

MILFORD CITY COUNCIL
MINUTES OF MEETING
August 25, 2014

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, August 25, 2014.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr. and Katrina Wilson

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

Prior to the start of the meeting, Mayor Shupe was surprised by his fiancée, Sheree Shaffer, family members and friends with a birthday cake celebrating his 30th birthday.

RECOGNITION

Mayor Shupe announced that he is very pleased to honor Milford's Big League Softball team this evening. He recalled three years ago, at the time he started his newspaper business, he was covering this team who taught him a great deal about softball. He recalled watching them win the states, the region and finally this year, the world series.

He then read the following proclamation into record:

*TRIBUTE 2014-10
2014 Big League Softball World Champions-Milford Little League*

WHEREAS: Milford Little League has served the greater Milford area since 1960, promoting sportsmanship, leadership and excellence in athletics;

Excellence and success in competitive sports can be achieved only through strenuous practice, team play and team spirit, nurtured by dedicated coaching and strategic planning;

The Milford Big League Softball Team is comprised of the top 16 to 18-year-old girls from Milford Little League;

After winning the District I Title, Milford's Big League Softball Team worked tirelessly to capture the Regional Title in Worcester, Massachusetts and attain their goal of returning to their home state as the USA East representative at the World Series in Roxana, Delaware;

Topping their five-team pool with a 3-1 record, the USA East/Big League Softball Team advanced to the semifinals in the World Series where they defeated USA Southwest team from Calhoun, Louisiana by a score of 9 to 1;

In a thrilling eight-inning championship game on August 9, 2014, the USA East/Delaware District I Team from Milford, Delaware defeated the Host/Delaware District III Team from Laurel, Delaware by a score of 1-0 to win the 2014 Big League Softball World Series Championship in Roxana, Delaware;

The Milford Big League Softball Team became the first Milford Team to win a World Series Championship and the first for a District I All-Star team since Delaware realigned its districts nearly two decades ago;

The 2014 Big League Softball World Championship Team consists of players Haylee Scruggs, Shaina Reed,

Sierra Watkins, Whitney DeMora, Chelsea Fuhr, Kasey Fry, Alexis Howerin, Brea MacFarland, Megan Fry, Brittany Brown, Haley Rickards, Cassetty Howerin and Emily Messick and is led by Manager Ron Fry, Coach Kevin Brown and Coach Ernie Scruggs; and

The championship victory of the Milford Big League Softball Team sets an example of sportsmanship, dedication, and a "never give up" spirit for all little league teams across the country and its achievement is the cause of enormous pride for the Nation, State of Delaware and the City of Milford.

Now, Therefore, Be it Resolved, that the Mayor and City Council hereby commend and congratulate the Big League Softball Team from Milford, Delaware on winning the 2014 Big League World Series Championship!

GIVEN under my Hand and Seal of the City of Milford this 25th day of August Two Thousand and Fourteen.

s/Mayor Bryan W. Shupe

After a standing ovation by those in attendance, Mayor Shupe presented the players and coaches with individual copies of the tribute.

Tribute/Kent County Levy Court/Commissioner Erik Buckson

Commissioner Buckson was also present. Though he was attending tonight's council meeting for another purpose, he asked Mayor Shupe to join in the celebration because the Kent County Levy Court also wanted to pay tribute to the accomplishments of this Kent County team from Milford. He noted part of the district he represents includes Milford and its surrounding area but he also has a connection because he teaches at Polytech High School where two of the players are students.

He stated that his tribute mirrors what Mayor Shupe and the City of Milford have described and speaks to the team's tremendous accomplishments.

He presented the tribute to a Milford Little League representative to be added to the league's archival records.

CALL TO ORDER

Mayor Shupe then called the Council Meeting to order at 7:14 p.m.

Councilman Starling was absent due to another obligation.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilwoman Wilson.

NEW BUSINESS

Mayor Shupe adjusted the order of business so that the school district items could be discussed at this time.

Milford School District/Referendum Update/Superintendent Phyllis Kohel

The mayor announced that Milford School District is considering a new plan of action to address their facility needs and funding possibilities. Dr. Phyllis Kohel is here to discuss these options and proposed plans.

Dr. Kohel then acknowledged School Board President Marvin Schelhouse who was also in attendance,

She explained that she wanted to inform council of a couple options being considered prior to officially publicizing and going out into the community. She recalled that last March, the referendum to build a new middle school on its current site

failed. The original proposal included demolition of the old school and rebuilding on the same site as a savings measure. She acknowledged a number of reasons that occurred emphasizing that the bottom line is they need another building.

Dr. Kohel explained that since that time, they have considered another operations referendum as a result of some major cuts that were done; she felt that some were good cuts but some cut deeply which they are very concerned about. At this point, they have done everything possible to lower costs and needed to readdress the operations issue.

While these issues were being reviewed, there was a substantial increase in enrollment and they must also now consider what is best for the community in the long range. She said they do not want to have a referendum for a middle school and then come back and ask for another elementary school the next year even though that is where the district is headed.

Dr. Kohel explained that in one month, the enrollment in Milford School District increased 149 students. On June 6, 2014, the last day for students, there were 4,114 students in the district; today, there are 4,260 students, or an increase of 146 students. Many of those students are in the elementary schools and middle school which are the schools that have incurred the brunt of the growth.

The superintendent explained that the State of Delaware sets a capacity for each school. Capacity at Ross Elementary is 650 students; currently that building houses 639 students. One option is to restructure the district and reset the boundary lines which many parents object to because their children would be moved from one building to another.

