

Greenway Technical Committee  
Meeting Notes

Tuesday, September 9, 2008  
Grand Forks Park District Office  
1210-7<sup>th</sup> Ave. S. Grand Forks, ND  
10:30 am- Noon

Steve Mullally, GF Park District  
Laura Munski, Dakota Science Center  
Jeff Burgess, GF Police  
Teri Nelson, MPO

Melanie Parvey-Biby, City of GF  
Dave Aker, EGF Parks & Rec  
Kim Greendahl, City of GF

**DISCUSSION ITEMS**

- I. **Motor Vehicle definition update:** Motor vehicle: the definition for wheelchairs matches the transit system definition used for determining dial-a-ride eligibility. Motion to approve the changes in definitions with the following changes: add text from the second and fifth paragraphs of page six of the document drafted by Howard Swanson and dated June 9, 2008. Burgess/Munski M/S/A
- II. **Improvements to road at Lincoln Drive Park:** Work is expected to begin the week of September 22. Teri requested that this project be reported to the Metropolitan Planning Organization (MPO) because they compile an annual report for all road improvements.
- III. **Trail mile markers:** Kim will send a scanned copy of the markers to the committee. The street department crew is looking at the best way to install the markers and hopes to begin the installation later this month
- IV. **Trail user group update Greenway user group:** It is time to host another meeting. Kim is looking at late September or early October in the Lincoln Drive Park community room.
- V. **Greenway Agency Updates**
  - A. **GF Park District:** The new eighteen-hole disc golf course in Lincoln has been very popular and gives some of the more experienced players more of a challenge. There has been some graffiti at Cushman Field that matches the graffiti that has been occurring in the southern portion of the Greenway.
  - B. **Dakota Science Center:** Laura is working with the UND early elementary department to develop PDF worksheets for the Greenway. She is also working with an instructor at Sacred Heart to do a teaching unit about geocaching in the Greenway.

**C. City of EGF:** Eleven of the thirteen Adopt-a-Trail segments have been adopted and the signs will be going up soon.

**D. Metropolitan Planning Organization:** An all day charrette is planned for Wednesday, October 15. The focus of this project will be to develop a plan for the downtown area in both communities. This would replace the former River Forks Plan done prior to the flood of 1997. Any ideas for the plan can be forwarded to Teri.

**E. City of Grand Forks:** No report.

**Other new business:** None

**Next meeting: November 4, 2008 – 10:30 am at Grand Forks Park District, 1210 7<sup>th</sup> Avenue South**

Submitted by: Kim Greendahl, Greenway Specialist, City of Grand Forks

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING SECTION 14-0402 OF THE GRAND FORKS CITY CODE RELATING TO GREENWAY DEFINITIONS; AND SECTION 14-0413 OF THE GRAND FORKS CITY CODE RELATING TO MOTOR VEHICLES IN GREENWAY.

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND FORKS, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF GRAND FORKS, NORTH DAKOTA, THAT:

**SECTION I. AMENDING CLAUSE**

Section 14-0402 of the Grand Forks City Code relating to greenway definitions is hereby amended to provide as follows:

**14-0402. Definitions.**

The following definitions are to only apply to the ordinances in this chapter entitled "The Greenway." Any other definition provided by the code is superceded by these definitions concerning the ordinances appearing in this chapter only.

(A) Commercial use means any authorized use of the greenway by a business, club, non-profit organization and/or fraternal society.

(B) City council refers to the Grand Forks City Council.

(C) Employee means any full-time; ~~or part-time; or volunteer~~ employee of the City of Grand Forks; and also includes a recognized volunteer for the City of Grand Forks.

(D) Greenway refers to the physical space controlled by the city council generally described as the wet side of the toe of the levee adjacent to the riverbank, excluding areas leased to the park district and flood protection features such as floodwalls, levees, and pump stations. The greenway generally starts at approximately fifty (50) feet north of the centerline of the north pedestrian bridge, north of Riverside Dam, to the centerline of the south end drainway as more particularly shown on appendix A.

Mobility device

(E) Motor vehicle means every device in, upon, or by which person or property is or may be transported or drawn upon a roadway except devices moved by human power. This term shall not include a wheelchair or mobility device when used by a disabled person as a substitute for walking.

Pedestrian

(F) Person or persons means individuals, firms, corporations, societies, or any group or gathering whatsoever.

(G) Permit means written permission to conduct specified activities as provided in this article.

(H) Special events refers to any scheduled events which are to be conducted within the physical boundaries of the greenway area.

( ) Wheelchair

(I) Wildlife means any living creature, not human, wild by nature, including but not limited to mammals, birds, amphibians, insects, reptiles, crustaceans, or mollusks.

