

August 7, 2023

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, August 7, 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, Miranda Cripe, Dan Shoup, Chuck Teall – Scott Miller was absent.

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 July 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 were reviewed and approved on a motion by Dan Shoup and seconded by Karl Miller. The motion passed with a voice vote.

Accounts Payable Voucher – Payroll 7/27/2023	\$137,662.66
Accounts Payable Voucher – July 31, 2023	\$240,064.04
Accounts Payable Voucher – August 7, 2023	\$509,989.98

UNFINISHED BUSINESS:

Mary Cripe is requesting the Council award the contract to Freedom Builders for the Public Works building extension. Their total bid, including the alternate bid, was \$228,412.00. Dan Shoup motioned to accept and approve the contract with Freedom Builders if the work will be completed by the end of 2023. Karl Miller seconded, and the motion passed with a voice vote.

NEW BUSINESS:

Proposed Ordinance No. 689 – “An Ordinance Providing for Additional Appropriations from Community Crossings Grant Fund, The Elroy Drive Industrial Park TIF District Fund, The Downtown TIF District Fund, The Public Safety LOIT Fund, The Southwest Quadrant Street Construction Fund, The CEDIT Fund and the ARP Recovery Grant Fund”. Chuck Teall motioned to approve the Ordinance and Dan Shoup seconded. This passed with a voice vote.

Adam Coleson from the Elkhart County Planning Department presented a request for rezoning. This is Ordinance No. 690. This would be a change from M-1 and R-2 to B-1 for property known as 304 W. Lawrence St. After some discussion, Chuck Teall motioned to approve the change and Ordinance No. 690 and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe is seeking approval and acceptance of the easement from MFS, Inc. for the Hardwoods Lift Station project in the amount of \$20,345.00. Chuck Teall motioned to approve and accept the easement and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe presented an amendment to the agreement with Donohue for on-call services for the WWTP. The increase is for \$10,000.00. Dan Shoup motioned to approve the amendment and Chuck Teall seconded. This passed with a voice vote.

The Middlebury Fall Festival Committee and Middlebury Chamber of Commerce are requesting to use Memorial and East Parks and to also close Brown and Bristol Streets. This is the same as previous years. The dates of the Fall Festival are September 8 and 9, 2023. Dan Shoup motioned to approve the Fall Festival request and Karl Miller seconded. This passed with a voice vote.

Marshal Baker is requesting permission to purchase 3 police SUVs. The price of the State Level bids, for all three (3) vehicles, is \$127,065.00. Chuck Teall motioned to purchase the three (3) new vehicles and Dan Shoup seconded. This passed with a voice vote.

Dan Holderread is requesting the Council approve the hiring of Jody Nihart as a Pre-Treatment Coordinator for the Wastewater Department. Chuck Teall motioned to approve the hiring and Karl Miller seconded. This passed with a voice vote.

In conjunction with the hiring, Ordinance No. 681-E – “An Amendment to the Town of Middlebury 2023 Salary Ordinance” was presented. Dan Shoup motioned to approve the amendment and Chuck Teall seconded. This passed with a voice vote.

Mary Cripe is requesting the Council approve paying EJP’s invoice in the amount of \$51,600.00. This is for new water meters. Chuck Teall motioned to approve paying the invoice and Dan Shoup seconded. This passed with a voice vote.

The Council then discussed using our Opioid Settlement Funds with Elkhart County for a Crisis Stabilization Center. Other communities in the County are using their funds for this purpose. We have a balance of \$12,340.63 in the fund. The Council would like to hear the plan from the Crisis Center on how the funds would be used. Mary Cripe will have them come to a future Council meeting.

Mary Cripe is requesting the Council approve paying C & E Excavating’s invoice in the amount of \$139,823.43. This is for services at County Road 37, County Road 20, and State Road 13. The invoice will be paid by Jayco and the Elroy Dr. TIF. Chuck Teall motioned to approve paying the invoice and Dan Shoup seconded. This passed with a voice vote.

Discussion was held regarding a new entrance archway for Grace Lawn Cemetery. Part of the funds have been donated but there is still \$32,074 remaining. Chuck Teall stated if the donor does not want to pay for the whole project, the Town is not interested. The Council agreed.

ANNOUNCEMENTS:

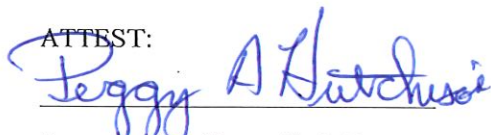
Middlebury Community Schools start on Wednesday, August 9th
Elk. Co. Plat Committee Meeting on August 10 at 9:15am at Elk. Co. Adm. Bldg.
Elk. Co. Plan Commission Meeting on August 10 at 9:30am at Elk. Co. Adm. Bldg.
Elk. Co. Board of Zoning Hearing Officer on August 16 at 9:00am at Elk. Co. Adm. Bldg.
Park Board Meeting on August 16 at 3:00pm at Town Hall
Elk. Co. Board of Zoning Appeals Meeting on August 17 at 9:00am at Elk. Co. Adm. Bldg.
Town Council Meeting on Monday, August 21 at 6pm at Town Hall
Redevelopment Commission Meeting on August 24 at 7:45am at Town Hall

The meeting was adjourned.



Miranda Cripe, President, Town Council

ATTEST:



Peggy A. Hutchison, Clerk-Treasurer