

CITY COUNCIL CONFERENCE MINUTES

November 8, 2016

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:30 p.m. in the Municipal Building Conference Room on the 8th day of November, 2016, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

ABSENT: None

Item 1, being:

CHANGE ORDER NO. ONE TO CONTRACT K-1516-86 WITH JORDAN CONTRACTORS, INC., INCREASING THE CONTRACT AMOUNT BY \$92,290 FOR A REVISED CONTRACT AMOUNT OF \$1,818,040 AND EXTENDING THE CONTRACT BY 20 CALENDAR DAYS FOR THE WOODCREST INTERCEPTOR PROJECT.

Mr. Charlie Thomas, Capital Projects Engineer, said the Woodcrest Interceptor Project replaces and upsizes the existing interceptor, which is located in north central Norman and runs from near Lift Station D south across Tecumseh Road and consists of approximately 9,350 linear feet (LF) of new 24-inch and 15-inch sanitary sewer line. On March 8, 2016, the Norman Utilities Authority (NUA) approved Contact K-1516-86 with Jordan Contractors, Inc. (Jordan), in the amount of \$1,725,750 to perform the work. He said as with any project of this scope, field adjustments and modifications are necessary.

Mr. Thomas said to facilitate protection of numerous trees and sustain the nature of the neighborhood, approximately eight manholes should be rehabilitated in place rather than removed and replaced. Jordan will remove the existing manholes for a cost of \$500 each and install new ones for a cost of \$3,000 each. The original project design did not anticipate individual service connections as this is rare on interceptor lines; however, Staff identified five single and two double taps that will need to be reinstalled along the new 16-inch High-Density Polyethylene (HDPE) pipe. Jordan has proposed to reinstall the taps for a cost of \$10,760.

During construction, Staff discovered the existing interceptor was installed inside steel casing across Porter Avenue and Staff requested Jordan provide personnel and equipment to excavate the areas and assist in determining the location, size, and material of the existing casing. Jordan determined that an 18-inch diameter, concrete embedded, steel casing underlays portions of the paved surface of Porter Avenue. Jordan provided the additional assistance for a cost of \$4,570. The steel casing across Porter Avenue required the proposed upsized interceptor to be relocated by directional drilling at a cost of \$44,608. The directional drilling required relocation of an existing manhole and, in turn, the manhole required an extension of an existing eight inch residential sewer to the new manhole location, which Jordan will perform for a cost of \$4,960.

Mr. Thomas said due to extreme, unanticipated ground water conditions, the engineer and Staff requested that Jordan furnish and install large surge rock, three to four inches in size, to stabilize the excavated trench for a cost of \$1,680. Jordan provided dewatering equipment and extra shoring before laying the new sewer line on grade at no additional cost.

Change Order No. One to Contract K-1516-86 in the amount of \$92,290 will cover the costs of the additional work as stated above and will also add 20 calendar days to the contract.

Item 1, continued:

Items submitted for the record

1. File No. K-1516-86, Change Order No. One, dated October 20, 2016, by Charlie Thomas, Capital Projects Engineer
2. Map of proposed Woodcrest Sewer Interceptor Alignment
3. Change Order No. One to Contract K-1516-86

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Item 2, being:

DISCUSSION REGARDING COMMERCIAL LOADING ZONES IN THE CAMPUS CORNER AREA.

On September 29, 2016, the Community Planning and Transportation Committee (CPTC) reviewed commercial loading zones in the Campus Corner area and recommended a presentation be made to the entire Council in a Conference or Study Session.

Ms. Jeanne Snider, Assistant City Attorney, said in 1975, Council approved the conversion of Asp Avenue, between White Street and Boyd Street, from two-way to one-way traffic in the southbound direction. The action was prompted by requests from area merchants interested in improving traffic flow and safety along this segment of the roadway, which at that time had the highest vehicular accident rates in the city. In 2002, Council approved the designation of Asp Avenue to a two-way street from White Street to Boyd Street even though Staff raised concerns that converting the street to two-way could create safety and congestion problems especially with commercial deliveries. She said delivery trucks often block one of the driving lanes as merchandise and/or products are unloaded and delivered. As a two-lane street, drivers are not able to safely drive around the delivery vehicle and are tempted to cross a double yellow center line with oncoming traffic causing side-swipes or head-on collisions.

On July 23, 2013, City Council adopted Resolution R-1314-19 creating the Campus Corner Parking Management Business Plan (CCPP) detailing strategies and payment options available to customers and visitors parking in the 159 public parking spaces along Boyd Street, Asp Avenue, Buchanan Street, University Boulevard, and White Street. In addition, it formalized the use of commercial loading zones.

