

The unofficial results of the March 4, 2019 election were announced by Kristen Krenzer.

<u>Position</u>	<u>Candidate</u>	<u>No of Votes</u>
Mayor	Kenneth L. Branner, Jr.	442
Councilmen:	Aaron Blythe	391
	James Carns	130
	Drew Chas	429
	Jim Royston	388
Total Number of Voters:	502 (includes 10 absentee votes)	
	2 Write-in votes	

The official results will be announced Monday, March 11, 2019, at which time the winners of the March 4th election will be sworn-in.

Mayor Branner conducted the swearing-in of the new Police Chief, Robert Kracyla.

Moved by Mr. Reynolds and seconded by Mr. Stout to recess and continue the regular business meeting on March 11, 2019. Motion Carried Unanimously.

1. Pledge of Allegiance

2. Swearing-In of Mayor and Council Members

Vice-Mayor Jim Reynolds officiated the swearing-in of Mayor Kenneth L. Branner, Jr., for a two-year term.

Mayor Branner officiated the swearing-in of Councilmen Drew Chas, Aaron Blythe and Jim Royston for two-year terms.

3. Call to Order

Mayor Branner called the regular meeting to order with Council Members Jim Reynolds, Robert McGhee, Rob Stout, Drew Chas, Jim Royston and Aaron Blythe present. Town Manager Morris Deputy and Town Solicitor Scott Chambers were also present.

Mayor Branner announced the Board of Elections for the Town of Middletown certified the results of the March 4, 2019 Election, as follows:

492 residents voted in person; 10 absentee ballots were received, 2 write-in votes for Mayor and 1 write-in for Council.

For Mayor: Kenneth L. Branner, Jr.	442 Votes
Olivia Soleil	1 write-in
James Meyers	1 write-in

For Councilmen: Aaron Blythe	391
James Carns	130
Drew Chas	429
James Royston	388
Timothy Jones	2 write-in

Mayor Branner presented a Proclamation to Howard Young thanking him for his dedication and service to the Town of Middletown. Howard served on the Planning and Zoning Commission from 2011 to 2015, and Council from 2015 to 2019. Howard has been a long standing member of the Volunteer Hose Company, advocate and positive supporter of youth groups.

Mayor Branner presented a Proclamation to Jason Faulkner thanking him for his dedication and service to the town of Middletown. Jason first served on the Planning and Zoning Commission from 1989 to 2003, with 8 years as the Commission’s Chair Person, and serving as Councilman from 2003 to 2019. He was appointed Chairman of the Planning and Zoning Commission to fill Mayor Branner’s seat when he was elected Mayor in 1989. In addition, Jason was president of the MOT Youth Football League, supported high school Sports Boosters and Relay for Life, as well as many other activities in Town.

4. Minutes Approval: Moved by Mr. Reynolds and seconded by Mr. McGhee to approve the Minutes of February 4, 2019 as prepared. Motion Carried Unanimously.

5. Treasurer’s Report: Moved by Mr. Chas and seconded by Mr. Stout to approve the Treasurer’s Report as prepared. Motion Carried Unanimously.

6. Bills Payable: Moved by Mr. Reynolds and seconded by Mr. Chas to approve the Bills Payable as presented and pay as funds become available. Motion Carried Unanimously.

7. Police Report:

Mayor Branner introduced Rob Kracyla, the new Police Chief.

Chief Kracyla thanked Mayor and Council for their support and the opportunity to serve the Town of Middletown.

Chief Kracyla presented a comparison of calls for service by the MPD from 2017 to 2018, which remained steady. Shoplifting is one of the biggest crimes; this number should drop with more pro-active policing.

Year-to-date figures: Traffic summonses increased; reports written remain about the same; Field Service Reports will increase due to the mandatory foot patrol being initiated.

Top 5 calls for service in February: 173 vehicle stops; 61 burglar alarms (2 were actual burglaries); 45 TAC; 43 PDACC (property damage only accidents); 39 domestics in progress.

The MPD responded to approximately 850 calls for service for the month of February.

2/4/19 – Burglary – construction site on Eckington Drive
2/6/19 – Drug offense - E. Main Street traffic stop resulted in a drug arrest; released on unsecured bond, per new bond guidelines.
2/12/19 – Follow-up investigation – Amazon employee theft
2/14/19 – Follow-up investigation for 7/1/18 E. Main Street shooting; suspect arrested.
2/2/19 – Heroin death; Industrial Drive

Traffic Summons – 154; criminal arrests – 47; warnings – 88; reports written – 261; FSR – 48.

Moved by Mr. McGhee and seconded by Mr. Chas to accept the Police Report as presented by Chief Kracyla. Motion Carried Unanimously.

