



City of Denton
MINUTES
MOBILITY COMMITTEE MEETING
OF THE DENTON CITY COUNCIL

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

Tuesday, January 29, 2019

2:00 PM

City Council Work Session Room

After determining that a quorum of the Mobility Committee of the Denton City Council was present, the Mobility Committee thereafter convened into an Open Meeting on Tuesday, January 29, 2019 at 2:01 in the City Council Work Session Room, 215 E. McKinney, Denton, Texas.

Committee Members: Council Member John Ryan, Council Member Keely Briggs and Council Member Paul Meltzer

Staff Present: Mario Canizares, ACM; Pritam Deshmukh, Deputy City Engineer; Tracy Beck, Traffic Engineer; Trey Lansford, Deputy City Attorney; Becky Owens, Technician; and Marc Oliphant, Bicycle & Pedestrian Coordinator

REGULAR MEETING

A. MC19-006 Consider approval of the Mobility Committee meeting minutes of January 8, 2019.

CM Ryan motioned, CM Briggs seconded, Vote 3-0. Approved

B. MC19-007 Receive a report, hold a discussion and provide staff direction regarding the regulation of motorized electric scooters on City rights-of-way.

Marc Oliphant opened a discussion about motorized electric scooters and how they can be regulated on City rights-of-way. Many other cities in Texas and throughout the United States are having these scooters with different experiences with them. They can be rented, there are different sizes or be a personal purchase. The services are very similar to bikeshare. We currently have a bike share service here in Denton. A quick comparison of benefits and drawbacks was reviewed. Benefits are the simple use which is about one mile, they have shown to be more popular than bike share and have a smaller footprint and replace short car trips. Drawbacks include safety concerns, Universities don't want them (at this time), no best practices established and general parking and operating instructions. A pilot report from Portland, Oregon was reviewed to show usage and emergency room visit statistics. It is unclear whether the usage per trip or per mile basis are more dangerous than other modes. A listing of what other cities are doing with scooters present and Ordinance/Policy for operation. Under the Texas Transportation Code provides Cities with a choice to decide whether or not you want them operating within the City of Denton. Currently they fall into a gray area of City Code whether they can be considered a toy device and the only place you can definitively say you could not have them would be on the square where we have the prohibition of toy devices on sidewalks and designated areas. We have a spectrum of options of things to do. In previous meeting we proposed a full prohibition for now which would be the easiest choice. Through other discussion forums, we could have a partial ban, fully allow of table it for now. The current bike share would expire unless further action is taken before the end of May. Major concerns are both universities have stated they are not ready and not interested in use on their campus and they are so new there is not a good standard of practice to draw upon for regulation.

Possible Actions:

- Ban all electric scooters from city rights-of-way

- Ban shared scooter services only
- Ban scooters with motor sizes of 250 watts or more
- Allow electric scooters (under the current bikeshare permit program)
- Take no action. Reconsider with bikeshare program in May

CM Briggs noted her original specific concern was not wanting to ban children's toys.

CM Ryan was concerned about banning on everything except residential streets. It would still allow children's use but would deter a service provider from coming into town with such limited use.

Pritam Deshmukh commented that it could be looked into as a possible option to use the arterials as connectors. In the residential areas sidewalk availability could also be a concern about a designated use area.

CM Briggs asked about the State Law for scooters of 100 watts or less (child type) or scooter usage on a more personal level. Marc Oliphant could not recall any discussion of the motor size other than gas power engines. Pritam Deshmukh referred to the Code excerpt with reference to toy devices and sidewalks. Trey Lansford commented through his conversations with the City Prosecutor on this subject, a child under 10 cannot be given a ticket. Whether that is a transportation or a city ordinance ticket, you are not allowed to ticket a child under 10 because they do not have the culpability necessary. For City ordinance you can be ticketed for ages 10 and up. Traffic citations can only be issued for ages of 14 and over.

Citizen Clay Thurmond a resident of 1524 Snyder St. and member of the Traffic Safety Committee spoke. He noted it was presented as an up or down option and resulted in a difficult and conflicting vote to recommend to council. He is glad to hear the additional conversation and options today. He voted for the ban because he was concerned about the bike share and much of the presentation is oriented toward the bike share. His reservation is his concern about the personal liberty of individuals and citizens. He understands holding off to get it combined with bikeshare is okay with that plan for renewal in May. Traffic Safety requested a moratorium versus the ban. He was glad to hear that children would not be ticketed.

