

ORDINANCE NO.: 2000-1

**AN ORDINANCE AMENDING ORDINANCE NO.: 1988-5,
ORDINANCE NO.: 1989-1 & ORDINANCE NO.: 1994-3,
AND ENTITLED A SCHEDULE OF RATES AND CHARGES FOR
THE MARKLEVILLE MUNICIPAL SEWAGE WORKS.**

WHEREAS, the Town Council of the Town of Markleville, State of Indiana, has not performed a rate study for the Markleville Municipal Sewage Works or increased sewage rates in any manner since 1994; and

WHEREAS, the Markleville Municipal Sewage Works has absorbed three (3) rate increases from Fall Creek Regional Waste District for sewage treatment services since 1994, without passing any of these additional expenses onto the consumers of the Markleville Municipal Sewage Works; and

WHEREAS, a recently performed rate study for the Markleville Municipal Sewage Works by O.W. Krohn & Associates, LLP, Certified Public Accountants, indicates that the following rate increases are necessary for the sewage works to remain financially sound and to come into compliance with the requirements of the Farmer's Home Administration with respects to the Town's outstanding revenue bonds.

WHEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARKLEVILLE, STATE OF INDIANA, AS FOLLOWS:

(1) That Section 3, Paragraph (a), of Ordinance No.: 1989-1, entitled "Metered Water Users", and Section 1 of Ordinance No.: 1994-3, shall be amended to reflect the following monthly sewage rate changes:

1) Treatment Rate - per 1,000 gallons of usage per month:

	<u>User</u> <u>Charge</u>	<u>Debt</u> <u>Service</u>	<u>Total</u>
Service Area #1	\$5.80	0.68	\$6.48
Service Area #2	\$5.69	0.34	\$6.03

plus;

*Exact Elev
Flow (per 1000 gal)
6.03
+ 9.17*

2) Base Rate - per month, as follows:

<u>Service Area #1</u>	User	Debt	
<u>Base Rate</u>	<u>Charge</u>	<u>Service</u>	<u>Total</u>
All users	\$11.76	\$7.90	\$19.66
<u>Service Area #2</u>			
<u>Base Rate</u>			
All users	\$9.17	-0-	\$9.17

(2) That Section 3, Paragraph (b), of Ordinance No.: 1989-1, entitled "Unmetered Water Users", and Section 2 of Ordinance No.: 1994-3, shall be amended to reflect the following changes to the monthly "treatment charges" due from unmetered water users:

<u>User</u>	<u>User Charge</u>	<u>Debt Service</u>	<u>Total</u>
<u>Residential:</u>			
Single family residence/unit	\$18.41	\$2.93	\$21.34
Apartment or trailer court/unit	14.14	2.20	16.34
Double	30.94	4.40	35.34
<u>Commercial:</u>			
Retail establishment:			
First 3 employees	24.91	2.93	27.84
Each additional employee	6.23	0.73	6.96
Gasoline service station:			
W/o car wash facilities	37.36	4.40	41.76
With car wash facilities	62.27	7.33	69.60
Restaurants, drive-ins & taverns w/eating and/or drinking facilities:			
First 2 employees	24.91	2.93	27.84
Each additional employee	8.23	0.97	9.20
Laundromats - per washer	18.69	2.20	20.89
Car wash, manual - per bay	62.27	7.33	69.60
Shop or office in home	49.82	5.86	55.68
Professional office:			
First 2 employees	24.91	2.93	27.84
Each additional employee	8.23	0.97	9.20

Governmental/Institutional:

School/student	1.00	0.12	1.12
Churches, lodges & veterans organizations:			
For each 200 members or fraction thereof	24.91	2.93	27.84
Government offices:			
First 3 employees	24.91	2.93	27.84
Each additional employee	6.23	0.73	6.96
<u>Industrial</u> (sanitary flow only):			
First 3 employees	24.91	2.93	27.84
Each additional employee	6.23	0.73	6.96

(3) That the first sentence of Section 6 of Ordinance No.: 1989-1, shall be amended to read as follows:

The owner of any lot, parcel of real estate, or building connecting to the sewage works shall, prior to being permitted to make a connection, pay a connection charge in the amount of \$1,200.00, or the actual cost of construction, whichever is larger, for each connection.