8. Middletown Main Street Update: Daneya Jacobs

- March 17th – From 12 to 3 p.m. downtown merchants are participating in a scavenger hunt for kids; parents receive a 10% discount on purchases.
- MMS will be putting out bids for rocking chairs and marketing supplies, as a result from obtaining a grant from Crystal Trust.

9. Public Hearings:

9-A. Motion to approve request for “Little Big Ball” for August 30-31, 2019.

Susan Campbell requested approval to hold a “Little Big Ball”. Rather than have a 24-hour marathon, it will be held from 6 p.m. August 30th until 6:30 a.m. August 31st; same tournament, just shorter hours.

Moved by Mr. Reynolds and seconded by Mr. McGhee to approve the request from the Big Ball Committee for Little Big Ball for August 30th and 31st from 6 p.m. until 6 a.m. Motion Carried Unanimously. Rob Stout abstained.

9-B. Motion to approve dates and support for “Movies Under the Stars” 2019.

Kevin Castora, from Jump on Over, requested approval for “Movies Under the Stars” this summer. This year’s events will be held Friday evenings, June 28, July 26, August 23, September 13 and October 11. Average attendance is 400 to 500. As in the past, they are requesting the Town provide trash receptacles, light poles and access to electric on the poles.

Moved by Mr. Chas and seconded by Mr. Stout to approve the request for Movies Under the Stars at Silver Lake Park as presented. Motion Carried Unanimously.

9-C. Motion to approve Peach Festival Parade and street closings for Saturday, August 17, 2019.

Kristen Krenzer, on behalf of the Historical Society, requested approval for the Peach Festival Parade.

Mayor Branner read the approvals requested by the Historical Society. Street closures, use of parking lots, as well as the time and route for the parade are the same as last year. The committee will be responsible for obtaining the necessary DelDOT approval for the parade, street closures and notification to residents, merchants and others of the closures and restrictions.

Moved by Mr. Stout and seconded by Mr. Reynolds to approve the request for the Peach Festival Parade for August 17, 2019 as requested by the Historical Society. Motion Carried Unanimously.

9-D. Middletown Area Chamber of Commerce to unveil entrepreneurial scholarships for small business.

Roxane Ferguson thanked everyone who supported the Spring Expo; over 1600 people attended.

Ms. Ferguson reported the Chamber is now offering Entrepreneurial Grants for new businesses. The grants will assist with fees required to start a new business. Two \$500 grants will be offered this year.

Moved by Mr. Blythe and seconded by Mr. Stout to support the Middletown Area Chamber of Commerce on the unveiling of the entrepreneurial scholarships for small business. Motion Carried Unanimously.

9-E. Motion to approve agreement with Estates of St. Anne's HOA, regarding banner placement on Town electric poles.

Jackie Ruiz, board member for the Estates at St. Anne's, requested approval to use the light poles along St. Anne's Boulevard (36) to place 18" x 36" banners. A contractor has been secured to do the installation. The HOA will maintain the banners and hardware.

Mr. Reynolds suggested the contractor should contact Shawn Lane in the Electric Department prior to placement of the hardware and banners.

Moved by Mr. Chas and seconded by Mr. Royston to approve the agreement (to be generated by the Town) with the Estates at St. Anne's HOA regarding the banner placement on the Town's electric poles within the community. Motion Carried Unanimously. Rob Stout abstained.

9-F. Ratify a Resolution to adopt the Downtown Development District Plan for the Town of Middletown.

Debbie Pfeil with KCI Technologies reported that no public comments have been received on the plan at this time, and requested Council approve a Resolution adopting the Downtown Development District Plan. Ms. Pfeil pointed out that some minor changes were made to the plan. The State now requires the appointment of a District Administrator – Town Manager Morris Deputy has been appointed.

Moved by Mr. Reynolds and seconded by Mr. Royston to ratify a Resolution to adopt the Downtown Development District Plan for the Town of Middletown, 19-03-01. Motion Carried Unanimously.

G. 504 S. Broad Street – Preliminary Major Land Development Plan for the demolition and construction of a new Everett Meredith Middle School. Plans call for a new, two-story middle school building totaling 125,309 square-feet, with administrative offices, classrooms, kitchen, cafeteria, gym and auditorium. The plan also proposes to reconfigure parking areas

to provide additional on-site parking. The existing Early Childhood Center, field house and athletic field are to remain. Tax Parcel No. 23-011.00-001.

Ted Williams with Landmark Science and Engineering and Scott Lester with ABHA Architects presented the plan. Bob Hershey from the School District was also present.

