

TRAFFIC SAFETY COMMISSION MINUTES
Monday, August 13, 2012, 7:00 PM
Public Safety Building, 401 E. Third Street, Newberg, OR

“Mission Statement: To give the citizens of Newberg a forum to voice traffic safety concerns, evaluate related issues, provide a liaison with the City and promote traffic safety within the community.”

I. CALL MEETING TO ORDER

Chair Neal Klein called the meeting to order at 7:04 PM.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

III. ROLL CALL

Members Present:	Neal Klein, Chair	Karl Birky	Doris Brandt
	Dianna Cotter	Shannon Eoff	Ron Johns
	Kari Lawson	James Oravetz	
	Lesley Woodruff, Vice-Chair	Mayor Bob Andrews, Ex-officio	

Members Absent: Hannah Kinney, Student Commissioner (excused)

Staff Present:	Brian Casey, Chief of Police	Mary Newell, Support Services Manager
	Paul Chiu, Senior Engineer	Jennifer Nelson, Deputy City Recorder
	Jessica Nunley, Assistant Planner	

Others Present: Mike Gougler, Judy Moshberger, and Timi Parker

IV. CONSENT CALENDAR

1. Review and approve meeting minutes of July 9, 2012

MOTION #1: Cotter/Woodruff to approve the Consent Calendar including the Traffic Safety Commission minutes for July 9, 2012, as amended. Motion carried (9 Yes/0 No).
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V. PUBLIC COMMENTS

None.

VI. PUBLIC HEARING

1. Reconsideration of Limited Decision TSC-12-016: Speed Hump (raised crosswalk) at Little Oak Street.

TIME – 7:06 PM

Chair Klein introduced the hearing and called for any biases or conflicts of interest. Commissioner Karl Birky excused himself from the hearing because of his professional work with the developer.

Mr. Paul Chiu, Senior Engineer, presented the staff report (see official meeting packet for full report).

Ms. Jessica Nunley, Assistant Planner, recapped the conditions from the Planning Commission (PC) and how installing a raised crosswalk would be costly and problematic. She noted the PC and the Planning division was accepting of a speed hump on Little Oak Street by the Fred Meyer parking lot entrance but the second speed hump recommended by the Traffic Safety Commission (TSC) was not a condition of development so installing that one would need to be worked out with the residents and the developer through the TSC.

Chair Klein opened the public testimony.

Ms. Judy Moshberger said she lives on the corner off Hayes Street just past the driveway to the proposed apartments. She commented speed is not the primary issue, volume is. When she moved here police came to a meeting of the Homeowners' Association (HOA) and defined local traffic only as the residents living in the townhomes. Her impression was people should not be using this road and the humps should only be inconveniencing the townhomes residents and their guests. She spoke of recently witnessing a freight truck driving through from Fred Meyer and noted raised crosswalks or humps like the ones on 2nd Street may slow traffic down, but will not discourage vehicles from coming through the neighborhood. She felt in order to get people to use Hayes Street and Brutscher Street, like they are supposed to, they must put a speed bump there and make it painful to come through and prevent the shortcut. The speed humps or raised crosswalks do not keep her from driving on 2nd Street.

Commissioner Ron Johns asked how it would affect her and other residents living there if a speed bump is installed. Ms. Moshberger replied it would affect them positively, which is what she wants, and the other neighbors they have spoken to about it also agree a speed hump will not do any good.

Commissioner James Oravetz said he has been trying to figure out why the exit from Fred Meyer was put there from the beginning. Ms. Moshberger replied closing this exit was originally discussed when the signs were put in for "Local Traffic Only" because there are other entrances for sufficient access, but they were never told anything other than no.

Mayor Andrews clarified her residence location on Hayes Street and her opinion of volume being the issue, not speed. Ms. Moshberger replied both are a problem, but volume is the primary concern. Mayor Andrews asked if she had any objection or resistance to closing the driveway to reduce the volume. Ms. Moshberger replied there would be a lot of support for closing the exit.

Commissioner Dianna Cotter mentioned they were to give a decision of the PC's decision to place either a speed bump or hump near the Fred Meyer exit. The driveway is Fred Meyer's property and would be their decision. She clarified Ms. Moshberger seemed to be asking for something more aggressive to be installed and asked if she would prefer that device to be permanent or temporary to see if it effects the traffic volume. Commissioner Cotter noted they wish to discourage traffic on a City public street, but they should consider if this is realistic for emergency services. Ms. Moshberger replied she would like emergency vehicles, garbage services, and local residents to have access only, but not the other continuous traffic making it dangerous to back out of her driveway and if a temporary solution was recommended she would be accepting of this.

Chair Klein asked if large service trucks commonly use this area. Ms. Moshberger replied they do rarely, but it is becoming more common.

