

February 6, 2023

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, February 6, 2023. The meeting was called to order by Council presiding officer, Miranda Cripe. All in attendance took part in the Pledge of Allegiance.

Upon the roll call, the following members of the Council were present:

Karl Miller, Scott Miller, Miranda Cripe, Dan Shoup, Chuck Teall

Also present were Mary Cripe, Town Manager, Jackson Beck, Attorney and Peggy Hutchison, Clerk/Treasurer.

**MINUTES:**

Scott Miller moved to approve the minutes from the January 16, 2023 meeting. Karl Miller and Chuck Teall seconded, and the motion passed with a voice vote.

**PUBLIC COMMENTS:**

On February 20, 2023, NIPSCO and INDOT will be closing County Road 35 from US 20 to Raider Dr. to relocate utility poles.

**ACCOUNTS PAYABLE VOUCHERS:**

The following Accounts Payable Vouchers were reviewed and approved on a motion by Dan Shoup and seconded by Scott Miller. The motion passed with a voice vote. Chuck Teall questioned the Park Dept. bottle filling station.

Accounts Payable Voucher – Payroll 01/26/2023	\$130,491.57
Accounts Payable Voucher – January month end	\$302,865.37
Accounts Payable Voucher – February 6, 2023	\$180,898.16

**UNFINISHED BUSINESS:**

Mary Cripe presented an agreement with JPR for Design Engineering of the East Warren Street Sanitary Sewer project. The agreement is for \$5,000.00 the funds will come from the Middlebury East TIF District. Chuck Teall motioned to approve the agreement and Dan Shoup seconded. This passed with a voice vote.

**NEW BUSINESS:**

An agreement with Donohue & Associates for bidding and construction inspection on the Hardwoods Lift Station project was presented. The agreement is not to exceed \$395,200.00, with funding coming from the Elroy Dr. TIF District. After some discussion, Scott Miller motioned to approve the agreement, with an addendum from YAUB attached and Chuck Teall seconded. This passed with voice vote.

An agreement with MACOG for the EDA Grant Administration for the Hardwoods Lift Station was also presented. The total agreement is not to exceed \$16,000.00 with funding from the Elroy Dr, TIF District. Scott Miller motioned to approve the agreement and Dan Shoup seconded. This passed with a voice vote.

The Council reviewed the easement from Freehawk Enterprises for the Hardwoods Lift Station Project. Dan Shoup motioned to approve and accept the easement and Chuck Teall seconded. This passed with a voice vote.

An agreement with Perceptive Controls for 2023 for On-Call Services for engineering and on-site work at the Water Department for the SCADA System was presented. The agreement total is \$4,998.00. After some discussion, Dan Shoup motioned to approve the agreement and Scott Miller seconded. This passed with a voice vote.

An agreement from Baker-Tilly for 2023 financial advisory, consulting and compilation services was also presented. The agreement is for \$3,850.00 monthly for an annual total of \$46,200.00. Chuck Teall motioned to approve and accept the agreement and Scott Miller seconded. This passed with a voice vote.

Change Order No. 5 from INDOT for the US 20 from SR 15 to CR 35 to have a hydrant removed was presented. This is for an additional \$3,494.19. Miranda Cripe inquired about the Town's 10% cost. This expense will be included in the Town's 10% responsibility to pay of the Water Department's operating budget. Scott Miller then motioned to approve the change order and Karl Miller seconded. This passed with a voice vote.

Change Order No. 2 from C & E Excavating for the CR 20, CR 37 and SR 13 utility expansion was also presented. This is for an increase of \$14,061.60 bringing the total contract to \$2,825,331.85. JPR has agreed to pay half of the increase since the tracer wire was not included in the original standard specifications. Dan Shoup motioned to approve Change Order No. 2 and Scott Miller seconded. This passed with a voice vote.

Mary Cripe led a discussion on the possibility of changing the Town's website consultants. To update our current website, Revize would charge \$6,200.00. Or we can get a new website through Digital Hill for a total of \$11,595.00. Digital Hill appears to be much more user friendly. Scott Miller stated he agrees that Digital Hill would be more user friendly.

Dan Holderread is requesting approval for repairs on the Mixer Oxiditch for the Wastewater Department. Shaum Electric submitted a quote to repair the mixer for an estimated cost of \$13,905.00. A new mixer would cost approximately \$30,000.00. Chuck Teall made a motion to repair the current mixer and Dan Shoup seconded. This passed with a voice vote.

Robert Miller requests permission to purchase a new snowplow from W. A. Jones for the Public Works Department. Jackson Beck presented proposed Resolution No. 2023-01 – "A Resolution of the Town Council of the Town of Middlebury for a Special Purchase of a 2024 Freightliner Single Axle Truck Chassis with Snowplow Equipment." The purchase price will be

\$271,786.00 with delivery expected in 2024. Dan Shoup made a motion to approve the purchase and Resolution No. 2023-01 and Chuck Teall seconded. This passed with a voice vote. Robert is also requesting approval for a truck body/chassis swap for the 2017 Freightliner in the amount of \$27,244.00. W. A. Jones will swap out the auger system for the conveyor system. Scott Miller motioned to approve the swap and Dan Shoup seconded. This passed with a voice vote.

ANNOUNCEMENTS:

Elkhart County is closing the recycling center as of March 27, 2023. Fliers will be placed in the water bills announcing this.

Elk. Cty Plat Comm. Mtg. – Thursday, Feb. 9, 2023 at 9 am – Elk Cty Admin. Bldg.

Elk. Cty Plan Comm. Mtg. – Thursday, Feb. 9, 2023 at 9:30 am – Elk Cty Admin Bldg.

Elk. Cty Bd of Zoning Hearing Officer – Wed., Feb. 15, 2023 – 8:30 am – Elk Cty Admin Bldg.

Park Board Meeting – Wednesday, Feb. 15, 2023 – 3 pm – Town Hall

Elk. Cty Bd of Zoning Appeals – Thursday, Feb. 16, 2023 – 8:30 am – Elk Cty Admin Bldg.


Next Council meeting - Monday, February 20, 2023 at 6:00 pm -Town Hall

Redevelopment Comm meeting on Thursday, February 23, 2023 – 7:45 am – Town Hall

The meeting was adjourned.

  
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Miranda Cripe, President, Town Council

ATTEST:

  
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Peggy A. Hutchison, Clerk-Treasurer