

MINUTES OF THE MIDDLETOWN TOWN COUNCIL

August 20 2019

The Middletown Town Council met in the Public Meeting Room at 653 Locust Street, Middletown, Indiana at 7:00 P.M. Council Members Dick Schwalm, Gary Kendall, Dan Fountain and Jake Smith were present. Town Attorney, Joel Harvey was also present.

1. Gina Ballard came before the Town Council with updates about the “Fall Fun Fest” to be held on September 14th and 15th along downtown Locust Street. This year’s event will include a “Flynnville Train” concert in Dietrich Park on Saturday the 15th at 7:00 P.M. She thanks the Town in advance for assistance with trash collection and electricity for vendors. Insurance and Health Department issues have been taken care of. Dan Fountain suggested that the town issue a proclamation in honor of “The Middletown Fall Fun Fest.” Council President Jake Smith said it could be done at the regular Town Council Meeting on September 3, 2019.
2. David Howell from local manufacturing company, Holic Foods, was present to try and clarify fault for the numerous instances of clogging sewer lines and a lift station with by-products from the factory. He takes blame for the initial instance when semi-solid waste was dumped into the system, but denies that any such dumping has occurred since. After the first instance the company put into place a policy wherein if it becomes necessary to waste a batch of product, they will empty it into 2200 gallon oil containers to have it take away from the plant. Jake Smith recalls that the sewer infrastructure was redone to Holic’s specifications and that no other entity drains into the lines in question. Town Superintendent Carl Spears produced photos taken, both at the original incident and the most recent one. Each incident is costing the Town large fees for clearing the lines and then videoing to make sure it is clear. Mr. Howell pled ignorance as to how this could have happened and vowed all that can be done will be done to avoid any future problem. He also said that, in future, the company will have the grease traps cleaned quarterly.
3. Carl Spears reported that radio read meter installations are still moving along at the rate of about 10 a week. He spoke about the options for the SRF spend down. The option of installing a single reader on a tower in the Town to read all meters will not work for Middletown. The other option is the laptop radio reader that will read 52 meters per second. The laptop and the accompanying software would cost about \$10,000.00. The supplier for radio read equipment is concerned about any upgrading of our computer system by Scott Emswiler without their input because an upgrade might interfere with their equipment programming. Steve Holmes suggested that the radio read vendor come in to speak to the Town Council about his concerns.
4. Town/Township merger sub-committees have all had their first meetings and the full Reorganization Committee met on August 13, 2019. Questions lead to more questions in some instances, but all are moving forward.
5. The question of publishing the 2020 budget was put forth and no one having any suggested changes to the since the public meetings, it was decided to publish.
6. Dan Fountain asked that the minutes show that the tabled issues of 1) contracting our electrical utility to IMPA or 2) hiring an electrical lineman for the Utility Department. During the budget process it was decided that at this time the Town could not to do either.
7. Steve Holmes addressed the payout policy for PTO hours at termination of employment. The Personnel Policy Handbook specifies: 1) that holiday, vacation, sick, personal time and comp time will count toward the 40-hour overtime threshold, (or overtime threshold for police officers). 2) Upon termination, unused vacation time will be paid at the employee’s pay grade. 3) Sick time is to be paid

