

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
FEBRUARY 4, 2019

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at the Temporary City Hall – Former Happy Hollow Elementary School on February 4, 2019, at the hour of 6:30 p.m.

President Bunder called the meeting to order and presided.

The Pledge of Allegiance was recited.

Present: Peter Bunder, Nick DeBoer, Steve Dietrich, Jonathan Jones, David Sanders, Gerald Thomas, and Norris Wang.

Absent: Gerry Keen and Larry Leverenz

Also present: Mayor John Dennis, Corporation Counsel Eric Burns, Clerk Sana Booker, IT Director Brad Alexander, Street Commissioner Ben Anderson, Director of Development Erik Carlson, Facilities Director Tim Clark, Human Resources Director Diane Foster, City Engineer Ed Garrison, City Controller Peter Gray, Interim Police Chief Troy Harris, Fire Chief Tim Heath, WWTU Director David Henderson, Parks Superintendent Kathy Lozano, and Building Commissioner Chad Spitznagle.

#### MINUTES

Councilor DeBoer moved for acceptance of the minutes of the January 3, 2019, Pre-Council Meeting; the January 7, 2019, Common Council Meeting; and the January 14, 2019, Special Common Council Meeting. Councilor Dietrich seconded the motion, and the motion passed by voice vote.

#### REPORTS OF CITY DEPARTMENTS ON FILE IN THE CLERK'S OFFICE

There were no comments.

#### REPORT OF THE APC REPRESENTATIVES

There was no report.

PUBLIC RELATIONS: None

#### FINANCIAL REPORT

City Controller Gray stated that the budget report has been filed. The City has used 15% of the budget with encumbrances, while we are 8% of the way through the year. He noted that due to our utilities being higher in the winter months, it is normal for that budget percentage to be high at the beginning of the year.

#### LEGAL REPORT

This report is on file.

SPECIAL REPORTS:

Joint Board Report

Councilor DeBoer stated that the Joint Board had their quarterly meeting in January. The Board ratified spending of various items for the State Street Project. Erik Carlson was elected Vice Chair for representation of the City, and Purdue is in rotation for the Chair position for 2019.

CITY SUMMIT

i. State of the City Address – Mayor John Dennis

Mayor Dennis read the State of the City Address as provided below:

Each year, mayors across the nation detail their vision and dreams for their city's future in a seminal address—their State of the City Speech. And I want to thank you for inviting me to speak. These speeches have taken on new significance, as mayors emerge as focal points in the intergovernmental context. While many State and Federal partners are mired in political gridlock or actively disinvesting in cities, mayors consistently demonstrate the capacity and willingness to solve complex problems that are shaped by local realities and occasionally have broad national implications.

In that regard, we, in West Lafayette, have many big dreams for our future. That is good, that is how it should be. None other than Walt Disney himself said simply, "If you can dream it, you can do it." We have always dreamed, and we never stop doing.

I am here in front of this Council to present the State of our City, West Lafayette. Interestingly, as a legislative body, you all are aware of what we have been doing and have been instrumental in making all of the following things I am going to mention possible.

Whether it is that we have one of the safest college communities in the country, or that we are one of the fastest growing communities in Indiana, or that we have one of the most diverse populations for a city our size in the state or that we have one of the top school corporations in the country, bragging about these things for my report, to the people who make these amazing things possible, seems a little off target. Let's face it, the main reason we as a community celebrate these successes and many more is simple. It is because WE WORK TOGETHER.

I am deeply appreciative to this Council for all the trust they have put in my staff and me. Equally, I am deeply honored to work with our City Clerk, Sana Booker, and as I have stated before, the dedicated and enthusiastic Department Heads and their staff who make so many great things happen in this City. I am also grateful for the partnerships with the City of Lafayette, Purdue University, Tippecanoe County, and the State of Indiana who have been instrumental in assisting us in the continuation of our success story, and most importantly, I wish to thank the citizens of West Lafayette, for their guidance, trust, patience and support. Without our great citizens, some of whom come from communities located from around the globe, we would not be the city that we are today.

Each of you have been given the annual reports from our City's Department Heads. These reports give a statistical overview of the operational activities of their operations. To a soul, our department heads are the most dedicated, hardworking,

loyal and citizen focused leaders of this City. Each day they come to work and provide the most positive environment for their staff to perform to the best of their ability. The results of that effort are what keeps West Lafayette at the top of most "Best of" lists.

Working together does not restrict West Lafayette to just its citizens, it also extends to Purdue University and its 40,000 plus students, faculty and staff, the City of Lafayette and Tippecanoe County. Again, this concept, which is somewhat unusual in politics, is what sets us apart and makes us all so proud.

We live in very interesting times. We are constantly challenged by the bombardment of news bytes from around the country and world, reminding us of how different we are from each other and we should not trust one another. Unfortunately, at times, our leadership encourages that behavior. It creates challenges not only for those of us who live across the street from each other, but possibly for those of us who might live across the ocean from each other.

So, how does local government respond, given the challenges we all face at this time in our history?

The solution in West Lafayette is clear. We work together. We help those in need and most importantly, we lead by example.

Our City has grown exponentially over the last few years. Working closely with our partners at Purdue, and most especially, our incredible citizens, we have proven that you can go big, but do it logically and with the future of this City and its amazingly diverse citizenry as our guiding light.

