

Item 24-0662: Bird Rides
Municipal Services Committee
Mon, May 20, 2024, 4:30PM

Alderson Denise Fenton (District 6) 09:12

Moving on to information items. Number—the succinctly named 24-0662 Bird rides. Director Block, you have something, and I've got a couple of questions for you if.

Director Danielle Block (Department Of Public Works) 09:32

I wanted to make sure that the committee had a chance to review the meeting minutes from last committee meeting where Adam Davis was the Bird rep that came, and he referenced slides that he wanted to share with you all. Those were attached to the meeting minutes, and they were also sent out to the committee. So it talked about the technology that he mentioned here with AI parking developments and where Smart Parking could potentially be a solution to our Bird parking woes or dumping woes.

Director Danielle Block (Department Of Public Works) 10:09

As a follow up to that, well, I sent it out attached to the minutes, thanked to Adam for the information. And I also asked him, based on the data that they have at Bird, where would they recommend parking locations to use this technology based on their heat mapping? Where do those locations map out? Where are folks most often picking up the Birds and dropping the birds off? How many parking locations would bird recommend based on that information? And providing those locations on a map, so DPW could review them. I think that would be helpful information.

Director Danielle Block (Department Of Public Works) 10:50

They hold all that information from the pilot projects that we've done. So it'd be interesting to see where most often people are picking up the Birds and dropping off the Birds. Then we can start to, you know, figure out what parking locations would make sense in in the right of way, and how those might end up looking. So those were some steps and follow up. And I just wanted an opportunity to, you know, if you had feedback to provide us on this topic, and I had also shared just other dockless scooter information with the chair as well.

Alderson Denise Fenton (District 6) 11:24

Thank you. I see hands. So I'm going to call on Alder Hartzheim. I saw her first, and then I saw Alder Schultz, and then we'll come up here. Okay, hang on. There you go.

Alderson Sheri Hartzheim (District 13) 11:38

Thank you, Chair. I appreciate the information deck of slides, etc. But I had hoped that we could have included them in this week. So if we can think about that moving forward, because it's easier to sort of not have to go back into the past. But that's just neither here nor there.

Alderson Sheri Hartzheim (District 13) 11:57

What do we have to do to just stop the discussions about Bird? I think we've already kind of made it clear that the view has not been worth the climb with Bird. So I'm hoping that this committee can sort of make a little bit more of a firm statement about whether we're going to go any further with them or not, because there's been such diverse feedback in this regard, and I think I think a lot of my constituency would say "We're finished talking about this now." So I'm wondering where we go from here in order to sort of clear up all the questions and be done with this particular experiment. Thanks.

Alderson Denise Fenton (District 6) 12:43

Alright, Alder Schultz.

Alderson Alex Schultz (District 9) 12:48

Thank you, Chair. I'm hot. So I can offer the counterpoint to my colleague Alder Hartzheim here, that I think we shouldn't be done necessarily with this experiment, I think there's some value that maybe we not fully ascertain. But I'm not going to—this is an information item. I want to commend Director Block for bringing it back because information was shared after I felt the majority of the committee was, in a sense, tired of it exhausted of it as the community has been, primarily because of the singular issue that the Birds are not being left in a decent aesthetic state where they're standing and usable. They're being dumped, so to speak. And I think the representative came to show us that there are solutions to the issues that the vast majority of the complaints are addressing.

Alderson Alex Schultz (District 9) 13:45

So I think, for the most part, people are not liking the Birds because they're not being maintained in a proper state, and the representative came here and said, "We can fix this; we have solutions to make sure that they're parked in proper places, that they are parked standing." You cannot ride a Bird and leave it laying on the ground right now. When you ride a Bird and exit it, it has to be standing and you have to take a picture of it standing in order to end your ride. Otherwise, you're going to—the ride's it's going to continue to be charged against your card. And so a similar thing would happen if you dumped it; it just wouldn't be possible for that ride to end.

