



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 September 9, 2015

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, **September 9, 2015**, Chairwoman Carol Wofsey called the meeting to order at 6:30 p.m. In addition to Chairwoman Wofsey, the following members of the commission were present:

- Curtis Tunstall
- Robert Warbin
- Jeff Hales
- Jackie Womack
- Mark Barnes
- Eva Creer

Also in attendance:

- Councilmember Stephen Kraft
- City Engineer, Sinan Alpaslan P.E.
- Public Works and Parks Liaison, Angelica Gutierrez
- Police Department Representative Sergeant Shawn Whitley

1. Approval of Agenda

Mr. Tunstall moved to approve the agenda with the following amendment:

- Move item "7346 Forsyth Boulevard parking restriction" before the item "Approval of Minutes".

Dr. Warbin seconded the motion and was unanimously approved.

2. Agenda items

A. 7346 Forsyth Boulevard parking restriction

Ms. Gutierrez presented the request from resident of 7346 Forsyth Blvd, to review parking restrictions in front of this apartment building. The recent parking changes were explained along the south side of the 7300 block of Forsyth Blvd as petitioned by the 7310, 7318 and 7320 Forsyth Blvd property owners.

Patrick Dolan, property owner at 7346 Forsyth Blvd, Unit #4, presented the safety issues residents at this building (7 units) experience while exiting their parking garage. This is a corner lot building, located at the south east corner of Forsyth Blvd and DelLin Dr. There is a parking area with access to DelLin Dr. located behind the building. Parking on DelLin Dr. is restricted on the west side only. Pictures were presented to illustrate the sightline obstructions. Mr. Dolan clarified he is only requesting for two (2) parking spaces to the east of their driveway.



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A discussion was held by the Commission regarding the appropriate distance to be restricted, and make safety a priority on this request. It was also discussed the interaction between commercial and residential parking and what properties were affected by the implementation of a parking restriction as requested.

Mr. Womack asked if the parking problem in front of the driveway was a common occurrence and Mr. Dolan indicated it was and that they would like minimally one spot restricted east of the driveway for sightline.

Sgt. Whitley indicated that he believed something could be done to remedy the problem and he would run a report to find out how many incidents there have been.

Mr. Hales asked if staff had an opinion about whether they would like to see multiple small stretches of parking restrictions with limited parking in between and asked if staff would prefer that the restriction extend the entire length of the block.

Ms. Gutierrez indicated that staff would prefer the restriction to extend the entire block, but in consideration of the limited parking on the street, the smaller areas have been considered.

Mr. Tunstall asked if residents were required to back out of the driveway; Mr. Dolan said they could turn around in the garage.

Mr. Hales expressed concern about restricting parking in front of another property and confirmed with Ms. Gutierrez that the parking restriction from an intersection without a stop sign is 25 feet and asked if that would be a suitable distance to restrict parking from the driveway. Mr. Hales also suggested the commission might consider exploring a policy generally restricting parking within some distance of a driveway due to the number of narrow driveways thought University City.

Ms. Wofsey asked the distance between the east side of the driveway and eastern corner of the property line, which Ms. Gutierrez confirmed is approximately 30 ft., or two parking spaces.

Ms. Wofsey asked Mr. Dolan if Krueger's traffic was an issue for their building. Mr. Dolan indicated that it was common for patrons of businesses to park in the no parking zone with their flashers and run across the street.

Mr. Barnes asked staff what the commission would have to do to restrict parking on the entire block and expressed concerns about having to revisit the issue of parking on this block and the partial restrictions in front of certain properties.

Ms. Gutierrez indicated 75% of all property owners would be needed to restrict parking in front of all properties.



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Ms. Wofsey asked if we could make that recommendation on our own initiative to the Council.

Ms. Gutierrez indicated that the commission had never done that before.

Dr. Kraft expressed concern about not getting signatures of 75% of the property owners and whether that could create a potential legal challenge if the procedure is not followed.

Mr. Hales asked if there was an ordinance about getting signatures for 75% restricting parking because he recalled that was only for residential permit parking restrictions.

Ms. Gutierrez indicated she would research the answer to that question.

Mr. Barnes suggested that this would be different, because it would be an innovative of the commission as opposed to residents.

Ms. Wofsey suggested the commission address the citizen's request.

Mr. Tunstall asked if rental properties were considered commercial and Ms. Gutierrez explained that apartment buildings are zoned residential.

Mr. Hales asked if the commission could make a motion pending verification that it be permissible in the code to make a recommendation to restrict parking on the entire block.

Ms. Gutierrez asked what would happen if the owner of 7334 Forsyth objected and relies on the street parking.

