

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

Election Announcement – Mayor Branner

The general Municipal Election for The Mayor and Council of Middletown may be held on March 2, 2026.

- Election hours are from 12 noon until 8 p.m. in the Town Hall Council Chambers.
- Candidate filing deadline is Friday, February 6th at 4:30 p.m.
- Residents who will be out of town, are sick or disabled, and would like to vote by absentee ballot may do so until 4:30 p.m. Friday, February 27th. Absentee ballots must be returned by March 2nd at 8 p.m. to be counted.
- Absentee ballot request forms may be found on the Town’s website www.middletown.delaware.gov under Election Information, or may be picked up at Town Hall between 8 a.m. and 4:30 p.m., Monday through Friday.
- Residents over 18 years of age are eligible to vote and must show proof of residency.

Appointments:

Inspector: Kristen Krenzer

Judges: Katie Morris, Kate Keller, Christina Duncan, Noel Stoked, Krystal Jackson, Marianna Flores, Natalie Lopez, Cynthia Birch, Kurt VonBrandt, Brian Austin, Kiley Edwards, Amy Murray, Mamie McKinnon, Kayla Diaz and Tabitha Queen; alternates are Megan McGhee and Lisa Greene.

Election Board Members: Sonya Comstock, Debbie Pierce and Robert Stewart.

3. Minutes Approval: Moved by Mr. Sherman and seconded Mr. Blythe to approve the Minutes for January, 2026 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. Orr 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 1,121 calls for service during the period of December 15, 2025 through January 15, 2026.

- 1 District: 12/15/25 – Johnson Control’s building, N. Broad St. - burglary
- 2 District: Nothing significant to report.
- 3 District: 12/19/25 – Parkway at South Ridge – vehicle theft
- 4 District: Nothing significant to report.

- Dispositions: Traffic Summonses: 212; DUI's: 2; Criminal Arrests: 61; Felony: 8; Misdemeanor: 49; Civil Penalty: 0; Violation: 4; Warnings: 111; Reports Written: 211; FSR/CPC: 343.
- Community Services: Collaborative meetings; SN4C; Nonprofit Checks; Business Checks; Recruitment; Coffee with a Cop; Community meeting @ St. Anne's; Citizens' Police Academy Graduation 12/17/25; Other – Shop with a Cop, Hummer's Parade, DSP Cpl. Matthew Snook Funeral.
- Crash Investigations: 78 – most incidents involved driver inattention. Chief Texter reminded everyone to slow down; the bad weather and difficult driving conditions make a difference with stopping distance, etc.
- Calls for Service: 1 District: 163; 2 District: 123; 3 District: 95; 4 District: 51
- Thefts of packages have increased. Chief Texter suggested to be aware when packages are expected and remove them from the porch or step as soon as possible.

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

7. Police Accountability Committee Update: Councilman David Thomas

A short meeting was held January 14; the next meeting will be held April 15, 2026. Meetings are held at Town Hall and streamed live.

8. Middletown Main Street Update: Kate Rokosz

- A jigsaw puzzle and board game swap are planned for Saturday, February 21st from 10 a.m. to 3 p.m. at the Gibby. Games can be donated or swapped. A community puzzle and hot chocolate will be available.
- Permits for Main Street events planned for the year will be presented next month.

Moved by Mr. Orr and seconded by Mr. Sherman to approve the Main Street report as presented by Kate Rokosz. Motion Carried Unanimously.

9. Public Hearings:

9-A. 105 E. Cochran Street – Conditional Use Permit request for an auto detailing building/garage (Detail Works) in an R-1A zoned area. CU-01-26. Tax Parcel No. 23-009.00-046.

Brandon Parrott, owner and operator of Detail Works currently located on Industrial Drive, is seeking approval to relocate his business to his home at 105 E. Cochran St. An existing carport on the property will be removed and replaced with a 30' x 40' pole barn.

