

January 6, 2020

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, January 6, 2020. The meeting was called to order by Council presiding officer, Miranda Cripe.

Upon the roll call, the following members of the Council were present:

Scott Miller, Miranda Cripe, and Dan Shoup – Jeremy Yahwak and Gary O'Dell was absent

Also present were: Mary Cripe, Town Manager, Craig Buche, Attorney and Peggy Hutchison, Clerk/Treasurer.

2020 Council Officers and Commissioners

Peggy Hutchison opened the election process with nominations for Council President. Dan Shoup nominated Miranda Cripe for Council President and Scott Miller seconded. Miranda Cripe's nomination passed with a voice vote.

Miranda Cripe then opened the nominations for Council Vice President. Miranda Cripe nominated Dan Shoup and Scott Miller seconded the nomination. This also passed with a voice vote.

Miranda Cripe then announced the following appointments for 2020

- Utilities Commissioner – Dan Shoup
- Park Commissioner – Jeremy Yahwak
- Public Works Commissioner – Dan Shoup
- Police Commissioner – Scott Miller
- Personnel Commissioner – Miranda Cripe

MINUTES:

Dan Shoup moved to approve the minutes from the December 31, 2019 meeting. Scott Miller seconded, and the motion carried with a voice vote.

PUBLIC COMMENTS:

Miranda Cripe welcomed Scott Miller to the Council. Mary Cripe presented a map of the Brown St. reconstruction. Ron Chupp reported the booster station is now operational. Kevin Miller reported John Meadows passed the physical portion of the Police Academy requirements and will be starting at the Academy on Monday, January 13th.

ACCOUNTS PAYABLE VOUCHERS:

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

Accounts Payable Voucher – Dec. 31, 2019 – M-R Trans	\$ 73,270.00
Accounts Payable Voucher – Payroll January 2, 2020	\$107,893.38
Accounts Payable Voucher – Jan. 6, 2020	\$388,157.74

UNFINISHED BUSINESS:

The Council discussed a notice of "Notice of Determination to Engage a Broker or Auctioneer for Possible Sale of Surplus Real Estate". This is to obtain real estate agent, Jim Skillen, to sale the Town Hall property. Jim Skillen introduced himself to the Council. He expressed some concerns he has with

the two (2) appraisals which were done. He will have a full report by the meeting on the 20th. Dan Shoup motioned to advertise the Notice and to review the agreement. Scott Miller seconded. This passed with a voice Vote.

Mary Cripe is recommending the Council accept the bid from Walsh & Kelly for the 2019 Asphalt Paving Phase 2 for \$533,958.75. Dan Shoup motioned to accept the bid from Walsh & Kelly and Scott Miller seconded. This passed with a voice vote.

The Council accepted the bid from Polydyne Inc. for the polymer for the Water and Wastewater Department. Dan Shoup motioned to accept the bid from Polydyne, Inc. and Scott Miller seconded. This passed with a voice vote.

NEW BUSINESS:

Scott Miller motioned to approve the 2020 Town Council Meeting schedule and Dan Shoup seconded. This passed with a voice vote.

The Council presented the following Appointments of Town services for 2020

Legal Services – Yoder, Ainlay, Ulmer & Buckingham

Financial Services – Baker Tilly Municipal Advisors, LLC.

Depository Services – First State Bank of Middlebury

Legal Notice Media Services – *Middlebury Independent*

Dan Shoup motioned to approve all the above providers and Scott Miller seconded. This passed with a voice vote.

The Council then re-appointed Barb Spice to the Park Board for another four-year term. Scott Miller motioned to approve Barb Spice and Dan Shoup seconded. This passed with a voice vote.

The Council then re-appointed two (2) members to the Tree Board for another three-year terms:

Doug Miller – non-resident

Al Spice - resident

Scott Miller motioned to approve the two (2) members to the Tree Board and Dan Shoup seconded. This passed with a voice vote.

After Craig Buche explained the agreement with Yoder, Ainlay, Ulmer & Buckingham, LLP, the Council voted to accept the agreement for legal services for 2020. Dan Shoup motioned to accept the agreement and Scott Miller seconded. This passed with a voice vote.

