

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 and Town Solicitor Scott Chambers were also present.

1. Call to Order

2. Pledge of Allegiance

3. Minutes Approval: Moved by Mr. Reynolds and seconded by Mr. McGhee to approve the January 8, 2018 Minutes as prepared. Motion Carried Unanimously.

4. Treasurer’s Report: Moved by Mr. Chas and seconded by Mr. Stout to approve the Treasurers 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 Iglie

The MPD responded to 783 calls for service during the month of January.

- January 13 – E. Lake Street – burglary – ongoing investigation.
- January 14 – E. Main Street Valero – robbery – ongoing investigation.
- January 12 – E. Main Street – aggravated menacing – arrest made.
- January 17 – E. Lockwood Street – shooting – arrest made.
- January 8 – E. Main Street – heroin overdose. Narcam administered; subject regained consciousness and transported to hospital.
- 129 tickets issued; 33 warnings; 52 criminal arrests; 280 incidents reports; 26 field service reports.

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

7. Middletown Main Street Report: Daneya Jacobs

Ms. Jacobs reported the January 27th Sips and Sweets event was very successful. Twenty-three businesses participated – over 700 registrants from Maryland, Wilmington and Dover attended. The event received many positive comments. Ms. Jacobs reminded everyone that Middletown Main Street is always seeking new volunteers for various committees.

Election Information: Mayor Branner

Mayor Branner announced the following Election information:

- Election will be held Monday, March 5 at Town Hall, 19 West Green Street.
- Voting hours are 12 noon until 8 p.m.
- Candidate filing deadline is Friday, February 9 at 4:30 p.m.
- Residents who are sick or out of Town may vote until 4:30 p.m., March 2 by Absentee Ballot.
- Absentee Ballots are on the Town’s website at www.middletownde.org, under Election Information. Ballots can also be picked up at Town Hall between 8 a.m. and 4:30 p.m., Monday through Friday.
- Residents eighteen (18) and older may vote.
- Proof of residency is required to vote.

- **Inspector:** Kristen Krenzer
- **Judges:** Kelly Fletcher Katie Morris
 Kate Keller Kiley Edwards
 Amy Murray Krystal Jackson
 Amanda DiGati Noel Stokes
 Ray Hudson

- **Election Board:** Sonya Comstock
 Lorraine Reeves
 Robert Stewart

8. Public Hearings:

8-A. Middletown Historical Society request to hold parade, close streets and parking lots for Annual Peach Festival Saturday, August 18, 2018.

David Matsen requested the following for the Peach Festival (same as last year):

- Street closures: West Main St. from Broad St. to North Scott St., and North Cass St. from West Main St. to Pennington St., beginning at 6 a.m. and ending at 5 p.m.
- The use of Town Hall parking lots at the rear of Town Hall and S. Scott Street. The Church on Main will be contacted for the use of their parking lot.
- The parade will be held from 9 to 10 a.m. the same day, following the same route as in the past: assemble at the Everett Meredith Middle School parking lot and fields, proceed north on S. Broad St., turn right onto E. Main Street, turn right onto S. Catherine Street, and disband at Silver Lake Elementary School.

Moved by Mr. Stout and seconded by Mr. Reynolds to approve the request from the Middletown Historical Society. Motion Carried Unanimously.

8-B. Motion to adopt a Resolution for regulatory accounting pertaining to a construction agreement with DEMEC.
Tabled.

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

Morris Deputy: This is an agreement for employees who handle employee and customer information to sign to ensure they maintain confidentiality.

Moved by Mr. Chas and seconded by Mr. Young to Adopt a Resolution regarding an employee confidentiality agreement as recommended by the Town Manager. Motion Carried Unanimously.

8-D. Motion to Amend the December 4, 2017 Resolution regarding the creation of a new custody account for cash reserves and a money purchase pension plan.

Morris Deputy: A Resolution was passed in December giving the Mayor authority to act on behalf of the Cash Reserve and Pension Plan. The custodian of that account has asked that Council sign the Resolution.

