

City Council Meeting Minutes

**May 28, 2024
Library Meeting Room
951 Spruce Street
6:00 PM**

Call to Order – Mayor Pro Tem Dickinson called the meeting to order at 6:00 p.m. **Roll Call** was taken and the following members were present:

City Council: ***Mayor Chris Mayor Leh (arrived 6:05 pm)
Mayor Pro Tem Caleb Dickinson
Councilmember Deborah Fahey
Councilmember Barbara Hamlington
Councilmember Dietrich Hoefner
Councilmember Judi Kern (arrived 6:04 pm)***

Absent: ***Councilmember Tim Bierman***

Staff Present: ***Jeff Durbin, City Manager
Kurt Kowar, Public Works Director
Adam Blackmore, Director of Park, Recreation & Open Space
Ember Brignull, Open Space Superintendent
Benjamin White-Patarino, Senior Ranger Naturalist
Rafael Gutierrez, Police Chief
Scott Moore, Crime Prevention Specialist
Meredyth Muth, City Clerk***

DISCUSSION/DIRECTION – TRAFFIC SAFETY: BICYCLES & E-BIKES

Chief Gutierrez reviewed the Department’s traffic safety efforts highlighting a directive toward a more robust approach to proactive policing in general. He noted increased speed enforcement with a focus on vehicle, pedestrian, and bicycle safety. The Department and the City’s traffic engineers work together on engineering, education, and enforcement.

He reviewed current bicycle laws and e-bike regulations. He noted that for e-bikes there are three classes of bike:

- Class 1: Pedal assist only max speed 20 mph – no license required. A person may ride a class 1 or class 2 electrical assisted bicycle on a bike or pedestrian path where bicycles are authorized to travel.

City of Louisville

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- Class 2: Throttle controlled motor – no pedaling required, max speed is 20 mph – no driver’s license required. A person may ride a class 1 or class 2 electrical assisted bicycle on a bike or pedestrian path where bicycles are authorized to travel.
- Class 3: Fastest-legal e-bikes, pedal assist and throttle control – max speed up to 28 mph.

Persons under 16 years of age may not operate nor ride as a passenger on a Class 3, unless the bike can accommodate passengers; no driver’s license is required, but for Class 3 a person must be 16 or over. Helmets are required for riders under 18 for a Class 3; and Class 3 is restricted to roadway use unless allowed on trails.

Chief Gutierrez noted the statewide and national trend of increased auto/pedestrian/bicycle accidents. He reviewed local statistics for the past six years.

Scott Moore, Crime Prevention Specialist & Police Department Public Information Officer, reviewed the Department’s outreach and enforcement efforts. He noted they are trying to balance citations and educational contacts.

Senior Ranger Naturalist Benjamin White-Patarino, reviewed the efforts the Open Space Department to address high-traffic trail areas. Phase one included new signage at key areas. Phase two includes an education campaign and outreach to all trail users about shared responsibilities.

Councilmember Hoefner asked what other cities are doing, and if there are best practices we should be following. Chief Gutierrez stated there are no best practices yet; most cities are using the state rules.

Mayor Pro Tem Fahey stated the whole reason for this discussion this is safety. She is interested in the education aspect. She asked to include drivers in an education campaign to help them understand how to drive around bikes and pedestrians.

Councilmember Hamlington asked if there is a speed limit on Louisville Open Space trails. White-Patarino stated we do not have a speed limit as the rangers do not have the ability to pull over riders. Because of that they focus on behavior and the context of trail conditions.

Councilmember Hamlington asked what enforcement looks like when a minor is involved in a situation and is their guardian also contacted. Chief Gutierrez stated guardians will be contacted if it is a serious issue. Teens are generally counseled on safety and sometimes taken home to contact a parent.

Councilmember Kern asked if a speed limit on trails could be consistent with our neighboring communities.

Councilmember Kern asked if the Police Department is reaching out to Middle and High schools with the education campaign. Moore said they have only done elementary schools so far, but certainly can reach out to older students.

Councilmember Kern asked if accidents that involve minors can be tracked. It would be good to know how many minors are involved in accidents. Chief Gutierrez stated if that is information that is needed officers can start collecting that and noting it in the records.

Mayor Pro Tem Dickinson asked if helmets are required. Chief Gutierrez stated there is no helmet law in Colorado except for e-bike riders from 16-18 year old for Class 3 bikes.

Mayor Pro Tem Dickinson stated you can build a bike without a governor and anecdotally has heard of kids going much faster than 28 mph.

