

COMMON COUNCIL  
OCTOBER 2, 2017  
7:00 P.M.  
FIRE STATION – CITY HALL

Mayor Shane Evans called the meeting to order and led in the pledge of allegiance.

Roll call: Council President Pro Tempore Pearson, Councilman Garrison, Councilman Seward, Councilman Shockley, and Councilman Traeger were present.

Minutes from the meeting held September 5, 2017 were presented for approval. Council President Pro Tempore Pearson made the motion to approve the minutes. Second by Councilman Traeger. Motion carried (5-0).

Minutes from the meeting held September 18, 2017 were presented for approval. Council President Pro Tempore Pearson made the motion to approve the minutes. Second by Councilman Shockley. Motion carried (5-0).

Executive Reports:

Brenda Daly supplemented the minutes of the Community Center meetings by informing the Council she had received \$320 more in private donations for the Community Center.

Councilman Seward provided a verbal report of the Area Plan Commission, informing the Council that the APC provided a favorable recommendation on a zoning change for the Dock and a favorable recommendation on assigning zoning designations within the City of Delphi to properties which had not been assigned a zoning designation.

Teresa Maxwell of the Americus Area Community Coalition provided the Council with a presentation regarding the proposed Rogers Quarry near Americus. She informed the Council that the Carroll County Commissioners would be providing a resolution stating their opposition to the quarry. The Tippecanoe County Board of Zoning Appeals will meet on October 25, 2017 at 6 p.m. to discuss the matter. Councilman Seward asked Ms. Maxwell if the river backed up, how could it change the flow of the Wabash? Ms. Maxwell informed the Council that the blasting and pressure from backed up water could impede the levee and could also impact the Teay's River Valley. Councilman Shockley stated the city's levee was breached by Bicycle Bridge Road recently. Ms. Maxwell stated that she has a levee on bicycle bridge road, and some properties in Tippecanoe County may be over burdened and be treated as an island. She stated there is a meeting of the AACC on October 19 at the Leisure Time Camp near Americus.

Carroll County Economic Development Director Laura Walls provided the Council with an update on the EDC. She showed the Council the Close Up from 2016 and stated they have received 25 good leads from site selectors and 13 leads from the State of Indiana. Ms. Walls went to New York and Atlanta this year to meet with site selectors. She stated she failed both the Andersons and the City of Delphi by not reaching a middle ground on the East Main Street truck ordinance. She stated she had been working with the owners of Peters Industrial Park and that they have are doing well. She stated she works closely with Indiana Packers Corporation and that Project Chill was announced. She stated she worked with the Carroll County Redevelopment Commission to provide the road upgrades as an incentive to IPC locating Project Chill in Delphi. She stated IPC currently has hundreds of jobs to fill. She noted that the

EDC administers the Delphi RDC and that they are hopeful the Delphi RDC will have Tax Increment Financing Funds in 2018. She invited the Council to the Stellar Closing Ceremony on October 26 at 1 p.m. at the Opera House and asked President Pro Tempore Pearson if she would speak. Councilman Shockley asked Ms. Walls if she had talked to Steve Smith about access from US 421 to his property. Ms. Walls stated that EDC had contacted their engineers and that the driveway to the property is for residential use only through INDOT. She stated that the EDC had developed development plans with the County RDC and that the best option for access to the Smith Property may be from a future roadway off the Methodist Church driveway. President Pro Tempore Pearson inquired as to whether the EDC provides financial reports. Ms. Walls stated that they have financial reports and are audited annually and that she could provide those reports to the Mayor to distribute to the Council. Councilman Garrison asked what the City of Delphi could do to help development of the HHIP? Ms. Walls responded that utilities are the largest factor – increased water and sewer supply could aid in development. She noted that other communities have also put EDIT funds toward a job training fund. Councilman Garrison asked if the EDC had lost opportunities due to the capacity of the City of Delphi's water and sewer infrastructure. Ms. Walls responded that she has not seen that yet, but the EDC targets certain users knowing the capacity of the City of Delphi water and sewer systems. Ms. Walls also noted that the City of Delphi has been great to work with and that intergovernmental cooperation and relationships are important county wide.