Alderson Alex Schultz (District 9) 14:23

Again, it's an information item. So I'm not—I don't want to get too far ahead of trying to discuss something if we can bring this back to committee or Council, but this is—a 19 year old entrepreneur started the program or at least this franchise in the community's now two years in, and in conversations with him he has absolutely committing committed to making this program work in the community, and I understand that he's done everything he can to date and is trying hard to address the issues that this community is bringing forward, and that is essentially keeping those Birds well maintained, standing, and not cluttering a sidewalk or being dumped on someone's yard. And again, those are the primary objections to the program.

Alderson Alex Schultz (District 9) 15:03

I don't hear a lot of other objections outside of that aesthetic esoteric argument that this is why we don't want the Birds because they're being dumped. So if there's a solution to that, I think it's worth exploring the solution, give it another year to see what happens with this new Bird parking, virtual Bird parking nest situate—solution that he brought forward.

Alderson Alex Schultz (District 9) 15:26

I would just encourage committee to not let this go. I know you're exhausted. And I know most of your constituents are equally exhausted because of those complaints. But I would just encourage you not to let it go just yet given that the entrepreneur came forward and said, "I have a solution to this; can we try the solution?" And again, thank you, Director Block for trying to do this.

Alderson Alex Schultz (District 9) 15:45

My fear is if we, if we end this micro mobility opportunity to the community that we're going to send a not so good signal to other options. I would love to see scooters and bikes and other things that are part of the micro mobility opportunity in this community, and if we say no to Birds, that doesn't send a good signal to the other opportunities that we should be embracing and bringing forth. And I had thought by now we would have other

things coming forward—rentable bikes, rentable scooters, rentable trikes, other things in this community that we could use to push us from four wheeled vehicles into other options, but they're not there yet, and I'd hate to have this blemish on the community if it adversely affects those other things, which I would love to see in this community. So that that would just be my comments. Again, it's not an action item. Just my thoughts and thank you for listening to me.

Alderson Denise Fenton (District 6) 16:39

Thank you. Alder Wolf, I saw you. You have 13?

Alderson Nate Wolff (District 12) 16:46

Thank you, Chair. I just have some questions for the director, if that's all right?

Alderson Denise Fenton (District 6) 16:51

Please.

Alderson Nate Wolff (District 12) 16:52

So if we don't form a contract with Bird, what are some things that could happen without that step in there, without us actually saying something about it?

Director Danielle Block (Department Of Public Works) 17:09

Can I answer...? Is that—?

Alderson Denise Fenton (District 6) 17:10

I apologize.

Director Danielle Block (Department Of Public Works) 17:11

So I believe there's nothing in our ordinance that would preclude them from deploying scooters. The City of Milwaukee has language within their ordinance that restricts e scooters or "dockless mobility devices" might be what they call it, that they can only be operated within the city within the public right of way—these privately owned rental companies—if a contract is in place between the company and the city. They have a structure to their program with terms and conditions, probably five to 10 pages long, and they send that out every year actually to a range of companies asking for proposals back. So I think it was mentioned before in terms of attracting others into the city and having competition, diversity, what have you within these companies; a program of that sort could be established, and then only those that are contracted with by the city could operate here within the city. But as of right now, my understanding is the ordinance is silent on any sort of restriction of that nature.

Alderson Nate Wolff (District 12) 18:33

Thank you. Just a quick follow up. So basically, if we were to say no to Bird, we would need to take steps as a Common Council to essentially prevent Bird from operating in the city.

Director Danielle Block (Department Of Public Works) 18:46

Yes, that would be my recommendation, if that's the committee and Council's intent.

Alderson Nate Wolff (District 12) 18:51

Thank you very much.

Alderson Denise Fenton (District 6) 18:55

Did I see Alder Meltzer next?

Alderson Vered Meltzer (District 2) 19:00

Thank you. I have a similar question to Alder Wolff. So without a contract, with the way our ordinances right now, could they just operate in the city using private property for their docking stations?

Director Danielle Block (Department Of Public Works) 19:21

It is my understanding they could use public property for those docking stations. I don't believe they could use private property unless it was their own private property. But no, they don't own any property here.

Alderson Vered Meltzer (District 2) 19:32

Okay, so they would have to secure private property if they were going to not use public property.

