

April 5, 2021

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, April 5, 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 Mary Cripe, Town Manager, Craig Buche, Attorney and Peggy Hutchison, Clerk/Treasurer.

**MINUTES:**

Chuck Teall moved to approve the minutes from the March 15, 2021 and March 26, 2021 meetings and the Certification of the executive session. Jeremy Yahwak seconded, and the motion carried with a voice vote.

**PUBLIC COMMENTS:**

Mary Cripe reported there have been three (3) Community meetings for the Westlake Annexation.

Road closed signs have been put in place for Brown Street.

Scott Miller mentioned his support for the veteran banners the Town will be displaying in honor of the American Legion Post 210's 100th Anniversary.

**ACCOUNTS PAYABLE VOUCHERS:**

The following Accounts Payable Vouchers were reviewed and approved on a motion by Jeremy Yahwak and seconded by Dan Shoup. The motion carried by voice vote.

Accounts Payable Voucher – Payroll March 25, 2021	\$124,766.76
Accounts Payable Voucher – March 15, 2021	\$650,698.21
Accounts Payable Voucher – March. 31, 2021 (month end)	\$ 93,651.72
Accounts Payable Voucher – M-R Trans 3/31/202	\$ 31,300.00
Accounts Payable Voucher – April 5, 2021	\$167,735.08

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

The Middlebury Then & Now Committee is requesting to close West Warren Street from Railroad Street west to the dead end on Saturday, October 9, 2021 from 12:00 pm to 4:00 pm for the pumpkin races. Chuck Teall motioned to approve the request and Scott Miller seconded. This passed with a voice vote.

Jeremy Yahwak read a proclamation for the Arbor Day Celebration on Saturday, April 24, 2021. They are still in need of volunteers. Contact either Jeremy Yahwak or Mike Miller.

Mary Cripe presented proposed Ordinance No. 650 – “An Ordinance Writing Off Certain Water and Sewer Utility Accounts as Uncollectible”. The total being written off is \$6,869.84. Chuck Teall made a motion to approve Ordinance No. 650 and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe presented a request from Jamin Lambright to build a new house at 506 Skyview Dr. Mary has some concern about the location and has expressed them to Mr. Lambright. Mary is suggesting Mr. Lambright have a Geotechnical investigation done prior to starting construction to determine the stability of the soil and type of foundation needed. Mr. Lambright addressed the Council stating he has gotten all the approvals from the County including a set back variance of 40 feet instead of the usual 50 feet. He is requesting to start building as soon as possible. Kent Miller also spoke regarding Mr. Lambright’s lot. The lot was filled with dirt and concrete from the construction of the sewer lines in Highland Hills. The Council is requesting he move his home as far north as he can to be further away from the 10” water line near his property. Mr. Lambright will be responsible for the sewer line from is property line to his house. This includes a pump. His sewer will be connected to the line on Woodbridge Court. The Council gave their consent to start building.

#### **ANNOUNCEMENTS:**

Elkhart Cty Plan Comm. Mtg. – April 8, 2021 at 9 am – Elk Cty Public Services Bldg.  
Special Town Council Meeting on Monday, April 12, 2021 at 6 pm – Town Hall  
Westlake Community Meeting #4 on Tuesday, April 13, 2021 at 6 pm – Town Hall  
Cemetery Cleanup starts on April 15, 2021  
Middlebury Spring Clean Up days are April 15, 16 & 17, 2021  
Elkhart Cty Bd of Zoning Appeals – April 15, 2021 – 9 am – Elk Cty Public Services Bldg  
Westlake Community Meeting #5 on Thursday, April 15, 2021 at 10 am – Town Hall  
Westlake Community Meeting #6 on Saturday, April 17, 2021 at 10 am – Town Hall  
Next Council meeting - Monday, April 19, 2021 at 6:00 pm -Town Hall  
Park Board Meeting – April 21, 2021 – 3 pm – Town Hall  
Redevelopment Commission meeting on April 22, 2021 at 7:30 am – Town Hall  
Arbor Day Celebration on April 24, 2021 at 9 am – Northridge High School

Meeting was adjourned.

  
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Miranda Cripe, President, Town Council

ATTEST:

  
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Peggy A. Hutchison, Clerk-Treasurer