- At Planning & Zoning, neighbors expressed concern with how close it would be to their home, noise, etc.
- He said he was open to moving the pole barn to a different location on the property; moving it 20 or 30' feet away to help address neighbor's concerns.
- On a typical week, 3 to 4 vehicles are detailed, which normally takes between 4 to 6 hours to complete. Detailing consists of wash and wax, shampooing and vacuuming carpets, cleaning trim panels and windows, blowing out cracks and crevasses with compressed air.
- The bulk of work includes paint corrections, ceramic coatings, removing scratches, and stone chip repair with touchup paint. The touchup paint can be purchased in any auto parts store; it's not sprayed and doesn't go airborne.
- Equipment used: buffer, polisher, vacuum, and air compressor.

- The air compressor will be placed inside an insulated room to limit noise, and if possible, the vacuum will be placed in that room as well.
- Products come from a manufacturer called Optimal, that can be purchased from Walmart and various auto parts stores. Products are safe for the environment.

Mayor Branner noted items discussed at Planning and Zoning:

- Products and hazardous materials. It was indicated products can be purchased at local auto parts stores or other stores. MSDS sheets for those products were received.
- All drop-offs will be scheduled.
- Planning & Zoning recommended about a 10-foot setback. Mr. Parrott indicated the building could be setback 30-feet or more as long as it wouldn't affect the driveway.
- Planning and Zoning recommended approval.

Jim Royston asked if the building will be placed at the rear of the property and if only 3 or 4 cars per day are anticipated.

Mr. Parrott said he felt that was the best place in order to be able to extend the driveway to it. He indicated it could also be placed behind the house where a pool was, which would place it significantly further away from the neighbors. He said 3 or 4 vehicles per day; if a coating job is scheduled, usually nothing else is scheduled that day; coating jobs take 3 to 4 days.

Aaron Blythe asked how many of the 3 or 4 cars would be on the property at one time.

Mr. Parrott said one a day.

Mayor Branner commented, regarding the Cochran Street traffic concern, with 3 or 4 a week, and one per day scheduled would only be one vehicle per day.

Mr. Parrott said all jobs are scheduled; he doesn't take walk-ins.

Drew Chas asked if there were set hours.

Mr. Parrott said typically 8 a.m. to 4:30; if the job is finished in 4 hours, he is done for the day.

Mayor Branner told Mr. Parrott that in addition to a business license, a building permit and inspections would be required.

Bruce Orr suggested showing the placement of the building with the building permit and how the noise would be mitigated would help ease the noise concern for the neighboring properties.

Mr. Parrott said he realizes the compressor and vacuum can be loud. He plans to put a bathroom in and would run the air lines through the wall in the bathroom to minimize the noise that much further. The building will have heating and AC so it would be rare the garage door would be open while working on vehicles.

Mayor Branner said runoff was another concern brought up at the planning meeting.

Mr. Parrott said the EPA recommends if vehicles are washed at home, it be done on a pervious surface, gravel, or grass. He uses a wash mat that holds the water that gets pumped out onto the grass. It wouldn't reach the neighbor's property.

Jim Royston pointed out the MSDS indicates eye and skin irritants in 3 of the 4 products used and that would be a lot for 3 or 4 cars per day.

Mr. Parrott said only 3 or 4 vehicles per week would be washed.

Mr. Blythe asked why he chose to have the business at home and if anything would be stored outside.

Mr. Parrott said if he stayed at Industrial Drive the new lease would be \$33,000 per year; nothing will be stored outside.

Mr. Royston asked the size of the building.

Mr. Parrott said 30' x 40' x 12'.

Tom Jacobs, neighbor to the property, asked the following:

- can the neighbors see the MSDS sheets;
- will the water be metered and will a commercial meter be required;
- how much oil will go into the ground from cleaning an engine;
- the neighbors are also concerned with the noise pollution.
- He asked how much of the yard will be covered with the buildings and paved area and expressed concern with the amount of runoff onto his property.