Mr. Barnes indicated that the owner of 7334 Forsyth would have the opportunity to speak to the commission if the commission were to proceed with a recommendation to restrict parking on the entire block

Dr. Kraft told the commission that restricting parking could make a building not in compliance with code for not providing enough parking for the building and suggested the commission address the issue that had been proposed and revisit the broader issue later.

The Commission believed that the building located to the east of 7346 Forsyth Blvd. (7334 Forsyth Blvd) needed to be included in the petition, as they might be affected by the change.

Dr. Warbin wanted to ensure that the property owner at 7334 Forsyth, Baron Properties be presented with the petition and have an opportunity to review and sign.

Mr. Barnes moved to request a petition from 75% of the affected property owners (7346 and 7334 Forsyth Blvd) to restrict parking at all times for a distance of 60 feet to the east, from the 7346 Forsyth Blvd. driveway. The petition shall consider signatures from the



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seven (7) owners of 7346 Forsyth Blvd and one (1) owner from 7334 Forsyth Blvd. Ms. Creer seconded the motion.

Mr. Hales indicated he was a little uncomfortable with the motion as presented and would prefer that the restriction be limited to 7346 Forsyth. He mentioned he appreciated the concern raised about code compliance and expressed concern that 7 property owners in 7346 Forsyth could restrict the parking in front of 7334 Forsyth which we don't know how many apartment units the building has or how many long-term residents and believed that the bylaws state "affected households" which could be inclusive of apartment tenants.

Ms. Wofsey stated that in other instances, we have addressed apartment buildings as having one owner.

Mr. Wilson said he understood the dilemma, but suggested that the staff look at the adequate distance for safety, and if that distance is 60 ft., the commission should follow that recommendation in the interest of safety and should the recommendation encroach on the neighbor's property to invite the neighbor to the next meeting.

Mr. Hales asked if the concern about pulling out of a driveway requires greater distance than 25 ft. required an intersection without a stop sign.

Ms. Gutierrez indicated that ideally you would like 100 ft. at an intersection and you would want greater visibility.

Mr. Alpaslan indicated that the width of the street is a consideration.

The votes were:

Ayes: Mr. Tunstall, Mr. Barnes, Ms. Wofsey and Ms. Creer

Nays: Mr. Warbin, Mr. Womack and Mr. Hales

Motion passed.

Requestor was instructed to solicit responses to their petition and submit it to City Staff.

Dr. Kraft had to leave the meeting early and had no report to share.

Mr. Barnes made a second motion to review the expansion of the parking restriction at all times on the south side of Forsyth Blvd, from DeLLin to Manhattan Ave. Motion seconded by Mr. Hales.

Dr. Warbin asked that the commission look into the allocation of public space for parking for private properties.



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The votes were:

Ayes: Dr. Warbin, Mr. Tunstall, Ms. Wofsey, Ms. Creer, Mr. Barnes

Nays: Mr. Womack

3. Approval of Minutes

A. April 8, 2015 minutes

Mr. Womack moved to approve the Minutes drafted by staff and amended by Mr. Hales and seconded by Mr. Tunstall. Dr. Warbin abstained to vote as he waits for clarification on how minutes shall be written.

Mr. Hales stated that he received the Records Retention Schedule from the Secretary of State's office about records retention and would be happy to share.

Roll Call vote was:

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

Nays: None

Abstained: Dr. Warbin

Motion passed.

B. May 13, 2015 minutes

Mr. Hales moved to postpone the approval of the Minutes drafted by staff and seconded by Ms. Creer and unanimously approved.

4. Council Liaison Report

None

5. Miscellaneous Business

Ms. Wofsey thanked Mr. Wilson for his hard work and wished him well in retirement.

Mr. Wilson thanked the commission for their work and wished the commission well and is looking forward to retirement and travelling.

A. By-Laws discussion

The discussion about the amendments made by Mr. Hales to the By-Laws included the following sections:



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- 2.5 Chairperson – Terms. Eliminating the limit to serve no more than two terms.
 - *Mr. Barnes moved to approve the change, seconded by Mr. Tunstall, Ms. Wofsey abstained. Motioned passed.*
- 2.6 Vice Chairperson – Add this role
 - *Dr. Warbin moved to approve the change, seconded by Mr. Hales and unanimously approved.*
- 3.2 Petitions and 3.3 Clarification on Informational Role, changed “Secretary” to “Staff Member” and delete the language “and/or the secretary”
 - *Mr. Hales moved to approve the change, seconded by Mr. Tunstall and unanimously approved.*
- 5.1 Secretary - Add provisions to the Secretary’s Role

Ms. Wofsey reminded the commission that the citizen commissioners are voting members and the staff member, council liaison, and police officer are non-voting members of the commission.