Ms. Snider said the CCPP specifically addresses commercial loading zones and there are currently three zones reserved for commercial loading and off-loading. The largest and only zone capable of handling large vehicle deliveries is located along the east side of Asp Avenue north of Boyd Street. The first fifteen metered spaces north of Boyd Street are reserved for commercial loading between the hours of 3:00 a.m. and 10:00 a.m. then the spaces become regular on-street metered spaces available to the general public. Large delivery trucks loading and off-loading between the hours of 10:00 a.m. and 3:00 a.m. are prohibited in order to accommodate parking needs of customers of Campus Corner businesses. The other two zones only accommodate single-unit trucks with the first loading zone located halfway between Boyd Street and White Street that includes two parallel parking spaces and is in force between the hours of 3:00 a.m. and 10:00 a.m. The second loading zone is located immediately south of White Street and includes a single parallel parking space that is in commercial loading throughout the day.

Ms. Snider said in spite of good will efforts of Campus Corner Merchants and property owners, the problem with commercial vehicles parking on one of the Asp Avenue traffic lanes and blocking traffic flow is rampant. For this reason, merchants have asked the City to consider additional regulations of commercial delivery vehicles. Campus Corner merchants requested the City restrict the size of delivery trucks allowed through an amendment to the Norman City Code, Chapter 20, Section 20-807.

Item 2, continued:

Ms. Snider said Chapter 20, Section 20-807, prohibits parking, stopping, and standing in certain areas of the City and penalties range from \$25 to \$200; however, Section 20-907(1) currently states that no person shall park, stop or stand a vehicle where prohibited by sign and Section 20-807(6)(b) establishes a ten minute time for the loading or unloading of freight. Campus Corner merchants are proposing the prohibition of truck traffic flow in Campus Corner for vehicles that are wider than 6.5 feet, which will not only be difficult to enforce and challenging to convey to drivers, but it will also fail to eliminate the problem of smaller trucks blocking a lane of traffic in a congested area with on-street parking. As long as this is allowed, drivers will be forced to illegally cross a double yellow center line to pass a vehicle parked to deliver merchandise.

Ms. Snider said Norman has four Parking Service Officers (PSO) working Monday through Friday. Two work from 8:00 a.m. to 4:00 p.m. and two work from 9:00 a.m. to 5:00 p.m. in different areas of the City including Campus Corner. A fifth PSO was recently hired to work Tuesday through Friday from 5:00 p.m. to 9:00 p.m. and Saturdays from 1:00 p.m. to 9:00 p.m. specifically on Campus Corner. Unless a PSO personally observes a violation, the violation is reported to the Norman Police Department (NPD) who immediately dispatches a PSO; however, the delivery truck may be gone upon the PSO's arrival. Parking citations are issued to the vehicle/tag and many truck drivers do not own the vehicle they are driving, which can impose collection issues. Every quarter, Municipal Court requests an update from the Oklahoma Tax Commission (OTC) on registration information and, at that time, the collection agency for the City pays a fee for the information to send a notice of a past due parking citations to the registered owner of the vehicle. Citations may be paid by the delivery company as a cost of doing business and the City has no input toward the offending driver who may have caused the citation. Some delivery vehicles may have an out-of-state tag and the City is not able to acquire out-of-state information.

Some options, other than amending the current ordinance, include customized signs that would prohibit *all* truck deliveries in areas where the signs are posted or signs that would prohibit trucks wider than 6.5 feet in width from 10:00 a.m. to 3:00 a.m. from parking in areas where signs are posted. Staff has been unable to find a uniform sign message that can be used to enforce this regulation. The introduction of non-uniform signs is always problematic because drivers are unfamiliar with the symbol or language used on the sign.

Ms. Snider said rather than restricting truck size or creating customized signs, consideration may need to be given to a new commercial loading zone being established along the west side of Asp Avenue as a way to balance the interests of merchants and delivery trucks without creating or continuing the traffic hazards of blocking Asp Avenue. Potential locations large enough to accommodate medium size trucks include the area immediately north of White Street and the area in front of 752 and 754 Asp Avenue. These restrictions can be established by a prohibitive sign and this approach would allow these commercial loading areas to be available for public parking except during specified time periods other than the time period specified on the east side of Asp Avenue. For example, the spaces reserved for commercial loading on the east side of Asp Avenue area are available from 3:00 a.m. to 10:00 a.m. and the spaces reserved for commercial loading on the west side of Asp Avenue could be available during non-restaurant or heavy business period such as 1:30 p.m. to 4:30 p.m. This would give commercial delivery trucks an option on one side of the street or the other depending on delivery time that would not require blocking the roadway. While there may still be enforcement issues, this approach may strike a balance between merchants' needs for parking spaces during busy commerce periods and the need for other low commerce periods. If this approach were pursued, a minor amendment to Section 20-807(6)(B) of the Norman code would be needed that currently allows stopping in the roadway to load or unload freight for a time period not to exceed ten minutes.

