

TRAFFIC SAFETY COMMISSION
7:00 p.m., Monday, November 10, 2003
Public Safety Building
401 E. Third Street, Newberg, OR

PRESENT: Dick Meyer, Doris Brandt, Howard McDonald, Everett Clarkson, Ron Sult, Joyce Vergets, and Michael Simpson.

ABSENT: Becky Simpson.

1. CALL MEETING TO ORDER:

A) Review and approve minutes October 13, 2003
Minutes not available. Item tabled.

2. PUBLIC HEARING:

A) Public hearing on request to sign Aaron Way as "No Parking, Fire Lane"

There being no objection to the jurisdiction of the Traffic Safety Commission to hear the issue, Chairman Dick Meyer opened the public hearing.

Steve Amenrud, 160 Aaron Way, addressed the Traffic Safety Commission, speaking in favor of no parking on both sides of Aaron Way. He cited safety issues, the number of children living and playing the cul-de-sac, and the inability to maneuver in and out of driveways. He expressed concern that fire vehicles would not be able to get to his home in the event of an emergency.

Jeremy Odam, 149 Aaron Way, expressed support for no parking on one side of Aaron Way. He directed attention to a letter from Tobi (Tola) C. Young of Young & Pawelski Homes, Inc., dated November 10, 2003, which referred to a final plat map that approved the placement of three "No Parking, Fire Lane" signs on the north side of Aaron Way. Mr. Odam also referred to a list of other similar private drives in Newberg, which allows parking on one side, some of which are more narrow than Aaron Way. Mr. Odam reiterated his support for no parking on one side of the street, noting that removing all parking is unreasonable. He said the problem stems from no signs being installed when they should have been installed at time of approval. Also enclosed with the handout was a petition signed by six residents of Lauren Court who do not want Aaron Way residents parking on their street.

Lastly, Mr. Odam indicated that the letter received from the City stated that the entirety of Aaron Way would be marked No Parking due to a fire and safety issue. He argued that this matter does not come before the Commission due to a fire and safety issue, but rather as disagreement between residents. He suggested it was a private parking issue which could not be resolved between neighbors without resorting to a public hearing. The Fire Marshall also lives on the street.

Cindy Odam, 149 Aaron Way, expressed support for parking on one side of the street. She

disagreed that driveways are blocked, but does have concern for children's safety. One person complained to the fire marshal who determined that the entire street should be blocked, and then the issue snowballed.

Jim Lancaster, 170 Aaron Way, was concerned that residents were not notified prior to purchasing their homes that parking would be eliminated and there was no posting. Lancaster then indicated that the sellers did not include any notice of restrictions. He expressed concern with restrictions on the parking, noting that it affects their ability to use the property in the manner in which they were going to use it when they purchased the property. Mr. Lancaster distributed more photos of Aaron Way for Commissioners to review. He indicated that eliminating parking on Aaron Way would be an unfair standard that does not apply to similar private streets. He feels that ample room is available for emergency vehicles. Further, he felt that children should not run around in the street, that restricting parking will just push the situation up into Lauren Court.

Dan Danicic indicated that typically when a subdivision is completed and accepted it means that the project is complete. It was the Young's responsibility to make sure all the proprieties were met.

Mike Simpson indicated that fire personnel must have room to work out the side of the fire trucks.

Responding to questions from Brandt and Clarkson, Mr. Lancaster indicated that at any given time there are from 2-5 vehicles are parked on the street. Residents and visitors park in driveways and on the street. He reiterated that allowing for parking on one side would allow lane clearance for emergency vehicles with a 16 foot clearance. He noted that the final closing of the development was five years ago and the fire marshal had been a resident and parking there for two years, and indicated that parking restrictions were not mentioned until the last home was built. He questioned the City's responsibility in the matter.

Jeff Gouger, 140 Aaron Way, indicated that child safety is an issue on Aaron Way as there are 26 children in the neighborhood between ages of 2 and 15, with half being under the age of six. They ride scooters, bikes, skate boards. The parked cars cause blind spots that put kids in danger. He identified a home business, a hair salon, on one side of the street which causes traffic. Noting he's not against business, he is concerned that the business traffic is putting children at risk. He does not agree that removing parking on Aaron Way will adversely affect the value of his home.

Azcuenta Gouger, 140 Aaron Way, a stay-at-home mother, indicated that customers were parking in her driveway. She has discussed this with the business owners. Ms. Gouger is concerned about what would happen in the event of an emergency. She indicated the problem developed as the area developed, that parking was not an issue before the area had built up.

Odam reiterated that signs are needed.

Clarkson questioned which side of the street would be best if parking were allowed on one side of the street.

There being no further oral testimony, Dick Meyer read the written communication from Tola C. Young, dated November 10, 2003, into the record:

RE: Public Hearing on request to sign Aaron Way as "No Parking, Fire Lane."