Ms. Timi Parker, President of Oaks at Springbrook HOA Board, spoke of being the one who fields most of the neighborhood complaints and asked if it was truly the case that Fred Meyer owned the property at that exit. Commissioner Cotter replied the developer mentioned this was the case at a previous meeting. Ms. Parker continued that she lived there for eight years and is home a lot and observed it is largely an issue of volume,

although speed is also a concern. She has observed cars going through the neighborhood coming out on Hayes Street, which takes the same amount of time; but drivers do this to avoid the Springbrook Road intersection. She said the neighborhood is congested and has several cars parked on both sides of the street so traffic is a problem. The HOA Board is interested in making sure residents are safe and happy with the quality of life. She would support a temporary solution but wondered how it would be monitored and impacts determined and suggested a time frame for review.

Mr. Gougler appreciated the reconsideration of the previous decisions and spoke of the PC requiring a speed bump at the north entrance of the townhomes as the condition of development. He offered observations of different experiences driving through the area today at different speeds and different routes and noted the driveway was indeed Fred Meyer property as inquired about earlier. He said speed bumps are traffic calming devices for speed control, and with the narrow streets, curves and parked cars, it is already difficult to gain speed in the neighborhood, so this is not an issue. He proposed a temporary rubberized speed bump device at the north location that can easily be removed if needed. While reviewing the previous meeting's minutes he noted Commissioner Shannon Eoff preferred to have either two bumps or humps installed or none at all and that Chief of Police Brian Casey had specific concerns because speed bumps are used to deter speeding, which cars are not doing here. He added the Mayor also spoke of a temporary speed bump as a solution. Mr. Gougler did not feel it made sense to put pedestrian crossing in there with a raised crosswalk because it is not intended to discourage traffic. The temporary speed bumps he is suggesting for both locations are bright yellow/orange in color and irritating to drive over. They can be damaging to public safety vehicles, but they are discouraging and can be removed. The cost for the raised crosswalk with curb cuts and street grinding is a minimum of \$10,000.00 to install and twice that amount to remove because repaving would be required. He also proposed making the driveway to be installed at the new apartments a "No Left Turn". He spoke of the speed bumps giving the impression of a private community and said he was willing to whatever structured is conditioned at the north, but is only willing to install this temporary one at the southern location; either way he would like the solution to be affordable and efficacious.

Chair Klein spoke of discussing the responsibility of removal costs with the city attorney and mayor and his desire to discuss this with the city manager and PC chair as well. It is his understanding removal costs would be transferred over to the City and neighborhood. Chair Klein noted he suggested the raised crosswalk to bring the City up to speed on the Complete Streets concept. Mr. Gougler agreed this was admirable, but he felt they already addressed the pedestrian access with the stairs intended from the apartments to Fred Meyer.

Commissioner Johns said he felt like one speed bump might just do it and asked if the garbage trucks would have enough clearance to get over the temporary solution. Mr. Gougler replied they are 3 inches high and can be cleared by the garbage trucks.

Commissioner Shannon Eoff felt traffic will only get heavier once the apartments are completed and felt more permanent structures would be preferred. Mr. Gougler noted his suggested speed bumps do not appear to be removable, but they are able to be removed without resurfacing the road.

Commissioner Cotter spoke of unintended affects, accomplishing goals and making the neighborhood happy. She is willing to accept a temporary speed bump as a solution in both locations with the option to remove them. Ms. Moshberger also agreed the proposed bumps by Mr. Gougler at both ends were the best chance to accomplish what they want. Commissioner Cotter said they need to look at the broader perspective because everyone has a right to the road. Ms. Moshberger wondered about the definition of local traffic and the previous impression from police that even though it is a public road it is to be used by local residents. Chief Casey interjected he does not believe this is an enforceable statement and he apologized if that was the impression she was given before, but the infraction of driving on the public street when not actually living in that neighborhood is not one they can enforce.

Mr. Chiu spoke about the traffic study and discussion of the TSC on this matter four years ago. The installed signs were an attempt to educate the public, but were not enforceable or effective. He said they can perform a new traffic study prior to the installation of any speed bumps and another after to determine effectiveness. He said temporary devices are more often geared toward private consumption or crowded parking lots because they are easy to install and remove; he has concerns for their durability compared to asphalt and maintenance in this situation. From the point of view of a public entity, it would be best for the structures to be permanent.

Commissioner Eoff asked if the HOA could get a more official consensus from the neighborhood so they can make an informed decision. Ms. Parker replied they have the ability to survey the residents and although she cannot speak officially for the HOA and residents, her overall impression is for the overwhelming desire to have the traffic problems dealt with an efficacious solution.