CM Meltzer asked if we take no action, what is the status quo? What is true between now and May?

Marc Oliphant commented his understanding that under current statute or ordinance there is nothing that expressly prohibits or expressly enables scooter share. We have had some inquiries and we said we did not want that. The initial feedback from Council was that we were not ready for this yet. If they were just dropped off he was unsure of what the recourse would be.

Mario Canizares commented this could be very similar to an event we experienced last year with a different service provider that was problematic and still has outstanding unclaimed property to date. Whether it is a moratorium or we wait until May and get more information with bikeshare and bring it back to council to talk about a policy from both perspectives we could be taking our chances. He did say the entities have reached out to our City Offices were calling to make inquiries about the requirements versus just showing up and he would hope they would continue to do that. Our City Council has provided direction to not allow it but there is nothing on the record to prevent them from coming in.

CM Meltzer summarized by saying the consensus would be taking the presented guidance, the data is not fully in particularly on safety so we don't want to do this now but have the opportunity to look at it again in the future and reassess. Would May be a point when we would know enough since it aligns with bikeshare?

Marc Oliphant believes there are some things that could have happened between now and then. He has not had an opportunity to review all of the current reports. The currently permitted bikeshare provider has aspirations to bring in electric bicycles and scooters but they need to talk to the universities about that. Some important conversations could be held in the next few months. Perhaps the universities could become more educated about them.

CM Briggs asked for clarification between the temporary ban and a moratorium restriction. Trey Lansford commented that they would both have the same effect because you would have to come back for Council action to change whatever the original decision is. However the prohibition is initially worded and applied can be amended at any time in the future with any desired change.

CM Meltzer was inclined to set a one year moratorium pending future report information. CM Ryan agreed based on the Portland data presented and the ability to understand all of the variables included in the numbers. He was in agreement with the one year time and believes it is important to bring something forward to council quickly. CM Briggs is in agreement with the moratorium but the time limitation was of less importance because we can come back at any time earlier or later to present new data for an amendment. Other cities have probably taken similar ban to approach it through policy and procedure to complete studies to determine their needs. We are at that stage needing more data. Having this prohibition or ban does not necessarily mean that our city is adamantly against them and will never allow them.

CM Meltzer confirmed the consensus of the committee is to move forward with the ban for a period of time until we are satisfied that we know enough comparability of other studies. Specifically banning the shared service.

CM Briggs added that we need to specifically address the individual use of the smaller personal scooters. Pritam Deshmukh restated within our Code Sec. 18-11 it does allow a ban of any vehicles or toy devices on city streets except while crossing them. There is not really a firm definition of toy device specifications.

CM Briggs personal inclination was to move forward to prohibit the shared scooter service and leave everything else alone. CM Ryan agreed but might need to take a closer look at 18-11 going forward and further questioned the use of the Segway type hover board devices for an overall comparison.

Mario Canizares reiterated for clarity, approximately a one year moratorium based on additional study data to prohibit scooter share companies to be permitted to set up shop in the city limits. There is no intention of citing or penalizing children that are using personal devices.

C. MC19-008 Receive a report, hold a discussion, and provide staff direction regarding bicycle lanes on West Hickory Street between Avenue B and Welch Streets.

Marc Oliphant opened a discussion about bicycle lanes on Hickory Street between Bonnie Brae/I-35 and Carroll Street. Hickory Street is being repaved now block by block and the next section to be repaved is what we are looking at. This has been discussed for a number of years. There has been a lot of discussion back and forth. There have been a lot of good ideas but it may not make everyone happy. We are here to discuss the positives and the negatives of those ideas.

The approved 2012 Pedestrian and Bicycle Linkage Component of the City of Denton Mobility Plan calls for a bike lane along the length of Hickory St. from I-35E to Carroll Blvd. The Oak Gateway Plan has also discussed this. The City's original bike lane plan, which called for the elimination of on-street parking on the south side of Hickory. As part of the study, a camera was mounted for about a week on Hickory Street

to review parting patterns. A consultant was hired and came up with 5 options. The five options were reviewed with on screen maps in detail.

