

MINUTES OF REGULAR MEETING OF THE COMMISSIONERS
OF THE CITY OF MIDDLETOWN

The Mayor and Commissioners of the City of Middletown held a regular meeting on Thursday, February 11, 2021 at 6:00 p.m. at City Hall, 11803 Old Shelbyville Road.

Present at the meeting were:

Mayor J. Byron Chapman
Commissioner Ron Wolf
Commissioner Mark Stigers
Commissioner Paul Hayden
Commissioner Amy Oliver
City Attorney John Singler
City Clerk Deborah Columbia
Director of Operations, Marty Stansbury
MPD Chief Rob Herman
Treasurer Tracy Dohn

Call to Order

Mayor Chapman called the meeting to order at 6:00 p.m. and asked everyone to stand for the Pledge of Allegiance.

Silent reading of minutes from the Special Meeting of 1/14/21 and Special Meeting of 1/26/21

Commissioner Oliver made a motion to approve the minutes of the special meeting of 1/14/21 and Commissioner Wolf seconded the motion. Motion carries.

Commissioner Stigers made a motion to approve the minutes of the special meeting of 1/26/21 and Commissioner Oliver seconded the motion. Motion carries.

Silent reading of Treasurer's report for January 2021

Commissioner Hayden made a motion to approve the treasurer's report for January and Commissioner Oliver seconded the motion. Motion carries.

Middletown Cemetery 4A

Commissioner Wolf made a motion to approve the January financial report for the cemetery. The motion was seconded by Commissioner Stigers and unanimously approved.

Middletown Cemetery 4B

None.

Announcements

Mayor Chapman stated that we have been laying salt on the roads in anticipation of the impending weather.

Museum Moment

None.

Comments to the City Commission

A Beckley Woods resident expressed that no salt was put on Tree Crest Court.

Middletown Chamber of Commerce

No one was in attendance tonight, but the report is in everyone's book.

Middletown Police Update, Chief Herman

Chief Herman gave his update for the month of January. Everyone is healthy. MPD will be hiring a traffic officer.

Municipal Order 02-11-21-A 19-DDP-0028, 13105 Middletown Industrial Blvd., Lichtefeld

Alex Rosenberg was in attendance representing the applicant.

Attorney Singler read the municipal order and advised that it is ready for action.

Commissioner Stigers made a motion to approve Municipal Order 02-11-21-A and Commissioner Hayden seconded the motion. Motion carries.

Municipal Order 02-11-21-B 20-VARIANCE-0175, 11601 Shelbyville Road, Taco City

Doug White was here representing the applicant.

The commission asked how it happened that work started on the building prior to the City of Middletown approving. Mr. White said they did not realize they needed approval on a building under 600 sq. ft. The commission urged Mr. White to be in compliance with city variances in the future.

Attorney Singler recapped the municipal order and advised it is ready for action.

Commissioner Wolf made a motion to approve Municipal Order 02-11-21-B and Commissioner Oliver seconded the motion. Motion carries.

Beckley Woods - AT&T Discussion - Municipal Order 02-11-21-C

Attorney Singler advised that AT&T put in cable for their fiber in private property of 60-70 homes. AT&T thought they had additional ROW where there was not.

One resident of Beckley Woods said he thought they had to install in the easement in the back of the homes. Attorney Singler: due to a federal law they are given more leeway on where they can install.

This was approved by Middletown - but only in the public ROW. We must get it fixed. Attorney Singler's thoughts were we must give them the opportunity to rectify and then we have the power if it is done improperly.

Some additional thoughts from the commission consisted of:

- AT&T states they are willing to work with residents but have not contacted them
- Bond covers any mistake in the project
- We hire an inspector, and they pay
- We need our own people to supervise
- No new lines until its fixed
- Agreed to topsoil & grass seed
- More details needed in restoration plan
- Need a contact for residents

At this point the commission joined AT&T on a WebEx call.

- Commissioner Oliver asked for a contact person including name, phone number and email. She asked them if they would leave a door hanger stating they have completed their work with contact information.
- Commissioner Hayden & Commissioner Stigers asked for more detail on how it will be fixed.
- Commissioner Wolf stated that the workers are not landscapers and topsoil is needed in ROW too as well as new sod.

The municipal order died due to lack of action.

John Tyler with AT&T advised that topsoil would be used, and an inspector would be on site. Reports will be provided. He maintains that this is private property and the city has no jurisdiction. He advised all property will be restored to what it was before.

Discussion tabled. We will get together on 2/17 at 5:00 p.m. for a special meeting.

Ordinance 01-26-21-A Repealing Ordinance 14-11 relating to the adoption of the March 2006 version of the LDC & certain amendments, Second reading.

Attorney Singler read the ordinance and advised this is the second reading and it is ready for action.

Commissioner Stigers made a motion to approve Ordinance 01-26-21-A and Commissioner Oliver seconded the motion. Motion carries.

This is a call vote. All voted yes.

Ordinance 02-11-21-A Revising Chapter 150 relating to building regulations, first reading

Attorney Singler recapped the ordinance and stated this will put more teeth on the look of buildings and we can get more specific as this is just a start. Mayor Chapman asked the commission to provide any thoughts to Attorney Singler.

Commissioner Wolf made a motion to consider this the first reading of Ordinance 02-11-21-A and Commissioner Oliver seconded the motion. Motion carries.

Attorneys Report

None.

Project Updates

Library - They have their design, and it should go out to bid in the next few weeks.

Adjournment:

Commissioner Hayden made a motion to adjourn the meeting, motion seconded by Commissioner Oliver and unanimously approved. Meeting adjourned at 7:50 p.m.



Deborah Columbia, City Clerk



J. Byron Chapman, Mayor