TOWN OF Illersburg

Town of Millersburg Town Council Meeting Minutes

September 24, 2025

Attendees: MacKenzie Taylor, Larry Randolph, Dean Smith, Dana Rutter, Corey Oberlin, Avery Ferguson, Jason Auvil, Dana Rutter, Ray Rodriguez, Rita Van Voorst, Gale Gerber, and Vernon Miller.

Dean Smith called the meeting to order. Dean asked for any public, employee, or council input before approving the 2026 Budget. There was no response. Dean made a motion to approve the 2026 Budget Ordinance. Dana seconded the motion. Upon voice vote the 2026 Budget Ordinance was unanimously approved.

Dean made a motion to approve the meeting minutes from September 10, 2025. Dana seconded the motion. Upon voice vote the meeting minutes from September 10, 2025 were unanimously approved.

New Business: Jason Auvil is the Zoning Administrator & Planning Manager for Elkhart County Planning and Development. Jason said when he started 10 years ago this document consisted of 600 pages of rules and regulations. He and his team have gotten it down to 160 pages. Ordinance 2025-07 is in regard to Elkhart County's rules and regulations when it comes to building, zoning, and permits. Jason said part of the process is every year we approach the various municipalities town council's and ask for them to approve this ordinance that lays out these regulations. The nice thing about this ordinance is it allows the municipality to add or change things that that are better adapted to our Town. Jason gave the examples of Middlebury wants more landscaping standards and Bristol wants to add more parking standards. This document will allow the entity to do so. Jason also added, it's a checks and balances to get the towns input on these documents and processes. Larry asked about the permit standards, if we want to change this we could? Jason replied that would only be if you have your own Planning and Zoning Department. MacKenzie said, no this is not something we would want to do. MacKenzie reiterated we don't have the man power to do something like this. Jason said what he really tries to do is leave input to the property owners, they should be able to regulate their properties and how they are developed and leave the government out of it as much as possible. He enjoys receiving input from towns, developers, and contractors. Dean made a motion to adopt the Elkhart County Planning and Zoning Ordinance 2025-07. Dana seconded the motion. Upon voice vote Ordinance 2025-07 was adopted. Jason said once the County Commissioner signs off on this, he will get us a certified copy.

Johnathan Borr is here from Blessing Street. Last year, his fiancé had some sewage that was backing up in their yard. Johnathan said he is seeking clarity of how he is supposed to repair this service line if it's underneath a public roadway. He began explaining it's 5 feet from the road into the yard. Avery joined in the conversation. Avery added, he doesn't know who or why the lines were put in this way. It makes zero sense and the blue prints Avery has are not correct or are not up to date. From what Avery can tell, when this home was built, the service line runs under the road. The main runs behind the houses. In August 2024 there was a leak in the clean out area of the ditch. They called a plumber out and to seemed to have gotten the issue resolved. Avery stated the service lines are on the home owner and the mains are the towns responsibilities. Avery said he knows it's PVC and doesn't have the right tools to track the material. Dean asked is there any other way to run a better service to the back of the house? Avery said, that would be up to the homeowner. If they want to put in a service line there would be an attachment fee, unless the council waives the fee. It was discussed to look into hiring a company to come out and scope the line with a camera. Avery said he knows Bills Heating does this. Dean would like to have Avery get a quote for this to be done and we can see who would be responsible for that bill. Dean said, it's certainly not his fault his lines were put in differently. Avery showed the Town Council on the large map hanging in the meeting room where he believes the service lines run and the mains' location on Blessing Street. Dean asked Johnathan if things are backing up now? He said he doesn't believe so, they put a cap on the one. For whatever reason they aren't able to use the other bathroom that's in the home. Johnathan said he has a \$500 bill from the plumber and his fiancé told him someone from the town told her to send it to the town and the town would pay it. No one seemed to know who told his fiancé to send the bill to the town because the company and reissued another bill to have it paid. Dean reiterated let's see how much this will cost to get a camera in there and we can make a decision at the next meeting on what way we can go with this. Johnathan asked about maps if the town would have any or County? The members told him his best bet would be asking County for these. Johnathan also asked, with the service line being ran that way who would have approved that? Larry suggested County. Dean thought when he was in the process of building his home he was told Millersburg. Avery said, the entire development of Blessing Street was odd. A house would be built, then sold, then they'd build another one, and sell it continuously. Dana gave Johnathan one of his cards and told him to call him if he has any questions or comments in the meantime until we gain a better understanding of what we can do to try and help Johnathan's situation.

Water: Avery said he will be in Peru on October 6^{th} for the day. Next month will be his Fall Conference in Ft. Wayne.

Avery said, with Corey's help he was able to get the tires on the black truck.

The light on the tower has been fixed.

Avery had to call Moe during the hydrant flush. The hydrant located at County Line Laminating may need to be taken out of service. The hydrant is so close to the two buildings. The hose is in the ground; there's no sense in keeping that one there. It's difficult to get to. Maybe take it out within the next year or two.

Hydrants have all been flushed. Dean said he hasn't seen any comments about clothes being destroyed or anything. Avery said he tried to post whenever he was doing this to prevent that from happening. Dean, Dana, and Larry said they never noticed any rusty water or anything.

