

COMMON COUNCIL
2d Floor City Building, 202 S. Union Street
April 3, 2023, 6:00 P.M.

Mayor Werling called the meeting to order at 6:05 p.m. Those in attendance rose for the pledge of allegiance.

Clerk-Treasurer Aldrich called the roll. Present were Spencer Kingery, Cody Nelson, and Dave Weckerly. Mike Isley attended via Zoom. Sandra Flora was absent.

Minutes from the March 6, 2023 meeting were presented. Cody Nelson moved to approve. Second by Spencer Kingery. Without objection, the minutes were approved as presented.

Minutes from the March 22, 2023 special meeting were presented. Cody Nelson moved to approve. Second by Dave Weckerly. Without objection, the minutes were approved as presented.

At 6:07 p.m. the regular meeting was suspended and the public hearing on Additional Appropriations was opened. Gayle Conner, 510 E. Franklin, presented numbers which she said showed that the City would be in deficit by the end of the year if all of the projects on the agenda were approved and implemented. She urged the Council to take a hard look at their spending. Conner said that she had been in communication with SBOA and DLGF and that SBOA indicated that most communities wait to transfer funds from the General budget to Rainy Day until closer to the end of year to see what surplus they have. Doyle Moore, 205 Riley Road, asked if Conner's information was correct. Mayor Werling stated that it was not and indicated that Ross Hagan from Baker Tilly was on the Zoom call and would address the City's finances during his presentation. Clerk-Treasurer Aldrich pointed out that \$502 thousand of the \$2 million requested in the additional appropriation had been transferred in 2022 and was reflected in the year end fund balances. Due to an error in counting days from public notice to the public hearing in 2022, the additional appropriations could not be entered into Gateway. DLGF and Baker Tilly suggested that the funds be transferred and that the public hearing for the additional appropriation be readvertised. The public hearing was closed at 6:17 p.m.

The public hearing on the Build, Operate , Transfer (BOT) agreement for the Delphi Drinking Water and Street Department Maintenance Building and Office was opened at 6:17 p.m. Matt Spidel of Butler, Fairman & Seufert indicated that BW Construction was the only firm that had responded to an RFPQ in the Fall 2022. The building would be a 24,000 square foot facility with six bays for the Water Department and six bays for the Street Department with a shared office between the maintenance bays. The building would be located off Carrollton Road by Well #5 on property owned by US Aggregates and leased to the City for 50 years with renewable 10-year leases following the term. There being no public comment, the public hearing was closed at 6:20 p.m. and the Council meeting resumed.

REPORTS

Mayor Werling reported that Broadway Broadband had laid 30,000 feet of conduit or Phase I of the fiber project and would begin pulling fiber cable through the conduit and making connections. BB is in negotiations with CWREMC and Duke Energy for pole connections in other areas of the city and for the connection to the main trunk just east of Flora. If all goes as planned, BB could begin with services in the

Phase I area within a month.

Without objection department reports were included by reference into the minutes.

OTHER BUSINESS

Julia Leahy, Executive Director of the Carroll County Chamber of Commerce and Amy Beechy updated the Council stating there were 18 new members in 2023 to date. The BizExcel 8-week training program is underway. Also discussed was the \$30,000 set aside in the 2023 budget to begin a revolving loan program for Delphi businesses.

Mayor Werling indicated that additional CDBG funds for COVID-19 business relief were being made available through OCRA for those communities that had received funding in Phase III of the program. Werling asked Julia Leahy what she had heard about needs from the community. Leahy described that at least two businesses had said they would apply for assistance. Retail sales are flat and the cost of supplies has increased in some cases by more than double. JT Doane on behalf of Delphi Main Street stated that some businesses were still struggling and could use assistance. Werling stated that a letter of interest needed to be sent to OCRA by April 20. The City asked for \$250,000 in Phase III. Two rounds of grants were needed to award the funds. Spencer Kingery moved to apply for \$125,000 from OCRA. Second by Cody Nelson. Motion carried. (4-0 Ayes: Isley, Kingery, Nelson, Weckerly)

UNFINISHED BUSINESS

Proposed Ordinance 2023-3, read by title alone, to re-establish the Board of Parks and Recreation, was presented on second reading. Spencer Kingery moved to approve Ordinance 2023-3 on second reading. Second by Cody Nelson. Motion carried. (4-0 Ayes: Isley, Kingery, Nelson, Weckerly)

Spencer Kingery moved to suspend the rules and pass Ordinance 2023-3 on third and final reading. Second by Cody Nelson. Motion carried. (4-0 Ayes: Isley, Kingery, Nelson, Weckerly)

