

April 17, 2023

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00pm, April 17, 2023. The meeting was called to order by Council President, Miranda Cripe.

Everyone 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 was absent.

Also present were Mary Cripe – Town Manager, Jackson Beck – Attorney, and ChaLi' Kuiper filling in for the Clerk/Treasurer.

MINUTES:

Dan Shoup moved to approve the minutes from the April 3, 2023 meeting. Scott Miller seconded, and the motion passed with a voice vote.

PUBLIC COMMENTS:

None

ACCOUNTS PAYABLE VOUCHERS:

The following Accounts Payable Vouchers were reviewed and approved on a motion by Scott Miller and seconded by Karl Miller. The motion passed with a voice vote.

Accounts Payable Voucher - Payroll April 6, 2023	\$134,102.84
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UNFINISHED BUSINESS:

Miranda Cripe opened a Public Hearing regarding the sign petition for Harding's Market. Jackson Beck presented the sign petition for Harding's Market. It was stated that it is currently recommended to proceed by staff. No public comments were made. Dan Shoup motioned to close the public hearing and Scott Miller seconded. This passed with a voice vote.

Miranda Cripe presented the consideration from council regarding the sign petition for Harding's Market. Karl Miller questioned why this was needing to be done. Mary Cripe answered that the size of the sign is larger than what is currently permitted and the discussion for upgrades to the building, both outside and inside, started with the Cherry Creek Development. Scott Miller asked if those improvements included a pharmacy. It was answered that it is unknown if it does. Scott

Miller motioned to approve the sign petition. Karl Miller seconded the motion. This passed with a voice vote.

Jackson Beck presented the acceptance of re-filed petitions for annexation for the Yoder's and the Stewart's. This was previously brought to council on March 6, 2023, but it did not get placed in the April 3, 2023 meeting so it needed to be re-filed in order to restart the clock. Dan Shoup motioned to approve the acceptance of re-filed petitions for annexation. Scott Miller seconded the motion. This passed with a voice vote.

NEW BUSINESS:

Miranda Cripe opened a public hearing regarding Ordinance 685 for additional appropriation. Michael Holloway asked what the additional appropriation was for. Miranda Cripe clarified that it was for the following:

Community Crossings Grant Fund for street paving in the amount of \$427,106.76

Elroy Drive Industrial Park TIF District Fund for attorney/professional services, Hardwoods Lift Station project, intersection work at CR 20 & SR 13 project, US 20 utility relocation project, and utility extension at CR 37, CR 20, & SR 13 project in the amount of \$492,454.91

Downtown TIF District Fund for attorney/professional services, intersection work at York & SR 13 project, and reimburse Riverboat loan in the amount of \$171,509.13

Public Safety LOIT Fund for safety equipment, auto maintenance, and computer SW/HW in the amount of \$8,668.26

Southwest Quadrant Street Construction fund for professional services in the amount of \$1,655.68

Park & Rec Fund for improvements; non-building in the amount of \$4,609.18.

Miranda stated any time money is moved from one account to another that an additional appropriation has to be done. Scott Miller motioned to close the public hearing. Dan Shoup seconded the motion. This passed with a voice vote.

Miranda Cripe presented the consideration for Ordinance 685 for additional appropriation. Dan Shoup motioned to approve the consideration for Ordinance 685 for additional appropriation. Scott Miller seconded the motion. This passed with a voice vote.

Mary Cripe requested permission to advertise bids for solid waste disposal. Mary Cripe and Jackson Beck have been working on the proposal to bidders for different options. Jackson Beck plans to advertise the bids on April 19, 2023 as well as April 26, 2023 with bids due on May 15,

2023. Miranda Cripe commented that she likes seeing the inclusion of a recycling option. Dan Shoup asked if having bids due on May 15, 2023 was giving enough notice. Jackson Beck believed it would be enough time. Miranda Cripe asked if it is normal to bid out solid waste removal. Mary Cripe answered that since she has been the Town Manager the town has always been a renewable contract, or it was possibly bid shortly after she started. Dan Shoup commented that he believed now is a good time to rebid seeing as it has been a few years. Scott Miller motioned to grant permission to advertise bids for solid waste disposal. Dan Shoup seconded the motion. This was passed with a voice vote.

