

COMMON COUNCIL MEETING

November 7, 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.

Mayor Werling stated that Gayle Conner had resigned her elected office as Council representative for District 3 on October 12. The Republican caucus will meet in November to appoint a replacement to serve the remainder of Conner's term ending December 31, 2023.

Clerk-Treasurer Aldrich called the roll:

Present were Sandra Flora, Mike Isley, Spencer Kingery, and Cody Nelson.

The minutes for the October 3, 2022 meeting were presented for review. Cody Nelson moved to accept the minutes as presented. Second by Mike Isley. Without objection the minutes were approved as read.

Reports were dispensed with due to the full agenda.

Other Business.

The proposed holiday schedule for 2023 was presented. Cody Nelson moved to approve the schedule. Second by Sandra Flora. Motion carried. (4-0)

Unfinished Business.

Proposed Ordinance 2022-15 Regulating UTVs and Golf Carts was presented on third and final reading .

Codey Nelson moved to approve. Second by Spencer Kingery. Motion carried. (4-0)

Asked when the ordinance would go into effect, Justin Barbour explained that a notice needed to be published in the paper with the permit fees; the ordinance would go into effect 30 days thereafter. Chief McCain indicated that an application form had been developed which interested parties could pick up at the Clerk's office during regular business hours. The application form will also be available on the city website. Inspections would be scheduled once the application and proof of insurance were returned to the Clerk's office. Vehicle decals for permitted vehicles were printed and ready to distribute as fees are paid.

Wastewater and Water Rate Studies.

Dan Hedden and Deen Rogers from Baker Tilly presented the results of the rate study to pay for the expansion of the wastewater plant and for increased operational costs for the water department. Deen Rogers stated the costs estimated for Phase I of the Wastewater project to add a clarifier to the plant were \$6,070 million split among the City at \$1.472 million; the county at \$.836 million, and IPC at \$ 3,762 million. The cost of the Wastewater Treatment Plant Expansion in Phase II is estimated to be \$50 million. The City would likely bond for the \$1.472 million for Phase I and then roll that into financing for the whole expansion project at a later time. Covering Delphi's portion of the total project costs will require increasing wastewater rates by 120% over a period of three years. Deen explained that the City's current wastewater rates average \$21.46 per month were among the lowest in Indiana which average \$44.36. Baker Tilly suggested raising rates by 25% in 2023; 33% in 2024; and 33% in 2025. At the end of the three-year period, the City's wastewater rates would be at or above Indiana's average. Mayor Werling pointed out that the City of Delphi last raised wastewater rates in 2013. Had the rate been gradually increased over the decade, the City would have built up a significant capital fund to put towards the clarifier project and would not be looking at such a steep rate increase. Deen suggested that the Council could elect to

raise the rates for the entire project in one ordinance or could just do an increase for Phase I of the project. Sandra Flora indicated that she would be more comfortable with limiting the current action to a 25% rate increase. Cody Nelson moved to approve a wastewater rate increase of 25% for 2023. Second by Mike Isley. Motion carried. (4-0)

Deen stated that the Water Department had experienced 10% inflation since rates were last increased. Baker Tilly recommended a rate increase of 3%. Sandra Flora said that she did not want to see both rates increased at the same time. Cody Nelson asked what costs had not increased over the last few years and stated he thought the 3% was reasonable. Spencer Kingery moved to accept the 3% increase on water and to raise both water and wastewater at the same time. Second by Mike Isley. Motion carried. (4-0) Deen said he would get the rate information to Justin Barbour to prepare a rate ordinance.

New Business

At the request of Spencer Kingery, the order business was changed to address the request by Mark Hammons for a special exception at 208 Robinson Street to allow multifamily dwelling(s) in an area zone U1. Mayor Werling stated that the special exception had come from the BZA with no recommendation and that the Council's charge is to decide whether to allow duplexes on the property zoned U1 and not to decide the number of units that would be permitted. That decision would be made by the Planning office based on setbacks and other considerations once a site plan is presented. Mayor Werling assured those in the audience that they would be allowed to address the council, but that the order to be followed dictated that Mr. Hammons would first present his request to council; the council would then be asked for a motion and a second to allow discussion to begin; members of the council would then ask any questions of the Hammons and discuss among themselves. Those wishing to ask questions or address comments to the council would raise their hand to speak and, when recognized, state for the record their name and address and then ask questions or address comments in a respectful manner. The council would then ask any additional questions before voting on the motion.

Mark Hammons presented an overview of the duplexes planned for the property and provided background on their other developments in Delphi. Renderings of the duplex products proposed were presented with Hammons assuring that the units would be high quality. Hammons indicated that the family had ties to Delphi and they had owned the McDonald's franchise for a number of years. Patricia Hammons addressed the safety concerns raised at the BZA meeting. She noted that the street was 12' wide but that several other streets in the city were as narrow or narrower including Clyde Street which has an apartment building at the end of the street with a parking lot for multiple vehicles. She also stated she had noted very little traffic on Robinson Street during periodic observations.

Craig Potts, 102 N. Robinson Street stated his opinion that allowing multiple duplexes would create too much traffic on the narrow street where children and grandchildren now play. He stated that residents from Chamber Estates also use the road creating additional traffic. The petition presented to Council included signatures from 25 residents in the neighborhood all expressing concern about allowing duplexes to be built. Council should stand with the citizens against the special exception.

