



**Missoula Bicycle and Pedestrian Advisory Board
Agenda**

Date: August 6, 2019, 3:00 PM
Location: City Council Chambers
140 W. Pine Street, Missoula , MT
Members: Gene Schmitz (chair), Cory Simenson (vice-chair), Fred Allendorf, Britt Arnesen, Jenny Baker, Jessica Dougherty Goodburn, James Walter, Chris Siller

If anyone attending this meeting needs special assistance, please provide 48 hours advance notice by calling Development Services at 406-552-6630.

Pages

1. Call to Order
2. Roll Call & Introductions
3. Approval of Previous Minutes 1
4. Approval of Current Agenda
5. Public Comment
6. Comments from City Staff, Agencies, Boards, etc.
 - 6.1 Bicycle & Pedestrian Program: Ben Weiss
 - 6.2 Building a better board: Marty Rehbein 4
7. New Business
 - 7.1 Electrically Assisted Bicycles
 - 7.1.1 E-bicycle private use ordinance discussion 31
 - 7.2 Support for Public Works budget request 35
8. Old Business
 - 8.1 "Hot spot" tour planning
 - 8.2 On-street angled parking discussion
9. General Comments and Announcements

10. Upcoming Meetings

11. Adjournment



Bicycle & Pedestrian Advisory Board Minutes
Council Chamber, 140 W. Pine
July 2, 2019
3:00 PM

Voting members present: Fred Allendorf, Gene Schmitz, James Walter, Cory Simenson, Jenny Baker

Voting members absent: Britt Arnesen, Jessica Dougherty Goodburn

Non-voting members present:

Non-voting members absent:

Others present: Aaron Wilson, Jordan Hess, Michael Harpool, Ross Best, Staci Shepard

1. Call to Order

2. Roll Call & Introductions

3. Approval of Minutes

The minutes were approved as presented.

4. Approval of Current Agenda

Agenda was approved as presented.

5. Public Comment

Ross Best, concerned citizen, spoke to the board about his concern for pedestrian safety in Missoula and urged the board to look at the ordinances for e-bikes and e-scooters individually as opposed to passing the three ordinances at once.

6. Comments from City Staff, Agencies, and Boards, etc.

There were no comments from city staff or agencies.

7. New Business

7.1 E-bike and E-Scooter Ordinances (Aaron Wilson)

Aaron Wilson, Transportation Planning Manager, along with Jordan Hess, City Council member, presented an overview of the three proposed ordinances that address e-bike, e-scooters, and bike and scooter share programs. Currently, electrically assisted bicycles are not well defined in Missoula city ordinances. These new proposed ordinances aim to classify and regulate their use in the city. The board was informed of perceived advantages and drawbacks, as well as regulation specifics, legal liabilities, and permit requirements.

The board discussed the classifications of electric skateboards, the requirements of equity plans, the comments received at previous public hearing, and the private liability of bike and scooter share users.

Ross Best made a public comment expressing his concern for the pedestrian right of way in Missoula and shared his disapproval of electrically assisted bicycles on commuter trails.

The board discussed taking time to formulate their opinion and looking further into past public comments before presenting it to city council.

7.2 Striping/signing budget request recommendation

This item was held until next month's meeting.

8. Old Business

8.1 Discussion of local vs. state laws, RE: speeds, roadway designs, etc.

The board discussed ways to more effectively advocate for bicycle and pedestrian safety including asking for a recommendation from the city to petition the state to allow the board to have more local control over decisions pertaining to greenways, speed limits, and bike lane placement.

Ross Best made a public comment in favor of the board's potential petition to the state. He also encouraged the board to consider signs on the outside of city limits that would inform visitors and citizens to keep bicycles off sidewalks.

8.2 Public engagement encouragement

The board opened a conversation on ways to encourage the BPAB meeting attendance and participation including attending neighborhood council meetings, adding blurbs in the Missoula In Motion weekly newsletter, and contacting local bicycle shops for feedback on perceived problem areas in town.

Ross Best made a public comment to commend the board on their efforts for public engagement and gave general feedback on what, he believes, would make their board meeting process more efficient.

8.3 Consideration/recommendation of reverse angle parking in future street plans that call for angled parking

This item was held until next month's meeting.

8.4 Potential "traffic flow" and safety upgrades to shared use paths

This item was held until next month's meeting.

8.5 Hot spot tour planning

This item was held until next month's meeting.

8.6 SW Higgins/39th St lane widths

This item was held until next month's meeting.

9. General Comments and Announcements of Board Members

There were no general comments or announcements.

