

December 18, 2023

The Town Council of the Town of Middlebury met in regular session at the Town Hall, Middlebury, IN at 6:00 pm, December 18, 2023. The meeting was called to order by Council President, Miranda Cripe. 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:

Dan Shoup moved to approve the minutes from the December 4, 2023 meeting. Scott Miller seconded, and the motion passed with a voice vote.

PUBLIC COMMENTS:

Mrs. Monroe inquired about her yard. She was asking for an update on the release. Miranda will get back with her regarding the hill and her other concerns. She also stated the pipes broke when the new water meter was installed.

Chuck Teall commented on how many compliments he has received regarding the downtown Christmas decorations.

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 Vouchers payroll –12/14/2023	\$153,085.15
Accounts Payable Vouchers – December 18, 2023	\$529,798.15

UNFINISHED BUSINESS:

Miranda Cripe opened the bids for the East Warrant Street Sanitary Sewer extension. The bids are attached. Dan Shoup moved to take the bids under advertisement and Scott Miller seconded. This passed with a voice vote.

Mary Cripe led a discussion on the funding for the River Mill Trail Project. She would like permission to ask the county for TIF funds to complete the funding. Chuck Teall stated he did not want to use TIF for trail purposes. He thinks TIF funds should be used for infrastructure and roads. He then made a motion to approve the contract for the main project and include Alternate D and Dan Shoup seconded. This passed with a split vote. Dan Shoup, Chuck Teall and Miranda Cripe voted yes, and Scott Miller and Karl Miller voted no. Alternate E will not be completed until more funding can be raised.

Jeff Rowe from Baker Tilly explained the new water and sewer rate ordinances. After Jeff's explanations, a public hearing was held for the Water Rate Ordinance No. 345-H – "Water Rate Ordinance, An Ordinance Amending and Establishing Rates and Charges for the Use of and Services Rendered by the Waterworks System of the Town of Middlebury, Indiana." Upon hearing no public comments, Dan Shoup motioned to close the public hearing and Chuck Teall seconded. This passed with a voice vote. Then Karl Miller motioned to approve Ordinance No. 645-H and Dan Shoup seconded. This passed with a voice vote.

A public hearing was held for the Sewer Rate Ordinance No. 694 – "Sewer Rate Ordinance, An Ordinance Amending a Schedule of rates and Charges to be Collected by the Town of Middlebury from the Owners of Property Served by the Sewage Works of said Town and other Matters Connected therewith." Upon hearing no public comments, Dan Shoup motioned to close the public hearing and Karl Miller seconded. This passed with a voice vote. Then Chuck Teall motioned to approve Ordinance No. 694 and Dan Shoup seconded. This passed with a voice vote.

NEW BUSINESS:

Mary Cripe is seeking approval for the 2024 Town Holiday schedule. Chuck Teall motioned to approve the schedule and Scott Miller seconded. This passed with a voice vote.

The 2024 schedule for the 2024 Town Council Meetings was also presented. Scott Miller motioned to approve the schedule and Karl Miller seconded. This passed with a voice vote.

Resolution 2023-08 – “Resolution of the Town of Middlebury, Indiana for 2024 Employment Appointments” was presented. Dan Shoup motioned to approve Resolution 2023-08 and Scott Miller seconded. This passed with a voice vote.

Ordinance No. 693 – “Town of Middlebury 2024 Salary Ordinance” was also presented. Chuck Teall motioned to approve Ordinance No. 693 and Dan Shoup seconded. This passed with a voice vote.

Mary Cripe presented an “Agreement in Lieu of Annexation” for LEJN, LLC, an Indiana limited liability company. This is for Brightstar’s property at 11751 County Road 12. After some discussion, Chuck Teall motioned to approve the agreement and Scott Miller seconded. This passed with a voice vote.

A contract with Donohue for the Water Department’s on call service was presented. This is to assist with the design of the SCADA improvements during the design phase. The contract is in the amount of \$25,000.00. Dan Shoup motioned to approve the agreement and Chuck Teall seconded. This passed with a voice vote.

Approval is also being requested for a contract with Donohue for Powell Lift Station engineering services. This is for part time construction inspection services on the Powell Lift Station Project in the amount of \$182,400.00. Chuck Teall motioned to approve the agreement and Dan Shoup seconded. This passed with a voice vote.

DEPARTMENT REPORTS:

Water Department – So far, they have changed about 1/3 of the water meters.

Public Works Department – The new building addition is going well. Leaf pickup is complete for 2023.

Wastewater Department – Nothing to add to the report.

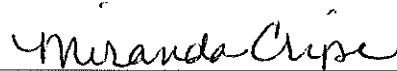
Park Department – Nothing to add to the report.

Police Department – Jason Peters wife passed away.

ANNOUNCEMENTS:

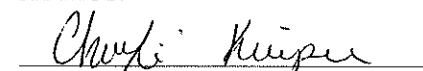
- a. Park Board Meeting on December 20, 2023 at 3pm at Town Hall
- b. Elk. Co. Board of Zoning Hearing Officer on Dec. 20, 2023 at 8:30am at Elk. Co. Adm. Bldg.
- c. Elk. Co. Board of Zoning Appeals Meeting on Dec. 21, 2023 at 8:30am at Elk. Co. Adm. Bldg.
- d. Redevelopment Commission Meeting on December 21, 2023 at 7:45am at Town Hall
- e. Town Council Meeting on Friday, December 29, 2023 at 7:30am at Town Hall
- f. Elk. Co. Plat Committee Meeting on January 11, 2024 at Elk. Co. Adm. Bldg.
- g. Elk. Co. Plan Commission Meeting on January 11, 2024 at 9:30am at Elk. Co. Adm. Bldg.

The meeting was adjourned.



Miranda Cripe, Town Council President

ATTEST:



ChaLi' Kuiper, Clerk-Treasurer elect