- The plan proposes to demolish the existing school, reconfigure the parking and create a parent drop-off area.
- A one-way entrance to the site is located on the southern end of Broad Street with a loop drive around the back of the building to a parent drop-off area. The loop drive continues to the exit on the north end of the campus at N. Broad Street.
- A traffic signal will be installed at the exit onto N. Broad Street; it will be activated by traffic exiting the school or the crossing guard.
- Approximately 311 parking spaces will be provided on the campus, as compared to the current 190 spaces. A portion of the spaces will be located in the school bus parking lot and used during events.
- The Early Childhood Center and the stadium will remain.
- The stadium will be in operation during construction.
- A temporary access to the Early Childhood Center and stadium will be provided off Priscilla Street, opposite S. Cass Street.
- Demolition will start in 2020; construction should be completed for the school year opening in 2022.
- Three bump-out islands will be constructed on N. Broad Street, located at Berkman Street, the traffic signal and the entrance into the campus. The bump-outs will reduce the distance pedestrians have to cross on Broad Street and help prevent vehicles from driving around cars stopped in the area.
- Approximately six bio-retention facilities will be constructed on-site.
- Planning and Zoning recommended approval.
- Comments from the Town's engineers will be complied with.
- Bob Hershey added that parents will be directed to drop-off their children at the designated drop-off area behind the school instead of Broad Street.
- The old gym will be demolished.

Scott Lester provided information on the school layout. The main entrance is in the center of the building; the administration and nurses offices are located on the first floor; academic classrooms are on each end. A main corridor connects the back building where the cafeteria, gym and auditorium are located. Seventh and eighth grades and media center will be located on the second floor. A stairway leads down to the common area and cafeteria space on the first floor. Bussed students will enter the building from the parking lot side entrance; a back entrance will be used for events.

Mr. Reynolds asked if a crossing guard would be at the Berkman Street entrance to the school. Bob Hershey said he anticipates the County providing a crossing guard at both pedestrian crossings (Berkman Street and the traffic signal).

Mr. Reynolds asked if the Fire Chief's concerns with the light had been addressed. Ted Williams said, per DelDOT, the light will remain green unless it is tripped by a vehicle exiting the school, or controlled by a crossing guard or a pedestrian pushes the pedestrian button. Official vehicles will have an override signal.

Mr. Chas questioned the sidewalk placement on Priscilla Street and in the bus parking area. Mr. Williams said there is a sidewalk along the north side of Priscilla Street. They propose to add a sidewalk to come into the campus and connect to the sidewalk along the large parking lot that goes back to the stadium. A sidewalk is also on the south side of the entrance that leads back to the field house and stadium.

Mayor Branner asked if the gates near the temporary access would be open for access to the back. Mr. Williams said that's a temporary curb-cut that will be open during the day for access to the Early Childhood Center, busses for football games, etc., but closed off when construction is completed. If the southern parking lot can be constructed in time for the 2020 football season, it will be opened.

Mr. Chas asked if the school had any concern with the drop-off/pick-up lane getting backed up at the Early Childhood Center.

Bob Hershey said it's going to be a difficult circumstance during the construction period. He added that part of the 2019 Referendum is to build a new kindergarten center on the Brick Mill site and, at that time, this site will probably be turned into a training facility for the district.

Mr. Williams said the parking lot to the right of the Early Childhood Center will remain in place until summer when the other parking lot can be constructed.

Mr. Reynolds asked if their contract had construction time limits.

Mr. Williams said they will comply with the Town's work time requirements.

Moved by Mr. Stout and seconded by Mr. Reynolds to approve the Preliminary Major Land Development plan for the new Everett Meredith Middle School located at 504 S. Broad Street. Motion Carried Unanimously.

9-H. Westown Town Center Lot 1, Phase 2 – Preliminary Major Land Development Plan to amend the previously-recorded plan. The revised plan replaces Building A (60,000 square-foot) with Buildings A-1 and A-2 (with a combined 58,800 square-foot) and adding a 2,000 square-foot bank to the Phase 2 parking lot. Tax Parcel No. 23-021.00-119.

Jim Curran with Karins and Associates represented WS East Corner LLC.

- The parcel is located behind Aldi and Starbucks.
- The plan calls for a 58,800 square-foot retail building and a 2,000 square-foot bank.
- Stormwater management was previously approved and constructed.
- The Planning Commission recommended approval, but expressed concerns with the loading area and questioned the number of dumpsters.

The loading area was discussed with the Town's engineer and they had no issues with the turning or loading maneuvers.

Two dumpster locations are proposed. In addition, Building A-2 will have a compactor and Building A-1 might also have a compactor. They said they could use the dumpsters on site.