The second building experiencing a substantial population increase is the Milford Central Academy. It was built with a capacity of 1,000 students; today, there are 1,046 students at the academy. Four modules have been added to accommodate the number of students that attend the school. If it becomes necessary, plans are in place to move several classes into the high school. The academy principal does not want to do that even though there may be no other choice if enrollment continues to increase.

Dr. Kohel said that Milford School District has not had the big immigration hit that many of the Sussex County schools have had. Because Milford starts the school year early, it is common to receive several new enrollees the day after labor day. As a result, they anticipate their population will continue to grow.

For long range purposes, she explained the district wants to restructure to make room in their elementary and middle schools, in addition to the high school.

She announced that two options are being considered.

Option one is to go back out for an operations and building (middle school) referendum. If that is the choice, land will need to be purchased. The intent is to build a 1,500 student middle school to prevent having to build another school ten to twenty years down the road. Financially, they will have to continue to maintain the property where the old middle school currently sits though they hope to work that out at some point in the near future.

They believe a better plan would be to build a new high school. They were approached by the land owner from the Sunnybrae property which consists of 90 acres whose land is contiguous to the current high school complex. If that land were purchased and a 1,300 student high school was built, they could then move the fifth grade out of the elementary schools, add a 5th-6th grade wing to the current academy building and a 7th-8th grade wing at the current high school. A new 1,300 student high school would then be built directly across from the campus/football stadium.

Dr. Kohel explained that will not only allow the district to plan for the future, but restructure the district which would allow additional room in the elementary schools, allow plenty of room at Milford Central Academy for 5th and 6th graders and provide adequate room for 7th and 8th grades at the high school. It would also allow overcapacity for grades 9 thru 12.

She noted the district would also save money because the high school could continue to use the current football and other athletic fields adjacent to this land. The funds that would have been used for a new stadium could then go directly into the school and allow some new STEM programs they have wanted for the past several years but have not had the capacity.

Dr. Kohel said their intent was to inform council of their plans and what they believe would be the best move for the community and the district. She said many people in the community say the high school is the focal point of the community. She cannot confirm whether that is true or not. However, Dr. Kohel did say that a strong high school with capacity to grow and the ability to offer more programs in addition to more vocational type programs will hopefully keep Milford students here instead of choosing tech schools.

She emphasized this will be a benefit to the community and believes will draw more people to this community. She is convinced this would be a win/win benefit for the community, district and city as a whole.

Dr. Kohel wants to hold some community meetings to hear the residents' opinions but felt it was very important that council hear this directly from her. She encouraged council to call her anytime particularly if they have questions, concerns or ideas about the district.

Board President Marvin Schelhouse then addressed council stressing how important it is for the next referendum to be approved. He explained that even after a referendum is approved, it will take three years before the building is up and running. He referenced Dr. Kohel's comments regarding the overcrowding at Ross and Central Academy. The 6th and 7th grades were moved to the academy along with the 8th graders. He reminded council that it was built in 2010 to house two grades.

He said this is an urgent matter and reiterated they will be going out into the community to present their plans which he feels is a very good plan.

President Schelhouse stated that the last high school built in Milford was in 1929 which is the vacant middle school on Lakeview Avenue. The current high school was built in 1963 as a junior high school.

President Schelhouse concluded by stating we are way behind the times and expressed the urgency for a new high school which will hopefully help keep Milford students here.

Councilman Mergner suggested that Dr. Kohel continue to voice, communicate and educate the residents in the greater Milford area and especially the parents. He expressed the importance of getting the right information out and the urgency for the referendum.

Councilman Gleysteen asked if the plan is to present a referendum for an operating budget; Dr. Kohel explained it would be a combined referendum which would include both the operating budget and building proposal.

Mr. Gleysteen said he was informed the school district had more than a \$10 million surplus and next year, that money will be entirely depleted and asked how that occurred.

Dr. Kohel explained that is not quite accurate noting that the district never had a \$10 million surplus. However, four years ago, they had \$6.8 million in reserves. She then reviewed the state cuts that have occurred the past few years for Mr. Gleysteen. Dr. Kohel explained that in 2011, the State of Delaware cut \$58 million from their educational budget; Milford School District's portion was approximately \$3.5 million. The district also lost 10% in division two costs, 9% in division two energy costs and 39% in the professional development.

On top of the \$3.5 million, they lost an additional \$3 million from state and federal cuts.

Dr. Kohel also recalled that in 2011, the district was only able to continue offering several programs by paying for them with reserve funds. The first year, approximately \$1.3 million was needed to meet their budget. Each year since, with energy, fuel and other costs increasing, they have increased the amount of money needed from local funding. Last year, \$1.8 million was needed to meet the budget and prevent cutting educational programs. Two secretaries, a custodian and one administrative position were eliminated in an attempt to make the reserves last longer.

If an operations referendum does not pass in two years, the school will not be able to make their payroll by year three.

Mr. Pikus then referenced the vacant middle school adding that many people did not want that building demolished. He said he knows the amount needed to rehab it will cost more than a new building.

Dr. Kohel agreed noting that she recently received a quote of \$34 million to renovate the middle school building.

Mr. Pikus asked what will happen to the middle school land if a new school is built on the Sunnybrae property; Dr. Kohel said there is a process outlined by the State of Delaware. The first requirement is to offer it to other state agencies. However, that was done the first time they were considering a referendum and no other state agencies were interested. The next step would be to offer it to the City of Milford. The city could then continue using the land which includes the walking track and athletic fields that are used by the public on a regular basis.

