

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

**1. Call to Order****2. Pledge of Allegiance**

**3. Minutes Approval:** Moved by Mr. Faulkner and seconded by Mr. McGhee to approve the Minutes for December 4, 2017 as prepared. Motion Carried Unanimously.

**4. Treasurer's Report:** Moved by Mr. Chas and seconded by Mr. Stout 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. Motion Carried Unanimously.

**6. Police Report: Chief Michael Iglio**

The MPD responded to approximately 920 calls for the month of November.

- 12/25 Burglary – Floyd Circle
- 12/21 Robbery – N. Cox Street
- 12/29 Suspicious vehicle complaint – Village Drive – resulted in drug arrest
- 12/11 Construction theft – Swansea Drive
- 131 traffic tickets; 28 warnings; 59 criminal arrests; 296 incident reports; 16 field service reports.

Moved by Mr. Young and seconded by Mr. Stout to accept the Police Report as presented by Chief Iglio. Motion Carried Unanimously.

**7. Middletown Main Street Report: Daneya Jacobs**

- January 27<sup>th</sup> - Sips and Sweets event from 1 – 5 pm; local shops will provide drinks and treats. Some businesses will host events for children.
- January 15<sup>th</sup> – committee training at 7 pm with a consultant from a previous Main Street from the State.
- Ms. Jacobs announced that the Board is actively seeking members for the Organizational, Economic Vitality, Design, and Promotion Committees if anyone is interested.

**8. Public Hearings:****8-A. Review the Concept Plan for a Crooked Hammock Brewpub and Backyard Beer Garden.**

Mitch Rosenfeld and Rich Garrahan representing the LaVida Hospitality Group presented a concept plan proposing to open a Crooked Hammock Brewpub and Backyard Beer Garden in Middletown. They currently operate a Fork and Flask and Crooked Hammock in Lewes, and Big Chill Beach Club in Bethany Beach. The restaurants promote a family oriented, casual, backyard cookout theme.

- The Crooked Hammock is both a restaurant and craft brewery, brewing beer on-site.
- Craft beers are served in the restaurant and available for take-out. The product is also

- packaged for sale to other retailers and restaurants.
- The proposed location is a +/-3 acre lot in the MOT Park.
  - The facility will seat 150 to 175 patrons inside and approximately 100 outside.
  - Outside play areas are provided.
  - A 2019 opening date is proposed.

**8-B. Westown Town Center, Phase 3 – Minor Land Development Plan to amend the previously-recorded plan, by removing buildings G-1 and G-2 (combined 5,250 square-foot restaurant) and replacing them with new buildings G-1 (2,103 square-foot restaurant) and G-2 (1,600 square-foot retail) and G-3 (2,000 square-foot restaurant). Tax Parcel 23-049.00-038.**

Jim Curran with Karins and Associates Engineers presented the plan amendment.

- Building G was previously approved for 5,250 square-feet for two restaurants.
- The plan proposes to increase the building to approximately 5,700 square feet to accommodate two restaurants (2,100 and 2,000 square-feet) and one 1,600 square-foot retail space.

*Moved by Mr. Faulkner and seconded by Mr. Chas to grant approval to Westown Town Center, Phase 3 Minor Land Development to amend the previously recorded plan as presented. Motion Carried Unanimously.*

**8-C. 118-120 Sleepy Hollow Drive, Suite 4 – Conditional Use Permit Request to lease warehouse space to a retail catalog, internet and mail order shipping company, in an M-I zoned area. Tax Parcel No. 23-021.00-129. CU-13-17.**

Robert Mullin, owner of the building, requested conditional use approval for a shipping company to occupy Suite 4.

Jamie Harris, President of Nichols Arcade, LLC, will operate the business. They own the Kona brand barbecue tools and accessories. Items shipped from overseas will be warehoused, repackaged and shipped to Amazon or direct to customers. Currently, one or two trucks per week deliver to the facility in Philadelphia.

*Moved by Mr. Stout and seconded by Mr. McGhee to approve Conditional Use Permit request CU-13-17 for 118-120 Sleepy Hollow Drive, Suite 4. Motion Carried Unanimously.*

**8-D. Motion to Adopt a Resolution for regulatory accounting pertaining to a construction agreement with DEMEC.**

Tabled.

**8-E. Motion to Adopt a Resolution to amend the Rules and Regulations of the Town of Middletown Electric Department concerning the PPCA Base Rate.**

Morris Deputy: The request is to amend the base purchased power cost to \$72.30/MWH to reflect changes to DEMEC's upcoming billing rate to the Town. It will ensure the Town still collects the 0.005 \$/KWH for capital improvements and the second 138 kV transmission line.

***Moved by Mr. Faulkner and seconded by Mr. Chas to Adopt a Resolution to amend the Rules and Regulations of the Town of Middletown Electric Department concerning the PPCA Base Rate. Motion Carried Unanimously.***

**8-F. Motion to Adopt a Resolution regarding an employee confidentiality agreement.**

**Tabled.**

**8-G. Motion to Adopt Ordinance 17-12-01 to amend the current Town of Middletown Comprehensive Plan by changing Tax Parcels 23-063.00-007 and 23-065.00-008 (700 and 710 Hedgelawn Way) from the Future Land Use designation of Industrial to Commercial.**

Morris Deputy: The request is to amend the Future Land Use Map from the Comprehensive Plan to change the parcels from Industrial to Commercial. An official rezoning request will be presented at a later date.

***Moved by Mr. Stout and seconded by Mr. McGhee to accept the recommendation from the Town Manager to amend the Future Land Use Map from the Comprehensive Plan to change the parcels from M-I to C-3. Motion Carried Unanimously.***

**8-H. Introduce Ordinance 18-01-01 to rezone Tax Parcels 23-065.00-007 and 23-065.00-008 (700 and 710 Hedgelawn Way) from the existing land use designation of M-I to C-3.**

**Tabled.**

**9. Unfinished Business:**

- Jim Young, Coordinator for the Salvation Army Kettle Drive, reported the 2017 Kettle Drive collected approximately \$24,200 – about 12% less than last year; non-profits were down both locally and nationally. The MOT results were better overall when compared to the rest of the state. Volunteers donated over 600 hours of time, and approximately one hundred Appo High School Honor Society students participated in the event. Mr. Young thank Mayor and Council, employees and everyone involved for their time and effort during the Kettle Drive.  
Mr. Young announced the “Super Bowl Event” will be held in February or March -- details will be announced at a later date; location to be determined.
- Heather Hotaling, involved in an accident in November, said she hasn’t received the letter requested from the police department. Capt. Iglie said the letter was mailed.
- Howard Young complimented town employees for a job well done during the past snow storm. He reminded everyone to check on the elderly during the extremely cold weather.
- Mr. Young asked everyone to keep the members and families of the Philadelphia Fire Department in their prayers due to the untimely passing of Fire Lt. Lentnall in a fire Saturday morning.
- Mr. Young reported the passing of George C. Wright, Jr. Mr. Wright was the first African American elected Mayor of the Town of Smyrna and held the position for 16 years. He was also the Executive Director of the Delaware League of Local Government for 25 years.

***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.***

**10. 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. McGhee to exit the Executive Session and return to the regular meeting in the Council Chambers. Motion Carried Unanimously.*

*Moved by Mr. Reynolds and seconded by Mr. Stout to approve the recommendations for promotions from Chief Iglie and Councilman Chas. Motion Carried Unanimously.*

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

Meeting adjourned at 8:52 p.m.