

November 20, 2023

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, November 20, 2023. The meeting was called to order by Council President, Miranda Cripe. A moment of silence was held in memory of Dan Holderread. Everyone in attendance took part in the Pledge of Allegiance.

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

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

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

MINUTES:

Chuck Teall moved to approve the minutes from the November 6, 2023 meeting. Scott Miller and Dan Shoup seconded, and the motion passed with a voice vote.

PUBLIC COMMENTS:

Gail Monroe - 804 Staci Lane – she says there are still problems with the lawn restoration and the agreement. They feel they are losing all power, and it needs to be changed before they sign it. The Monroe's think there could still be erosion on the hill and want assurance this will be taken care of in the future. Miranda Cripe told her the Town would get back with her.

Dick Hinkley, a Greencroft resident, along with Matt from ADEC expressed their gratitude for how kind and caring Officer Wodtkey was to all the residents at an event held at Greencroft. They presented him with a certificate of appreciation.

Miranda Cripe read a letter from Dan Holderread's mother.

ACCOUNTS PAYABLE VOUCHERS:

The following Accounts Payable Vouchers were reviewed and approved on a motion by Dan Shoup and seconded by Scott Miller and Chuck Teall. The motion passed with a voice vote. Miranda Cripe abstained from the vote.

Accounts Payable Vouchers payroll –11/16/2023	\$144,553.97
Accounts Payable Vouchers – November 20, 2023	\$367,056.09

UNFINISHED BUSINESS:

The Council once again discussed the Utilities Rates as presented by Baker Tilly's Jeff Rowe. After much discussion, Dan Shoup motioned to move ahead with the rate increases and to have Jackson Beck begin the ordinance process according to the recommendations. Chuck Teall seconded the motion and it passed with a voice vote. The rate increase will be phased in in three (3) phases. 2024 – 21.54%, 2025 - 10% and 2026 – 10%. The increases would go into effect on April 1st of each year.

NEW BUSINESS:

Chris Stager presented an update from the Economic Development Corporation of Elkhart County.

“Addendum No. 1 to Expense Reimbursement Agreement Dated November 22, 2022” was presented. This addendum allows for a percentage of the Town Manager's salary to be paid by the Redevelopment Commission. A total of \$30,000.00, \$3,000.00 from the Downtown TIF District and \$27,000.00 from the Elroy Drive Industrial Park TIF District will be reimbursed with 50% going into the General Fund checking account, and 25% each into Water and Wastewater Funds' checking accounts. Chuck Teall motioned to approve the Addendum and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe presented an Interlocal Agreement with INDOT for the 2023-02 Community Crossings Matching Grant funding. The Town will receive \$630,210.97 for the East Warren Street Utility Reconstruction Project. Scott Miller motioned to approve the Interlocal Agreement and Karl Miller seconded. This passed with a voice vote.

Mary Cripe is asking for approval on a new lease agreement between the Town of Middlebury and the United States Postal Service for the parking lot. The new agreement is for \$12,376.00 a year for five (5) years. Chuck Teall motioned to approve the new lease agreement and the Commission Agreement with Jones Lang LaSalle Americas, Inc. for \$2,475.00 and Dan Shoup seconded. This passed with a voice vote.

The Town Council considered proposed Ordinance No. 681-I – “An Amendment to the Town of Middlebury 2023 Salary Ordinance”. This amendment is for the promotion of Cole McClain to Foreman of the Wastewater Department. Dan Shoup motioned to approve the amendment and Scott Miller seconded. This passed with a voice vote.

Marshal Robert Baker is requesting to hire James Garris for a Deputy II position. Scott Miller motioned to approve the hiring and Karl Miller and Dan Shoup seconded. This passed with a voice vote. He will start after the first of the year.

Jackson Beck presented proposed Middlebury Town Council Resolution No. 2023-07 – “Resolution Authorizing the Loan of Money from the Riverboat Fund for Professional Services for Proposed Water System Improvements”. The loan is in the amount of \$346,000.00 and will be paid at the time of the SRF loan closing. Scott Miller motioned to approve Resolution No. 2003-07 and Dan Shoup seconded. This passed with a voice vote.

DEPARTMENT REPORTS:

Water Department – Another meeting is planned regarding the new meter installation.

Public Works Department – The leaf truck is repaired and working well. The concrete floor has been poured for the new building.

Wastewater Department – No report.

Park Department – Enough funds were received for the Patronicity Grant. The Town will receive the full \$50,000.00. The trees for the decorating contest are all up.

Police Department – Bryan Wodtkey went to a training presented by the FBI. It has already been used to catch scammers.

ANNOUNCEMENTS:

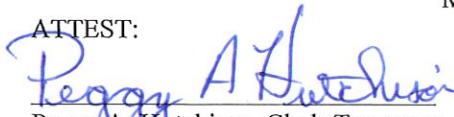
- a. Thanksgiving Holiday – Town Offices Closed on November 23 and 24
- b. Gingerbread Jamboree on December 1, 2, & 3 at Middlebury Community Historical Museum
- c. Lighting of the Christmas Tree Downtown on Saturday, December 2 from 6:00pm – 7:30pm
- d. Town Council Meeting on December 4, 2023, at 6pm at Town Hall
- e. Elk. Co. Redevelopment Commission on December 7 at 2pm at Elk. Co. Adm. Bldg.

The meeting was adjourned.



Miranda Cripe, Town Council President

ATTEST:



Peggy A. Hutchison, Clerk-Treasurer