

**MINUTES
BLOOMINGTON TRANSPORTATION COMMISSION
REGULAR MEETING
TUESDAY, OCTOBER 17, 2017 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Ms. Angela Ballantini, Ms. Jill Blair, Ms. Maureen (Reenie) Bradley, Ms. Katherine Browne, Mr. Michael Gorman, Ms. Elizabeth Kooba, Ms. Kelly Rumley

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. David Hales, City Manager; Mr. Steve Rasmussen, Assistant City Manager; Assistant Chief Ken Bays, Police Department; Ms. Cherry Lawson, City Clerk; Mr. George Boyle, City Attorney; Mr. Jim Karch, Director of Public Works; Mr. Kevin Kothe, City Engineer; Mr. Philip Allyn, City Traffic Engineer; Mr. Bill Givens, Traffic Technician

1. CALL TO ORDER: Mr. Allyn called the meeting to order at 4:01 pm.

2. SWEARING IN: Ms. Lawson swore in/affirmed the members of the Transportation Commission.

3. ROLL CALL: Mr. Allyn called the roll. With seven members in attendance, a quorum was established.

4. PUBLIC COMMENT:

Mr. Hales addressed the Commission. He thanked the Commission Members for their willingness to serve. In this day and age, everyone is busy in their personal lives, friends, family and work. It's difficult for citizens to serve in an official capacity as the members are on the new Transportation Commission. The City has excellent staff of people that look forward to working with the Commission Members, supporting them, and making it your position as easy as possible. It won't always be easy, decisions won't always be black and white and can be challenging at times. There will be many people with varying opinions on what is right and wrong, what is best, what is not good, etc. It will take sacrifice of time and effort away from other pursuits, but their service will always be appreciated by the City as we know what goes into making good, professional decisions. Staff's Creed is to do the best professional work possible to analyze issues and problems, look at all appropriate options, layout pros and cons and consequences so that the Commission can make a good reasonable decision based on excellent data and research. Thank you for serving and best of luck.

Each Commissioner and Mr. Boyle gave a brief introduction and personal background.

5. MINUTES: N/A (No Previous Meeting)

6. REGULAR AGENDA

A. Election of Chairman and Vice Chairman

Mr. Allyn requested nominations for Commission Chairman: Mr. Gorman nominated Mr. Michael Gorman for Commission Chairman, Ms. Bradley seconded the motion. The motion was approved by the Transportation Commission by a unanimous vote via voice vote.

Mr. Allyn turned over the meeting to Mr. Gorman.

Mr. Gorman requested nominations for Commission Vice-Chairman: Ms. Blair nominated Ms. Elizabeth Kooba for Commission Vice-Chairman, Ms. Kooba declined the nomination. Ms. Bradley nominated Ms. Jill Blair for Commission Vice-Chairman, Ms. Kooba seconded the motion. The nomination was approved by the Transportation Commission by a unanimous vote via voice vote.

B. Approve 2017 and 2018 Meeting Dates.

Mr. Allyn presented the proposed Commission Meeting schedule for the remainder of 2017 and all of 2018. Meetings are generally the third Tuesday of the month, with the exception of November 28, 2017.

Ms. Blair motioned to approve the meeting dates. Ms. Rumley seconded the motion. The motion was approved by the Transportation Commission by a unanimous vote via voice vote.

C. TC-2017-01 - Consideration of proposed City Code changes to Chapter 29 of the Bloomington City Code, "Motor Vehicles and Traffic":

- 1. Section 116, 117, 118 (Inclusion of TNC's to references to Taxicabs)**
- 2. Section 148 (Public Carrier Stop locations)**
- 3. Section 153(a) (On-street Accessible Parking Stall Locations)**
- 4. Section 201(d) (Streets with Truck Traffic Prohibited)**

Mr. Allyn discussed the procedure behind this bulk code change. Staff implements changes to various traffic regulations on an emergency or experimental basis and monitors their effectiveness. Implemented minor routine type things can be legally enforced for 180 days and then need to be put into the city code if they are desired to remain. The next step is to have the Commission recommend the proposed changes to the Council, who would then vote to modify the City Code.

Mr. Allyn reviewed the proposed changes. The first group of modifications to Sections 116, 117, 118, and 148 are related to incorporating references to Transportation Network Companies (TNC's) that are similar to taxis. Additional changes to Section 148 pertain to the far north side of Main near Mulberry and Market. This area has been designated for taxi and TNC pickup and drop off during late weekend nights to help with traffic flow and pedestrian safety.

Mr. Allyn indicated the next group of changes are accessible handicap stalls. When requests for handicap stalls are received from residents, Staff will verify proper paperwork and identify a safe place to put the parking spot in front of the requester's home. Periodic reviews are done to verify that the spot is still needed and if it needs to be modified. The proposed Code changes include additions, deletions, or relocations that have been made.

Mr. Allyn reviewed the last group of Code modifications regarding Stewart Street between Evans and Main. A request to restrict truck traffic on that stretch was made due to a noticeable number of trucks using Stewart to access a business rather than the truck route on Lincoln as directed by the business. Stewart Street is 24 feet wide with parking on one side and is not conducive to truck traffic. Staff reviewed the site, contacted the local residents and businesses that were affected, and concurred with the truck restriction. It was presented to the Staff Traffic Advisory Committee in effect at that time, who agreed to the restriction. It's been reviewed after implementation and is working effectively.