Director Danielle Block (Department Of Public Works) 19:39

Correct. But as the ordinance stands right now, they could use public property. There's nothing restricting them from using the public right of way.

Alderson Vered Meltzer (District 2) 19:48

So then what does the contract—what role does the contract play in that scenario?

Director Danielle Block (Department Of Public Works) 19:57

I believe the contract, or the MOU that we've had in the past, provides restrictions in terms of our ability to remove scooters from different locations at special events time, required geo fencing, speed restrictions, limiting access on certain roadways. We also have the terms and the dollar amount per ride. 20 cents per ride, I believe, is what it was last year. So those are laid out in the MOU, and without that, the city that cannot—could not require that.

Alderson Vered Meltzer (District 2) 20:33

Okay, so a lot of a lot of my constituents are very eager for Birds to no longer be in the city. A lot of my constituents also their concerns aren't only with the aesthetics, they also have concerns around safety, and nothing in the slides, nothing that's been presented to us, really has said anything about, you know, educating people for how to avoid injuring themselves better. And I know that Bird injuries are underreported, and often people in emergency rooms don't attribute their injuries to Birds, even though Birds were the cause, and I think this is something that really hasn't been addressed. And I don't know how it could be addressed effectively, because people aren't required to tell their doctors what, you know, all those details of their activities. So I continue to think that we should not have a contract with Bird, and if that means that we have to come back to clean up our ordinances and put something in place to manage to manage or regulate the absence of them, I think that would be an appropriate step for the for us to take given the predominant sentiment that I'm aware of.

Alderson Denise Fenton (District 6) 21:57

Anyone else? Alder Firkus.

Alderson Brad Firkus (District 3) 22:01

Thank you Chair. I agree with the idea that we probably should clean up our language as far as not letting these companies just come in and use the public right away with no contract and making it harder on the city and the community as a whole to have some level of, you know, level playing field with these organizations. And also, if

in a future year, we were to get into a contract with one company, if we don't have a rule saying you have to have a contract with the city to operate here, you could have one organization come in and try and do it the right way and a competitor come and say, "Well, we're not going to do that. We're just going to try and cut around." So I think no matter which way you look at it, dealing with that aspect is good.

Alderson Brad Firkus (District 3) 22:40

As far as what we should do in the near future. The parking probably is the biggest pain point for a lot of folks. It's not the only one for sure, but it's probably the biggest one. I think it's more than aesthetic; it is an accessibility issue. It's a lot of other concerns, I think as well—vandalism, things like that. And while they are touting the better technology that they have with these newer scooters, unfortunately, we've heard that song before from them, where "Well the next scooters have better technology; it's going to do so much more," and it didn't get rid of the issues.

Alderson Brad Firkus (District 3) 23:12

And even if they had the technology to get rid the issues and say, okay, riders are going to park this, it's going to go where it needs to be, nothing much stops a person from walking by and like "stupid scooter," you know, throw it in a river, tree or whatever, which that stuff does happen. I think any of us have walked around enough have seen a bird scooter end up somewhere it's not, and it's not always the riders that are doing that to these things. So I kind of feel like at some point, it has to require some sort of physical parking gate, corral, whatever, that can add a little bit more security to the devices, so they are a little harder to tamper with when they're not in use.

Alderson Brad Firkus (District 3) 23:51

Those are just my thoughts. I think, one last thing is, maybe we just pump the brakes for this year and kind of—because we do have the benefit unlike when we were the leading edge of the scooters. Other neighboring communities have the scooters in their community, and they have the ones that were being touted as having a way to fix the parking problems. I think if our neighboring communities that are going to have scooters this year, with these new scooters do in fact see a substantial improvement in the situation, we should be open to maybe bringing them back next year. But I think short of that we should probably just clean up our resolute—our ordinances and just pause it for this year. Thank you.