Mr. Parrott said he can wipe down an engine and not have to spray water.

Mayor Branner pointed out Mr. Parrott will be required to get a building permit and has agreed to go at least 30' which is much greater than the 10' required setback. The motion will have a condition to keep the noise down. He noted it takes less than 40 gallons to wash a vehicle.

To be clear, Mayor Branner reiterated:

- the size of the building is 30'x40'x12';
- the building will be set at least 30' from the property lines;
- building permit will be pulled to show compliance;
- MSDS sheets are public record and available.

Neighbor Dennis Mason presented a list of concerns and pictures showing the Industrial Drive location with 5 vehicles inside the building.

- He asked if he (Parrott) owned the property, and if not, does he have a commercial lease;
- would he be permitted to perform any other type of automotive work on vehicles;
- a ventilation system will be required for the chemicals being used;
- an auto detailing business will be completely out of character for the neighborhood.
- Pictures were presented showing the existing business on Industrial Drive with 5 vehicles in the building.

Mr. Parrott said his girlfriend owns the property. He explained five vehicles are in the building because he has space for them.

Mayor Branner responded, a letter was received from the owner giving her permission for the business and to build the structure; he doesn't need a lease. The Conditional Use Permit tonight is only for detailing vehicles as discussed. If any other type of work is being done and it's reported to the Permits & Inspections office, and if any of the conditions are not met, the Conditional Use Permit will be pulled and the business terminated. Mr. Parrott has made a commitment that one vehicle at a time will be there, no chemicals will be used and only products such as those for home use to wash and wax vehicles will be used.

Clare Shumate, 100 E. Green, expressed concerns with the chemicals and runoff onto their family's vegetable garden that backs up to his property. She commented the chemicals might be safe for grass, but will it be safe for her family to eat the vegetables from the garden. She asked if there is a MSDS sheet that says it's safe for vegetables and fruit.

Mayor Branner replied the building will be at least 30' from the back property line.

Drew Chas questioned that the lot was large enough to place the building 30' off the back property line.

Mayor Branner commented he was sure there is room to move it 30 feet from the neighbors. When the building permit is applied for, the Permits Office will verify the setbacks when the building is staked out and make sure it is 30' from the back and side property lines.

Moved by Mr. Thomas and seconded by Mr. Blythe to approve 105 E. Cochran Street, Conditional Use Permit, CU-01-26, request for an auto detailing building/garage (Detail Works) in an R-1A zoned area with conditions as discussed:

- ***the size of the building is 30'x40'x12';***
- ***the building will be set back at least 30' from the back and side property lines;***
- ***building permit will show compliance;***
- ***the compressor and vacuum hose will be placed in an insulated room to minimize noise;***
- ***one vehicle at a time will be worked on;***
- ***no chemicals will be used; only products such as those for home use will be used to wash and wax vehicles.***
- ***MSDS sheets are public record and available.***

David Thomas: Yes

Craig Sherman: No. It goes against the general provisions of the Comp Plan under Section 10 Conditional Use Permits.

Bruce Orr: Yes

Drew Chas: Yes

Aaron Blythe: No, it's detrimental to the public welfare and injurious to property owners.

Jim Royston: No, it's detrimental to the surrounding community and the intent of the Comp Plan. I don't think it's viable to be building commercial buildings that size in the back yard in a neighborhood.

Mayor Branner: Yes. Planning and Zoning recommended approval. (Voted to break tie vote.) Motion approved 4 - 3.

9-B. 17 Wood Street, Unit 39 - Conditional Use Permit request for an indoor playground (The Cozy Play Corner) in a C-2 zoned area. Indoor playground is designed for children 8 months to 7 years old. Play areas may contain slides and climbing structures. CU-02-26. Tax Parcel 23-005.00-038.

Anthony Solis requested approval for an indoor playground at 17 Wood Street for a soft-play facility for children 8 months to 7 years.