As we have grown, citizens have asked me why? Why are we growing so fast, why are we growing so big? What is with the high rises, what is going on the west side of our City? When will it all end? Isn't State Street enough? What happened to my small college town?

The answer is simple. We live in an environment where growing is the only way for cities to survive. I know that sounds dramatic, but unfortunately, in these economic times it is true.

In today's challenging economic times, many cities, both large and small are hanging out the closed for business signs. Cities across the country are being forced to lay off essential employees like firefighters and police officers. Their infrastructure is crumbling and the population is declining. Not here in West Lafayette. We are consistently listed in the top ten of best places to live in Indiana. However, to be competitive on a global scale, a city's performance has to be measured in a way that reflects all of the strength of our local economy, our social conditions, and how we treat the environment.

It only makes sense, that for West Lafayette to continue to move forward, we should focus on a few general points to continue our success well into the future.

Smart growth. Smart growth identifies and nurtures the very best opportunities for growth, plans ways to cope with its demands, integrates environmental thinking, and

ensures that all citizens enjoy a city's prosperity. Integrating the environment into economic decision-making is vital to smart growth: cities must invest in infrastructure that reduces emissions, waste production, and water use, as well as in building high-density communities.

They do more with less. Secure all revenues due, explore investment partnerships, embrace technology, make organizational changes that eliminate overlapping roles, and manage expenses. In addition, if designed and executed well, continue private-public partnerships, as they can be an essential element of smart growth, delivering lower-cost, higher-quality infrastructure and services.

And of course, win support for change. Change is not easy, and its momentum can even attract opposition. We will continue to build a high-performing team of City staff members, create a working environment where all employees are accountable for their actions, and take every opportunity to forge a stakeholder consensus with the community we serve.

But as always, we will do these things collaboratively. We will involve our citizens in the decision making process, we will be transparent and open in our proceedings, and we will pull together as one, to continue the success story that is West Lafayette, and to be sure that the city we are creating now, will be the city of the future that our children and grandchildren will be honored to call home.

Thank you all for this opportunity to address our Council, our citizens and our staff. I am honored to be your Mayor.

Following the State of the City Address, Mayor Dennis then gave a presentation regarding the new City Hall and Recreation Center. Mayor Dennis stated that we have recently relocated City Hall to our fourth location. In order for the Morton Community Center to become the permanent location for City Hall, City Offices had to be temporarily relocated during the renovation work process. He further discussed that the presentation is mostly for the Council to be able to see what we will be doing, what some of the preliminary plans are, and how the new facility will look. One thing that we felt was important was to ensure that we continue with the philosophy of preserving our past. There is nothing that symbolizes our past more than what was formerly known as the Morton School. The Morton building is on the historic registry and is one of our more iconic buildings in the City. We felt that it was incumbent on us to focus on that as a potential location for City Hall. After research and a public process it was deemed the number one choice as where City Hall should be located. Since the building is almost 100 years old, the majority of what is on the inside is no longer usable for a modern facility. The exterior needs to be preserved for the rest of history though. The outside will continue to look like the Morton Center, but the inside will look like what Redevelopment President Larry Oates refers to as "Oz." Mayor Dennis stated that the pictures that are included in the presentation are just preliminary pictures for what the City is trying to accomplish. There has been conversations about staffing and about what the locations for the offices should be. He noted that obviously nothing is set in stone yet. Mayor Dennis noted that they would begin the presentation with the Wellness and Aquatic Center first, which will be located at the corner of Kalberer Road and Salisbury Street. Finances had a lot to do with the location of the new Recreation Center. The City already owns this property, so it is cheaper for us to build on it. There is a significant population density on the north end of town, and this is also an added value to the City. We wanted the exterior design to be iconic and eye catching. The Recreation Center will be two levels, and on the first level there will be two to three gym floors. It will have an aquatic center that is equipped with changing rooms. There will be

leasable spaces available for the public too. One challenge that we will be facing will be to ensure that the center is self-sustaining. Another vision that we are continuing to put in place is to ensure that it can be used by everyone. In order to do this we are making it ADA accessible, installing family changing restrooms, and adding the amenities that are popular with other individuals that we serve in the community. The second floor will house an elevated running track, and the fitness area. Mayor Dennis then continued to the next slide in the presentation, which was the lower floor plan of City Hall. Due to the unfortunate things of the times in which we live, most public buildings have to add a security component to the building when designing. Even though it is uncomfortable, awkward, and inconvenient it is an absolute must! There will be fewer access points to the building. The lower lever floor plan will have a lot of open space. As technology advances, the goal is for the majority of the staff to be able to work remotely or work mobility. It is easier for employees to have those necessary spontaneous conversations in an open environment, rather than being in an office stall set-up. We are embracing that vision with this design. The majority of the design will be based upon having a pre-established geographic footprint that somewhat limits creativity. The architects and designers are working closely with our staff to get the guidance and input that is essential. The Council Chambers will continue to be located in the old gym. Some office space will be downstairs, but the majority of the City Hall Staff will work upstairs on the second floor. Mayor Dennis, Clerk Booker, and their staff will be located in offices at the south end of the building. The rest of the office staff will be throughout the building on the second floor based on an open floor concept. We strongly believe that the interactivity between Department Heads and staff is critical to our mission of serving the population. Due to the accessibility to the public and the location of the building, it is presumed that there will be a significant amount of visitors. There will be checkpoints for when people enter into the building themselves. The front of the building will have a slight design change with an accessible ramp and more concrete in the front. In the rear of the building there will be more outdoor opportunities for staff and visitors, which creates more of a warm and friendly environment. The preliminary design stages have been completed, but there is still work to be done. Mayor Dennis expressed his appreciation to the Council for their support both financially and otherwise.

