

CITY OF NEWARK
Newark, Delaware

Traffic Committee Meeting
November 15, 2016
3:30 p.m.

Members Present: DC Kevin Feeney, Andrew Haines, Lt. Fred Nelson, Tom Coleman, Tom Parkins

Absent: Marvin Howard
Dave Gula

Guests: DC Mark Farrall, Newark Police Department
Mark Morehead, Councilmember
Dr. John D. Morgan, University of Delaware
Jerry Clifton, Newark resident
Linda Clifton, Newark resident

DC Feeney called the meeting to order at 3:30 p.m. on Tuesday, November 15, 2016.

Motion by Lt. Nelson, seconded by Mr. Haines, to approve the meeting minutes dated October 18, 2016 as amended.

1. Request for an amendment to city code, Section 20-243(d) "Carrying Articles".

Lt. Nelson said the current ordinance reads as follows: "No person operating a bicycle shall carry any package, bundle or article which prevents the use of both hands in control and operation of the bicycle. The person operating a bicycle shall keep at least one hand on the bicycle at all times."

Dr. Morgan said he has spent a lot of time in the area of Delaware Avenue and S. College Avenue and has observed many people riding bicycles while talking on the cell phone, using iPad, smartphones, etc. and texting. Dr. Morgan said this is a safety concern and feels it should be illegal for bicyclists to operate such devices when in control of a bicycle.

Mr. Haines inquired as whether it should go before the Bicycle Committee for review and comment prior to being presented to city council.

Mr. Clifton said he felt there was an issue as to whether the Bicycle Committee is a lawfully constituted committee of the City of Newark. Mr. Haines said at recent council meetings, council has affirmed that it is not an official city committee, but rather a citizen advisory committee. Mr. Haines feels it would be beneficial to receive their comments and opinions. DC Feeney agreed with Mr. Haines that it would be a good idea for the Bicycle Committee's support.

Mr. Coleman said the Bicycle Committee will meet on Thursday, November 17th and will bring this up at the meeting.

Lt. Nelson said the new recommended language would read as follows: "No person operating a bicycle shall carry any package, bundle or article including a cell phone or any other handheld electronic device which prevents the use of both hands in control and operation of the bicycle".

Motion by Mr. Haines, seconded by Lt. Nelson, to approve the amendment to city code, "Carrying Articles", by forwarding to Bicycle Committee for review and comment prior to city council review.

**Motion passed: Unanimously
Vote: 5 to 0**

Dr. Morgan asked if all provisions of the state code for operation of motor vehicles, bicycles, etc. apply within the limits of the City of Newark. DC Feeney said most of the state code has been adopted into city ordinance. DC Feeney said in his opinion the city is more restrictive and state regulations aren't enforceable in the city and must go through JP Court.

Dr. Morgan said there is subtle distinction between the state code and city in regard to riding bicycles where bike lanes are provided. Dr. Morgan said most importantly the state code states under "Title 21 – Motor Vehicles, 4136 - Driving upon sidewalk or bicycle path by vehicles and bicycles. (c) A person shall not ride a bicycle upon a sidewalk in a business district, when use of a sidewalk is prohibited by official traffic control devices or when a usable bicycle-only lane has been provided adjacent to the sidewalk".

Mr. Coleman said the interpretation is the business district is what is defined in the comp plan and the prohibition only applies within the business district when you have signage for a bike lane. Dr. Morgan said the obvious reason to prohibit riding bikes on a sidewalk in a business district is a lot of pedestrian traffic exists and feels the university district has just as much pedestrian traffic as a business district and feels this restriction needs to be revisited.

2. Request for a four-way stop intersection at Blue Hen Ridge.

Mr. Morehead said this request is for Blue Hen Ridge and S. Fawn Drive. Mr. Morehead said the issue is speeding. Mr. Haines said according to the MUTCD traffic controls can't be use to abate speed.

Lt. Nelson said upon researching collisions there have been none within the last five years. Mr. Coleman suggested if data supports that speeding exists, one option would be to consider a mini round in lieu of a stop sign in this area. Mr. Morehead suggested installing bollards. Mr. Coleman said there is a threshold for traffic calming that must be met prior to considering traffic calming alternatives. DC Farrall said there are other streets within the city that are setup the same and the committee should expect other request for four-way stop intersections if this is approved.

Lt. Nelson suggested setting up the radar speed sign to confirm there is in fact a speeding issue first before moving forward with traffic calming options.

Motion by Mr. Haines, seconded by Mr. Parkins, to table this request until the speed survey data is obtained, and confirm if the yield signs are in compliance with MUTCD standards.

Motion passed: Unanimously

Vote: 5 to 0

There being no further business, the meeting was adjourned.



Kevin Feeney, Chairman

Any supporting documents pertaining to this meeting will be held on file at the police department.