



Town of Middletown
653 Locust Street
Middletown, IN 47356
office: (765) 354 2268
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MIDDLETOWN TOWN COUNCIL MEETING

NOVEMBER 4, 2008.

The Middletown Town Council met for its regularly scheduled meeting on Tuesday, November 04, 2008 at 7:00 P.M. in the council meeting room. The meeting was called to order by President Jim Mundell. Roll call by Clerk-Treasurer Jim Hanson noted all members present. Those members were: Dan Fountain, Jake Smith, Lisa Hicks-Smith and Tim Mundell. Dave Copenhaver was present as legal council. After the pledge to the flag, the minutes of the previous meeting were approved by the council president.

1. In the first order of business, President Mundell called on Don Osborne, Fall Creek Township Trustee, who had requested to be heard. Don and his advisory board were present to support the existing park board members. President Mundell had announced during the last council meeting that he was naming three new members to the park board as provided by ordinance. Much discussion followed. Persons representing the ball leagues at the park, representatives from the Lion's Club, and several other citizens were allowed to voice their opinions on the matter. Don Osborne closed his discussion by saying that the township will petition to withdraw from the park agreement if the town no longer needs them. It is up to the town. After much discussion about the park matters, Jake Smith informed council that he had asked our legal council for a legal opinion on the park board member appointments. Jake made a motion to table the park issue until next meeting. Lisa Hicks-Smith seconded. Lisa, Dan and Jake voted YES. Tim and Jim voted NO. Issue tabled. Jim Mundell then rescinded his appointments that had been made at the previous meeting. Then, the issue of who may ask for a legal opinion to be rendered by the legal council was raised. Dave Copenhaver replied that any elected official may ask for an opinion. Lavonna Robbins, Dispatcher, asked if department heads could ask for legal opinions. Dave said, yes they may, but it may require council president permission if it is very involved.
2. Janice Coulter asked how one may be selected for a seat on the park board. She was informed that persons interested should make their interest known to members of the town council. Jerry Manis suggested that a list of names of persons interested in serving be kept for future positions that may need to be filled.
3. Tracy Harrison reported that there would be another Water Board meeting on Wednesday, November 5, 2008 at 9:30 A.M. in the training room at the city building. All interested parties are welcome. She also invited any questions that residents may have.
4. Police Chief, Randy Wray reported that the town had a safe and successful Halloween.
5. Utility Superintendent, Dave Real reported on the progress of the repairs to the water plant which will help bring it up to IDEM recommendations. He also reported that the Police Department had given their old 4wd to the utility department. The department needs another snow plow. This vehicle could work, but will need a snow blade. Cost for a new blade is about \$4500. Dave thinks he can get a used one for about \$1500-\$2000. Dan made a motion to allow Dave to purchase a used blade not to exceed \$2000 in cost. Jake seconded. All members voted YES. Motion carried.
6. Ron Koons was present and informed council that Channel 13 can now be found on 432. Also there will be more changes when February 1, 2009 gets here.



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7. Clerk-Treasurer, Jim Hanson, advised council that outstanding checks on the town's bank statement found to be greater than two years old as of December 31, 2007 have been declared void and the amounts have been receipted back into the General Fund in accordance with I.C. 5-11-10.5. Next, Hanson asked council what was their pleasure in reference to re-contracting The Leary Construction Co., Inc. for the water tower maintenance. Jim Mundell was in favor of staying with Leary. Dave Real agreed as did Jake Smith. Jim Mundell made a motion to again use Leary. Dan Fountain seconded. All voted YES. Motion carried.
8. Dan Fountain recognized Curt Yeager. Curt reported that the food pantry was low on money and food. Any help would be appreciated. Also, the condition of Beechwood Ave. was raised. The ownership of this section of the street has not yet been clearly established. Jake feels the town should work with the businesses in the area to get this issue resolved. Lisa agreed to purchase a tandem truck load of stone. Dave Real and his department will apply the stone. Dan also asked Dave Copenhaver on the progress of the Hydrant Rental Fee Ordinance. Dave will pursue this by contacting our engineering firm.
9. Dan Fountain stated that he thought the Historical Society should have the option to remove any suitable artifacts from the house at the water plant site that is being torn down. Consent was granted by council.
10. The next item for discussion was the guidelines governing cable channel MLAC use. Tim Mundell had trouble with the 3-4 week advance notice for requests for ads. Joe Peters of the Lion's Club was unable to get coverage because Ron Koons was out of town. Dick Schwalm asked if Ron had an assistant. There is no assistant. Ron would be willing to work with Randy Wray if Randy is willing. Dan Fountain made a motion to adopt the guidelines as presented. Jake Smith seconded. Lisa, Jake and Dan voted YES. Tim and Jim voted NO. Motion carried. Dan made a motion to have Randy Wray and Jim Hanson be made assistants to Ron Koons. Jake seconded. All voted YES. Motion carried.
11. The Council read and signed the proclamation honoring the Nazarene Church on their milestone 75th Anniversary.
12. Jake Smith, in a follow-up of an earlier complaint involving a walker on 236 and a police officer, said he feels the complainant should thank the officer because he may have saved this man's life.
13. There being nothing else to come before council, the meeting was adjourned.

James E. Hanson - Clerk-Treas
Jim Mundell
Jim Mundell
Dick Schwalm
Jake Smith