(4) That the last sentence of Article III, Section 2, of Ordinance No.: 1988-5, shall be amended to read as follows:

A permit and inspection fee of One Hundred Fifty-five Dollars (\$155.00) shall be paid to the Town at the time the application is filed.

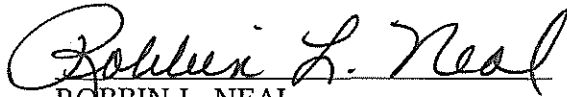
(5) That the last sentence of Article IV, Section 2, of Ordinance No.: 1988-5, shall be amended to read as follows:

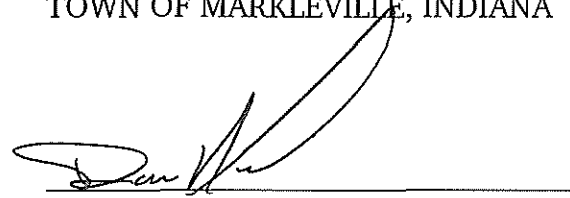
A permit and inspection fee of One Hundred Fifty-five Dollars (\$155.00) for a residential or commercial building sewer permit and One Hundred Fifty-five Dollars (\$155.00) for an industrial building sewer permit shall be paid to the Town at the time the application is filed.

ALL OF WHICH IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
MARKLEVILLE, STATE OF INDIANA, THIS 8TH DAY OF NOVEMBER, 2000.

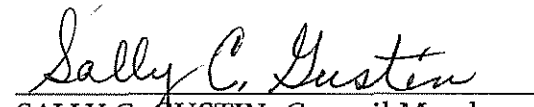
TOWN COUNCIL,
TOWN OF MARKLEVILLE, INDIANA

ATTEST:


ROBBIN L. NEAL,
Markleville Clerk-Treasurer


DAN NEAL, President,
Markleville Town Council


JOHN C. HOLMES, Council Member,
Markleville Town Council


SALLY C. GUSTIN, Council Member,
Markleville Town Council

PREPARED BY:

Alan R. Miller (#11629-48)
Attorney at Law
522 Historic W. 8th Street, Suite B
P.O. Box 1437
Anderson, Indiana 46015
(765) 649-1594

TOWN OF MARKLEVILLE

ORDINANCE NO. 2001-1

**AN ORDINANCE CONFIRMING RENEWAL OF A CABLE TELEVISION FRANCHISE
ORDINANCE WITH INSIGHT COMMUNICATIONS OF INDIANA, LLC FOR THE
CONSTRUCTION AND OPERATION OF A CABLE SYSTEM IN THE CITY**

WHEREAS, the Town of Markleville (the "Town"), pursuant to Ordinance No. 84-01 dated February 1, 1984 granted Central Indiana Communications, Inc. ("CIC"), a Franchise to construct, operate and maintain a cable system within the Town of Markleville (the "Franchise"); and

WHEREAS, the Town, pursuant to Resolution dated July 19, 1988, consented to the sale, transfer and assignment of the Franchise from CIC to Insight Communications Company, L.P. ("Insight L.P."); and

WHEREAS, the Town, pursuant to Resolution No. 1998-3 dated July 1, 1998, consented to the sale, transfer and assignment of the Franchise from Insight L.P. to Insight Communications of Indiana, LLC ("Insight Indiana"); and

WHEREAS, the Franchise will expire on October 30, 2000; and

WHEREAS, the Town finds that the continued development of broadband communications has the potential of having great benefit and impact upon the citizens of the Town; and further finds that the public convenience, safety, and general welfare can best be served by exercising the regulatory powers vested in the Town by applicable federal and state law.

