

COMMON COUNCIL MEETING
October 3, 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, Mike Isley, Spencer Kingery, and Cody Nelson.

Mayor Werling asked if people in the rear of the room could hear and reminded Council members to speak to the back of the room. Secondly, it was announced that the agenda item for the special exception on Robinson Street was pulled from the agenda and would be rescheduled for another meeting.

The minutes for the September 6, 2022 meeting were presented for review. Cody Nelson moved to accept the minutes as presented. Second by Spencer Kingery. Without objection the minutes were approved as read.

Reports were dispensed with due to the full agenda.

Other Business.

Mayor Werling introduced Dan Hedden from Baker Tilly and John Brand and Colin Dale from Butler Fairman & Seufert to provide an overview of the planned expansion of the wastewater treatment plant. John Brand summarized the project and discussions with IFA regarding funding. As a result of those discussions, it has been decided to break the project into phases with Phase One being the Clarifier project. Dan Hedden discussed the rate study that is underway to model the financing and rate requirements to fund the Clarifier project. Delphi's average wastewater rate is currently \$21 per month compared to a state average of \$48 per month for a community of Delphi's size. Once completed, Baker Tilly will be back to present the rate analysis to the Council and then schedule a public hearing to present the proposed rates to the public before Council takes action. Mayor Werling pointed out that the wastewater rates have not been raised since 2013 and part of the current increase is just to get caught up with inflation. Ideally the City would have increased rates a few times during that period to set aside capital funds for grant match for projects like the ones being planned.

Colin Dale indicated that the Clarifier project would be completed in 2023; Most of the present plant and its equipment date to an upgrade that took place nearly 30 years ago.

Discussion continued regarding possible funding sources, the amount of current capacity being used, IPC's allotment, and so forth.

Baker Tilly will complete the rate study and present recommendations at the November meeting.

Unfinished Business.

Proposed Ordinance 2022-15 Regulating UTVs and Golf Carts was presented on second reading with some changes made by Attorney Barbour to reflect definitions in state statutes. /Cody Nelson moved to approve with the amended definitions. Second by Spencer Kingery. Motion carried. (4-1) Ayes: Flora, Isley, Kingery, Nelson; Nays: Conner. Spencer Kingery moved to suspend the rules to consider passing Ordinance 2022-15 on third and final reading.

Cody Nelson moved to suspend the rules to allow passage of Ordinance 2022-15 on second and third readings on the day of introduction. Second by Spencer Kingery. Motion failed. (4-1) Ayes: Flora, Isley, Kingery, Nelson; Nays: Conner. Conner indicated that suspension shouldn't be necessary. The meeting

was suspended for five minutes to allow Justin Barbour to research the question. Upon resumption of the meeting, Barbour indicated that Conner was generally correct, however, since a change had been made to the ordinance after the first reading, he recommended adhering to the rule suspension procedure. Mayor Werling indicated that since no further action could be taken on Ordinance 2022-15 that evening, it would be on the November 7th agenda for final reading.

New Business

Mayor Werling stated that the Council needed to pass the 2023 budget that has a filing deadline to DLGF prior to the regularly scheduled November meeting; or schedule a special meeting in October to consider on final reading. Spencer Kingery moved to adopt the 2023 budget as presented and authorizing signing of Form 4. Second by Cody Nelson. With no discussion items raised, the motion carried. (4-1) Ayes: Flora, Isley, Kingery, Nelson; Nays: Conner.

Ordinance 2022-18 with Salaries for 2023 was presented on second reading. Spencer Kingery moved to approve. Second by Cody Nelson. Motion carried. (4-1) Ayes: Flora, Isley, Kingery, Nelson; Nays: Conner. Spencer Kingery moved to pass Ordinance 2022-18 on third and final reading. Second by Mike Isley. Motion carried. (4-1) Ayes: Flora, Isley, Kingery, Nelson; Nays: Conner.

Ordinance 2022-19 with Wages for 2023 was presented on second reading with an amendment adding on-call hours. Spencer Kingery moved to approve. Second by Cody Nelson. Motion carried. (4-1) Ayes: Flora, Isley, Kingery, Nelson; Nays: Conner.

Mike Isley moved to suspend the rules to allow passage of Ordinance 2022-19 on third reading. Second by Cody Nelson. Motion carried. (5-0)

Spencer Kingery moved to pass Ordinance 2022-19 on third and final reading. Second by Cody Nelson. Motion carried. (4-1) Ayes: Flora, Isley, Kingery, Nelson; Nays: Conner.

Resolution 2022-18 approving the creation of the Northeast TIF Allocation Area was presented. Mayor Werling stated that the Delphi Redevelopment passed a declaratory resolution on July 13 outlining the parcels to be included in the allocation area. Since some of the parcels were in the County, the DRDC sought permission from the County Commissioners to include county parcels in the DRDC TIF area. That resolution was approved by the Commissioners on September 6. The Area Plan Commission passed a resolution on September 23 acknowledging that the Northeast Allocation area met the objectives of the comprehensive land use plan. Now it is the City Council's turn to review and give its approval to modify the economic development area and include the parcels in the Delphi RDC.

