

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. 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. Blythe to approve the Minutes for December 1, 2025 as presented in printed form. Motion Carried Unanimously.

**4. Treasurer's Report:** Moved by Mr. Chas and seconded by Mr. Royston 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 1,067 calls for service during the period of November 15 to December 15, 2025.

- 1 District: 12/10/25 – Los Machados - burglary
- 2 District: Nothing significant to report.
- 3 District: Nothing significant to report.
- 4 District: Nothing significant to report.
- Chief Texter reported that since March 2024, the Criminal Investigation Unit has been investigating several commercial burglaries that have occurred in the Town of Middletown. Through a joint investigation with the DSP, the suspect was identified as Keeno Exum of Elkton, Maryland. As of December 16<sup>th</sup>, he was arrested and extradited back to Delaware, and charged with additional burglaries throughout the state by surrounding agencies. Exum was transported to Howard R. Young Correctional Institution after failing to post bond.
- Dispositions: Traffic Summons: 196, DUI's - 2; Criminal Arrests: 58, Felony - 8, Misdemeanor - 50; Warnings: 83; Reports written: 193; FSR/CPC: 242
- 67 Crashes during the reporting period – mostly due to driver inattention, distraction or fatigue.
- Calls for Service: 1 District: 127; 2 District: 100; 3 District – 64; 4 District - 36
- Community Services: Recruitment at DelTech; meetings with MOT Sr. Center and SN4C; Citizen's Police Academy finished.

*Moved by Mr. Thomas and seconded by Mr. Royston to approve the Police Report as presented by Chief Texter. Motion Carried Unanimously.*

**7. Police Accreditation Update (CALEA)**

Chief Texter reported the MPD recently completed their CALEA Re-Accreditation Update. He thanked Mayor and Council and residents for their continued support.

Mayor Branner pointed out only four police departments in the State are accredited through CALEA. He congratulated Councilman Thomas, Chief Texter and members of the MPD for a job well done.

***Moved by Mr. Thomas and seconded by Mr. Royston to approve the Police Accreditation Update as presented by Chief Texter. Motion Carried Unanimously.***

Councilman Thomas announced the Police Accountability meeting will be held January 14<sup>th</sup> at Town Hall at 6:30 p.m. The meeting will be live-streamed.

## **8. Middletown Main Street Update: Kate Rokosz**

No report presented this month.

## **9. Public Hearings:**

**9-A. 611 Tower Lane, Suites E & F – Conditional Use Permit request for an instructional dance studio (Storm Dance Academy) to locate in an M-I zoned area. CU-17-25. Tax Parcel No. 23-008.00-110.**

Joel Esler requested Conditional Use approval to open a dance academy in the M-I zoning district at 611 Tower Lane, Suites E & F. Mr. Esler indicated this is the third facility he has tried to lease in Town...issues with leasing agencies; no fault with the Town.

***Moved by Mr. Chas and seconded by Mr. Blythe to approve 611 Tower Lane, Suites E & F, Conditional Use Permit request for an instructional dance studio (Storm Dance Academy) to locate in an M-I zoned area. CU-17-25. Motion Carried 5 – 0. Councilman Orr recused himself.***

**9-B. 4991 Summit Bridge Road – Preliminary Major Land Development Plan for two commercial retail buildings with associated parking and improvements. Building #1 comprises 17,500 +/- square-feet and Building #2 comprises 6,500+/- square-feet, in a C-3 zoned area. Two entrances are proposed, one along each frontage road. Tax Parcel No. 23-075.00-095.**

Denis Hulme presented the project proposed at 4991 Summit Bridge Road, located on the northeast corner of Summit Bridge and Marl Pit Roads.

- Two commercial, multi-tenant buildings are proposed.
- Right-out/Right-in entrances are proposed on Summit Bridge Road and Marl Pit Road.
- On-site stormwater management is proposed to the south and rear of the building.
- A private pump station will be designed to handle the sanitary sewer; the discharge location will be coordinated with the Town and the Town's engineers.
- Water is available near the site.

Mayor Branner noted the plan was recommended for approval by Planning & Zoning.

Mr. Chas questioned if a sidewalk will be installed along Marl Pit Road.

Mr. Hulme commented he believes there will be sidewalk along both roads. DelDOT will determine if it will be a sidewalk or a multi-use path.

Mayor Branner commented that the Level II Environmental Assessment was done in 2023 when the project was first brought before Council. DNREC provided a letter that will become part of the record.

Mr. Orr asked if the soil that will be disturbed for the proposed stormwater management areas, will be tested.

Mr. Hulme explained, per the reports, if there is excavation in one area the soils can be placed in another area on-site without any other testing done. If the soils are taken off-site, then they have to be tested and determined where it can be disposed of.

Mr. Orr asked if the reports noted in the Certification of Completion of Remedy were sent to the Town and if they are to be monitored by the Town as well.

