

May 17, 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, May 17, 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, Miranda Cripe, Dan Shoup and Chuck Teall - Scott Miller was absent.

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 May 3, 2021 meeting. Dan Shoup seconded, and the motion passed with a roll call vote – all yes.

PUBLIC COMMENTS:

Mary Cripe would like to have the Council review the No Parking Ordinance, again.

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 passed with a roll call vote – all yes.

Accounts Payable Vouchers payroll –May 6, 2021	\$ 111,342.99
Accounts Payable Vouchers – May 17, 2021	\$3,383,292.07

UNFINISHED BUSINESS:

A public hearing was held for the Jayco, Villas of River Park and Crisp annexations. Upon hearing no comments, Chuck Teall motioned to close the public hearing and Dan Shoup seconded. This passed with a roll call vote – all yes.

After the public hearing, Craig Buche presented and explained the Annexation Ordinance - “An Ordinance Annexing Certain Real Estate, (A Portion of Jayco, inc., Villas of River Park and Crisp Real Estate) and Declaring the Same to be a Part of the Town of Middlebury, Indiana” was introduced. Dan Shoup asked about the water and sewer service at Jayco. Upon receiving a satisfactory answer, Chuck Teal motioned to accept the introduction of the Ordinance and Dan Shoup seconded. This passed with a roll call vote – all yes.

NEW BUSINESS:

Mary Cripe and Dan Holderread are requesting the Council to approve a contract with Himco Waste-Away. This service agreement is for transportation and disposal of profiled waste. Transportation cost per load is \$245.00 and cost per ton is \$20.00. Chuck Teall motioned to

approve the contract, once all legal issues are satisfactory, and Jeremy Yahwak seconded. This passed with a roll call vote – all yes.

Mary Cripe presented proposed Ordinance No. 642-B – “An Amendment to the Town of Middlebury 2021 Salary Ordinance”. This amendment raises the cap limit on two (2) Park Department positions and increases the hourly pay for the Water Department Laborer II position. Jeremy Yahwak motioned to approve the salary ordinance amendment and Dan Shoup seconded. This passed with a roll call vote – all yes.

Andrew Robage, from Commonwealth, gave a presentation regarding the State Road 13 Gateway Infrastructure Study, as it pertains to Middlebury utilities.

Mary Cripe is requesting the Council approve the Inter-Local agreement for the 2021 Community Crossings Matching Grant with the State of Indiana. The amount of the Grant is \$595,020.00. Chuck Teall motioned to approve the Inter-Local agreement and Jeremy Yahwak and Dan Shoup seconded. This passed with a roll call vote – all yes.

Mary Cripe is also requesting approval for an Inter-Local agreement with the Indiana Department of Transportation (INDOT) for the water main and sanitary sewer construction for the US 20 Reconstruction and Widening from SR 15 to CR 35. INDOT can request up to \$486,550.00. Jeremy Yahwak motioned to approve the Inter-Local agreement with INDOT, pending approval of legal concerns by legal counsel. Chuck Teall seconded, and this passed with a roll call vote – all yes.

Miranda Cripe requested for Mike Holloway to be the Town’s representative to the Economic Development Corporation Board. Chuck Teall motioned to approve the appointment and Dan Shoup seconded. This passed with a roll call vote – all yes.

Mary Cripe and Robert Miller are requesting the Council approve an agreement with Abonmarche for a new Grace Lawn Cemetery layout. The agreement is for a total of \$7,500.00 and includes a field survey of cemetery property, burial plot site plan and set control points. There are problems with the new section. Dan Shoup motioned to approve the agreement with Abonmarche and Jeremy Yahwak seconded. This passed with a roll call vote – three (3) yes and Chuck Teall – no.

Department Reports:

Water Department – Ron stated the unaccountable water is higher due to flushing hydrants. He also stated he is very pleased with the contractor working on the Brown and Bristol Streets construction. The initial water pressure test went well.

Public Works Department – Nothing to add to the report.

Wastewater Department – Dan reported the pumps are failing at the Hardwoods Lift Station. They discovered a large clog at L & W Engineering due to sanitary wipes. They freed the clog before it could cause any damage.

Park Department – The restroom project is going well. Landscaper, Crista Bontrager, started back to work for the summer.

Police Department – Nothing to add to the report.

ANNOUNCEMENTS:

Work session immediately following to go over Five-Year Capital Plan
Park Board meeting – Wednesday, May 19, 2021 at 3pm – Town Hall and via Zoom
Elk. Cty. Board of Zoning Appeals meeting on May 20, 2021 at 8:30 am – Elk. Cty. Public
Servs. Bldg.

Middlebury Annual Town Wide Garage Sales May 21 & 22, 2021

Redevelopment Commission meeting – May 27, 2021 at 7:30am – Town Hall

Elkhart Cty. Redev. Comm. – June 3, 2021 – 2 pm – Elk Cty. Administration Bldg. - Goshen

Tree Board meeting on Thursday, June 3, 2021 – 7 pm – Town Hall

Next Council meeting - Monday, June 7, 2021 at 6:00 pm -Town Hall

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.