

COMMON COUNCIL  
October 18, 2021, 6:00 P.M.  
COMMUNITY CENTER, 311 N. Washington Street

Mayor Werling called the meeting to order at 6:04 p.m. Those present rose for the pledge of allegiance.

Clerk-Treasurer Aldrich took the roll call:

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

Minutes from the meeting held on October 4, 2021 were presented for approval. Cody Nelson moved to approve. Second by Spencer Kingery. Without objection the minutes were approved.

**OTHER BUSINESS**

Mayor Werling introduced Louis Hayden as the new Code Enforcement Officer. Hayden began duties on October 13 and is reviewing the status of open complaints issued by former Code Enforcer Mark Harmon. Hayden is undergoing training on the GoGOV software purchased by the City.

Mulberry Telecommunications company was introduced by JT Doane to present their proposal to the City on supplying broadband services to the community. President Greg Maisch described the company's philosophy and tradition of service in the communities they serve. Maisch described the project in Flora where the firm expects to have their Carroll County headquarters. Mulberry Telecom would be able to begin installation in the Delphi market 1<sup>st</sup> quarter 2023 with an investment of over \$6.5 million.

**UNFINISHED BUSINESS**

Ordinances 2021-12, 2021-13, and 2021-14 to adopt the Budget, Salary, and Wages for 2022 were presented. Since Form 4 was not presented as Ordinance 2021-12 at the October 4th meeting, it was considered as the first reading.

Fund Name	2022 BUDGET		
	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
RAINY DAY	\$300,000	\$0	0.0000
GENERAL	\$2,860,669	\$1,298,081	1.6987
POLICE PENSION	\$14,935	\$0	0.0000
LOCAL ROAD & STREET	\$50,000	\$0	0.0000
MOTOR VEHICLE HIGHWAY	\$300,000	\$0	0.0000
CUMULATIVE CAPITAL IMP (CIG TAX)	\$20,000	\$0	0.0000
ECONOMIC DEVELOPMENT	\$253,614	\$0	0.0000
SPEC. FIRE PROTECT. TERR.-GENERAL	\$168,300	\$154,083	0.0503
SPEC. FIRE PROTECT. TERR.-EQUIP. REPL.	\$52,000	\$66,044	0.0173
	<b>\$4,019,518</b>	<b>\$1,518,208</b>	<b>1.7663</b>
FIRE TERR. FEES & FINES	\$8,000		
	<b>\$8,000</b>		

Spencer Kingery moved to approve budget Ordinance 2021-12 on first reading. Second by Mike Isley. Motion carried. (4-0)

Mayor Werling asked that Council suspend the rules to adopt Ordinance 2021-12 on second and third readings. Cody Nelson moved to suspend the rules. Second by Sandra Flora. Motion carried. (4-0) Mike Isley moved to approve Ordinance 2021-12 on second reading. Second by Cody Nelson. Motion carried. (4-0) Cody Nelson moved to approve Ordinance 2021-12 on third and final reading. Second by Spencer Kingery. Motion carried. (4-0)

Ordinance 2021-13, the Salary Ordinance for 2022, was presented with corrections noted at first reading. Cody Nelson moved to approve. Second by Mike Isley. In discussion, Tony Brooks, 101 Summit Street, was permitted to speak and protested the large increase in the Mayor's salary. Ordinance 2021-13 passed 4-0.

Ordinance 2021-14, the Wage Ordinance for 2022, was presented with corrections noted at the first reading. Mike Isley moved to approve. Second by Spencer Kingery. Motion carried. (4-0)

Mayor Werling asked that Council suspend the rules to adopt Ordinance 2021-13 and 2021-14 on third reading. Spencer Kingery moved to suspend the rules. Second by Cody Nelson. Motion carried (4-0) Cody Nelson moved to adopt Ordinance 2021-13 on third and final reading. Second by Spencer Kingery. Motion carried. (4-0) Cody Nelson moved to adopt Ordinance 2021-14 on third and final reading. Second by Mike Isley. Motion carried. (4-0)

#### NEW BUSINESS

Bill Niemeier representing ONRA, LLC, presented two petitions to vacate alleys on properties which are planned for development. A map showing the locations of the properties and alleys in question was presented. Petition No. 1 would vacate the north-south and east-west alleys in the six lots east of Culligan's. Mike Isley moved to vacate the alleys as detailed in Petition No. 1. Second by Cody Nelson. Motion carried. (4-0) Petition No. 2 would vacate the north-south and east-west alleys in lots bordered by US421, Hamilton, Pearl, and Monroe Streets. Cody Nelson moved to vacate the alleys as detailed in Petition No. 2. Second by Mike Isley. Motion carried. (4-0)