NOW THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Markleville, Indiana as follows:

1. The term of the Franchise is hereby renewed, amended, and thereby extended by fifteen (15) years to expire on October 30, 2015 ("Expiration Date").
2. Upon ninety (90) days prior notice to the Town, Insight Indiana may sell, transfer and assign (by merger or otherwise) the Franchise to any entity controlling, controlled by, or under common control with Insight Indiana without any further requirement of obtaining the prior consent or approval of the Town to such sale, transfer or assignment.
3. In the event additional broadband services shall be made available in the Town over the cable system, including but not limited to, high-speed data and telephone services, nothing in the Franchise shall prevent Insight Indiana from offering such services to cable customers in the Town.
4. After the fifth anniversary of the date hereof, the City may elect to review the amount of the franchise fee currently being assessed. Accordingly, on prior written notice to Insight Indiana, the

City and Insight Indiana agree to discuss in the good faith whether to amend the fee based on a review of the local community's needs.

5. Section 10 of the Franchise shall be hereby amended to provide that the amounts of insurance against liability due to physical damage to property shall be not less than Two Hundred Thousand Dollars (\$200,000.00) as to any one claim and not less than Eight Hundred Thousand Dollars (\$800,000.00) aggregate in any single policy year; and against liability due to bodily injury or to death of persons, not less than One Million Dollars (\$1,000,000.00) as to any one person, and not less than Two Million Dollars (\$2,000,000.00) as to all such claims arising from any one accident. Such insurance policies shall specifically provide that the Town shall be named as an additional insured. A certificate of insurance evidencing Insight Indiana's carriage of the required policies shall be provided to and kept on file by the Clerk of the Town.


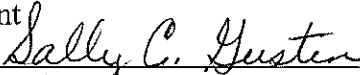
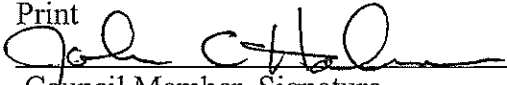
6. Section 26 of the Franchise is hereby amended to provide that Insight Indiana shall provide one (1) free basic cable television connection to each municipal building, fire and police station and public school within the Town's limits that is passed by the cable system. Additionally, Insight Indiana agrees to provide one (1) free Internet connection to the Town Hall, provided Insight Indiana continues to offer high speed data access on its cable system (any charges assessed by the local Internet Service Provider will be borne by the City).

7. Section 11 of the Franchise is hereby amended to delete the requirement for provision of an FM radio signal.

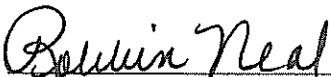
8. All other terms, conditions, provisions, and requirements of the Franchise shall remain in full force and effect until the Expiration Date.

9. This Ordinance Amendment shall be effective upon its passage.

THE FOREGOING AGREEMENT was duly passed at a meeting of the Town Board of the Town of Markleville, Indiana, held on the 10th day of January, 2001.

By: 
Council Member Signature
DAN NEAL, President
Print

Council Member Signature
SALLY C. GUSTIN
Print

Council Member Signature
JOHN C. HOLMES
Print

ATTEST:

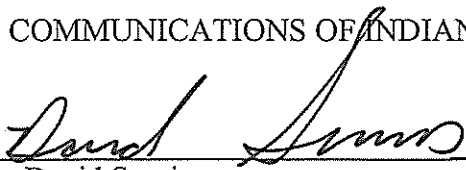

Town Clerk

ACCEPTANCE BY COMPANY

This Ordinance Amendment is accepted, and we agree to be bound by all its terms and conditions.

INSIGHT COMMUNICATIONS OF INDIANA, LLC

Date: 1-23-01

By: 
Name: David Servies
Title: Senior Vice President, Operations, Indiana Region

ORDINANCE NO.:2005- 1

AN ORDINANCE ACCEPTING THE GIFT OF LAND FROM
DAVID L. PUCKETT AND WILMA F. PUCKETT

WHEREAS, the Town Council for the Town of Markleville finds that David L. Puckett and Wilma F. Puckett have offered a gift of land (attached as Exhibit A) to the Town of Markleville for the town to use as a park.

