

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

July 30, 2020

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 4:03 p.m. in a virtual meeting hosted in the Conference Room on the 30th day of July, 2020, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT: Councilmember Petrone and Chairman Holman

ABSENT: Councilmembers Bierman, Hall, and Wilson

OTHERS PRESENT: Mayor Brea Clark
Councilmember Elizabeth Foreman, Ward Six
Councilmember Matthew Peacock, Ward Eight
Mr. Taylor Johnson, Public Transit Coordinator
Ms. Sara Kaplan, Retail Coordinator
Mr. Angelo Lombardo, Transportation Traffic Engineer
Mr. Shawn O’Leary, Director of Public Works
Mr. Darrel Pyle, City Manager
Mr. Michael Scroggins, Information Technology (IT) and Marketing Manager for Embark
Ms. Kathryn Walker, City Attorney
Mr. Tim Vermillion, Parks Forrester
Ms. Syndi Runyon, Administrative Technician IV

Item 1, being:

PUBLIC TRANSIT RIDERSHIP REPORT FOR THE MONTH OF JUNE 2020.

Chairman Holman said the Community Planning and Transportation Committee (CPTC) meets every fourth Thursday at 4:00 p.m. to review the monthly report for public transit ridership and discusses issues relevant to the public transit system as well as other transportation and planning issues.

Mr. Taylor Johnson, Public Transit Coordinator, said the fixed route service transported 13,163 passengers in July, which is a 27% decrease compared to June 2019. The daily average ridership was 598, a decrease of 34%. He said FYE 20 to date ridership (July – June) is 263,455, a decrease of 12% over the same period last year.

The paratransit service transported 1,094 passengers in June, a decrease of 54% compared to June 2019. Average daily ridership was 50, a decrease of 58%. FYE 20 paratransit ridership is 19,000,

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a decrease of 41%. For the month of June, the paratransit service had 0% trip requests denied due to capacity.

Mr. Johnson said the decrease in ridership numbers is due to the City comparing numbers to Cleveland Area Rapid Transit (CART), which was operated by the University of Oklahoma (OU) for 30 years. He said Staff is being cautious with the comparison knowing the service being provided by OU is now being provided by Embark, as of August 5, 2019, so the City is essentially comparing two separate entities.

Mr. Johnson highlighted transit activities and said Council approved a contract with Nelson/Nygaard Consulting Associates, Inc., (Nelson/Nygaard) that includes traditional planning of short, medium, and long term service and capital recommendations. Additional tasks to be performed are a fare analysis and transfer station siting. The kickoff meeting with Nelson/Nygaard and City Staff was July 24, 2020. He said Staff is continuing to work on design plans for the Operations and Maintenance Facility to be located on North Base. He said Staff submitted two competitive grant applications to the Federal Transit Authority for one battery electric bus, vehicle wash facility, and Compressed Natural Gas (CNG) replacement vehicles. He said the City's application for an electric bus was not selected and awards have not been announced for the second grant application for the wash facility and CNG vehicles.

Mr. Johnson updated the Committee on the bus stop at Crest Foods and said that is a private road, but the bus stops there even though there is not a bus stop sign. He said the developer has agreed to allow the City to place a bus stop sign at the site, which will be installed within the next couple of weeks.

Mr. Johnson said August 10, 2020, will mark the first day of the commuter route being operated solely by EMBARK OKC and EMBARK will be expanding that route from six runs per day to nine runs per day. He said on August 15, 2020, the City will reinstate Saturday service for City transit operations from 10:00 a.m. to 7:00 p.m. The bus system will also be operating on game days out of a temporary bus hub with that location being selected soon.

Chairman Holman asked the current status on OU allowing the City to continue using their transit facilities and Mr. Johnson said the current lease extension with OU expires December 31, 2020, and the City is doing everything in its power to meet that deadline. He said the City is still using OU's Transfer Facility and he has not heard of any issues that would not allow the City to continue to do that. Mr. Shawn O'Leary, Director of Public Works, said Staff has identified a downtown location for the Transfer Station and Council has directed Staff to pursue the acquisition of the land. He said Staff will have an update for Council if the land is acquired.

Councilmember Petrone asked the plan for adding new buses to the fleet and what that will look like in the Capital Budget in out-years. Mr. O'Leary said Staff will apply again next year for an electric bus. He said Staff was able to secure a grant from the Association of Central Oklahoma Governments (ACOG) for one bus replacement and the budget provides for one bus replacement. He said the transit sales tax approved by voters will help with the replacement of other buses and

Item 1, continued:

Staff will continue to pursue every grant opportunity. He said the existing buses inherited from OU are at the end of their life and break down a lot so new buses will replace the most unreliable buses as they come online. He said it can take 12 to 18 months for a bus to be delivered once ordered.