To whom it may concern,

I am unable to attend the hearing on the above matter. However, I would like to submit the following information:

In 1998 when we applied for West Woods Subdivision approval, one of the conditions for Aaron Way was to be posted, "No Parking, Fire Lane" with location of "No Parking" signage to be approved by the Fire Marshal. We, Young & Pawelski Homes, Inc. Hired Tech. Engineering Corporation to develop the subdivision and coordinate with the City of Newberg and Larry Anderson (engineer for the city) to accomplish this process.

August 4, 1999, Larry Anderson approved the plans for construction of West Woods Subdivision. I have attached a copy of the approval initialed by Mr. Anderson. I have also attached a copy fo the page in the approved set of plans that shows where there was to be Three (3) "No Parking, Fire Lane" signs in locations as approved by Fire Marshall. Note: Plans indicate that No Parking signs are to be located on the North side of the street of Aaron Way. I am unsure why this was not required in the final.

December 15, 1999 I received a letter from Larry Anderson stating "The public improvements in the Westwoods Subdivision have been constructed according to the approved development plans and have been tested and are approved for acceptance by the City."

I have also attached a recorded copy of the Commonway Agreement for Aaron Way, which was approved by the City of Newberg and states, "The owners of the parcel, who are entitled to use this easement, shall cooperate during periods of joint use so that each owner's use shall cause a minimum of interference to the use of the easement by the other owners."

Thank you,

*Tola C. Young, Secretary
Young & Pawelski Homes,
PO Box 729
Newberg, OR.*

There being no further testimony, Chairman Dick Meyer closed the public hearing and the Traffic Safety Commission entered into deliberations.

City Engineer Dan Danicic indicated that the Traffic Safety Commission has heard a number of points to consider when making a decision. Some, he cautioned, are not key to the issue. There are neighbors who do not get along, which is unfortunate. There is the delay in discovering the lapse in installing the signage, but that ensuring that the requirement is followed is crucial. Regarding other roads presented as examples that appear to be similar and signage, the City Engineer cannot speak to those because all those issues require different criteria with each development. While we are all concerned with the safety of children, Aaron Way is a driveway and not a playground.

It appears from reading the information provided by Ms. Young, that the City approved signage

on the north side. A private drive is a private road; it is not an improvement as opposed, say, to a sanitary sewer that the City owns and operates. What is important in this issue is that the final placement of the signs was not enforced, much in the same way that building inspectors cannot catch everything that is done during construction. The City does not own the things that are missed. The City Engineer recommended that clearly the driveway needs to be posted no parking on either side of Aaron Way.

Responding to a question by Mike Simpson regarding what was meant by “either side”, Dan Danicic clarified that he means no parking on both sides as stated as conditions of approval, per S-15-98, which indicates no parking on both fire lanes.

Discussion regarding which plan was the final approval, the S-15-98 or the plan submitted by Tola Young. Danicic recognized that the one plat drawing did state no parking on the north side, but staff would have to determine whether those plans were final drawings that were stamped for construction or they were a preliminary set of drawings for proposed construction.

Motion: Mike Simpson/Doris Brandt moved to table continued deliberations of the matter until the next meeting on December 8, 2003, at which time Staff can determine the date and type of plans presented in Tola Young’s letter. Motion passed unanimously.

All photographs were returned to the residents who presented them.

3. OLD BUSINESS:

A) North Villa near Fulton

City Engineer Dan Danicic reported that he has been in contact the architect and together they will be looking at a solution. The left-turn pocket was a condition of occupancy, so the City is allowing temporary occupancy. The last traffic study was done with in the last year when the architect did a new study. They will be looking closer at the possibility of a three-way stop and a closer look at the warrants. At this time, it does not appear the intersection meets the warrants. They hope to have a report ready for the January meeting.

4. NEW BUSINESS:

A) Request for stop signs on the corner of Vittoria Way & Libra, Vittoria Way & Gemini, and more 25 mph signage

Tamneria Wimmer, 3609 Vittoria Way, addressed Traffic Safety Commission members. Her concern is the speed, noting vehicles travel anywhere from 40-60 mph. Most drivers are attempting to avoid lights on Hwy. 99W. Children are in danger. Have discussed speed bumps but she understands they are expensive. Ms. Wimmer feels that the hospital improvements will only bring more traffic. They are requesting stop signs to slow drivers. They have had the radar speed trailer out to help with enforcement and she cited near misses.

Shawna Cappleman, 1700 Gemini Street, reiterated the concern for children living in the neighborhood citing speeding traffic as the danger. She indicated the traffic and excessive speed has increased during the past year, most notably during the last six months.

Richard and Charlotte Seth, 3715 Vittoria Way, reminded the Traffic Safety Commission that they had complained about this same issue recently but were told at that time that nothing could be done.

Janet Tucker, 3408 Vittoria Way, indicated that Vittoria is a straightaway and that speeding vehicles make it impossible to cross the street.

Margaret Taylor, 3512 Vittoria Way, was passed on the street by another driver in this residential neighborhood. She has been confronted by disrespectful drivers when she tries to get them to slow. A cat has been killed, and she's concerned that traffic will increase with the hospital construction.

