



Dover/Kent County Metropolitan Planning Organization

P.O. Box 383, Dover, Delaware 19903

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

<http://doverkentmpo.org>

DOVER/KENT MPO COUNCIL MINUTES OF SEPTEMBER 3, 2014

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

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

Robin Christiansen, Mayor, City of Dover

John Sisson, Executive Director, Delaware Transit Corporation

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

Drew Boyce, for Shailen Bhatt, Secretary, Delaware Dept. of Transportation

Members not attending:

Don Tinari, Mayor, Town of Cheswold, for Kent County Municipalities

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

Mary Ridgeway, Division Administrator, Federal Highway Admin. (FHWA)

Non-members attending:

State Representative Don Blakey

Chuck Hurd, Harrington, DE

Jon Offredo, The News Journal

Bob Murphy, Milford

Patrica Bliler, Frederica Town Council

Rich Vetter, MPO Staff

Kate Layton, MPO Staff

Chris Kirby, MPO Staff

Dave Chambers, DE State News

Matt Bittle, DE State News

Kim Jefferson, DeIDOT Finance

Mayor William Glanden, Frederica

Ricky Maddox, Frederica Town Council

James Galvin, MPO Staff

Catherine Samardza, MPO Staff

- 1. Introduction of Members & Guests**
- 2. Public Comments**

Mr. Murphy gave a presentation regarding an alternative entrance to the proposed Sports Complex in place of the grade-separated intersection. He said he had discussed this with Mr. Boyce and he now felt that this was a viable solution to allow the Sports Complex to move forward before the grade-separated intersection is in place. The solution would be for DeIDOT to approve an entrance permit from Route 1 for the Complex. The entrance which would be "right in, right out" only on the north-bound lane, requiring traffic entering the facility to go south before being able to turn around to go north. Mr. Murphy noted that this "temporary entrance" would take a year to build; the Sports Complex would have to be in place for a full year before any tournaments could be scheduled there, and by that time, approximately, 2017, the grade-separated intersection would be built.

Mayor Glanden spoke, saying that he understood the State has a shortage of funds, and the fact that the money was taken from DeIDOT's budget was not DeIDOT's fault. However, he felt that if money could be found for the Barrett's Chapel Road project, why not for the South Frederica project? He felt that the South Frederica project would promote safety and more jobs for the area. Mayor Glanden said he grew up in Frederica, and there used to be stores in the town. He also said that there is interest in opening a WaWa, and a drug store in Frederica, but that is now on hold because of this issue.

Representative Blakey said that he was attending this meeting to support Mr. Murphy and the South Frederica project. He said that he had worked with children all his life, and he felt the Sports Complex had all the earmarks to be a success if people would pull together and set aside pet peeves to work for the citizens of the County and the children.

Ms. Bliler said that she feels that the Sports Complex would benefit the whole state, because people would be coming from New York, Maryland, Ohio, Virginia and the Carolinas. They would travel through the Delmarva Peninsula to get to the Sports Complex and see what a beautiful state Delaware is. She also thought it would benefit the real estate industry and re-vitalize the beach areas. She said "our children will meet kids from all over the country. We want this down here in the middle part of the State. Please consider Plan B, it makes a lot more sense than the original plan and makes everyone happy." She added that if the Thompsonville grade-separated



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intersection is done first, residents of Frederica will be “held captive” to the traffic, and that people in South Frederica won’t be able to get out.

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

MOTION By Commissioner Eaby to move Item #7 (Draft FY15-18 Transportation Improvement Program) to #5, and move the other items down in order. Seconded by Mr. Pepper. Motion carried.

4. **ACTION ITEM: Approval of Minutes / July 9, 2014**

MOTION By Mr. Boyce to approve the minutes of July 2014. Seconded by Mayor Christiansen. Motion carried.

5. **ACTION ITEM: Draft FY 2015 - 2018 Transportation Improvement Program (including discussion of public comments received) - J. Galvin and MPO Staff**

Mr. Galvin reported that the new draft TIP is now based on \$160M, rather than \$228M, after the Bond Bill was passed by the General Assembly. Mr. Vetter reviewed the summary sheet, noting that not much changed for Kent County between this draft and the last one. Some projects were moved further out. He reported that the TAC and PAC asked that funds for design for the Garrison Oak Connector project be added to the TIP. This project was in the \$228M TIP, but removed; the TAC asked that it be put into design. Mr. Sisson asked how much that would cost. The answer was that Century Engineering had done an estimate; Mr. Boyce said it was \$650,000 for design and \$700,000 for right-of-way. Mr. Vetter said that the TAC wanted to get a design “on the shelf” in the event that a major tenant came in. Ms. Layton reported that the PAC recommendation matched the TAC; PAC voting was not unanimous, with 4 in favor, 2 against and one abstention.

Council members noted, however, that the South Frederica grade separated intersection remained where it had been in the prior draft TIP. Mr. Boyce said that, from DeIDOT’s perspective, the Sports Complex could move ahead without access from the grade-separated intersection. In fact, the entrance was actually on Milford Neck Road, not Route 1, and would not be a problem. DeIDOT is working with the developer and engineer to review options.

There was discussion concerning the options and potential traffic from the Sports Complex both during construction and afterwards, during events. No permit has been issued yet because no drawings have been submitted. Mr. Boyce said that there were good indications that “Plan B” would work.