Spencer Kingery moved to Resolution 2022-18. Second by Mike Isley. Motion carried. (4-1)
Ayes: Flora, Isley, Kingery, Nelson; Abstain: Conner.

Joe Mayfield, president of the Delphi Redevelopment Commission, stated that the final steps would include notifications being sent to the underlying tax districts, a public hearing, and the passage of a confirmatory resolution by the DRDC all slated for October.

A request to rezone the property owned by Mark Hammons on Wilson Street from I1 to U2 was presented with a favorable recommendation from the Area Plan Commission. Mr. Hammons presented plans for the duplexes and stated there would be a total of two duplexes on the site, one on each side of Stoney Drive. Each unit would measure approximately 1,500 sqft. Spencer Kingery moved to approve the rezone. Second by Cody Nelson. Motion carried. (5-0)

A contract of services to be provided by the Delphi Main Street organization for the period October 1, 2022 through December 31, 2023 was presented for review. DMS will plan and coordinate events in the

downtown, provide promotional services for the downtown businesses, maintain the statistics required by Indiana Main Street for accreditation, and other duties in exchange for quarterly stipends of \$3,750. Cody Nelson moved to approve the contract. Second by Mike Isley. Gayle Conner questioned why the Delphi Main Street was not receiving the full \$45,000 dollars allocated to Delphi Main Street in the 2023 budget. Mayor Werling explained that the additional funds could be allocated for specific projects as requested by the DMS group. Conner stated that she was voting against the motion feeling that DMS should receive the full \$45,000. Motion carried. (4-1) Ayes: Flora, Isley, Kingery, Nelson; Nays: Conner.

Miscellaneous Business.

Mayor Werling reported on several topics for which Gayle Conner asked for updates to Council:

1. Did the City pay the delinquent taxes on 402 S. Washington?

Yes, the City has paid the delinquent taxes and the deed has been recorded and the property removed from the tax sale. JT is working with Segal to begin the work on the rear structure.

2. When will the 2 one-way sections of Union Street actually become one way? Legislation was passed 15 months ago for this.

As repeatedly stated, Pavement Solutions will be doing this work and we are at their mercy on scheduling the completion of micro seal. Then the striping company will come in and restripe the pavement. Work should be completed by the end of October.

3. Does the City have a Letter of Intent from Mr. Herr and Mr. Marshall regarding the Burnbrae property yet?

While we do not have a formal letter of intent, the City is working with the current property owners to define a Phase I of development.

4. Who purchased the land near Save-a-Lot? For what amount?

The City received one bid on the property from Ironmen Properties and has been working with Joe Blake to resolve some of the items upon which sale of the property was contingent. Chief among those were questions concerning drainage studies for the property along with an update on the levee pump station. BF&S has provided an estimate on the drainage study and we are waiting for concurrence from Ironmen on the plan.

5. Wasn't the current DMS organization created to serve the community in the capacity of event planning only at this time?

No although event planning is one of the areas on which DMS will focus efforts. Other means of promoting downtown businesses, maintaining statistic on occupancy and operation for reporting to Indiana Main Street, and other areas are part of the action areas for DMS.

6. What will be the alternate route for truck traffic once work begins on Adams Street?


There is already an established truck route on Carrollton Road which diverts traffic from Adams Street and Wilson Street. We will work with the County Highway department to ensure that adequate signage is in place on Carrollton Road should shutdowns of Adams Street be required.

Board Comments.

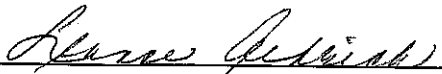
Spencer Kingery stated that he had been approached by two citizens complaining that a person they knew to be a councilwoman was taking a petition around town regarding the proposed apartment building with information that was not correct. Kingery cautioned that sharing incorrect information. Gayle Conner indicated that she had a right as a private citizen to carry a petition. Mayor Werling asked Justin Barbour if a council person could take a petition around. Barbour indicated it was a gray area, particularly if the petition dealt with a matter that would come before the Council. Cody Nelson said it was a matter of appearances. Sandy Flora and Mike Isley both stated that people would know she was an elected official and would assume she was representing Council. Conner insisted she had done nothing inappropriate and was representing her constituents and the constituents of the other council members because they felt they didn't have a voice. The heated discussion continued for several more minutes.

Adjournment.

Spencer Kingery moved to adjourn. Second by Cody Nelson. Without objection, the meeting adjourned at 7:32 p.m.



Mayor Anita Werling



Clerk-Treasurer, Leanne Aldrich, Attest