes. Mr. Warbin indicated that the content of the secretary's minutes were satisfactory to him, but he would like another means of keeping more detailed information on what took place. Dr. Warbin indicated that the amended minutes have a lot of detail as to who said what and that according to Robert's Rules, that is out of order as the minutes are concerned.

Mr. Hales stated it was completely contrary the passages he earlier read from the same book that Dr. Warbin was relying on and stated that the amended minutes follow the same standard set by the City Clerk for City Council minutes and displayed a page of City Council minutes which was entirely a recording of discussion. Mr. Hales stated that the passages read earlier from the book on Robert's Rules offers a clear delineation of the standards for recording minutes when the minutes are to be published. Mr. Hales also clarified that all of the minutes on the agenda were all draft minutes, and the corrections offered were amendments to the draft minutes and can be accepted.

Chairman Tunstall indicated his concern about who records the minutes. He asked if there are other commissions which have their own secretaries.

Mr. Wilson indicated that there were at least a couple of commissions such as the Arts and Letters Commission that have commission members serving as secretary and asked Ms. Carr who was in attendance if she knew of others.

Ms. Carr indicated that the only commission that she had served on which had their own secretary was the Arts and Letters Commission.

Mr. Wilson indicated that in his previous job that the attorney requested that the minutes be recorded verbatim for the plan commission, but other commissions and the council were taken based on what was voted on. He indicated that the staff was given direction to record the University City commissions minutes in this way and they were previously criticized over what was included and left out of commission minutes. Mr. Wilson stated that if there is a



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motion and a witness that has provided technical information or advice that was important to the decision made to pass that motion, the commission may need to flush that out.

Ms. Creer stated that she believed that everything should be recorded.

Mr. Tunstall asked how the minutes should be prepared and accepted with a recording secretary on the commission.

Ms. Carr stated that with the Arts and Letters commission, the secretary prepares the minutes and submits them to the commission for corrections and amendments and that amendments are sometimes made at the time they are accepted.

Mr. Kraft indicated that the only commissions he has been on have had staff members record the minutes.

Mr. Hales stated that what he heard from Mr. Wilson was that staff has been instructed to do the bare-minimum and he didn't believe that should be acceptable to the commission and asked the commissioners to reject the staff minutes and accept the draft minutes as amended and expressed his lack of understanding why there has been extraordinary push-back from staff and the administration about keeping detailed records.

Mr. Wilson indicated that it was the intent of staff for the commission to accept or reject the staff minutes and accept or reject the amended draft minutes.

~~The Commissioners discussed Robert Rules and how the meeting minutes shall be written. Based on the discussion, and the interest of the Commission to have detailed record of what was discussed at the meeting, the below items were voted as follows:~~

A. November 12, 2014 minutes drafted by Staff

Mr. Hales moved to reject the Minutes drafted by staff and seconded by Ms. Creer.

Roll Call vote was:

Ayes: Mr. Tunstall, Mr. Hales and Ms. Creer

Nays: Mr. Warbin and Mr. Womack

B. November 12, 2014 minutes amended by Commissioner Hales

~~Mr. Hales~~Ms. Creer moved to approve the Minutes drafted by Staff and amended by Mr. Hales. Motion was seconded by ~~Mr. Hales~~Ms. Creer.

Roll Call vote was:

Ayes: Mr. Tunstall, Mr. Hales, Mr. Womack and Ms. Creer

Nays: Mr. Warbin

C. December 10, 2014 minutes drafted by Staff



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Mr. Hales moved to reject the Minutes drafted by staff and seconded by Ms. Creer.

Roll Call vote was:

Ayes: Mr. Tunstall, ~~Womack~~, Mr. Hales and Ms. Creer

Nays: Mr. Warbin and Mr. ~~Womack~~Tunstall

D. December 10, 2014 minutes amended by Commissioner Hales

Mr. Hales moved to approve the Minutes drafted by Staff and amended by Mr. Hales.

Motion was seconded by Ms. Creer.

Roll Call vote was:

Ayes: Mr. Tunstall, Mr. Hales, Mr. Womack and Ms. Creer

Nays: Mr. Warbin

3. Agenda items

A. Stop Sign at Chamberlain Ave and Jackson Ave

Ms. Gutierrez presented the request from Loren Grossman to install a stop sign on Chamberlain Ave at Jackson Avenue.

Ms. Gutierrez explained that based on the criteria described in the Manual of Uniform Traffic Control Devices – MUTCD, a stop sign is NOT warranted at the above mentioned intersection. Yield Signs can be installed on both east and west bound of Chamberlain Avenue at Jackson Ave to mitigate the traffic Right-Of-Way concerns at the intersection.

Dr. Warbin asked stop signs are more likely to be followed than yield signs.

Mr. Wilson didn't know if there is any data, but indicated that people are more likely to stop at a stop sign than yield at a yield sign.

Dr. Warbin expressed a concern over a small area that is growing with tall grass that obstructs the view of traffic and presents some danger

Mr. Wilson indicated that the traffic volume doesn't warrant a stop sign at this location.

Mr. Womack commented that he hardly sees anyone stop at stop signs in University City.

Mr. Hales clarified that the petitioner is in agreement with the proposal for yield signs.

Mr. Womack moved to approve the installation of Yield Signs. The motion was seconded by Ms. Creer and unanimously approved.

B. Forsyth Boulevard at Lindell Boulevard traffic safety



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Ms. Gutierrez presented the request from Danielle Durousseau to remove or limit parking in front of Colleen's Cookies, business located at 7335 Forsyth Blvd.

Ms. Gutierrez explained that eliminating parking in front of the business would negatively impact the operation of the business and City Staff does not recommend elimination of parking. Instead, to improve safety, Staff recommends improving the visibility at the intersection by creating a narrower Forsyth as a temporary measure, move the stop line closer to Forsyth Blvd and delineate a bulb-out on the north east corner of the intersection to create a barrier/protection to the vehicles trying to maneuver at the intersection. All these changes will take place to create greater visibility and improve safety at the Forsyth – Lindell Intersection.

Mr. Hales expressed his concern over the proposed change in the schematic provided by staff of the tendency of drivers to drive past the painted stop line into oncoming traffic. He also expressed concern over visibility with the cars parked in front of Colleen's Cookies and suggested that the commission consider a restriction on the height of vehicles in several spaces.

Dr. Warbin moved to approve the implementation of the improvements at the intersection of Forsyth Blvd and Lindell Blvd. The motion was seconded by Mr. Hales and unanimously approved.

4. Council Liaison Report

None

5. Miscellaneous Business

None

6. Adjournment.

The meeting was adjourned at 7:36 pm

Minutes prepared by Angelica Gutierrez, Public Works and Parks Department

and Amended by Commissioner Jeff Hales as underlined throughout the document.