- solely and exclusively for the purposes of illnesses or injuries of employees, avoiding jeopardizing the health of other employees, or illness or injury within the immediate family requiring the assistance of the employee. 4) Unused personal time will not be paid to an employee at the time of separation from the town.
8. Dan Fountain moved to approve A Resolution Amending the Town's Personnel Policy Handbook For Town Employees No. 2019-08-20-7 relating to the Council's ability to, at its discretion, extend the leave provided under Family Medical Leave Act. Gary Kendall seconded and the motion carried unanimously.
 9. Ryan Paschal updated the training for Utility Crew training in the waste water lab. Nara Manor, the instructor, would like to do it in about 2 weeks. There is a new employee who will be able to benefit from the program at that time. She has created a way for the education to continue for future employees with the paper work that she will provide. The initial training will take place over two days. Four hours each day.
 10. The Clerk-Treasurer has amended the 2020 Salary Ordinance with a new pay grade in the Police Department: Grade 6, Captain, with a \$1.00 per hour raise effective January 1, 2020.
 11. Clerk-Treasurer read Resolution No.2019-08-20-8 Establishing a Code Enforcement Committee. Gary Kendall moved to pass the resolution. Dick Schwalm seconded and the motion carried unanimously.
 12. Dan Fountain announced that the Single Trash Hauler issue has arrived at a stage wherein there should be something in the newspapers about the bidding process by the next Council meeting. Once a company has been selected, the Council will become involved, leading to the attorney writing the ordinance and a contract being signed. Ron Koons asked if the Council will approve him asking Scott Emswiler to create an e-mail address for use in the bidding process and for disseminating information to interested parties.
 13. Dan Fountain reported on the Middletown Environmental Committee. He would like to initiate a policy wherein new residents in Middletown can receive a "Welcome" packet including a welcome letter from the Town Council, advertising materials from local merchants. Lists of services and phone numbers that might be useful and whatever else might make new residents feel welcomed. Mr. Fountain would like to create a "2 Year Plan" for the committee. Code enforcement is one part of an MEC plan. Sidewalks are another part. Another issue is street sweeping. Mr. Fountain cites the fact that the Utility Department has a street sweeper that works so poorly that a crew has to follow and clean up what it missed. He would like to see funding found to replace the faulty sweeper.
 14. Police Chief Amanda Kirby presented an estimate from Scott's Computer Service for repair and upgrade of the EVR system in the Municipal Building. She believes that it was in February of this year that the computer system for all the security cameras in the building went down. Basically fried. The existing camera system is an old "wired" system. Most systems today are being upgraded with wireless equipment. So in evaluating replacing the old equipment, it was decided to look at a CPU system that will accommodate both the old wired cameras as well as wireless as we do future replacements. As of now there are no camera working in the building or in the parking areas. There are two new cameras included in the quote for use in the new interrogation room. The total cost for the replacement/upgrade is \$3,324.12. Dan Fountain moved to approve the expenditure for replacement/upgrade for the security cameras in and around the Middletown Municipal Building. Gary Kendall seconded and the motion was carried unanimously.
 15. Kyla Hall is heading up the "Suicide Walk" to be held during the Fall Fun Fest in September. It has been held in Dietrich Park in the past, but this time they want to move it to the streets. The "Veteran's Run" will take place at 8:00 a.m. and the "Suicide Walk" will be at 10:00 a.m. There will be Police coverage for both events. Mrs. Hall has asked if it would be okay to use sidewalk chalk to write positive, motivating messages on the sidewalks. There will be signs or notices regarding suicide help lines, etc. It was suggested they write on the street rather than the sidewalk. The Council approved by consensus.

