

The regular meeting of Mayor and Council was held on the above date with Council members Aaron Blythe, Drew Chas, Jim Royston, Craig Sherman, Bruce Orr and David Thomas present. Mayor Kenneth Branner presided. 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. Sherman and seconded by Mr. Chas to approve the Minutes for September 8, 2025 as presented in printed form. Motion Carried Unanimously.

4. Treasurer's Report: Moved by Mr. Chas and seconded by Mr. Orr to approve the Treasurer's Report as presented in printed form. Motion Carried Unanimously.

5. Bills Payable: Moved by Mr. Chas and seconded by Mr. Blythe to approve the Bills Payable as presented in printed form, and pay as funds become available. Motion Carried Unanimously.

6. Police Report: Chief William Texter

The MPD responded to 1,290 calls for service during the period of August 15 thru September 15, 2025.

- 1 District: 8/17/25 – Middletown Village – thefts from vehicles.
- 2 District: 8/19/25 – Villagebrook – burglary
- 3 District: Nothing significant to report.
- 4 District: Nothing significant to report.
- Dispositions: Traffic Summonses: 264; DUI/2; Criminal Arrests: 95; Felony/26, Misdemeanor/57, Civil Penalty/0, Violation/12; Warnings: 115; Reports Written: 239; FSR/CPC: 268
- Calls for Service: 1 District: 140; 2 District: 96; 3 District: 72; 4 District: 41
- Community Service: Collaborative meetings SN4C; nonprofit checks; business checks; Bowling with a Cop; other: first day of school checks at all Middletown schools; Special Olympics Awards Ceremony, Patriot Day Ceremony and Family Fun Day @ Break-Thru Beverage; Back to School Food Drive.
- TAC Report: 299/Dove Run – speed: 2C/2W; Gloucester Blvd. – speed: 7C/1W; Wallesey Dr. OHV: n/a; 299/Cleaver/Gloucester – speed: 2C; Levels Road – speed: 2C/3W; E. Cochran St. – speed/stop signs: 7C.
- 70 Crashes: Mostly due to driver inattention, failure to yield right-of-way.

Moved by Mr. Thomas and seconded by Mr. Blythe to accept the Police Report as presented by Chief Texter. Motion Carried Unanimously.

7. Middletown Main Street Update: Kate Rokosz

- The Ladybug Micro Music Festival was held last month. Ms. Rokosz thanked the Town for all their assistance to make it happen.
- Thursday, October 9th, the Fourth Charcuterie Crawl on Main Street will be held. Only nine tickets are still available. Six food courses and wine tasting will be available.

Moved by Mr. Thomas and seconded by Mr. Sherman to accept the Middletown Main Street update as presented by Director Kate Rokosz. Motion Carried Unanimously.

8. Public Hearings:

8-A. Living Lab Project Update (Cochran Street traffic-calming elements).

Matt Harris with the University of Delaware's Living Labs Program and Paul Moser from DelDOT provided an update on the traffic-calming elements installed. The Town reached out to the University to provide assistance with controlling the speeding on Cochran Street near the school, library and YMCA because of the amount of foot traffic in the area. The focus point was from Catherine Street to the YMCA. Outreach events were held in the spring at the library, the Middletown Farmers Market and Silver Lake Elementary School. Most feedback was very favorable.

Mr. Moser indicated about \$14,000 was provided by the Delaware Pedestrian Council and the Town spent about \$9,000 for planters, plants, tools and traffic control devices during the installation. Manpower hours are not included. Speed cushions, chicanes (deviate drive path) and planters were provided.

A comparison between the data collected by the MPD prior to the installation and after the installation of the temporary calming installations showed the speed was reduced significantly. The average speed was reduced from 25 to 18 MPH and the top speed was reduced from 70 to 43 MPH. The advantage of having calming installations is they are effective 24/7 and allow the police to attend to higher priority enforcement.

In closing, Mr. Moser thanked the Town Council and staff for being part of this project. He said they were one of the most efficient, professional teams he has worked with.

Mayor Branner said the project has been very beneficial. Most of the comments received have been very supportive, especially from the school district. The library appreciated the placement of the planters to stop vehicles from cutting through the parking lot.

Resident Robin Renee said while she recognizes the intent and concern to improve pedestrian and community safety, she expressed concern that the placement of the speed cushions directly in front of her home, have created a significant and on-going disruption. The constant noise is very distressing. She respectfully asked Council to remove or relocate the speed cushions.

