

**MINUTES FROM THE SPECIAL PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF NOVEMBER 14, 2016**

Mayor Strazdas called the meeting to order at 9:00 a.m. The following Councilmembers were present: Councilmember Patricia Randall, Mayor Pro Tem Ansari and Mayor Peter Strazdas. Councilmember Claudette Reid arrived via the conference phone line at 9:01 a.m. Councilmembers Richard Ford, Jim Pearson and Terry Urban were absent with notice and excuse. Also in attendance were City Manager Larry Shaffer, Deputy City Manager Rob Boulis and City Clerk James Hudson.

With regard to Item D.1, Amendment to Chapter 78, "Traffic and Vehicles," Councilmember Randall asked whether there will be any resistance with the five foot passing requirement contained in the Bicycle Ordinance. City Manager Larry Shaffer indicated that he thinks there will be a couple things brought to bear. He recognized it would be very difficult to enforce. At this point, Councilmember Claudette Reid arrived at 9:01 a.m. via conference call. Mayor Strazdas restated the question from Councilmember Randall and that Mr. Shaffer indicated that it would be difficult to enforce. In response to Councilmember Reid and her interest in asking a question, Mayor Strazdas asked that Mr. Shaffer continue his response to Councilmember Randall, then take her questions. Mr. Shaffer indicated that Councilmember Randall asked whether there would be any pushback on the five foot rule contained in the ordinance, and said that there could very well be in terms of the enforceability of the five foot buffer between the bicyclist and an automobile. He also said that the Administration is getting some pushback from folks who would like to see a corresponding requirement that bicyclists obey the rules of the road; so, he indicated that there is some pushback from motorists about bicyclists based upon some of the habits the bicyclists may exhibit that might run counter to both law and courtesy. He pointed out that the five foot buffer is a way to demonstrate our commitment to bicycle safety and it reminds people that they should provide a safe distance between the automobile and a bicyclist, so it brings more focus on the safety issue. He also mentioned that there has been a group of bicycle advocates who are pressing it, and really pressing it hard, and are the very same group who were successful with the City of Kalamazoo City Commission.

Councilmember Reid asked whether there is an ordinance that indicates at what age a person has to be in order to ride a bike in the street. Mr. Shaffer indicated his suspicion that there is no age requirement in the Code of Ordinances, but that he would be happy to look into it for her. She commented that there is an expectation that the bicyclist knows the rules of the road, but at 12 years old, she doubted whether they even know what the rules of the road are and cited examples of poor use of the road by bicyclists, especially with younger people from age 12 to 16.

Councilmember Reid also referred to Section (A) 1 (c) that states a vehicle driver may pass to the left of center, including when a no passing zone is marked, but goes on later to state that this sub-section does not authorize a driver to pass on the left side of center when otherwise prohibited by law. She said a no passing zone means it is not safe to pass, so this language is extremely confusing. Mr. Shaffer noted that this was a good point and he would look into it.

Councilmember Randall expressed her preference for bike education, to get from the *Bronze* to the *Gold* certification level and cited the YMCA program where people learn about bicycling, including the ability to change tires and otherwise maintain their bicycles. She offered the idea of having one of these learning sessions in one of the city parks and suggested using sponsors to provide refreshments, free helmets, etc. She noted that the City could be as big of a part of this as it wished, or just provide the facilities, but this is all a part of going to the next highest step of a “gold ranking.”

Mayor Strazdas pointed out that he was not in favor of laws that might be confusing such that our Police Department cannot enforce; he shared that he is not in favor of this, but is in favor of dedicating resources to education. He said he believes it is a matter of lack of education, not lack of enforcement, and asked for a response from the Chief of Police at the Regular City Council Meeting regarding how public safety officers will enforce the five foot law. Mayor Pro Tem Ansari cited the area on Westnedge Avenue from I-94 to Kilgore Road as especially problematic in this regard. Councilmember Randall responded this is one of the areas where you simply cannot pass and still allow the five foot distance. She also agreed there is the need to educate the drivers and cited the left turn lane for bicyclists as being very intimidating for the bicyclist, even though that is exactly where the bicyclist is supposed to be. She indicated that this is an awareness situation where the *Portager* could be used as an information source.

