



# Dover/Kent County Metropolitan Planning Organization

P.O. Box 383, Dover, Delaware 19903

(302) 387-6030 FAX: (302) 387-6032

<http://doverkentmpo.org>

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## DOVER/KENT MPO COUNCIL MINUTES OF NOVEMBER 9, 2011

### Dover/Kent MPO Council Members and /or Representatives thereof attending:

Justin King, for Richard Maly, Mayor, Town of Camden, for Kent County Municipalities

Brad Eaby, for Brooks Banta, President, Kent County Levy Court

Ken Potts for Delaware Transit Corporation

Terry Pepper for Elizabeth Olsen, Dep. Dir., Safety & Homeland Security, for Governor Jack Markell, State of Delaware

Karen Brittingham for Cleon Cauley, for Shailen Bhatt, Secretary, Delaware Dept. of Transportation

### Members not attending:

Carleton E. Carey, Sr., Mayor, City of Dover, Chairman

Brigid Hynes-Cherin, Acting Regional Administrator, Region III, Federal Transit Admin. (FTA)

Hassan Raza, Division Administrator, Federal Highway Admin. (FHWA)

### Non-members attending:

Rich Vetter, MPO Exec. Director

Donald Tinari, Cheswold

Tricia Faust, DAFB

Brittan Smith, DAFB

James Galvin, MPO Staff

Chris Kirby, MPO Staff

Kate Layton, MPO Staff

Catherine Samardza, MPO Staff

#### **1. Introduction of Members & Guests**

#### **2. Public Comments**

#### **3. ACTION ITEM: Approval of Agenda**

MOTION By Mr. Potts to approve the agenda. Seconded by Mr. King. Motion carried.

#### **4. ACTION ITEM: Approval of Minutes/ September 7, 2011**

MOTION By Mr. Potts to approve the minutes. Seconded by Mr. King. Motion carried.

#### **5. ACTION ITEMS: ANNUAL MEETING:**

##### **5.1 Elections**

MOTION By Mr. Potts to table the elections until the appointed representatives could attend. Seconded by Ms. Brittingham. Motion carried.

Mr. Potts suggested that all members should be notified that their attendance was required.

##### **5.2 FY 2011 Completion Report**

MOTION By Mr. Pepper to approve the completion report. Seconded by Mr. King. Motion carried.

#### **6. ACTION ITEM: Proposed Amendments to FY 2012-2015 TIP – Jim Galvin (enclosures)**

Mr. Galvin explained that, although Council voted to approve these amendments in September, there had been no information or amendment forms submitted by DelDOT. In addition, without the forms, the 2012 amendments had not been published. The forms and information were now available. The 2011 amendments that were passed in August were submitted with forms and published.

There was discussion concerning the projects:

- SR8/Hazletville Road Connector – there is a challenge to this project. The MPO has been contacted by the attorney for



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Papen Farms.

- Dover Maintenance Building Lift Replacement/Transit Facilities
- SR1 @ SR30 Grade Separated Intersection, Milford The SR1/SR30 project is actually in Sussex County, but now within the Milford boundaries after annexation.
- Dover Bus Parking Reconfiguration/Transit Facilities

MOTION By Ms. Brittingham to approve the amendments to comply with the necessary forms and procedures. Seconded by Mr. Pepper.

Mr. Vetter read the letter from Papen Farm's attorney. Ms. Layton noted that the comment period was still ongoing until later in November. It was noted that Council could approve the amendments pending public comments. Mr. Eaby said that the objection from Papen Farms could derail the process. Ms. Brittingham suggested separating the amendments and voided her motion.

MOTION By Ms. Brittingham to approve the SR1/SR30 project, and both transit facilities projects. Seconded by Mr. Pepper Motion carried.

MOTION By Ms. Brittingham to table the Hazletville Road connector pending additional information. Seconded by Mr. Pepper. Motion carried.