10. Upcoming Meetings

The Bicycle and Pedestrian Advisory Board Committee of the Whole meeting will take place on July 16, 2019.

11. Adjournment

The meeting adjourned at 4:59 PM.

City of Missoula Board Member Training Program

BUILDING A BETTER BOARD

Presented by: Marty Rehbein, City Clerk

Thanks for your service!



Areas we'll cover:

- ◎ Governance
- ◎ Developing a productive board environment
- ◎ Conducting effective meetings

Governance

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has. **Margaret Mead**

Mission

- ◎ What is your board's mission?
- ◎ How do you use it?



Roles

◉ With the elected officials

- ◉ Different roles for different boards: advisory, regulatory, oversight, administer, develop policy

◉ With Staff

- Is there a clear and broadly understood distinction between where the board's role ends and staff role begins?



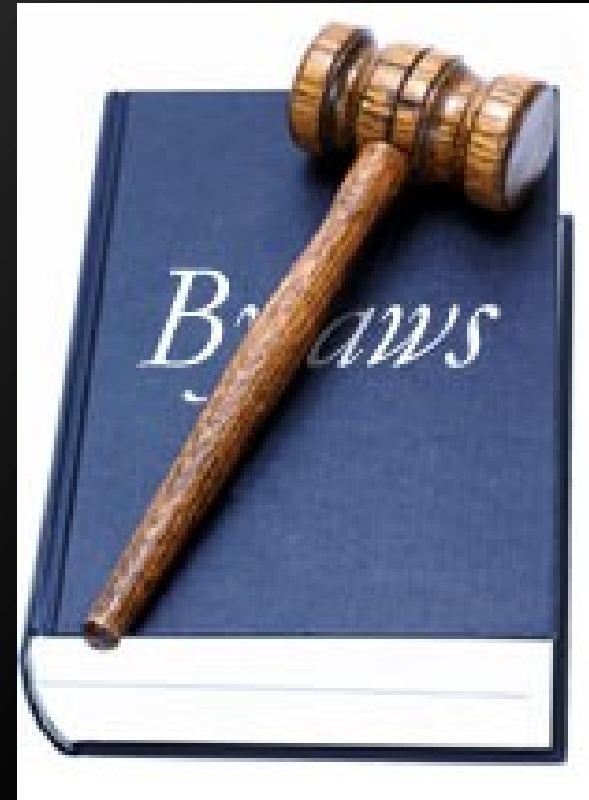
Board Responsibilities

- ◉ Ordinance/resolution
- ◉ Statute
- ◉ Bylaws
- ◉ Directives from the governing body/appointing official



Bylaws and rules

- ◉ Know your bylaws
- ◉ Availability
- ◉ When the going gets tough...
- ◉ Robert's Rules & Mason's Manual of Legislative Procedure
- ◉ Resources—City Attorney/City Clerk



Meeting Minutes

- ◎ Board minutes must include:
 - Date, time place of meeting
 - Attendance of board members
 - Substance of matters proposed, discussed or decided.
 - Record of votes taken



Meeting Minutes

◎ Summary minutes

- A collective focus on the matters proposed and discussed avoiding he/she said (speaker attribution)
- Bulleted point summaries of key points raised during discussion supplemented with meeting documents and video
- Objective, accurate, complete, professional, and consistent with a logical flow
- Include motions and votes

Meeting Minutes

◎ Approving minutes

- Unanimous consent or motion/vote
- Correcting the record vs. the minutes
 - Minutes reflect what was said
 - Advice: To correct the record do it under “Comments from Members”

Accountability

- ◎ Self-evaluation
- ◎ Reporting to governing body/Mayor
- ◎ Appointment



Developing a Productive Board Environment

The true civilization is where every man gives to every other every right that he claims for himself. **Robert Ingersoll**

Build Trust/Respect

- ◎ Arrive on time and be prepared
- ◎ Active listening
- ◎ Constructive debate
- ◎ Respectful dissent
- ◎ Joy, humor and satisfaction



Develop a productive environment

► Personal strategies for civility

- Separate people from the problem
- Obtain the facts
- Limit personal misunderstandings
- Use fair processes
- Be open for opportunities to understand, compromise, persuade, or be persuaded

You must be the change you wish to see in the world.

Mahatma Gandhi

Develop a productive environment

- ◎ Presiding officer's role:
 - Set expectations up front
 - Be fair and impartial
 - Polite reminders
 - Call on members to speak, keep a list
- ◎ Board member role:
 - Model civil behavior
 - Support the chair's efforts to maintain civility

We have an agenda item that has generated a great deal of interest. I'd like to start the meeting by saying that we want to hear from everyone, and the board members would like the meeting to proceed in a thoughtful, respectful, productive manner.



