

The regular meeting of Mayor and Council was held on the above date with Councilmen Jim Reynolds, Jason Faulkner, Robert McGhee, Drew Chas, Rob Stout and Howard Young present, with Mayor Kenneth Branner presiding. Town Manager Morris Deputy and Town Solicitor Scott Chambers were also in attendance.

1. Call to Order

2. Pledge of Allegiance

3. Minutes Approval: Moved by Mr. Reynolds and seconded by Mr. McGhee to approve the minutes as prepared. Motion Carried Unanimously.

4. Treasurer's Report: Moved by Mr. Chas and seconded by Mr. Faulkner to approve the Treasurer's Report as prepared. Motion Carried Unanimously.

5. Bills Payable: Moved by Mr. Reynolds and seconded by Mr. Chas to approve the Bills Payable and pay as funds become available.

6. Police Report: Capt. Michael Iglia

The MPD responded to 901 calls for service for the month of March.

- Burglaries: Planet Fitness – 4 victims. On March 24th, a juvenile was taken into custody and charged with the crimes; all property returned to owners.
- 3/4 Burglary - Immediato's – Investigation ongoing.
- 3/16 Burglary - Gibby Art Center - 3/30 suspect taken into custody and charged.
- 3/18 & 3/19 Burglary - 811 N. Broad St. - investigation ongoing.
- 3/9 Robbery - Dairy Queen - 3/18 suspect taken into custody and charged; suspect is also linked to additional robberies that occurred outside the MPD's jurisdiction.
- 3/9 Robbery - Restaurant N. Broad Street - On 3/17 Brandon Dixon and Darius Johns were arrested; Dixon was charged with the 1/17 robbery at the Chinese Restaurant located on N. Broad Street; Dixon was also charged with the 2/17 robbery at Valero on East Main Street. Both were also charged with the 2/21 robbery at J & K Liquor Store on S. Broad St. Both suspects were charged with additional robberies in Wilmington and Newport.
- 3/13 Robbery - N. Broad Street - 3/27 suspect charged; investigation ongoing.
- 259 traffic citations; 133 criminal arrests; 36 warnings; 335 reports; 33 field service reports.

Mayor Branner commended the detectives for their diligence and efforts in solving the robberies.

Moved by Mr. Young and seconded by Mr. Stout to accept Capt. Iglia's Police Report as presented. Motion Carried Unanimously.

7. Middletown Main Street Report: Mayor Branner announced that Nick Manerchia could not attend tonight's meeting. Mayor Branner also reported that Nick has resigned as Main Street Coordinator to take another position.

8. Public Hearings:

8-A. Chuck Sullivan, Sully's Irish Pub, requests permission to host music events on Cochran Square, May through September.

Mr. Sullivan requested permission to continue to host music events on Cochran Square in conjunction with Middletown Main Street. Music will be held on the first and third Friday of the month from 6 to 9 p.m., from May through September. Middletown Main Street currently has music scheduled July 7th and August 4th.

Moved by Mr. Faulkner and seconded by Mr. Chas to approve the request from Chuck Sullivan to host music events on Cochran Square, May through September, the first and third Friday of each month. Motion Carried Unanimously.

8-B. 214 N. Broad Street – Eagle Scout presentation and request to alter fence to create a gate on the property of Our Daily Bread Soup Kitchen. Tax Parcel No. 23-005.00-108.

Eagle Scout and Appoquinimink High School student, Ben Shackelford, requested permission to install a gate in the existing fence between Our Daily Bread and the transitional housing units on W. Lake Street, to provide easier access for the residents.

Mayor Branner reminded Mr. Shackelford to get a permit from the Town (no charge) and a Miss Utility ticket prior to digging.

Moved by Mr. Reynolds and seconded by Mr. Stout to grant approval to the Eagle Scout request to create a gate on the property of Our Daily Bread Soup Kitchen on 324 N. Broad Street. Motion Carried Unanimously.

8-C. Motion to Adopt Ordinance 16-11-04 for the annexation of Tax Parcel 13-022.00-001 into the Town of Middletown, in accordance with the Town of Middletown Comprehensive Plan.

Dominic Balascio presented the Maple Grove plan for annexation under the C-3 classification, proposing 350 apartments and 450,000 square-feet of retail.

Councilmen Faulkner and Reynolds' consensus was they did not feel comfortable annexing and zoning the property C-3, the broadest zoning classification in the zoning code. The Comprehensive Plan shows the area as possible mixed-use, but the plan doesn't address what amount is allowed. Council suggested that if the previous concept plan was going to change, then the revised plan should be presented for approval.