Councilor Thomas stated that looking at the aquatic center, it is one of the more unique facilities in the state of Indiana. As mentioned in the State of the City Address, in regards to change, the comments that he has received from citizens is that they are uncomfortable with the changing areas and they feel that will cause a problem. He deferred to the Mayor on how those concerns could be addressed for our citizens. Mayor Dennis noted that he has been approached on this subject too. The changing areas were originally mislabeled as unisex. However, they need to be thought of as private changing rooms. This is not a unique concept around the country. There are individual changing rooms and family changing rooms. The logic is sound, the practicality is almost to the point of being absurd, and financially it offers an opportunity to keep rooms open instead of having to completely close down facilities to have them cleaned. The intent for this type of design is to allow more privacy.

Councilor Bunder asked if there will be naming rights to the building, to which Mayor Dennis responded that the City would not dismiss that opportunity. Those rights would be appreciated and encouraged.

**UNFINISHED BUSINESS:**

**Ordinance No. 01-19 (Amended)** An Ordinance Regulating Personal Electric Or Motor Powered Vehicles And Other Non-Motorized Transportation Devices (Sponsored by Mayor John R. Dennis) [Continued From The January 14, 2019 Special Council Meeting]

Councilor DeBoer read Ordinance No. 01-19 (Amended) by title only.

Councilor DeBoer moved for passage of Ordinance No. 01-19 (Amended) on first reading, and that the vote be by roll call. The motion was seconded by Councilor Dietrich.

Development Director Carlson stated that as previously discussed at Pre-Council and at the Special Council Meeting, there have been a few changes made as we have gone through this process.

Corporation Counsel Burns stated that this will be the first reading, and there have been several amendments. Work sessions have brought us to current position for this piece of legislation. The changes from the last work session have been implemented into the track version, which is attached to the agenda. He explained that there was only one change that was not implemented into the track version, which had to do with the possibility of the sale and use of the information captured by small vehicles. The changes that are seen were discussed at the work session. One of the changes that was found satisfactory based on the input at the work session is that we have further defined what a reasonable time to respond so that the owner, the contractor, of the small vehicles will have to take care of problems that occur. This has been set-up on a two-tiered system. If there is an emergency it will be dealt with by the City. The more mundane issues will be given time to be corrected. The Administrative Officer will be making those decisions. We may have one Enterprise come to town or possibly more. In order to maintain maximum flexibility, the Administrative Officer, with the oversight of the Mayor and Council, was built with that in mind. We do not know, and there is not any significant history to decide, particular answers on time length. He instructed Director Carlson to discuss the State Legislation further.

Director Carlson stated that House Bill Number 1649 sponsored by Representative Sean Eberhart, Shelbyville, as of July 1, 2018, put in a number of rules at the State level that would counteract what we have found as best practices are concerned when dealing with scooters. This would limit the scooters to 20 mph, and we have talked about 15 mph. There is a portion that says, "A portion may not adopt by ordinance any prohibition against restriction on the use of an electric foot scooter or electric personal assistance mobility device operated on a path set aside for the exclusive use of bicycles as set forth in Indiana Code 9-21-11-1 Section B." Our ordinance proposed to allow scooters to be utilized on bicycle trails unless otherwise posted, which would give the Parks' staff and the Parks Board purview to determine whether or not to allow scooters on trails within the Parks. This was written in a way so that the scooters were not prohibited from the cycle track, which is what we think is their best opportunity to utilize. This would add electric foot scooters, or as we refer to them, small vehicles, to be allowed just the same as mobility devices. Director Carlson stated that another area we had an issue with stated, "An electronic foot scooter may be parked on a sidewalk in a way that does not impede the normal or reasonable movement of pedestrians or vehicle traffic." This would possibly infringe on our decision on using designated spaces around the City for the parking areas and giving the State the right to control our public right-of-way. Director Carlson stated that he has spoken with some of our legislators on this topic, and addressed this at Third House, which held a vote against this legislation over the weekend. We will continue to keep track of it, and if it would continue through the House, where it has already passed the Roads and Transportation Committee, then Senator Ron Alting stated that he would invite us to meet with the Chair of the committee that this is assigned to if it makes it to the Senate. This would be in hope that it does not make it through the Senate.

Councilor DeBoer stated that the legislation currently going through the House has a date of July 1, 2019. He asked if passing local legislation before that date would be effective or if it may be undone, to which Corporation Counsel Burns responded that it usually undoes us. There are some cases with special provisions and certain co-provisions that have allowed a grandfathering, such as the Rental Inspections Program that were grandfathered in three cities in Indiana. In general, whenever the law changes whatever we have on the books changes with it.

Councilor DeBoer asked if it was imperative for us to do two readings this evening, to which Corporation Counsel Burns responded that it is unlikely that there would be an advantage to two readings.