Develop a productive environment

► Promote civil dissension

- Model civil behavior when you discuss issues
- Speak to the issue directly
- Avoid interrupting a speaker
- Avoid emphatic language (always, never)
- Avoid escalating uncivil dissension (loud talk, non-verbal cues, sarcasm, zingers)
- Avoid monopolizing the debate
- Avoid personalizing the debate (you must be crazy to think....)
- Seek points of agreement and build compromise.

Develop a productive environment

- ▶ Establishing ad hoc groups, task forces, working groups, subcommittees, etc
 - Purpose
 - Scope
 - Membership/voting privileges
 - Timeframe
 - Decision-making structure
 - Public notice/minutes rules apply



Effective meetings

- Rights and responsibilities at stake in a public meeting
 - Open meeting—liberal construction
 - Right to know
 - Public notice
 - Right to participate
 - E-mails/Web 2.0, oh my!



Effective meetings



- ▶ Develop an agenda
- ▶ Provide public notice
- ▶ Ensure participation for members of the public
- ▶ Maintain a respectful atmosphere and keep the discussion on topic

Effective meetings

- ▶ Develop the agenda
 - Identify topics
 - Talk with staff, other board members, and interested parties
 - Meeting logistics/notice
 - Time management
 - Presentations
 - Issue complexity
 - Public interest



Effective meetings

- ◎ Chair participation
 - A little participation is okay
 - Passing the baton



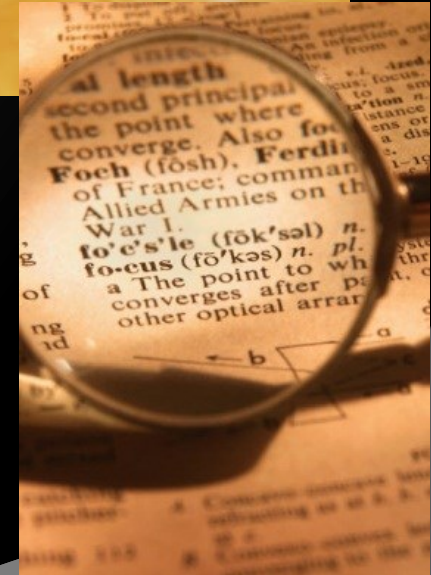
Effective meetings

- ◎ Public comment
 - Public comment on items not on the agenda (state law)
 - When to invite public comment during the meeting
 - Reasonable limits
 - Tips for negotiating speaking limits
 - Speaker queue
 - Put people at ease
 - Thank you



Effective meetings

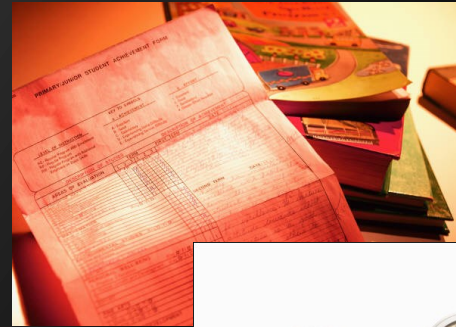
- ◎ Motions—a great tool to focus discussion of an issue
 - When to make a motion
 - Affirmative motions
- ◎ Call for a motion



Effective meetings

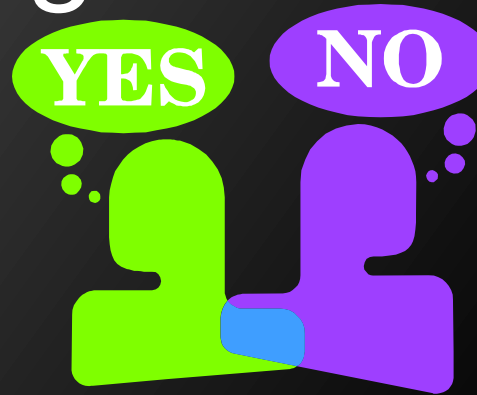
◎ Debate

- Staff and citizens may be called on during debate to answer a question or offer a clarification.
- Tips to encourage the pace of debate
- Tips to focus debate on the motion



Effective meetings

- ◎ Voting
 - Bringing debate to a close
 - Voice vote
 - Roll call vote
- ◎ Announce the results



The motion carries.



Questions?

Ordinance _____

An ordinance of the Missoula City Council amending Missoula Municipal Code Title 10, Chapter 10.42 entitled “Bicycles”, to permit and regulate the use of electrically assisted bicycles within the City.