## **SECTION II. AMENDING CLAUSE**

Section 14-0413 of the Grand Forks City Code relating to motor vehicles in greenway is hereby amended to provide as follows:

### **14-0413. Motor vehicles.**

It shall be unlawful for any person to:

- (A) Operate a motor vehicle except in designated areas.
- (B) Park or leave a vehicle standing except in a designated area and then only in a manner not to restrict normal traffic flow.
- (C) Leave a motor vehicle parked in the greenway for more than twenty-four (24) hours.
- (D) Wash, polish, grease, or perform any other maintenance on a vehicle in the greenway. This provision shall not, however, apply to necessary repairs to remove a vehicle from the greenway.
- (E) The provisions of this section shall not apply to law enforcement or emergency response personnel and vehicles, maintenance vehicles or any other personnel or vehicles specifically authorized by the city.

## **SECTION III. EFFECTIVE DATE**

This ordinance shall be in full force and effect after passage and approval as provided by law.

\_\_\_\_\_  
Michael R. Brown, Mayor

ATTEST:

\_\_\_\_\_  
John M. Schmisek, Director  
Finance & Administrative Services

Introduction and first reading:

Public Hearing:

Second Reading and Final Passage:

Approved:

Published:

## **Advantages and disadvantages of motorized devices on trails.**

### **Advantages:**

- ▶ Extends benefit of greenway recreation to individuals who are prevented from doing so under current rules and/or conditions.
- ▶ Promotes socialization and family outings
- ▶ Acknowledges functional role trails play for access and transportation.
- ▶ Acknowledges aging population.

### **Disadvantages:**

- ▶ May create conflicts on trails.
- ▶ May create safety issues including speed, width and weight.
- ▶ Noise of gas powered motorized devices may diminish the trail experience.
- ▶ Noise of gas powered devices may affect wildlife in the greenway.
- ▶ Creates confusion with other users (that person is using a golf cart, ATV, etc. why can't I)?

Notwithstanding the above, none of the prohibitions set forth herein shall apply to government vehicles while on official business or to any physically disabled person being transported by a motorized wheelchair or personal mobility device

A wheelchair means any motorized wheelchair, scooter, tricycle or similar device designed for and used by a disabled person as a substitute for walking when operated by such disabled person. The term shall not include a golf cart, lawn tractor/mower, off-road recreation vehicle, all-terrain vehicle, snowmobile or other motor vehicle.

A motor vehicle shall include any motor powered recreational vehicle as defined under North Dakota Century Code Chapter 39-29 and/or 39-24 and shall also include recreational vehicles as defined under North Dakota Century Code Chapter 39-01.

A motor vehicle shall include a motor powered recreational vehicle and a recreational vehicle as defined by North Dakota Century Code Chapter 39-01 and off-highway vehicles as defined by North Dakota Century Code Chapter 39-29.

A wheelchair shall mean a mobility assistive device of three or four wheels, used by and designed for individuals with mobility impairments as a substitute for walking, whether operated manually or powered and not exceeding 30 inches in width and 48 inches in length measured two inches above the ground and which does not weigh more than 600 pounds when occupied. The term shall not include any motorized unit that has been retrofitted to make it usable by a person with a disability nor shall it include any internal combustion powered unit.

A disabled person is an individual who requires the use of a wheelchair or personal mobility device as a substitute for walking.

A disabled person who requires the use of a wheelchair or personal mobility device may use such wheelchair or personal mobility device as defined herein anywhere foot travel or pedestrians are permitted.

A mobility impaired person using a manual or motorized wheelchair or similar mobility assistive device shall be considered a pedestrian.

A pedestrian means any person afoot or in a wheelchair.

A physical impairment is any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting any one or more of the following body systems: neurological, muscular skeletal, special sense organs, respiratory, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.

A qualified person with a disability is an individual who has a physical impairment that substantially limits a major life activity and substantially limits the ability of the individual to pedal a bicycle or walk and despite the person's physical limitations he or she is capable of safely operating a wheelchair or personal assistive device.

## **RE: Greenway usage**

Do we want to allow golf carts on trails?

Do we want to allow golf carts off-trail?

Do we want to allow ATVs on trails?

Do we want to allow ATVs off-trail?

Do we want to allow Segways on the trail?

Do we want to allow Segways off-trail?

Do we want to limit mobility devices to non-gasoline powered units?

Do we want to limit mobility devices to self-operated units?

Do we want the authority to authorize other types of vehicles or units by special permit?

Do we need to define pedestrian?



**RE: Greenway usage**

Do we want to allow golf carts on trails? *No*

Do we want to allow golf carts off-trail? *No*

Do we want to allow ATVs on trails? *No*

Do we want to allow ATVs off-trail? *No*

Do we want to allow Segways on the trail?

Do we want to allow Segways off-trail?

Do we want to limit mobility devices to non-gasoline powered units? *yes*

Do we want to limit mobility devices to self-operated units? *yes*

Do we want the authority to authorize other types of vehicles or units by special permit?

*yes*

Do we need to define pedestrian?