Resolution 2021-12 Approving the Amendment of the Economic Development Area for the establishment of a Residential TIF was presented for review. The amendments were outlined in the Declaratory Resolution passed by the Delphi Redevelopment Commission. The Area Plan Commission has ordered that the amendments conform to the comprehensive plan. Cody Nelson moved to approve Resolution 2021-12. Second by Sandra Flora. Motion carried. (4-0) Mayor Werling asked Joe Mayfield, President of the Delphi Redevelopment Commission for an update on the adoption of the RTIF. Mayfield stated that productive conversations were underway with the Delphi Consolidated School Corporation. The goal is to present the MOU and Resolution on the Residential TIF to the DCSC board on November 8. If accepted by the school board, the final step would then be for the Delphi RDC to adopt the declaratory resolution.

Mayor Werling reminded the Council of the October 4<sup>th</sup> presentation by Ken Remenschneider of Kimley-Horn of the development plan commissioned by the City of Delphi for the 275-acre tract identified as the Burnbrae Farm. The Delphi Redevelopment Commission at its October 14<sup>th</sup> meeting unanimously approved to recommend to the Area Plan Commission that the Burnbrae Farm development plan be adopted as part of the City of Delphi's section of the comprehensive plan. Werling asked the Council to consider a similar action. Mike Isley moved to recommend to the APC that the Burnbrae Farm

development plan be adopted as part of the City of Delphi's section of the comprehensive land use plan. Second by Cody Nelson. Motion carried. (4-0) Mayor Werling indicated that Attorney Robeson would draft a resolution for the APC to consider at their October 26<sup>th</sup> meeting.

Mayor Werling opened a discussion on the auction of Bowen acres on October 26<sup>th</sup> by Schrader Auctions at the Wabash & Erie Canal Center. The auction will include 13 tracts. Tracts 1-11 include the parcels which are part of the Burnbrae Farm development plan. Tract 12 is a landlocked 10-acre parcel adjacent to Riley Park. The tract must be purchased by and adjacent property owner. Tract 13 includes several tax parcels on East Main Street adjacent to Bowen Court. Due to steep slopes and flood plain, it is not likely that any of the property is buildable. Werling expressed that the City would be interested in acquiring tracts 12 and 13 as an extension of Riley Park and access to the trail system. The City would hope to work with the buyer of the entire acreage to either arrange a donation of the land or a purchase of the parcels at appraised value.

Werling stated that the City and the CCEDC have been in communication with a few of the potential bidders for the property. The City does not intend to be a bidder at the auction, but would be willing to work with the successful buyer to provide incentives to follow the development plan. For example, the City could fund the development of the site plan for the project and the preliminary engineering design for drainage and infrastructure location. It might also mean that the City would secure options to secure developers for the project working with the CCEDC. Werling asked the Council to consider setting aside a portion of the City's reserve funds toward the development of the Burnbrae Farm area and potentially other residential projects. Werling introduced Dan Hedden of Baker Tilly to present an overview of the City's reserve funds and financial health. Tables presented by Hedden indicated that the City had \$7.3 million in reserves. Allowing for six months of operating reserve, the City had a very healthy \$5.9 million in reserve. He offered that setting aside part of the reserves for development would send a signal to the successful buyer that the City was willing to be a partner to reduce the risk for the developer and ensure that the plan is implemented. Mayor Werling asked the Council to consider setting aside \$2 million. Spencer Kingery and Mike Isley indicated support at this level. Sandra Flora spoke to the critical need for residential development which all agreed upon. Cody Nelson suggested that the set aside be higher and proposed \$2.5 million.

Cody Nelson moved to authorize the City attorney to draft a resolution setting aside \$2.5 million of the City's reserves into a restricted fund for use in development of the Burnbrae Farm project. Second by Spencer Kingery. Motion carried. (4-0)

Sandra Flora said she was looking forward to the development.

Dick Bradshaw stated his opinion that reserves as high as the City's meant that citizens were paying too much in taxes. He is in favor of using those reserves for something that will benefit the community.

There being no further comments, Spencer Kingery moved to adjourn. Second by Cody Nelson. Without objection the meeting adjourned at 7:45 p.m.

  
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Mayor Anita Werling

  
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Clerk-Treasurer, Leanne Aldrich, Attest