Alderson Denise Fenton (District 6) 24:30

I'm gonna go ahead and ask a couple of questions too. So my feedback has generally been what's been addressed by—what's been aired by my colleagues in terms of what my constituents don't want. So I guess my first question will be—I'm going to tag team you here—to Attorney Behrens and the mechanics and the requirements for getting an ordinance on the books. And I personally would like to see one, you know, "You can't operate without a contract" ala the Milwaukee model that Director Block sent me. I mean, we're talking Memorial Day weekend next weekend. So if—I think it's a little late in the year for us to be negotiating again with Bird, but I would be somewhat leery of seeing them just come in untrammled. So that's my question to Attorney Behrens.

Attorney Christopher Behrens 25:34

And that's the question all of you have to answer.

Alderson Denise Fenton (District 6) 25:37

Okay.

Attorney Christopher Behrens 25:39

Because you've, you've identified you've got a couple of options. One is renegotiate something with Bird, same terms as before, different terms, whatever the majority of the Council is comfortable with and move forward this year. Another option is to say, "No scooters," and we see what happens if Bird is going to come back. There was a question earlier, and I think it was alderperson Melzer, maybe. That question was kind of anticipating, "Well, why would Bird even enter an agreement with the city if they don't have to?" And I think the reason is because they wanted to be here, and they wanted to work with us, and they wanted to work within parameters that we were okay with, and also see that there was some financial benefit for the city for doing that. So that was the motivation to actually try to work as a partnership to see if this was going to work.

Attorney Christopher Behrens 26:33

So the other option that that you all can look at is, well, do you want to look at some sort of a Milwaukee model, I guess we'll call it where there's some parameters that are laid out within the municipal code so that a service can come back in if they want to and work under those parameters. Couple of cautions I would say with that, if you're serious about doing that, then you should also be serious about having a company come in and provide the service. If you don't want it, don't put staff through the work of putting that in place. Also, I think with that model, what you need to look at, in talking with Director Block, there's a lot of a regulatory aspect to that. Company working in Milwaukee or providing that service in Milwaukee, from what I understand, they don't comply with different aspects, there's financial penalties that go with it, but you're going to need staff to not only monitor that, follow up on it, assess it. So if that's the direction that we go in, you also need to take into consideration that it's not just going to be a revenue stream, there's going to be an expense to that revenue stream. So those are—there's lots of options available. But you as a Council have to decide which one is the best for now, and then staff will go ahead and follow suit with that.

Aldersperson Denise Fenton (District 6) 28:03

So if—I'm going to follow up and say, does it require a resolution from Council directing the attorney's office to draft an ordinance that says XYZ? Or?

Attorney Christopher Behrens 28:18

Yeah. Longer term, I think that makes sense. Shorter term, right now we're kind of in this limbo with the current year we've heard and what's happening. So I think staff needs some direction on that if we're just to be done based on direction from Council with Bird for this year and then revisit next year, or if the direction is "Put something together this year as we work through a future alternative," which would come in the form of a resolution.

Aldersperson Denise Fenton (District 6) 28:58

All right. I'm gonna—one more thing that I just wanted to for my own purposes, and I'm going to ask Director Block for something because I've had the benefit of seeing the Milwaukee RFP and some of the other material from them, and the rest of the committee hasn't. So my concern with Bird's presentation is that some of their parking proposals removes to me what are some of the advantages of micro mobility. So I'm just thinking if I am a Lawrence student, and I want to take the scoot—and it's late, you know, it's in the evening—and I want to take the scooter back to my dorm, if we limit that parking and make that student park the Bird scooter so far away, then it sort of removes the safety advantages of being able to have transportation to the door. And so I'm really torn as to where I want to go, and then on the other side, I can't ride my bike around the whole herd of them to get into Mem—Memorial Park. But so I'm—that's a concern of mine. I just want to leave that there. So I know that we're a little short on time. Director Block, could you give us the very condensed description of Milwaukee's RFP process? And it's seven pages, so I'm not asking you—and then, you know, particularly the kind of the

things—they have an application fee, they have all this, they have a pointing system whereby they evaluate these folks. If you if you can do that for us, I would really appreciate it.

Alderson Chad Doran (District 15) 30:55

Sorry, I apologize. Can I just jump in for one quick second? I have another commitment. I have to leave for.

Alderson Denise Fenton (District 6) 31:00

Okay the meeting—but we're scheduled till 5:30.

