

June 5, 2023

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, June 5, 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 May 15, 2023 meeting. Scott Miller seconded, and the motion passed with a voice vote.

PUBLIC COMMENTS:

Ken Jones gave an update on the lawn restorations in Westlake Subdivision. The contractor will be notifying homeowners on June 6th if their lawns will be worked on. There are 26 lawns that will be touched up.

Miranda Cripe read a thank you card from Dave Kozlowski. He was expressing his gratitude for the upkeep of the cemetery.

ACCOUNTS PAYABLE VOUCHERS:

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

Accounts Payable Voucher – Payroll 05/16/2023	\$135,635.39
Accounts Payable Voucher – Payroll 06/01/2023	\$134,949.06
Accounts Payable Voucher – May 31, 2023	\$520,496.97
Accounts Payable Voucher – June 5, 2023	\$379,838.75

UNFINISHED BUSINESS:

Jackson Beck reviewed the bids received for the 2024 Solid Waste Removal. Mary Cripe and Jackson are asking for guidance from the Council as to which option the Town would like to pursue. Chuck Teall made a motion to approve and accept Option 1 from Borden's for the Town's solid waste removal. Dan Shoup seconded, and this passed with a voice vote.

Mary Cripe is requesting the Council approve the contract for the 2023 Concrete Patching in Dawn Estates and Deer Run Subdivision to Milestone Contractors North, Inc. in the amount of \$314,071.00. Dan Shoup motioned to approve the Milestone contract and Scott Miller seconded. This passed with a voice vote. Funding will be \$225,553.25 from CCMG and \$78,517.75 from local funds.

Jackson Beck presented proposed Resolution No. 2023-05 – "Resolution Adopting Written Fiscal Plan and Establishing Definite Policy for Annexation of Certain Real Estate". This is for the Stewart property. Scott Miller motioned to approve the Resolution and Dan Shoup seconded. This passed with a voice vote.

Jackson then presented proposed Ordinance No. 687 – “An Ordinance Annexing Certain Real Estate and Declaring the Same to be Part of the Town of Middlebury, Indiana”. This is also for the Stewart property. Chuck Teall motioned to approve the ordinance and Dan Shoup seconded. This passed with a voice vote.

Jackson Beck also presented proposed Resolution No. 2023-06 – “Resolution Adopting Written Fiscal Plan and Establishing Definite Policy for Annexation of Certain Real Estate”. This is for the Yoder property. Scott Miller motioned to approve the Resolution and Dan Shoup seconded. This passed with a voice vote. The question was asked regarding dispatching emergency services. Dispatch should know if the call is for County or Middlebury.

Jackson then presented proposed Ordinance No. 688 – “An Ordinance Annexing Certain Real Estate and Declaring the Same to be Part of the Town of Middlebury, Indiana”. This is also for the Yoder property. Scott Miller motioned to approve the ordinance and Dan Shoup seconded. This passed with a voice vote.

The Council once again discussed the ornamental streetlights along Greenfield Dr. and the Pointe. NIPSCO will be notified to disconnect the lights. Chuck Teall motioned to give the residents, with lights in their yards, the option to remove the lights or to maintain the lights on their own. Scott Miller seconded, and the motion passed with voice vote.

NEW BUSINESS:

Jackson Beck presented the Council with the “Certification Regarding Tax Increment Replacement Amount”. The Redevelopment Commission will not be seeking an increase for 2024. Dan Shoup motioned to consent to the Certification and Scott Miller seconded. This passed with a voice vote.

Mary Cripe presented a request for an extension to connect to the sewer from Pamela Gregory – 1104 Clair Lane. They are saving to be able to pay the contractor fees. She was given an extension until December 31, 2023. Scott Miller motioned to approve the extension and Dan Shoup seconded. This passed with a voice vote.

Jackson Beck presented and explained two (2) options for Ordinance No. 686 – “An Ordinance Establishing Penalties for Failure to Connect to Town Sewage Works”. Jackson recommended Option #1 which provided a fixed amount for the penalty. However, Miranda Cripe is recommending Option #2. Option #2 is based on the unmetered water users of the given class of users under the Town’s effective sewer rate ordinance. Dan Shoup then motioned to approve Option #2 of Ordinance No. 686 and Chuck Teall seconded. This passed with a voice vote. This will go into effect as soon as the ordinance is published.

Miranda Cripe presented proposed Ordinance No. 681-B – “An Amendment to the Town of Middlebury 2023 Salary Ordinance”. The ordinance provides for a pay increase for Tim Spradlin, GIS Locator. Chuck Teall motioned to approve the ordinance and Dan Shoup seconded. This passed with a voice vote. This will be effective as of May 28, 2023.

Marshal Robert Baker is requesting the Council approve the hiring of Robert Warstler as a Reserve Police Officer. Scott Miller motioned to approve hiring Robert Warstler and Karl Miller seconded. This passed with a voice vote.

Mary Cripe and Robert Miller led a discussion on an expansion project for the Public Works building. The quotes Robert received were all higher than \$150,000.00. Because of this, bids will need to be obtained and read at a public hearing. The bids may be separated into engineering costs and the cost of construction. Mike Holloway stated he would help in any way needed. Dan Shoup motioned to approve the project as soon legally possible, and Scott Miller seconded. This passed with a voice vote.

Mary Cripe is requesting the Council consider including the month of June in the sewer billing break. Scott Miller motioned to approve including June and Karl Miller seconded. This passed with a voice vote.

ANNOUNCEMENTS:

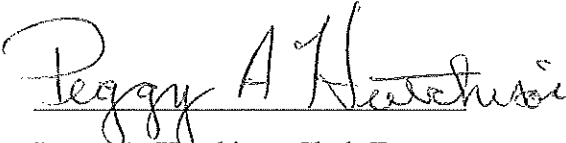
- a. Elk. Co. Plat Committee Meeting on June 8 at 9:00am at Elk. Co. Adm. Bldg.
- b. Elk. Co. Plan Commission Meeting on June 8 at 9:30am at Elk. Co. Adm. Bldg.
- c. Middlebury Chamber of Commerce Dinner on June 13 from 5-8pm at Northridge High School Cafeteria
- d. Elk. Co. Board of Zoning Hearing Officer on June 14 at 8:30am at Elk. Co. Adm. Bldg.
- e. Elk. Co. Board of Zoning Appeals Meeting on June 15 at 8:30am at Elk. Co. Adm. Bldg.
- f. Then & Now Committee Movie in the Park at Riverbend Park on June 16 at 7pm
- g. Annual Pumpkinvine Bike Ride on June 17
- h. Town Council Meeting on June 19 at 6pm at Town Hall
- i. Park Board Meeting on June 21 at 3pm at Town Hall
- j. Redevelopment Commission Meeting on June 22 at 7:45am at Town Hall
- k. Summer Festival on June 23 and 24 at East and Memorial Parks
- l. Krider's 90th Anniversary Celebration on June 25 from 2-4pm at Middlebury Historical Museum

The meeting was adjourned.



Miranda Cripe, President, Town Council

ATTEST:



Peggy A. Hutchison, Clerk-Treasurer