Dr. Kohel emphasized that something will have to be done because the district cannot afford to continue maintaining and operating the building. The cost was \$120,000 this year with no students in the building.

Unfortunately, she is unable to give a solid answer because they have not gotten to that point. The first step will be to pass the referendum and then they will work with the community and hopefully come up with an amenable solution for the property.

The superintendent confirmed the cost to demolish the building was \$1.89 million which included the asbestos abatement.

Mayor Shupe thanked Dr. Kohel for taking the time to come before council and for keeping them in the loop. From his perspective he applauds her and the school board for trying to find a solution to the overcrowding solution. It is an ongoing problem and understands the urgency. He also agrees that schools are one of the things that people consider when looking at a community. He asked Dr. Kohel to contact the city if they can be of help in the matter.

Milford School District School Resource Officer/Expenditure Reimbursement/Dr. Phyllis Kohel

Mayor Shupe then recalled when Board Member and President (at the time) Pat Emory and Dr. Kohel came to council a couple years ago and asked that three additional police officers be placed in the various schools in the district for which they would cover the costs of those three officers. That cost included salary, benefits, uniforms and other miscellaneous expenses. An agreement was signed and after the hiring process was completed, the school asked, and the police department agreed to reduce the number of officers to two. As a result, Dr. Kohel has requested reimbursement of the cost of one officer, minus any expenses associated with hiring and training of the third officer. The agreement allows modification after the request is submitted in writing.

A motion was made and carried, but did not include the payroll and benefit numbers. Chief Hudson then provided the updated numbers, after which Mr. Pikus moved to amend the previous motion and reimburse Milford School District \$90,641.36 (minus \$7588.67 for training and uniforms and \$1769.97 for payroll and benefits). Mr. Gleysteen seconded the motion. Motion carried.

Dr. Kohel said she is willing to work with the city and if it is easier, the city can keep the reimbursement and the school will pay the difference between what is owed for the two SRO officers and the credit for the third officer. She said she appreciates the police department and city working with the school district in this matter.

COMMUNICATIONS

No Smoking Policy/City Parks/Councilman Pikus

Mr. Pikus reported that numerous downtown Milford businesses have asked to mirror what several other municipalities have done and make the city parks smoke free. He said this is the result of children using our parks in addition to the farmer's market where smoking is permitted.

Mayor Shupe said he will place this under the Community Affairs Committee which consists of Mr. Starling, Mr. Mergner and himself. They can report back to council at the next meeting.

Mr. Brooks recalled a no-smoking policy approved by council years ago. Mr. Pikus believes that only applied to the indoor areas.

UNFINISHED BUSINESS

Bid Award/DBF/Washington Street Water Treatment Facility Raw Water Main Replacement Project

Mayor Shupe reported the bid was properly advertised and bids received on July 31, 2014. Three companies bid on the two options. Bids ranged from \$412,412.00 to \$648,502.77.

The Drinking Water State Revolving Fund (DWSRF) program through the Department of Public Health, has reviewed and accepted the supplemental information provided by the low bidder and verified compliance with the Disadvantaged Business Enterprise (DBE) requirements of the program. The low bidder's registration and active status in the System for Award Management was also confirmed.

Following a complete review by the city's engineering office, their recommendation is to award the bid to Teal Construction, Incorporated in the amount of \$412,412.00 which includes Option 2 for the Raw Water Main from the Proposed Well.

The city manager confirmed this will be paid from the funds approved through the referendum process in 2008 which included a new treatment plant and other water improvements.

Erik Retzlaff of Davis, Bowen and Friedel was present and explained the project is two parts. One portion is for the new water main from the new well to the tank site and the other is for upgrades to the water tower site. There are two options associated with the tank site to the new well. One option is to directional drill the pipe without disturbing the street. The other option is to open the street up. In this case, it was less expensive to open the street up. Therefore, Option 2, in the amount of \$412,412, is recommended.

Mr. Brooks moved to award the bid to Teal Construction, Inc. in the amount of \$412,412 which includes option 2 for the Raw Water Main from the Proposed Well, seconded by Mr. Pikus. Motion carried.

FY 2014-2015 Budget Adjustment/Water Reserves/Tenth Street Standby Power System Replacement Project

Mr. Carmean advised that this year's budget included a new on-site generator at the Tenth Street Pumping Facility. The bids came in higher than the budgeted amount. The actual bid will be paid out of the budget.

Mr. Retzlaff explained that a year ago, capital in the amount of \$130,000 was budgeted for this project. That included \$110,000 for the construction work and \$20,000 in engineering costs. The construction costs came in at \$119,950. As a result, an additional \$10,000 is needed to award the bid for the generator replacement.

It was confirmed the \$10,000 will have to be paid from the water reserves.

Mr. Pikus moved to approve the transfer of \$10,000 from water reserves to award the bid which follows, seconded by Mr. Brooks. Motion carried.

Bid Award/DBF/Tenth Street Standby Power System Replacement Project

Mayor Shupe advised the bid was properly advertised and bids received on August 5, 2014. Two bids were received. The low bid was \$117,500 and highest bid was \$126,750.

Mr. Carmean said his recommendation is to accept the Bilbrough Electric bid in the amount of \$117,500.

Mr. Retzlaff advised that two additional bid items, #4 and #5, to remove the old generator and access platform were added which brings the total to \$119,950.