Spencer Kingery moved to pass Ordinance 2023-3 on third and final reading. Second by Cody Nelson. Motion carried. (4-0 Ayes: Isley, Kingery, Nelson, Weckerly)

An agreement between the City of Delphi and BW Construction was presented outlining the terms of the Build Operate Transfer arrangement for the Water and Street Department Maintenance and Office building by Well #5. BW Construction agrees to provide design services for the project at a cost of \$60,000 resulting in a Guaranteed Maximum Price for the construction. If the project proceeds, the design fee will be part of the BOT; if not, the City will pay the \$60,000 design fee and will own the plans. Cody Nelson moved to approve the agreement. Second by Spencer Kingery. Motion carried. (4-0 Ayes: Isley, Kingery, Nelson, Weckerly)

Mayor Werling stated that no financial commitments were being sought at the meeting, but asked Ross Hagan of Baker Tilly to explain the analysis of possible funding sources for the project. Hagan indicated that the expected cost of the project would be \$2.5 million. Hagan stated that the projections stated earlier in the evening by Ms. Conner were incorrect by failing to account for the income that the City has and will receive during 2023. After factoring in the set-asides for residential development, sidewalk funds, and matches for CCMG, the available funds are \$5,230,000. Proposed funding sources for the \$2.5 million building would still leave the City with over \$2 million in reserves. Mayor Werling asked how Water would participate in funding the project. Hagan said that the City could enter a lease agreement

with the Water Department. Second would be payment in lieu of taxes from the Water Utility based on the assessed value of the assets. Advantage to the latter is that it can vary annually. (The analysis is attached to these minutes for future reference.)

NEW BUSINESS

Resolution 2023-5 was introduced to Approve Additional Appropriations. The \$1.5 million appropriation from General to Residential Development Fund established for the set-aside of reserves by Council for the purpose of residential development. The \$1.5 million creates an operating fund for the match of READI dollars. The remaining \$501,808.56 was previously approved in December, however, due to an error in counting the days from public notice to public hearing, the additional appropriation amounts could not be entered into Gateway. Based on the recommendations from Dan Hedden, DLGF, and SBOA, the amounts were transferred and did appear in the year end fund balances for 2022. Cody Nelson moved to pass Resolution 2023-5. Second by Dave Weckerly. Motion carried. (4-0 Ayes: Isley, Kingery, Nelson, Weckerly)

Resolution 2023-6 Approving the Transfer of Funds to Rainy Day was presented. Clerk-Treasurer Aldrich indicated that this was likely the last year in which DLGF would allow 15% of the budget to be transferred into Rainy Day; next year it would likely return to 10%. Spencer Kingery moved to approve Resolution 2023-6. Second by Cody Nelson. Motion carried. (4-0 Ayes: Isley, Kingery, Nelson, Weckerly)

Resolution 2023-7 was presented amending Resolution 2022-20 and approving additional match for the READI Residential Project from \$1 million to \$1,498,920 representing the total amount available to Carroll County in READI 1.0. The resolution would also authorize the Mayor to send a revised commitment letter for the funds. The City of Delphi has submitted the apartment project on Front Street to the READI portal. Due diligence is well underway, the properties have been secured by the developer, and all that is remaining are Geotech results and title commitments. The developer and the project will be announced at an open house later this month and the project is expected to move very quickly with groundbreaking this summer and apartment leasing by late summer 2024. Mayor Werling indicated that a RFPQ issued for Utility and Infrastructure for the Front Street apartments had been publicly advertised as authorized by Resolution 2022-14. Statements of Qualifications are due by 3:00 p.m. on April 7 and will then be reviewed and scored by a committee and would likely come before Council to approve a design agreement like that approved tonight for the Maintenance Building. Spencer Kingery moved to approve Resolution 2023-7. Second by Cody Nelson. Motion carried. (4-0 Ayes: Isley, Kingery, Nelson, Weckerly)

Mayor Werling briefed the Council on a proposed Interlocal Agreement with the County regarding Old SR25. In early 2021, the City learned that INDOT planned to replace the bridge over Deer Creek on Old SR 25. The City and Carroll County are part of the Wabash River Greenway steering committee which has been working for many years on establishing a trail corridor along the Wabash River from Logansport to Cicott Park. As part of this discussion, the Greenway project hopes to establish a bicycle route from Prophetstown State Park to connect with the Delphi Historic Trail System. Old SR 25 would be part of this route. In June 2021, the mayor asked INDOT to consider adding a separated lane for bicycle and pedestrians on the new bridge and to consider adding a tunnel under the bridge, much like the pedestrian tunnel on US 421/SR39/SR18 at Pizza Hut. The separated lane and tunnel were expected to add \$900,000 to \$1.4 million to the project costs, as estimated by INDOT's design consultant Hanson

Engineering. That funding would have to come from local sources that might include funds from the City, the County, and the Wabash River Greenway.