Chair Klein asked Ms. Nunley if there was a timeframe for the condition given by the PC. Ms. Nunley replied it must be completed prior to occupancy, but the developer would like to get going on construction as soon as possible. Mr. Gougler pointed out he proposed testing the temporary device on one end for six months and it will be 12 months before occupancy; he can survey people regularly during that time.

Mayor Andrews discussed conflicting information received from the Planning division regarding the status of the ownership of the street at the exit of Fred Meyer. The Planning Director Barton Brierley informed him this area was owned by the City, and although they have been told this area has been dedicated, they can not find a record of this. Ms. Nunley stated they do not own the Fred Meyer driveway, and were told a portion of the street was dedicated by the Worth family; further research would be required as it does show as a private drive. Ms. Nunley also pointed out the Fred Meyer development came first and likely the driveway was a condition of their development; they have also been required to have the gas trucks drive through the area behind Fred Meyer and use this exit.

Commissioner Eoff wondered if they should just install bollards preventing traffic from Fred Meyer to the neighborhood so there will still be access from Brutscher to Little Oak Street.

Commissioner Karl Birky spoke on his professional work completing the traffic study in this area indicating this is why he declared a conflict of interest and did not participate as a member of the TSC for these hearings. He spoke of the awareness of residents that a vacant lot next to their property could one day be developed and any development will likely generate more traffic. As a society, we make decisions about how we want our communities to develop and what reasonable traffic volume per day is the standard. It can become inconvenient and mitigation is more of a political issue. Looking at the whole project and studying impacts to streets and intersections, it has been determined that clearly the area will handle what it has been designed for. More traffic can be considered more dangerous, but it can also be considered reasonable. He argued fire officials generally dislike speed bumps and humps because they get to the fire later and police often feel the same response time, but sometimes they are prudent to install.

Mayor Andrews wondered if the suggestion for installing breakdown bollards would be better. Mr. Chiu spoke of a study from the City of Portland and the delays of speed bumps and other similar devices delaying emergency access.

Chair Klein closed the public testimony and recessed at 8:43 PM. He reconvened the meeting at 8:54 PM.

Mr. Chiu summarized the suggestions and stated staff could live with either of the suggestions made.

Ms. Nunley's final comments reminded the TSC they are just deciding on installing a speed bump or hump at the entrance to Fred Meyer as part of the PC condition of development. Altering the driveway could require a land use approval and the second bump was not a requirement on the developer from the PC. Mr. Chiu added a

hump is preferred over a bump since it is a public right of way and what allowed by City Code. He also mentioned concerns for setting a precedent.

Commissioner Lesley Woodruff said this situation reminded her of a previous issue at Creekside where people were emotional and tried to change people's behavior; not everyone will be happy. The reality is streets are for cars and traffic, this is not a sidewalk. It seems this neighborhood was already designed to deter traffic, but people choose to take this route anyway and it is hard to change that behavior since it has been engineered correctly. This is a volume not a speed issue and many say this will not solve the problem of volume. She did not think there should be any bumps or humps at either location.

Commissioner Johns said speed bumps offer more of a closed-community feel for people coming out of Fred Meyer and he is fine with a temporary bump rather than a permanent hump to deter drivers. It is not excessively expensive and can be taken out if it does not work.

Commissioner Cotter said she leaned toward Mr. Gougler's suggestion and the residents also seem to be in favor of a temporary speed bump to solve the issue. If the developer is willing to put one in at both ends and pay for it, she would like to know if he would be willing to make it more permanent over time.

Commissioner Oravetz was concerned about the controversy over ownership of the property approach out of Fred Meyer and on Little Oak Street. He felt it was unfortunate to have to pay for Fred Meyer's poor design and not allowing a better route for their trucks. He would love to see this exit closed, but if that cannot happen, he would be in favor of a speed bump to see if that works. The truckers driving the wrong way are another issue with weight restrictions and something needs to be done about that.

Commissioner Klein said he was afraid of plastic speed bumps and setting a precedent with other developers; he would rather see them paved.

Commissioner Johns liked the temporary suggestion because it is bright and abrupt and can be reassessed. Chair Klein was concerned about running into the issue of who foots the bill when and if it does become permanent; he added the concrete bumps can be painted a bright color. Discussions followed regarding the feasibility of the plastic bumps vs. concrete and the legality of the financial burden.

Commissioner Cotter did not believe they had the option to choose a temporary bump based on the PC motion for the condition. Ms. Nunley replied the planning division defers to engineering and the term speed bump was a generic term for the solution that she assumes they meant to be a permanent structure.

Chief Casey pointed out once again this is not a volume or a speed problem on this street other than what people perceive. All people think there are too many cars in their neighborhoods and would like to have speed bumps so we will have these all over if we start this, especially when there is not a documented issue. He also did not like making something a requirement on a developer with no knowledge as to whether it will be effective or not; they are dealing with a street without any statistical data to support this. He understands people do not want cars on their street, but it is a public street.