Alderson Chad Doran (District 15) 31:03

I know. But we're on information items. And I apologize. If I could just add one quick comment.

Alderson Denise Fenton (District 6) 31:08

Okay.

Alderson Chad Doran (District 15) 31:09

My only thought if we are moving this forward, I would like to see the city if we're in further negotiations in the future to increase the amount of revenue that we're looking at from Bird for what the city's commitment is to moving forward. I'm not necessarily in favor of it, but for me, that would be a non-starter unless we could see more revenue generated from it. So apologize for having to leave early. Thank you.

Alderson Chad Doran (District 15) 31:34

Alright, Director Block.

Director Danielle Block (Department Of Public Works) 31:35

Okay. Thank you, chair. So the application process that the City of Milwaukee has established, I believe it's annually they send out a dockless scooter permit requests for proposals to a variety of companies (I don't have the full list in front of me), And they take about a month or so to review applications, schedule vehicle demonstrations, and then select up to two operators within the city. The terms that are laid out to begin with, they provide each company with a map explaining the percentage of fleet that can be deployed in different areas of the city. So we could evaluate our map, and we can specify the number of scooters we would like on certain corridors or not.

Director Danielle Block (Department Of Public Works) 32:30

They talk about safety and educational requirements that the companies have to host one safety and educational open community gathering per month to educate the public during the seasons that they're op—or the months that they're operating to try to address some of the safety concerns and provide the education. They talk about parking and what's appropriate parking and operation of the scooters and what's not.

Director Danielle Block (Department Of Public Works) 33:02

There are many fees, about eight different categories of fees that are associated with entering into this contract—initial payment to review of \$600, \$100 flat fee per dockless scooter within the city, another \$100 per dockless scooter fee for the months that they might request prior to what we typically think of as the warm season. So January through March they could pay an additional \$100 for scooter to be deployed then. 25 cents per trip per scooter. Relocation fee, if scooter was required to be relocated by the city it's \$25 fee. Another \$50 fee to get that scooter out of impoundment, if you will, after the city has picked it up. And late fees if there's late fees in the range of, I think exceeding \$1,000, that was grounds for termination of the contract. There's an appeals process and a payment process.

Director Danielle Block (Department Of Public Works) 34:09

So to Attorney Behren's earlier comment on the level of administration, I mean, I think the city of Milwaukee has quite an expansive program, but I think they have a good outline of some of the parameters we would want to set up. And you are correct, there is a scoring system once the proposals are back and a review of each company before an award is made. And they did award to two companies this year. The two companies escaped me right now.

Alderson Denise Fenton (District 6) 34:40

One of Lyme.

Director Danielle Block (Department Of Public Works) 34:41

One of them was Lyme. I can't remember the other. It was not Bird. I have a question—or I'm going to have a question and to see who all submitted proposals and how their process went. Just gain some feedback and insight from the City of Milwaukee.

Alderson Denise Fenton (District 6) 34:56

Thank you and I will share that with your permission with the rest of the committee.

Director Danielle Block (Department Of Public Works) 35:00

Of course, yes.

Alderson Denise Fenton (District 6) 35:03

So I'm sorry Alder Doran had to leave because he would have gotten an answer to some of the revenue questions. Who did I see? I saw Alder Schultz and then Alder Hartzheim.

Alderson Alex Schultz (District 9) 35:18

Thank you, Chair. Thanks for you know sussing out this conversation a little bit further on an information item. I know we're not ruining anything, but I think it's an important conversation to have. And we've been having this conversation for a long time. I think the local franchise is kind of holding its breath waiting to see what happens, what we decide to do, before they make a decision on Menasha. And that decision will probably change their approach, and they may end up going to Green Bay. So there's something to consider about, you know, waiting too long to make this decision. We're pretty late in the season already. I would hope this committee would give some direction, either to move forward or just to call it quits pretty soon rather than letting this lag on too much longer. So I'm not sure what that looks like given that we're just talking about this.