Councilor Dietrich stated that the last time we played this game with the State by trying to get out in front of them and doing our part, they still overruled us at the end. He noted that in his opinion we should continue to proceed with what we have because they do not always get things correct. We may have some arguing points anyways. He explained that his major concern is the parking point that the State has in their Bill.

Councilor DeBoer stated it feels like there is not a lot of fanfare at this point of time. This is an important piece of legislation that we have put together, and we are in hopes that the State does not undo it.

Councilor Bunder stated that his fellow Councilors may now ask any questions regarding the ordinance.

Councilor Dietrich stated that he had a procedural question. He asked if the gray bars are actually a highlighted area of some sort of change or are they deleted areas if they are not marked out, to which Julia Zuchkov, Economic Development Administrative Aide (Department of Development), responded that they are highlighted not deleted.

Corporation Counsel Burns noted that part of the reason it was gray scaled was to draw a distinction between the times that these were offered. Some of the changes were offered at the actual work session, and others were made after the meeting.

Councilor Sanders stated that he understands the idea of determination of time periods being put in the hands of the Administrator Officer. The way that the ordinance is written now, there is no reference to having onus for removing the scooters on the companies, and is now all completely on the City. Corporation Counsel Burns responded that is not how it is intended. If it is an emergency, and it is just taken care of because that is what we do. If we see one that is parked improperly they will either remove it in the time period that the Administrative Officer has dictated, or they will have the City do it and it would cost them money. That amount will cover the City's costs. The onus is not so much on the City, as it would be similar to if someone would get a speeding ticket and then have to pay the ticket.

Councilor Dietrich stated that on Page 5 in Section (c) (5), it states that the Administrative Officer may determine that the Enterprise has failed to remove the illegally parked small vehicles in a timely manner. He questioned if the process would then be for the Administrative Officer to dictate the violation of the scooters to be removed within a certain time frame because of a certain reason, and if someone from the City dictates that time. Corporation Counsel Burns responded that the citizens would be able to help with this process. We went through some pains to make sure that it was clear that anyone was able to contact the Enterprise quickly by phone, email, or a text message. The City does not have to notify them. It would be the person who is offended by the small vehicle that would notify them. This will also be an educational process. We anticipate for citizens to call police dispatch too. They will be trained with certain responses for particular situations. The intent is to make it as nimble as possible and not burden the City with it. Once people begin to start paying for their mistakes the goal is for them to stop making so many.

Councilor Sanders stated that he did not see that anymore in the ordinance.

Director Carlson stated that in Section 39.08 on Page 12 in paragraph (C) it states that the City may remove or cause to be removed, without notice to Enterprise, a Small Vehicle that is illegally parked or that poses a public health or safety hazard. For each Small Vehicle removed by the City, the Enterprise shall pay the City a removal fee, in an amount established by the City. If the Enterprise commits a violation of this section more than two times in a twelve-month period, the Administrative Officer may revoke the Enterprise's permit. One of the ways this is set up is for regulations is to go back to the Board of Works and utilize that entity to create what is not ordinance level, but regulations. For instance, if there was a circumstance that a Small Vehicle has not been removed in ample amount of time, the City can change an area from two hours to 30 minutes. If it is not picked-up within 30 minutes then the City or a towing company will do it for them.

Councilor Dietrich recommended that we should say the presumptive is two hours. If there is an extenuating circumstance or a business owner that has their building blocked the timeframe may be shorter. It does not seem like we are giving them any timeframe to begin with from the start.

Corporation Counsel Burns stated that it was intentional to not give them a basic time from the beginning. We originally started with a timeframe because that is how Indianapolis had done it. That is where the thinking of getting the Administrative Officer involved was initiated from since they will be the front line and will understand what is most likely to be helpful to get rid of the small vehicles.

Director Carlson stated since he is likely to be the Administrative Officer, he would not be happy with giving them two hours. When a phone call is placed for a scooter to be removed, it is expected to be removed immediately. If it was put into ordinance that it was two-hours then there would be nothing that the Board of Works could do to change the time-limit.

Ms. Zuchkov added that in addition to Director Carlson's response, other sections of the ordinance also references that the scooters should be parked in designated parking locations. The language in this piece of legislation also outlines the procedures that should be followed. If the scooters are not placed property we will remove them for you.

Councilor Dietrich asked if the expectation is that they will roll when they get a call like a wrecker service, to which Director Carlson responded yes.

Councilor Wang stated that he envisions these devices blocking a business and the business wanting to remove it within the two hours. Then he envisions other times that they are on a residential sidewalk blocking access, but people allowing a longer period of time for them to be removed. There could be two different standards applied to these circumstances. This has the potential to cause a problem. People will call the hotline frustrated and upset. Then the question comes into play of who do they begin to call next.

Director Carlson stated that all of the scooters will have a 800 number for the local entity that is operating them. It is unlikely that a scooter would be in any location for a 24 hour period because of the way this business model works. The scooters are placed out daily by 7:00 a.m. and they are picked-up in the evenings between 8:00 p.m. and 10:00 p.m. If the scooters are placed in the incorrect location, it would be a situation where the Administrative Officer would get involved. They would then be at risk of losing their permit with City.