WHEREAS, The Town Council for the Town of Markleville finds that it is in the best interest of the Town of Markleville to accept the gift of land from David L. Puckett and Wilma F. Puckett. That the gift of land shall be used as a park to improve the quality of life, property values and to encourage both economic growth and residential investment in the Town of Markleville.

WHEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF MARKLEVILLE, STATE OF INDIANA, AS FOLLOWS:

That the Town of Markleville hereby accepts the gift of land (attached as Exhibit A) donated by David L. Puckett and Wilma F. Puckett. That the Town of Markleville shall use the land as a park for the benefit of the community.

ALL OF WHICH IS ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF MARKLEVILLE, STATE OF INDIANA, THIS
12TH DAY OF DECEMBER, 2005.

ATTEST:



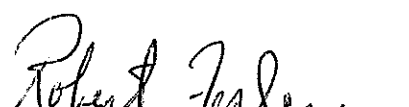
Markleville Clerk-Treasurer



JOHN C. HOLMES
Markleville Town Council



SALLY C. GUSTIN,
Markleville Town Council



ROBERT FESLER,
Markleville Town Council

SALARY ORDINANCE NO. 2006-01
AN ORDINANCE FIXING SALARIES FOR ALL ELECTED OFFICIALS,
EMPLOYEES, AND APPOINTED PERSONNEL FOR THE TOWN OF
MARKLEVILLE, MADISON COUNTY, INDIANA

NOW BE IT ORDAINED by the Trustees of the Town of Markleville, Madison County, Indiana under the Authority of Chapter 174, Act of 1947, General Assembly of the State of Indiana, and all acts amendatory thereto:

SECTION 1

SALARIES

1. Town Council Members (3): **\$1,200.00** per year, \$600.00 payable June 1 from General Fund and \$600.00 payable December 1 from General Fund.
2. Town Attorney (1): **\$3,000.00** per year, \$1,500.00 payable June 1 from Markleville Municipal Sewage Operating and Maintenance Fund and \$1,500.00 December 1 from General Fund.
3. Town Marshall (1): **\$7,000.00** per year, \$583.33 payable the first of each month from the General Fund.
4. Clerk-Treasurer (1): **\$16,000.00** per year, \$291.66 payable the first and fifteenth of each month from the General Fund and \$375.00 payable the first and fifteenth of each month from the Markleville Municipal Sewage Works Operating and Maintenance Fund.
5. Sewer Superintendent (1): **\$10,000.00** per year, \$416.66 payable the first and fifteenth of each month with the last pay of the year being \$416.82 from the Markleville Municipal Sewage Works Operating and Maintenance Fund.

SECTION 2

1. This ordinance shall be in full force and effect from January 1, 2006, if adopted by the Council Trustees of the Town of Markleville, Madison County, Indiana.

Adopted this 12th day of December, 2005

COUNCIL TRUSTEES
TOWN OF MARKLEVILLE
MADISON COUNTY, INDIANA



Sally Gustin, President

(seal)

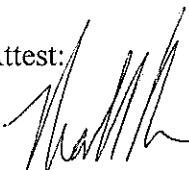


Robert Fesler, Member



John Holmes, Member

Attest:



Mark E. Evans, Clerk-Treasurer

Duly Entered for Taxation
Subject to Final Acceptance for Transfer

ORDINANCE NO.: 2006

APR 25 2006

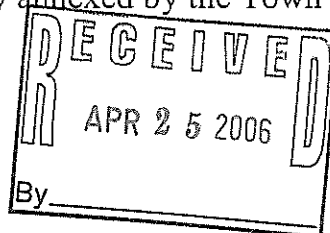
AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY
TO THE TOWN OF MARKLEVILLE, INDIANA

Kathy Stoops-Wright
AUDITOR, MADISON COUNTY

BE IT RESOLVED by the Town Council of the Town of Markleville, State of
Indiana:

