

COMMON COUNCIL MEETING

April 4, 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 took the roll call:

Present were Gayle Conner, Sandra Flora, Mike Isley, and Spencer Kingery; Cody Nelson was absent.

Other Business.

Mayor Werling introduced John Cannon from Attorney General Todd Rokita's office who had asked to address the Council and community members. Cannon described the duties of the AG's office and of its divisions:

- Unclaimed Property which returns more than 175 items and \$1 million per week to residents of Indiana from inactive checking accounts, overpayments, safe deposit box contents, and more;
- Consumer Protection including product recalls, scam alerts, etc.;
- Cybersecurity alerting businesses, public entities, and individuals of the need to protect their data and to make sure that they are insured against data loss;
- Medicaid Fraud investigation resulting in recapturing of \$8 million in 2021.

Mr. Cannon was thanked for his presentation and invited to stay if he wished.

Mayor Werling suspended the Council meeting at 6:10 p.m. and opened the public hearing for the closeout of the OCRA CDBG Grant CV-CV2-330 administered through K-IRPC. Sonya Sammons from K-IRPC conducted the hearing by first providing an overview of the grant award of \$250,000 which the City of Delphi utilized for small business resilience grants in two rounds aiding 42 businesses. There being no questions or comments, the public hearing was closed at 6:13 p.m. and the Council meeting resumed.

The minutes for the March 21, 2022 meeting were presented for review. Spencer Kingery moved to accept the minutes as presented. Second by Gayle Conner. Motion Carried. (4-0)

Reports. Without objection, the reports of the department heads were incorporated into the minutes. Sandra Flora reported that no meeting was held in March. Mayor Werling reported that the Delphi Tri-Township Fire Territory Executive Board and the Township Boards met to approve an additional appropriation of \$41,000 to purchase a used fire truck from Logansport FD.

Unfinished Business.

The topic of loud noise from vehicles was reopened for Council discussion. Attorney Justin Barbour had prepared a memorandum for Council suggesting that an ordinance could be written to expand on the current code language that prohibits "unreasonable loud and unnecessary noise" within the City of Delphi. Barbour reviewed his memorandum for Council. Following discussion, it was agreed by consensus that an ordinance be drafted for consideration at the next Council meeting.

New Business.

Proposed Ordinance 2022-6 was introduced to amend the hours of traffic enforcement to 24/7 unless signage indicates otherwise. Spencer Kingery moved to pass Ordinance 2022-6 on first reading. Second

by Mike Isley. In discussion, Gayle Conner expressed that "may be enforced" be changed to "shall be enforced." Spencer Kingery and Sandra Flora though "may" was appropriate to allow for officer discretion depending on circumstances. Motion carried on first reading as presented. (4-0)

Proposed Ordinance 2022-7 requiring maintenance of retaining walls by property owners was presented on first reading. Mayor Werling indicated that there were a substantial number of retaining walls in Delphi and are normally adjacent to public sidewalks or roadways where failure could lead to unsafe conditions for pedestrian or vehicle traffic. Several photographs of retaining walls were presented. Mike Isley moved to pass Ordinance 2022-7 on first reading. Second by Gayle Conner. Discussion followed concerning whether City would share the cost of repairs. In general, the cost would be born by the property owner—including the City if the wall was on City property. Shared costs might be considered if it was unclear who was responsible for erecting the wall, e.g. at the corner of West Main and Hamilton Streets. Ordinance 2022-7 was passed on first reading. (4-0)

The contract between the City and iNc Empire Recruiting was presented for Council review having already been approved by BOW and signed by the Mayor. Spencer Kingery moved to approve. Second by Sandra Flora. In response to questions Werling stated that the one-year contract covers direct placement of employees recruited by iNc Empire with compensation at 20% of annual salary upon the acceptance of the employee by the City and at the completion of a 30-day employment period. This cost would be covered with funds budgeted for 2022 for positions yet unfilled. The success of recruitment and hiring will be the test for whether the contract is extended. Motion carried. (3-1—Ayes: Flora, Isley, Kingery; Nay: Conner)

Board Comments.

Spencer Kingery commended everyone involved on the cleanup of derelict properties. JT Doane updated the Council on code enforcement and showed the PowerPoint presented at Board of Works with before and after photographs of the property at 302 Cook Street.

Clerk-Treasurer Comments. None


Public Comments.

Sharon Milburn asked about enforcement of parking wondering authority for cones and no parking signs. Mayor Werling indicated that BOW approves use of streets for various functions such as parades and special events. The City then provides cones and/or sets out no parking signs. Milburn also wanted to know why vehicles backed into parking spaces were not ticketed. Milburn also asked about the property on Ohio Street. Werling replied that that house was abandoned and the owner had done boarding up of windows and doors.

Future Business and Announcements.

Mayor Werling shared that the contract with Broadway Broadband for fiber installation throughout the City was nearly complete with just a few details remaining to be finalized. The goal had been to have the contract on the meeting agenda for tonight. Since the goal is to get the project up and running as quickly as possible, Werling asked the Council for a special meeting on Monday, April 18 at 6:00 p.m. following the Board of Works meeting. Those Council members present concurred. Gayle Conner asked what the charge for to run fiber to a customer would be. Werling replied the BB indicated no charge unless the connection distance exceeded 1,500 feet.

There being no additional business, Spencer Kingery moved to adjourn. Second by Gayle Conner.
Without objection, the meeting adjourned at 6:55 p.m.



Mayor Anita Werling



Clerk-Treasurer, Leanne Aldrich, Attest