

September 18, 2023

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, September 18, 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 Jackson Beck, Attorney, Mary Cripe, Town Manager and Peggy Hutchison, Clerk/Treasurer.

**MINUTES:**

Scott Miller moved to approve the minutes from the September 5, 2023 meeting. Karl 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 Dan Shoup and seconded by Scott Miller. The motion passed with a voice vote.

Accounts Payable Vouchers payroll –09/07/2023	\$132,553.62
Accounts Payable Vouchers – September 18, 2023	\$954,996.22

**UNFINISHED BUSINESS:**

Mary Cripe is requesting the Council award the contract to Mason Engineering and Construction for the Wastewater Treatment Plant grating. Their base bid was \$210,867.00. Dan Shoup motioned to approve the contract for Mason Engineering and Construction and Scott Miller seconded. This passed with a voice vote.

Jackson Beck presented the proposed “Settlement Agreement and Release” between the Town and Robert James and Gail A. Monroe for the repair of their lawn. The agreement is for no more than \$3,530.00. Scott Miller motioned to approve the agreement and Dan Shoup seconded. This passed with a voice vote. This will need the Monroe’s approval and signatures.

The update on the speeding concern on State Street will be presented at the next meeting.

**NEW BUSINESS:**

Mary Cripe is requesting the Council hire Jeremy Miller for the Laborer III position at the Water Department. Karl Miller motioned to approve the hiring of Jeremy Miller and Scott Miller seconded. This passed with a voice vote.

With the above hiring, Ordinance No. 681-G – “An Amendment to the Town of Middlebury 2023 Salary Ordinance”. This adds a Laborer III to the Water Department. Dan Shoup motioned to approve the amendment and Scott Miller seconded. This passed with a voice vote.

Brett Konarski, from JPR, led a discussion on the replacement of water town #1 on Lawrence Street.

After reviewing the three (3) options, the Council is recommending the Composite tank. It may be more expensive initially, but the maintenance should be less expensive overall. The project bids would be sent out in January and due in February. If the Composite tank is over budget, it was recommended the Redevelopment Commission could help with the project. Dan Shoup motioned to build the Composite tank and Scott Miller seconded. This passed with a voice vote.

Mary Cripe and Robert Miller requested permission to advertise for quotes for a single axle dump truck. After some discussion, Dan Shoup motioned to approve the advertising and Karl Miller seconded. This passed with a voice vote. The cost is estimated between \$90,000.00 and \$95,000.00.

A public hearing was held for Ordinance No. 691 – “Ordinance for Appropriations and Tax Rates” for the 2024 budget. Upon hearing no comments, Scott Miller motioned to close the public hearing and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe presented Change Order No. 5 for the County Road 37, County Road 20, and State Road 13 utility expansion. The change order is for an increase of \$16,963.80. The new contract total will now be \$2,973,220.35. Dan Shoup motioned to approve Change Order #5 and Scott Miller seconded. This passed with a voice vote.

A “Grant of Easement” from Forest River Manufacturing, LLC. was presented. This is for the County Road 12 utility expansion project. Dan Shoup motioned to accept and approve the easement and Scott Miller seconded. This passed with a voice vote. Jackson Beck stated there could be another Forst River parcel. If so, this will be presented at another meeting.

#### **Department Reports:**

Water Department – Nothing to add to the report. A question was asked concerning the new meters. Once the meters are delivered, EJ Prescott will be scheduled to begin installing them.

Public Works Department – The new leaf truck has been delivered and is decaled. Matt Cooper passed the CL training class and license test.

Wastewater Department – The Bar Screen has been damaged.

Park Department – Please share information regarding the Patronicity Grant for the River Mill Trail.

Police Department – Nothing to add to the report.

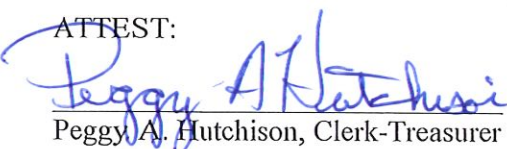
#### **ANNOUNCEMENTS:**

- a. Elk. Co. Board of Zoning Appeals Hearing Officer on September 20, at 9:00am at Elk. Co. Adm. Bldg.
- b. Park Board Meeting on September 20, at 3pm at Town Hall
- c. Elk. Co. Board of Zoning Appeals on September 21, at 9:00am at Elk. Co. Public Services Bldg.
- d. Public Meeting for Powell Lift Station on September 26 at 6:00pm at Church of the Brethren Church
- e. Redevelopment Commission Meeting on September 28 at 7:45am at Town Hall
- f. Town Council Meeting on October 2, at 6:00pm at Town Hall

The meeting was adjourned after the budget meeting.

  
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Miranda Cripe, Town Council President

ATTEST:

  
Peggy A. Hutchison, Clerk-Treasurer