



# Bicycle and Pedestrian Advisory Board

Monday, July 11, 2016

5:30 – 7 p.m.

777 E. Waterman, Building 200  
Wichita Transit Van Maintenance Facility  
Conference Room

## Meeting Notes

<b>Members Present:</b> Melany Barnes, Jack Brown, James Crowder, Russell Fox, Jerry Jones, Tom Lasater, Tyler Stutzman, George Theoharis, Maxine Bostic
<b>Members Absent:</b> Barry Carroll
<b>City Staff:</b> Paul Gunzelman, Jennifer Magana, Jan Jarman, Mark Manning, Scott Wadle
<b>Guests:</b> Jane Byrnes, Don Hansen, Hoyt Hillman, Jim Howell, Alan Kailer, Janet Wiele, Lonny Wright

Item	Description
1.	<b>Call to Order:</b> Jack Brown, chairperson, welcomed city staff and guests and called the meeting to order at 5:30pm.
2.	<b>Rapid Flash Beacon Crossing – Redbud Path and Woodlawn:</b> Due to the initial absence of a quorum of members, Chairperson Brown went ahead to Paul Gunzelman’s presentation of information gained through a video recording of the responsiveness of both cyclists and drivers to the Rapid Flash Beacon installed at the Redbud Path and Woodlawn – The recording was made on May 7, at 9am and then again at noon – One the consensus from the discussion following viewing the recording was that more concrete should be poured at the point of the post with the button for crossing Woodlawn while going north, to make it easier for cyclists to access – James Crowder wondered if a Hawk Signal (such as has been installed at a couple of points along the Woodchuck Bike Blvd.) might work better – Paul said that his office would review the recording further to see how things along Woodlawn look at rush hour.
3.	<b>Previous Meeting Notes:</b> Enough members had arrived by 5:50pm for a quorum to be achieved, and Jack presented the minutes for review – They were approved with a vote of 7-0.
4.	<b>Bicycle Ordinance Update:</b> Chairperson Brown, requested that the Law Department staff present the item on bicycling under the influence. Jan Jarman from the Law Department provided a presentation. She indicated that the City Municipal Code and the Kansas State statues regarding riding a bicycle under the influence of alcohol do not currently match due to recent changes by the State. The State does not currently prohibit bicycling while under the influence, but City municipal code does. Ms. Jarman indicated that in the past, the City’s default has been to changes the municipal code to reflect the state statutes. Ms. Jarman highlighted the following challenges with the current situation.  a) Prosecutors and judges are not allowed to look into a case to know why a

	<p>person was found guilty of a crime, so they unable to tell if DUI is from bicycling under the influence or driving under the influence. As a result, judges have been throwing out DUI convictions from Wichita.</p> <p><b>b)</b> By State Statute, to be found guilty of drunk driving – a breathalyzer test is required. This can create difficulty for getting bicycling under the influence convictions.</p> <p>Ms. Jarman presented draft change to the Municipal Code, for the WBPAB members to consider. She emphasized that staff were not recommending any actions at this meeting, simply collecting feedback at this time. The draft changes would make bicycling under the influence a misdemeanor offence. This would have the following benefits.</p> <p><b>c)</b> It would enable Wichita police to issue citations to people bicycling under the influence.</p> <p><b>d)</b> It would prevent the legal confusion described above, by making bicycling under the influence clearly separate from driving under the influence. Jennifer agreed that she should discuss the proposed BUI with the police department and others in city government, but that this was a problem that she wanted to see the city address soon.</p> <p>Below are highlights from the WBPAB discussion.</p> <p><b>e)</b> A WBPAB member asked whether bicycling under the influence is a problem and whether the problematic behaviors were already regulated by existing State statutes or sections of the Municipal Code.</p> <p style="padding-left: 40px;"><b>a.</b> Staff responded that approximately 2 DUI citations for bicyclists occur per year.</p> <p><b>f)</b> Another WBPAB member observed that this is only a problem because of the actions of the lawyers in question, but that it would be easier to conform to state law and attempt to find a local alternative, than to either wait on and work for changing state law, or to change the legal culture</p> <p><b>g)</b> A WBPAB member inquired why the city would want to go along with the State changes, rather than challenging the State to change its laws to match Wichita’s –</p>
<p>5.</p>	<p><b>City of Wichita Proposed 2017-2018 Budget:</b> Mark Manning was present, but needed to leave due to a schedule conflict with a scheduled presentation at District Advisory Board II. Scott Wadle provided information about the proposed budget and impacts to bicycling and walking, based on notes from Mr. Manning. First, Scott explained that the Wichita-Sedgwick County Metropolitan Area Planning Department has historically been funded 50/50 by the City of Wichita and Sedgwick County, and that the County reduced it’s funding for the 2016 budget year due to a desire to not fund the following Planning Department functions: bicycle and pedestrian planning, historic preservation planning, and HUD environmental reviews. In the proposed City of Wichita 2017-2018 budget, it is proposed that a new position be created in the City Manager’s Office. Scott Handed out a copy of pages from the proposed budget with the description of the 2017-18 Budget Highlights and the issue item on Consolidating Parking and Mobility.</p>