Moved by Mr. Reynolds and seconded by Mr. Chas to approve the recommendation of the Town Manager to change the Resolution regarding the creation of a new custody account for cash reserves and pension plan. Motion Carried Unanimously.

8-E. Motion to enter into an agreement with Squire Retirement to serve as a third-party administrator for the Town of Middletown's Employee Money Purchase Pension Plan.

Tabled.

8-F. Motion to ratify an amendment to an existing Lease Agreement with the Frog Hollow Golf Course, regarding the transfer of the lease to The Edge of 18, LLC – Valerie Gooding, President.

Attorney Bill Brady represented Valerie Gooding. Ms. Gooding's LLC is purchasing approximately 6.5 acres including the pool, tennis courts, clubhouse and other appurtenances. The golf course has approximately a 90-year lease. Mr. Brady explained that after the draft amendment was presented, they learned that two Assignments are required. He also pointed out that the new entity, originally called The Edge of 18 LLC, changed its name to Golf Network Management Group, LLC, and the new Agreement reflects that change. The first Assignment is from Turf Management Enterprises, LLC, back to KL Golf, LLC, and KL Golf, LLC to the new entity, Golf Network Management Group, LLC. The language in the Assignment is essentially the same.

Mayor Branner questioned that the new entity will take over everything that is in KL Golf's name now. Mr. Brady said that is correct – the new document reflects the two Assignments and name change; the lease does not change.

Moved by Mr. Stout and seconded by Mr. McGhee to ratify an Amendment to the existing Lease Agreement with the Frog Hollow Golf Course, regarding the transfer of the Lease to the Golf Network Management Group, LLC, as recommended by the Town Manager and Town Solicitor. Motion Carried Unanimously.

8-G. Introduce Ordinance 18-02-01 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.

Mayor Branner introduced Ordinance 18-02-01 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. Council will act on the Ordinance at the March meeting.

8-H. Introduce Ordinance 18-02-02 to Amend Sections 1 and 6 of the Town of Middletown Subdivision Regulations, regarding plan review fees and development definitions.

Mayor Branner introduced Ordinance 18-02-02 to Amend Sections 1 and 6 of the Town of Middletown Subdivision Regulations, regarding plan review fees and development definitions. Council will act on the Ordinance at the March meeting.

8-I. Introduce Ordinance 18-02-03 for the Annexation of the Casapulla Farm Property containing 119.31 +/- acres contiguous to the Town of Middletown, in accordance with the Town of Middletown Comprehensive Plan, Tax Parcel No. 13-026.00-005.

Mayor Branner introduced Ordinance 18-02-03 for the Annexation of the Casapulla Farm Property containing 119.31 +/- acres contiguous to the Town of Middletown.

Council will act on the Ordinance at the March meeting.

9. Unfinished Business: None

10. New Business:

- Howard Young commended Chief Iglie and the MPD on their professionalism regarding the shooting incident on January 17.
- Paula Haudel, Spring Arbor, stated that the landscaping and berm proposed between Merrimac Avenue and the apartments has not yet been installed. Mayor Branner said the berm will be installed; landscaping is one of the last items to be completed.

Moved by Mr. Reynolds and seconded by Mr. Stout to go into Executive Session to discuss competency and ability of employees and pending litigation. Motion Carried Unanimously.

11. Executive Session

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

B. Discuss pending litigation, pursuant to 29 Del. Code §10004(b)(4).

Moved by Mr. McGhee and seconded by Mr. Stout 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. Stout and seconded by Mr. Young to approve the recommendation of a salary adjustment in the IT Department. Motion Carried Unanimously.

B. Discuss pending litigation, pursuant to 29 Del. Code §10004(b)(4).

No vote was taken.

Moved by Mr. Reynolds and seconded by Mr. McGhee to adjourn.

The meeting adjourned at 9:48 p.m.