

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

September 23, 2021

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 the Executive Conference Room on the 23rd day of September, 2021, 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: Councilmembers Hall, Schueler, Studley, and
Chairman Holman

ABSENT: Councilmember Peacock

OTHERS PRESENT: Mr. Hal Cantwell, Bicycle Advisory Committee
Chair
Mr. Ricky Jackson, Deputy Police Chief
Mr. Taylor Johnson, Transit and Parking Program
Manager
Ms. Sara Kaplan, Retail Coordinator
Mr. Chris Mattingly, Director of Utilities
Mr. Steve Miller, Norman Operations Manager,
VeoRide, Inc.
Ms. Beth Muckala, Assistant City Attorney
Mr. Shawn O'Leary, Director of Public Works
Ms. Heather Poole, Assistant City Attorney
Mr. Darrel Pyle, City Manager
Mr. David Riesland, Transportation Engineer
Mr. Jessie Rush, Assistant Director of Operations,
EMBARK
Ms. Jeanne Snider, Assistant City Attorney
Ms. Kathryn Walker, City Attorney
Ms. Syndi Runyon, Administrative Technician IV

Item 1, being:

PUBLIC TRANSIT RIDERSHIP REPORT.

Mr. Johnson said the fixed route service transported 20,789 passengers in August 2021, compared to 20,174 in July 2021. The daily average ridership was 863. There were 824 passengers with bicycles and 458 passengers with wheelchairs or other mobility devices transported in August.

The paratransit service transported 1,637 passengers in August 2021, compared to 1,654 in July 2021. Average daily ridership was 63, a decrease of 1.03%.

Saturday service totaled 1,677 in August 2021, a 13.78% decrease over 1,945 in July 2021.

Item 1, continued:

Mr. Johnson said anyone interested in public transportation is invited to ride the bus with Staff during the months of August and September. Each Friday, from August 13 through September 29, a City Staff member will be riding Route 110 on its 10:00 a.m. trip throughout Norman. Boarding will occur at the bus stop at Webster Avenue and Tonhawa Street (just outside the west entrance of the old Central Library at 225 North Webster Avenue). While an RSVP is not required, Staff encourages it because of capacity limitations. He said because of federal regulations, masks, capacity restrictions, and social distancing are still being mandated on buses. He said all public transportation, i.e., buses, planes, trains, etc., have the same mandates throughout the nation.

Mr. Johnson said progress continues to be made on the construction of the new Transit Maintenance and Operation Facility on North Base and commended Fleet Maintenance Division Staff for continuing to ensure the transit fleet is in operational condition despite the age of the vehicles (19 out of 27 buses have met their useful life). This maintenance includes mechanical maintenance as well as fueling, cleaning, and sanitizing the buses each night at the conclusion of service.

The City is in the process of purchasing two battery electric buses and Staff anticipates receiving these vehicles in August/September 2022. Approximately 70% of the vehicle purchase price will be reimbursed through a grant received from the Federal Transit Authority's 2021 Low or No Emission Vehicle Program. Mr. Johnson said the City's project was one of 49 projects selected in the nation. Staff continues to identify other avenues to purchase transit vehicles to modernize and standardize its fleet using existing local and federal funds available.

Items submitted for the record

1. Memorandum dated September 23, 2021, from Taylor Johnson, Transit and Parking Manager, through Shawn O'Leary, P.E., CFM, Director of Public Works, to Council Community Planning and Transportation Committee
2. Transit System Report for August 2021

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Item 2, being:

CONTINUED DISCUSSION REGARDING PROTECTED BICYCLE LANES.

Mr. David Riesland, Transportation Engineer, said the Bicycle Advisory Committee (BAC), presented information on protected bicycle lanes to the Community Planning and Transportation Committee on September 24, 2020. He said at that time, the BAC was attempting to finish its City Cycling Map that had not been updated in years, which proved to be a difficult undertaking since BAC was only meeting virtually. In their November meeting, the City Cycling Map was still the main topic, but their minutes reflected the BAC would begin discussions regarding protected bicycle lanes in December 2020. With COVID related elimination of virtual meetings and no ability to meet in person, BAC meetings for December 2020, January 2021, and February 2021 were cancelled. These cancellations extinguished the momentum the BAC had to complete the City Cycling Map or to take up the topic of protected bicycle lanes.

Item 2, continued:

The BAC returned to virtual meetings in March 2021, with virtual meetings continuing through May 2021. The City Cycling Map update dominated the March and April 2021 meetings and in May 2021, an emergency topic of bicycle lanes for the 24th Avenue East Bond Project was presented to BAC. Mr. Riesland said this project was designed to include the traditional bicycle lanes, but faced shortages of material and escalating costs. The City's project manager asked the BAC for a recommendation on how to proceed with these bicycle lanes.

