

August 16, 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 16, 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:

Jeremy Yahwak moved to approve the minutes from the August 2, 2021 meeting. Scott Miller seconded, and the motion passed with a voice vote.

PUBLIC COMMENTS:

Chuck Teall suggested the weeds be pulled at 105 Brown St.

Mary Cripe read an email regarding the great job Public Works did cutting down trees on Krider Dr. after the recent storms. The Council is proud of all the employees during the storms.

ACCOUNTS PAYABLE VOUCHERS:

Chuck Teall motioned to approve the following Accounts Payable Vouchers. Dan Shoup seconded the motion and it passed with a voice vote.

Accounts Payable Vouchers payroll – August 12, 2021	\$110,891.92
Accounts Payable Vouchers – August 16, 2021	\$375,838.74

UNFINISHED BUSINESS:

Craig Buche explained a change to the following ordinance. The parking limit has been changed to 96 hours instead of days. Chuck Teall motioned to approve the change to 96 hours in paragraph 4 and Dan Shoup seconded. This passed with a voice vote. The Council then once again discussed Ordinance No, 658 – “AN ORDINANCE OF THE TOWN OF MIDDLEBURY, INDIANA ESTABLISHING COMPREHENSIVE PARKING REGULATIONS FOR THE PUBLIC STREETS AND ROADS IN THE TOWN OF MIDDLEBURY, INDIANA”. Scott Miller expressed he has concerns with supporting the ordinance. He thinks it should only address problem areas, not the whole town. Scott Miller also presented a request to revise Exhibit 13 for Hidden Court cul-de-sac. Jeremy Yahwak also requested to delete Skyview and Shoemaker from the list. A motion was made by Dan Shoup to approve Ordinance No. 658 with the amendment and Chuck Teall seconded. This passed with a voice vote – four (4) yes and Scott Miller no.

Tom Enright gave an update on the Tactical Urbanization Project along the Pumpkinvine Trail. He emphasized this is all temporary and public feedback is very important. Tom Enright then presented proposed AMENDMENT TO ORDINANCE NO. 183 – “TEMPORARY TRAIL COSSING TRAFFIC REGULATIONS”. This amendment addressed the temporary stop signs from the grant project. Jeremy Yahwak motioned to approve the amendment and Chuck Teall seconded. This passed with a voice vote. This will start after the Fall Festival.

NEW BUSINESS:

Emily Wehmeyer from Donohue & Assoc. gave a presentation of the Spring Valley Lift Station Relocation Study. Emily will provide a link to Donohue’s report. They are recommending Alternative #2.

Mary Cripe presented Change Order No. 3 from Selge Construction Co. for the Southwest Quadrant Infrastructure Project. This change order is for an increase of \$31,608.90, with a new contract total of \$3,756,949.50. Chuck Teall motioned to approve Change Order No. 3 and Scott Miller and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe presented Pay Application No. 3 from Selge construction Co. for the Southwest Quadrant Infrastructure Project in the total amount of \$247,416.99. Jeremy Yahwak motioned to approve Pay Application No. 3 and Scott Miller seconded. This passed with a voice vote.

Carmen Carpenter is requesting the use of the downtown parks and normal street closures for the Fall Festival on Friday and Saturday, September 10 & 11, 2021. Jeremy Yahwak motioned to approve the request and Scott Miller seconded. This passed with a voice vote.

Miranda Cripe announced Fall Cleanup Days for Thursday through Saturday, September 23 – 25, 2021. Scott Miller would like to have this posted on the Town’s website and Facebook page.

Mary Cripe presented a proposal from Lochmueller for intersection improvements at County Road 20 and State Road 13 and improvements Orpha Dr/County Road 22 and Miller Dr/County Road 37. This would require an interlocal agreement with Elkhart County and Middlebury’s town council. Plus, both the county and town’s redevelopment commissions will need to work together, also.

Mary Cripe also presented a letter from INDOT regarding the Section 4f for the US 20 Project from County Road 35 to State Road 13. Chuck Teall motioned to approve signing the INDOT letter after finalization with Elkhart County and Dan Shoup seconded. This passed with a voice vote.

Department Reports:

Water Department – Tower #1 has developed a leak. The maintenance company will evaluate the tower and do testing.

Public Works Department – Noting to add to the report.

Wastewater Department – Nothing to add to the report. Dan expressed his appreciation for all the help during the storms. All the lift stations were down at the same time.

Park Department – Tom reported the Park Department has an intern from Fairfield High School helping throughout the school year. It was suggested he contact the Career Center for other interns. Tom also thanked Aaron Smartt for all his help with the trees in Krider Gardens.


Police Department – All the new vehicles are here. Kevin is seeking permission to sell the 2016 Charger. The Council agreed.

ANNOUNCEMENTS:

Budget meeting immediately following tonight's council meeting
Park Board meeting on Wednesday, August 18, 2021 at 3:00 pm – Town Hall
Elk Cty Zoning Appeals on Thursday, August 19, 2021 – 8:30 am – Elk Cty Admin Building
Redevelopment Commission meeting – Thursday, August 26 – 7:30 am – Town Hall
Elk Cty Redev Commission – Thursday, Sept 2, 2021 – 2 pm – Elk Cty Admin Building
Tree Board meeting – Thursday, September 2, 2021 – 7 pm – Town Hall
Town Offices closed on Monday, September 6, 2021 for Labor Day
Next Council meeting – Tuesday, September 7, 2021 at 6:00 pm -Town Hall

After the budget meeting and before the adjournment, Chuck Teall motioned to give employees a bonus for 2020 and 2021. The 2020 bonuses will be paid yet this year and the 2021 bonuses after the first of the year. Jeremy Yahwak seconded, and this passed with a voice vote.

At the conclusion of the budget meeting, the 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.