

COMMON COUNCIL MEETING

July 5, 2022

6:00 P.M. Community Center

Mayor Werling called the meeting to order at 6:00 p.m. Those in attendance rose for the pledge of allegiance.

Clerk-Treasurer Aldrich called the roll:

Present were Gayle Conner, Sandra Flora, Spencer Kingery, and Cody Nelson (arrived late). Mike Isley was absent.

The minutes for the June 6, 2022 meeting were presented for review. Spencer Kingery moved to accept the minutes as presented. Second by Gayle Conner who asked that the minutes be amended to reflect that proposed Ordinance 2022-9 died after failing to be picked up from the table. Kingery agreed to amend his motion to that effect. Conner agreed to amend her seconding of the motion. Motion carried. (3-0)

Reports.

Sandra Flora reported that the Area Plan Commission was working on updating the subdivision ordinance and that number of building permits was down from last year.

Mayor Werling reported that the Fire Territory had discussed the 2023 budget and tentatively approved it subject to adoption by the territory boards scheduled for the July meeting.

Gayle Conner reported that the Delphi Redevelopment Commission had received an allocation of just over \$10,000 for the first half of 2022. Conner also reported that the DRDC was planning to extend the commercial TIF to an area north of The Andersons with plans for potential logistics development.

Other Business.

Halloween. Mayor Werling stated that requests for Halloween were being received and suggested that the date for city-wide Trick-or-Treat be set for Monday, October 31 for the hours 6:00 p.m. to 8:00 p.m. Spencer Kingery moved to accept the date. Second by Sandra Flora. Gayle Conner asked if the date could be moved to the weekend stating that many parents of school-age children were not happy with having it on a school night. Motion carried. (3-1) (Ayes: Flora, Kingery, Nelson. Nay: Conner)

2023 Budget. Mayor Werling asked to set the dates for the 2023 budget process which were approved by consensus as follows:

- Budget Workshop — Monday, July 18 at 6:30 p.m.
- Public Hearing — September 5 at 6:00 p.m.
- Budget Ordinances First Reading — September 19 at 6:30 p.m.
- Budget Adoption — October 3 at 6:00 p.m.

Matt Mavrick and Mike Baron from Broadway Broadband (BB) addressed the Council via Zoom to provide an update on start of the installation. Mavrick indicated that they were still negotiating permits with Duke Energy for use of poles in the service area. He stated that BB would begin running fiber underground from Indiana Packers Corporation to SR25 and would proceed underground from there if overhead permits were not secured. Baron indicated that BB was looking forward to being a good community partner and were already becoming a sponsor of the Bacon Festival. Mayor Werling asked that BB provide regular updates on the progress of installation.

Unfinished Business.

Cody Nelson and Sandra Flora were asked to report on their research regarding allowing golf carts and UTVs to operate within the corporate limits. Nelson reported that UTVs were already licensed by DNR and it was not clear if the City could issue permits on top of DNR's; golf carts could be licensed by the City. Sandra Flora said they were checking with other towns for issues encountered. Nelson indicated that usage might need to be restricted to within neighborhoods with safety a major concern. Nelson indicated that parking of golf carts is being considered. The police chief has not yet weighed in. Nelson plans to do a rough draft by editing an ordinance from another town and will present that to Council for review and Justin Barbour for editing. Nelson indicated that a sunset clause might be considered to try this out for a year. Tina Isaacs indicated that UTV owners would not object to paying the City an annual access fee if licenses were not allowed due to DNR. Nelson and Kingery indicated that safety features for vehicles and definitions would be a key item.

Proposed Ordinance 2022-8 amending the Noise Control Ordinance was presented on third and final reading. Gayle Conner moved to approve. Second by Cody Nelson. Motion carried. (4-0)

Proposed Ordinance 2022-13 Peddlers, Traveling Salesmen, and Solicitors was presented on second reading with the requested change from first reading that provided an exception from licensing for school fundraising events. Cody Nelson moved to approve Ordinance 2022-13 with the amended language exempting school fundraising events. Second by Spencer Kingery. Ordinance 2022-13 passed on second reading. (4-0)

Gayle Conner moved to suspend the rules to allow passage of Ordinance 2022-13 on third reading. Second by Spencer Kingery. Motion carried. (4-0)

Julia Leahy was recognized and asked if the farmers markets and artisans were also exempt. Conner responded that this ordinance was specific to door-to-door soliciting and salesmen indicating that events were covered through the sponsoring organization.

