

Morgantown Pedestrian Safety Board Meeting Minutes
Public Safety Building – Training Room 1
4:30 – 5:30 PM
November 12, 2018

The Morgantown Pedestrian Safety Board's mission is to promote a walkable environment throughout the City by developing safe, attractive, and accessible walkways that connect neighborhoods and destinations.

4:30 pm Call meeting to order

I. Introductions:

Members (Quorum: Present): Matt Cross, Penny Kostka, George Lilley, Jen MacDonald, Stan Cohen, Dan Shook, Bill Reger-Nash, and Jessica Bellow

Ex-officio: Bill Kawecki, Jenny Selin, and Frank Gmiendl

Guest: Christiaan Abildso, Seble Hailu, Eriste Liyew, and Yohanna Berhanu

Absent: Jimmie Simmons, Jan Derry, Janet Fraser, Maria Smith, Ella Belling, Bill Austin, Damien Davis, and Captain McCabe

II. Approval of October 8, 2018 Minutes. Motion by Stan Cohen second by Penny Kostka Passed by (unanimous voice vote).

III. Officer's Reports

- Jessica Bellow announced that she will be moving to Boston on Dec. 1st.
- Penny Kostka noted that she mailed the letter regarding the parking issue on Harding Ave and the crossing issue on University Ave at Riverview Drive to the Traffic Commission and cc'd City Council.
- Matt Cross:
 - Spoke with Eddie Campbell (new Superintendent of Board of Education) who is open to supporting children walking to school
 - Vaike Haas informed Matt of a near miss at Suncrest Elementary
 - Bill Reger-Nash asked about promoting crosswalks to places without sidewalks and if we could advocate for this (since people cross anyway)
 - Matt attended the trial for Leah Berhanu. The only potential legal consequence for someone who kills a pedestrian with a vehicle is negligent homicide. In this, the state must prove reckless disregard which is difficult to do without the driver being physically impaired. Despite the fact that the driver sped through a red light, the state was not able to successfully prove reckless disregard for the driver who killed Leah Berhanu. There was video from a nearby bus to show the incident.
 - Yohanna stated that the defense tried to emphasize that Leah tried to start crossing early on the yellow. However, by the time Leah made it to the second lane (which is where she was hit by the speeding vehicle); the light would have been red for the vehicle who hit Leah.
 - Seble informed the Ped. Board that the law for victims killed by vehicles is negligent homicide for the driver or nothing (no other consequences

like tickets or anything). She further noted that the driver didn't even have a driver's license at the time and had already received 2 DUIs before she was 18, and had a ticket for hitting another vehicle. Unfortunately, the jury was not allowed to be informed of these past charges because it was deemed irrelevant to the present case.

- Matt asked if there could be legislation so that there could be charges other than just negligent homicide
- Yohanna also mentioned that there was a driver that waited for Leah Berhanu before turning left with the green because he saw Leah at the intersection crossing. She said that this driver would have likely been hit by the speeding vehicle that killed Leah if he had not waited for Leah to cross.
- Christiaan mentioned that there will be a scholarship in Leah's name at WVU with a generous donation from Thrasher, the engineering firm where Leah interned
- The driver went "scot-free" and the jury decided that she was not guilty of negligent homicide (despite speeding through a red light)
- Matt just joined the Greenspace Coalition
- Penny had to leave early and said (1) she feels strongly against the scooters (because we don't currently have the infrastructure in place) and (2) thank you to all the veterans in the room

IV. Action Items

- (carryover from Oct. meeting) Matt – will write a letter about programming concurrent crossings with walk signals automatically
- (carryover from Oct. meeting) Jessica – will draft a form for the Ped. Board to use to track issues raised by the public and email it to Matt, Penny, Bill Reger-Nash, and Jimmie

V. New Business – City Council requested feedback from the Ped. Board on an electric ride-share scooter program, the following discussion ensued:

- Bird or Lime (are the two main power-scooter companies)
 - Christiaan saw them in Salt Lake City & shared some resources for policy via email:
 - NACTO (National Association of City Transportation Officials):
<https://nacto.org/home/shared-active-transportation-guidelines/>
 - Austin: <http://austintexas.gov/docklessmobility>
 - Louisville:
https://louisvilleky.gov/sites/default/files/public_works/metro_doc_kless_vehicle_policy_public_ready_draft.pdf
 - Christiaan requested that we get a demonstration of these scooters where we get to ride them and test them on steep hills to observe the response of pedestrians, drivers, and trail users based on how we ride them
 - Jessica described her experience using these ride-share scooters in San Diego

