

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

Mayor Branner announced the regularly scheduled election for March 3rd was cancelled due to weather and the state of emergency declared by the Governor. The election has been rescheduled for March 24th, from noon until 8 p.m. Town Hall will be closed. Officers and inspectors remain the same.

State Representative Bill Carson, Quinn Johnson and Senator Bethany Hall-Long presented the Mayor with formal tributes from the Governor, Senate and House of Representatives, celebrating his 25 years as Mayor of Middletown.

1. Minutes Approval: Moved by Mr. Pierce and seconded by Ms. Burgess to approve the Minutes for February 3, 2014 as presented in printed form. Motion Carried Unanimously.

2. Treasurer's Report: Moved by Mr. Pierce and seconded by Ms. Burgess to approve the Treasurer's Report as presented in printed form. Motion Carried Unanimously.

3. Bills Payable: Moved by Mr. Reynolds and seconded by Ms. Burgess to approve the Bills Payable as presented in printed form and pay as funds become available. Motion Carried Unanimously.

4. Police Report: Chief Hank Tobin

The MPD responded to 702 calls for service for the month of February 2014.

- 282 calls required documentation.
- 40 arrests
- Calls for service: Zone 1 – 155; Zone 2 – 246; Zone 3 – 85; Zone 4 – 102.
- 31 accidents: 21 property damage; 6 property damage/hit & run; 4 personal injury.
- Several drug incidents.
- Burglary: N. Catherine St., Arcadia Parkway.
- Vehicle theft at Friendly's.
- Thefts: trailers from Walmart and Peterson Road; coin machine from Diamond Car Wash.
- Carjacking – Anderson Street.
- Attempted vehicle thefts at Lakeside and South Broad St.
- Call Volume Analysis: Busiest days: Tuesday 120 and Thursday 113 calls for service. Peak hours: 7 to 9 p.m.
- Top calls for service: 155 vehicle stops; 55 alarms; 22 public relations; 41 property checks and 36 follow-up investigations.

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

5. Public Hearings:

5-A. Ratify an Agreement between the Town of Middletown and Middletown Police Department Fraternal Order of Police Lodge #20.

The memorandum of understanding covers a three-year period.

Moved by Mr. Pierce and seconded by Mr. McGhee to ratify an Agreement between the Town of Middletown and the Middletown Police Department Fraternal Order of Police Lodge #20 for a three-year period. Motion Carried Unanimously.

5-B. Adopt an Ordinance (14-02-01) to Regulate Cross-Connections with the Public Water System.

Morris Deputy said the Ordinance establishes the guidelines to regulate, inspect and monitor cross-connections with the public water system. It follows the Delaware Division of Public Health Guidelines.

Moved by Mr. Faulkner and seconded by Ms. Burgess to adopt Ordinance 14-02-01 to Regulate Cross-Connections with the Public Water System. Motion Carried Unanimously.

5-C. 10 West Green Street – Conditional Use Permit CU-03-14 – Request for a retail store (UNika Custom Creations) in an R-1A (residential) zoned area. The store would feature painted furniture, a retail paint line and painting classes. Tax Parcel 23-008.00-041.

Nika Hipsher requested Conditional Use approval to allow a retail store in an R-1A zoning district. The store will feature painting and refinishing vintage, new/used furniture. Paint and accessories will be available for sale. The paint line is the American Paint Company – an all-natural, mineral based paint containing no VOC's. Painting classes and workshops will also be offered.

Moved by Mr. Faulkner and seconded by Ms. Burgess to approve Conditional Use Permit CU-03-14, 10 West Green Street for a retail store (UNika Custom Creations) in an R-1A zoned area. Motion Carried Unanimously.

5-D. Adopt a Resolution to amend the Rules and Regulations, including the Electric Tariff for the Town of Middletown.

Morris Deputy requested Council adopt a Resolution to change the base purchased power cost rate.

Moved by Mr. Faulkner and seconded by Mr. Reynolds to adopt a Resolution to amend the Rules and Regulations, including the Electric Tariff as recommended by Town Manager Morris Deputy. Motion Carried Unanimously.

5-E. Adopt a Resolution to amend the Town of Middletown Personnel Policy to add a policy for Compensatory Time.

Morris Deputy requested Council adopt the Resolution to create Chapter 5-11 of the Personnel Policy regarding Compensatory Time.

Moved by Ms. Burgess and seconded by Mr. McGhee to adopt a Resolution to amend the Town of Middletown Personnel Policy to add a policy for Compensatory Time. Motion Carried Unanimously.

6. Unfinished Business: None

7. New Business:

- Mr. Reynolds reported that the sinkhole on West Main Street is being repaired by Town employees.
- Band Director Brian Endlein and students Noah Lucas and Daniella Estrappo from Middletown High School thanked Mayor and Council for their support for their trip to London. A Town flag, signed by students in the Cavalier Marching Band who participated in the concert, was presented to Mayor and Council.
- Tracy Skrobot announced the USAF Jazz Ensemble Band will be performing a free concert at the Middletown High School on March 26th at 7 p.m.
- Greg Williams, resident, expressed concern over an issue regarding his son and questioned the Town's efforts to ensure the police department is reflective of the community. Mayor Branner responded that he was not familiar with the issue and would be available to discuss it further.

Moved by Mr. Reynolds and seconded by Mr. Faulkner to go into Executive Session to discuss the competency and ability of an individual employee, pursuant to 29 Del. Code §10004(b)(9). Motion Carried Unanimously.

8. Executive Session:

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

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

Moved by Mr. Reynolds and seconded by Ms. Burgess to approve the recommendation from Police Chief Hank Tobin for the promotion of three officers to the rank of Corporal as discussed in Executive Session. Motion Carried Unanimously.

9. Adjournment

Moved by Mr. Reynolds and seconded by Ms. Burgess to adjourn. Motion Carried Unanimously.

The meeting adjourned at 9:05 p.m.

The election scheduled for March 3, 2014 was cancelled due to a snow storm and a State of Emergency issued by the Governor. The Election was rescheduled for March 24, 2014.

The results of the March 24th Election were announced by Mayor Branner, as follows:

For Council:	Robert McGhee	338
	James Reynolds	322
	Robin Burgess	300
	Richard Catterton	91

Total Voters: 382

Absentee Ballots: 6

Mayor Branner announced that the winners of the election, Robert McGhee, James Reynolds and Robin Burgess, will be sworn in at the April 7, 2014 Mayor and Council meeting after the votes have been certified.

A resignation letter from Councilman David Fisher was read by Mayor Branner. Mr. Fisher is resigning due to personal matters.

A Special Election Notice to fill Mr. Fisher's term will be posted March 25, 2014 at 8:00 a.m. The Special Election will be held on May 15, 2014. Filing deadline will be April 16, 2014 at 4:30 p.m. Absentee ballots will be available on April 17, 2014. Absentee ballots must be returned by the close of election on May 15, 2014.