

July 20, 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, July 20, 2020. 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 joined via Zoom

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 July 6, 2020 meeting. Dan Shoup seconded, and the motion passed with a voice vote.

**PUBLIC COMMENTS:**

Ron Yutzy was praised for his help at an accident. The people involved were very appreciative.

**ACCOUNTS PAYABLE VOUCHERS:**

The following Accounts Payable Vouchers were reviewed and approved on a motion by Chuck Teall and seconded by Jeremy Yahwak. The motion passed with a voice vote.

Accounts Payable Vouchers payroll – July 16, 2020	\$101,644.71
Accounts Payable Vouchers – July 20, 2020	\$197,995.86

**UNFINISHED BUSINESS:**

Zach Dripps from MACOG asked the Council to approve the proposed Resolution No. 2020-12, - “Resolution Adopting Middlebury Comprehensive Plan”. After some discussion, Chuck Teall motioned to approve Resolution No. 2020-12 and Dan Shoup seconded. This passed with a voice vote. Mary Cripe then presented Zach with thank you gifts for all their work on the comprehensive plan.

A public hearing was held for proposed Ordinance No. 633 – “An Ordinance of the Town of Middlebury, Indiana Establishing Comprehensive Parking Regulations for the Public Streets and Roads in the Town of Middlebury, Indiana”. After several residents expressed their concerns, (see attached) Chuck Teall motioned to close the public hearing and Dan Shoup seconded. This passed with a voice vote. Another resident had more comments, so the public hearing was reopened. Upon hearing no other comments, Jeremy Yahwak once again motioned to close the public hearing and Dan Shoup seconded. This also passed with a voice vote. Residents were encouraged to seek out Council members with concerns.

Craig Buche mentioned the lease agreement, which was approved in January subject to legal approval, is now complete and needing final approval. Chuck Teall motioned to approve the final lease agreement and Jeremy Yahwak seconded. This passed with a voice vote.

**NEW BUSINESS:**

Mary Cripe is requesting the Council to consider vacating a public right-of-way adjacent to Max Myers Motors. After some discussion, Max Myers Motors will be contacted to see if they are interested in this. The Council is willing to abandon the public right-of-way if Max Myers Motors would like to pursue this.

Mary Cripe is also requesting permission to sell a 1997 Chevy pickup truck belonging to the Public Works Department. Jeremy Yahwak motioned to approve selling the truck and Dan Shoup seconded. This passed with a voice vote. Bids will be due by August 17, 2020.

Miranda Cripe announced that Robert Miller has been promoted to Public Works Superintendent. Dan Shoup motioned to approve the promotion and Jeremy Yahwak seconded. This passed with a voice vote. Robert Miller thanked the Council.

After the announcement, the Council presented proposed Ordinance No. 626-C – “An Amendment to the Town of Middlebury 2020 Salary Ordinance.” This amendment allows for the new Public Works superintendent and a Foreman position within the Wastewater Department. Chuck Teall motioned to approve Ordinance No. 626-C and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe presented an “Agreement for Purchase and Sale of Real Estate” between the Town and Gary and Bonita Wright for the Dawn Estates Lift Station relocation. The purchase price will be \$5,000.00. A motion was made by Chuck Teall approving the agreement and seconded by Jeremy Yahwak. This passed with a voice vote.

#### **Department Reports:**

Water Department – Well #5 is back in service. The monopole construction has begun. The IDEM inspection went well.

Public Works Department – Nothing to add to the report. The Bright Star auction was a success.

Wastewater Department – Derrick DeGraw and Tim Spradlin will take their Operator tests in two (2) weeks.

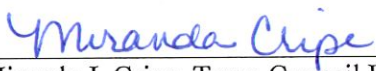
Park Department – Tom thanked a small group of park volunteers. Jeremy thanked Tom for representing the Town in the Quilt Garden planning.

Police Department – Nothing to add to the report.

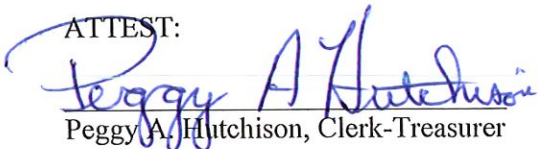
#### **ANNOUNCEMENTS:**

2021 Budget work session immediately following this meeting  
Redevelopment Commission meeting – July 23, 2020 at 7:30 am – Town Hall  
Next Council meeting - Monday, August 3, 2020 at 6:00 pm -Town Hall  
Tree Board meeting on August 6, 2020 at 7 pm – Town Hall

Meeting was adjourned after the budget work session.

  
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Miranda J. Cripe, Town Council President

ATTEST:

  
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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.

Public Comments regarding new parking ordinance

July 20, 2020

Ron Jones – 803 Hidden Ct. – There are only four (4) houses, with 14 drivers, on his cul-de-sac and he is not in favor of taking away all the parking. He has also spoken with a real estate agent and was told if all the on-street parking is taken away, it would devalue his home by \$15,000 - \$20,000. Ron suggested a committee of residents to look over the proposed ordinance. He volunteered to serve on the committee.

Faye Schwartz – business at 103 N. Brown St. – She is asking not to take away any downtown parking. She suggested having no left turn off Brown St onto Warren St. Also asking to have drivers not block Brown St by Old Hoosier Meats.

Diane Kauffman – 201 S. Main/113 E Warren St (office) – Speaking for the merchants, she is asking not to take away any parking downtown. (The Council is discussing making the sidewalk on Warren St narrower to allow for better parking and traffic flow.)

Josh Owen – 614 Spring Arbor Dr. – He is requesting to add “No parking in yards” to the ordinance.

Ava Breniser – 984 Sharon Ct – She lives on the side of the street which will have the parking. She takes care of a disabled adult and Ava is afraid she will get hurt with all the cars from her neighbor. A house in her neighbor holds parties and the cars line the whole street. Also, one neighbor has seven (7) drivers. They park in the yard and up and down the street. She also stated too many cars and not enough parking will devalue a home. She also inquired about parking by a fire hydrant. Kevin Miller stated it is a state law to not park within 30 feet of a hydrant.

Brian Seeger – 804 Hidden Ct – He agrees with Ron Jones. He will lose all his parking spaces if their street is closed to parking.

Sheri Howland – Chamber of Commerce – The Chamber is asking that no parking be taken away from downtown. She has photos showing all parking spaces full even if the business is closed.

Steven Hahn – 401 Mill St – His side of Mill St will be closed and he usually parks in front of his house. He is wondering why there are so many closures.

Two (2) emails were also received.

John McKee – He is suggesting dividing the ordinance into two (2). One for residential and one for town center. He believes the parking ordinance as written is absolutely necessary. On Krider Dr if cars are parked on both sides of the road, it is not wide enough for that and you can't see around curves. He feels parking on only one side would be much safer.

Larry Carlson – 507 Dogwood Ln – He is questioning provision for snow emergencies. He does not see the need to plaster the town streets with “No Parking” signs. He does not see the need in his neighborhood. He also asked about the budget for all the new signage.