Mayor Pro Tem Dickinson asked how registration would play into enforcement. Chief Gutierrez stated it is a crime prevention issue first, but also it allows the basis for a licensing program for riders.

Mayor Pro Tem Dickinson asked where the line is drawn between an e-bike and a motorcycle. Chief Gutierrez stated state rules say that an e-bike has a 250-750 watt motor and anything larger would be considered a motorcycle.

Mayor Leh asked what the rules are for e-bikes on sidewalks. Chief Gutierrez stated class 1 and 2 bikes are allowed on sidewalks and must pass pedestrians safely. He noted that municipalities can create their own local rules.

Public Comments

Lucas Melgard, E-bike Colorado, gave some clarification about e-bike specifications and how they work. He noted some mobility impaired riders need the Class 2 bikes with the throttle to help start and balance.

Denise Montague, Louisville, stated she is concerned about the use of e-bikes by youth. She asked for rules on where to ride and how to interact with others. Many of the young riders don't have experience driving in traffic. She spoke of dangerous interactions she has had and how many of the riders don't yield to pedestrians on the sidewalk. She would like better rules on where the bikes can ride.

Randy Caranci, Owner E-bike Colorado, stated he is happy to work with the City on education for new buyers. He stated their shop never sells bikes that exceed the 750 watt regulation.

Toran Goddard, Louisville, stated he rides an e-bike to get around town. He supports the speed limit sign on the trails so people know how fast they can go. He stated there

is confusion about if they should ride on the road or the sidewalk so that should be clarified.

Michael Kramer, Louisville, stated many of the bikes he sees are more like dirt bikes; they are basically motorcycles.

Max Clark, Louisville, stated there is much confusion about whether they should ride on the road or the sidewalk.

Patrick Cisneros, Louisville, agreed there is confusion. Cars don't like the bikes on the road and pedestrians don't like them on the sidewalk. It should be clear where they should be.

Sherry Sommer, Louisville, asked if education could be required when a bike is purchased.

Gregory Jones, owner Louisville Cyclery, stated kids need to know what the rules are without it being made into a big deal. Many people are buying their bikes online so there is little control over that, but for those sold in person education can be a part of that.

Quinton Pacho, Louisville, stated that perhaps kids should be required to get a license to ride e-bikes.

Keith Rice, Louisville, stated this isn't a new problem just a new technology. We need to get rules to catch up to the technology for meaningful solutions.

Kevin Berry, E-Bike Colorado, stated there are bikes over 750 watts on the street but those are not sold on their store. There needs to be behavior expectations for all users of the road.

Mayor Leh asked Councilmembers what problems the Council would like staff to address.

Councilmember Kern would like to address trail use and if bikes should be using the street or sidewalk; they may need to be addressed differently. She would like to get suggestions from the youth riders.

Mayor Pro Tem Dickinson stated some enforcement will be needed, but not heavy handed enforcement. The concern of drivers is they are afraid they might harm a kid on a bike when the bike rider is not following the rules. He would like more education for people, especially kids, on how to ride safely. He also would like to see more protected bike lanes on streets as there will be more and more e-bikes in the next few years.

Councilmember Hoefner agreed with Mayor Pro Tem Dickinson. He would like to be sure we are coordinating with the surrounding jurisdictions. Boulder does have a 15

mph posting limit on the bike paths. We need more education particularly at the middle and high schools. He would like to see the code updated to make sure the standards are clear to everyone. These bikes are great for mobility and getting more people out of cars and on to bikes.

Mayor Pro Tem Fahey agreed education is important for both bike riders and drivers.

Councilmember Hamlington stated pedestrians also need the education. She would like to see how we can address online retailers who are selling bikes well above the 750 watt limit. She noted that parents and kids need to be getting the same educational information. Parents need to know if their kids are being cited for poor behavior.

Mayor Leh stated the problem is not the e-bikes it is the behavior of some riders and we don't want to discourage the use of this technology. The bottom line is reducing conflict and keeping people safe. We need to see what we can do to clarify the standards and local laws. We should use our local retailers to help educate, but we can't do much about online retailers.

Mayor Leh would like to see a rule against e-bike racing in our code. He appreciates the police using a light touch with kids. He would like a regulation that clearly identifies where e-bikes can ride.

Members discussed the pros and cons on requiring e-bikes to stay on the street versus the sidewalk and what behavior is expected.

Staff will bring back suggested code and safety changes for Council to consider at a later date.

ADJOURN

Members adjourned at 8:36 pm.

Christopher M. Leh, Mayor

Meredyth Muth, City Clerk