

MINUTES OF THE MIDDLETOWN TOWN COUNCIL

December 17, 2019




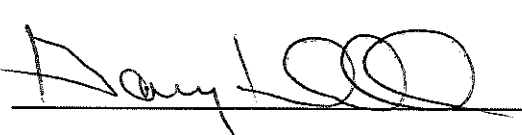
The Middletown Town Council met in the Public Room at 653 Locust Street, Middletown, Indiana at 7:00 P.M. Present were Council Members Dick Schwalm, Jake Smith, Gary Kendall, Donita Chambless and Dan Fountain. Also present were Fall Creek Township Trustee, Steve Thompson and the Fall Creek Township Trustee Board members, Kyle Hall and Cory Criswell and the Middletown Redevelopment Authority consisting of Dick Schwalm, Donita Chambless and David Wagner. Joel Harvey, attorney for all three entities, was also present.

1. The first order of business was to be the signing by the Middletown Redevelopment Authority of a contract with Spartan Motors USA, Inc. for the construction of the new fire truck. Attorney, Joel Harvey, voiced some questions about the wording of the contract. Donita Chambless moved that the contract be tentatively approved pending Mr. Harvey's discussion with Spartan Motors regarding the wording. The motion was seconded by David Wagner and passed unanimously. Steve Thompson asked if the Township Trustee Board could have the opportunity to read the contract before signing. Mr. Harvey assured him that that could be arranged.
2. The Township Trustee Board brought before the council a request for a renewed interlocal agreement between the Township and the Town for the purpose of "fire protection." Mr. Thompson would like to have a discussion about how the Fire Department is financed and then come up with an agreement that will work for both the Township and the Town. His biggest concern is that there be an equitable agreement about how the finances are managed. Now that the financing of the new truck has been handled, both the Town and the Township will be looking at how the new airpaks will be paid for. Mr. Thompson's concern is that the Township has no "skin in the game," where ownership of fire apparatus is concerned. Tim Mundell said that all the fire equipment except the fire rescue vehicle are titled to Middletown-Fall Creek Township and that any income from sale of equipment would be credited equally to both the Township and the Town. The fire rescue vehicle was purchased from funds put together on the Town side. Mr. Thompson feels strongly that the Township taxpayers need to see that their ownership of the fire apparatus they are paying for is reflected in whatever agreement exists between the Town and the Township. Much of what is accepted or assumed about Township involvement exists in our heads or on uniforms, but not on paper. Mr. Thompson thinks that a new, well defined, agreement between the two entities could remedy this. Dan Fountain suggested moving this discussion to a special public meeting at 7 P.M. on Thursday, January 9, 2020 in Council Chambers.
3. Jake Smith appointed Dan Fountain to the Eastern Indiana Regional Planning Commission.
4. Public Hearing on Ordinance 2019-12-3 Establishing a User Fee for Collection of Refuse: An employee of a business in Town who lives adjacent to the business asked if he can be exempted from the new trash ordinance if he uses his employer's dumpster. His request was denied. He was invited to appeal once the program begins. Dan Fountain moved to approve Ordinance 2019-12-3 on the second reading and Gary Kendall seconded. The motion carried unanimously. Dan Fountain moved to suspend the rules for passage on the third reading by name and number only. Dick Schwalm seconded and the motion carried unanimously. Dan Fountain moved to approved Ordinance 2019-12-3 on third reading by name and number only and Dick Schwalm seconded. The Ordinance was approved unanimously.
5. Ordinance 2019-1204 Establishing Regulations on the Collection and Disposal of Refuse. Second reading (as amended). After heated discussion about exemptions and commercial properties Dan Fountain moved to pass Ordinance 2019-12-4

Establishing Regulations on the Collection and Disposal of Refuse as amended on second reading by name and number only. Donita seconded and the motion carried four to one. Gary Kendall voted no. Donita Chambless moved to suspend the rules for the third and final reading of Ordinance 2019-12-4 and Dan Fountain seconded. The motion was carried unanimously. Dan Fountain moved to adopt Ordinance 2019-12-4 Establishing Regulations on the Collection and Disposal of Refuse and Donita seconded. The motion carried four to one. Gary Kendall voted no.

6. Jake Smith appointed Donita Chambless, and Kent Fletcher to the 2020 Middletown Redevelopment Commission. The Council appointed David Wagner, Bonnie Garrett and Drew Cooper to the Commission. A sixth member will be appointed by the Shenandoah School Board.
7. Jim Hanson is stepping down as Middletown's IMPA Commissioner. Ron Koons will be replacing him.
8. Carl Spears is working with Matt Spidel on acquiring new meter reading equipment through SRF funds.
9. "Pugsley's Drain" is causing problems at the Waste Water Plant and needs to be hard piped to Fall Creek. Pugsley has ditched the way, but not hard piped it and the fresh water is draining into the plant. Steve Holmes asked Mr. Spears what it would cost to hard pipe the ditch and couldn't we ask Pugsley to pay for materials and do it ourselves. Mr. Spears will pursue the issue.
10. Mr. Spears thinks the problem with floor tiling separating from the concrete is the cleaning lady leaving the floors under water after mopping. He will contact Rusty to see who does the floors in the community building.
11. Marshall Amanda Kirby asked about having some painting done in her department. She expects to have 4 full time dispatchers in place by January 1, 2020. Josh Grizell one of the Grade 3 Dispatchers will take one of the spots. Donita Chambless moved to approve that move and Gary Kendall seconded. The motion passed unanimously.
12. The prisoner transport unit has been installed in one of the police trucks. It is designed to be reinstalled into future vehicles with little cost.
13. Tim Mundell asked, since the trash fee begins on the next bill, if it would be a good idea to postpone the recoup of the tracking error until the 2nd quarter of 2020. Donita Chambless moved to approve and Dick Schwalm seconded. The motion was passed unanimously.

There being no other business to be brought before the Council, the meeting was adjourned.

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Clerk Treasurer