Alderson Alex Schultz (District 9) 36:05

Now, there's a comment about the safety, which is a real and significant issue, particularly with some of the battery fires that these and other electronic devices have had, but I would suggest that, you know, Bird isn't deployed in the city, but we have—I've heard from a number of constituents have already been complaining about electronic scooters that are zooming by at great speeds and other micro mobility units—those little one wheeled units. They're in our community already. Lots of people own these electronic scooters, and they're using them, and a lot of the users are under the age that Bird scooters are supposed to be allowing them to use. So they're not going away. They're something we deal with, and I don't think curtailing this particular use of them is going to abate the sort of community use as it grows and becomes more popular as a means of getting around.

Alderson Alex Schultz (District 9) 37:00

I do think there are challenges with the virtual nesting as you pointed out, chair, you know, trying to make sure that this whole thing is really about the ease of use and being able to pick up a scooter within a block or two of where you are and then stopping within half a block of where you want to go. So that heat mapping is going to be pretty crucial to any kind of arrangement with Bird moving forward that we have, certainly a lot of flexibility when it comes to student use and other uses. And I'm—I don't even know how that's going to take place if that's something we have to put on Bird to figure out; is that a nest every block? Half block? Two blocks? That's a huge challenge, and I'm sure we're going to throw that on them to figure out, at least provide us with a map so that we can evaluate it. So there's some work to be done there, and I agree with the need to have them be super flexible if we're going to keep them. I guess I do agree with my colleagues about trying to increase the cost, given what this might—the challenges might pose for staff.

Alderson Alex Schultz (District 9) 38:02

I just lastly, you know, we it's easy to listen to the negative feedback from the community. Anytime we do something like this, a trial period or some other new thing, you're always going to get the negative feedback. It's harder to hear the positive feedback from Lawrence students or some young mother who would rather take a scooter to work because it's a few blocks away, she doesn't need a vehicle, or she doesn't even have a vehicle. So I would just caution us to think, you know, give too much credence to all the negative feedback. Yes, it's legitimate, but there's certainly a lot of positive use, and when you hear the numbers, that Bird presented about the number of miles and the number of rides, it's really significant, and I don't think we can attribute it all to just joy riding and entertainment. I think a significant portion of that is people trying to use them for more day-to-day kind of activities, whether it's work or just getting around to events and some other things. So again, I would encourage us not to just deep six this and think about a little bit more. Yeah, maybe we do give it a pause for this year, but let's not let's not cut this off would be my encouragement, and think about some of the things that are the challenges in front of us and try and work through them rather than saying, "Nope, we're just not going to do this anymore."

Alderson Denise Fenton (District 6) 39:14

Thank you.

Alderson Alex Schultz (District 9) 39:15

Thank you.

Alderson Denise Fenton (District 6) 39:16

Alder Hartzheim.

Alderson Sheri Hartzheim (District 13) 39:18

Thank you, chair. I think it's important for this committee and also for all the Council members to take into account the good of the city more than the good of Bird company. I appreciate that they're a small company and they want to be successful, but we have to look at what the city requires of us. Yes, we can't stop personal use or purchase of scooters, but perhaps what this calls for is something that Alder Firkus was mentioning which is a one-year moratorium on contracted scooter usage just until we can get everything figured out.

Alderson Denise Fenton (District 6) 40:00

Thank you. Alder Meltzer.

Alderson Vered Meltzer (District 2) 40:04

Thank you. I really enjoyed hearing about the Milwaukee RFP process, and I think that it's certainly likely that a lot of the concerns that we're having come back to Bird rather than to something inherent about scooters themselves. So if we have a competitive process in the future, there might be a company out there that can better serve our community without the side effects that we've been experiencing right now. So I like the idea of being able to have kind of standards and a bar to hold for how we would want a company like this to behave in our community. I feel very, very strongly that we should not renegotiate a contract this year, and any contract that we could potentially negotiate in the future should be done from the from the vantage of having an ordinance, having a setup, so that we can appropriately evaluate companies and also to go to what my colleague Alder Doran said, those, those fees. I think, balancing the revenue and making sure that you know, if the city if the city is actually benefiting from this partnership as a city instead of just as an extra amenity, but, you know, really balancing the fact that this, this is something that comes with expenses. And if we can show how we can get those expenses covered, I think that's a very important part of the conversation.

