

September 20, 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, September 20, 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 August 16<sup>th</sup> and September 7, 2021 meeting. Scott Miller seconded, and the motion passed with a voice vote.

**PUBLIC COMMENTS:**

Jack Cook gave an update on the veteran banners. The Legion has had 106 applications with 86 at the printers. The Post's anniversary celebration will be Saturday, Nov. 13, 2021.

**ACCOUNTS PAYABLE VOUCHERS:**

Chuck Teall asked a question regarding the payment from the 2018 GOB. After receiving an answer, he motioned to approve the following Accounts Payable Vouchers. Dan Shoup seconded the motion and it passed with a voice vote.

Accounts Payable Vouchers payroll – September 9, 2021	\$ 104,444.46
Accounts Payable Vouchers special payroll – September 16, 2021	\$ 52,221.79
Accounts Payable Vouchers – September 20, 2021	\$1,803,546.56

**UNFINISHED BUSINESS:**

Mary Cripe presented the revised agreement with Lochmueller Group, Inc. for the intersection improvements at County Road 20 and State Road 13 and County 22/Orpha Drive and County Road 37/Miller Drive. The agreement is not to exceed \$295,960.00. Chuck Teall motioned to approve the agreement with the addendum attached, and Scott Miller seconded. This passed with a voice vote.

**NEW BUSINESS:**

Mary Cripe presented Selge Construction Inc.'s Change Order No. 4 and Change Order No. 5 for the Southwest Quadrant Infrastructure project. Change order #4 is for re-evaluated driveway slopes in the Westlake neighborhood. There is no cost increase for these changes. Change Order #5 is for modifications to the water main portion of the project. The total increase for all these changes is \$128,771.70, which increases the total contract cost to \$3,825,299.50. Jeremy Yahwak motioned to approve Change Order Nos. 4 and 5 and Scott Miller seconded. This passed with a voice vote.

Pay Application No. 4 from Selge Construction Inc. was then presented. This is also for the Southwest Quadrant Infrastructure Project. The total pay application is for \$306,429.07. Dan Shoup motioned to approve Pay Application No. 4 and Jeremy Yahwak seconded. This passed with a voice vote.

Mary Cripe presented Change Order No. 4 from Milestone Construction North, Inc. for the 2020 Asphalt Paving – Phase 1. This change order is for extra work items and an extension of time to October 8, 2021. The total increase is \$165,025.00. Dan Shoup motioned to approve Change Order No. 4 from Milestone and Scott Miller seconded. This passed with a voice vote.

Dan Holderread presented an agreement between the Town and Donohue & Associates for the new lift station in Westlake. The agreement is not to exceed \$6,200.00. This will enable the new Westlake Lift Station to

communicate with the current Scada System. Chuck Teall motioned to approve the agreement and attached addendum and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe presented a proposal from Selge Construction Inc. to replace the leaking water service at 107 and 111 S. Main St. The work has been completed and the estimated cost is \$37,500.00. Jeremy Yahwak made a motion to approve the proposal and Scott Miller seconded. This passed with a voice vote. The Council thanked all parties involved for the speedy repairs.

The Council approved the 2021 Trick or Treating hours for Saturday, October 30 from 5 pm to 7 pm. Chuck Teall motioned to approve the date and times for Trick & Treating and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe presented a "Letter of Support for the Hardwoods Lift Station Project". This is a joint letter from the Council and Redevelopment Commission to the Economic Development Administration in Chicago. The cost would be paid 80% from Federal funds and 20% from local funds. Scott Miller motioned to show support for this project and Dan Shoup seconded. This passed with a voice vote.

The Council discussed Water & Sewer Utility Building Line Program. This program would aid residential property owners in the event of water or sewer line breaks. The Council would need to establish a monthly charge added to the water bills. After much discussion, the Council agreed this would be a good idea. They would like Baker-Tilley to help advise with the financial aspect of this and how to set it up.

**Department Reports:**

Water Department – Nothing to add.

Public Works Department – Nothing to add.

Wastewater Department – Back ordered supplies should be here by tomorrow, Sept. 21.


Park Department – Thanked the Council and community for the support of the Krider restroom project. The 8<sup>th</sup> grade river study is this week.

Police Department – The department will be sponsoring events for the youth in the community.

**ANNOUNCEMENTS:**

Redevelopment Commission meeting – Thursday, September 23, 2021 – 7:30 am - Town Hall  
Middlebury Fall Cleanup Days on Thurs., Friday and Sat., Sept. 23 – 25, 2021 – Public Works  
Celebration of Employees with 25/plus years of service on Monday, October 4, 2021 at 5 pm  
Next Council meeting – October 4, 2021 at 6:00 pm -Town Hall  
Elkhart Cty Redev. Commission on Thursday, Oct. 7, 2021 at 2 pm – County Admin Bldg.  
Middlebury Tree Board – Thursday, October 7, 2021 – 7 pm – Town Hall  
Pumpkin Races on W. Warren Street on Saturday, October 9, 2021 at 1 pm  
Halloween Trick or Treat on Saturday, October 30, 2021 – 5:00 – 7:00 pm

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.