Mr. Johnson said there was an announcement a few weeks ago regarding the Volkswagen Settlement Grant for the State of Oklahoma related to transportation and Staff will be applying for some of that grant funding. He said there are also some capital funds OU has not used and Staff is looking at programming those funds for bus replacement as well.

Items submitted for the record

1. Public Transportation Monthly Report for June 2020
2. Norman Transit Ridership Totals for June 2020

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Item 2, being:

DISCUSSION REGARDING FEMALE COTTONWOOD TREES ON PUBLIC PROPERTY.

Chairman Holman said he was contacted by homeowners in the Eagle Cliff Addition regarding issues they are having with cottonwood trees, one of which is on private property and one on City property. He said Mr. Tim Vermillion, City Forester, told him there may need to be a policy change to address the issue so that is why it is on the agenda.

Mr. Vermillion said he was contacted by several people in Eagle Cliff and Hall Park Additions regarding female cottonwoods (females are the only ones that cast seeds) casting cotton seeds and a lot of people were unable to handle removal themselves. He said there is one lady who is pregnant with small children and her husband is on the road a lot and her gutters, yard, heat/air unit, etc., are full of cottonwood seeds. He visited her to examine the tree and it is healthy and on private property, so her told her the City could not remove the tree. He said the City can probably remove cottonwood trees on public property especially if they are causing problems with people who have health issues, e.g., allergies, asthma, and other respiratory illnesses, but he does not feel comfortable cutting down a cottonwood on private property just because the neighborhood does not like the seeds they cast. He suggested the property owners contact their Council person. He said it is hard to discern whether a cottonwood is male or female until it starts casting seeds so if the City did have a program, Staff would need to identify which trees are casting their seeds and mark them for future removal on public property if that is Council's directive.

Item 2, continued:

Item 2, continued:

Chairman Holman said Norman is a big supporter of trees and City Council has been trying to beef up ordinances to keep trees and plant more trees so having a discussion about reducing a certain type of tree is something he is treading lightly on; however, when this problem was brought to his attention he felt it was worth a discussion.

Councilmember Petrone said Cambridge Addition has a lot of cottonwoods planted in the late 1990s because they are fast growing, large trees that provide a nice canopy, but they drop something year round, i.e., seeds, cotton, limbs, etc. She would like to know what other types of trees grow quickly so the City can steer developers toward planting those types of trees.

Chairman Holman said he would encourage replacing female cottonwoods with male cottonwoods on public property. Mr. Vermillion said he would not replace one cottonwood for another because even the males drop a lot of limbs and are not great trees for a park.

Chairman Holman asked Mr. Vermillion how this should be addressed appropriately and Mr. Vermillion said he wants to make sure that as a City we are not contributing to people's issues by leaving female cottonwoods on public property. He said if the tree is in a large park with no neighborhoods close by then he would leave them alone, but there are some massive female cottonwoods in Eagle Cliff Addition that are very close to homeowners' back yards. He said when seeds are cast, it looks like it has snowed. He said the bigger problem for the homeowner in Eagle Cliff is her neighbor's tree and that is an issue between neighbors. He thinks the best replacement tree would be an American Elm that is Dutch Elm Disease resistant and the best American Elm is the Prairie Expedition Elm discovered during the Lewis and Clark Expedition.

Councilmember Petrone said other cities have a buy-out program for Bradford Pears because they cause a lot of problems during storms, losing large limbs, splitting, etc., and suggested in the process of preparing a policy for cottonwoods, the City could offer a buyout program for Bradford Pear trees or other nuisance trees. She said the City could partner with power companies on a tree buyout and replacement program. Chairman Holman agreed and said he would like to see that in the policy as well.

Mr. Vermillion asked if that program should include private property and Councilmember Petrone said tree replacements can be done on City property, but private property owners should decide for themselves if they want to participate in a buy-out program. She said getting rid of Bradford Pears would cut down on the City's storm clean up costs.

Councilmember Peacock said Oklahoma City has a pre-approved required landscaping list and if a plant, tree, or bush is not on that list it cannot be planted so that could be something Norman could do if they have not already.

Mr. Vermillion said he was not sure how he would be able to remove a healthy tree on public property because even though there is no ordinance or policy language to prevent that, people in Norman love trees and some get very upset when they see trees being removed. What would his response be to these people? Chairman Holman said the main issue would be if the tree is causing

Item 2, continued:

harm to people's health who live around it, but he would not support removing a tree just because someone does not like it. He said the City has some responsibility in preventing something that could be harmful to people or property.

Chairman Holman asked if a prepared policy should come back to the Committee or move onto full Council for discussion.

Councilmember Petrone said she would like to know what other cities are doing in regards to a tree program and asked the information be brought back to the Committee with a proposed policy for review.

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Item 3, being:

DISCUSSION RELATED TO TEMPORARY USE OF PARKING LOTS AND/OR SPACES FOR OUTDOOR DINING USES.