1. That the below-described territory is contiguous to the Town of Markleville by more than one-eighth (1/8) of the aggregate external boundary of the territory sought to be annexed (a legal description of which is attached hereto as Exhibit "A" and incorporated herein by reference);
2. That the sole owner of the below-described territory sought to be annexed, Imon Bankson, has voluntarily petitioned the Town Council of the Town of Markleville, pursuant to Indiana Code 36-4-3-5, to have his real estate as described in Exhibit "A" annexed into the municipality's boundaries;
3. That all capital services provided to or by the Town of Markleville are currently provided or available to the below-described territory;
4. That all non-capital services provided to or by the Town of Markleville are currently provided or available to the below-described territory, and that the below-described territory has a similar topography, pattern of land use, and population density with that of the Town of Markleville; and
5. That despite the above, the Town of Markleville has also passed by Resolution a plan, pursuant to Indiana Code 36-4-3-13(d), for the providing of all the capital and non-capital services to the annexed territory, which are now currently available to the Town of Markleville, and that those services will be provided to the annexed territory in a manner equivalent in standard and scope to those services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

THEREFORE, BE IT ORDAINED by the Town Council of the Town of Markleville, State of Indiana, that the following territory contiguous to the Town of Markleville, in Madison County, State of Indiana, is hereby defined as within the limits of the Town of Markleville, and is hereby annexed by the Town of Markleville pursuant to Indiana Code 34-4-3-1, *et seq.*



Legal description attached and incorporated
by reference herein as Exhibit "A".

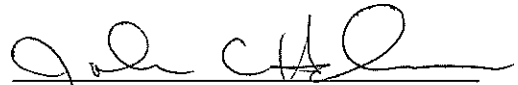
ACCEPTED THIS 10 DAY OF APRIL, 2006.

TOWN COUNCIL,
TOWN OF MARKLEVILLE, INDIANA

ATTEST:



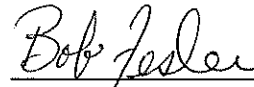
MARK EVANS
Markleville Clerk-Treasurer



JOHN C. HOLMES
Markleville Town Council



SALLY C. GUSTIN, Council Member,
Markleville Town Council



BOB FESLER, Council Member,
Markleville Town Council

PREPARED BY;

John C. Reeder
Attorney at Law
936 Meridian Plaza
Anderson, Indiana 46016
(765) 643-0022

EXHIBIT "A"

Annexation to the Town of Markleville

The territory to be annexed is owned entirely by Imon Bankson, which is at 9178 South 300 East, and is more particularly described as follows, to-wit:

Beginning at a point on the West line of the Northwest quarter of Section 34, Township 18 North, Range 8 East, said point being North 00 degrees and 00 minutes (assumed bearing) 1,312.25 feet from the Southwest corner of said Northwest quarter and running thence North 00 degrees and 00 minutes 22 feet to the Southwest corner of the Northwest quarter of said Northwest quarter of Section 34, thence continue North 00 degrees and 00 minutes 466.25 feet along said West line of the Northwest quarter, thence North 89 degrees, 36 minutes and 30 seconds East 200 feet, thence North 00 degrees and 00 minutes 150 feet, thence North 89 degrees, 36 minutes and 30 seconds East 1,137.85 feet to the East line of said Northwest quarter of the Northwest quarter, thence South 00 degrees, 03 minutes and 20 seconds West 620.6 feet to a stone marking the Southeast corner of said Northwest quarter of the Northwest quarter, thence continuing South 00 degrees, 03 minutes and 20 seconds West 189.31 feet, thence South 89 degrees, 47 minutes and 30 seconds West 798 feet, thence North 00 degrees and 00 minutes 167.31, thence South 89 degrees, 47 minutes and 30 seconds West 539.05 feet to the point of beginning.