Corporation Counsel Burns stated that this may not be as clear as it should be. He noted we should not think it is the City who is doing this, and it is the citizens who are stating that the devices are in the wrong spot. The timeframe begins when they text, call, or email the Enterprise, which



is the whole reason why we went through the exercise of making sure that we had those numbers on them.

Councilor Sanders stated that we are having a conversation on two levels. He explained that he is interested more in the wording of the ordinance. The wording of the ordinance does not currently say anything about citizens contacting the Enterprise to get the devices removed, or the Administrative Officer contacting the Enterprise to get the device removed. All of that language has been removed from the current ordinance. The current language reads that the Administrative Officer can have the devices removed without contacting the Enterprise. He noted that it was his understanding that it was agreed that having the company be responsible for the removal was actually a desirable feature.

Corporation Counsel Burns stated that he can ensure that information is clarified. That is the intent and may be in the language in some of the definitions. He suggested that the changes be collected so that we have them for the next reading. The Council is free to make amendments at this point. If there was an amendment based on Councilor Sanders' statement, it would be that we would need to be more specific about how we allow a citizen or the Administrative Officer to make the Enterprise follow the rules.

Councilor Dietrich stated that on Page 5 at the top where it is talking about each device being marked with a number, there should be verbage that the number is publicized for public feedback. That number should have a contact number that is tied-in and available besides just on the scooter, such as on a website. On Page 6 Section 39.04 (a) (1) states that it limits the locations in which a Mobility System may operate. We have also discussed times such as football Saturdays and other events. This should be listed as other times and not just locations.

Corporation Counsel Burns stated that we still have that maintained in the document.

Director Carlson added that earlier we discussed the portions of the document that stated that the Administrative Officer can require that the device not be allowed access to be used at certain times for events or weather incidents.

Councilor Dietrich stated that on Page 11 Section (d) (5) we talk about the number of crashes reported the previous month. The location of those crashes would be value data too. Then further down the page on (9) it says the user reported issues and complaints. That portion should read, "user or public reported issues and complaints." Then the last item states on (11) a summary of any educational events conducted by the Enterprise. He questioned if we should articulate what a summary should be.

Corporation Counsel Burns noted that he does not have a handle on the best direction that should be taken for the last item discussed by Councilor Dietrich.

Director Carlson explained that a summary would be a list of events the Enterprise was at and their topics of discussions. Often times, events such as Boiler Bridge Bash or a bike rodeo would allow them the opportunity to do one.

In response to a question asked by Councilor Dietrich, Director Carlson confirmed that the City would not be guiding or trying to dictate the topics. We just want them written down and submitted as part of the permitting process on an annual basis.

Councilor DeBoer stated that from this conversation, there will be amendments drawn up from Corporation Counsel Burns' Office that will come to the floor individually or one omnibus amendment that will be reviewed.

Corporation Counsel Burns stated that it is up to the Council on how they want to handle it.

Councilor Dietrich stated that we will approve this legislation at first reading. Then Corporation Counsel Burns' Office will clean the piece of legislation up again prior to being reviewed as the second amended version.

Corporation Counsel Burns stated that we will list the five amendments that have been discussed this evening before the next meeting. He encouraged any other amendments that the Councilors may be interested in being added to the language be sent to Director Carlson, which will allow the next proposed draft of the ordinance to be made before the next Council meeting. This will help to allow a better understanding of the changes and for copies to be made available at the handouts table at the next Council meeting.

Director Carlson added that the Councilors should also copy Ms. Zuchkov in their email for any proposed amendments.

Councilor Bunder opened the floor for citizen comments.

Jan Myers (1909 Indian Trail Drive) requested that the phone numbers discussed within the documents be made ADA compliant because she knows with her changing vision she is not able to read most normal print any longer. She is not the only citizen in the world that the numbers need to be in large font, as well as braille. At the Special Meeting Work Session there was a woman who purposely attend because she was blind. If these individuals are to contact the Administrator Officer there should be some way that this is promulgated in braille or other ways for those citizens. Next she commented on the State Bill about the parking on the sidewalk. Most sidewalks in the City are not yet ADA compliant. There are only a few sidewalks that are beyond that width that could be considered for parking. She expressed her opinion to disagree with the State's comments.

Councilor Sanders stated that Ms. Myers made a good point in terms of the language, and it is worth including.

Patrick Hagmaier (375 Brown Street) asked if the language cleared up the issue on whether or not it would govern personally owned small vehicles, to which Corporation Counsel Burns responded that the rules of operation will be the same for anyone. The Enterprise has a range of different things they need to do in addition.

Mr. Hagmaier confirmed with Corporation Counsel Burns that the personal small vehicles will also be limited to the 15 mph too. He explained that every major bike company that produces them limits them to 22 or 27 mph, which is the law on what is needed to operate a vehicle without a driver's license. That will be in contrast to the way the electronic bikes are programmed. He questioned if two-passengers would affect the way people put child carriers on their bikes in order to commute with their children. In addition, he expressed his concerns on if the towing restriction would affect how citizens have carts behind their bikes that are able to carry children or use them to pick-up groceries. Mr. Hagmaier informed the Council that he does not own a vehicle, but does own a five-foot Surly Trailer. In order to help him transport items, he uses the built-out trailer that is extremely well lit. He emphasized the importance on ensuring that we are not limiting citizen's

viability to go without that option when concerned about the environmental consequences in the future.