Chairman Holman said many cities have been using parking lots and/or spaces for outdoor dining even before COVID 19 (COVID) to encourage more outdoor dining, but it has become even more popular since COVID. He said in some States, indoor dining is not allowed at all so restaurants are converting parking spaces and parking lots into temporary outdoor dining areas.

Ms. Kathryn Walker, City Attorney, said across the country, cities are getting creative to help small businesses impacted by COVID restrictions. She said the City of Norman began expediting Sidewalk Dining Permits in June to encourage restaurants to utilize outdoor spaces for dining. A number of cities have been utilizing parking lots/spaces to extend the dining areas for restaurants that allows for spacing and additional capacity.

Issues to consider include safety – sidewalk must remain accessible and dining areas must be protected from traffic; loss of public parking; license – Alcohol Beverage Law Enforcement (ABLE) license laws state diners must be in front of the licensed premise; coordination with adjacent properties; and implementation process.

Mr. Walker said restaurants can utilize a parking variance often used on Campus Conner on home games days and the City could provide notice to all the property owners regarding dates, time, etc., of the closure, which may not be popular with adjacent businesses that would lose parking spaces and not benefit from losing those parking spaces.

Chairman Holman said he recently visited Boulder, Colorado, and they had several dining areas in on-street parking spaces (parklets) that were lighted and barricaded. He suggested Staff research Boulder, Colorado's, policies and Ms. Walker said she has a copy of their policy and will be reviewing that.

Item 3, continued:

Chairman Holman said the Center City Form Based Code identifies parklets and in the concept drawings of a two-way Gray Street depicts angled parking spaces being used as restaurant outdoor seating. He said many cities are increasingly encouraging outdoor dining when possible.

Councilmember Peacock said retail has just as much of an opportunity as restaurants to utilize parking spaces for sales. He said if the City dedicates this proposal to restaurants and retail, there will still be enough parking spaces for the public.

Councilmember Petrone said parking spaces are not owned by the businesses, they are City spaces subject to City policies.

Ms. Walker suggested Staff speak with the Downtowners Association regarding this issue to see what interest there may be in this proposal.

Mr. O'Leary said the City needs to be mindful of the different businesses and talk with abutting businesses before moving forward with parking space closures to ensure they do not have a problem with the closures. He said Staff is very sensitive to loss of parking and really tries to reach out to all those affected even though the City has the right to close the spaces.

Mr. O'Leary said when there is a special event that includes a street closure or parking variance, the event planners pay for the traffic control, signage, barricades, etc., and it can get pretty expensive and if Council wants the City to provide barriers, particularly concrete barriers, at the parklets, the City would need to rent them from a company. He said the costs could be very high if numerous businesses made use of the parking spaces for outdoor dining so that is something Council needs to consider.

Chairman Holman said the intent of this specific policy is not to close streets and not provide barriers, but to allow businesses to utilize parking spaces that would be directly in front of their storefront for increased outdoor use as opposed to parking. He said business owners should provide their chosen type of barrier, with City approval, at their own expense. He said Boulder, Colorado, did not use concrete barriers or traffic control setups, but they did have a circulating one-way street that went around their downtown, which helped with traffic control.

Chairman Holman said this proposal does not have to be designated to downtown or Campus Corner, but be citywide for any business that has limited indoor capacity and wants to utilize parking spaces for outdoor dining. He just wants to find a way the City can allow this to happen to help struggling businesses.

Councilmember Peacock said in order to be pedestrian friendly he would like to see barriers other than concrete be used. He said there are a lot of low cost alternatives for barriers, i.e. sandbags, barrels, etc.

Item 3, continued:

Chairman Holman said once the policy is prepared, should it come back to the Committee or move forward to full Council and Councilmembers Petrone and Peacock said it should go to full Council to allow the policy to be enacted as quickly as possible.

Ms. Sara Kaplan, Development Coordinator, said she would begin conversations with business organizations as soon as possible.

Chairman Holman said many cities have outdoor dining in their parking lots and this could be a path to allow businesses with limited capacity due to COVID to use these parking areas and asked Staff to research Boulder, Colorado, and other communities that allow outdoor dining in parking spaces/lots prior to presentation to the full Council.

Mr. O'Leary said businesses wanting to utilize their parking lots would not need any permit from the City, they would just need to discuss that with abutting businesses.

Ms. Walker said Staff can research other cities and forward the information to the Committee and if the Committee has questions or suggestions, she can address those as well before presenting to full Council. Chairman Holman said after receiving the information, the Committee can decide whether to send to the information to full Council or bring it back to the Committee for further discussion and Councilmembers concurred.

Items submitted for the record

1. PowerPoint presentation entitled, "Utilizing Parking Spaces for Outdoor Dining during COVID," dated July 30, 2020

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Item 4, being:

MISCELLANEOUS COMMENTS.

None

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The meeting adjourned at 5:10 p.m.

ATTEST:

City Clerk

Mayor