Ms. Brittingham then assured Council members that DelDOT is working hard to assure that the MPO would not be put in this position again.

## **7. COMMITTEE REPORT: Data and Demographics Committee – J.Galvin**

- ***ACTION ITEM: Approval of Updated Employment Projections***

Mr. Galvin reviewed the process for identifying employment centers and developing the totals that would fit into the DE Population Consortium (DPC) control figures. It was reported that both the TAC and PAC recommended approval of the projections.

MOTION By Mr. Pepper to approve the D/KC MPO employment projections for the MPO area. Seconded by Ms. Brittingham. Motion carried.

Mr. Galvin reported that the DPC would have the 2011 projections in the days ahead, and the Data and Demographics Subcommittee would begin meeting again next month.

## **8. DISCUSSION ITEM: MPO Bicycle Plan – Rich Vetter**

### **8.1 Silver Lake to Isaacs Branch Connector and West Street Connector**

Mr. Vetter reported that since the Regional Bicycle Plan was adopted in September, the MPO has taken the lead in developing recommendations for several of the off-road trails. \$7M has been allocated by the General Assembly for bicycle projects. There are 19 trails statewide, including the Silver Lake to Isaacs Branch Connector. Both DNREC and the City of Dover are in favor of the project. The trail is mostly off-road, and is the top recommendation in the Plan. He noted that the MPO hired Chris Kirby, and he will be helping with this project. A meeting with DNREC and DelDOT is planned, and a Working Group will begin meeting on November 30<sup>th</sup>. Council members reviewed the maps of the two proposals and had some questions about the possible routes.

### **8.2 Standing Bicycle Committee**

Mr. Vetter asked Council members if there was enough bicycle project activity to warrant a standing bicycle committee, similar to WILMAPCO's Non-Motorized Working Group. That Working Group meets every other month to review new ideas and prioritize projects. Mr. Eaby said that he was in favor of this, and suggested staff start the Working Group and see if there were enough projects coming in to continue.



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## 9. DISCUSSION ITEM: MPO Transportation Studies – Rich Vetter

### 9.1 Transportation Improvement District (TID) Study

This study is on hold right now, due to staff changes at DelDOT.

### 9.2 Central Kent Study

Mr. Vetter distributed a map illustrating the study area. The MPO is coordinating with DelDOT on this study, which is an attempt to get “ahead of development” in the area. The area is a “mini” TID that requires a master plan, given that there are 2700 approved lots in a rural area. Part of the area is in Smyrna town limits. Mr. Galvin reported that discussions on this project were begun by DelDOT in 2009.

### 9.3 Cheswold Town Center

Mr. Vetter reported that he met with Cheswold’s Planning Commission in September. The study would cost about \$50,000, with Cheswold providing a \$10,000 match. This is a lot of money for Cheswold; DelDOT has agreed to provide the match through the MPO Unified Planning Work Program (UPWP). (Former) Mayor Tinari reported that the Town’s legal problems have resulted in a settlement that will require them to sell Town property to meet the debt. Even then, it will only result in a partial payment. The fact that the town is on its sixth mayor in the last year has contributed to the confusion. At this time, Cheswold cannot move ahead with this study and it is on hold.

### 9.5 Smyrna Gateway

Mr. Vetter reported that this project is not yet in the UPWP. Smyrna wants to look at their northern “gateway” at the boundary of New Castle County (Duck Creek and US13). They are interested in “branding” the Town, with landscaping, signage and set-backs. This plan is in the very early stages of development, and the MPO could provide assistance if requested by the Town. There has been one meeting, initiated by the town, but there has been no further contact.

### 9.6 DTC Studies

The MPO is working with DTC on three studies:

**Park & Ride** - There are 5 Park & Ride lots in Kent County, where the MPO recently counted vehicles during peak commuting hours. The one with the most activity is located at DelTech. Ms. Brittingham asked if the State paid for Park & Ride lots; Mr. Potts said that churches are paid for the use of their lots, and the State plows snow from the lots. DelTech does its own maintenance. Ms. Brittingham said that the Milford P&R lot is very active and needs a bicycle rack.