Marc Oliphant stated from a traffic safety and circulation perspective, E Option 1 is preferred by transportation engineering staff. Option 2 is similarly attractive. CM Briggs expressed Option 3 as her preference. Marc Oliphant confirmed a meeting was held with the area business owners and UNT was also a participant to discuss this option. He further noted that Option 4 was the least desirable and Engineering does not support this option. CM Briggs was happy to see the option presented but seeing it in review it is no longer desirable. Pritam Deshmukh added that in the meeting the businesses raised a concern with this alternative if the area was congested that people would avoid the area being detrimental. CM Ryan asked about the potential use of a flashing arrow for a right turn with a bicycle caution sign. Pritam Deshmukh confirmed that this could be a possibility and whether or not the signal is actually warranted. He also highlighted the DCTA bus stop locations and strong route pattern.

Citizen Clay Thurmond a resident at 1524 Snyder Street spoke to advocate for Options 1 or 2. A stronger preference for option 2 because it maintains the continuity of parking and traffic preserving the expectation of cyclist for consistency. He also inquired about the possibility of adding flexible bollards to the bike lane. He did not feel like #3 would work due to expense for the length of only one block. Option 4 would probably not be feasible. The calm street idea in Option 5 is good but this is not the right location for that.

Citizen Aaron Powell a resident at 1011 Cordell Street spoke representing Bike Denton an advocacy group in Denton. Similar to what Clay has suggested, his groups favorites are Options 1 or 2 because of the consistent expectation of cars with a stronger preference for #2. The idea behind option 3 is not the best for a single block area for the on/off and consistency for the entire street. He does not like Option 5 having bikes merge into traffic for a one block stretch and then merging back out onto a lane.

Citizen Kim McKibben a resident at 1306 W Hickory spoke as a business owner 1306 West Hickory Street. She has been with this project from the beginning and has served on the Oak Gateway Plan. She has had multiple meetings with the traffic people and business owners. She feels that parking is important to both the businesses and the university and that the street should have never been identified as a major arterial roadway or to be a bicycle path. She spoke on behalf of the businesses in the area that if you eliminate parking you are pushing the students out to other places. Her personal interest is for the safety of the pedestrians, cyclists and people driving vehicles. She requested consideration be given to the plan brought forward by the Oak Gateway as Option 5. She further requested if that option was not selected that consideration be given to physical barriers for the cyclist and pedestrians. It is her opinion cyclist are more visible as part of the moving traffic than they are removed from the moving traffic.

Citizen Kevin Marshall a resident at 700 West Hickory spoke as the owner of Bulls Eye Bike Shop. If money was not a precedent, his primary request is for a designated bike lane. He really wants to move forward with the most realistic time line to bring the project reality and not a chase a futuristic schedule. From the options presented he would prefer the one that just has the divider for lane designation and he recommended the upright bollards. He acknowledge and highlighted the posted travel speed zone versus the treated or real approach speeds in the area. Anything to separate the cyclist is desirable and they have a greater awareness of the potential of pedestrians or car doors interrupting their path. Option 3 was confirmed as his ultimate choice but otherwise #1 or #2 would be desirable.

Marc Oliphant showed examples of the plastic bollards, and other physical lane markers.

CM Briggs noted that we have acknowledged this is a high pedestrian oriented area where cars go really fast and the calm intersection would be great. But this option has not been incorporated into any of the other designs.

Marc Oliphant stated in general part of it was cost savings to achieve it through paint or thermal surface markings.

Pritam Deshmukh further commented at this intersection the entire frontage of UNT is 20mph and signalized with protected crosswalks. When this project started two or three years ago it was envisioned to be the reconstruction of the street between the existing curb lines and would have been part of the street restriping. Now that we have parking issues and we are looking at options, we have certain options that change the curb lines and require redesign for storm how the street will be curbed with added cost implications and save the parking.

CM Briggs noted for reference in passing through this area earlier in the day she counted 23 cars parked and there was a section not being used due to construction.

CM Ryan expressed his preference for Option 3 but likes features from Option 5. He asked if concrete barriers could be used as dividers and this would also prevent jay-walkers mid-block. Pritam Deshmukh pointed out the bikeway would be elevated 6 inches above the street level as a protected lane as well as divided. These are typically larger and space would be a concern for this application. CM Ryan further commented the last time Hickory was re-done was approximately 25 years ago and this is a major gateway of the community and the UNT. It is incumbent upon Council to take pride in this and make sure it is done right and works well. He would like to know more about UNT's position on option 3.