16. The "Flynnville Train" concert is the evening of September 14, which also happens to be Chief Kirby's wedding day. Many if not most of her Officers will be in attendance at that event. The Chief has arranged for members of the Henry County Sheriff's Department to cover the concert. They are bringing in their reserves; as many as 6 or 7 Officers. Two Knightstown reserves will be here to cover the town that night.
17. Utility Superintendent Carl Spears reported that his department has lost the two Shenandoah students, Ryan Surguy, who went back to school and Duane Crowe who was called back to work by Pavement Solutions. He comes now to the Council to request permission to hire Nick Royal who was interviewed by Council person, Dan Fountain. Nick Royal would start at Grade 4, \$12.53 per hour. Gary Kendall moved to hire Nick Royal at Grade 4 and Dick Schwalm seconded. The motion was carried unanimously.
18. Carl Spears presented a schedule of year-round projects for his department.
19. Mr. Spears showed a picture to the Council of a tree which needs to be removed from an easement at Terry High's property on Congress Street. It is growing just inches from a transformer bearing utility pole and is hindering access for maintenance. Mr. Spears asked Fresh Cut to remove the tree, but since the owner is resisting the removal of the tree, his company did not want to get involved in a confrontation. Both Gary Kendall and Chief Kirby volunteered to speak with Mr. High.
20. At the August 13, 2019 Council meeting there was discussion as to what project or projects to use the remainder of SRF funds for. Mr. Spears would like to use it toward the purchase a new \$40,673.00 Bobcat excavator for his department. He feels that its use to maintain underground water lines would qualify the use of funds under the terms of the SRF agreement. Currently his department is using a 1971 backhoe. The Clerk Treasurer mentioned the other drinking water related projects discussed for use of the funds; fire hydrant replacement; replacement of the auto-dialer for the water plant; and the radio-read meter upgrade. The subject was tabled for the present.
21. Mr. Spears has talked to Allen New about an agreement to maintain HVAC in both the Civic Center and the Municipal Building. Hoosier Elevator came in for the annual inspection for certification of the elevator in the Civic Center. He will provide what the cost would be to have the elevator services quarterly. The Utility Department will continue to check the elevator pit monthly to assure that it is dry.
22. Mr. Spears needs to replace the three water meters in Crestwood Park with newer radio read meters. There are three meters for replacement at a cost of \$2,000.00. Crestwood did \$350.00 to the current meters by cutting the wires enabling "touch" reading. There has been no response to letters demanding payment for repair. The Town attorney will send a letter concerning the matter. Gary Kendall moved to approve the installation of three radio read meters in Crestwood Mobile Home Park, and Dan Fountain seconded. The motion was carried unanimously.
23. Mr. Spears reported on the vacant property at 503 N. 10th Street where there is an unfenced in ground swimming pool and a hot tub full of putrid water plus massive overgrowth of foliage over the entire property. There has been no response to the Town's correspondence to the company in California who currently owns the property. Mr. Spears' crew has drained the pool and hot tub, cut back the foliage and loaded a dump truck full of trash. There is still several truck loads of trash there. Mr. Spears would like to know how much time and cost the Town wants him to put into the clean up. Joel Harvey advised that we give the owner a time limit of 10 days to comply before we continue removing trash from the property.
24. Mr. Spears reported that the Water Plant and the Waste Water Plant have had an increasing infestation of insects. He spoke to the Orkin Exterminator who sprays the Municipal Building and he came down to give an estimate for spraying both plants. The cost would be \$550.00 to start up and \$125.00 per month to treat the facility. Gary Kendall says there is a product that can be used in both plants that could be applied by the Utility Department. He'll get the details to Mr. Spears.
25. There is a problem with having only one man on call. If there is a major problem that cannot be handled by the man on call, a second must be called in. If that man

has gone home and had a relaxing beverage, he is not able to take call. Much of what needs to be done by the Utility Department in an emergency, cannot be done by one man. It was decided that scheduling should, temporarily, go back to 2 people on call for weekends until an alternative can be reached.

26. Dick Schwalm said that the northeast corner of 12th and Cottage Avenue has a tree growing out so far that a driver going south on 12th Street is unable to see oncoming traffic. Mr. Spears will address this tomorrow.
27. Patty Schwalm reported that there have been repeated incidents of damage to the Civic Center by renters. The consensus of the Civic Center Board is that a way must be found to implement a security deposit from renters. Several ideas were discussed before the item was tabled for further study.
28. Mrs. Schwalm also reported that she had a person from Ohio come in to look at the condition of the elevator at the Civic Center. After a cursory examination, she was told that it appears that there is water in the hydraulic fluid. She also noted that the sump pump was running nearly constantly. David Wagner suggested that a test of the water for chlorine would reveal whether or not it was from a broken water pipe. Mrs. Schwalm recommended that the water be tested for chlorine. Steve Holmes suggested that there was at one time an artesian well under the block of buildings. It ran into a tub in front of the present Civic Center for watering horses. Carl said he can test the water for chlorine to rule out broken water lines.
29. Mrs. Schwalm asked about insurance coverage for the Civic Center. It was explained that the Civic Center was covered under the blanket coverage for the entire Town. She still wants to see the policy. The Clerk-Treasurer will get it for her.
30. Mrs. Schwalm is working on a grant from the Henry County Community Foundation for a commercial sump pump for the elevator pit in the Civic Center. She will pursue the grant and if it turns out that we won't need it we can turn down the grant should we get it.

There being no other business to bring before the Council, the meeting was adjourned at 9:44 P.M.

Clerk Treasurer