**Age restricted communities** - Mr. Vetter distributed a summary sheet regarding age-restricted communities and whether or not they are served by transit. Only two were on routes currently served by transit. Mr. Potts said that DTC would like developers to consider where transit service exists before planning 55+ communities rather than have the State pick up costs later.

**Bus route origin/destination** - Mr. Vetter will be meeting with Cathy Smith of DTC next week to discuss ways that the MPO can assist DTC in collecting ridership data.

Mr. Tinari asked about bus service to the Cheswold Walmart; he felt there were problems with where the bus stop is located. Mr. Galvin reported that, at the TAC meeting, Cathy Smith had reported that the stop was moved from the DTC recommended location. Mr. Potts said that different management teams within Walmart had different views; in some Walmarts, the bus stop is inside the parking lot; in others, it is not allowed. Mr. Tinari said that the parking lot engineering is strange and difficult to maneuver, as well. Mr. Vetter suggested talking to Ms. Smith about possible solutions to Cheswold’s concerns.



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## **10. DISCUSSION ITEM: Review of MPO Bylaws – R. Vetter**

Mr. Vetter explained that the MPO bylaws had never been adopted in a final form. Ms. Samardza explained that the bylaws were based on a general corporate template and were missing an indemnification section. She reviewed the changes made to reflect the MPO's current practices, and said she was also reviewing WILMAPCO's bylaws for comparison. Staff was directed to make the recommended changes and bring the bylaws back for review.

## **11. COMMITTEE REPORT: Priority Process Working Group – J. Galvin**

Mr. Galvin reported that the working group is looking at traffic/transportation problems to prioritize them for the Regional Transportation Plan. DelDOT would provide the solutions, and the resulting projects would be prioritized for the TIP. DelDOT invited the MPO to review a new software program, Decision Lens, that could possibly change the priority process. The working group felt it was a great program, but may not apply to our process. Mr. Galvin thought it could be helpful to have access to the program, but not necessary. The working group still needs to develop criteria. The advantage with Decision Lens is that it develops the weighting for the criteria within the program, and does not require arbitrary decisions. Mr. Galvin felt that the working group would have a couple of more meetings, and then have something to bring to the committees and council.

Mr. Eaby asked if this would replace the current process; Mr. Galvin said that yes, it is a change in approach to identify problems and would entail a "mini" NEPA process for environmental issues. The problems would be ranked and incorporated into the Regional Transportation Plan, hand off to DelDOT for solutions, then return to the MPO for prioritizing into the TIP.

## **12. Municipalities Report – NONE**

## **13. TAC Report – Rich Vetter - NONE**

## **14. PAC Report – Kate Layton**

Ms. Layton reported that the PAC did not have a quorum at the October meeting. All action items were done with consensus, not formal action. She reminded the Council members that the County still had two open PAC positions, and that alternates are allowed. She reported that she had a new referral for a possible PAC member from Prameela Kaza (a Dover appointee). The PAC will next meet on December 20, 2011.

Ms. Brittingham noted that making the quorums for meetings was important. She asked if there was anything in the bylaws about missing meetings. Staff said that the PAC bylaws stated that after 3 missed meetings a member could be removed by the appointing agency and replaced.

## **15. Project Updates:**

- 15.1 Public Outreach – K. Layton**
- 15.2 Public Education – K. Layton**

## **16. Executive Director's Report**

- 16.1 UPWP and Financial Reports**
- 16.2 Correspondence**

Mr. Potts announced that Stephen Kingsberry had resigned as Director of DTC. Mr. Potts will represent the agency until further notice.

## **Next Meeting: January 4, 2012– Camden Town Council Chamber**

MOTION By Mr. Pepper to adjourn the meeting. Seconded by Mr. King. Motion carried.