Director Carlson commented that the way the ordinance is written is that those regulations are placed on small vehicles, which are defined as scooters. Those speed limits and hauling regulations are for small vehicles. The restrictions on how they are used on roads are equal to bicycles. Bicycles can still have other availabilities, such as the higher speed, ability to tow, or a child carrier. The small vehicles are the ones that are limited in those capacity.

David Carlson (Owner of Silver Dipper Ice Cream, 201 E State Street) stated that he can tend to be an impatient person. He moved the scooters on daily basis last year. This was not because of the individuals who were dropping them off, which happened 4-6 times a day. His frustration was more with the individuals who rode them. His business is on the bottom floor of a big apartment building, so there is constant traffic. People would ride the scooters and just leave them in the middle of the sidewalk constantly. Students would race down the narrow sidewalks with the scooters at 15 mph because they do not think of them as a bicycle. He personally witnessed many close calls, scooters tipping over into parked vehicles, large piles of scooters on the sidewalks, and more. He noted that he does not have time to call, email, or text all day about the scooters when trying to run a business.

Zachary Baiel (124 Connolly Street) stated that in terms of transportation we struggle to have our cycling community to follow any sort of rules, regulations, or courtesy. Adding an entirely new modality to the City is proving to be fascinating, especially since they are not viewed to be bicycles. It appears that we are defining small vehicles as any non-motorized transportation device. On Page 2, under the definition of Small Vehicles, the language would be under the assumption to include bicycles being thrown into this regulation. We have changed some of the language regarding the educational events, and are now only doing quarterly events, as opposed to doing six events. The City will then be notified by the Enterprise when we can advance. This focuses on user safety, but does not include any mechanism for how we use the data that is gathered or if there are crashes in a particular area. It appears to be more of an advertising opportunity than an educational event. Mr. Baiel asked the Councilors to think about what the removal process would be for these devices if they were cars and in areas they should not be. There are business owners that could remove the devices themselves, and he noted his curiosity in regards to why they could not be reported back to the City from those business owners. The reports could then count towards the violation or fine limit before the permit is revoked. His last point was in regards to communication. Instead of having everything relayed at the end, we could have them simultaneously reported to the City. This would allow the City to be notified every time a report was made. This would allow the citizens who are experiencing these actions daily to be able to have a better communication level.

Alex Freeman (General Manager for Lime, Indiana), explained that they are one of the companies that operate electric scooters. He stated that the experience that the City has had thus far does not have to be that way. Mr. Freeman, speaking on behalf of Lime, stated that they find it extremely beneficial for the various cities to create ordinances so that there is framework for all of the companies that are part of this space to operate fairly and with the community in mind. Lime sees their customers not only as the riders, but also the communities that they serve. They do not just try to think about how they can get the most people to take a trip for one dollar. Their thought process is to consider how they can work together with a City Council, a Mayor's Office, and community input to design a program that is right for each individual city. Due to Lime taking this approach, their scooters have not been found along the streets in West Lafayette thus far. In order to come up with a solution and a program that works specifically for a city, his company understands the challenges and only wants to work together with that city. Each city is different

with different geography and other components. This is not a one-size-fits-all approach. In each of the various cities they work with, Lime has a local Operations Team present. Other competitors are not able to make the same type of commitment. There has been a lot of discussion about the response time this evening, so this is a point of pride for a company like Lime. Mr. Freeman stated that before he was employed with Lime he was in charge of 46 stores for Kroger in the Chicago area focusing on customer service. He noted that customer service is something that he takes extremely serious. There are companies out there that will be able to work within an ordinance that is structured and that work for the community. He noted that he feels like all of the community feedback has been spot-on. They are looking to be a collaborator in that process, and in a roll-out of any actual service after an ordinance is finalized. In conclusion, he reminded the Council that he is located in Indiana. There is also an Operations Manager in both Bloomington and Indianapolis. Their company is continuing to refine and progress in getting better.

Director Carlson read a letter from Frank Speak (Government Partnership Manager from Spin), who was in attendance at the Special Meeting Work Session last month. Due to a conflict in his calendar, Mr. Speak was unable to attend the meeting this evening and sent his regards.

At Spin, we understand that cities need the time to develop the regulatory procedures for scooters. We support West Lafayette's efforts to determine how scooter-share systems can best meet the City's mobility goals. After attending the last City Council meeting and listening to the deliberations of its members, we fully support the City's efforts to prohibit scooters from operating in problem areas. Moreover, we believe West Lafayette is addressing the appropriate issues for ensuring safety and maximizing the benefits of a scooter-share program.

We are excited about the potential benefits scooters can bring West Lafayette, and we appreciate the opportunity to keep working with the City on developing its regulations.

Councilor Sanders stated that Mr. Baiel made an excellent point about the inadequacy of the language on small vehicles. The language does not exclude bicycles from the regulation.

Corporation Counsel Burns noted that he is always happy to consider changes. However, in his opinion the language is clear in this case. It states that it has to be a vehicle that has a motor. The only time a bicycle is implicated is if it has a motor.

Councilor Sanders followed-up by stating that the definition of a small vehicle means any non-motorized transportation device, or electric or motor powered vehicle (EMPV). Also, the definitions are no longer in alphabetical order because of the changes that have been made.