According to DelDOT, based on the current mix of residential and commercial development proposed. They believe the expected traffic will warrant a formal traffic impact study. The developer will be responsible for whatever improvements are necessary as a result of the study, or be required to amend the plan to lessen traffic impacts. The only way a formal traffic impact study would not be required, would be to present just a residential plan or by reducing the amount of residential and commercial.

Mr. Balascio said they would prefer to decrease the overall density and be part of the Westtown Plan.

Mayor Branner suggested the Town and Mr. Balascio meet with DelDOT to come up with a plan showing exactly what will be acceptable. The options are to vote on this plan proposing 450,000 square-feet of commercial and 350 dwelling units, or sit down with DelDOT and amend the numbers so it fits into the Westtown Plan. We need to know what will be built.

After general discussion regarding the concept plan presented and the brief traffic analysis prepared by McCormick Taylor for the Maple Grove property, Mr. Balascio requested to table the hearing.

Moved by Mr. Stout and seconded by Mr. Chas to adopt Ordinance 16-11-04 for the annexation of Tax Parcel 23-022.00-001 into the Town of Middletown, in accordance with the Town of Middletown Comprehensive Plan, also known as the Maple Grove Farm located on Bunker Hill Road. Motion Rescinded.

Moved by Mr. Stout and seconded by Mr. Chas to rescind the motion to adopt Ordinance 16-11-04. Motion Carried Unanimously.

Ordinance to annex the Maple Grove property tabled at the request of Dominic Balascio.

8-D. Motion to ratify a multi-year contract for copiers.

Morris Deputy: Bids from Ricoh and Laser Tone Business Systems are being analyzed to determine which company offers the best products in combination with reliable customer service and reasonable prices. Mr. Deputy requested approval to allow the negotiations and review to continue. After the review is finalized, they will enter into a lease with the lowest bidder and best interest of the town.

Moved by Mr. Chas and seconded by Mr. Faulkner to ratify a multi-year contract for copiers based on the recommendation of the Town Manager and Finance Manager upon their analysis of the two bids received. Motion Carried Unanimously.

8-E. Motion to ratify a contract for the farming of Town of Middletown property at 436 Green Giant Road. Tax parcel No. 23-054.00-005.

Morris Deputy: The Public Works Director requested bids for farming the 29-acre parcel located at 436 Green Giant Road for one year. Eight farmers submitted bids. The recommendation is to award the bid to Scott Wilkerson, the highest bidder at \$251 per acre.

Moved by Mr. Faulkner and seconded by Mr. Chas to award the bid to Scott Wilkerson for the 29-acre parcel at \$251 per acre, per the recommendation of the Public Works Director and Town Manager. Motion Carried Unanimously.

9. Unfinished Business: None

10. New Business:

- Mr. Reynolds announced that some changes will be made when the new trash collection company assumes responsibility on July 1st. Information will be sent to property owners, posted on the web site and provided at the May Council meeting.

- Mayor Branner reported the Reverse 911 call was made regarding the scam from “Mrs. Noble”. The Town will not notify residents by phone about utilities.
- John and Michelle Romano questioned why the Town was holding up their building permit to LC Homes, which was issued in October, for the construction of their house in the Estates at St. Anne’s.

Mayor Branner explained that the freeze was put on November 14th for inspecting the houses and issuing Certificates of Occupancy, because LC Homes did not live up to their obligations to the existing St. Anne’s community. LC Homes was notified every month, for 7 months, that a freeze would be put on inspections if the work on the roads, clubhouse and pool was not completed. When the roads, pool and clubhouse are completed enough to turn the clubhouse over to the restaurant facility, inspections will resume. The Town fully understands and appreciates what buyers are going through, but 300 homeowners have been waiting over four years for the completion of the roads, clubhouse, pool, etc. Work is finally progressing, and hopefully the Town will be able to resume inspections and issue Certificates of Occupancy. We have a meeting with LC Homes on Wednesday and will give you an update on Thursday where the project stands.

Moved by Mr. Reynolds and seconded by Mr. Faulkner to enter into Executive Session to Discuss competency and ability of employees, pursuant to 29 Del. Code §10004(b)(9). Motion Carried Unanimously.

11. Executive Session

Moved by Mr. McGhee and seconded by Mr. Reynolds to exit the Executive Session and return to the regular meeting in the Council Chambers. Motion Carried Unanimously.

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

Moved by Mr. Faulkner and seconded by Mr. Young to recommend approval of the requested salary adjustment from the Inspection Department Supervisor. Motion Carried Unanimously.

Moved by Mr. Stout and seconded by Mr. Faulkner to adjourn. Motion Carried Unanimously.

The meeting adjourned at 9:50 p.m.