

May 1, 2023

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, May 1, 2023. The meeting was called to order by Council president, 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:

Chuck Teall moved to approve the minutes from the April 17, 2023 meeting. Dan Shoup seconded, and the motion passed with a voice vote.

PUBLIC COMMENTS:

None

ACCOUNTS PAYABLE VOUCHERS:

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

Accounts Payable Voucher - April 17, 2023	\$210,605.71
Accounts Payable Voucher – Payroll 4/20/2023	\$132,298.21
Accounts Payable Voucher – April month end	\$288,155.03
Accounts Payable Voucher – May 1, 2023	\$278,827.44

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Mary Cripe presented a proposed agreement between the Town of Middlebury and JPR for design engineering services for water tower Number 1 in the amount of \$240,000.00. Karl Miller asked what the TBD meant. It was explained that allowed someone other than the engineers to inspect the project. Also, the engineers will be given a “Notice to Proceed” after approval from the County. Chuck Teall motioned to approve the agreement with JPR and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe then presented an Interlocal Agreement for the preliminary design engineering for Water Tower Number 1 between the Town and Elkhart County. This agreement breaks down the funding for the engineering services. The funding is as follows:

- \$65,000.00 from the County’s Middlebury East TIF
- \$65,000.00 from the County’s Middlebury Southeast TIF
- \$25,000.00 from the Town’s Downtown TIF
- \$65,000.00 from the Town’s Elroy Dr. TIF
- \$20,000.00 from the Water Department

Dan Shoup motioned to approve the Interlocal Agreement and Scott Miller seconded. This passed with a voice vote.

Mary Cripe presented the proposed Interlocal Agreement between INDOT and the Town of Middlebury for the 2023 Community Crossings Matching Grant. The grant is for \$300,103.86 for improvements in Dawn Estates and Deer Run. Dan Shoup motioned to approve the Interlocal Agreement and to allow Mary Cripe to electronically sign the documents. Scott Miller seconded. This passed with a voice vote.

Change Order No. 3 from C & E Excavating for the County Road 37, County Road 20 and State Road 13 Utility expansions for modifications on the lift station. The change order is for an increase of \$28,490.00 bringing the new total to \$2,853,821.85. Chuck Teall motioned to approve Change Order No. 3 and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe presented proposed agreement between Dixon and the Town of Middlebury for inspection services for water tower number 4, the clearwell at the water treatment plant and the detention tank at the water treatment plant. The agreement is in the amount of \$13,000.00. After some discussion, Scott Miller motioned to approve the agreement and Karl Miller seconded. This passed with a voice vote.

Discussion was held concerning those residents in Westlake Subdivision who have not connected to the sewer. There are 20 households not connected., 12 have not paid and 6 have extension agreements. Jackson Beck will investigate what the Town can legally do regarding this. If it is decided to charge every household the surcharge whether they are connected or not will require an ordinance amendment. What is decided now will be a guideline for future projects. Jackson will report back at the next meeting. Scott Miller stated he did not like the idea of penalizing the residents and feels the Town could extend the extensions only if the contractors cannot do the work in a timely matter. This will be discussed at the next meeting.

ANNOUNCEMENTS:

Primary Election Day – May 2, 2023

Elk. Cty Redevelopment meeting – Thursday, May 4, 2023 – 2 pm – Elk Cty Admin. Bldg.

Tree Board meeting – Thursday, May 4, 2023 – 7 pm – Town Hall

Town Spring Cleanup will be May 4 -6, 2023 at Public Works

Elk. Cty Plat Comm. Mtg. – Thursday, May 11, 2023 at 9 am – Elk Cty Admin. Bldg.

Elk. Cty Plan Comm. Mtg. – Thursday, May 11, 2023 at 9:30 am – Elk Cty Admin Bldg.

Next Council meeting - Monday, May 15, 2023 at 6:00 pm -Town Hall

Elk. Cty Bd of Zoning Hearing Officer – Wed., May 17, 2023 – 8:30 am – Elk Cty Admin Bldg.

Park Board Meeting – Wednesday, May 17, 2023 – 3 pm – Town Hall

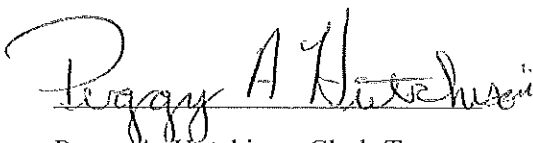
Elk. Cty Bd of Zoning Appeals Mtg. – Thurs., May 18, 2023 – 8:30 am – Elk Cty Admin Bldg.

The meeting was adjourned.



Miranda Cripe, President, Town Council

ATTEST:



Peggy A. Hutchison, Clerk-Treasurer