

The regular meeting of Mayor and Council was held on the above date with Councilmen Jim Reynolds, Jason Faulkner, Robert McGhee, Bob Pierce and Robin Burgess present, with Mayor Branner presiding. Town Manager Morris Deputy and Town Solicitor Scott Chambers were also present.

Mayor Branner appointed Rob Stewart to fill the vacant position on the Board of Elections. The vacancy was created by a member filing to run for a council seat. Mr. Stewart's duties will begin on Thursday, May 15th at the Special Election.

A Special Election is scheduled to fill the remaining term of Councilman Fisher who resigned. The election will be held at Town Hall from noon until 8 p.m. Residents filing absentee ballot affidavits must do so by Wednesday, May 14 at noon. Absentee ballots may be found on the Town's website or picked up at Town Hall.

Inspectors: Kristen Krenzer and Kelly Fletcher
Judges: Kate Keller Katie Green
 Amy Murray Theresa Berry
 Tracy Skrobot

1. MINUTES APPROVAL: Moved by Ms. Burgess and seconded by Mr. Reynolds to approve the Minutes for April 7, 2014 as presented. Motion Carried Unanimously.

2. TREASURER'S REPORT: Moved by Mr. Pierce and seconded by Mr. McGhee to approve the Treasurer's Report as presented. Motion Carried Unanimously.

3. BILLS PAYABLE: Moved by Mr. Reynolds and seconded by Ms. Burgess to approve the Bills Payable as prepared and pay as funds become available. Motion Carried Unanimously.

4. POLICE REPORT: Chief Hank Tobin

The MPD responded to 840 calls for service for the month of April 2014, down from 1,201 calls for this time last year.

- 275 incidents required documentation.
- 45 incidents required arrest action totaling 82 criminal arrests.
- Calls for Service: Zone 1 – 209; Zone 2 – 262; Zone 3 – 119; Zone 4 – 117.
- 37 accidents: 22 property damage; 8 property damage/hit & run and 7 personal injury.
- 4 drug arrests
- 2 burglaries – Crawford Street and Simpson Place.
- 1 Reported rape but investigation proved it did not occur.
- Multiple shoplifting arrests.
- Call Volume Analysis: busiest days were Tuesdays – 138 calls; Mondays - 133 between the hours of 1 p.m. and 5 p.m.
- Top calls for service: 204 vehicle stops; 77 property checks; 54 alarms; 54 follow up investigations and 41 public relations.

Resident David Rich expressed concerns regarding the MPD and was asked to continue his discussion under New Business.

Moved by Ms. Burgess and seconded by Mr. McGhee to approve the Police Report as presented by Chief Tobin. Motion Carried Unanimously.

5. PUBLIC HEARINGS:

5-A. Public Assembly Permit Request – Bucket Brigade fundraiser at Four Corners on Saturday, May 17, from 10 a.m. to 4 p.m.

Co-Captains for the Mission Possible Relay for Life team requested permission to hold a fundraiser at the Four Corners.

Moved by Mr. Reynolds and seconded by Mr. McGhee to approve the request to hold a Bucket Brigade fundraiser at the Four Corners on May 17 from 10 a.m. to 4 p.m. Motion Carried Unanimously.

5-B. Main Street Station, 5485 Peterson Road – Revision to the Record Major Land Development Plan, to make it a one-story, 18,000 square foot building instead of a two-story, 30,000 square foot building. Tax parcel 23-005.00-130.

Jeff Lang presented an elevation and site plan for Main Street Station at 5485 Peterson Road. The revised plan proposes a one-story, 18,000 square-foot building instead of a two-story 30,000 square-foot building.

- The building is wider but not as deep with 1200 square-foot bays.
- A summer start date is proposed with completion in the fall.

Mayor Branner stated the Planning Commission recommended removing 5 parking spaces to eliminate vehicles backing into the travel lane of Peterson Road. Mr. Lang said the 5 spaces closest to the entrance were removed. Morris Deputy said the plan was reviewed with DelDOT and they are approving plans similar to this but with the parking reversed so vehicles would back in and pull out. Mayor Branner commented if the parking layout was reversed it would be safer. Mr. Pierce commented that parking signage would have to indicate “backing in only”.

Moved by Mr. Pierce and seconded by Ms. Burgess to approve the revision to the Record Major Land Development Plan for Main Street Station at 5485 Peterson Road with the condition the parking is reversed as discussed and signs are installed indicating backing-in only. Motion Carried Unanimously.

5-C. 680 N. Broad St. – LED sign request for Napa Auto Parts retail store.

Chris Clowes from American Sign and Lighting, requested approval to install LED signage at Napa Auto Parts. It will replace the existing sign on Broad Street. It will not be animated.

Moved by Mr. Pierce and seconded by Ms. Burgess to approve the sign request for 680 N. Broad Street, LED sign for Napa Auto Parts. Motion Carried Unanimously.

5-D. Conceptual Development Plan – South Ridge Apartments and Townhomes

Continued.

