

August 21, 2023

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, August 21, 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 and Chuck Teall

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

**MINUTES:**

Chuck Teall moved to approve the minutes from the August 7, 2023 meeting. Dan Shoup seconded, and the motion passed with a voice vote.

**PUBLIC COMMENTS:**

Mr. and Mrs. Robert Monroe – 804 Staci Ln. - complained about the condition of their yard. They have found chunks of blacktop in the topsoil and want to know what the Council is going to do to fix this.

Mr. David Wiegner – 108 State St. – once again asked the Council to reconsider allowing chickens. He also presented a petition asking for the speed limit to be lowered on State St. by East Park. Both concerns will be looked into by the Council.

**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.

Accounts Payable Vouchers payroll –08/10/2023	\$133,349.09
Accounts Payable Vouchers – August 21, 2023	\$704,056.77

**UNFINISHED BUSINESS:**

Kelli Liechty from Oaklawn explained how the Opioid funding would be used if the Town contributed to their program. This will be a 24/7 crisis center. Our funds would help with the construction of the center. Scott Miller motioned to donate our opioid funds, subject to an agreement, for the new Crisis Center. Karl Miller and Dan Shoup seconded, and this passed with a voice vote.

**NEW BUSINESS:**

Jeff Rowe from Baker Tilly presented the Water and Sewer Financial Management Report.

Jeff Rowe also presented the Water and Sewer Cost of Service Study. After the presentations, Mary Cripe thanked Baker Tilly for all the work they have done.

Mary Cripe is seeking permission to use Advanced Utility Services to install the new water meters. For a cost of \$238,172.0 they would install all 1,401 meters plus provide the Town with information for the water service line material inventory. After some discussion, this was tabled. Jackson Beck will check the legal aspect of borrowing from ourselves.

Mary Cripe presented Change Order Requests #6 and #7 from C & E Excavating for the water main repairs and valve replacement on State Road 13. The total cost of the two (2) change orders is \$26,506.12. This would be paid from funds out of the ARPA fund. Scott Miller motioned to approve the change orders and Dan Shoup seconded. This passed with a voice vote.

The Council considered Christen Heerschop's request for a time extension to connect her residence (602 Westlake Dr.) to the Town's sanitary sewer system. In support of the request, Heerschop's contractor provided a letter stating he could not do the work until this fall. The Council agreed to grant the request, extending the time to connect until October 31, 2023.

The Council also agreed to suspend penalty charges until October 31, 2023 unless Heerschop failed to timely connect pursuant to this extension in which case all penalties will be reinstated. Miranda Cripe will meet with the homeowner and will also contact the contractor. Heerschop will also have to enter into an approved payment plan to pay for the connection fee. Karl Miller motioned to approve the extension and Scott Miller seconded. This passed with a voice vote.

The Council also discussed a request for an extension for 611 Claudia Ln. Karl Miller motioned to approve the requested extension until October 31, 2023, pending confirmation from the contractor. The same terms for the extension as stated above will apply to this customer also. Scott Miller seconded, and this passed with a voice vote.

704 Staci Lane was also discussed. The owners requested the Council to accept the removal of a tree as payment in kind for the connection fee. Dan Shoup motioned to accept the tree removal as payment for the connection fee and Scott Miller seconded. This also passed with a voice vote.

Jackson Beck presented the Grant of Easements along County Road 12 from Orva Lehman, Jr., Prentice Lantzer, and LEJN, LLC – Loren Beachy. Chuck Teall motioned to accept and approve all the easements and Dan Shoup seconded. This passed with a voice vote.

Tom Enright is requesting to have Owen Leisure do an internship this school year. He would average 15 hours per week to aid in mowing, trimming, pulling weeds, mulching, trash removal and social media. He would receive a \$750.00 stipend per semester. The Park Board has approved this internship. Karl Miller motioned to approve the internship for Owen Leisure and Scott Miller and Dan Shoup seconded. This passed with a voice vote.

**Department Reports:**

Water Department – No addition to the report.

Public Works Department – No addition to the report.

Wastewater Department – Jody Nihart has been learning the job and is doing great.

Park Department – Tom thanked the Public Works Department for helping pull a tree out of the river in time for Riverfest this weekend.

Police Department – No additions to the report.

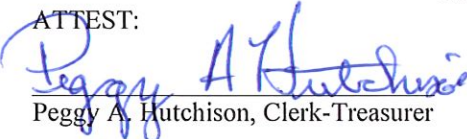
**ANNOUNCEMENTS:**

Redevelopment Commission meeting on August 24, 2023 – cancelled for this month  
Riverfest on August 26, 2023 from 10am to 2pm at Riverbend Park  
Town Offices closed on Monday, September 4, 2023 in observance of Labor Day  
Next Town Council meeting on Tuesday, September 5, 2023 at 6:00pm at Town Hall

The meeting was adjourned after the budget meeting.

  
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Miranda Cripe, Town Council President

ATTEST:

  
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Peggy A. Hutchison, Clerk-Treasurer