Mr. Carmean confirmed this item was budgeted.

Mr. Gleysteen moved to award the Tenth Street standby Power System Replacement Project, with #4 and #5 bid items, to Bilbrough's Electric, Incorporated for a total of \$119,950. Mr. Brooks seconded motion. Motion carried.

USDA \$2 Million Loan/Referendum Issue/Water Projects

The city manager recalled directing Mr. Retzlaff to prepare a presentation. After discussing the matter, it was agreed to wait until we receive a response from the USDA.

Mr. Retzlaff updated council by confirming the application was submitted to the USDA.

Mr. Pikus moved to postpone action on this matter, seconded by Mr. Gleysteen. Motion carried.

NEW BUSINESS (continued)

Tax Bill Issue & Due Date Extension

City Manager Carmean is recommending the due date on property taxes be extended from September 30, 2014 to October 31, 2014.

He recalled this past May, the city assessors began to assess properties according to current market values to prevent a large citywide reassessment in 2022. When a number of property values increased as a result, council voted to stop that process and that those values revert back to their 2012 values. Because all new values were added to the city's software, those values had to be removed. That has caused a substantial problem with the software program which staff has been working on for several days. The old information is now being added manually which has postponed the bills being prepared and mailed.

Ms. Wilson moved to extend the property tax due date deadline to October 31, 2014, seconded by Mr. Morrow. Motion carried.

ADJOURN

Mayor Shupe adjourned the Council Meeting at 7:45 p.m.

Respectfully submitted,



Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL

MINUTES OF MEETING

August 25, 2014

The City Council of the City of Milford met in Workshop Session on Monday, August 25, 2014 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr. and Katrina Wilson

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

The Workshop Session convened at 7:45 p.m.

*Greater Kent Committee/Kent County Regional Sports Complex/Executive Director Shelly Cecchett/
Past President Bill Strickland/Committee Member Gregg Moore/Kent County Commissioner Erik Buckson*

Bill Strickland explained his intent is to give council an update on where the proposed Kent County Regional Sports Complex project stands.

He presented a rendering of the final concept plan that will be located in south Frederica across from Meding and Son Seafood. The plan includes thirteen lighted, rectangular fields with artificial surfaces. The thirteenth field would be field hockey specific designed in partnership with the US Field Hockey Association.

Mr. Strickland advised that rectangular fields predominantly involve soccer, lacrosse, field hockey and on a limited basis, football.

When compared to other similar ventures, this project is unique because all fields are on the same site. Tournament play is typically disjointed with games being played throughout the area at different sites (schools, colleges, recreation areas, etc.). Putting all fields on the same site is a competitive advantage for this venue to host regional and national tournaments.

He recalled their committee coming before council almost three years ago when they presented this concept and discussed the benefits to Central Delaware. He said when this project was first started, the previous Dover mayor stated he did not like the project because it was not in Dover. He respects that opinion but pointed out the bottom line this is a Kent County project that will be located in Central Delaware.

Mr. Strickland indicated he is tired of seeing money making its way north and not being retained here in Central Delaware. This sports complex will benefit businesses in Dover, Harrington and Milford.

This project was studied by three different firms who have determined that \$18 million in direct economic impact will come through the central part of the state if this facility is built. Out of state residents will be filling up hotels, restaurants, shops and stores. According to Mr. Strickland, this will become an economic engine driver for central Delaware.

The Delaware Union (former Central Delaware Soccer Association) will be an anchor tenant. They will bring 4,000 kids participating in organized soccer play. He explained that an anchor tenant brings a direct revenue stream because there is a participation fee that goes with playing. They have no venue currently that will allow them to incorporate the southern part of Kent County and northern part of Kent County.

The second thing it brings is the greatest of sales people who will be traveling up and down the east coast and throughout the Mid Atlantic area as they participate in travel-sports tournaments.

Reviewing what has already been accomplished, he said the bylaws and articles of incorporation are in place. They have obtained their 501(c)(3) status and the land lease has been executed with Kent County Levy Court.

Mr. Strickland reported that Levy Court is leasing the property for \$1 a year for ninety-nine years which gives this site a unique competitive advantage. The land lease will allow this organization to enter into long term relationships with their business partners.

The Kent County Regional Sports Complex Board of Directors has been established and a master plan completed in conjunction with consultants CHA Sports. The coordination with US Field Hockey Association is the result of the thirteenth field that has a field hockey specific component.

Mr. Strickland said the funding for the \$24 million project will be through a \$15 million commercial loan, \$5 million from USDA, \$3.2 million from the Delaware Infrastructure Fund and \$978,000 from the bond bill.

He noted that a less expensive venue could have been built but the goal is to compete for tournaments. Artificial surfaces are a must to be competitive and nothing is more frustrating than to travel and be rained out because the grass surface isn't playable.

Lights are needed because there is a need to capture as much of the economic opportunity for as many months out of the calendar year as possible.

Three different banking institutions have confirmed they will provide financing for the \$15 million.

Their business plan is a public/private partnership. The Kent County Regional Sports Complex Corporation is the owner and the operating structure mirrors that of the Delaware Stadium Corporation which is the operating entity of Frawley Stadium (Wilmington Blue Rocks). CHA established the day-to-day management and operation plan which is based on the Germantown, Maryland Soccer Plex.

Partners include Highwater Management who is a food service management corporation, Philadelphia Union, Delaware Union, USA Field Hockey and the United States Lacrosse Association.