Craig Buche presented proposed Resolution No. 2020-01 – “Resolution of the Town of Middlebury Ratifying the Transfer of Money from One Major Budget Classification to Another within a Department or Office.” This is for a correction of Ordinance No. 628. Scott Miller motioned to approve Resolution No. 2020-01 and Dan Shoup seconded. This passed with a voice vote.

Craig Buche also presented proposed Middlebury Town Council Resolution No. 2020-02 and Middlebury Redevelopment Resolution No. RDC-2020-01 – “Resolution Authorizing the Loaning of Money from the Riverboat Fund for Real Estate Acquisitions Benefitting the Middlebury Downtown TIF District”. This will be a loan of \$300,000.00 with an interest rate of 2.50%. The first payment will be due semi-annually beginning July 15, 2020 and paid in full by July 2023. Dan Shoup motioned to approve the Resolution and Scott Miller seconded. This passed with a voice vote.

Mary Cripe presented a proposed agreement with Patriot Engineering and Environmental, Inc. for a limited Phase II Environmental Site Assessment on the Miller Property at Wayne and Spring Streets. The estimated cost of the project will be \$4,500.00. Dan Shoup motioned to approve the agreement and Scott Miller seconded. This passed with a voice vote.

After Tom Enright explained the change order, Mary Cripe also presented Change Order No. 1 from Northern Indiana Construction for the repairs to the Trestle Bridge. The change order is for an increase of \$32,682.26, making the new total contract \$94,017.31. Dan Shoup made a motion to approve Change Order No. 1 from Northern Indiana Construction and Scott Miller seconded. This passed with a voice vote.

The Middlebury Then & Now Committee is requesting closing West Warren Street on October 10, 2020 from 12 – 4 pm for the Middlebury Pumpkin Races. Scott Miller motioned to approve closing West Warren and Dan Shoup seconded. This passed with a voice vote.

Dan Holderread is seeking permission to purchase a 2020 Chevrolet Silverado 2500 HD Double Cab truck for the Wastewater Department. The total cost would be \$30,897.10. Dan Shoup motioned to approve the purchase and Scott Miller seconded. This passed with a voice vote.

The Town Council is planning a work session for next Monday, January 13, 2020, to discuss the five (5) year capital plan. This will be advertised.

Mary Cripe presented a Grant Agreement from the Edward Byrne Memorial Justice Assistance Grant Program for new cameras for the Police Department. The grant will be for \$57,256.00. Dan Shoup motioned to approve the agreement and Scott Miller seconded. This passed with a voice vote.

Mary Cripe is asking the Council to ratify an agreement with JPR in the amount \$11,000 for a Detention Tank Study. This had previously been approved in the amount of \$10,000. Scott Miller motioned to approve the change and Dan Shoup seconded. This passed with a voice vote.

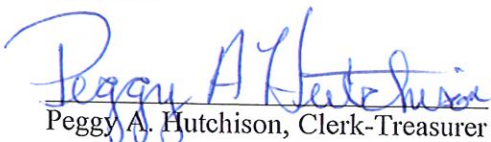
ANNOUNCEMENTS:

Elkhart Cty Plan Comm. Mtg. – January 9, 2020 at 9 am – Elk Cty Public Services Bldg.
Elkhart Cty Redevelopment Comm Mtg – January 9, 2020 at 2 pm – Elk Cty Public Services Bldg.
Park Board Meeting – January 15, 2020 – 6 pm – Town Hall
Elkhart County Bd of Zoning Appeals – January 16, 2020 – 9 am – Elk Cty Public Services Bldg.
Next Council meeting - Monday, January 20, 2020 at 6:00 pm -Town Hall
Redevelopment Commission Meeting – January 23, 2020 – 7:30 am – Town Hall
Mary Cripe announced Elkhart County has approved the fiber optic's funding

Meeting was adjourned.


Miranda Cripe, President, Town Council

ATTEST:


Peggy A. Hutchison, Clerk-Treasurer