Mr. Riesland said the popularity of the traditional green bicycle lanes had waned in recent years and the recycled glass tends to be a magnet for roadside debris guaranteeing that the bicycle lanes would be full of trash creating obstacles for riders. Keeping the bicycle lanes swept in order to remove debris required a special street sweeper and maintenance was extremely difficult as keeping the epoxy necessary to adhere the beads to the roadway was difficult due to the short shelf life of the epoxy. In addition, finding storage suitable for the recycled glass was also difficult. With all of these issues, the BAC agreed the City should move forward with something other than green bicycle lanes. To offset the loss of green materials to delineate the bicycle lanes, the number of bicycle lane symbols in the bicycle lanes were doubled.

Beginning in April 2021, three new members were appointed to the BAC and these new members were unaware of the original request to provide a recommendation regarding protected bicycle lanes except to read that it was a topic for future meetings. In July 2021, the BAC meeting was consumed with discussion regarding infrastructure and pending change to bicycle laws and the infrastructure discussion was the first time the new members heard about the need to address future treatment of bicycle lanes in Norman including potential protected bicycle lanes.

In August 2021, the BAC returned to the topic of the City Cycling Map update and while significant progress was made, completion still seemed to be a month or two away so the protected bicycle lane topic was again listed as a future topic. At its September 2021, meeting the BAC announced the final version of the City Cycling Map was complete and approved by the BAC in its October 2021, meeting. Prior to the September 2021 meeting, Mr. Hal Cantwell, BAC Chair, and Mr. Riesland, BAC Liaison, attended a Bicycle Pedestrian Advisory Committee meeting at the Association of Central Oklahoma Governments (ACOG). At the ACOG meeting, they heard a presentation from Oklahoma City (OKC) on their bicycle lane standards including protected bicycle lanes. Mr. Riesland said this was a huge step in what the BAC needed to offer in terms of a recommendation for Norman future bicycle lanes.

Mr. Cantwell highlighted the types of protected bicycle lanes recommended by OKC that includes concrete curb buffers, concrete planters, "armadillos," and traffic bollards. The concrete curb buffers provide maximum protection for bicyclists, but can be too restrictive for advanced riders and drainage can be an issue since the bicycle lanes tend to hold water. The concrete planters remove the drainage concerns but the location of the planters adjacent to the travel lane can be dangerous for motorists and some type of attenuation is necessary. The maintenance of the planters requires closure of either the vehicular traffic or bicycle lane and the lane is still too narrow for a standard width street sweeper.

Item 2, continued:

Mr. Cantwell said the armadillos (raised pavement markers made from post-consumer PVC plastic and molded into a ribbed hump that can be used to bolster the boundaries of a traffic lane) used by OKC had mixed results as the armadillos were frequently hit and dislodged requiring replacement. The act of dislodging an armadillo can also damage pavement surface creating new problems and the protected bicycle lane is still too narrow for a standard width street sweeper.

With the completion of the City Cycling Map, the BAC will be free to work toward a recommendation of future Norman bicycle lanes including protected bicycle lanes. The BAC will consider the types of protected bicycle lanes used by OKC as well as other types not shown in tonight's presentation. The BAC's priority goal is to have a recommendation in early 2022 for Community Planning and Transportation Committee's review.

Items submitted for the record

1. Pertinent excerpts from the Community Planning and Transportation Committee minutes of September 24, 2020
2. PowerPoint presentation entitled, "Bicycle Advisory Committee Review of Protected Bicycle Lanes" dated September 23, 2021

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Item 3, being:

DISCUSSION REGARDING MOTORIZED SCOOTERS (E-SCOOTERS).

Ms. Sara Kaplan, Retail Coordinator, said the e-scooter companies currently operating in Norman are Bird, Lime, Gotcha, and VeoRide (VEO). She said Bird was the first to drop off e-scooters in Norman and the City began working on creating regulations and licensing for e-scooters. She said e-scooter usage in September 2019, peaked at 48,279 total trips per day and in July 2021, usage decreased to 23,108 total trips per day.

Ms. Kaplan said fee revenue collected by the City consisted of \$56,082 in 2019; \$43,980 in 2020; and \$12,097 in 2021. She presented the different apps used by the various companies and said VeoRide is primarily used on the University of Oklahoma (OU) Campus and their e-scooters are programmed to not operate outside of certain boundaries of OU, while Bird and Lime operate citywide.