Mary Cripe requested permission to advertise bids for concrete pavement patching in Dawn Estates and Deer Run subdivisions. Mary Cripe clarified that it would be various areas throughout the subdivisions that need patching done, mostly near intersections. This would be funded by the Community Crossings Grant. Advertisement would take place on April 26, 2023 and May 3, 2023 with bids due on May 15, 2023. Scott Miller stated he drove through the subdivisions and asked what areas would be patched. Mary Cripe stated that specific locations would be sent out and notices would be given to residents closer to when the work would begin. She explained that some areas are thicker/thinner in spots due to the way the concrete was poured. There are areas surrounding inlets that are beginning to breakdown. Driving in a normal vehicle it may not be very noticeable but the snow plows were catching on the gaps this winter. The current concrete has been down for 20-25 years. Scott Miller motioned to grant permission to advertise bids for the concrete pavement patching in Dawn Estates and Deer Run subdivisions. Dan Shoup seconded the motion. This passed with a voice vote.

Miranda Cripe asked if there were any updates regarding SR 13 repairs. Mary Cripe stated there have not been any at this time. She suggested filling out a "Report a Concern" on INDOT website since SR 13 is maintained by them.

Jackson Beck presented the land lease agreement with Magic Soccer Club. He outlined that it is a 4-year agreement and would automatically renew after. As the owner, the Town can terminate the agreement at any time with a 30-day notice, if needed. The agreement clarifies different responsibilities of maintenance on the grounds to determine who is responsible for what. The agreement is for \$1,000.00 per year. Scott Miller asked if there was any update regarding the building that was proposed that Magic Soccer Club would like to add. Tom Enright stated this is something the club would still like to complete but are not ready for at this time. Scott Miller motioned to accept the land lease agreement with Magic Soccer Club. Karl Miller seconded the motion. This passed with a voice vote.

DEPARTMENT REPORTS:

Water Department – Steve Cripe stated that they are now under contract with Peerless Midwest and have now had well number five (5) cleaned and that the high service pump and interim

pumps have been pulled for the motors to be maintained. Steve mentioned this would take 2-3 weeks to complete. Steve also mentioned that the leak in Riverbend Park for the drinking fountain has been fixed. The 2022 Water Tower number one (1) report has been returned. There are minimum repairs that need to be completed. Steve Cripe is checking with IDEM to ensure it is still within the qualifications and standards. He would also like an independent contractor to inspect Water Tower number four (4) located near the Middlebury School Corporation property. New meters are starting to come in for commercial meters to start the summer meter replacement project.

Public Works Department – Nothing to add to the report.

Wastewater Department – Nothing to add to the report.

Park Department – Tom Enright stated that they have had a lot of volunteer work happening in the parks for cleanup. This has been helpful in getting the parks ready for the warm weather approaching.

Police Department – Bobby Baker stated he received word from Sorg that one of the Durango's purchased has shipped. The second Durango should be shipping soon. Dan Shoup asked how long it has been taking to receive vehicles. Bobby answered that it has been taking about a month.

ANNOUNCEMENTS:

Elk. Co. Board of Zoning Hearing Officer - Wednesday, April 19 at 8:30am - Elk. Co. Adm. Bldg.

Park Board Meeting - Wednesday, April 19 at 3pm - Town Hall

Elk. Co. Board of Zoning Appeals Meeting - Thursday, April 20 at 8:30am - Elk. Co. Adm. Bldg.

Arbor Day Celebration - Saturday, April 22 – Town Hall

Fire Hydrant Flushing taking place April 24 thru April 28

Redevelopment Commission Meeting - Thursday, April 27 at 7:45am - Town Hall


Next Town Council Meeting - Monday, May 1 at 6pm - Town Hall

The meeting was adjourned.



Miranda Cripe, Town Council President

ATTEST:



Peggy A. Hutchison, Clerk-Treasurer