Wastewater: Avery said he will need to order some more gas. Due to all of the rain we have been going through the gas quicker.

Avery has prints for the UV plant proposal. This was put out for bids. MacKenzie said bids are due October 7th at 2:00pm and we will open during the October 8th meeting.

Community Development: The meeting in Bristol went well. Michael Keen from Neighborhood Evolutions was the speaker. He's done many wonderful projects in South Bend. MacKenzie hopes to learn more and would like to incorporate his teachings one day into Millersburg.

MacKenzie has a meeting set up with a County Council member for October 8th.

MacKenzie closed on the 2-acre land yesterday. Harley has been paid and closing costs.

MacKenzie was notified yesterday evening that we received a \$1200 grant from the Elkhart Community Foundations for the Fall Festival.

Maintenance: Corey said he put in two weeks of work on the dump truck and it's finally fixed. The multi-switch worked for the hazards. BoDicks hooked the wrong wire to the wrong terminal. Dump truck has lights now.

Corey is working on the dump trailer for the leaf vac and getting that ready to go.

Corey said he knows someone that is interested in the old blue dump truck that is rotting away behind the maintenance building. Corey said this individual would offer the town up to \$800. MacKenzie said we more than likely need to go through the advertisement and bid process. She'll contact the town attorney and get it published.

Marshal: A tech from New Paris came out here to see about forwarding the office phone number to his cell phone. He was not able to do it. Someone would have to answer the phone in the office and then forward the call from there to his cell phone. Ray told the council he wrote them a letter and said he hopes this doesn't offend any of you. Dana said it's understandable. Ray said, even if they were able to forward calls, I may not be able to answer it. Ray told the council he was in a short pursuit south of town with an elderly gentleman. He said he didn't know where he was coming from but knew where he was trying to go. Therefore, Ray was tied up in dealing with that. There was a burglary call and if they would have called 911 maybe they would have been able to catch the suspect since it happened around 1am. Vehicles were gone through and not much was taken other than a pack of cigarettes. This individual heard a noise but thought it was the renters just moving out and unfortunately that wasn't the case. Dean said if this is going to be a safety concern and more problems than benefits then he is okay with not forwarding calls. Dana agreed and is okay with not having this office number forwarded to his cell phone. Dana said he can take calls when he's in the office. Larry agreed, call 911 if it's an emergency.

Dana apologized and said he meant to ask Corey this about the signs. Corey said Scott Signs finally got ahold of him and the signs may be ready this week. Dana said OK great. Dana also reminded everyone that the 25mph speed limit has been tabled to reflect on sometime next year and also should have a traffic study conducted before doing this.

Park: Vernon said so far so good, mowing has come to a halt. One more park reservation from now until the Fall Fest on the 18th. Vernon plans on locking the bathrooms after the event on the 18th. Vernon would like to get more insulation in the park pavilion. He thinks it will only be a couple of hundred dollars to fix this. He also believes this will save heat this winter. He will get an estimate from the Lumber Yard.

There was a disc golf tournament and they had a couple of questions and complaints. The step coming off of the sledding hill is dangerous and Vernon would like to fix it up with Corey's help. Vernon is thinking treated lumber and handrails. Dean agreed that something needs to be done to make it safer. Vernon said he will check into it this fall and see what they can come up with.

Clerk Treasurer: MacKenzie said please look over the handbook so we can all get together and have an employee meeting over the matter and set up an adoption date.

MacKenzie gave the town council Ordinance 2021-20. This ordinance is in regard to COVID and sick pay policy. MacKenzie said she's aware COVID is becoming to be considered an illness similar to the flu. It's not necessary to have a special ordinance that allows people paid time off

without using their PTO bank if they want to get paid for missed work. MacKenzie recommended repealing this ordinance to abolish it. All of the council members were fine with this. Dean made a motion to repeal Ordinance 2021-20 through Ordinance 2025-08. Dana seconded the motion. Upon voice vote Ordinance 2025-08 was unanimously approved and 2021-20 was repealed.

MacKenzie gave the town council a new change order from Niblock. MacKenzie explained this is the new amount that will be owed for the previous change order. It's \$18,040.44. Gale asked why the difference? MacKenzie said she hasn't looked at the Excel Sheet yet, she was just thrilled of the reduction. Dean signed the change order for the lower price that Niblock performed on Maple Street for the 2024-02 CCMG.

Old Business: Timber Valley consensus on the 4-way stops. Dean talked with some residents and said it was mixed emotions. Dean said when he brought up the idea of a 4-way stop to help reduce speeders, some weren't too crazy about it. There were probably more residents that wanted to 4-way stop verses those that didn't. Dean asked about an ordinance. MacKenzie said she will pull what she can find, contact the attorney, and get this started for the 4-way stop.

Dean made a motion to pay bills. Dana seconded the motion. Upon voice vote bills were unanimously approved.

Dean said reminder there will be meetings October 8, October 22. November and December will consist of one meeting for those months. November 12 and December 10.

Dean made a motion to adjourn. Dana seconded the motion. Upon voice vote it was unanimously approved to adjourn.

Dean Smith Council President

Clerk Treasure

MacKenzie Tavłó