Chief Sterrett informed the Council that two firetrucks were hit by a semi loaded with grain on the Owasco Bridge recently. He commended the firefighters for parking the trucks defensively. The semi hit the rescue truck then struck the side of the new engine. He believes \$20,000 to \$30,000 in damages have been done to the new engine. He believes the adjuster should be coming in to look at the rescue truck this week. The big engine will go to Illinois this week and should be back in four to five weeks. He noted that the semi came to rest within four to five feet of an ambulance which had five people in the back.

#### New Business:

Proposed Ordinance 2017-12, *Ordinance Title VII, Chapter 70.061 titled Axle Restrictions Upon Vehicles Using Certain Roadways and Ordinance Title VII, Chapter 75 titled 'Traffic Schedules,' Schedule IX.* Councilman Seward stated that it should not be brought to a vote tonight due to the timing issues as it requires unanimous consent of the Council to pass an ordinance on the same day as introduction. Councilman Traeger stated two people had called him and ten people had stopped him on the street regarding the proposal to allow trucks back onto East Main Street. Councilman Shockley provided that four people had called him and others had talked to him and that about half were for allowing trucks back on East Main and about half were opposed. President Pro Tempore Pearson stated that a representative from the Anderson's was present. Jim Cripe of the Anderson's stated that the business is put in a tough spot as about a quarter of their business comes from North and West of Delphi. He stated their engineers believe there would be negligible damage to the streets due to the truck traffic as it is straight and does not change grade much. Councilman Garrison stated he had talked to representatives from restaurants downtown and they thought it was a bad idea. He stated one individual misunderstood and believed the state still controlled the roadway. There was no motion to pass proposed Ordinance 2017-12.

#### Proposed Ordinance 2017-13, *City of Delphi 2018 Budget.*

Amendment (A). Mayor Evans provided a proposed amendment "Ordinance 2017-13(A)" which amended twenty-one line items:

1. 101001120	Gen – Insurance	from \$250,000 to \$265,000;
2. 101001121	Gen – FICA Med	from \$50,000 to \$52,500;
3. 101001123	Gen – PERF	from \$70,000 to \$80,000;
4. 101001393	Code Enforcer	from \$2,500 to \$20,000;
5. No existing line item	Gen – Comm. Cross.	from \$21,000 to \$0;
6. 101003390	Mayor – Promotional	from \$1,000 to \$2,500;
7. 101005114	Police – Patrolman	from \$0 to \$45,500;
8. 101005120	Police – Clothing	from \$4,000 to \$6,200;
9. 101005313	Police – Training	from \$7,000 to \$7,500;
10. 101005430	Police – Police Cars	from \$0 to \$15,000;
11. 101008312	Street – Engineering	from \$80,000 to \$101,000;
12. No existing line item	MVH – Comm. Cross.	from \$100,000 to \$0;
13. No existing line item	LRS – Comm. Cross.	from \$20,000 to \$0;
14. 444001111	EDIT – Grant Assistant	from \$0 to \$20,000;
15. 444001211	EDIT – Office Supplies	from \$0 to \$2,000;
16. 444001321	EDIT – Mileage	from \$0 to \$750;
17. 444001330	EDIT – Postage	from \$0 to \$2,000;
18. 444001395	EDIT – Main Street	from \$5,000 to \$10,000;
19. No existing line item	EDIT – Engineering	from \$100,000 to \$0
20. No existing line item	Rainy Day	from \$160,000 to \$100,000
21. No existing line item	Highway Relinquishment.	from \$280,000 to \$0

Councilman Traeger made a motion to amend proposed Ordinance 2017-13 as proposed by the Mayor. Second by Councilman Garrison. Motion failed (2-3) (Garrison and Traeger in favor. Pearson, Seward, and Shockley opposed.)

