

The regular meeting of Mayor and Council was held on the above date with Council members Reynolds, Faulkner, McGhee, Pierce, Burgess and Dixon present with Mayor Branner presiding. Town Manager Morris Deputy and Town Solicitor Erin Fitzgerald were also in attendance.

1. Minutes Approval: Moved by Mr. Pierce and seconded by Ms. Burgess to approve the Minutes of July 12, 2010 as presented. Motion Carried Unanimously.

2. Treasurer's Report: Moved by Mr. Pierce and seconded by Mr. McGhee to approve the Treasurer's Report as presented. Motion Carried Unanimously.

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

4. Police Report: Chief Hank Tobin and Pat Mullin

The MPD responded to 1,359 calls for service for the month of July.

- 300 calls were documented with an incident or accident report.
- 77 incidents required arrest action totaling 206 criminal arrests.
- Calls for service: Zone 1 – 300; Zone 2 – 387; Zone 3 – 194; and Zone 4 – 210.
- Accidents – 37; property damage – 23; hit and run -9; personal injury – 5
- 13 vehicle thefts at Dove Run (all vehicles were unsecured)
- Employee theft at Frog Hollow Pro Shop.
- Burglary in Willow Grove Mill: Juvenile removing bicycles from garages.
- Burglary in Villagebrook: 357 S&W Revolver and computer equipment stolen – under investigation
- Robberies: Two on E. Lake Street - under investigation
- Alarm Calls: 102 – 84 separate locations/35 alarms not registered
- Peak times for calls for service: Thursdays and Fridays between 1 p.m. and 2 p.m.
- Top five calls for service: vehicle stops – 311; property checks – 75; parking complaints – 203; alarms – 102; public relations – 77.
- 15 youths graduated from the Youth Academy on July 23rd. A physical fitness program and core values pride, responsibility, purpose, discipline, respect and honesty, success and community were taught. Their special project was repainting the skate park.

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

5. Grants

Validation Report: \$5,000 MOT Community Fund 2009 Marathon Event: Lou Vitola reported the documentation submitted indicated the funds were used to support housing, utility and food costs for community members in need. The Committee recommended Council approve the Validation Report as submitted.

a. Grant Request from MOT Community Fund (Big Ball Marathon) \$5,000: Mr. Vitola said the Committee recommended approval of the grant because of their track record of helping a wide variety of needy in the community. All the money is spent in the MOT community.

b. Grant Request from Appoquinimink Boys and Girls Teen Club - \$6,000: Mr. Vitola said the Teen Club was cut from the B & G's Club budget years ago. Because there is a great need for teen services in the area and the grant will be matched dollar for dollar by the statewide Club, the Committee recommended approval for \$6,000.

c. The Trinity Place, Inc. - \$5,000 - Tabled

Moved by Mr. Dixon and seconded by Mr. McGhee to approve the Grant Committee's recommendations: (1) to approve the Validation Report as submitted; (2) to approve the \$5,000 grant to the MOT Community Fund (Big

Ball Marathon), and (c) to approve the \$6,000 grant to the Appoquinimink Boys & Girls Club for the Teen Club. Motion Carried Unanimously.

6. PUBLIC HEARINGS

6-A. Board of Adjustment Commission nomination: Chairman Robert C. McDowell announced that Charles Schreppler is leaving the Commission due to health reasons. Mr. McDowell recommended Louis Pederson as his replacement.

Moved by Ms. Burgess and seconded by Mr. Reynolds to accept Robert McDowell's nomination of Louis Pederson to replace Charles Schreppler on the Board of Adjustment Commission. Motion Carried Unanimously.

6-B. 108 Sleepy Hollow Drive, Suite 100 – Conditional Use Permit #CU-04-10 request for Trucks Unlimited to be located in a manufacturing/industrial area (tax parcel 23-021.00-123).

Will Buckworth requested approval to relocate his business from Patriot Drive to Sleepy Hollow Drive. Trucks Unlimited sells and installs truck accessories and spray on bed liners. Planning and Zoning recommended approval.

Moved by Mr. Faulkner and seconded by Mr. Pierce to approve Conditional Use Permit CU-04-10 for 108 Sleepy Hollow Drive. Motion Carried Unanimously.