5-E. Adopt an Ordinance to Amend Chapter 120 in the Town of Middletown Code regarding Rental Properties.

Morris Deputy stated the Ordinance will add the definition of an authorized person which is someone on record for a contact if something needs to be done to the rental property. It also adds an Improvement Acknowledgement Form which allows the owner one year to bring their property into compliance .

Moved by Mr. McGhee and seconded by Mr. Pierce to adopt an Ordinance to Amend Chapter 120 in the Town of Middletown Code regarding Rental Properties. Motion Carried Unanimously.

5-F. Adopt an Ordinance to Amend Chapter 136 in the Town of Middletown Code regarding Sewers.

Morris Deputy stated the Ordinance amends the amount used to calculate sewer impact fees for apartments and townhouses. It reduces the amount from 250 gallons to 110 gallons per day for apartments and from 250 gallons to 225 gallons per day for townhouses. Information received indicates the amount used is lower than the estimated amount in our code.

Moved by Ms. Burgess and seconded by Mr. Reynolds to adopt an Ordinance to amend Chapter 136 in the Town of Middletown Code regarding Sewers. Motion Carried Unanimously.

5-G. Motion to Ratify the Solid Waste (Trash and Recycling) Contract for FY '15-17.

Morris Deputy reported four people attended the Pre-Bid meeting and two companies submitted bids – Waste Industries and Waste Management. In all categories, Waste Management was the lowest bidder. Mr. Deputy recommended Mayor and Council Ratify the Solid Waste Contract with Waste Management for three years. The bid included yard waste collection on Friday. Trash pickup will remain on Tuesday – recycling and yard waste will be collected on Friday.

Mayor Branner said the EPA has mandated that effective July 1st, grass clippings will no longer be allowed to be put on the street because the clippings can end up in the sanitary system – fines are levied at \$10,000 per day for non-compliance. The Town will still pick up leaves, branches, etc. All details will be forthcoming.

Mr. Reynolds asked if residents can put out more than one can. Mr. Deputy said Waste Management usually picks up more than one can – the details will be clarified after we meet with them.

Moved by Ms. Burgess and seconded by Mr. Pierce to Ratify the Solid Waste Contract for three years with Waste Management for trash and recycling collection, as recommended by Town Manager Morris Deputy. Motion Carried Unanimously.

H. Unfinished Business: None

I. New Business:

- Sam Cannan, representing the Veteran’s Watchmakers Initiative, presented a proposal for a technical school in Middletown. The VWI is a charitable organization started in 1944 that professionally trains disabled veterans to repair and restore watches. A property owner in Middletown is donating 3 or 4 acres of land for the school. Programs are free to the

veterans and they will be housed on-site during the training period. The school will handle approximately 40 students and offer 3 programs: (1) a 14-month Master Watchmaker course; (2) a 6-week course for watch technician, and (3) possibly, a four-week jewelry repair course. Timetable: Planning and Zoning in June and to Mayor and Council in July.

- Tracy Skrobot, Main Street Director, announced it's the last weekend for the Designer Show House located at 202 S. Broad Street. Music on Main will be presented on the second Friday in June, July and August, featuring live bands and family events.
- Davis and Grady Anderson from Lakeside requested Mayor and Council provide a trash can at Silver Lake Park near the pond in hopes of keeping the pond and surrounding area cleaner. Their request came as a result of picking up trash around "Benny's Pond" for Earth Day.
- Dave Rich, resident, expressed his concern for the lack of diversity in the MPD. He also questioned why minorities don't get hired and why those who do get hired do not stay. Mayor Branner explained that those issues are personnel issues and by law, the Town cannot divulge any information pertaining to applicants. Mayor Branner also pointed out that exit interviews are conducted with all employees who leave and are reviewed by Human Resources and Supervisors. He also mentioned that the MPD has just completed the National Accreditation process and the results will indicate whether or not the Town is biased.
 - Per Chief Tobin, the Town's force consists of 34% of minorities, which is above the national average.
 - Police forces nationwide have a problem getting minorities to apply for positions.
 - Out of 23 officers on the MPD force, 5 are females.
- Matt from Amazon reported that tours of the Amazon plant are now available. Anyone interested should visit their web site and make an appointment.

Moved by Mr. Reynolds and seconded by Ms. Burgess to enter into Executive Session to discuss competency and ability of employees, pursuant to 29 Del. Code §10004(b)(9).

J. Executive Session

A. Discuss competency and ability of employees, pursuant to 29 Del. Code §10004(b)(9).

Moved by Mr. Reynolds and seconded by Mr. Faulkner to exit the Executive Session and return to the public session in Council Chambers. Motion Carried Unanimously.

Moved by Mr. Pierce and seconded by Mr. McGhee to approve the promotions as discussed in the Executive Session. Motion Carried Unanimously.

Moved by Mr. Pierce and seconded by Mr. McGhee to appoint a new Chief of Police effective 5/24/14. Motion Carried Unanimously.

K. Adjournment

Moved by Mr. Pierce and seconded by Mr. McGhee to adjourn. Motion Carried Unanimously.