CM Briggs shared her like of the flower boxes in the design concepts. CM Meltzer also asked for information on the root zone issue may be. Pritam Deshmukh responded there are quite a few trees that will be impacted if we widen the sidewalk. Marc Oliphant also illustrated the location of the retaining wall and hydrant as well as lamp posts and trees including steps that would be involved. CM Ryan asked if the sidewalk had to go straight or if it could go around the trees and he does not want to lose any parking. Pritam Deshmukh further noted UNT would have to support this design concept and be willing to provide right-of-way.

CM Meltzer made points with questions embedded in them related to the perceived trade off bike lane and parking. He asked explicitly for review of the data from the studies that have been done. Marc Oliphant replied that it was not included in the report. We received an extensive literature review put together by professional researchers on the impacts of removing parking and adding bicycle infrastructure. Of those it is difficult to draw a direct comparison because many of the sample areas were New York City, San Francisco, downtown Toronto large metropolitan areas with complimentary transit and other things going on. There is evidence that bicyclist drive higher sales in certain numbers of businesses making more trips, more frequently. There was not anything specific to a town in Texas or the mid-west where there was a strong indicator that removing parking made an economic case.

CM Meltzer also asked given the potential trade off with Option 3 if we can save the trees, it is implicitly part of the Oak Gateway the idea of making this more of an area with a sense of place. Why is closing off this section of Fry Street raised as a question but not seriously considered? You talked about closing it off on the Hickory side but what about the idea of extending the sidewalk across Mulberry to pick up space. Changing the parking on the west side to angle would also increase or add spaces and pick up pedestrian and bike amenities on the southern end and limiting Mulberry from being a through street but still allowing emergency and delivery vehicle access only. The bus stop could stop at Hickory and Welch. In his opinion it would add a greater sense of place and still allow Hickory to be the arterial. He is more inclined to have the straight protected path through with Option 3.

Mark Oliphant agrees and there does need to be more holistic thinking about this area and what is going on. In the contract with the consultant we were somewhat limited but they felt it was getting off scope. As bike

and pedestrian expert he would like to talk about it more but where is the most appropriate place. CM Meltzer said it was an idea received from a cyclist.

Mario Canizares suggested this be a concluding item for an informal staff report to be brought back to committee and the whole council to allow to do the necessary research. This will allow us to work with the various city departments and external entities for a comprehensive review to include cost. CM Meltzer requested the staff report now as it is important to this posting to the parking trade off. CM Ryan noted there is a pathway planned on Sycamore with funds from COG. We need to see how we connect these. Pritam Deshmukh confirmed it is a multi-use trail that will be 10 to 12 feet wide. Welch will be road diet with one lane in each direction with bike lanes on either side. Some of the capacity on Welch will be reduced, the parallel is Avenue A to get in and out and is the access for the businesses.

CM Briggs asked about the update of the bike plan. She would like to see a bigger broader plan of this. Marc Oliphant responded it is part of the Mobility Plan.

CM Briggs stated there is not a bike lane on Hickory and Avenue. Is our plan to have a full bike lane from Bonnie Brae all the way through? Pritam Deshmukh and Marc Oliphant confirmed that it has not been striped yet. Since Hickory is a one way street and will only have the single direction bike lane. Oak will have the same design for a full bike lane in the opposite direction as part of the master plan.

CM Briggs asked if there were any City plans to have a private parking lot in this area similar to the downtown area. Pritam Deshmukh replied he was unaware at this time. It is much more involved exercise and effort beyond this current scope. CM Briggs further noted the study includes parking behaviors but did not include pedestrian or bicycle behaviors. Marc Oliphant responded the purpose of the camera was to record parking. There is a week's worth of data in 3 hour increments. Nine to 12 hours were randomly selected for review. We lacked man power to review in greater detail.

CM Briggs shared her ultimate goal is to make sure the area is walkable and safe and friendly to the pedestrians because it is heavily used and accessed. She sees a lot of good suggestions and options. There is one good suggestion in each option that could be combined to make sure we are doing everything we can to calm traffic, protect the cyclist and alleviate some of the parking issues. She would also like to inquire about signals for bikes as well as an added part of the plans.

CM Meltzer restated a consensus to investigate the ability to exercise Option 3 and then explore other options for adding parking to the area.