Be it ordained that a new Section 10.42.160 is hereby added:

10.42.160 Electrically Assisted Bicycles. The City may regulate the use of public right-of-way by electrically assisted bicycles within the City pursuant to Montana Code Annotated § 61-12-101(1). The following regulations apply to the use of electrically assisted bicycles within the City:

- A. Class 1 and Class 2 electrically assisted bicycles may be operated anywhere the City allows bicycles to be ridden.
- B. So long as the use is reasonable and prudent under the conditions existing at the point of operation, taking into account the amount and character of traffic, visibility, weather, and roadway conditions, Class 1 and Class 2 electrically assisted bicycles may operate within vehicle travel lanes, designated bikes lanes, sidewalks, and along paved shared use paths unless otherwise prohibited.
- C. Class 1 and Class 2 electrically assisted bicycles may be operated on and along a sidewalk only under human propulsion and may not be operated on or along a sidewalk if the device is under power from an independent power source.
- D. It shall be unlawful to operate electrically assisted bicycles on sidewalks within the Central Business District, as defined in Chapter 10.46 of the Missoula Municipal Code if a traffic control device states that bicycles shall not be ridden on the sidewalk at that location.
- E. Operation of electrically assisted bicycles within City of Missoula parks, open spaces, conservation lands, and trails is governed by Chapter 12.40 of the Missoula Municipal Code.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

EFFECTIVE DATE

This ordinance will be effective 30 days after passage.

First reading and preliminary adoption on the ____ day of _____, 2019, by a vote of ____ ayes ; ____ nays; ____ abstaining; and ____ absent.

Second and final reading and adoption on the ____ day of _____, 2019 by a vote of ____ ayes; ____ nays; ____ abstentions; and ____ absent.

ATTEST:

APPROVED:

Martha L. Rehbein, CMC
City Clerk

John Engen
Mayor

Ordinance _____

An ordinance of the Missoula City Council amending Missoula Municipal Code Title 12, Chapter 12.40 entitled “City Parks” to allow certain electrically assisted bicycles to use primary commuter trails within the City.

Be it ordained that Section 12.40.020 Missoula Municipal Code is hereby amended to read:

12.40.020 Parks, Trails, Conservation Lands – operation and parking of motorized vehicles.

A. It is unlawful for any person or persons to operate or park any motorized vehicle as defined in Section 12.40.007 within any city owned public park, trail or conservation land under the supervision and management of the city unless otherwise specifically provided for in this section; with the following exceptions:

1. Motorized vehicles may only be operated or parked in designated parking lanes, parking areas, and parking lots within City parks and open space trailheads for the purpose of park and trail use, and shall comply with posted time limits, and
2. Class 1 and class 2 electrically assisted bicycles, as defined in Section 10.02.094 MMC, may be operated upon Primary Commuter Trails.

B. This section shall not be construed to prohibit vehicles operated by Authorized Persons from use of any park, trail, or conservation land; nor shall it be construed to limit the right of individuals with disabilities from using other mechanical or electrical powered mobility devices (also known as other power-driven mobility devices, or OPDMDs, as further defined by federal law) as allowed by the Americans with Disabilities Act. Employees of public utilities acting in the scope and course of their employment may operate vehicles in parks, trails and conservations lands pursuant to applicable easement terms; where the easement is silent regarding notice, such public utilities must give at least 72 hours advance notice to the City Parks and Recreation Department Director or their designee.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

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This ordinance will be effective 30 days after passage.

First reading and preliminary adoption on the ____ day of _____, 2019, by a vote of ____ ayes ; ____ nays; ____ abstaining; and ____ absent.

Second and final reading and adoption on the __ day of _____, 2019 by a vote of __ ayes; __ nays; __ abstentions; and ____ absent.

ATTEST:

APPROVED:

Martha L. Rehbein, CMC
City Clerk

John Engen
Mayor



Missoula Bicycle & Pedestrian Advisory Board

Gene Schmitz
Board Chair
Committee of the Whole Chair

Cory Simenson
Board Vice chair

Britt Arnesen

Fred Allendorf

Jenny Baker

Jessica Dougherty-Goodburn

James Walter

Chris Siller

A Recommendation
on the Matter of

Public Works FY 20 Budget Request

Adopted
XXX

Dear Mayor Engen, City Council, and Mr. Keene:

We are writing this letter to recommend the administration and City Council provide increased funding for Traffic Services and to remind Public Works that maintenance funds and activities *must* serve people of all ages and abilities travelling by all modes of transportation, per Missoula's Complete Streets Policy.

