

**Metropolitan Bicycle and Pedestrian Committee**  
**Wednesday, October 7<sup>th</sup>, 2020 – 3:00 p.m.**  
**Virtual / Metro COG Conference Room**  
**AGENDA**

- |  |                  |
|--|------------------|
| 1. Welcome and introductions   |                  |
| 2. Approve minutes from July 15 <sup>th</sup> , 2020 meeting - <b>Attachment</b> | Action Item      |
| 3. Need for Lemke Park/River Oaks River Bridge – Chris Garty                     | Discussion Item  |
| 4. Draft Bicycle Legislation – Rocky Schneider – <b>Attachments</b>              | Discussion Item  |
| a. Yielding & stopping while operating a bicycle on a roadway                    |                  |
| b. Overtaking & passing a bicycle  |                  |
| 5. Transportation Alternatives Grant Solicitation - <b>Attachment</b>            | Information Item |
| 6. Public input opportunity  | Public Input     |
| 7. Other business  |                  |

Due to ongoing public health concerns related to COVID-19, Metro COG is encouraging citizens to provide their comments for agenda items on the October 7 agenda via email to [farnsworth@fmmetrocog.org](mailto:farnsworth@fmmetrocog.org). To ensure your comments are received prior to the meeting, please submit them by 12:00 p.m. on the day of the meeting and reference which agenda item your comments address. If you would like to appear via video and/or audio for comments or questions, please provide your e-mail address and contact information to the above e-mail at least one business day before the meeting.

**For Public Participation, please REGISTER with the following link:**

[https://us02web.zoom.us/webinar/register/WN\\_wL3aVTiIR6u38UA7V0OS3A](https://us02web.zoom.us/webinar/register/WN_wL3aVTiIR6u38UA7V0OS3A)

**NOTE: Full Agenda packets can be found on the Metro COG Web Site at <http://www.fmmetrocog.org> – Committees**

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**111<sup>th</sup> Metropolitan Bicycle and Pedestrian Committee Meeting**  
**July 15<sup>th</sup>, 2020 – 3:00pm**  
**Virtual Meeting / Metro COG Conference Room**

**Members Present**

Dan Farnsworth, Chair, Metro COG  
Bob Walton, NDDOT  
Patrick Hollister, PartnerSHIP 4 Health  
Maegin Elshaug, City of Fargo Planning  
Jeremy Gorden, City of Fargo Engineering  
Chris Garty, Citizen Representative  
Peyton Mastera, City of Dilworth  
Malachi Petersen, City of West Fargo Planning (proxy for Tim Solberg)  
Jonathan Atkins, City of Moorhead Engineering  
Kim Lipetzky, Fargo Cass Public Health  
Joe Anderson, Fargo Police Department  
Grace Puppe, Cass County Planning  
Kim Citrowske, City of Moorhead Planning  
Barret Voigt, City of Horace  
Matthew Jacobson, Clay County Planning  
Christine Holland, Riverkeepers

**Others Present:**

Cindy Gray, Metro COG  
Luke Champa, Metro COG  
John Struchynski, Citizen  
James Burg, Citizen  
Kevin Zavoral, Citizen

**1. Welcome and Introductions**

The meeting began at 3:00 pm. Attendees introduced themselves.

**2. Approve minutes from October 16<sup>th</sup>, 2019 meeting**

Since a quorum was not present at the December 11<sup>th</sup> meeting, the October 16<sup>th</sup> minutes were brought forward to the Committee at this meeting for approval. A motion to approve the October 16<sup>th</sup> minutes was made by B. Walton and seconded by M. Petersen. The minutes were passed unanimously with no edits.

**3. Approve minutes from December 11<sup>th</sup>, 2019 meeting**

A motion to approve the December 11<sup>th</sup> minutes was made by P. Mastera and seconded by M. Elshaug. The minutes were passed unanimously with no edits.

#### **4. Public input opportunity**

No public comments were made during this opportunity.

#### **5. FM Greenway Recreation Master Plan**

L. Champa provided the Committee with a presentation on the FM Greenway Recreation Master Plan.

The FM Greenway Recreation Master Plan is a plan being developed by Metro COG in conjunction with a consulting firm to identify recreation opportunities and a framework to achieve such opportunities along the FM Area Diversion Project. The presentation included maps, timelines, and other information pertinent to the study. In addition, the Committee was encouraged to fill out a public survey which is open until July 17<sup>th</sup>.

B. Walton asked if existing railroad lines were considered and if discussions had occurred with the railroads as part of this study. L. Champa and C. Gray believe these lines were considered as part of the study, however direct conversations were not had with the railroad companies as part of this study. Rather the FM Area Diversion Project has been in correspondence with the railroad companies.

C. Garty believes this would be a great asset to the FM Area, particularly for the bicycling community. Bicyclists are often looking for long continuous routes with little vehicular traffic so they can ride longer distances safely. Garty pointed to rural roads that cyclists use today, one of which involved a fatal accident with a bicyclist north of Fargo.