Ms. Beth Muckala, Assistant City Attorney, said initially, the City crafted a revocable license agreement with City Council's input regarding fees and regulations. The e-scooter companies were allowed to operate as bicycles in conformance with the license agreements and as otherwise posted or stated. A pilot program was initiated; however, impact of the OU selected provider as well as COVID on scooter operations has slowed down the implementation of the pilot program. She said Staff recommends keeping licenses approved through the contract agreement formula or setting up administrative licensing and updating City ordinances, as necessary.

Item 3, continued:

Ms. Muckala highlighted license fees as \$300 per company per year with an infrastructure impact fee of one dollar per day per scooter. She said enforcement will be done on a complaint basis and can be enforced by Norman Police Department (NPD), Code Compliance Division, or Traffic Division. She said if e-scooters are left in inappropriate places, such as on personal property, in drainage channels, alleyways, in the street, etc., the City will pick up and charge \$5 per day to store the devices until they are claimed by the company.

Ms. Muckala said potential license updates can include ridership data - data is now available, but requires access; fleet size – increases and decreases have not occurred, language reflects that, so there needs to be more City discretion for decreases; No Ride/No Park Zones – make it clear that the City may identify no ride and no park zones; scooter after dark – scooters have lights and better batteries and are not deployed daily as before; contact information – consider heightened public contact requirements and clarify where confusion exists; and parking guidelines – to be incorporated into traffic regulations.

The State of Oklahoma defines motorized scooters as any vehicle having not more than three wheels in contact with the ground; handlebars and a foot support or seat for the use of the operator; power source that is capable of propelling the vehicle at a maximum design speed of not more than twenty-five (25) miles per hour on level ground if the power source is a combustion engine, has a piston or rotor displacement of thirty-five cubic centimeters (35 cu cm) or less regardless of the number of chambers in the power source. If the power source is electric, has a power output of not more than one thousand (1,000) watts for purposes of this section. An electric personal assistive mobility device, electric-assisted bicycle, or motorized bicycle, shall not be considered a motorized scooter. A motorized scooter shall not be required to be registered under the laws of this state. The operator of a motorized scooter shall not be required to possess a driver license or comply with the vehicle insurance or financial responsibility laws of this state.

A motor vehicle is defined by the State is any vehicle which is self-propelled or any vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. As used in this title, the term "motor vehicle" shall not include implements of agriculture; electric personal assistive mobility devices; motorized wheelchairs; vehicles moved solely by human or animal power; or electric-assisted bicycles.

Ms. Muckala said e-scooter drivers must obey speed limits and cannot drive more than 25 miles per hour (mph) under any circumstance; cannot drive on a road with a speed limit greater than 25 mph; and the City can adopt ordinances governing the operation of motorized scooters upon roads, streets, alleys, bridges, sidewalks, or other places within its respective jurisdiction. She said potential ordinance updates can include addressing user operations of vehicles and setting definitions for the various electric devices. She said Staff would also like Council to consider requiring helmets, determining where riders can ride (currently allowed on street/bicycle lanes/sidewalks, and paths/trails unless marked), setting a minimum age requirement to ride, and thinking about designating parking areas versus leaving scooters all over town. She said OKC does not allow e-scooters on sidewalks or trails, but they are allowed on bicycle lanes and streets; Tulsa allows them on roads or sidewalk, except specific identified restricted sidewalks; and Stillwater does not allow them on sidewalks, but allows them on roads.

Item 3, continued;

Councilmembers liked the proposals made by Staff and said they would like to provide an easy way for citizens or the City to contact companies 24 hours a day with complaints, concerns, or questions and require a response from that company within a specific timeframe. Councilmembers felt the biggest complaint they receive is scooters being left on sidewalks or in driveways. Councilmembers stated they have had to move scooters from sidewalks or driveways in their neighborhood, which is not an easy task because they are very heavy. Councilmembers also wanted to discuss heavier fines for companies with multiple complaints to the City and require a faster response time (24 hours) when scooters are left on sidewalks/driveways in neighborhoods. They also believe the onus of meeting requirements should be on the companies, not NPD, Code Compliance, the Traffic Division, or citizens.

Chairman Holman said the Committee would like to further discuss and review e-scooter regulations at the next meeting.

Items submitted for the record

1. Draft ordinance regarding E-Scooters
2. Draft contract regarding E-Scooters
2. PowerPoint presentation entitled, "Motorized Scooter Regulation Update" dated September 23, 2021

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The meeting adjourned at 6:29 p.m.