

May 18, 2020

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 18, 2020. The meeting was called to order by Council President, Miranda Cripe.

Miranda Cripe welcomed Chuck Teall back to the Council. He will complete Gary O'Dell's term.

Department Commissioners – This was tabled until the next meeting.

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:**

Dan Shoup moved to approve the minutes from the May 4, 2020 meeting and Executive Session. Jeremy Yahwak seconded, and the motion passed with a voice vote.

**PUBLIC COMMENTS:**

Deb Freeze spoke concerning the parking lot at the end of W. Spring St. She thanked the Council for the concessions regarding the parking lot, but emphasized, again, how the residents of W. Spring St. do not want the parking lot. The residents have no objection over the water tower, just the parking lot. She also expressed her gratitude to the Elkhart County Plan Commission for voting unfavorably for the zoning change that would have allowed the parking lot.

Tiffany, from Dips on the Vine, requested permission to hold a family movie night on June 19<sup>th</sup> on the area around the shop and American Legion. The Council recommended the movie night be postponed until after July 4<sup>th</sup> to comply with the State's mandates.

**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 passed with a voice vote.

Accounts Payable Vouchers payroll – May 7, 2020	\$102,183.40
Accounts Payable Vouchers – May 18, 2020	\$474,368.16

**UNFINISHED BUSINESS:**

Miranda Cripe opened the bids for the Brown Street/Bristol Avenue Reconstruction and the 2020 Asphalt paving projects. The bids are attached. Chuck Teall motioned to accept the bids and take them under advertisement. Dan Shoup seconded, and this passed with a voice vote.

Mary Cripe is asking the Council to consider rescheduling Spring Cleanup to June 18, 19 and 20. Dan Shoup motioned to approve the new dates and Scott Miller seconded. This passed with a voice vote.

**NEW BUSINESS:**

Mary Cripe presented proposed Ordinance No. 631 – “An Ordinance Writing Off Certain Water and Sewer Utility Accounts as Uncollectible”. Chuck Teall motioned to approve Ordinance No. 631 and Jeremy Yahwak seconded. This passed with a voice vote.

Craig Buche presented proposed Resolution No. 2020-06 – “FMLA Leave Expansion and Emergency Paid Sick Leave Policy (Coronavirus) Employees Currently covered by FHMLA – Effective April 1, 2020 through December 31, 2020.” He also presented proposed Resolution No. 2020-07 – “Resolution of the Middlebury Town Council Regarding Public Access to Town of Middlebury’s Facilities and Plan to Re-Open”. Both resolutions are policies for handling the Town’s re-opening due to COVID-19. Dan Shoup motioned to accept and approve both Resolutions 2020-06 and 2020-07. Scott Miller seconded, and this passed with a voice vote.

Miranda Cripe presented, and Craig Buche explained the Compliance with Statement of Benefits Real Estate Improvements from Jayco, Inc. Chuck Teall motioned to approve the Compliance Statement and to find Jayco, Inc. in substantial compliance. Jeremy Yahwak seconded, and the motion passed with a voice vote.

**Department Reports:**

Water Department – Nothing to add to the report. Tank #2 had a visual inspection and Tank #3 will be emptied and cleaned. It should be back in service by this weekend.

Public Works Department – Robert Miller thanked the other departments for all their help.

Wastewater Department – Dan stated there have been no clogged pumps during the COVID-19 shutdown.

Park Department – They are following the State’s guidelines for re-opening the parks.

Police Department – Nothing to add to the report.

**ANNOUNCEMENTS:**

Park Board meeting on May 20, 2020 – 6 pm – Town Hall

Town Offices closed for Memorial Day, May 25, 2020

Redevelopment Commission Meeting – May 28, 2020 at 7:30 am – Town Hall

Next Council meeting - Monday, June 1, 2020 at 6:00 pm -Town Hall

Primary Election Day – Tues., June 2, 2020 - 6 am – 6 pm – Middlebury Church of the Brethren

Tree Board Meeting – Thursday, June 4, 2020 at 7 pm – Town Hall

A Work Session was held immediately following to discuss the “No Parking” ordinance.

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.

2020 Paving

Project 2020-005

Contractor	Brown & Bristol	2020 Paving	Total
Niblock	\$796,460.50	\$568,795.00	\$1,365,255.50
Phend & Brown	\$1,137,660.92	\$526,486.44	\$1,664,147.36
Walsh & Kelly	\$707,401.58	\$423,636.75	\$1,131,038.33
Rieth Riley	Brown St. - \$609,660.67 Bristol - \$293,956.83	\$566,199.50	\$1,469,817.00