Our board regularly hears from City staff that important priorities are limited by staff and budget resources, for example snow removal, bike lane sweeping, pothole repair, and striping of bike lanes and crosswalks. Fully funding our city's transportation system maintenance needs for all users is one of the easiest ways to impact safety for all people, no matter what mode they are using, as long as these maintenance project treat all users equitably.

Our city's snow removal crew works hard but barely keeps up. Many important corridors, especially our bike lanes adjacent to parked cars, are unsafe to travel by bicycle when snow removal is incomplete. Many roads are not plowed at all, including our neighborhood greenways, resulting in icy conditions that last much longer than necessary, and perpetuate drainage issues that cascade in their effects on everyone. Frequently snow must be stored in the bike lane, or vehicles move over into the bike lane to avoid snow. Berms make travel by foot or bike difficult and can exclude some people from access entirely. Important sidewalk routes, such as bridges, need to be plowed timely so people can get to work, school, and anywhere. When too much snow is on the sidewalk or blocking ADA curb ramps, it can force pedestrians into the roadway or keep people from even leaving their homes. Excessive use of gravel can place hazardous debris in bike lanes.

It was disheartening, to say the least, to hear the Deputy Public Works Director for Streets remark at the 7/17 Budget CoW Meeting that he wishes for more money to plow ADA ramps in faster and then to hear council members laugh at that. Joking at the expense of our youth, elderly, and disabled neighbors is not funny. Snow removal dollars and methods must serve all users, not just motorists.

Street sweeping is also critically important to making bike lanes passable throughout the year. Bike lanes need to be cleaned in a timely manner to remove winter debris. Because motor vehicle action can push additional gravel into the bike lane, these important parts of the roadway need to be cleaned more often. The current schedule leaves weeks or even months of good weather, when people want to be riding more often for

transportation, without safe and accessible bike facilities. On the many streets without sidewalks, delayed street sweeping exacerbates already unsafe pedestrian conditions.

Potholes may cause irritation to people driving, but have the potential to cause life-threatening injuries to people riding bicycles. Road damage that may seem minor from an automobile perspective can render a bike lane hazardous. Drivers who are busy dodging potholes may be distracted and put others at risk. We are told the City repairs the roadways as much and as fast as it can afford to. We strongly support fully funding the actual needs of Complete Streets, including facilities for bicyclists and pedestrians, in order to make better repairs faster. Further, non-motorized facilities are not simply an additional line item in the budget. They are an essential function of our Complete Streets policy and as such must be funded as part of any activities in the public ROW.

A quick trip across town will reveal immediate needs for the restriping of bike lanes, symbols, crosswalks, shared lane markings, and the long lines and messages that keep cars in well-defined lanes. Crosswalks often spend more time faded than fresh, and curb paint often does not get replaced in a timely manner, resulting in illegally parked cars that can create unsafe visual conditions for street crossings. We are told the City paints as much and as fast as it can afford to. In order to actually create a safe, comfortable, and convenient environment for biking and walking, the least we can do is maintain our pavement markings. Increased funding for striping equipment and supplies could also help the City research brighter and/or more durable striping technologies. We are supportive of Public Works' request for increased budget for striping materials and staff. However, per the Complete Streets Policy, the cost of striping bicycle and pedestrian facilities must be considered as part of the cost of other roadway maintenance. It is time to end the division between budget line items for motor vehicles and budget line items for biking and walking.

All of these issues also affect users of Mountain Line's transit system as bus drivers have to avoid potholes, keep visual track of faded striping, and dodge snow hazards and the pedestrians and cyclists forced out into the roadway during snow conditions, and bus riders are often pedestrians and bicyclists before and after their bus ride.

Our whole city would benefit from an increase in funding to Traffic Services. Not only will this improve the convenience of peoples' trips on our system, it can prevent tragic accidents from occurring. Missoula is growing and we already have trouble maintaining the roadway for current needs. Missoula has set a policy target to increase non-motorized mode share. Adequately maintaining our Complete Streets is essential to this. To keep up with demand, we will need more safe and comfortable non-motorized facilities. If we continue to prioritize maintenance of our motor vehicle infrastructure, people will have no choice but to drive and vehicle traffic will worsen with growth. Increasing non-motorized mode share is the best way to address overcrowding and growth and is an explicitly stated goal of City plans and policies. The simplest and cheapest way to begin to address the inequity of the status quo is to fully fund Traffic Services for all users and ensure compliance with our Complete Streets policy.

Respectfully submitted,

Eugene Schmitz
Missoula Bicycle & Pedestrian Advisory Board Chair