



Town of Middletown
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MIDDLETOWN TOWN COUNCIL MEETING

JANUARY 6, 2009

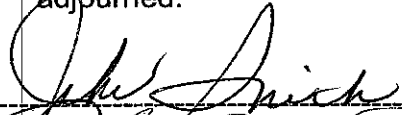
The Middletown Town Council met for its regularly scheduled meeting on Tuesday, January 6, 2009 at 7:00 P.M. in the council meeting room. The meeting was called to order by Clerk-Treasurer Jim Hanson, as prescribed by Indiana Code. The first order of business was the election of a council president. Hanson asked for nominations. Tim Mundell nominated Jim Mundell. Jim Mundell seconded. Dan Fountain nominated Jake Smith. Lisa Hicks-Smith seconded the second motion. Dan Fountain made a motion to close the nominations. Jake Smith seconded this motion. All voted in favor of closing the nominations. Jim and Tim voted in favor of Jim Mundell. Jake, Dan and Lisa voted in favor of Jake Smith. Jake Smith prevailed. President Smith then led the group in the pledge to the flag. He directed the clerk-treasurer to conduct roll call. Jake polled the council to see whether or not they wanted to have the minutes read by the clerk each meeting or to have them approved as written by the president. The council voted to have the president approve the minutes.

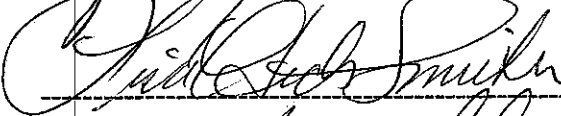
1. Jerry Manis, county council member from District 3, informed council that Nate LaMar was conducting a workshop in Anderson on January 28, 2009 concerning job losses and possible grants available for economic development in areas where the job loss has been significant. All council members were invited to attend.
2. Tracy Harrison, utility department employee, informed those present of the water board meeting to be held on Wednesday, January 7, 2009 at 9:30 A.M. in the council meeting room. Tracy also briefed council on a presentation that was made after the last meeting by Gayvin Strantz of Indiana Statewide Association of Rural Electric Cooperatives, Inc. concerning a training program for those interested in becoming certified linemen. The cost of the program is about \$5000 per year per person enrolled. There is still time to get employees enrolled in this year's program. Robert Perry from our utility department is interested in taking this training. Perry is willing to sign a contract to assure the town he will serve here for a pre designated period of time after his training is complete if the town pays for his training. Jim Mundell made a motion for the town to fund a person in this program. Dan Fountain seconded the motion. All members of the council voted in favor of the motion. Motion carried. Dave Copenhaver will prepare the paperwork for the agreement not to compete document.
3. The next issue was a letter received in response to an inquiry made by the sewage department to Butler, Fairman & Siefert concerning the request to connect a new Laundromat to our sewer system. The letter stated that, "based upon the effluent flow meter data, it appears that dry weather average daily flow to the plant is approximately 10 percent over plant capacity. The town attorney was asked to send a letter to the applicant advising him of the situation.
4. Police Chief, Randy Wray, gave a report to the council on the number and nature of calls his department handled in the year 2008. Also, he reported that telephone bills questioned at the previous meeting were going to be corrected by the telephone company and that a credit to the town would be forthcoming.
5. Ron Koons reminded everyone that the change to digital service was still coming in February, 2009. Be prepared.
6. Town attorney, Dave Copenhaver, informed council that he had written a letter to Anderson Newspapers concerning the advertisements that were being thrown into the streets in Middletown. A representative for the Anderson Newspapers has indicated that they will not throw any more ad papers on the streets of Middletown. Also, Dave reported that Beechwood Ave. north of SR 236 officially belongs to the town. It has been recorded and will be added to the GIS map.

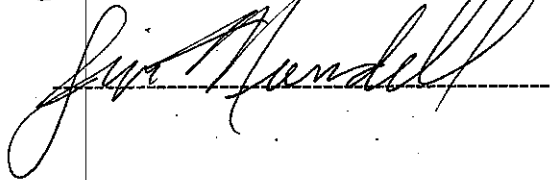



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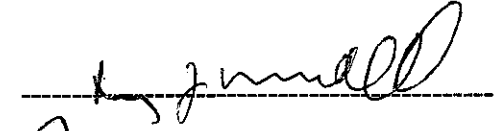
7. Clerk-Treasurer Jim Hanson presented council president Jake Smith with another bid for the property on Columbia Ave. The bid was in the amount of \$5000 and was made by an adjacent property owner. Dan Fountain made a motion to accept the bid of \$5000. Tim Mundell seconded. All voted in favor. Dan then made a motion to allow council president, Jake Smith, and the clerk-treasurer to finish the sale of the Columbia Ave. property. Lisa Hicks-Smith seconded. All members voted yes. Motion carried.
8. In another matter, Lisa Hicks-Smith made a motion for the town council to accept the findings contained in Dave Copenhaver's legal opinion of Nov. 4th in reference to park board appointments. Dan Fountain seconded this motion. Lisa, Jake and Dan voted in favor of the motion. Jim and Tim voted against. Motion carried.
9. Dan Fountain presented a draft copy of guidelines for persons or organizations taking donations at intersections in town. He requested that council review these before the next meeting. Dan then made a motion for the town to implement a suggestion program for the employees of the town. A council member who has the only key to the box will check the box on a regular basis. Lisa seconded the motion. The vote was three in favor and two opposed. Motion carried. Dan thanked Ron Koons and Kyle Metcalf for their hours of dedicated service in their respective volunteer positions.
10. Council President, Jake Smith, then read a prepared letter which stated that park board members, Sue Cooper, Patsy Johnson and Susan Smith, who were removed from the park board on December 16, 2008 are reinstated to their unexpired terms. Those persons who were appointed to board positions which were not vacant are retained as "ex-officio" members for calendar year 2009. Provided that these "ex-officio" members maintain their interest in the park board by attending board meetings, then during this year if a vacancy occurs through resignation, the council president will appoint an "ex-officio" member to complete that unexpired term. He will notify the park board president and affected members of this decision by letter as soon as possible. Finally, the council president appointed a committee to review the park department ordinance and make recommendations for revisions and/or amendments to ensure that inconsistencies in the ordinance are addressed and corrected, and that the duties, responsibilities and limitations of appointing authorities are clearly defined. The committee's first order of business should be to incorporate the recommendations of the town attorney in his opinion of Nov. 4th. In addition they should solicit and consider suggestions from council members, park board members and township advisory board members as well as the citizens of Middletown and Fall Creek Township. The committee will have access to the records and administrative support of the Clerk-Treasurer's office, and limited access to the town attorney for questions of ordinance form and content. The committee will meet at times and places to be determined by the committee chairperson, and as often as necessary to complete their task. The committee will consist of the following members: Two members of the park board to be appointed by the park board president; Don Osborne, the township trustee; Steve Stafford of the Middletown Lions Club; Gary Kendall, Middletown business owner, and two members of the town council, Tim Mundell and Lisa Hicks-Smith. Lisa will serve as chairman of the committee. The committee will report their recommendations to the council at or before the first council meeting in April of 2009.
11. There being nothing further to come before the council, the meeting was adjourned.











James E. Hanson
Clerk-Treasurer