- Jenny asked Jessica about helmets (which are not provided and could present a safety concern)
- Drew – shared some online resources via email:
 - <https://www.citylab.com/transportation/2018/08/is-it-time-to-rethink-what-a-bike-lane-is/568483/>
 - <https://www.wired.com/story/shared-electric-scooters-rolling/>
 - <http://www.governing.com/columns/transportation-and-infrastructure/gov-scooters-bird.html>
 - <https://usa.streetsblog.org/2018/08/30/the-most-compelling-evidence-for-e-scooters-yet/>
 - Drew proposes providing a new paradigm that would allow all these "light individual transport" modes (like bikes and scooters) to work together in the same shared space
- Jan Derry shared her perspective with Matt via email that mobility devices used for convenience rather than necessity should not receive favor (vs. mobility devices for necessity)
- Chip Wamsley noted in an email to Matt that charging locations can be difficult to access
- Stan shared the following article via email:
 - <https://www.enotrans.org/article/the-u-s-dockless-mobility-experiment/>
- George asked if we're under a deadline to provide feedback
 - It was further noted that bicycles and motor bikes both have two wheels and scooters fall somewhere in between
 - He further asked what type of feedback the City Council was expecting
 - Jenny clarified that the company is making a business request and that the City needs to respond to them – the question to the Ped. Board is about how friendly we will be towards them and what requirements we will request them to abide by. For instance, will we request a pilot study or other policies?
- Bill Kawecki noted that the City Attorney will be helping formalize a response. He further mentioned that skateboards and bikes are prevented from sidewalks (although this is not often enforced).
- Frank's feedback was requested and he mentioned that our current infrastructure and laws go back to WWII; we live today like we can't do anything without cars (where as we used to not even have them). He encouraged the Ped. Board to think about the space that is occupied by empty cars; 1/3 of area is taking up by parking spaces (non-productive things are taking up our landscape); let's make all streets shared use; less than 1/2 trips by motor vehicle are less than 5 mi. Frank then suggested that vehicle speed in town should be ~5 mph. It was then noted that scooters fall down and are easy to trip over although the ride-share scooters do have kickstands. We could have buildings where parked cars are and have people adding value in a space that is just littered with empty spaces. Frank says let's reallocate our public space; we're no longer manufacturing with our time (making glass, or steel, etc.) how is

Morgantown going to position itself for the future – what land space management are we going to encourage here in town; we need everybody working together; Cities are making money on these programs which charge \$1/ride +\$0.15/minute.

- FHWA (Federal Highway Association) traces their roots to the Bicycle Craze of the 1890s
- Bill Reger-Nash is against putting these on sidewalks – these can be a great value for people (he is hesitant because they are motorized though and not a use of physical activity)
- Frank says that the roadway/street should be made appropriate for all users; dockless systems for scooters all have GPS; if you bring it home and charge it up, they'll pay you \$5-10 (on use charge); always need to do some redistribution; scooters don't have protection for inclement weather
- Dan has concerns on existing infrastructure – serious injuries with scooters could arise
- Jenny mentioned that on her recent trip to Europe she was quite pleased by the symphony of interacting pedestrians, bicyclists, and vehicles (she experienced slower traffic and fewer horns which created a more relaxed environment). Bill Reger-Nash confirmed this sentiment with his experience as a bicyclist in Europe.
- Jessica suggested policy requirements to incorporate bicycle/multi-modal transportation education into schools – every 5th grader takes a class on how to get around in a City (and maybe it becomes part of WVU orientation)
- A suggestion to shut down University Ave just for “light transportation users” (non-vehicles) was presented
- Matt said that he will summarize this conversation in his presentation to City Council
- Jessica suggests continuing the conversation with bullet points (policy changes, bite size suggestions) – pilot study/demonstration project; \$ for scooter per day; etc.
 - Can only limit what company is capable of doing (# of scooters total, ordinances, etc.); want effective transportation, enough that people can find them, but not too many that they're just dumped; some at docking areas for charging; Frank suggests working toward a vision; get local stakeholders working together; LIT: Light Individual Transport working group; major discussion point will be DOH (DOH will not allow sharrows on their roads); Fouad wrote a letter saying that bicycling is not practical for Morgantown
 - Jenny asked if bikes ever had to be registered, which they have not within the city of Morgantown (as far as the Ped. Board was aware)

VI. Old Business – Matt emphasized that with the time change, we need to have public outreach for reflective gear during dark months.

VII. Ex-Officio Reports

- **MPO Bill Austin:** Absent
- **City Engineer Damien Davis:** Absent
- **City Council Jenny Selin:** There will be a meeting the first week of December for improving Krepps Ave and Baldwin Street. Alta Planning to bring forces for Ped/Bike Plan Update in December.
- **Police Captain McCabe:** Absent
- **Rail Trail Ella Belling:** Absent
- **Mountain Line Maria Smith:** Absent
- **Traffic Commission Matt Cross:** Traffic Commission did not meet in November. Matt is hopeful that they will meet in December to discuss the letter from the Ped. Board regarding the parking issue on Harding Ave and the crossing issue on University Ave at Riverview Drive.

Next meeting: December 10, 2018, Training Room 1, Public Safety Building, 4:30 – 5:30 pm.