Mayor Branner responded that three public meetings were held and the information was posted on the website. The Town also met with the library, school district, little league, etc., to hear their concerns on the speeding on Cochran Street. This was a study to see how it would impact the speeding and nothing was permanently installed.

Mr. Moser added, if the Town pursues a permanent project, the speed cushions would either be asphalt or concrete and would be quieter.

Resident questioned what happens now that the study is done.

Mayor Branner said the Town has prices on installing blacktop cushions that will be similar but quieter. A study was wanted first, with the library being open and while little league was in full swing to if the improvements would be effective. The speed cushions have proven to work so the

Town will move forward with installing permanent ones. He noted other areas of concern in Town are also targeted, but this area is priority.

Resident Martin Bradshaw said the speed cushions have significantly slowed people down. He thanked Council, the U of D and DelDOT for doing the project.

8-B. 4991 Summit Bridge Road – Concept Plan for the development of two retail buildings. Building #1 comprises 17,500 square-feet and Building #2 comprises 6,500 square-feet, for a total combined retail square-footage of 24,000 square-feet, in a C-3 zoning area. Tax Parcel No. 23-075.00-095.

Denis Hulme with Woodin & Associates presented the Concept Plan. The property is located on at the intersection of Summit Bridge Road and Marl Pit Road, on the northeast corner.

- Two retail buildings are proposed: Building #1 - 17,500 square-feet, and Building #2 - 6,500 square-feet for a total of 24,000 square-feet.
- Two existing entrances will be improved with right-turn lanes.
- Sewer service will be extended to the property from the south.
- Water service is at the intersection.
- Stormwater management will be on-site.
- Preliminary plans will be more detailed and building elevations will be available.

Mr. Orr asked if the entrance provides a left out as well as a right out.

Mr. Hulme said they are both right-in/right-out because medians were installed on Summit Bridge Road when it was improved several years ago.

Mr. Orr questioned the soil study.

Mr. Hulme replied a Phase II Environmental Study was done when the property was annexed; it will be included with the next submission.

Mr. Chas asked about the entrance on Marl Pit Road and commented that if someone wants to go east they have to go north and make a U-turn.

Mr. Hulme indicated it also is a right-in/right-out; he doesn't expect DelDOT to allow a left out. After his meeting with DelDOT next week, more information will be available at the next hearing (Preliminary Plan).

8-C. 1035 Industrial Drive – Concept Plan for seven (7) one-story buildings for flex space use, totaling 315,000 square-feet of gross floor area with associated site improvements to be constructed on 42.33+/- acres in an M-I zoned area. Tax Parcel 23-012.00-011.

Steve Woodin with Apex Engineering presented the Concept Plan.

- The parcel is 42+/- acres on Industrial Drive, zoned M-I (Manufacturing-Industrial).
- A total of 315,000 square feet of flex-space is proposed for construction trades, wholesale building materials, etc. Six buildings comprise 50,000 square-feet each with the potential for six tenants in each building; 1 building has 15,000 square-feet.
- Most uses in the M-I zoning district require a Conditional Use Permit and those uses will come before Council for approval.
- Drive aisles are 36' wide. Full truck courts are behind each building with loading space for each tenant.
- Stormwater facilities will be installed to service the impervious pavement.

- The parking will mainly be in the front of each building.

Mayor Branner indicated the property is located on the left side of Industrial Drive, just before the Town's substation.

8-D. 410 Brick Mill Road – Record Major Subdivision Plan for Jannies Way, a 22-lot, single-family, semi-detached, senior living (55+) subdivision with associated site improvements, public right-of-way and open space. Tax Parcel Nos. 23-057.00-158 and 23-056.00-023.

Steve Woodin with Apex Engineering presented the Record Major Subdivision Plan for Jannies Way.

- Jannies Way is a senior living (55+) project proposing 22 single-family, semi-detached units.
- One stormwater management facility is proposed.
- A full-width shoulder will be added on Brick Mill Road connecting to Brick Mill Elementary.
- The cart aisle for Jannies Way is 32-feet, with a one-way direction running counter-clockwise. The 24-foot-wide cul-de-sac will be landscaped.
- A pump station will be constructed. Sewer will be provided via a force main from a pump station through Jannies Way, southerly along Brick Mill Road up to the school.
- 6-foot sidewalks and a 60-foot right-of-way will be provided.
- No on-street parking is proposed.
- The smaller units are approximately 2200 square-feet.

Mayor Branner asked if the garage is attached to the house.

Mr. Woodin said the garage is attached.