Being a part of the Southwest quarter of the Northwest quarter of Section 34, Township 18 North, Range 8 East and containing 3.74 acres; and a part of the Northwest quarter of said Northwest quarter of Section 34 and containing 18.302 acres, more or less, and containing in all 22.042 acres, more or less.

EXCEPT: Beginning at a point on the West line of the Northwest Quarter of Section 34, Township 18 North, Range 8 East, said point being North 00 degrees and 00 minutes (assumed bearing) 1562.5 feet from the Southwest corner of said Northwest Quarter and running thence North 00 degrees and 00 minutes 391.00 feet along said West line, thence North 89 degrees 36 minutes and 30 seconds East 557.00 feet, thence South 00 degrees and 00 minutes 391.00 feet; thence South 89 degrees 36 minutes and 30 seconds West 557.00 feet to the point of beginning.

Being a part of the Northwest Quarter of the Northwest Quarter of Section 34, Township 18 North, Range 8 East and containing 5.00 acres, more or less.

SUBJECT TO all easements, restrictions, assessments and rights-of-way.

END OF DOCUMENT

ORDINANCE NO.: 2006- 2

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY
TO THE TOWN OF MARKLEVILLE, INDIANA

BE IT RESOLVED by the Town Council of the Town of Markleville, State of
Indiana:

1. That the below-described territory is contiguous to the Town of Markleville by more than one-eighth (1/8) of the aggregate external boundary of the territory sought to be annexed (a legal description of which is attached hereto as Exhibit "A" and incorporated herein by reference);

2. That the sole owner of the below-described territory sought to be annexed, Bradley Ormes, has voluntarily petitioned the Town Council of the Town of Markleville, pursuant to Indiana Code 36-4-3-5, to have his real estate as described in Exhibit "A" annexed into the municipality's boundaries;

3. That all capital services provided to or by the Town of Markleville are currently provided or available to the below-described territory;

4. That all non-capital services provided to or by the Town of Markleville are currently provided or available to the below-described territory, and that the below-described territory has a similar topography, pattern of land use, and population density with that of the Town of Markleville; and

5. That despite the above, the Town of Markleville has also passed by Resolution a plan, pursuant to Indiana Code 36-4-3-13(d), for the providing of all the capital and non-capital services to the annexed territory, which are now currently available to the Town of Markleville, and that those services will be provided to the annexed territory in a manner equivalent in standard and scope to those services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

THEREFORE, BE IT ORDAINED by the Town Council of the Town of Markleville, State of Indiana, that the following territory contiguous to the Town of Markleville, in Madison County, State of Indiana, is hereby defined as within the limits of the Town of Markleville, and is hereby annexed by the Town of Markleville pursuant to Indiana Code 34-4-3-1, *et seq.*

Legal description attached and incorporated
by reference herein as Exhibit "A".

ACCEPTED THIS 10 DAY OF APRIL, 2006.

TOWN COUNCIL,
TOWN OF MARKLEVILLE, INDIANA

ATTEST:



MARK EVANS
Markleville Clerk-Treasurer



JOHN C. HOLMES
Markleville Town Council



SALLY C. GUSTIN, Council Member,
Markleville Town Council



BOB FESLER, Council Member,
Markleville Town Council

PREPARED BY;

John C. Reeder
Attorney at Law
936 Meridian Plaza
Anderson, Indiana 46016
(765) 643-0022

EXHIBIT "A"

Annexation to the Town of Markleville

The territory to be annexed is owned entirely by Bradley Ormes which is at 134 East Main Street, and is more particularly described as follows, to-wit:

Beginning at a point being 254.3 feet North and 99 feet West of the Southwest corner of the Southeast Quarter of the East, and running thence West 185.38 feet, thence North 267.45 feet to the centerline of State Road No. 38, thence Southeasterly 191.7 feet along said centerline, thence South 217.56 feet to the point of the beginning.

Being a part of the Southwest quarter of the Southwest quarter of Section 27, Township 18 North, Range 8 East, and containing 1.032 Acres, more or less. Subject to legal rights-of-way and easements of record.