Randall Piatt, 1209 Samuel Milroy stated that residents from Chamber Estates use Robinson Street all the time despite both roads being dead ends. Robinson Street is too narrow to fit two cars. Not against housing in Delphi; seems like there are other options, including 402 S. Washington Street purchased by the City.

Piatt said that the BZA was to consider five area in evaluating the special exception for multifamily:

1. Public Safety –already have added two Habitat houses. How many more vehicles will be added for the 8 units
2. U1 –no through traffic; traffic will double; property values will go down

3. Special development will be in line with existing development; this is an area of single family homes, not multifamily
4. Adequate utilities – widening the road will take property from existing landowner; how will drainage be addressed; concern will it cause issues on adjacent properties
5. Ingress/ egress points – trash trucks, school bus, city trucks.

Monica Abbott, 201 N. Robinson says that safety issues are primary concern; increase of traffic will have negative effect on the community where children and grandchildren now play adjacent to the road.

Spencer Kingery has issues with the road; should be dead ended completely to prevent Chamber Estates from using Robinson Street; Robinson should be widened.

Sandra Flora thought that on street parking should be prohibited

Cody Nelson, if road was widened and dead ended, would that change your feeling about it. Discussion continued.

Jeff Watson, 2827 Misty Lane, thinks that Chamber Estates is a platted street

Mayor Werling says it was not built to city standards and is not part of the street inventory

Discussion continued.

Cody Nelson stated that multifamily is close by as is commercial zoning. Nelson moved to approve the special exception with the stipulation that the road be widened and that Robinson Street be blocked off at the end of street. Nelson amended his motion to stipulate at the city's expense. Consensus was to accept the amendment. Flora asked about on-street parking; can be addressed later by parking ordinance. Watson again raised questions about access to Chamber Estates. Watson said that one house was on Robinson Street.

Call for the question. Motion carried. (3-1-- Ayes: Flora, Isley, Nelson Nay: Kingery)

Mayor Werling stated that there were many more steps that would dictate how many units could be built on the property including permitting from Area Plan Commission.

Resuming the order of the meeting, Mayor Werling stated that the proposed ordinances 2022-21 and 2022-22 in the packet were to establish funds for revenue coming to the City as the result of an opioid settlement by drug companies. Werling asked that the Council consider passing the ordinances on all three readings on the night of passage.

Ordinance 2022-21 is presented on first reading to establish an unrestricted opioid fund. Spencer Kingery moved to approve. Second by Cody Nelson. Motion carried. (4-0)

Spencer Kingery moved to suspend the rules to allow passage on second and third readings on the day of introduction. Second by Cody Nelson. Motion carried. (4-0)

Spencer Kingery moved to pass Ordinance 2022-21 on second reading. Second by Cody Nelson. Motion carried. (4-0)

Spencer Kingery moved to pass Ordinance 2022-21 on third and final reading. Second by Cody Nelson. Motion carried. (4-0)

Ordinance 2022-22 is presented on first reading to establish a restricted opioid fund. Spencer Kingery moved to approve. Second by Cody Nelson. Motion carried. (4-0)

Spencer Kingery moved to suspend the rules to allow passage on second and third readings on the day of introduction. Second by Cody Nelson. Motion carried. (4-0)

Sandra Flora moved to pass Ordinance 2022-21 on second reading. Second by Mike Isley. Motion carried. (4-0)

Spencer Kingery moved to pass Ordinance 2022-21 on third and final reading. Second by Cody Nelson. Motion carried. (4-0)

Mayor Werling indicated that proposed plans for a maintenance building and offices for the Water Department were included in the packet. The project will utilize the guaranteed savings remaining from the Drinking Water project and remaining SRF loan balance. An RFP will be advertised in the Comet and Indy Star with proposals due December 2. The plans call for adding the Street Department maintenance building to the site. We will discuss funding options for this at a later date.

Mayor Werling reminded Council of a resolution passed early in the year to set aside \$2.5 million for residential development at Burnbrae Farms. Development of that area has not progressed as quickly as hoped although the City is working with the owners on a Phase I of development. The owners have had ALTA and topographic surveys completed with the results sent to Kimley Horn to development drainage requirements for approximately 70 acres behind the Family Health Clinic and Riley Road. The KH report should be available mid-December. In the meantime the City has been working with developers on a proposed apartment building in downtown Delphi. It appears that that project could be ready to go before development of Burnbrae. The city will be eligible to receive some of the READI funds set aside for residential development but will need to match the funds on a 1:1 basis. At the December 5th meeting, the Mayor indicated she would ask for a modification that would allow the \$2.5 million set-aside to be used for any residential development in the city and would also ask for approval to designate up to \$1 million as match for READI funds from the State.

Miscellaneous Business.

Board Comments.

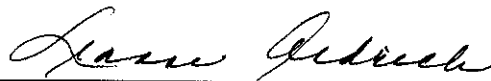
Sandra Flora asked about the status of the broadband project. JT Doane stated that Broadway Broadband expected to get started on Phase I by the end of November.

Adjournment.

Spencer Kingery moved to adjourn. Second by Cody Nelson. Without objection, the meeting adjourned at 8:12 p.m.



Mayor Anita Werling



Clerk-Treasurer, Leanne Aldrich, Attest