Mayor Branner indicated Planning and Zoning recommended approval.

Moved by Mr. Royston and seconded by Mr. Sherman to approve 17 Wood Street, Unit 39, Conditional Use Permit request for an indoor playground (The cozy Play Corner) in a C-2 zoned area. Indoor playground is designed for Children 8 months to 7 years old. Motion Carried Unanimously.

9-C. 301 Business Park North (northwest intersection of Warwick Road and Middle Neck Road) – Amended Record Major Land Development Plan for a 2.4 million+/- square-foot, single-story, e-commerce fulfillment center with an interior mezzanine, which will replace/supersede the previously-recorded plan dated December 6, 2025, at this location. The amended plan submission contemplates all necessary changes to site improvements, utility infrastructure and stormwater management for this new building. Tax Parcel No. 23-073.00-001.

Alex Escamilla with Bluewater Property Group, presented the plan for Amazon, owner/occupant of the property.

- This is an amendment to a previously approved plan to accommodate a new building type.
- The amended plan reduces the square-footage from a 3.2 million square-foot, multi-story facility, to a single-story with an interior mezzanine for a 2.4 million square-foot building.
- The footprint is approximately 1.2 million square-feet; the additional square-footage is on the interior mezzanine.
- Less trailer parking is proposed; employee parking remains about the same.
- The height of the building is reduced from about 105' to a more standard warehouse facility – a larger footprint with lower height.
- Renderings were presented.
- Impervious ratios and limits of disturbance are similar.
- Economic benefits remain the same with development of this size.

Mayor Branner noted the plan was previously approved; the owner is now amending the building design, and no traffic patterns as approved by DelDOT are affected.

Residents questioned the number of employees and shifts.

Ms. Escamilla indicated there will be about 700 full time employees; typically, there are three shifts. The employment range is based on seasonality. This facility will create less traffic than the previously approved plan. Ms. Escamilla pointed out DelDOT mandates a certain number of improvements to be done to accommodate the volume and keep intersections operating at an acceptable level.

Jim Royston commented the traffic should be minimal because of the location near 301.

Ms. Escamilla said the site is good for this type of development because it has great access to the highway. A two-lane round-about will be installed in front of the facility; round-about at Levels Road and Rt. 301, as well as the intersection of Warwick and Middle Neck Roads will be upgraded.

Bruce Orr indicated when the previous plan was approved, there were discussions about signage and suggesting preferred routes for access to and from the site to the tractor trailer drivers. In particular, using Warwick Road to Sassafras and out to 301.

Moved by Mr. Royston and seconded by Mr. Chas to approve the Amended Record Major Land Development for a 2.4 million+/- square-foot, single-story e-commerce fulfillment center with interior mezzanine as presented for 301 Business Park North. Motion Carried Unanimously.

9-D. 0 Summit Bridge Road – Concept Plan for an RV/Boat Storage facility, located on the west side of Summit Bridge Road, just south of Windmill Lane on 5.44+/- acres in a C-3 zoned area. Tax Parcel Nos: 23-028.00-243, 23-028.00-244 and 23-028.00-045.

Denis Hulme with Woodin and Associates presented the Concept Plan for the McKee Group. Several years ago, the McKee Group built self-storage facility in the Westtown Business Park that had a limited number of RV storage spaces. This site will fill the demand for covered RV and boat storage.

- The site is on the west side of Summit Bridge Road, occupied with a variety of storage sheds.
- The plan proposes a covered site-parking area with metal canopies approximately fourteen feet tall – about the same scale of a small commercial building.
- The parking area will be surrounded with a security fence with access controlled by automatic gates.

Mayor Branner asked if only roof top coverage is provided and no other on-site storage available. Mr. Hulme responded only roof top storage is proposed for RV's, boats and large vehicle storage.

Aaron Blythe asked if any buffering is planned for the homes behind the parcel and if lighting will be the same as for any parking lot.