Ms. Rumley motioned to recommend that City Council Approve the proposed ordinance modifying Sections 116, 117, 118, 148, 153(a), and 201(d) of Chapter 29 (Motor Vehicles and Traffic) of the Bloomington City Code. Ms. Blair seconded the motion.

Ms. Bradley stated she noticed in the pages of Code provided that the alley between Taylor and Olive is to be closed. Ms. Bradley indicated that one block of that alley is open to traffic. Mr. Allyn indicated that is the current Code passed in 1977, but it may not necessarily still be signed correctly in the field. These discrepancies are one of the types of things we are attempting to clean up. Mr. Boyle stated that because this change to the Code was not on the agenda, we cannot recommend modifying it at this time but that it could be placed on the agenda for a future meeting.

Mr. Gorman asked if any changes related to TNC's needed to be made to Chapter 40? Mr. Allyn responded most of the language in Chapter 40 was updated in 2015, but changes did not get made to the location restriction sections in Chapter 29. Mr. Boyle added that the 1st ordinance was put into effect during 2015 and things have gone smoothly so far, but TNC use is increasing and future modifications may still be needed.

Mr. Boyle stated that in addition to the 180-day trial period process, Section 7 of Chapter 29 also gives the Traffic Engineer the authority to work with other City Officials, including the Police, to cooperate in ways to carry out duties specified in the ordinance.

Mr. Gorman asked a question for future consideration: very few of the Connect Transit bus stop locations are listed as places where cars can be towed if parked. There are lots of stops around the City that would be beneficial to add to the Code. Mr. Gorman requested Staff review for a recommendation at a future meeting.

Mr. Gorman asked about the three sections relating to stop locations, handicap stalls, and truck bans. Mr. Gorman requested if they could be incorporated into GIS. He sees a benefit for police use in their vehicles. Mr. Bill Givens discusses that handicap spaces are being put in for major streets as resurfacing work is being completed. Minor streets will be included as time allows. The most reliable reference is City Code. Mr. Gorman also inquires about signs being included in GIS. Mr. Givens indicated that all City signs are currently inventoried using GIS for internal use, but that this information is not currently public. Mr. Gorman stated that the City Code may not be the most accessible way for the public to get information.

The motion was approved by the Transportation Commission by a vote of 7-0 with the following votes cast: Ms. Ballantini – yes, Ms. Blair – yes, Ms. Bradley – yes, Ms. Browne – yes, Mr. Gorman – yes, Ms. Kooba – yes, Ms. Rumley – yes.

D. Open Meetings Act and Freedom of Information Act Presentation.

Mr. Boyle discussed the acts listed. Both Acts apply to the Commissioners as public officials. The Legal department is available to answer any questions or discuss conflicts; feel free to contact them. There are a number of gray areas and opinions on any topic and Legal is always willing to answer questions Commissioners may have. Mr. Boyle reminded everyone that within 90 days from the swearing in everyone must sign up and take a training on the Open Meetings Act at the Illinois Attorney General's website. Some items in these Acts can come as a surprise to new members. FAQs for both Acts are in the Commissioners binders. These Acts generally are called the sunshine laws as the public should be aware of what is going on and what decisions are being made. The Commission is a public body so if there is a meeting that involves 3 or more members discussing public business, then it falls under the act. Subcommittee meetings also are subject to these Acts. There are specific requirements that must be followed pertaining to meeting notification, keeping of minutes, etc. Due to agenda requirements, items not on the agenda can be discussed, but no decisions can be made. Acts apply to email or other contemporaneous electronic communications when there are replies and ongoing discussions. It's safest to not partake in email or other electronic communications of public business when 3 or more commissioners are involved.

Ms. Blair asked about public business matters on Facebook and other social media sites. Mr. Boyle responded that it is a gray area. Facebook postings may fall on either side of the line. There is not a definitive answer. Best practice is to look at the article posted on the social media and make a note to bring up at the next meeting rather than commenting directly on the site. Mr. Gorman also commented that it's permissible to talk one-on-one with regard to the Open Meetings Act. Mr. Boyle confirmed.

Mr. Boyle indicated the Freedom of Information Act says that all public records used by the government are subject to the Act regardless of formation, format or the body who produced them. There are some exceptions, but generally the assumption of secrecy doesn't exist. Best practice is to not write something you would not want to see in the newspaper or the public to have access to. It applies to hard documents as well as emails, texts, or other electronic communications. It applies to content generated on public or private devices. If the document is in possession of the government, it is generally subject to the Act.

Mr. Gorman asked if training is available on FOIA. Mr. Boyle said no training is available as of his knowledge. The City does have a FOIA officer that has received a lot of training who can help with questions.

7. OLD BUSINESS: N/A (No Previous Meeting)

8. NEW BUSINESS

Mr. Allyn added that each Commissioner received a binder with various information intended to be a quick reference. For example, it includes the meeting schedule, contact information for the

Commissioners, FAQs for the OMA and FOIA mentioned previously, city map, a list of helpful websites, and other information. Of particular note is a document that gives the Staff interpretation on where the responsibilities of Staff versus the Commission fall. Per the ordinance establishing the Commission, the Commission looks at things at the Policy level rather than the detail level. This document contains examples of the types of matters that will be handled at the Staff or Commission level.

9. ADJOURNMENT: The meeting adjourned at 4:59 pm unanimously by voice vote; motioned by Ms. Rumley and seconded by Ms. Kooba.

Respectfully,

Philip Allyn
City Traffic Engineer