Gregg Moore of Becker Morgan Group and a member of the Greater Kent Committee, then referenced a DeIDOT design of the South Frederica Exchange. He said it was designed to correct safety issues, keep free flow traffic on Route 1 to the beaches and allow traffic to safely bypass and go to the beaches. They were also designed to allow locals to cross over the roadway without accident potential. This would be similar to the interchange north of Frederica and approximately five others.

According to Mr. Moore, the project was located at this site to allow safe passage into the facility. Three feasibility studies were done and each indicated it was important to have the interchange for traffic safety reasons.

Mr. Moore explained that there was a rumor this interchange was being developed for the sports complex project. He stated it was actually developed in the 1990's and was proceeding though it was not related to this project. It was part of the Corridor Preservation Program whose intent was to ensure direct access, high speed access throughout the State of Delaware.

The Corridor Preservation Program also limited direct access to Route 1 for new projects. An example is the Hampton Inn north of Milford who was prohibited from getting direct access to Route 1 and instead was required to use a side road.

DeIDOT's rules stated that no direct access is permitted for larger facilities and because of the size of the sports complex facility, is one of the reasons the interchange is so important to this project.

Mr. Moore noted that Kent County Levy Court actually referenced the need for the interchange in the \$1 lease and made that a contingency of the lease. In addition, a requirement of the financing contains a contingency that the interchange must be in place for access into the facility in order for it to be a viable facility.

In the meantime, DelDOT changed the priority of the various interchanges and projects statewide. He said that this project, along with several others, were put on hold.

The Greater Kent Committee wants to see the Kent County projects be built. They are tired of seeing projects built in New Castle and feel there is an urgency for these interchanges to be built in Kent County. As a result, they are pushing for all the interchanges to be built in Kent County.

Mr. Strickland believes there is a misunderstanding about the construction of the Northeast Front Street overpass which is very important to the residents of Woodshaven. He explained that Kent County is outgunned in Legislative Hall and believes the only way this can be done is to work collectively.

Mr. Strickland feels this is only going to happen as a direct result of everyone working together. He said they support the Northeast Front Street overpass, as they do the Thompsonville and Little Heaven overpasses and projects that were included as part of the Corridor Preservation Act.

He said they are asking council to simply advocate on behalf of this economic project that will benefit Milford, Dover, Harrington and other communities in Kent County. Mr. Strickland believes the window of opportunity will be lost if they do not act quickly. He said if we do not capitalize on this sports tourism/travel, it will be too late.

Mr. Strickland asked that city council let the elected officials in the general assembly know how important this economic project is to Kent County. He also asked council to support the Kent County elected officials. He then spoke about how important it is for Kent County administrators, Levy Court and state and county elected officials to rally together and work collectively and not only work to advance the Frederica overpass, but the sports complex.

Mr. Brooks informed Mr. Strickland that his concern is the need for all three overpasses. He agrees that South Frederica, Thompsonville and Front Street all need to be done. But in his opinion, the Woodshaven residents need to be able to access Route 1. There is additional problems as a result of the high school traffic and future traffic. On weekends, DelDOT turns on the Thompsonville intersection light which causes a backup on Route 1 and continues south of Milford. He feels there is a greater need for the Front Street and Thompsonville overpasses.

Mr. Strickland agrees everyone needs to work collectively on all projects to prevent one from fighting another which will only play into the hands of people who do not want to see any of this to happen.

Mr. Brooks also pointed out that a large church and school are being built east of Route 1 and the traffic from that project will only add to the severity of the traffic problems that currently exist on Route 1 in Milford. That traffic will be directed toward the Thompsonville intersection which is going to cause an even greater backup on weekends.

Mr. Pikus asked the ranking of the Front Street, Thompsonville and the Frederica overpass; Mr. Moore advised the South Frederica overpass, originally ranked to be bid in 2013, has fallen to 98 and has been as low as 129. His understanding is the Front Street overpass ranks in the 70's. He said there is a Council on Transportation (COT) meeting tomorrow to review the new prioritization list and that information will be released at that time.

Mr. Moore expects these two projects will be in the lower tier.

Mr. Pikus said he and Mayor Shupe discussed this matter today. They support the construction of the sports complex. The problem in Milford is the number of serious injuries and fatal accidents on Route 1. This is a safety factor and his priority is the Route 14/Front Street overpass.

He likes the idea of the sports complex but would love to see it in Milford. He noted the hundreds of acres available though none would be free.

Mr. Pikus feels that asking our legislators to do all three overpasses at one time is simply not going to happen noting there is very little money in the highway transportation fund. As a result, city council must consider priorities in relation to the safety of this community. He reiterated Councilman Brooks' comments regarding the problem on Route 1 in Milford. He asked where the money will come from to build all three overpasses at one time.

Mr. Strickland emphasized the only way to fight this is to work collectively. He said when you start pitting one overpass against the other, no one wins. The emphasis tonight is to work together.

Mr. Pikus pointed out the number of Woodshaven residents who are in attendance. This is a big concern to them but if you talk with our local legislators or senators from New Castle County and tell them we want all three overpasses done at the same time, they will laugh. He wishes that could happen but it is not reasonable. He recognized Senator Simpson who was in attendance who he feels will agree the money is not there and all three cannot be done at the same time.

Mr. Pikus noted that the South Frederica overpass will cost \$24 million and all three will be close to \$100 million.

Mr. Moore then noted that almost \$6 million has been spent on the South Frederica bypass with design and right-of-way procurement, etc. Because that money has been spent in Kent County, he feels the job needs to be completed.