Mr. Hales stated that the ordinance states that the secretary of the commission “shall be elected” and he stated that in his view, the bylaws are not in compliance with the ordinance and this change would correct that.

Dr. Warbin expressed concern over the word “delegate” in the proposed change and indicated that this is an enormous job for a commissioner and would take two weeks to prepare the minutes.

Ms. Wofsey indicated that she could not envision electing anyone other than the staff member.

Mr. Hales stated that the amendments to the minutes take him two hours and does not view the role of secretary as a burden and would like to serve as secretary.

Mr. Hales asked if there was a preferred wording that Dr. Warbin would be more comfortable with.

Dr. Warbin expressed that he was not comfortable with serving as secretary and wanted to get a sense of whether the commission believed this to be practical.

Mr. Womack stated that if Mr. Hales wanted to serve as secretary, he supported that.

- *Mr. Barnes moved to approve the change, seconded by Ms. Creer and unanimously approved.*

5.2 Meeting minutes recording requirements.

Mr. Hales was asked by the chair to explain why he believed the changes are necessary.

Mr. Hales stated that he believed it to be profoundly helpful for future commissions to be able to look back at the minutes and understand the considerations of the commission that



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went into the commission's recommendations. He also stated that it's profoundly important for the council to be able to see the considerations of the commission in the minutes. He noted that the Traffic Commission minutes have historically included summary discussion minutes and that the City Council minutes contain detailed discussion of all those who speak. Mr. Hales stated that he believed that as a public body, the commission should apply the same standard to the recording of its minutes as the council.

Dr. Warbin agreed for the need for a record of the considerations but had concern over the language "a discussion from all speakers" He stated that a good summary is sufficient and that he believed it is incumbent upon the council to ask questions. Mr. Warbin indicated that he feels comfortable that if the commission has been responsible in its considerations and has voted, the issue is closed.

Mr. Hales addressed why he included "discussion from all speakers. He pointed out that if you review the staff prepared minutes, you will see summary discussion from the citizens, from the staff members, from the police officer's comments, but there are no summary discussion comments from any of the voting commissioners. He indicated that it did not make sense we are recording the summary discussion of the staff, citizens and police officers but not the commissioners. He stated that he believed it is important that commissioners' comments be included.

- Mr. Womack moved to approve the change, seconded by Mr. Barnes and the roll call vote was:

Ayes: Ms. Creer, Mr. Hales, Mr. Womack, Mr. Barnes

Nays: Ms. Wofsey, Dr. Warbin, Mr. Tunstall

- 5.4 Meeting Audio – One commissioner to record audio

Dr. Warbin expressed concern about the legal requirement for maintaining audio records.

Mr. Hales stated that he contacted the Secretary of State's office and received the Records Retention schedule and a response from the Secretary of State's office which stated that once the official meeting minutes have been recorded and approved the audio recordings may be disposed of as non-records.

Mr. Hales made a motion to add an additional sentence: Once the official meeting minutes have been produced and approved, the recording may be disposed of per the Local Records General Records Retention Schedule."

Ms. Wofsey stated she remained concerned about the records retention and stated she believes all public meetings should be recorded and publicly available but that is not the position the city is taking and the commission cannot change that. Ms. Wofsey expressed concern over putting the staff member in a position of having to record a meeting when staff has been directed not to do so.

Mr. Hales indicated that section 5.4 as proposed does not require staff to record, it states that the "secretary or at least one commission member".

Ms. Wofsey stated that any commission member is free to record and pointed out that Mr. Hales was recording the audio of the meeting.



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- Mr. Hales moved to approve the change *with the amended additional sentence as proposed by Mr. Hales. It was* seconded by Mr. Barnes and roll call was as follows:
 - *Ayes: Ms. Creer, Mr. Hales, Mr. Womack*
 - *Nays: Ms. Wofsey, Dr. Warbin, Mr. Tunstall and Mr. Barnes*Motion did not pass.

A copy of the amendments to the Bylaws will be made part of this record.

B. Election of new Chair Person

Vice Chairperson elected: Mr. Curtis Tunstall to serve until September 2016 subject to re-election.

Chairperson elected: Ms. Carol Wofsey to serve until September 2016 subject to re-election.

Secretary elected: Mr. Jeff Hales to serve until September 2016 subject to re-election.

6. Adjournment.

The meeting was adjourned at 8:30 pm

Minutes prepared by Angelica Gutierrez, Public Works and Parks Department *with amendments by Jeff Hales (shown underlined)*