

## COMMON COUNCIL

FEBRUARY 6, 2017

7:00 P.M.

Mayor Shane Evans opened the meeting for business and led council members and guests in the pledge of allegiance to the flag.

Roll call was given and the following council members were present: Richard Traeger, Mike Shockley, Dale Seward and Carolyn Pearson. Brian Garrison was absent.

Minutes from the meeting held on January 3, 2017, were presented for approval or amendment. Carolyn Pearson made a motion to approve the January 3, 2017, minutes. Second Dale Seward. Motion carried. (3-0) Dick Traeger abstained.

### Executive Reports:

Area Plan – Dale Seward distributed a Summary Report for their January meeting.

Community Center – Dale Seward advised they have hammered out issues with plans for some bid quotes. This has been extended 30 days to get the bids taken care of.

Clerk-Treasurer's Office – Dale Seward gave a summary report on behalf of Leanne Aldrich, Clerk-Treasurer. It was discovered January 29th by Leanne \$18,000.00 had been defrauded by unauthorized transactions made directly from the City's financial institution. The unauthorized withdrawals were immediately reported to the financial institution upon discovery. All but approximately \$400 was returned by the financial institution to the City's account. Steve Mullin, Police Chief, advised the Delphi Police Department is investigating with the cooperation and assistance of the Indiana State Police.

### Public Hearing Petition for Vacation of Utility Easement:

The parties involved: Trish and Mark Mendell, owners of Blue Moose and property owners, Rick Paul and Mark and Kathy Bell. Legal representation for the Bells is Mr. Ramirez. The situation was discussed between the property owners and Council members. It was decided there was not enough information to make a decision at this time. Dick Traeger made a motion to table this until our next meeting. Second by Mayor Shane Evans to table.

### Delphi Redevelopment Commission:

The Council reappointed Anita Werling and Kevin Gaskill was appointed for the first time to the group. Motion made by Dale Seward to approve Anita Werling and Kevin Gaskill to the Delphi Redevelopment Commission. Second by Carolyn Pearson. Motion carried. (4-0)

### Multi-Axle Traffic on E. Main Street:

This ordinance, if passed and adopted on third reading, would restrict vehicles by gross vehicle weight rating or combined gross vehicle weight rating on East Main between Washington Street

and CR 300 N. Carolyn Pearson made the motion to approve Ordinance 2017-2 on second reading. Second by Dale Seward. Motion Carried. (4-0)

#### Bad Check and Reconnection Charges:

This ordinance, if passed and adopted on third reading, would increase the reconnection charge for water users from \$25 to \$50, and would increase the charge on returned checks, rejected or declined charges from \$25 to \$27.50 or 5% (but not more than \$250) of the amount due. Dale Seward made the motion to approve Ordinance 2017-3 on second reading. Second by Dick Traeger. Motion carried. (4-0)

#### Zoning for 731 W. Franklin Street:

Mr. Andy Royal passed out information to Council members. This ordinance, if passed and adopted on third reading, would zone 731 W. Franklin Street as B-2. The address does not currently have a zoning designation from the City of Delphi. A motion was made by Dale Seward to approve Ordinance 2016-22 on second reading. Second by Carolyn Pearson. Motion carried. (4-0)

#### 2017 Council Budget for Attorney:

Carolyn Pearson advised of searching for legal representation for the Council and has made a decision as to Council representation. Dick Traeger mentioned he was not aware of any of this. Carolyn reminded him last year it was put in the budget for this year. It was decided a good fit for the City would be Eric Burns of Withered Burns as general counsel due to his representation of big cities and towns.

and small

#### Addition to Agenda - Bed and Breakfast:

Mayor Shane Evans advised the Council of Area Plan Commission's favorable recommendation for the amendment of the Delphi Zoning Ordinance to allow Bed and Breakfast in a U-1 district as a special exception by the Board of Zoning Appeals. The document proposed will be amended into the standard form of an ordinance and will be presented for first reading at the March meeting. Dale Seward made the motion to approve the amendment. Second by Carolyn Pearson. Motion carried. (4-0)

#### New Business:

Dick Traeger reintroduced Ordinance 2017-5, Snow and Ice Removal from Sidewalks. This ordinance failed to receive a second on the motion for passage on first reading. Mr. Traeger advised two constituents asked him why we didn't do anything about it. Carolyn Pearson advised she has had people tell her they would pay the \$10 fine instead of paying \$25 to get their sidewalk shoveled. Dale Seward believes it would be best to communicate with the public and get the word out so people are aware. Sharon Milburn asked why the south hill sidewalk was not cleaned off. Aaron Lyons, Street Superintendent, advised due to the weather changing, it was not able to get done. Also, the State will continue to plow and throw the snow onto the sidewalk. City Attorney, McKenzie Martin, advised it would be good to have something on the

books dealing with snow and ice removal. A discussion ensued. Dale Seward said he was not in favor of it. Mayor Evans advised Ordinance 2017-5 failed.

**Elevator – City Building:**

A discussion ensued concerning an elevator. Previous estimates were discussed. It was decided the best route to go would be to apply for an OCRA grant to meet ADA requirements in making the Fire Department a meeting area. Fire Chief Darrell Sterrett believes October-November their building should be done so the trucks will be out of the City Building.

**New Parking Spaces:**

Dale Seward advised he has been able to come up with 2 to 3 parking spaces that would be in front of the Office Tavern. This would be an amendment to Delphi Code Chapter 76 Parking Schedules to amend the M6 and M8 zone from no parking to two hour parking. The City Attorney will draft an ordinance to be presented for first reading at the March meeting.

**Vehicle Signage:**

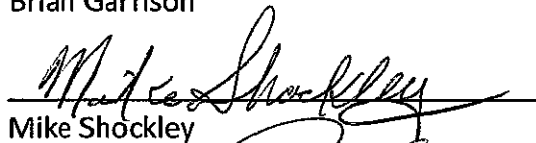
Dale Seward wants to make sure all vehicles belonging to the City have identification on them. We owe it to the citizens to keep them safe; the community could get hurt or scammed. Also, trucks not being marked as property of the City could become a liability. The Mayor advised this should have been brought to the attention of the department heads or to him instead of a public meeting. A discussion ensued in which vehicle signage would be on City vehicles.

The meeting adjourned at 8:13 P.M.



Mayor Shane Evans

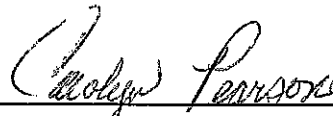
Brian Garrison



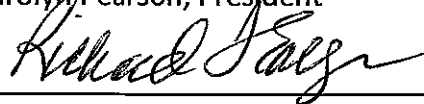
Mike Shockley



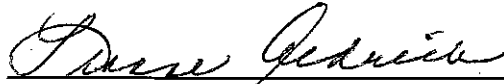
Dale Seward



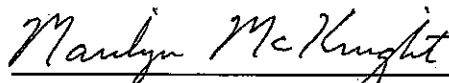
Carolyn Pearson, President



Richard Traeger



Leanne Aldrich, Attest



Marilyn McKnight, Attest

In Place of Leanne Aldrich