Mr. Brooks recalled several years ago before Grottos and Royal Farms were built, Commissioner Buckson came before council and reported the Route 1/Tenth Street intersection is rated as 'barely passing'. In his opinion, the Tenth Street intersection needs to be addressed adding there have been a number of serious injury accidents there and one Milford High School student was killed as she crossed at that location.

He noted that the school is considering a new high school off Tenth Street which will add even more traffic. He feels school traffic is a priority and needs to be considered before anything else.

Ms. Wilson confirmed the Central Delaware Chamber of Commerce is very supportive of this project. Mr. Strickland noted that their Director Judy Diogo is in attendance and has worked with them from the beginning. Also, State of Delaware Economic Development Secretary Alan Levin is also on board. He noted that \$3.2 million has been allocated from the State of Delaware Infrastructure Fund through the Bill Bond Committee.

Ms. Wilson asked how they have supported the project; Mr. Strickland said they have been very vocal and the Kent County delegation in the general assembly has also been very supportive.

Ms. Wilson confirmed that Mr. Strickland is asking council to support the complex through the submission of a letter and to encourage the state to move forward with approving the overpass. Mr. Strickland stated yes, he feels this is an opportunity for Milford to get a shot of economic boost in addition to the other communities. His concern is the window of opportunity is beginning to close if they don't act quickly.

Ms. Wilson feels that supporting this project does not mean that city council does not support the overpasses in Milford and emphasized the need for those projects. She said that also means the city will continue to lobby for the Route 1 and Thompsonville overpasses in Milford adding that it sounds as though they are a higher priority on DelDOT's list versus the Frederica project.

She understands the need to work together to get this accomplished. Ms. Wilson agrees with that theory stating that together, our voice will be louder.

Mr. Strickland thanked Ms. Wilson stating that there is no one on the Greater Kent Committee who takes exception to any project for the betterment of Kent County whether it is from a public safety or economic development perspective.

Their job is to advocate on behalf of Central Delaware-Kent County in its entirety. He said they changed their name a year plus ago, from the Greater Dover Committee to the Greater Kent Committee because of that.

Kent County Commissioner Eric Buckson then thanked Mayor Shupe for allowing him to be here. He explained that years ago, this started as a very positive and exciting project. At that time, there was never any expectation there would be competition. He said then it began to change with the state and suddenly they were somewhat having to compete for the funding of these projects.

After speaking with some council members at a recent function and getting a sense they were talking about two different things, he felt there was a need to have a workshop and encourage people to attend and present the correct information.

The commissioner said his goal tonight is twofold. Number one is whether the project has merit which is a separate issue from the overpass. He hopes council will agree there is a merit and this is something exciting that can actually work. He hopes the information provided today will convince city council this can and will work.

He said the second goal is reality. Commissioner Buckson recalled speaking to city council back in 2009 or 2010 at which time he was very clear and said that we have to play the hand though it will not be fair. He feels this needs to move forward and not continue as a futuristic plan. He pointed out that it is 2014 and we are still talking about the same thing.

Commissioner Buckson is not here to tell anyone to walk away from Milford's overpass noting that he still has the accident stats he was given a year ago. He does not forget the fact that he represents Woodshaven as well as the other residents in his district. But he believes we can win this fight. He believes we can gain momentum with the strength in this room to get the resources to build these overpasses. He understands it is big money but the money has never been more right to borrow than at this time.

Commissioner Buckson feels we need to this and stop talking about it. He is here because he knew the criticism would be here and is willing to stay and talk to anyone. If that is not possible, he offered to attend the next Woodshaven meeting.

Mr. Pikus reiterated that this is all based on the dollars needed to build the three overpasses. He said this is not money the banks will loan or an investor will come in and donate. This involves the State of Delaware and the federal government. Overpasses are built with 80/20 money (federal/state) and it comes down to getting the money to build all three which is not going to happen at one time.

He reiterated that he loves the sports complex idea and believes that council will support that project. However, his first obligation is here and he does not want to distract from the safety in the City of Milford. Their job as council is to consider the residents of Milford. If they support the Frederica overpass, council is saying they have no problem putting Milford last on the priority list. The new high school will add another 1,300 to 1,400 students to this Tenth/Front Street area and access is needed for those buses, cars and walkers.

Mr. Brooks recalled back in the 1970's when an overpass was planned for Tenth Street and that never happened either.

Mr. Pikus said we can send a letter stating the sports complex is a great idea, but we want to ensure that Milford remains high on the priority list for overpasses.

Commissioner Buckson recalled talking with Mr. Pikus about the numbers. He explained that the futuristic plans for the overpasses have been on the books for years and have been ignored. He concluded by saying that if this project does not pass and is not supported, that is not an excuse to sit down. DeIDOT has ignored the Tenth Street, Thompsonville and Front Street projects though they continue to spend money in the other two counties.

With no further discussion, Mayor Shupe adjourned the Workshop Session at 8:30 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Terri K. Hudson". The signature is fluid and cursive, with a large initial "T" and "H".

Terri K. Hudson, MMC
City Clerk/Recorder

Attachment: Kent County Regional Sports Complex Presentation





**\$18 Million
Minimum Economic
Impact
Annually**

The top section features a collage of images. On the left, a sign for 'ABBOTT'S GRILL' is visible on a building. To the right, a sign for 'RIVERWALK FARMERS' is shown. Below these signs is a large green rectangular area containing the text '\$18 Million Minimum Economic Impact Annually' in a blue, outlined font. At the bottom of the collage, there are three smaller images: a brick walkway, a wooden boat on water, and a wooden walkway with a railing.