Mr. Orr questioned the layout for lots 16 and 17.

Mr. Woodin explained the lots will be approximately 40-feet wide; the majority of garages are opposite each other and the buildable space will take up most of the lot. Renderings and general elevations were presented.

Mr. Royston asked if the entrance shown is for the existing house.

Mr. Woodin said the development entrance will be located closer to the driveway for the existing house because of the bend in the road. The house will be removed. The entrance has been reviewed with DelDOT.

Mr. Sherman asked if the turn radius meets the fire truck requirement.

Mr. Woodin said the turn radius was submitted with the Preliminary Plan. The fire vehicle makes it completely around without any concern.

Mr. Orr asked if the cul-de-sac has a rolled curb in the center.

Mr. Woodin said, no; it has a 2" exposure then a flat top.

Mayor Branner said the Town and fire company didn't want it raised because of the problem with the circle at the library.

Resident Lee Rosenberg asked if any recreation area is proposed.

Mayor Branner pointed out it is only 22 homes and they will be close to the County Park.

Mr. Woodin added the plan exceeds the required amount of usable open space.

Mr. Orr pointed out that typically at least 50 to 75 homes are required to make a clubhouse feasible, because the burden placed on the home owners to maintain it can be quite high.

Resident questioned who would enforce the "No Parking" on the street.

Mayor Branner indicated if the streets are turned over to the Town, the Town will be responsible for enforcement.

Resident asked if the driveway is long enough for vehicles to park.

Mr. Woodin said the driveways are 24 feet long beyond the sidewalk, and will accommodate two vehicles. The houses have 2-car garages as well.

Moved by Mr. Thomas and seconded by Mr. Chas to approve 410 Brick Mill Road, Record Major Subdivision Plan for Jannies Way, a 22-lot, single-family, semi-detached, senior living (55+) subdivision as presented. Tax Parcel Nos. 23-057-00-158 and 23-056.00-023. Motion Carried Unanimously.

8-E. Motion to ratify Resolution 25-10-01 to mend the Town of Middletown Personnel Policy Section 4-15.

Morris Deputy: The Resolution will amend the Personnel Policy Section 4-15 to address recent legislation to legalize marijuana. The personnel manual will be updated for a drug and alcohol-free workplace.

Moved by Mr. Blythe and seconded by Mr. Chas to accept the Town Manager's recommendation to ratify Resolution 25-10-01 to amend the Town of Middletown Personnel Policy for a drug and alcohol-free workplace. Motion Carried Unanimously.

8-F. Introduce Ordinance 25-10-01 to amend chapter 145 of the Town of Middletown Code of Ordinances to adopt Article II Sediment and Stormwater Management and Article III Stormwater Management Facility, Watercourse and Drainage System Maintenance.

Mayor Branner introduced Ordinance 25-10-01 to be acted on at a future meeting.

9. Unfinished Business: None

10. New Business (Public Comment Section):

- Rev. Dickerson thanked Mayor and Council, Town employees, the Middletown Police Department, Volunteer Hose company and EMS for their assistance and support with the Middletown Tent Revival & Extravaganza 2025. The festival was brought back this year and was very successful. Certificates of Appreciation were presented. Rev. Dickerson indicated next year's Tent Revival will probably be held on the Redding Middle School grounds. They hope to bring back the softball tournament as well.

11. Executive Session:

Moved by Mr. Orr and seconded by Mr. Chas to move into Executive Session to discuss personnel matters pursuant to 29 Del Code 29 §10004(b)(9), and the content of documents excluded from the definition of "public records" in §10002 of this title where discussion may

disclose such documents, pursuant to §10004(b)(6) of 29 Del Code. Motion Carried Unanimously.

Moved by Mr. Blythe and seconded by Mr. Sherman to exit the Executive Session and return to the regular meeting. 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. Blythe and seconded by Mr. Sherman to approve the employees that should be considered safety sensitive as discussed in Executive Session. Motion Carried Unanimously.

B. Discussion of the content of documents, excluded from the definition of “public records” in §10002 of this title where discussion may disclose such documents, pursuant to §10004(b)(6) of 29 Del Code.

Moved by Mr. Blythe and seconded by Mr. Sherman to continue discussions with the FOP concerning a bargaining agreement and proceed with bids and negotiations for speed bumps as discussed in Executive Session. Motion Carried Unanimously.

12. Adjournment

Moved by Mr. Chas and seconded by Mr. Blythe to adjourn.

The meeting adjourned at 10:00 p.m.