Janice Trollinger, 3707 Vittoria Way, said they have attempted to get stop signs installed before. She has been passed on Vittoria Way while traveling at 25 mph. Traffic is a problem and needs to be addressed.

Rex Philips, 3604 Vittoria Way, is a resident since 1979, indicated that the problems escalated with the installation of the light on Brutscher. He's concerned for his wife who has MS, concerned that she can't cross the street quickly enough to avoid traffic. Stop signs are fine, but speed humps would be better. Does not matter if speeders are the neighbors; they need to be stopped.

Terry Bruebrake, 1608 Gemini, did not have an opportunity to sign the petition but is in complete agreement. She prefers speed humps as having a better impact, but would also welcome stop signs.

Craig Ludwig, 3600 Vittoria Way, 12-year resident, agreed that speed is an issue and has been increasing. Calls to the police do little good. Radar trailer was installed and it worked, but the traffic and speeds went back up when the trailer was removed. Feels his property value will go down if the situation does not improve. Speeders come in all ages.

The Traffic Safety Commission recessed for a short five minute break.

Ralph Thorp, 3810 Vittoria, added Coffee to the request for stop signs. He feels the traffic increase is due to the extension of Mountainview opening, and people cutting through from Hwy. 99W.

Steven Dodson, 3509 Vittoria Way, cited two recent accidents in front of his home where parked cars were hit. He's concerned that the streets are narrow, and this creates more hazard when vehicles are traveling too fast. He works for UPS, with deliveries in Newberg. He indicated it is common practice in this area for drivers to stay off Vittoria as too dangerous. Mr. Dodson further indicated that the issue is not only speeding, but the traffic volume.

Dan Danicic, City Engineer, said that the traffic study done approximately one year ago indicated that warrants for speed humps were not met. Dan feels that traffic calming devices might be better so people see visual obstructions. He suggested an LID be considered that would involve everyone in the Vittoria area. Vittoria is a collector street and is intended to be a major street.

Before installing speed humps, better to look to an interim solution.

Motion: Michael Simpson/Sult motion directing Staff to conduct a new traffic study of Vittoria Way to determine traffic count and speeds, with results presented at the December meeting.

Motion was amended to bring the results back for the January 2004 meeting.

Motion: Michael Simpson/Sult directing Staff to conduct a new traffic study of Vittoria Way to determine traffic count and speeds, with the results to be presented at the January 2004 meeting. Motion carried.

The City Engineer appreciates the extra time as this study will be more complicated than normal and requires more time.

5. STAFF REPORTS - GENERAL INFORMATION:

- A) Chief of Police - The Newberg Police Department passed their on-site evaluation for state Accreditation.
- B) Engineering - None.
- C) Traffic Safety Committee Sub-Committees:
 - 1. Community Relations - None.
 - 2. Pedestrian Safety - None.
 - 3. Parking Safety (passenger vehicles & trucks) - None.
 - 4. Traffic Control & Obstructions - None.

6. REPORTS:

A) Crosswalk improvements across HWY 219 near Walgreen's
Danicic indicated this issue had been sent to ODOT. This request it is not at the top of their list and TSC should not expect a response for two-three months.

B) No appeal filed on General Decision to limit parking on the west side of N Main, north and south of West North Street
Public Works will go out and sign this area.

C) Mountainview and Aspen Way
A citizen called to complain about this area and its lack of traffic control devices. Yamhill County has since installed a stop sign.

D) Traffic safety along Main Street between Crestview and Lynn Streets.
This section is really only a 3/4 street, and is still owned and maintained by the County, though it is within the City limits. It is constricted when you travel through this area. There isn't any short term solution other than putting in no parking for that area. A developer has made an option on the property; if this goes through, an improvement would be required. The City Engineer will have a complete report at the next meeting.

E) Mona Gettman residential parking issue
The City Engineer discussed this issue with the City Manager and staff. Ms. Gettman has a unique situation, an island surrounded by GFU properties. He suggested a solution would be to allow her to have a signed residential parking zone if she would be allowed to pay for the expense of the signs. The signs would be applied per City standards and provide her with residential parking in front of her home. The remainder of the block would be for GFU activities. Ms. Gettman agreed and appreciated the approach suggested by City staff. She submitted a letter

requesting by Limited Decision a residential parking zone in front of her home. The next step would be to notify everyone within the vicinity, or GFU. With no appeals, she would work with the City to install the signs.

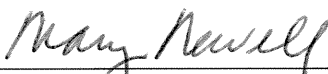
Ms. Newell questioned enforcement of the residential parking, noting that parking issues are handled on a case-by-case basis as the City has no parking enforcement patrol. Dan Danicic suggested to Ms. Gettman to not expect enforcement because no Code Enforcement is available.

Motion: Clarkson/Brandt for a Limited Decision to approve a reserved parking area in the frontage of the residence at 1200 E Sheridan Street. Motion passed.

7. **COMMUNICATIONS FROM THE FLOOR:** None.

8. **ADJOURN TO NEXT MEETING: December 8, 2003**

The meeting adjourned at 9:30 p.m.



Mary Newell, Recording Secretary