We've Been Busy

- Delaware Union Signs as Anchor Tenant
- Bylaws and Articles Incorporated
- Obtained 501c3
- Land Lease Signed
- Establishing KCRSC Board of Directors
- Master plan completed
- Coordination with US Field Hockey Association
- Worked with CHA to update business plan and pro forma
- Established Financing



Financing Breakdown	Sources		
	Bank Financing	\$	15,000,000
	USDA	\$	5,000,000
	DE Jobs Infra. Fund	\$	3,200,000
	Bond Bill 2014	\$	978,269
	Total Sources	\$	24,178,269
	Uses		
	Buildings	\$	1,478,000
	Site work/Utilities	\$	1,700,000
	Playing Fields	\$	8,832,300
	Stadium	\$	2,404,800
	Sport Lighting	\$	2,040,000
	Parking Lots	\$	2,129,500
	Fencing	\$	345,000
	Contingency (10%)	\$	2,482,962
	Soft Costs	\$	2,765,707
	Total	\$	24,178,269

PRO FORMA



KENT COUNTY SPORTS COMPLEX

			1	2	3	4	5	6	7	8	9
			2016	2017	2018	2019	2020	2021	2022	2023	2024
	Annual Increase										
Revenues	2.5% Yr4+	\$	1,908,138	2,311,684	2,870,160	2,941,914	3,015,462	3,090,848	3,168,120	3,247,323	3,328,550
Expenses	2.5% Yr4+	\$	(1,098,632)	(1,200,877)	(1,331,123)	(1,364,401)	(1,398,511)	(1,433,474)	(1,469,311)	(1,506,044)	(1,543,659)
NOI before Debt		\$	809,206	1,110,807	1,539,037	1,577,513	1,616,951	1,657,374	1,698,809	1,741,279	1,784,891
Debt Service: \$20 million Bonds		\$	(1,288,372)	(1,288,372)	(1,288,372)	(1,288,372)	(1,288,372)	(1,288,372)	(1,288,372)	(1,288,372)	(1,288,372)
Net Surplus/(Deficit)		\$	(479,166)	(177,565)	250,665	289,141	328,579	368,002	410,437	452,907	496,519
Cumulative Surplus/(Deficit)		\$	(479,166)	(656,731)	(406,067)	(116,926)	211,653	580,655	991,092	1,443,998	1,940,517

GREATER KENT COMMITTEE CHA SPORTS



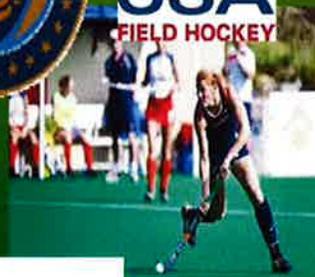
- Public Private Partnership
- KCRSC Owner
- Operating structure mirrors



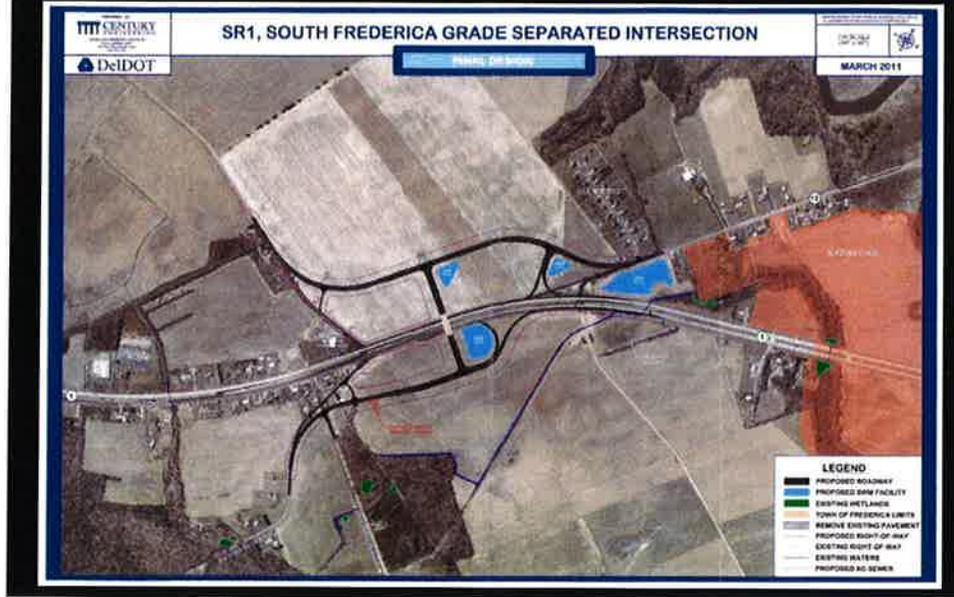
Business Plan

- **CHIA** established the day to day Management / Operations plan based on Maryland Soccer Plex

Sports Complex Partners



FREDERICA GRADE SEPARATED INTERSECTION



Why do we need the planned Interchange?

SPORTS COMPLEX

NOVEMBER 2010

Knot County Regional Sports Complex

Development Plan

Frederica, Delaware

The Goals Group
Sports Business Solutions

BRILSFORD & DUNLAVEY

Why do we need the planned Interchange?



Corridor Capacity Preservation Program

What's being done to make sure existing roads can handle future economic growth?