Mr. Hulme responded a large landscape buffer is currently in place on the residential side; a buffer will be provided for this site. He said the developer met with some of the residents and they indicated they would rather see a single-story facility. Lighting will meet code that limits the amount of light allowed to go off-site.

Drew Chas asked where the gate access will be located.

Mr. Hulme noted the access is shown on the southern end to enter the secured area or the office.

Craig Sherman questioned if a right-in/right-out is proposed off Sumit Bridge Road.

Mr. Hulme said the plan has not yet been submitted to DelDOT to determine if it will be a full access or a right-in/right-out.

Sharon Schildt, Spring Mill resident, asked what the setback will be from the berm at Spring Mill. She expressed concern that many of the trees on the berm are missing or very tall and don't provide enough low screening to block the noise from Summit Bridge Road or lights from other buildings. Bruce Orr responded the distance appears to be about 40 or 50 feet.

Mayor Branner said the setback would be measured from the bottom of the berm where it meets the flat ground. He commented this is just the Concept Plan; details for setback and screening are items to discuss when the Preliminary Plans are submitted for approval. The developer might be open to filling in the space from the low branches of the trees to the top of the berm with smaller shrubs to help alleviate the lights from Rt. 71.

Ms. Schildt asked if all three parcels would be used for the project and what the building is for shown on the south end of the plan.

Mr. Hulme said all three parcels are part of the plan. The south end of the parcel will be used for stormwater management, dumpsters, customer parking and a small office building. He indicated a landscape plan will be available when the Preliminary Plan is presented.

9-E. 5187 Summit Bridge Road – Record Major Land Development and Subdivision Plan for a project to combine three (3) lots totaling 3.01+/- acres, to develop two commercial/flex buildings in two phases, in a C-3 zoned area. Phase 1 consists of a 9,900 square-foot building with associated parking and site improvements. Phase 2 consists of a 9,480 square-foot building with associated site improvements and parking. Tax Parcel Nos: 23-028.00-253, 23-028.00-254 and 23-028.00-255.

Denis Hulme with Woodin and Associates presented the project for 5187 Summit Bridge Road, located on the east side of the road, just north of the previously discussed project.

- The two flex-space buildings are proposed to be developed in two phases.
- A full access entrance is located on the southern side of the property. The plan is at final stage of approval with DelDOT.
- Construction plans have been submitted to the Town Engineers for approval.

Bruce Orr asked if the entrance is a right-in/right-out.

Mr. Hulme said the entrance is full access; it will have a dedicated left-in and out.

Mayor Branner commented it's far enough away from the Spring Mill intersection to allow the left out.

Sharon Schildt commented the traffic in the area is non-stop Monday through Friday. She asked if the building will have businesses with high flow.

Mr. Hulme replied the buildings are anticipated for contractor's offices and not a lot of retail with high volume.

Mayor Branner indicated DelDOT would not grant a left out if they felt there would be a lot of traffic coming from the location.

Moved by Mr. Blythe and seconded by Mr. Royston to approve the Record Major Land Development and Subdivision Plan for 5187 Summit Bridge Road to combine the three lots to construct a 9,900 square-foot building in Phase 1 and a 9,480 square-foot building in Phase 2. Motion Carried Unanimously.

9-F. Motion to adopt 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 pointed out the Ordinance amends the business license fee of \$275 in the chart to \$270.

Moved by Mr. Orr and seconded by Mr. Sherman to adopt 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. Motion Carried Unanimously.

9-G. Motion to adopt 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.

Morris Deputy: The Ordinance removes the stated annual fee and replaces the verbiage to read "Mobile Food units shall purchase an annual base rate business license for their annual permit to vend" so the Ordinance doesn't have to be amended each time the fee changes.

Moved by Mr. Royston and seconded by Mr. Blythe to adopt 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. Motion Carried Unanimously.

9-H. 2026 Tree Planting & Tree Management Grant discussion.

