

August 2, 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, August 2, 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 July 19, 2021 meeting. Dan Shoup seconded, and the motion carried with a voice vote.

PUBLIC COMMENTS:

Robert Miller once again asked the Council about the foundations in the 8th Addition in the Cemetery. There are 13 head stones which need moved. The total price, including the work and engineering will be approximately \$15,000.00. Neil Stewart will help contact families regarding the moves. The Council expressed their agreement with the moves.

Mary Cripe reported Selge has three (3) crews working to install and test water mains and reopen County Rd 35 before school. Paving could start as early as Monday. Also, Brown and Bristol Streets could be open as early as Wednesday.

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 carried by voice vote.

Accounts Payable Voucher – Payroll – July 29, 2021	\$119,585.88
Accounts Payable Voucher – July month end	\$698,305.72
Accounts Payable Voucher – August 2, 2021	\$107,201.52

UNFINISHED BUSINESS:

Craig Buche explained the new changes and introduced proposed Ordinance No. 658 – “AN ORDINANCE OF THE TOWN OF MIDDLEBURY, INDIANA ESTABLISHING COMPREHENSIVE PARKING REGULATIONS OR THE PUBLIC STREETS AND ROADS IN THE TOWN OF MIDDLEBURY, INDIANA”. After some discussion, including Jeremy Yahwak and Scott Miller expressing concern with parts of the Ordinance, Chuck Teall motioned to introduce Ordinance No. 658 and Dan Shoup seconded. This passed with a voice vote. The new version will be on the Town’s website for two (2) weeks, then the final vote will be at the August 16th meeting.

Jackson Beck presented proposed Ordinance No. 659 – “AN ORDINANCE ANNEXING CERTAIN REAL ESTATE (Westlake Estates Neighborhood) AND DECLARING THE SAME TO BE A PART OF THE TOWN OF MIDDLEBURY, INDIANA”. The remonstrance period will be 90 days from the ordinance publication date. The annexation should be effective Nov 10th or 11th, 2021. Jeremy Yahwak motioned to approve Ordinance 659 and Scott Miller seconded. This passed with a voice vote.

NEW BUSINESS:

Mary Cripe presented and explained Change Order No. 3, with supplemental invoices, from Milestone Construction North, Inc. for the 2020 Asphalt Paving Project – Phase 1 (Brown and Bristol Streets). The Change Order is for an increase of \$30,284.07 due to replacing the water services from the new water main to water meters inside building

structures. With the increase, the contract will now be \$1,161,322.40. Jeremy Yahwak motioned to approve Change Order No. 3 from Milestone Construction North, Inc and Dan Shoup seconded. This passed with a voice vote.

Kevin Miller is requesting the Council approve having 11 Reserve Officers. To allow for this, Ordinance No. 642-E – “AN AMENDMENT TO THE TOWN OF MIDDLEBURY 2021 SALARY ORDINANCE” was presented. Scott Miller motioned to approve the amendment and Jeremy Yahwak seconded. This passed with a voice vote.

Miranda Cripe opened the floor for a public hearing, and Craig Buche explained Ordinance No. 660 – “AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FROM THE GENERAL FUND, THE ELROY DRIVE INDUSTRIAL PARK TIF DISTRICT FUND, THE DOWNTOWN TIF DISTRICT FUND, THE PUBLIC SAFETY LOIT FUND AND THE SIDEWALK/STREETLIGHT FUND”. Upon hearing no public comments, Chuck Teall motioned to close the public hearing and Scott Miller seconded. This passed with a voice vote.

Jeremy Yahwak then motioned to approve Ordinance No. 600 and Chuck Teall seconded. This also passed with a voice vote.


Craig Buche presented and explained Ordinance No. 661 – “AN ORDINANCE OF THE TOWN OF MIDDLEBURY AMENDING THE TOWN OF MIDDLEBURY EMPLOYEE HANDBOOK”. There are several proposed changes, including Sick Leave and Personal Leave Policy, vehicle usage and electronic media access and use. After some discussion, Dan Shoup motioned to approve Ordinance No. 661 and Scott Miller seconded. This passed with a voice vote.

The Council had a discussion on allowing food truck vendors in downtown. The parking on State Street and the new parking area on Brown St. were two (2) suggestions for locations. The Council agreed to allow Old Hoosier Meats to have a food truck on August 27th. The location will be finalized at the next meeting.

ANNOUNCEMENTS:


Old Timers Meeting on Tuesday, August 3, 2021 at 1:30 pm – Essenhaus Conference Center
Elk. Cty. Redev. Comm. Meeting on Thursday, August 5, 2021 – 2 pm – Elk Cty Admin Bldg.
Tree Board meeting on Thursday, August 5, 2021 – 7 pm – Town Hall
Elk. Cty Plat Comm. meeting – Thur, August 12, 2021 at 8:30 am at Elk. Co. Admin. Bldg
Elk. Cty. Plan Comm. meeting on Thurs, August 12, 2021 at 9am at Elk. Co. Admin. Bldg.
Middlebury Summer Festival on Friday & Saturday, August 13 & 14, 2021
Town Council Meeting on Monday, August 16, 2021 at 6pm at Town Hall – Budget meeting immediately following
Park Board Meeting on Wed, August 18, 2021 at 3pm at Town Hall.
Friday Movie in the Park on Friday, August 20, 2021 – 8 pm – Riverbend Park – “The Croods – New Age”
Riverfest on Saturday, August 28, 2021 – Riverbend Park

Meeting was adjourned.



Miranda Cripe, President, Town Council

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.