INDOT then suggested that the costs might be borne by the State if the County agreed to accept the transfer of Old SR25 from the Tippecanoe County line to the traffic light at the Dairy Queen along with sections of the old road by Rockfield and Burrows. The road transfer was discussed by INDOT with the County Commissioners at a meeting on December 14, 2022. The Commissioners present saw the advantage to the bridge and tunnel if it didn't cost the County anything. The possibility of City-County shared maintenance on the segment from County Line to the DQ traffic light. With City-owned facilities at the Wastewater Treatment Plant and Trailhead Park, this seemed logical although no commitments were made. At the March 6th meeting of the Commissioners, INDOT presented a road transfer agreement, and, after much discussion, the agreement was signed by the commissioners with a contingency clause that an interlocal maintenance agreement be worked out between the City of Delphi and the County before June 30, 2023. The attorneys for the County and City are drafting such an agreement based on a checklist of requirements agreed to by the parties.

Resolution 2023-8 was presented to Approve an Application and Match Commitment of \$625,000 for a READI Wabash River Greenway Trails Project and Authorizing a Letter of Commitment of Funds. The project must be submitted into the portal by June 30, 2023 and funds expended by June 30, 2026. The trail project proposed would create an ADA-compliant trail from Carrollton Road to the Red Bridge Settlement area at Canal Park. A second project could be the connector from the separated lane on the bridge over Deer Creek to the trail system and tunnel under the bridge. Cody Nelson moved to approve Resolution 2023-8. Second by Dave Weckerly. Motion carried. (4-0 Ayes: Isley, Kingery, Nelson, Weckerly)

Chief Brook McCain updated Council on the Take-Home Car project stating that he and Leanne were working to submit a grant to USDA for funding part of the cost of additional cars. Three quotations were required for the grant. The Minnesota quote remained the lowest. Chief McCain will secure the three cars with a \$5,000 deposit for each. Clerk-Treasurer Aldrich added that the RDA grant was a reimbursement grant and that the City could pay for the cars and submit a claim for reimbursement at a later date.

MISCELLANEOUS BUSINESS

Mayor Werling provided updates on the BOT Clarifier Project, thanked those who attended the March 22nd public discussion on rental property registration and inspection, and reminded the Council that the State of the City address would be made on Friday, April 14th at the Chamber of Commerce luncheon at the Canal Center.

CLERK-TREASURER COMMENTS

Clerk-Treasurer Aldrich questioned the sustainability of the Police Department budget which has grown from \$487,000 to \$714,000 and from six officers to nine officers. The take-home car policy will add two additional cars in 2022 and in 2023 for a total of ten cars in a town with fewer than 20 miles of road. Aldrich would like to ask Dan Hedden to appear at the May 1st Council meeting to address the issue of sustainability of the take-home car program and Police Department budget. Aldrich stated that Hedden could also address the claims made earlier in

the evening concerning the financial position of the City. Had the individual approached her first, she could have provided the correct information. The consensus was to invite Mr. Hedden to address the Council on May 1, 2023.

PUBLIC COMMENTS

Dale Seward, 222 E. Franklin Street, thanked C-T Aldrich for due diligence on police cars. Seward stated that traffic counts on Old SR25 show 4,000 vehicles daily on the section of road with the bridge over Deer Creek with many of those vehicles being trucks hauling stone. Seward expressed concern about the safety of bicyclists and pedestrians on the bridge even with a separated lane.

Max Kaser, 109 N. Lafayette Street, stated support of having at least one extra squad car as a backup should vehicles break down. Kaser asked if 71.09 had been addressed since it was passed. Mayor Werling stated that no additional action had been taken. Truckers need places for trucks to park overnight and go home to their neighborhoods in Delphi. Truckers living in Delphi will have to find alternatives for overnight parking once the apartment building breaks ground since Bradshaw's lot will no longer be available. Kaser asked that the City consider changes to the ordinance that would go to axle weight that would allow bobtails, box truck, utility trucks while limiting loaded trucks to US421. Mayor Werling asked Kaser to submit any research he has done to be shared with Council. Kaser added that federal government is giving grants HR2187 focused on communities with high truck population but without resources like truck stops for overnight parking.

There being no further public comment, Spencer Kingery moved to adjourn. Second by Cody Nelson. Without objection the meeting adjourned at 7:38 p.m.



Mayor Anita Werling



Clerk-Treasurer, Leanne Aldrich, Attest