	<p>Other highlights from the proposed 2017-18 budget included the following.</p> <ul style="list-style-type: none"> <li>• Continued funding for 2 staff in Public Works Street Maintenance for bike path maintenance</li> <li>• Increased funding of \$250,000 for pilot street preservation projects</li> <li>• Continued funding of \$8 million for street maintenance</li> </ul>
6.	<p><b>Bicycle Wayfinding System Plan:</b> Scott Wadle presented the final version of the Wayfinding System Plan, reviewing its originally stated goals, the design work which went into shaping the proposed signs, the discussion conducted by the Wayfinding committee, and so forth – The Bicycle-Pedestrian Advisory Board voted 7-0 to recommend the Wayfinding System Plan to the Wichita City Council –</p>
7.	<p><b>Bicycle Friendly Community Application:</b> Scott Wadle presented to the Board a proposal that Wichita try again to apply for a Bicycle Friendly Community grant, the previous application having been turned down – It was suggested that, this time around, perhaps greater public input could be solicited as part of the application process, including a public meeting to review the application before it is submitted – The Board expressed its consensus that another try is worth attempting –</p>
8.	<p><b>Multi-Modal Work Group 2015 Activity Report:</b> Scott Wadle presented and reviewed the Multi-Modal Work Group’s 2015 Activity Report – Running through the recommendations which the MMWG have put forward, James Crowder expressed some concern about the exception being made for the 13<sup>th</sup> St. maintenance project. Scott responded that the exception was recommended for the 13<sup>th</sup> Street maintenance project due to the length and location of the project. George Theoharis has similar concerns about the decision not to review the project once outlined along Pawnee – Scott indicated that the Pawnee project was already completed with design by the time the MMWG was up and running, so it was too late to review the project. In response to a question, Scott indicated that the MMWG is chaired by the Assistant City Manager, Scot Rigby.</p>
9.	<p><b>Annual WBPAB Letter to City Council:</b> Jack Brown then presented a draft of his cover letter for the third annual report from the WBPAB – The draft was received well by the Board, with a few minimal language recommendations being made.</p>
10.	<p><b>Board Members Project Reports:</b> Jack asked about project reports, with James Crowder being the only reporter, stating that the work at Edgemoor along 13<sup>th</sup> St. had been completed.</p>
11.	<p><b>Announcements:</b> Jack then opened the meeting to announcements by the board members. There was a brief discussion between about whether it might be appropriate, given the cycling-centric nature of much of the work that the BPAB engages in, for there to be a separate Pedestrian Advisory Board, with George expressing a concern that had been voiced in the past by Jane Byrnes and others – Melany Barnes argued, with supporting comments from Jack, that the BPAD has, in fact, responded to pedestrian concerns, partly because the kind of civic and construction projects which the Board researches and recommends almost always involve improving walkability along with cyclability – Moreover, as a Board that</p>

	promotes broadly multi-faceted activities and improvements, such as the proposed Open Streets ICT event, our actions tie the interests of cyclists and pedestrians closely together – Thomas also pointed out that the creation of a separate Pedestrian Advisor Board would water down the influence which the BPAD has been able to achieve in promoting its aims overall, not to mention potentially creating a competitive attitude between two groups whose needs are usually the same.
12.	<b>Closing Thoughts:</b> With the end of comments, and the arrival of Maxine at 7pm, Jack ended the meeting at 7pm.

The next regularly scheduled meeting will be held on Monday, **August 8th**, 2016.

There being no further business, the meeting was adjourned at **7 pm**.

Respectfully submitted,



*Russell Fox*  
Board Member