#### **6. North Dakota Active Transportation Summit**

D. Farnsworth mentioned that the first annual ND Active Transportation Summit will be held from 6:00 pm – 6:45 pm on July 23<sup>rd</sup>. This event will be held virtually and is organized by the North Dakota Active Transportation Alliance in partnership with other partners. This event will bring together walkers, runners, bicycle riders, advocates, and agencies from across the state of ND to discuss active transportation and make connections amongst the various interested parties.

A flyer of the event was provided in the meeting's agenda packet.

#### **7. 2020 Bicycle & Pedestrian Count Report**

D. Farnsworth showed the Committee Metro COG's draft 2020 Bicycle & Pedestrian Count Report. In 2013 Metro COG stated an annual program consistently counting bicycle and pedestrian traffic in the area. In 2014 Metro COG also deployed five automated

bicycle/pedestrian counters in the area. This report shows all Metro COG's bicycle/pedestrian count data since 2013.

Farnsworth went through the report with the Committee showing the Committee various data and trends. A few questions and errors were found when reviewing the report. These included:

- What does the 'Average' column refer to in the table in the Automated Counter section?
  - Metro COG will look into this and clarify in the report
- MnDOT has an automated counter on the trail along 8<sup>th</sup> St at the I-94 interchange. Is data available from this counter?
  - Metro COG believes data is available from this counter and will include the data in the report

Metro COG hopes to bring this report with the above revisions to the TTC and Policy Board in August.

## **8. Changes in bike/ped activity due to COVID**

D. Farnsworth provided the group with bicycle / pedestrian activity data from Metro COG's automated bicycle & pedestrian counters. Farnsworth wanted to show the Committee the change in bicycle & pedestrian activity as a result of the COVID 19 pandemic.

When looking at the data, it can be seen that bicycle/pedestrian activity was significantly less than normal at the counter along Broadway in downtown Fargo beginning in March 2020. Meanwhile bicycle/pedestrian activity was considerably higher along the Milwaukee Trail in Fargo and along the Eagle Run trail in West Fargo during that same time.

The counter at the Lindenwood/Gooseberry Park Bridge was significantly lower in June 2020 as compared to previous years. Metro COG is unsure why this location is showing such low numbers. Metro COG will look further into this and see if there could be any equipment issues at this location.

It was noted that the percentages comparing the average year to 2020 in the memo were incorrect. Metro COG will look into this and revise.

## **9. Results of Transportation Alternatives applications**

In December, the Transportation Alternatives applications were brought forward to the Bicycle & Pedestrian Committee for review, scoring, and ranking. Metro COG recently received notice of the awarded and non-awarded projects. Below are the results of the projects submitted within Metro COG's planning area:

- West Fargo – Drain 45 Shared Use Path Phase 2
  - Awarded full request of \$290,000

- Horace / Cass County – CR 17 Shared Use Path
  - Awarded full request of \$186,260
- Fargo – Deer Creek / Drain 27 Shared Use Path
  - Not awarded. Requested \$290,000
- Moorhead – 60<sup>th</sup> Ave S Bridge Bicycle & Pedestrian Crossing
  - Not awarded. Requested \$288,000

## 10. Other business

D. Farnsworth mentioned that the Fargo Moorhead Bike Map App, which was launched in spring of 2019, is currently being updated to show the latest trails. Metro COG currently has an intern gathering locations of all the new bikeways (and sidewalks). Once all new bikeways have been located, Metro COG will work with the app developer in including these into a revised app. In addition, Metro COG is making other improvements to the app.

B. Walton brought up the status of the roadway reconstruction project planned on N. University Dr. (Fargo) between 32<sup>nd</sup> Ave N and 40<sup>th</sup> Ave N. It was mentioned that while it's been planned for years to have a shared use path on the west side of the roadway, the FAA is opposed to a path at this location as it is located under the flightpath of one of the runways. It will even be a challenge to have a path on the east side of the roadway due to FAA restrictions. So the City of Fargo will work as best they can to have a path along the roadway corridor, however the path may need to be as far east as 10<sup>th</sup> St due to stringent FAA restrictions.

It was also mentioned that 19<sup>th</sup> Ave N (Fargo) just south of the airport is slated for reconstruction in the next few years. It is anticipated that there will be pushback from the FAA to keep the path on the north side of the roadway as this is also under the flightpath of another runway.

C. Garty notified the Committee that additional mountain bike trail has been added to Iwen Park in south Fargo. Roughly two miles of trail have been in place at Iwen Park for the past few years, now the FM Trailbuilders have added an additional two miles of trail from Iwen Park to the Lions Conservancy. This equates to roughly four miles of continuous mountain bike trail at that location.

Meeting adjourned 4:45 pm.

# Agenda Item 4

**To:** Metropolitan Bicycle and Pedestrian Committee  
**From:** Dan Farnsworth, Metro COG / Rocky Schneider, Metro COG Policy Board Member  
**Date:** October 1, 2020  
**Subject:** **Draft Bicycle Legislation**

North Dakota State Representative Corey Mock (District 42 – Grand Forks) has drafted two bills that could positively impact those riding bicycles. These two proposed drafted laws are the following:

- ND Century Code 39-10.1 - Yielding and stopping while operating a bicycle on a roadway
- ND Century Code 39-10-11.1 - Overtaking and passing a bicycle

The draft laws are **attached** for the Committee's review. It is of interest to obtain the Bicycle & Pedestrian Committee's thoughts on these draft laws. It is assumed that these proposed legislative items will be brought to the next North Dakota State legislative session by Representative Mock.