Item 2, continued:

Councilmember Castleberry asked if the Campus Corner merchants are alright with using metered parking spaces from 1:30 p.m. to 4:30 p.m. for loading zones and Ms. Snider said Staff was unable to make contact with the president of the Campus Corner Merchants Association, but it is her understanding that may not go over well with merchants. Ms. Snider said this is just an idea for delivery trucks that may deliver after 10:00 a.m. who cannot park in the commercial loading zones because they are now public parking spaces, which leaves the delivery truck blocking the roadway.

Councilmember Allison asked if the City could just prohibit semi-trucks because in the previous meeting merchants were not concerned with FedEx or UPS vans/trucks because they were in and out quickly and did not cause disruption. If the City prohibited semi-trucks, that would stop the main issue of blocking the roadway. He did not think adding loading zones would help because commercial companies do not care about receiving a citation they just want to get the product delivered. Ms. Snider said merchants felt better communication with the route managers would help alleviate some of the issues and suggested the City send letters to vendors to explain the rules for delivery times and locations.

Councilmember Hickman felt the prohibition should expand beyond semi-trucks because there are “box” trucks that are bigger than a UPS or FedEx vans/trucks. Staff has stated there are enforcement challenges across the board so he would like to move forward with the prohibition of delivery trucks 6.5 feet or wider between 10:00 a.m. to 3:00 a.m. He would like the City to improve communication by sending letters to the bigger delivery companies, such as Sysco Food Company. He said if this solution causes problems, Council can tweak it later and fines can be increased, if necessary. He said UPS and FedEx deliveries are generally quick with their drop-offs and pick-ups and would likely never be cited.

Councilmember Allison said there is a possibility that UPS and FedEx may decide they have to follow the rules as well and stop deliveries and pick-ups, which would penalize merchants. Mr. Rainey Powell, Campus Corner property owner, said the Campus Corner Merchants Association circulated a petition where 85% of the merchants were in favor of the prohibition of delivery trucks after 10:00 a.m. He said FedEx and UPS vans/trucks are not 6.5 feet wide so and they are not a problem. He said 90% of the merchants have a requirement in their lease that all deliveries must be made by 10:00 a.m.; however, a truck may be delivering that evening’s meal and if the merchant does not accept the delivery, they are out of business for the night. He said until the route manager’s cost efficiency is impacted, nothing will change on the timing of deliveries.

Councilmember Hickman likes the proposed ordinance change that removes Section 20-807(6)(b) and adds Section 20-807(11) that states, “That is wider than 6.5 feet on the public streets in the Campus Corner areas between 10:00 a.m. and 11:59 p.m. Monday through Saturday. The Campus Corner area shall be defined as the 500 blocks of S. University Blvd. and Buchanan Street, the 200 and 300 blocks of Boyd St., the 700 blocks of Asp Avenue, the 300 blocks of White Street and the alleyway between Asp Avenue and DeBarr Street from Boyd Street to Duffy Street.” He said posting signs will give the public notice and letters from the City or Campus Corner merchants can be mailed to vendors regarding the changes. Mr. Lewis asked if the timeframe should be 10:00 a.m. to 3:00 a.m. not 10:00 a.m. to 11:59 p.m. and Ms. Snider said Staff will work out the timeframe with Campus Corner Merchants Association prior to making the amendment changes.

Councilmember Hickman suggested the City create a section for parking fines that state the first violation is \$100, the second violation is \$150, third violation is \$200, etc.

Mayor Miller said, for clarification purposes, the City is removing Section 20-807(6)(b) and adding Section 20-807(11) to the Code of Ordinances and will install new signage. She asked if an ordinance amendment is needed to raise parking fines and Mr. Jeff Bryant, City Attorney, said Staff will need to double check that. Mr. Bryant asked if the ordinance amendment would be specific to Campus Corner or citywide and Councilmembers said just the Campus Corner area.

Item 2, continued:

Items submitted for the record

1. Memorandum dated November 3, 2016, from Public Works Department, Police Department, Legal Department, to City Council Oversight Committee, with Attachment 1, Campus Corner Parking Management Business Plan dated September 11, 2015; Attachment 2, Section 20-807. – parking, stopping and standing prohibited in other areas; Attachment 3, legislatively noted copy of Section 20-807. – Parking, stopping and standing prohibited in other area; Attachment 4, example of sign prohibiting trucks from 10:00 a.m. to 3:00 a.m.; Attachment 5, example of sign prohibiting trucks that are 6.5 feet or wider from 10:00 a.m. to midnight; Attachment 6, picture of delivery van; Attachment 7, picture of FedEx truck; Attachment 8, picture of semi-truck; Attachment 9, map of Potential New Commercial Loading Zones in Campus Corner (Asp Avenue); and Attachment 10, pertinent excerpts from Community Planning and Transportation Committee minutes of September 29, 2016

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The meeting adjourned at 6:15 p.m.

ATTEST:

City Clerk

Mayor