Commissioner Lawson said she has been hesitant from the beginning with this being a public street and taxpayers paying to drive here. The desire to deter traffic is understandable, but drivers have the right to drive here.

Commissioner Johns asked what traffic volumes are for this area. Mr. Chiu replied the data was collected a few years ago but he does not have it with him; he can say there was not a super high volume for a small neighborhood street to his recollection. Chair Klein asked if anything has changed to significantly impact the area since the traffic survey was last performed. Mr. Chiu replied Portland Community College (PCC) built

their campus but there has been little development east of Brutscher Street and the drivers going through were mostly from the other community across Hayes Street driving to Fred Meyer.

Commissioner Doris Brandt said in all the years she has served on the TSC there have been many requests for speed bumps and they have always said no because there will be others to follow. She felt if they are to do anything, they should block that street, but forget installing any speed bumps or humps.

Commissioner Lawson asked if the TSC has the authority to override the PC decision and suggest nothing be done. Ms. Nunley replied they do because the PC said it would be at the discretion of TSC, since they are not traffic engineers. If the TSC said no, that would be fine and would fulfill the condition.

Commissioner Woodruff asked if the volume problem was something the TSC could pursue in redirecting driveway or narrowing the road separately or as a recommendation to the neighbors to turn into a Local Improvement District (LID). Commissioner Klein said it would be a good idea if the studies supported the issue. He suggested not doing anything until after the apartments are built and another traffic study can be conducted.

Commissioner Lawson suggested the HOA address the problem of people from the southern community causing the problem by educating them about this not being an acceptable route and to use main thoroughfares.

Mayor Andrews reminded the TSC there have been two motions made and neither one of them have been moved for reconsideration.

Commissioner Eoff said she sees this as a bigger problem and preferred looking at this proactively before the large apartment complex is present, but she felt she was slowly getting to be in the minority in her thinking.

MOTION #2: Woodruff/Brandt to reconsider Motion #3 from the July 9, 2012, Traffic Safety Commission meeting to have an official recommendation made to the developer for a speed hump on Oak Grove Street running north to south just northwest of the proposed entrance to the new apartment complex. Motion carried (8 Yes/0 No/1 Abstain [Birky]).

MOTION #3: Woodruff/Brandt to rescind the decision of Motion #3 from the July 9, 2012, Traffic Safety Commission meeting to have an official recommendation made to the developer for a speed hump on Oak Grove Street running north to south just northwest of the proposed entrance to the new apartment complex. Motion carried (7 Yes/1 No [Cotter]/1 Abstain [Birky]).

Chair Klein discussed required noticing with staff.

MOTION #4: Woodruff/Lawson to reconsider Motion #2 from the July 9, 2012, Traffic Safety Commission meeting to approve TSC-12-016 installing a speed hump on Little Oak Street running east to west just south of the entrance to the Fred Meyer parking lot. Motion carried (8 Yes/0 No/1 Abstain [Birky]).

MOTION #5: Woodruff/Brandt to rescind Motion #2 from the July 9, 2012, Traffic Safety Commission meeting to approve TSC-12-016 installing a speed hump on Little Oak Street running east to west just south of the entrance to the Fred Meyer parking lot. Motion carried (7 Yes/1 No [Cotter]/1 Abstain [Birky]).

MOTION #6: Lawson/Woodruff to notify the Planning Commission the Traffic Safety Commission does not recommend installing a speed bump or hump at the Little Oak Street location as a condition of approval for the Oak Grove Apartment project development at this time. Motion carried (8 Yes/0 No/1 Abstain [Birky]).

VII. NEW BUSINESS

Chair Klein discussed a request for a block party that was not placed on the agenda because it would not have been addressed in time by this meeting and he did not want to hold an emergency meeting. Rather than give an official decision from the TSC, he offered his opinion as a private citizen who is also the chair of the TSC to agree with Police Captain Chris Bolek's opinion the street closure was not a good idea and the Code gave them the authorization to approve or deny it.

VIII. OLD BUSINESS

None.

IX. STAFF REPORTS - GENERAL INFORMATION

1. Police Update

Chief Casey spoke of busy summer with Old Fashioned Festival and Special Olympics being completed.

2. Engineering Update

None.

3. Items from Commissioners

None.

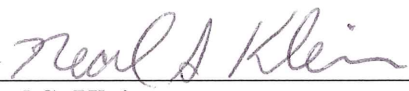
IX. ADJOURN TO NEXT MEETING

The meeting adjourned at 9:52 PM until September 10, 2012.

Approved by the Newberg Traffic Safety Commission this 10th day of September, 2012.



Nicole Tannler
Minutes Recorder



Neal S. Klein
Traffic Safety Commission Chair