# Agenda Item 4 - Attachment 1

21.0154.01000

Sixty-seventh  
Legislative Assembly  
of North Dakota

**BILL NO.**

Introduced by

Representative Mock

1 A BILL for an Act to create and enact a new section to chapter 39-10.1 of the North Dakota  
2 Century Code, relating to stopping and yielding while operating a bicycle; and to provide a  
3 penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 39-10.1 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Yielding and stopping while operating a bicycle on a roadway.**

8 1. An individual operating a bicycle on a roadway:

- 9 a. May turn or proceed through a stop intersection indicated by a stop sign without  
10 stopping but shall slow to a speed reasonable for the existing conditions when  
11 approaching the stop sign and, if required for safety to stop, shall stop at the  
12 point nearest the intersecting roadway. After slowing to a reasonable speed or  
13 stopping, the individual shall yield the right of way to any vehicle in the  
14 intersection or approaching on another roadway so closely as to constitute an  
15 immediate hazard during the time the individual is moving across or within the  
16 intersection or junction of roadways.
- 17 b. May turn or proceed through a steady red traffic-control light with caution after  
18 stopping at the point nearest the intersecting roadway. After stopping, the  
19 individual shall yield the right of way to any vehicle in the intersection or  
20 approaching on another roadway so closely as to constitute an immediate hazard  
21 during the time the individual is moving across or within the intersection or  
22 junction of roadways.

23 2. If the individual operating a bicycle is involved in a collision with a vehicle in the  
24 intersection or junction of roadways after proceeding past a stop sign without stopping

- 1 or past a steady red traffic-control light, the collision is deemed prima facie evidence of
- 2 the individual's failure to yield the right of way.

# Agenda Item 4 - Attachment 2

21.0182.01000

Sixty-seventh  
Legislative Assembly  
of North Dakota

**BILL NO.**

Introduced by

Representative Mock

1 A BILL for an Act to create and enact section 39-10-11.1 of the North Dakota Century Code,  
2 relating to a vehicle overtaking and passing a bicycle on a roadway; and to provide a penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** Section 39-10-11.1 of the North Dakota Century Code is created and enacted  
5 as follows:

6 **39-10-11.1. Overtaking and passing a bicycle.**

7 The driver of a vehicle shall leave a safe distance when overtaking and passing a bicycle  
8 proceeding in the same direction on a roadway and shall maintain clearance until safely clear of  
9 the overtaken bicycle. "Safe distance" as used in this section means no less than three feet  
10 [0.91 meters] clearance.

# Agenda Item 5

**To:** Metropolitan Bicycle and Pedestrian Committee  
**From:** Dan Farnsworth, Metro COG  
**Date:** October 1, 2020  
**Subject:** **Transportation Alternatives Grant Solicitation**

The Transportation Alternatives (TA) program is a federally-funded grant opportunity for projects that provide enhancements to alternative means of transportation such as bicycle/pedestrian trails, safe routes to school projects, crosswalk improvements, and more.

Grant solicitations have recently been announced for jurisdictions within both MN and ND. These solicitations and associated dates are as follows:

## North Dakota

- **September 2020** – Announcement TA solicitation
- **November 20, 2020** – Draft applications to be submitted to Metro COG
- **Noon December 2, 2020** – Deadline to submit applications to Metro COG
- **Spring of 2021** – Announcement to applicants

Unlike previous years, the North Dakota solicitation will be awarding project for two years – fiscal years 2023 and 2024.

All applicants located within Metro COG's planning boundary will need to submit applications to Metro COG (Dan Farnsworth). Any applicants located outside of the Metro COG planning boundary will submit applications directly to NDDOT. If unsure whether your jurisdiction is in Metro COG's planning boundary, feel free to contact Dan Farnsworth at the contact information provided below.

## Minnesota

- **October 1, 2020** – Announcement of TA solicitation
- **October 6, 2020** – 2:00 pm – Virtual TA workshop to be held by West Central Initiative. Interested applicants are encouraged to participate.
- **October 30, 2020** - Deadline to submit letters of intent
- **January 8, 2021** - Deadline to submit full applications
- **After April 15, 2021** – Announcement to applicants

Interested applicants will need to submit letters of intent by **October 30<sup>th</sup>, 2020**. These letters will need to be submitted online using the following link: [www.mndot.gov/ta](http://www.mndot.gov/ta). If the project is found to be eligible, applicants will be asked to complete the full application, which will be due to Wayne Hurley (WCI) by **January 8<sup>th</sup>, 2021**. Please visit [www.mndot.gov/ta](http://www.mndot.gov/ta) for more information.

If you have any questions, feel free to contact Dan Farnsworth at 701-532-5106 or [farnsworth@fmmetrocog.org](mailto:farnsworth@fmmetrocog.org).