

January 18, 2021

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN and via Zoom at 6:00 pm, January 18, 2021. The meeting was called to order by Council President, Miranda Cripe.

Upon the roll call, the following members of the Council were present:

Jeremy Yahwak, Scott Miller, Miranda Cripe, Dan Shoup and Chuck Teall

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

MINUTES:

Chuck Teall moved to approve the minutes from the January 4, 2021 meeting. Dan Shoup seconded, and the motion passed with a roll call vote – all yes.

PUBLIC COMMENTS:

Jeremy Yahwak asked all the department heads to look over new legislation.

Mary Cripe gave an update on the Bristol Ave. project. If awarded funding, the project may need to be a phased construction project.

Mary Cripe requested to add an item to the agenda.

ACCOUNTS PAYABLE VOUCHERS:

The following Accounts Payable Vouchers were reviewed and approved on a motion by Chuck Teall and seconded by Scott Miller. The motion passed with a roll call vote – all yes.

Accounts Payable Vouchers payroll – Jan. 14, 2021	\$ 123,202.71
Accounts Payable Vouchers – Jan. 18, 2021	\$ 229,118.55

UNFINISHED BUSINESS:

NONE

NEW BUSINESS:

A Uniform Conflict of Interest Disclosure Statement and a “Council Member Disclosure of Relative’s Proposed Contract with the Town of Middlebury, Indiana” were presented for Miranda J. Cripe for Miller’s Garage of Middlebury, Inc. Jeremy Yahwak motioned to accept

and approve the Disclosures and Scott Miller seconded. This passed with a roll call vote – all yes with Miranda Cripe abstaining.

A Uniform Conflict of Interest Disclosure Statement was presented for Jeremy Yahwak for Butler Fairman & Suefert. Chuck Teall motioned to approve the Disclosure and Dan Shoup seconded. This passed with a roll call vote – all yes with Jeremy Yahwak abstaining.

Two (2) Uniform Conflict of Interest Disclosure Statements were presented for Mary Cripe – Jones Petrie Rafinski Corp., aka JPR, and Everett J Prescott, Inc. aka EJP. Scott Miller motioned to approve the Disclosure Statements and Dan Shoup seconded. This passed with a roll call vote – all yes.

Mary Cripe is requesting permission to distribute “Request for Proposals” (RFP’s) for the Spring Valley Lift Station Study. The proposals would be due by February 15, 2021. Jeremy Yahwak motioned to approve the distribution and Chuck Teall seconded. This passed with a roll call vote – all yes.

Mary Cripe is seeking a financial commitment from the Council for the 2021 Community Crossings Matching Grant Application. After some discussion, it was decided to not include all the listed streets. The five (5) streets to be included in the grant application are Spring Valley Road, Spring Crossing Drive, River Park Drive, Brown Street and Winslow Street. Chuck Teall motioned to approve the commitment and Dan Shoup seconded. This passed with a roll call vote – all yes.

Mary Cripe then presented a “Continuing Professional Services Agreement – Project: Wastewater On-Call” between the Town and Donohue & Associates, Inc. The agreement is not to exceed \$10,000.00. Jeremy Yahwak motioned to approve the Agreement and Chuck Teall seconded. This passed with a roll call vote – all yes.

The Police Department is requesting permission to purchase a 2021 Dodge Durango Pursuit vehicle. The estimated cost is \$32,000 - \$35,000. Scott Miller motioned to approve the purchase of the Durango and Dan Shoup seconded. This passed with a roll call vote – all yes. The current Durango will be used for locates.

Mary Cripe presented proposed Change Order No. 2 for the Dawn Estates Lift Station Replacement project between the Town and Selge Construction. This is for an extension in time only. They are requesting to extend the completion date to March 1, 2021. Dan Shoup motioned to approve Change Order No. 2 from Selge Construction and Jeremy Yahwak seconded. This passed with a roll call vote – all yes.

NIPSCO is requesting permission to close Brown Street for the NIPSCO gas main relocation. The closure will only happen if needed. NIPSCO anticipates approximately three (3) weeks for the needed improvements. Scott Miller motioned to approve the closure and Dan Shoup seconded. This passed with a roll call vote – four (4) yes and Chuck Teall – no.

Mary Cripe presented a "Notice of Intent for Unit Permitting Authority for Sanitary Sewer Construction". This is between the Town and Michael C. Machlan, P.E. The Notice is good for two (2) years. Jeremy Yahwak motioned to approve the Notice of Intent and Scott Miller seconded. This passed with a roll call vote – all yes.

Department Reports:

Water Department – Ron went over the year end Water Department Report.

Public Works Department – The Town had two (2) fire hydrants hit on Monday morning. He is working with the insurance companies.

Wastewater Department – The influent cable snapped which caused the pumps to be running dry. This has been repaired. Dan also reported there is a concern with chlorine storage at the high school.

Park Department – Tom highlighted 2020 activities.


Police Department – Nothing to add to report.

ANNOUNCEMENTS:

Park Board meeting – January 20, 2021 at 3pm – Town Hall and Zoom
Elkhart Cnty Bd of Zoning Appeals – January 21, 2021 – 9am – Elk. Cty, Public Servs. Bldg.
Redevelopment Commission meeting – January 28, 2021 at 7:30am – Town Hall
Next Council meeting - Monday, February 1, 2021 at 6:00 pm -Town Hall
Elk. Cnty. Redev. Comm. Meeting – February 4, 2021 – 2 pm – Elk. Cty. Public Servs. Bldg.
Tree Board Meeting – February 4, 2021 – Town Hall

A work session for the Five – Year Capital Plan was held.

Meeting was adjourned.



Miranda J. Cripe, Town Council President

ATTEST:



Peggy A. Hutchison, Clerk-Treasurer

This meeting commenced pursuant to public notice under the Indiana open door law and Governor Holcomb's Executive Orders. This meeting was made available for the public and press to attend in person or engage in remote real-time electronic observation.