6-C. 102 Sleepy Hollow Drive, Suite 201 – Conditional Use Permit #CU-05-10 request for Cover and Rossiter CPA firm to be located in a manufacturing/industrial area (tax parcel 23-021.00-120).

Henry DiDonato requested approval to allow a CPA firm at 102 Sleepy Hollow Drive, a manufacturing/ industrial zoned area. Planning and Zoning recommended approval.

Moved by Mr. Faulkner and seconded by Ms. Burgess to approve Conditional Use Permit CU-05-10 for 102 Sleepy Hollow Drive, Suite 201. Motion Carried Unanimously.

6-D. LED sign request for 301 Plaza, 921 Middletown-Warwick Road (tax parcel 23-006.00-006).

Ben Phillips from Phillips Signs, representing Todd Levine, owner of 301 Plaza, requested permission to retrofit the existing pylon sign with a new sign and LED message center. The LED message center will display no animation and change three seconds per frame. He requested the sign be allowed to remain 30' high.

Moved by Mr. Pierce and seconded by Mr. McGhee to approve the LED sign request for 301 Plaza, 921 Middletown-Warwick Road. Motion Carried Unanimously.

6-E. Adopt an Ordinance to Amend Chapter 176 in the Town of Middletown Code relating to Water

Morris Deputy stated the amendment will change the time limit from 10 to 7 days before the 6% penalty is added to the most current water bill.

Moved by Mr. Faulkner and seconded by Mr. Reynolds to adopt the Ordinance to Amend Chapter 176 in the Town of Middletown Code relating to water bills. Motion Carried Unanimously.

6-F. Adopt an Ordinance to Amend Chapter 136 in the Town of Middletown Code relating to Sewer

Morris Deputy stated this amendment adds the penalty to the sewer bill – it clarifies that the same penalty applies to sewer as water, a 6% penalty will be added 7 days after the bill is due. It also clarifies that a minimum charge is due.

Moved by Mr. Faulkner and seconded by Ms. Burgess to adopt the Ordinance to Amend Chapter 136 in the Town of Middletown Code relating to sewer bills. Motion Carried Unanimously.

6-G. Request from local re-enactment group to fire muskets and have an open cooking fire on Old Academy premises, August 21, 2010 during Peach Festival

Linda Harting, representing the re-enactment group, requested permission to allow open fire cooking demonstrations as well as firing demonstrations with muskets (using blanks) at the “Old Academy” and possibly firing the muskets during the Peach Festival parade.

Moved by Mr. Reynolds and seconded by Ms. Burgess to grant approval for the re-enactment group to fire muskets, and have cooking demonstrations and displays at the “Old Academy” on August 21, 2010. Motion Carried Unanimously.

6-H. Resolution to Ratify Amendment to full requirements power supply agreement and Warren F. Beasley Power Plant outtake agreement with DEMEC, Inc.

Lou Vitola said the Beasley Power Plant was built in 2002 with a footprint for two turbines. Only one turbine was built at that time and DEMEC is now ready to build the second turbine. This Resolution gives the Mayor the authorization to sign the agreement to start the process. All DEMEC members are required to sign the agreement in order to proceed with the project.

Moved by Mr. Faulkner and seconded by Mr. McGhee to Ratify the Amendment to full requirements power supply agreement and Warren F. Beasley Power Plant outtake agreement with DEMEC, Inc. Motion Carried Unanimously.

7. Unfinished Business: None**8. New Business**

- Sonya Comstock asked what was being built across the street from Springmill. Mr. Reynolds said an old house was demolished – the property is not in the town limits.
- Lorraine Reeves from Cricklewood reported a faulty street light at 3 Casey Court.
- The minister of the Church of Christ announced the church is sponsoring a Community Day/Back to School free give away for school supplies on August 28th from 9 a.m. until 2 p.m. at the Boys and Girls Club.
- Candace Calloway thanked the MPD and Fire Department for their quick and professional response when her husband suffered a massive heart attack.
- Kristen Krenzer announced the September Council meeting will be held on September 13th due to the Labor Day Holiday on September 4th.
- Boy Scout Troop #125 attended the Council Meeting.

Moved by Mr. Reynolds and seconded by Mr. Faulkner to adjourn to Executive Session to discuss legal and personnel matters. Motion Carried Unanimously.