



MINUTES
Committee on Public Service
Monday, October 8, 2018 @ 5:00 p.m.
City Hall, Conference Room, 10th Floor

CALL TO ORDER

The meeting was called to order at 5:00 p.m.

ROLL CALL

Council Member Peter Spadafore, Chair
Council Member Jeremy Garza, Vice Chair
Council Member Jody Washington, Member- excused

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Molly Korn
Kathy Miles
Jim Smiertka, City Attorney
Greg Venker, Assistant City Attorney
Elaine Womboldt

Public Comment

No comment at this time.

Minutes

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM SEPTEMBER 24, 2018. MOTION CARRIED 2-0.

Discussion/Action:

RESOLUTION – Appointment; Molly Korn; Member of Potter Park Zoo Board; Term to Expire 12/31/2020

The Committee reviewed the application and resume, and Ms. Korn commented on her interest in the conservation efforts at the Potter Park Zoo, and her opinion that the region can make a large impact.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF MOLLY KORN TO THE MEMBER OF THE POTTER PARK ZOO BOARD. MOTION CARRIED 2-0.

Other

UPDATE - Electric Scooters and Electric Skateboard Legislation

Council Member Spadafore acknowledged the recent agreement with the Mayor and LIME and stated that he asked Law to attend to speak on HB 5391 and an ordinance to address them to be finalized by spring 2019. Mr. Kilpatrick confirmed there was a meeting scheduled with a second company, but no agreement yet. Council Member Spadafore referenced the recent legislative law (HB No. 5391) asking Mr. Smiertka to outline the process thus far. Mr. Smiertka noted the topic began in 2002 with the “Segway” law and regulations, and as of September 18, 2018 there is a new Act under HB 5391. This statute regulates motor vehicles and now includes the “electric skateboard”. This will allow the scooters on the streets and sidewalks, with regulations and gives local municipalities the ability to regulate their operations. Mr. Smiertka then highlighted points in the HB 5391. It was noted the “electric scooters” are not defined as motor vehicles under the motor vehicle law. Included in his presentation he noted the required speed limit where they can be ridden, helmet requirements, what is allowed on sidewalks, lights during certain hours, and the local regulation clause. According to the HB a penalty would be a civil infraction. Regarding the effects on the City ordinances, there is currently an ordinance that prohibits a skateboard on sidewalks in the downtown. The City recently signed an agreement with LIME, which could allow it in the Central Business District, this would allow it to be permitted on the sidewalk; not compliant with the City ordinance, and this agreement allows them to be used on streets and bike lanes. Mr. Kilpatrick added that the current agreement with LIME is a 60 day right of way permit. Mr. Smiertka said his office is proposing an ordinance to speak on the violations, and Mr. Venker referred the Committee to Section 404.01 in City ordinance which adopts the uniform traffic code, which is where it states they can impound bikes if abandoned or parked in appropriately. The idea would be to expand this definition and not just state “bicycle” but to include these new items. The 2nd ordinance change Mr. Venker stated, would be with the Principal Shopping District, which could read that “bicycle” and “skate board” would cover “electric bike” and “electric skateboard”. This would then allow enforcement to impound them if they are in violation. Mr. Smiertka added these are temporary option because the City could decide to issue permits for encroachment of the right-of-way, and the permits could be longer than the current 60 day in the LIME agreement. The permit could go for an extended period of time to regulate, or per the State statute, the City can adopt an ordinance to regulate. Mr. Venker stated the third option the City can do is make the business subject to a license ordinance and combine licensing with regulatory and permit. Council Garza asked if the vendor gets charged if the unit is impounded and if so what that fee is. Mr. Venker referred again to Section 404.01 (i) in the ordinance that speaks to impounding bicycles, and concurred they would use those same fees. This impound practice includes a notice to the owner, and upon impounding and storage the owner is responsible for the fees incurred by the City. In the LIME agreement it already states that whatever cost incurred for taking and storage, LIME would have to pay back. Council Member Garza then asked if the statement in the LIME agreement allowing up to 250 scooters, is going to be reflected for each company. Mr. Kilpatrick acknowledged they still need to work that out, because this regulation could be regional and uniform for all areas, but with a cap it is hard to state where they start and end up at. Mr. Venker noted that in the LIME agreement, they have to provide data share to the City. And Mr. Kilpatrick acknowledged that, however noted that the data is provided after the fact; at end of agreement. Mr. Venker suggested having a fee in the ordinance per scooter, and Mr. Kilpatrick suggested a licensing fee per device. Council Member Garza asked what steps are taken when they are abandoned on private property. Mr. Smiertka said there was a procedure in the State Statute; it is a trespassing like a bicycle. Council Member Spadafore referred to the LIME agreement which states they have two (2) hours to get them if they receive notification, and Mr. Kilpatrick added that LIME has a GPS system to track them and get them picked up every night. Currently, he added they are supposed to park between the sidewalks and curb and cannot block pedestrian access.

Council Member Spadafore noted for the Committee and the public that the intention is to have the ordinance done by the end of 2018.

Ms. Womboldt asked if they can be ridden on a road as long as the road speed limit is not over 25 mph; that was confirmed, if they have to wear a helmet if they are under age 19; that was confirmed and noted they do not get ticketed like a vehicle.

Ms. Womboldt asked if LIME and BIRD informed the City they were placing them in the City, and Council Member Spadafore stated LIME did, BIRD did not. Ms. Miles then spoke in support of having the scooters on bikes lanes no sidewalks.

ADJOURN

The meeting was adjourned at 5:26 p.m.

Submitted by Sherrie Boak,

Recording Secretary

Lansing City Council

Approved: October 16, 2018 _____