Moved by Mr. Stout and seconded by Mr. Royston to grant Preliminary Major Land Development Plan approval for the Westown Town Center Lot 1, Phase 2 to replace Building A (60,000 square feet) with Buildings A-1 and A-2 (58,800 square-feet) and adding a 2,000 square-foot bank to the Phase 2 parking lot. Tax Parcel 23-021.00-119. Motion Carried Unanimously.

9-I. 5018 Summit Bridge Road – Preliminary Major Land Development Plan for the proposed development of a Wawa Gas Station and Convenience Store consisting of an approximately 5,585 square-foot convenience store and a 7,898 square-foot fuel island canopy, with 16 multiple pump dispensers (MPDs). Tax Parcel No. 23-075.00-001.

Jeff Bross with Duffield Associates represented Armstrong Crossing LLC; Fred Wittig represented the developer.

- The Wawa is proposed on the corner of Summit Bridge Road and Armstrong Corner Road. Royal Farms was originally approved for this location.
- Planning and Zoning recommended unanimous approval.
- Planning and Zoning asked if diesel would be sold and how the landscape sign at the corner would read.
Wawa will sell diesel at the regular fuel pumps, but not for large trucks.
Mr. Bross distributed a proposed sign and asked for Mayor and Council's recommendations. Mayor Branner said Council will provide their recommendation when the final plan is presented next month, after they have had a chance to review the proposed signage.

Mr. Royston asked if any consideration had been given to providing an electric recharging station at the location.

Mr. Bross said he didn't think so but he will inquire and have an answer at the next meeting.

Moved by Mr. Royston and seconded by Mr. Chas to approve 5018 Summit Bridge Road, Preliminary Major Land Development Plan for the proposed development of a Wawa Gas Station and Convenience Store consisting of approximately a 5,585 square-foot convenience store and a 7,898 square-foot fuel island canopy, with 16 multiple pump dispensers (MPDs). Tax Parcel No. 23-075.00-001. Motion Carried Unanimously.

9-J. 106 Sandhill Drive, Suite C – Conditional Use Permit request for LaBonne Nutrition LLC (Herbalife Nutrition Club/Store) to operate in an M-I zoned area. Tax Parcel 23-005.00-304. CU-03-19.

Fatoumata Niakate requested approval to open a nutrition club providing shakes, teas and snacks at 106 Sandhill Drive. All business will be conducted inside.

Moved by Mr. McGhee and seconded by Mr. Reynolds to approve 106 Sandhill Drive, Suite C Conditional Use Permit request for LaBonne Nutrition LLC (Herbalife Nutrition Club/store) to operate in an M-I zoned area. Tax Parcel 23-005.00-304. Motion Carried Unanimously.

9-K. Motion to Ratify a contract for mowing services during the 2019 season.

Morris Deputy: Last year Bailey's Lawn and Landscape Service was awarded the bid for mowing services for 2018. The specs had the option to renew annually for five (5) years if Mayor and Council chose to do so. The request is to extend the contract to Bailey's for the 2019 mowing season at the same price as last year.

Mr. Reynolds explained that the contract is for mowing the large areas at the lagoons, etc., for which the town doesn't have the proper equipment.

Moved by Mr. Stout and seconded by Mr. Reynolds to ratify a contract with Bailey's Lawn Services for the 2019 mowing season. Motion Carried Unanimously.

10. Unfinished Business: None

11. New Business:

- Phyllis Schultz, Spring Arbor, asked the church behind Spring Arbor plans to build a wedding chapel and a clinic for alcoholics and drug addicts.
Mayor Branner said no plans have been presented to the Town.

Mayor Branner appointed the following Council members in charge of the Town's departments:

<u>Councilman</u>	<u>Department</u>
Robert McGhee	Water & Wastewater
James Reynolds	Streets and Parks
Rob Stout	Inspections
Aaron Blythe	Maintenance
Jim Royston	Police
Drew Chas	Electric
Ken Branner	Administration, Public Works and Finance

Moved by Mr. Reynolds and seconded by Mr. Chas to go into Executive Session to discuss personnel and ability of individual employees or students and site acquisitions. Motion Carried Unanimously.

12. Executive Session

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

A. Discuss personnel matters in which the names, competency and ability of individual employees or students are discussed, pursuant to 29 Del. Code §10004(b)(9).

Moved by Mr. Stout and seconded by Mr. Chas to approve the recommendation of Mayor Branner for a pay increase to an employee in the Administration Department. Motion Carried Unanimously.

B. Preliminary discussion on site acquisitions for any publicly-funded capital improvements, or sales or leases of real property, pursuant to 29 Del. Code §10004(b)(2).

Moved by Mr. Stout and seconded by Mr. Chase to approve a recommendation to sell the Boys and Girls Club. Motion Carried Unanimously.

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

The meeting adjourned at 10:32 p.m.