President Pro Tempore Pearson presented Amendment (B):

1. No existing line item	Gen – Comm. Cross.	from \$21,000 to \$0;
2. No existing line item	MVH – Comm. Cross.	from \$100,000 to \$0;
3. No existing line item	LRS – Comm. Cross.	from \$20,000 to \$0;
4. No existing line item	EDIT – Engineering	from \$100,000 to \$0
5. No existing line item	Rainy Day	from \$160,000 to \$100,000
6. No existing line item	Highway Relinquishment.	from \$280,000 to \$0

President Pro Tempore Pearson made a motion to amend proposed Ordinance 2017-3 as proposed by President Pro Tempore Pearson. Second by Councilman Shockley.

Mayor Evans asked if the President Pro Tempore would be open to amending her amendment to reflect:

1. No existing line item	Gen – Comm. Cross.	from \$21,000 to \$0;
2. No existing line item	MVH – Comm. Cross.	from \$100,000 to \$0;
3. No existing line item	LRS – Comm. Cross.	from \$20,000 to \$0;
4. No existing line item	EDIT – Engineering	from \$100,000 to \$0
5. No existing line item	Rainy Day	from \$160,000 to \$100,000
6. No existing line item	Highway Relinquishment.	from \$280,000 to \$0; and
7. 101008312	Street – Engineering	from \$80,000 to \$101,000;

President Pro Tempore made a motion to amend proposed Ordinance 2017-13 as stated immediately above. Second by Councilman Seward. Motion carried (4-1) (Pearson, Seward, Shockley, and Traeger in favor. Garrison opposed.)

Councilman Seward made a motion to pass Ordinance 2017-13, as amended, on first reading. Second by President Pro Tempore Pearson. Motion carried (3-2) (Pearson, Seward, Shockley in favor. Garrison and Traeger opposed.)

President Pro Tempore Pearson made a motion to suspend the rules of procedure to allow for passage of Ordinance 2017-13 on the same day as introduction. Second by Councilman Seward. Motion carried (5-0).

President Pro Tempore Pearson made a motion to pass Ordinance 2017-13, as amended, on second reading. Second by Councilman Shockley. Motion carried (4-1) (Garrison, Pearson, Seward and Shockley in favor. Traeger opposed.)

President Pro Tempore Pearson made a motion to pass Ordinance 2017-13, as amended, on third and final reading. Second by Councilman Shockley. Motion failed (3-2) (Pearson, Seward, and Shockley in favor. Garrison and Traeger opposed.)

Mayor Evans provided the Indiana Code citation that it requires a 2/3 vote of all the elected members, after unanimous consent of the members present to consider the ordinance to pass an ordinance of the Council on the same day or at the same meeting at which it is introduced. He stated that the Council would meet on Tuesday, October 3, 2017 at 7 p.m. at City Hall at which point proposed Ordinance 2017-13 would be presented on third reading.

Proposed Ordinance 2017-14, *An Ordinance Establishing Salaries for Elected Officials of the City of Delphi, from and after January 1, 2018*. Councilman Garrison made a motion to pass on first reading. Second by Councilman Traeger. Motion carried (5-0).

President Pro Tempore Pearson made a motion to suspend the rules of procedure to allow for passage of the ordinance on the same day as introduction. Second by Councilman Seward. Motion carried (5-0).

President Pro Tempore Pearson made a motion to pass proposed Ordinance 2017-14 on second reading. Second by Councilman Shockley. Motion carried (5-0).

President Pro Tempore Pearson made a motion to pass proposed Ordinance 2017-14 on third and final reading. Second by Councilman Shockley. Motion carried (5-0).

Proposed Ordinance 2017-15, *Establishing Wages for Certain Employees of the City of Delphi, from and after January 1, 2018*. Councilman Garrison made a motion pass proposed ordinance 2017-15 on first reading. Second by Councilman Traeger. Motion carried (5-0).