Craig Sherman reported the Town has been notified funding is now available through the Forest Service. Todd Frey, the Town's engineer, and the Parks Department are working on an application for a \$5,000 matching grant targeting the entrance to Price Park and enhancing the Doc Levinson

Park. Mr. Frey is currently working on plans, site visits and proposals. The application will be due the end of February.

Linea Bradshaw noted this is the same funding she brought to the Town last year and questioned the Town is now applying for a grant to be used across Town.

Mr. Sherman responded a previous grant was used to plant trees in the area where she requested. These two areas were brought to the Town's attention of needing some work and would be a good choice for the grant.

9-I. Motion to adopt Resolution 26-02-01 to amend the Town of Middletown Personnel Policy Manual.

Morris Deputy: This is the final draft to approve the alcohol and drug policy for employees to comply with the State law for drugs, specifically marijuana. It covers reasonable suspicion, how CDL drivers are handled in accordance with State law, etc.

Moved by Mr. Blythe and seconded by Mr. Thomas to adopt Resolution 26-02-01 to amend the Town of Middletown Personnel Policy Manual. Motion Carried Unanimously.

9-J. Motion to ratify a professional services agreement for services involving financial planning, strategic guidance, policy formulation, and support for debt issuance.

Tabled until March.

9-K. Motion to ratify a Licensed Business Auditing and Consulting Agreement with Apothic Revenue Resources, LLC.

Tabled until March.

9-L. Motion to ratify a professional services agreement for general on-call engineering services.

Morris Deputy: The agreement is to have established rates with KCI Technologies for on-call engineering services from time to time for various small projects. This agreement just establishes their rates.

Moved by Mr. Thomas and seconded by Mr. Orr to ratify a professional services agreement with KCI Technologies for general on-call engineering services. Motion Carried Unanimously.

10. Unfinished Business:

- Councilman Blythe thanked the Public Works Department employees for the phenomenal work done with snow removal...it's not done yet but getting close.
- Mayor Branner thanked the employees and the public for their cooperation too. We've never had such a snow and ice storm; most employees worked 40+ hours.

11. New Business (Public Comment Section):

- Quinesha Harris, resident on N. Ramunno Drive, reported the residents' yards and fences on Ramunno Drive between Ash Blvd. and Doc Levinson Blvd. are not being maintained. The

fences are not straight and some are falling down. She asked if the Town could install a fence similar to the one behind Target.

Mayor Branner said the fences are on private property and the Town cannot install fences on private property. The area can be inspected for maintenance and code violations.

- Ms. Harris asked if the MPD could monitor N. Ramunno Drive at the intersection with Doc Levinson for speeding violations and ignoring the stop signs at the intersection. Mayor Branner noted Chief texter was writing down the information.
- Martin Bradshaw questioned why the town doesn't have snow emergency routes and ordinances to move cars from one side of the street to remove the snow. Concern was expressed with emergency vehicles not being able to access narrow streets, like Cummings. Mayor Branner pointed out the if there was a fire emergency, everything else would have stopped and access would have been provided for the fire company.
- Discussion continued on State of Emergency/Snow Emergency Routes:
 - State of Emergency is declared by the Governor.
 - A State of Emergency cannot be declared until an emergency is imminent.
 - The Town can mandate vehicles be moved off the street but cannot physically move residents' vehicles.
 - There's no place for residents to move their cars to if an Ordinance mandated it.
 - An Ordinance requires snow to be removed from the sidewalk. The issue with this storm was the ¼ to ½ inch of ice that fell on top of the snow making it very difficult to shovel.

12. Executive Session:

Moved by Mr. Orr and seconded by Mr. Chas to move into Executive Session to 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) and the content of documents excluded from the definition of "public records" in of this title.

Moved by Mr. Thomas and seconded by Mr. Blythe 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. Thomas and seconded by Mr. Blythe to approve the list of employees that are required to have a CDL license. 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 discussion on this item.

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

The meeting ended at 10:25 p.m.