Alderson Denise Fenton (District 6) 41:38

So I'm back to—I'm looking over here. So I'm back to mechanics again. This committee meets next on June the 10th if my calendar is correct, and so, so then, you know, we're well into the season, and I'm looking at when we need to do what to say. Concern is if you bring us back the Memorandum of Understanding on June the 10th, and then we have—then we're on whatever the Wednesday that then we're on the 19th for Council to take action on that. So my concern is, of course, that it not become the wild west for the rest of the summer. So I feel like we almost need to as an action item—and please, both of you correct me—we need to have something, an action to take, on the memorandum of understanding or lack thereof for 2024, and then I think we need to have some way to take action on an ordinance. And I think I'm with my colleagues in that I don't think we want an ordinance that says we—no contract ride or ride services, or, you know, something to the effect that it needs to be no contract services allowed without a contract with the city to give us time. I mean, we are not going to be able to draft a Milwaukee process this year, even with the fees covering the administrative costs. So I'm thinking about process and I'm going to—I saw somebody's hand up. Alder Wolff, but so shall I ask him a question and then have you come back to us or...?

Director Danielle Block (Department Of Public Works) 43:42

I was just going to provide clarity on the ordinance language that the City of Milwaukee has utilized. It has a entire section on dockless mobility systems, and it defines that as a private company with a rental on a short term basis through whether it be a smartphone app or a vendor's website, that those are prohibited from operating in the highway, including public streets and sidewalks, and then it offers an exception, and it says "except for those that have entered into a contract with the city under this program." So it—people who have a privately owned scooter—right?—their own scooter are not subject to that ordinance, but it does provide that exception should you come back at a later year and enter into a contract with a with a company then they would be allowed. So I just I just wanted to clarify that for the committee and Council members.

Alderson Denise Fenton (District 6) 44:43

So we are running—so I'm going to—one more round and then I think that we need to figure out what we want to do for next week. So I saw Alder Wolff first. Are you on 13?

Alderson Nate Wolff (District 12) 44:57

Yes. Thank you, Chair. Um once again I'd like to address Director Block.

Alderson Denise Fenton (District 6) 45:05

Please.

Alderson Nate Wolff (District 12) 45:07

So I realized that I extended this meeting by asking my questions, and I appreciate your help. I also realized that this is your last municipal services committee. And I would like to take a moment to thank you for your service to our community, and just to say that you'll be missed. But of course, you're just think Kimberly, so we can maybe ride some Bird scooters over there. I don't know. Yeah. I just want to thank you. And that's it. Thanks. Thank you, Chair.

Alderson Denise Fenton (District 6) 45:40

And then Alder Schultz.

Alderson Alex Schultz (District 9) 45:44

12. Thank you, Chair. Sorry, one other thought that I didn't share previously, and thank you for going on and on. So appreciate you allowing me to speak one last time. The last comment was that we went through a process of redesigning College Avenue to allow for things—micro mobility access in a safer and better way on the street and getting them off the sidewalk, and one of the drivers of that was having these Bird scooters in town and with them being driven and used on sidewalks. And we went through this process. And one of the things that we tried to do was address that issue. So we create this new environment where it's a little bit safer to operate them in the bike lane, and now we're taking them away. So just one other thing to think about as we consider this moving forward.

Alderson Denise Fenton (District 6) 46:27

Thank you. So next steps?

Attorney Christopher Behrens 46:32

So I'm going from direction from what I've heard from the chair, not necessarily speaking for the whole committee, but you're looking for what do you do at the next meeting?

Alderson Denise Fenton (District 6) 46:50

I'm looking for—yes, because, again, we're going to be well into June here; we're going to have an interim director.

Attorney Christopher Behrens 47:00

So what I've heard from you and from others on the committee as well as in the room, there's concerns about moving forward with an agreement for 2024. So one of the items that could be considered as an action item is whether or not to enter an agreement for 2024. And if you decide, yes, I understand there's limited amount of time staff will continue. We'll work with Bird, and we'll work as quickly as we can to do that. But if you decide no, okay, then there's direction in that regard.