Cody Nelson moved to pass Ordinance 2022-13 on third and final reading. Second by Gayle Conner. Motion carried. (4-0)

New Business.

Resolution 2022-10 Approving the Additional Appropriation of Funds was presented to move \$75,000 from the General Fund to the Unsafe Building Fund as a starting balance and to move \$25,000 from the General Fund to the Ordinance Violations Fund as a starting balance. Cody Nelson moved to approve. Second by Spencer Kingery. Gayle Conner asked money could be moved when funds were not budgeted for the 2022 year. Aldrich indicated that the funds were both established. Conner expressed concern about spending money on 402 S. Washington Street. The property has a pending tax sale on. Also, Conner had spoken. Werling responded that the current resolution dealt only with moving money into the funds and was not authorizing expenditures. Discussion followed about the abatement process, billing, liens to property owners for unpaid invoices, and so on.

Proposed Resolution 2022-12 Accepting the donation of the Milroy Marker and Centennial Park from Ryan Brown was presented. Spencer Kingery moved to approve Resolution 2022-12. Second by Cody Nelson. Motion carried. (4-0)

Proposed Resolution 2022-13 to accept the donation of a lot on North Ruffing Street from C M Kerlin Elevator Inc. was presented. Mayor Werling indicated that the City would pay outstanding taxes on the property which total \$1,211.30. Spencer Kingery moved to approve Resolution 2022-12. Second by Cody Nelson. Motion carried. (4-0)

Proposed Resolution 2022-14 to adopt Indiana Code §5-23 referencing the Build-Operate Transfer means of funding public-private projects. Mayor Werling stated that the BOT is normally used to fund social infrastructure such as parking assets, courthouses, jails, fire stations, wastewater facilities, etc. Effective July 1, 2022 it has been expanded to include road, bridges, tunnels, and other transportation infrastructure investments. Werling indicated that BOT has been suggested as one means of funding part of the WWTP expansion project. It has also been suggested as a means to fund a parking structure as identified in the ROZI prospectus. Once adopted, an RFPQ would need to be issued seeking proposals for projects in specified areas with responses reviewed by BOW and Council. Cody Nelson moved to approve Resolution 2022-14. Second by Sandra Flora. Gayle Conner stated the resolution gives the Mayor and department heads authority to seek projects and asked if any were underway. Werling responded that Council would need to review RFPQs for any BOT projects before they were advertised and to review proposals returned. The resolution created a pathway for BOT projects but did not authorize any specific project. Motion carried. (3-1) Ayes: Flora, Kingery, Nelson. Nays: Conner stating she wanted more time to review Indiana Code §5-23.

Miscellaneous Business.

Mayor Werling addressed a question about sidewalks that Councilwoman Conner had emailed. Werling displayed the GIS system with sidewalk and street ratings and indicated that the City tried to plan sidewalk projects in conjunction with CCMG road projects for cost effectiveness and oversight of the work. Conner indicated that she had brought information to the BOW that City Code §95-13 placed responsibility for repair of sidewalks under the board's jurisdiction requiring that they notify owners of repairs needed and allowing 30 days for repair. Conner raised the 50:50 match program. Discussion continued about changes in policy of handling sidewalk repairs and funding for sidewalk replacement in the annual budgeting process.

Board Comments.

Cody Nelson asked that Council or public with suggestions for the golf cart ordinance contact him. Gayle Conner noted that Union Street had not yet being changed to one-way as stipulated in an ordinance passed a year ago and was concerned about the City's liability. Mayor Werling indicated that at the previous month's meeting she indicated that the work was then scheduled for around the 4th of July. In discussion following, consensus was to allow additional time for the work to be completed. Sandra Flora indicated that the new Family Dollar store has opened and is a very nice addition to Delphi.

Public Comments

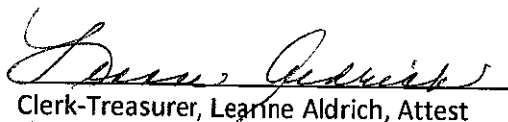
JT Doane indicated that the date for the tax sale was October 4 at 1:00 p.m.

Adjournment.

There being no additional business, Gayle Conner moved to adjourn. Second by Cody Nelson. Without objection, the meeting adjourned at 7:25 p.m.



Mayor Anita Werling



Clerk-Treasurer, Learnie Aldrich, Attest