



Town of Middletown

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MIDDLETOWN TOWN COUNCIL MEETING MINUTES
APRIL 15, 2014

The Middletown Town Council met for its regularly scheduled meeting on April 15, 2014 in the Public Meeting Room at 653 Locust Street, Middletown, Indiana at 7:00 P.M. The meeting was opened by Town Council President Betty Riley leading those present in the pledge to the flag. Clerk-Treasurer Drew Cooper noted that Council Members Betty Riley, Gary Kendall, Bill Harrison, Shelly Kimmerling, and Norm Purdue were present. Town Attorney Joel Harvey was present.

1. Corey Murphy, of the Henry County Economic Development Corporation, gave a presentation on initiatives the EDC is currently working on. He said a study committee is being formed to look into property tax options made available during the last legislative session, namely partial or full elimination of business personal property taxes on a county option basis. Gary Kendall volunteered to represent Middletown on the committee. Murphy also said the county is working together on an application for grant money to be used to demolish abandoned houses. Norm Purdue agreed to represent Middletown at meetings dealing with this issue.

2. The Council continued discussion on the possible annexation of properties on North 5th Street. The Town Council President directed the Town Attorney and Clerk-Treasurer to contact the property owners of the three parcels on that street that are not currently in town limits and offer them a 3-year tax abatement if they agree not to fight annexation.

3. The Council discussed a memo prepared by the Town Attorney about "Ownership and control of sidewalks." According to the Town Attorney's research, municipalities have "a duty to exercise reasonable care and diligence to keep streets and sidewalks in a reasonably safe condition for travel." A town may avoid liability for defective sidewalks by establishing that the failure to repair a sidewalk was based on "contemplation and balance of public policy factors in the weighing of budgetary considerations and the allocation of resources." No action was taken by the Council.

4. Norm Purdue move to authorize the Clerk Treasurer to issue a payment of \$6,961.50 (before taxes) to Middletown Police Officer Michael Vacarro from the Rainy Day Fund for two years & four months (425 hours) of K-9 care & training from January 1, 2012 through April 30, 2014. Betty Riley seconded. The motion passed unanimously.

5. Norm Purdue moved that, effective May 1, 2014; the Middletown K-9 Gizmo will no longer be employed with the Middletown Police Department and be honorably retired from police service. Betty Riley seconded. Gary Kendall, Shelly Kimmerling, Betty Riley, and Norm Purdue voted yes. Bill Harrison voted no. The motion passed.

6. Norm Purdue moved that the remaining dollars within the Police K-9 Fund be used for the continued care of Gizmo, to include his feeding and medical needs. Officer Vacarro will present receipts for the care of Gizmo to the Clerk-Treasurer for reimbursement. The Clerk-Treasurer will issue payments from the Police K-9 fund for the needs of Gizmo until the fund is exhausted or until Gizmo passes, or the council approves a new K-9 for police department use. Betty Riley seconded. The motion passed unanimously.



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7. Norm Purdue moved to authorize the Dispatch Supervisor to purchase an "MC 2500 Deskset" for up to \$3,766.63, to be paid from the Cum Capital Fire Fighting Equipment Fund. The devise will be used to dispatch Fire & EMS personnel. Gary Kendall seconded. The motion passed unanimously.

8. Council Member Shelly Kimmerling turned in a conflict of interest form.

9. There being nothing further to come before council, the meeting was adjourned.

Clerk-Treasurer