As a point of information, City Clerk James Hudson offered his desire to see an awareness campaign for bicyclists and pedestrians to “Ride on the Right. Walk, Jog on the Left” and build on the education piece from there. Mayor Strazdas concurred saying it was about educating both parties owing to the increase in youngsters on bicycles in the presence of vehicles. He expressed his skepticism regarding whether a law will change behavior and advocated education as a response. He cited “don’t regulate through a problem, educate, first” as his desired approach and a philosophy.

With regard to F.1, Councilmember Reid asked for an estimate of the 2017-2018 Budget costs to achieve the “Gold” Bike Friendly Community level from the various departments considering the list from the League of American Bicyclist. Mayor Strazdas deferred to the Budget cycle, and Mr. Shaffer indicated that this is part of many of the things that the City is going to be doing anyway, but this provides a focus under one organization on bikes and bike safety. As examples, Councilmember Randall distinguished trail usage as not just for bikes, and Mr. Shaffer distinguished the purchase of more bike racks that were planned notwithstanding the effort to achieve the “Gold” Bike Friendly Community level. He said that this allows the City to focus all efforts under one set of standards that are being established by an organization that is responsible for promoting bicycle use and provides a direction that the City might not have otherwise.

Councilmember Reid referenced the 14% fee increase in Item F-2, Annual BS&A Integrated Municipal Software Licensing and Maintenance Fees, as the cost for the additional AccessMyGov Module, and asked how many BS&A modules there are, and are there 18 modules with or without AccessMyGov. Mr. Shaffer offered that he would be happy to get that answer for the good of the order. She also asked why is the maintenance cost for AccessMyGov over \$6,000 while the average maintenance costs for the other modules is in the \$2,000 range, and asked what the extra module does.

Regarding Item F-3, Godwin Dri-Prime CD150M Utility Pump Purchase, Councilmember Reid asked for the cost for renting a pump; how frequently is one needed; what is the rental process; and, can we just rent versus purchase outright. Mr. Shaffer responded the real issue is availability and, when the City needs a pump that large, the need is immediate, so he would have Chris Barnes address that.

With regard to F-4, ActiveNet Software Purchase, Councilmember Reid asked how simple is ActiveNet to use and, since it will also be used in the Senior Center, whether there will be a training concern for the volunteers who will use the software and who may not have a lot of training with software.

With regard to Item F-9, Human Resource Director Appointment, Councilmember Reid asked how long the Human Resource Director position had been vacant, and Deputy City Manager Rob Boulis pointed out that there was an Acting Director, who resigned in April 2016.

Councilmember Randall indicated that she would have two very brief Committee Reports, and asked Mr. Hudson to provide copies of the Strategic Plan 2017-2019 for Discover Kalamazoo for City Council. She also mentioned that a citizen, Art O'Leary, plans to come before Council to ask why there is no dog ordinance that limits the number of dogs per household owing to issues he is having with one of his neighbors who has five dogs, and whether such an ordinance is indicated at this time. She said she has had inquiries from citizens wanting to know how to address a "dog barking" and that she welcomes a discussion with Mr. O'Leary, who sounds like a very reasonable person. Mayor Pro Tem Ansari indicated that Kalamazoo County regulates dog licenses and may have regulation authority in this case. Mayor Strazdas agreed that the County regulates the licensing, but the City can regulate above and beyond that and mentioned the Noise Ordinance as controlling. He indicated that "barking dogs" has always been a noise issue with him, not the number of dogs, and recognized it as a quality of life issue. Options mentioned were bark collars and education before an increase in regulation.

ADJOURN: Mayor Strazdas adjourned the meeting at 9:20 a.m.

James Hudson, City Clerk