Which Roadways are in the Program?

Voluntary Program
In 1991 the Delaware Department of Transportation (DelDOT) and the Federal Highway Administration, in cooperation with Kent and Sussex Counties and Kent State University, began a voluntary program for about 10 miles of SR 138 from Dover to Kent State south to the Plains.

Current Program
The goal of the current program is to improve the safety and capacity of the SR 138 corridor. The program is a part of the Delaware Long Range Transportation Plan, and that the public be given the opportunity to share and comment on the program's progress.

The following conditions must be met for a roadway to be included in the program:

- SR 138 Corridor from Kent State to Kent State south to the Plains
- US 138 from Kent State to Kent State south to the Plains
- US 138 from Kent State to the proposed SR 138 and
- SR 138 from Kent State to the Plains

GROUND LEASE

BY AND BETWEEN

KENT COUNTY LEVY COURT

AND

KENT COUNTY REGIONAL SPORTS COMPLEX CORPORATION

FOR THE

KENT COUNTY REGIONAL SPORTS COMPLEX

A. The following events shall be deemed to be events of default by Lessee under this Ground Lease:

(i) Lessee shall fail to pay when or before due any sum of money becoming due to be paid to Lessor hereunder.

(ii) Lessee shall fail to pay when or before due any sum of money becoming due to be paid to Lessor hereunder.

(iii) Lessee shall fail to commence construction of the Regional Sports Complex on the Demised Premises within twenty-four (24) months of the time that the Delaware Department of Transportation completes construction of the proposed overpass on Delaware Route 1 and provides access to the Regional Sports Complex.

(iv) Lessee shall fail to commence construction of the Regional Sports Complex within sixty (60) days after written notice thereof to Lessee.

(v) Lessee's failure to commence construction of the Regional Sports Complex on the Demised Premises within twenty-four (24) months of the time that the Delaware Department of Transportation completes construction of the proposed overpass on Delaware Route 1 and provides access to the Regional Sports Complex.

(vi) Lessee shall fail to commence construction of the Regional Sports Complex within a period extending one (1) year.

13. REMEDIES: Upon the occurrence of any of such events of default described in this Ground Lease on the part of Lessee, Lessor's remedies shall include (i) to bring an action for specific performance to compel Lessee to cure any such event of default, and/or (ii) to bring an action to collect amounts due from Lessee to Lessor hereunder. These remedies are in addition to all other remedies Lessor may have at law or in equity.

14. HOLDING OVER: If Lessee continues to occupy the Demised Premises after the last day of the Term, and Lessee elects to accept rent thereunder, a temporary lease month to month only shall be created, and not for any longer period.

15. CONDEMNATION: If the whole or any substantial part of the Demised Premises is taken or condemned by any competent authority for any public use or purpose during the Term of this Ground Lease, this Ground Lease shall terminate at Lessee's option. Lessee reserves unto itself the right to claim and prosecute its claim in all appropriate courts and agencies for an amount of damages for such taking based upon its beneficial interest and

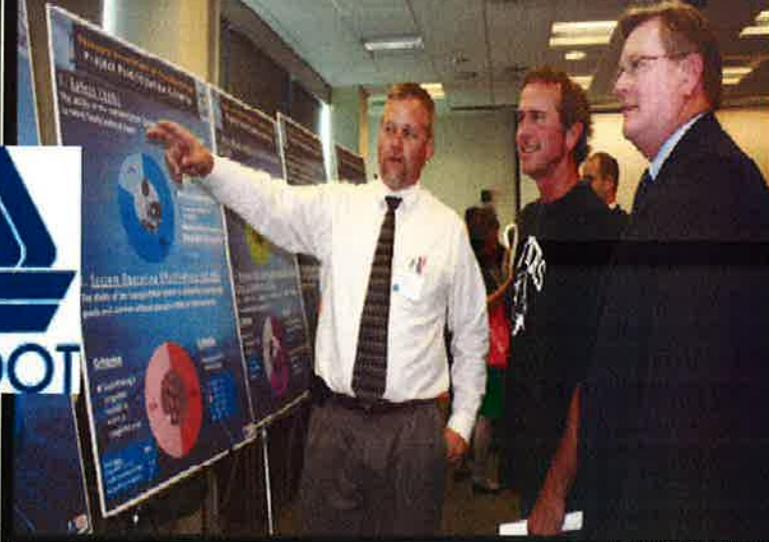
Financing

**Combination
State of Delaware
Infrastructure Fund Grant
USDA Grants and Loans
Commercial Loan**

OTHER CONDITIONS:

1. Prior to funding, the Bank shall require that Delaware Department of Transportation begin construction of the proposed overpass project officially known as the "South Frederica Grade Separated" intersection.

Roadblock for sports complex?



Delaware State News/Jan Finn
Drew Doyle, director of planning for the Delaware Department of Transportation, explains the agency's new project prioritization process to Kent County Levy Court commissioners Eric Buckson, left, and Terry Pepper during a public hearing for the Fiscal Year 2012-2013. Doyle is pointing to a display board showing the agency's new project prioritization process. The board is part of a series of four displays for the South Frederica project.

TAKE ACTION

- Call Governor Markell
- Send Letters & Emails
- Attend Meetings
- Support our Kent County Elected Officials



Kent County Regional Sports Complex

**THANK YOU FOR
SUPPORTING THIS
ECONOMIC ENGINE
AND
JOB CREATOR
FOR DELAWARE**