

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

Moved by Mr. Reynolds and seconded by Mr. McGhee to approve the Minutes of March 3, 2008 and March 10, 2008 as presented. Motion Carried Unanimously.

Moved by Mr. Pierce and seconded by Ms. Kelly to approve the Treasurer's Report as presented. Motion Carried Unanimously.

Moved by Mr. Reynolds and seconded by Mr. Pierce 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**

Chief Tobin reported that the MPD responded to 1,148 calls for service for March.

- 382 incidents were documented via criminal or accident report
- 73 incidents cleared by arrest
- 16 parking citations issued – 1 handicapped/5 fire lane violations
- 48 accidents – 32/property damage; 13/hit & run; 3 personal injury
- 4 Burglaries – 1 cleared by arrest; suspects identified in one and the other is under investigation
- 5 Robberies – 2 cleared by arrest; 3 under investigation
- Calls for service (alarms, animal complaints, drug violations, accidents, public relations, robberies, car stops and traffic violations): Zone 1 – 232; Zone 2 – 444; Zone 3 – 98; Zone 4 – 232
- Top 10 calls for service: vehicle stops, alarms, cell phone disconnects, domestics (45), disorderly conduct, suspicious persons and assisting other agencies.
- 2 Rape cases – arrests made.
- Dove Run – complaints received about kids parking on Rutkoske Drive and apparently cutting class, smoking, etc. Chief Tobin requested "No Parking" signage be posted on the road. Mayor Branner said the area can be posted with non-enforcement for 30 days; enforcement to begin after 30 days.
- Chief Tobin reported that Salem Hope Creek Generating Station will be testing sirens on April 8 between 5 p.m. and 9 p.m.

*Moved by Ms. Kelly and seconded by Ms. Burgess to accept the Police Report as presented by Chief Hank Tobin. Motion Carried Unanimously.*

#### **5. COMMISSION/BOARD APPOINTMENTS**

Mayor Branner reported that the Planning and Zoning Commission recommended Mayor and Council appoint Debra Sutton as Chair Person for the Commission. Ms. Sutton will also serve on the Board of Adjustment.

*Moved by Mr. Reynolds and seconded by Mr. McGhee to appoint Debra Sutton as Chairman of the Planning and Zoning Commission and to the Board of Adjustments. Motion Carried Unanimously.*

#### **6. GRANT REQUESTS/VALIDATION REPORTS**

##### 1. Validation Reports

Lou Vitola reported that the Boys and Girls Club presented validation reports for (a) "Kids Club Café" and (b) Annual Fund for Kids Campaign Kick-Off Event. Based on review of the receipts and quotes, the money appears to have been spent in accordance with the application.

##### 2. Grant Requests – Lou Vitola

- a. AHS All Sports Boosters Association - \$2,500 – Concession Stand: The money will be used to purchase more professional food prep equipment. Mr. Vitola said the Committee recommended approval of the grant.
- b. Appoquinimink School District - \$1,000 – 10<sup>th</sup> Annual Education Fair: Mr. Vitola said Mayor and Council was one of four vendors last year supporting the Fair. The Committee recommended approval of the grant.
- c. Bethesda Child Development Center - \$1,090 – Summer Camp Transportation: Mr. Vitola said it's a non-profit summer camp that earns revenue, but it's a non-profit. Fees are set to break even assuming 100% of the kids pay 100% of the tuition and if they have free space. Silver Lake Elementary School is charging them this year for space – this was discovered after their rates were set. The State subsidizes some of their costs. The Committee recommended approval of the grant.
- d. United Solutions Incorporated - \$3,500 – Project No (child sexual abuse education program): Mr. Vitola said they don't have their 501C3 Advance Ruling letter yet. The Committee cannot recommend approval because of lack of documentation.

*Moved by Mr. Reynolds and seconded by Mr. McGhee to accept the recommendations of the Grant Committee for the above grants and validation reports. Motion Carried Unanimously.*

Mayor Branner said the school district has taken an active enforcement in not allowing youth teams to practice on their fields, including weekends. Mayor Branner asked Lillian Miles to convey to the school district that it isn't fair to charge Little League and then ask the Town for grants to support their athletic associations. The Town doesn't charge the District for use of the fields and the Town maintains them.

#### **7. PUBLIC HEARING – Conditional Use Permit No. CU-01-08 to allow an office/shop in a Manufacturing Industrial (MI) zoned district located at 129 Patriot Drive, Unit 5, Lot 15, Middletown-Levels Business Park**

Per the following notice a Public Hearing was held on the above date:

Take notice that a Public Hearing will be held on April 7, 2008 at 7:30 p.m. at Town Hall, 19 West Green Street, Middletown, DE at which time the Mayor and Council will review Conditional Use Permit No. CU-01-08 to allow an office/shop in a Manufacturing Industrial (MI) zoned district located at 128 Patriot Drive, Unit 5, Lot 15, Middletown-Levels Business Park.

Gary Brobst said the unit will be used for storage and a contractor's office. Nothing will be stored outside.

*Moved by Mr. Faulkner and seconded by Ms. Kelly to grant approval for Conditional Use Permit CU-01-08 to allow an office/shop in the MI zoned district located at 128 Patriot Drive, Unit 5, Lot 15, Middletown-Levels Business Park. Motion Carried Unanimously.*

#### **8. PUBLIC HEARING – a Resolution to approve the issuance of up to \$3,500,000.00 for a General Obligation Bond of the Town of Middletown, Delaware**

Tabled

## 9. UNFINISHED BUSINESS

None

## 10. NEW BUSINESS

- **St. Anne's Episcopal Church – Request to have Two (2) handicapped parking Spaces on South Cox Street**

Rachael Mandes requested two off-street handicapped parking spaces be provided on South Cox Street at the entrance of the church. Ms. Mandes requested they start at the end of the garage on S. Cox Street and continue toward Green Street.

Mayor Branner said there is no handicapped parking exists on Green or Cox. The parking spaces would be on the right side of Cox (Cox is one-way) next to the church.

*Moved by Mr. Faulkner and seconded by Ms. Burgess to honor the request from St. Anne's Episcopal Church to have two handicapped parking spaces on the west side of South Cox Street. Motion Carried Unanimously.*

Mr. Reynolds said signs will be installed and the spaces will be painted once the weather is good.

- Mayor Branner announced that a public workshop to discuss the St. Anne's Church Road Reconstruction Project from Rt. 71 to Levels Road will be held on Monday May 5, 2008 in the Council Chambers at 7:00 p.m.
- Signs on telephone poles for home construction, financing, etc.: the Inspection Dept. has been notified to remove the signs.
- Jay Heath announced a walk/fund raiser event will be held on May 10, 2008 at Glasgow Park to support the "FOP" disease and to bring awareness to the community about the disease.

*Moved by Mr. Reynolds and seconded by Mr. McGhee to go into Executive Session to discuss legal and personnel matters. Motion Carried Unanimously.*