Attorney Christopher Behrens 47:34

The second thing we can look at, as a potential action item for this committee to consider in conjunction with that is prohibiting the use of commercial scooters in the public right of way for the duration of 2024 with direction that an exception be looked at, and potentially considered, later in 2024 for future years. So that's—because that as Director Block explained, how Milwaukee structured, it is generally prohibited, but then they create exceptions. So that would at least address the immediacy of Bird, whether or not you want to move forward with Bird. We'll set the stage for the balance of the summer at least as far as any commercial scooter and then give some time for maybe additional discussion and development of an exception if that's the will of this committee and Council.

Aldersperson Denise Fenton (District 6) 48:32

Thank you. Um, it's not an action item, but I'm just going to...

Aldersperson Brad Firkus (District 3) 48:38

Okay, thank you, Chair. I was I would just say, yeah, I think what Attorney Behrens has laid out is where my head is at. Short term, we just pause; we pump the brakes, and we get a something on the record that says you can't just come into town and operate without a contract. And then—and we don't even have to really rush to it, but we start working on what should a contract look like? And we can wait till the end of the seas—later in the season or end of the season to see how things are going in our neighboring communities to get a better idea of if we want to ask staff to go through that work. And that can be pushed off then to the offseason essentially. Like hopefully, I don't know if there's a slow season and public works; I'm gonna go with the assumption of no. But at least in the short term, it would not be additional work. The minimal amount of additional work for the time being just to get us into a stable spot and a good platform to work off of.

Aldersperson Denise Fenton (District 6) 49:34

I'm gonna go to Alder Siebers.

Aldersperson William Siebers (District 1) 49:36

Well, my confusion is I hear on one side, we don't want scooters, period. And then in the next breath over here we were talking about, we don't have scooters this year, but let's take a look at what Milwaukee's doing and come up with the contract. So what is it? We don't want scooters period, or we want scooters with new kind of contract?

Aldersperson Denise Fenton (District 6) 50:11

I'm gonna go back to Alder Meltzer.

Aldersperson Vered Meltzer (District 2) 50:17

I think that we don't want scooters right now. I think that in the future if there are other options, if there's more education, if the community sentiment changes, you know, we don't we don't have a crystal ball to look into the future. So Aldersperson Schultz has brought up some counterpoints that are really very future facing. We have concerns that are very here and now. So I think that it's a clear and obvious step for the here and now to not negotiate a 2024 contract. I think for the rest of the discussion, though, that has to be decided by the body, and that's, that's not, you know, happening in this room. So I think that the steps that Attorney Behrens laid out, I think would very effectively achieve the body being able to make its appropriate decisions, and you know, us to take a vote, and you know, maybe it'll be a very close vote. Maybe this will be something that a lot of constituents will have to come out and fill the room to, you know, urge on the pro-Bird team or the anti-Bird team, but I think that from where I'm sitting, it seems clear to me there doesn't seem to be any confusion to me about where I stand, and I think that future discussions are going to be inevitable. Micromobility is a big thing. You know, if we if we all say, you know, even if all 15 of us agreed that we don't want to talk about Birds ever again, in April, a new Council gets seated, and it might include a number of people who are just waiting for the chance to talk about Birds again.

Aldersperson Denise Fenton (District 6) 52:17

So are we generally agreed with what we would like staff to do for us for the next meeting? Okay. All right. Thank you.

Attorney Christopher Behrens 52:28

If it's okay, well, probably, between all of us, work with you on creating what the action item is going to look like, just so it's properly noticed, and that will—

Aldersperson Denise Fenton (District 6) 52:39

Okay. All right.

Attorney Christopher Behrens 52:41

—allow the committee to take whatever action it decides.

Aldersperson Denise Fenton (District 6) 52:45

Thank you. And so, even though Alder Wolff has jumped the gun—so before we get to number eight, okay, it's okay. I'd just like to, on behalf of this committee, thank Director Block for her service to the city, and wish her absolutely all the success for herself and her family going forward.