Councilman Traeger made a motion to suspend the rules of procedure to allow for passage of the ordinance on the same day as introduction. Second by President Pro Tempore Pearson. Motion carried (5-0).

President Pro Tempore Pearson made a motion to pass proposed Ordinance 2017-15 on second reading. Second by Councilman Garrison. Motion carried (5-0).

President Pro Tempore Pearson made a motion to pass proposed Ordinance 2017-15 on third and final reading. Second by Councilman Garrison. Motion carried (5-0).

Proposed Ordinance 2017-16, *Ordinance Assigning Zoning Designations to Properties within the City of Delphi Currently Unassigned*. President Pro Tempore Pearson made a motion to pass proposed ordinance 2017-16 on first reading. Second by Councilman Traeger. Motion carried (4-1) (Garrison, Pearson, Seward, and Traeger in favor. Shockley opposed.)

President Pro Tempore Pearson made a motion to suspend the rules of procedure to allow for passage of the ordinance on the same day as introduction. Second by Councilman Traeger. Motion failed (4-1) (Garrison, Pearson, Seward, and Traeger in favor. Shockley opposed.)

Mayor Evans noted the Indiana Code provides that a 2/3 vote of all the elected members, after *unanimous consent of the members present to consider the ordinance*, is required to pass an ordinance of the Council on the same day or at the same meeting at which it is introduced. He stated the proposed ordinance would be placed on second reading at the Tuesday, October 3, 2017 special City Council meeting at 7 p.m.

Resolution 2017-8, *A Resolution Initiating Proposal to Amend Ordinance to Include Language for AirBNB*. Councilman Traeger made a motion to pass Resolution 2017-8 on first and final reading. Second by President Pro Tempore Pearson. Motion carried (5-0).

#### Other Business:

Mayor Evans noted that Mark Mattox had provided a breakout of how much an elevator could cost and asked the Common Council to provide him with their thoughts on whether to install an elevator or lift or to move the Council Chambers to the first floor once the Fire Department relocates. President Pro Tempore Pearson provided that she recently had a lift installed personally and that the installer looked at City Hall and did not see code issues. Councilman Shockley noted that the price previously provided to the Council was \$176,000 or \$167,000. President Pro Tempore Pearson stated the price provided by Tecton was exorbitant and that the company she brought in could install a lift for \$60,000 or \$70,000. Councilman Garrison noted there is a bit of a fire hazard with the staircases. Councilman Traeger stated he agrees there is a fire hazard as you need two escape routes. He stated he believes it would be better to put the Council Chambers on the first floor.

Councilman Garrison stated the Council and Mayor had received a letter from a citizen who lives in his district. He stated there is a disconnect between the ordinances and how they are being enforced. He would like to see the city keep up with code enforcement.

#### Public Comment:

A member of the public said the city should let the people see what is going on with the water project.

A member of the public stated she came from a small town in Illinois that used to be beautiful but has become rundown. She asked the Council to think about code enforcing. She stated Delphi is a beautiful town but people are starting to get lazy. She stated she has seen it happen in her own hometown.

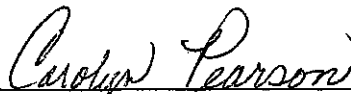
Brenda Daly stated she took two checks to the Clerk's Office for the Community Center. One for \$2,500 for the cabinets and counters, another for \$1,040.19 which is the combined donations and fundraisers. She stated the pork burger lunch provided \$557.19 in funds.

Councilman Seward informed the public that there is a hot dog lunch fundraiser at the Community Center on October 9 at 11 a.m.

Councilman Traeger made a motion to adjourn. Second by Councilman Garrison. Motion carried (5-0)



Mayor Shane Evans



Carolyn Pearson, President



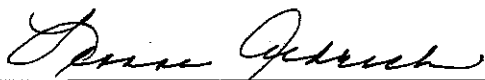
Brian Garrison



Richard Traeger

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Dale Seward

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Mike Shockley



Leanne Aldrich, Attest