

January 3, 2023

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, January 3, 2023. The meeting was called to order by Council presiding officer, Miranda Cripe. All in attendance took part in the Pledge of Allegiance.

Miranda Cripe welcomed our new Town attorney, Jackson Beck.

New Council member, Karl Miller, was sworn in.

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

Karl Miller, Scott Miller, Miranda Cripe, Dan Shoup, Chuck Teall

Also present were Mary Cripe, Town Manager, Jackson Beck, Attorney and Peggy Hutchison, Clerk/Treasurer.

2022 Council Officers and Commissioners

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

Miranda Cripe then announced the following appointments for 2023.

Utilities Commissioner – Chuck Teall
Park Commissioner – Karl Miller
Public Works Commissioner – Dan Shoup
Police Commissioner – Scott Miller
Personnel Commissioner – Miranda Cripe

Dan Shoup moved to accept all the appointments and Scott Miller seconded. This passed with a voice vote.

MINUTES:

Dan Shoup moved to approve the minutes from the December 31, 2022 meeting. Chuck Teall seconded, and the motion passed with a voice vote.

PUBLIC COMMENTS:

Miranda Cripe read an email from David Wiegner – 101 N. State St. – he is inquiring if the Town is going to continue providing recycling? He has noticed all the trash around the bins.

ACCOUNTS PAYABLE VOUCHERS:

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

Accounts Payable Voucher – Jan. 3, 2023

\$356,927.23

UNFINISHED BUSINESS:

The Interlocal Agreement with Elkhart County Solid Waste for Recycling was once again presented and discussed. Chuck Teall made a motion to have the Town Manager, with Council approval, notify the County Commissioners and County Solid Waste Manager that the current recycling site in Middlebury is available to them for recycling. Dan Shoup seconded, and the motion passed with a voice vote. Scott Miller inquired about the pickup schedule. He was informed they usually empty the bins on Sunday mornings.

The dumpsters in the Town parking lot were once again discussed. Scott Miller has spoken with the different businesses. Edward Jones and the General Store currently use the dumpsters. 41 Degrees and Affairs to Remember did use the dumpsters when they were open. Scott Miller stated if having the dumpsters there for this long, and it has worked, he is fine with leaving them. He also stated perhaps the dumpsters could be pushed into the corner, so all parking spaces are available. Chuck Teall questioned if the Town was setting a precedent by allowing dumpsters on Town property. Scott Miller will speak with the business owners and suggest they move the dumpsters to the alley, and that they are responsible for keeping the area clean from trash. He will follow this up with a notice in writing.

NEW BUSINESS:

The Council presented the following Appointments of Town services for 2023

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*

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

After Jackson Beck explained the agreement with Yoder, Ainlay, Ulmer & Buckingham, LLP. Dan Shoup motioned to accept the agreement for legal services from Yoder, Ainlay, Ulmer & Buckingham and Scott Miller seconded. This passed with a voice vote.

A Uniform Conflict of Interest Disclosure Statement and a “Council Member Disclosure of Relative’s Proposed Contract with the Town of Middlebury, Indiana” were presented for Miranda J. Cripe for Miller’s Garage of Middlebury, Inc. Chuck Teall motioned to accept and

approve the Disclosures and Scott Miller seconded. This passed with a voice vote with Miranda Cripe abstaining.

A Uniform Conflict of Interest Disclosure Statements was presented for Mary Cripe for Everett J Prescott, Inc. aka EJP and Ergo. Chuck Teall motioned to approve the Disclosure Statements and Dan Shoup seconded. This passed with a voice vote.

The Council appointed Elma Chapman as a member of the Park Board. Chuck Teall motioned to approve the appointment and Dan Shoup seconded. This passed with a voice vote.

Appointment of Redevelopment Commission members – The current Redevelopment Commission members are willing to serve another year, if re-appointed by the Town Council. The current members are Chuck Teall, Scott Miller, Gary Cripe, Don Schuler, and John Mansfield. Dan Shoup motioned to re-appoint the Redevelopment Commission members and Karl Miller seconded. This passed with a voice vote – Scott Miller and Chuck Teall abstained.

The Council reviewed and discussed the new Cemetery Transfer Form. Robert Miller stated this is a legal way of keeping track of transfers. Robert Miller and ChaLi' Kuiper are working together on cemetery lots that have been held for people, but never paid for. Scott Miller motioned to approve the new form and Dan Shoup seconded. This passed with a voice vote.

ANNOUNCEMENTS:

Elkhart Cty Plan Comm. Mtg. – Thursday, January 12, 2023 at 9:30 am – Elk Cty Public Services Bldg.

Tree Board Meeting – Thursday, January 5, 2023 – 7:30 pm – Town Hall

Elk., Cty. Rede. Comm meeting on Thursday, Jan. 12 – 2 pm – Elk. Cty Admin Bldg.

Next Council meeting - Monday, January 16, 2023 at 6:00 pm -Town Hall

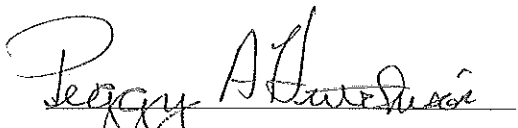
Park Board Meeting – Wednesday, January 18, 2023 – 3 pm – Town Hall

The meeting was adjourned.



Miranda Cripe, President, Town Council

ATTEST:



Peggy A. Hutchison, Clerk-Treasurer