Corporation Counsel Burns stated that the EMPV definition does make the bicycle distinction, but it is not picked up in the small vehicle definition. That change will be made.

Director Carlson noted that the proposed State Bill calls it an electric foot scooter. He then read the definition from the State Bill, and discussed the potential of including some of those key components in our language.

Councilor Dietrich emphasized how the City is trying to make this piece of legislation broader than just scooters, to which Director Carlson agreed. The language not only includes an EMPV, but by also adding the verbage of small vehicle it helps keep that broad perspective.

COMMON COUNCIL MEETING MINUTES, FEBRUARY 4, 2019, CONTINUED

Corporation Counsel Burns stated that we will include the aforementioned discussion to the laundry list of items to be considered before the next meeting.

There was no further discussion.

Clerk Booker called the roll call vote:

<b>Councilperson</b>	<b>Vote</b>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Absent
Leverenz	Absent
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 01-19 (Amended) passed on first reading.

Resolution No. 01-19 A Resolution Urging The Reduction Or Elimination Of The Use Of Plastic Straws, Stirrers, Utensils, Dinnerware, And Containers (Submitted by Councilor David Sanders) [Continued From The January 3, 2019 Pre-Council Meeting]

Councilor Jones read Resolution No. 01-19 by title only.

Councilor Jones moved for passage of Resolution No. 01-19 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Thomas.

Councilor Sanders stated that this resolution is the product of many people throughout our community, and expressed his appreciation towards those individuals. The resolution urges for the reduction or elimination for the use of plastic straws, stirrers, utensils, dinnerware, and containers. Due to this being a resolution, it is not an ordinance, which would have made this a requirement instead. The issues in particular with straws and stirrers have to deal with danger to wildlife. We are not eliminating the use of all plastic throughout the City. He explained that the reason there is a 180 day deadline for the straws and stirrers is because we can actually regulate those items ourselves. We do not have the ability to regulate plastic containers, bags, or cups because of State preemption. Local establishments need to have enough time to be able to make the necessary changes to move away from the plastic products. As previously stated, this is a collaborative effort since the initial formulation. There has been explicit acknowledgement of the needs of disabled persons. Nothing in this resolution precludes beverage providers from making alternatives available to customers. These alternative straws and stirrers should only be provided upon request by the customer without any inquiry into the disability status of the customer. Mr. Sanders stated that he had an email exchange with a concerned citizen, where he was able to explain that the purpose is to restrict the promiscuous use of straws when they are not required. He also would like to see the City itself commit to reducing the use of plastic utensils, straws, and containers as way to help set an example.

Councilor DeBoer brought up a question in regards to the language that states that the plastic straws should not be distributed at any City facility or any City sponsored event within 180 days. He noted that the wording was confusing and suggested that it be changed to “after 180 days of the adoption of this resolution.”

Corporation Counselor Burns noted that the language could be read both ways.

Councilor Sanders stated that he would agree to change the wording to say after.

Councilor DeBoer motioned to amend Resolution No. 01-19, and that the vote be by voice vote. The motion was seconded by Councilor Dietrich. The motion was adopted.

Councilor Wang stated that he had questions on how banning the straws from any City or City-sponsored events would affect events such as Global Fest, that have vendors and private organizations. He questioned if the City would have to tell these organizations that if they do not use something that is environmentally safe they would no longer be able to participate. Councilor Sanders responded that they would not be told that they could not participate, but they would be instructed that they should not be using plastic straws, stirrers, or utensils beforehand.

Councilor Wang questioned what would happen if they still choose to use them after being instructed not to use them.

Councilor Jones reiterated for clarity that this is a resolution, so there is no enforcement. He questioned if the City officials would phrase this as a requirement in attempt to reach those who were not complying, which would then imply that we would prevent them from participating. As an example, he stated that if vendors choose to use them and we told them they are not supposed to use them, it would imply it is a rule or regulation instead of a resolution encouraging them not use them. Mr. Jones expressed his concerns about how City officials might communicate the information that this is a resolution encouraging it rather than requiring it.

Councilor Sanders stated that this resolution states that after 180 days the City should require it. It would be the same as not having people smoking in the booth and put it in the rules. We are not trying to penalize people, but we are trying to establish rules.

Councilor Wang stated that with his past experience as a judge, when there is an arbitrary time-limit set, people think there is a penalty behind it. He expressed his concerns about setting a time-limit. We should encourage and urge people to refrain from using plastic utensils, straws, stirrers etc.

Councilor Sanders stated that the time-limit of 180 is referred to twice in the document. One is for City facilities and organized events. The other reference is for the businesses. Councilor Sanders asked which one Councilor Wang was referencing, to which Councilor Wang responded he was referring to the City sponsored events.

Councilor Wang motioned to amend Resolution No. 01-19.

There was further discussion between the Councilors and Corporation Counselor Burns to clarify the amendment. It was clarified that the line should read, “Plastic beverage straws or plastic stirrers should not be distributed at any City facility or any City-sponsored event.” Then they would strike the words “of this resolution.”

COMMON COUNCIL MEETING MINUTES, FEBRUARY 4, 2019, CONTINUED

In response to a question asked by Councilor Jones, Councilor Wang stated that the amendment should strike the same words in both places that list the 180 days for consistency.