Mr. Hulme indicated all reports are available. Once all the construction is completed, long-term monitoring will be scheduled per DNREC's requirements and all monitoring is DNREC's responsibility.

***Moved by Mr. Chas and seconded by Mr. Thomas to approve 4991 Summit Bridge Road, Preliminary Major Land Development Plan for two commercial retail buildings with associated parking and improvements. Building #1 comprises 17,500+/- square-feet and Building #2 comprises 6,500+/- square-feet, in a C-3 zoned area. Two entrances are proposed, one along each frontage road. Tax Parcel No. 23-075.00-095. Motion Carried Unanimously.***

**9-C. Motion to approve a Termination of Membership with the Saint Anne's Homeowner's Association.**

Morris Deputy: It was brought to the Town's attention that the Town was technically a majority member of the St. Anne's Home Owner's Association. Their attorney prepared a termination of membership to relieve the Town from being involved with the HOA. Our Town Solicitor has reviewed the document and recommended it be executed.

***Moved by Mr. Thomas and seconded by Mr. Blythe to accept the recommendation to approve a Termination of Membership with the Saint Anne's Homeowner's Association. Motion Carried Unanimously.***

**9-D. Discussion of Lease Agreement with the Links at St. Anne's , LLC.**

Mayor Branner reported he, Morris Deputy, Wayne Kersey and Adrienne Miller met with representatives from St. Anne's and discussed the lease agreement.

**9-E. Motion to ratify a professional services agreement for the design and permitting of a gravity sanitary sewer main on North Broad Street.**

Morris Deputy: This is the design phase for the new lift station to be constructed at 900-1000 North Broad Street and to remove an outdated, failing lift station. The recommendation is for KCI Technologies to do the design for \$97,500.00.

***Moved by Mr. Orr and seconded by Mr. Thomas to accept the recommendation of the Town Manager and Todd Frey to ratify a professional services agreement for the design and***

*permitting of a gravity sanitary sewer main on North Broad Street for the amount of \$97,500.00. Motion Carried Unanimously.*

**9-F. Motion to ratify a contract for the Industrial Drive Guardrail Project.**

Morris Deputy: A bid was let to replace and add guardrail on Industrial Drive in the vicinity of the Town's electric infrastructure. Two bids were received; the recommendation is to award the contract to the low bidder M.L. Ruberton Const. Co., Inc. for the amount of \$289,900.00.

*Moved by Mr. Thomas and seconded by Mr. Chas to accept the recommendation from the Town Manager to ratify a contract for the Industrial Drive Guardrail Project for \$289,900.00. Motion Carried Unanimously.*

**9-G. Motion to ratify a contract and Engineering Services Agreement for Electric System Engineering Analysis and Field Software training.**

Morris Deputy: Council previously approved this contract to Reavis Code. Their division of expertise has since left that company and went to Booth Associates. The recommendation is to re-award that contract for software for electrical analysis to Booth and Associates under the same terms as previously approved, as recommended by the Town's Power Director, Kevin Lane.

*Moved by Mr. Blythe and seconded by Mr. Chas to accept the recommendation from the Town Manager and the Power Director to ratify a contract and Engineering Services Agreement for Electric System Engineering Analysis and Field Software training for \$65,000. Motion Carried Unanimously.*

**9-H. Introduce Ordinance 26-01-01 to amend Chapter 45, Section 21 of the Town of Middletown Code of Ordinances, to amend the business license fee chart for 2026.**

Mayor Branner introduced Ordinance 26-01-01 to be acted on in February.

**9-I. Introduce Ordinance 26-01-02 to amend Section 4 in the Town of Middletown Zoning code regarding the sales of food and goods from mobile units.**

Mayor Branner introduced Ordinance 26-01-02 to be acted on in February.

**10. Unfinished Business:**

- Resident Jim Reynolds asked if the gentleman who attended last month's meeting that made rather slanderous remarks about some of the Town and MPD, brought documents in as requested.  
Mayor Branner said he did come in the next day but did not have any materials to give Kristen, and he was now looking to have a meeting. He was told that would not happen until he gave us the documents/information he said he had.

**11. New Business (Public Comment Section):**

- Resident Jim Reynolds expressed concern with the number of sidewalks, especially businesses including the YMCA, that did not shovel their sidewalks during the recent snow storm.  
Mayor Branner responded the Town does have a snow removal ordinance and will post that information on the website as a reminder.

*Moved by Mr. Orr and seconded by Mr. Chas to move into Executive Session to discuss personnel matters pursuant to 29 Del. Code §10004(b)(9) and 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. Motion Carried Unanimously.*

**12. Executive Session:**

*Moved by Mr. Blythe and seconded by Mr. Thomas 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. Thomas to approve the recommendation to hire a new Deputy Chief in the Police Department. 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.**

No votes taken on this item.

**13. Adjournment**

*Moved by Mr. Thomas and seconded by Mr. Sherman to adjourn. Motion Carried Unanimously.*

The meeting ended at 9:25 p.m.