Mario Canizares asked Pritam Deshmukh to address the timing for the action and option recommendation since the striping is being planned. Pritam Deshmukh added the plan is to wrap up these two segments by summer with striping with the designated parking and bike lane. We would continue working on the design for the area from Welch to Carroll. We need to be done with construction in this area without leaving temporary markings and waiting for decisions to be made. We need to make a quick decision. Option 3 requires a lot of design, right-of-way consideration, exchanging access easements as well as coordination with UNT. CM Meltzer commented it was presented as an option and he feels entitled to take it. Pritam Deshmukh replied it is not whether you can or cannot do it but a matter of what do we do in the interim as we move forward with the street project. There needs to be a direction such as put it back to what it currently is or was. CM Meltzer asked if he was saying it was impossible to it in this timing or we just don't know if it is possible. In his opinion we need to find out if it is possible in the timing you desire. Pritam Deshmukh believes it would be difficult to design the entire plan and construction ready in the few months we have available. Mario Canizares suggested that we go back and work with the consultants from an engineering perspective what can be done. We can begin working with our partners at UNT to solidify the space. If it was presented as an option then it should be doable and we need to be able to work through it. CM Meltzer stated if it was a fantasy then it should have been labeled as such.

Pritam Deshmukh reviewed his understanding is to stripe the parking as it is and will continue to work on Option 3 on the UNT side. CM Meltzer disagreed. CM Briggs asked if we could just leave the road unpainted until a decision could be reached. Pritam Deshmukh replied that parking becomes an issue in this area when it is undefined.

CM Meltzer expressed a willingness on the part of committee members to be supportive to come back quickly when more information is available. The direction heard from Mario Canizares was to go find out. Difficult, but is it doable or not. Maybe we would know more in not that much time whether it could be achieved or if it is unrealistic timing. He is not for bait and switch although not intended that is how it feels.

CM Briggs noted parking has been discussed but enforcement of parking or metered parking was not. She believes that if the committee wants to make sure parking is available we also need to make sure it is enforced. Meters may be an option and she would like to see that come back into conversation. If the two hour free parking is not going to be enforced there needs to be some mechanism or idea by the City of how we are going to handle the parking and the movement of the cars. Potentially bringing back the meters by the City to offset some of the landscaping ideas and cost. CM Meltzer would like to see more information for a future discussion topic.

D. MC19-009 Identify, discuss meeting time, dates and provide direction for future Mobility Committee Meeting dates and times.

Pritam Deshmukh opened the discussion with a reminder the day for this meeting was previously discussed and the consensus was for Tuesday since you would be here for council. Recently there was a change to shift the council meeting time forward to 12:00 start time. Given that our start time of 10:00 would not allow for the one hour preparation. Would you consider moving the start time to 9:00 to allow for a full two hour meeting ending at 11:00? Mario Canizares added we are trying to be respectful of your time since you will be here for all of Tuesday which could be a very long day for committee members. Consideration in changing the room location might also change the dynamics of the meeting. It was agreed to change the start time to 9:00 am keeping it on the second Tuesday of the month in the City Council Work Session conference room.

Concluding items were discussed.

CM Ryan mentioned the stop light at Oak and Avenue C, when walking in the opposite direction of traffic since Oak is a one way street, there is not a cross walk signal for pedestrians and no way to know without looking back at the traffic signal.

CM Briggs requested the committee review all of the Sherman updates as a presentation so that it can be reviewed by the public. We had the traffic study and it was presented in an item.

CM Meltzer requested an informal staff report potentially leading to consideration in this committee of Fry Street woonerf possibilities. Would also like to have a discussion in this committee on parking expansion options around the Fry area, specifically if there is an opportunity on the northwest corner of Fry and west Oak. His third request is for a comprehensive discussion about pedestrian and bike crossing options planned for getting across the major pedestrian and bike barriers in the city. Reference was given to I-35, University Drive, Bonnie Brae both present and future, and north and south Loop 288. To avoid cutting the city into separate pieces, it would be good to have a discussion about how we envision pedestrian and bike connectivity.

CM Briggs added at Rayzor Ranch on Bonnie Brae there is a bus stop. There is no connectivity and people are jay walking from the shopping center. She would like to add bus stops to the connectivity discussion.

E. **MC19-010** Receive a report hold a discussion, conduct a walking tour of the Downtown Square, and provide direction.

The indoor portion of the meeting was closed. CM Meltzer requested this be on a future agenda for discussion of the observations made during the walking event.

Adjournment: 3:55 PM

CONCLUDING ITEMS

Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Public Utilities Board or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda

APPROVED



Council Member Paul Meltzer
Chair



Becky Owens
Administrative Assistant