There was further discussion concerning expediting the project, but Commissioner Eaby said that no site plan has been submitted yet. It was estimated that, if the project got started “tomorrow”, it would take two years to complete.

He also said that he could not endorse the project as it appears in the draft TIP. Mayor Christiansen asked if Council could amend the TIP. Mr. Boyce said that DeIDOT is working with the developer, but the project is not in the budget at this time.

Commissioner Eaby shared information about the kind of traffic and numbers that attend the tournament events at a complex of this type, and how the games are staggered.

Discussion then turned to issues discussed at previous meetings, such as the information fed into DecisionLens, the types of traffic accidents at both Thompsonville and South Frederica, and why the projects could not be switched again.

Mr. Pepper asked if “Plan B” could work at South Frederica, why wouldn’t that work at Thompsonville instead.

Mr. Boyce said that he didn’t want to lose sight of the fact that Thompsonville project is programmed. If the Sports



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Complex got a plan in the next 9 months, and fast tracked it, and built it in a year, it would still be 18-20 months of work for DelDOT to get the South Frederica project done. That was the amount of time that the temporary solution would be in place. He said the Department is still committed to funding South Frederica in FY2017.

Commissioner Eaby asked staff what would happen if the FY2015-2018 TIP was not approved. Mr. Vetter said that he had checked with FHWA, and the current FY2014-2017 TIP would remain in effect. However, it is not consistent with DelDOT's CTP and some sort of reconciliation would be required. DelDOT is the implementing agency; the TIP reflects local needs but does not dictate scheduling.

There was further discussion regarding projects and DelDOT's financial concerns and infrastructure needs.

Commissioner Eaby said he could not recommend approving the TIP, because there is not sufficient factual reason and evaluation given to amend the FY2014-17 TIP which was approved. He said he had not seen any reason to switch the projects, and has never been presented with any information or analysis on how DecisionLens works or what information is entered into the program. Commissioner Eaby said it also made no sense to have a project approved and scheduled and then to apply a retroactive priority process on projects already approved. It did not convince him to change what the MPO Council approved for FY2014-2017. He also noted that "Plan B" was not included in this draft TIP.

MOTION By Commissioner Eaby to not approve the draft FY2015-2018 TIP for the reasons stated above.
Seconded by Mayor Christiansen.

There was further discussion, with Mr. Boyce noting that he needed to do a better job to explain the criteria used to evaluate the project. He said that DelDOT provided information on DecisionLens to Council, but had not provided a formal presentation. He said he did try to explain how the program is used, and reiterated that DelDOT was committed to funding South Frederica in FY2017.

Mayor Christiansen suggested tabling the issue until November, to see something more concrete, he wanted a firm commitment from the people developing the project that the solution is "doable." He also added that DecisionLens may change its mind again. He could not approve without knowing the project wouldn't be moved down again. He wanted to hear from Mr. Boyce and the Sports Complex people about this. Mr. Boyce said they had nothing concrete to work with at this time, nothing has been submitted to the County. DelDOT was proactive and built a traffic model at taxpayers' expense to see if this would work.

The vote was taken: 2 in favor of not approving the FY2015-2018 TIP; 2 against not approving the TIP; and one abstention.

The motion failed.

MOTION By Mr. Boyce to approve the FY2015-2018 TIP as amended by the TAC with funding for design for the Garrison Oak Connector Road. Seconded by Mr. Sisson.

There was discussion concerning some kind of guarantee from DelDOT that the South Frederica "Plan B" would be included along with the TAC's amendment. Mr. Boyce said he couldn't guarantee that, but said DelDOT would do everything in its power to issue an entrance permit, did a study in good faith and is committed to funding the South Frederica project.

The vote was taken: 2 in favor of approving the FY2015-2018 TIP as amended by the TAC; 2 against; and one abstention.

The motion failed.



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At this time, Mayor Christiansen had to leave the meeting, which meant there was no longer a quorum.

The remainder of the agenda included action items, and everything was informally tabled until the next meeting. However, the Scenic Byways amendment and the CMAQ projects must have action taken before the end of the federal fiscal year (September 30, 2014). Dates considered for those items were September 24 in the afternoon or September 29. Staff would contact Mayor Tinari and Mayor Christiansen.

- 6. ACTION ITEM: FY 2014 - 2017 TIP Amendment (Scenic Byways Program) - R. Vetter (enclosure)**
- 7. ACTION ITEM: FY 2015 Congestion Mitigation/Air Quality (CMAQ) Projects - R. Vetter (enclosure)**
***** Tabled until the Council convenes in a special meeting *****
- 8. ACTION ITEM: 2013 Delaware Population Consortium Projections Distribution - J. Galvin (7 enclosures)**
- 9. ACTION ITEM: Conversion of Data & Demographics Subcommittee to a Working Group – J. Galvin**
***** Tabled until the November Council meeting *****
- 10. MUNICIPALITIES/KENT COUNTY REPORTS: City of Dover / Town of Cheswold / Kent County**
- 11. TAC Report – R. Vetter**
- 12. PAC Report – K. Layton**
- 13. Staff Report –**
 - 13.1 Outreach Activities – K. Layton**
 - 13.2 UPWP Progress & Financial Reports – R. Vetter (enclosure)**
 - 13.3 Other MPO Projects & Updates – R. Vetter**

***** Items #8-13 Tabled until November 5, 2014 *****

The meeting was informally adjourned. Next Meeting: November 5, 2014