Councilor Jones motioned to amend Resolution No. 01-19 about the aforementioned changes, and that the vote be by roll call. Councilor DeBoer seconded the motion.

Councilor Dietrich asked if a resolution could be non-binding and urging for the public but binding for the City, to which Corporation Counsel Burns responded that his interpretation would be that if you are going to bind members of the public it would be an ordinance with penalties. However, if the Mayor signed something on his own without the Council, it would be like any other property owner, it could be prevented as long as it was not discriminatory.

Councilor Dietrich asked if by striking the words out it would imply that this would become effective the moment Mayor Dennis signs the resolution, to which Corporation Counsel responded yes.

Clerk Booker called the roll call vote on the amendments:

<b><u>Councilperson</u></b>	<b><u>Vote</u></b>
Bunder	Aye
DeBoer	Aye
Dietrich	Nay
Jones	Aye
Keen	Absent
Leverenz	Absent
Sanders	Nay
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 5 AYES and 2 NAYS.

President Bunder announced that the amendments to Resolution No. 01-19 passed.

Councilor Jones asked if Mayor Dennis was comfortable enforcing this resolution, to which Mayor Dennis responded within reason and at the discretion of the administration to enforce it.

Councilor Dietrich expressed his appreciation towards Councilor Sanders for his work on this resolution. As a City it makes a lot of sense to set an example, and he applauds the concept. This will be an issue for some of the large chains of businesses, but appreciates that our City is taking the lead on this idea.

Councilor Bunder opened the floor for public comments.

Patrick Hagmaier (375 Brown Street, and owner of the The Pint, 111 South River Road) stated that there are numerous problems that arise when we discuss how we move into the future in a reduce, reuse, recycle community and how to effectively eliminate waste. We do not want to create a situation where we are pushing business owners and entrepreneurs to purchase biodegradable items just to put them in a plastic bag so that they do not actually biodegrade or produce any landfill reduction, while only increasing the cost to the local business owners. In Mr. Hagmaier's opinion this resolution is premature. We should move towards a more comprehensive and sustainable plan for the future. He would like to see this item tabled and work together with members of the Redevelopment Commission to find funding to be able to educate our local citizenry. We should also find the funds to certify someone in the City government to help people

understand how to compost and how to use biodegradable items properly. If we just push people to spend more money on a compostable item or remove these things without an effective infrastructure behind it, we are only spending more money without fixing anything. We need to start with the citizenry and get them educated, which will allow us to be able to put funding towards our main goal. We should continue to work with the Go Greener Commission and other City Offices. He stated that he had a lot of success in speaking with people from Bootstrap Compost in Boston, Massachusetts, and CompostNow in Raleigh, North Carolina. Both of these companies are willing to work with us in helping to develop a plan on how to create real changes. Mr. Hagmaier switched his personal business over and away from these type of items in July of 2018. He completely agrees that we should move away from these types of items, but there should be a comprehensive plan instead of just a basic idea.

David Carlson (Owner of Silver Dipper Ice Cream, 201 E State Street) stated that he talked to his ice cream supplier, who has been in business for sixty years and is currently the head of the Ice Cream Association for the United States. They have been doing research and recently started using biodegradable straws in their shops located in Madison, Wisconsin. It has become apparent that you have approximately 20 minutes to complete a milkshake with a biodegradable straw, and the straw costs three times as much. He questioned what those type of straws will do for fast food chains who sell fountain drinks and other restaurants throughout West Lafayette.

Zachary Baiel (124 Connolly Street) stated that education will be a huge component for this process. In 2014 we annexed Purdue University to be part of the City. It would be under the assumption that Purdue University would also be encouraged to abandon all of their straws. Global Fest was brought up as a suggestion earlier. Mr. Baiel asked if there would be a suggestion or way for the vendors who would like to abide by what we are trying to accomplish with this resolution. There seems to be a lot more that can be done ahead of the resolution in terms of the education and composting. We also need to know how this will affect the school corporation for their lunches. We may need to look at what the long-term outlook may be.

Jan Myers (1909 Indian Trail Drive) stated that because of her lack of dexterity she uses a straw most of the time. When she travels she takes her reusable straws. On occasion she has found neither one of them fit in the hole that is provided. She was raised with the knowledge of knowing how to compost, but has realized that some of that knowledge has disappeared for others. She acknowledged her excitement in seeing our community move back into that direction.

Maddie Henderson (221 S. Salisbury Street) stated that she is from the Student Sustainability Council at Purdue, and she wants to respond to some comments. As far as this not being a super comprehensive and all-encompassing resolution, she agrees that it is not. There are more steps that we can take with local businesses to get them on board, but she thinks that this resolution is an important first step to get the ball rolling. It is not the end-all be-all; it is not perfect. However, passing this resolution is a mark in the ground that this is something that we care about, and we should move forward. It is not the only thing that we should do as a City as far as environmental movements. A lot of people have mentioned composting. Everyone is probably aware of the bio-digester that we have in the City, which makes food waste out of electricity. The Sustainability Council is working with the Go Greener Commission, Greek housing on campus, and Purdue Dining and Residential Catering to try and expand that by getting more food waste to the bio-digester. There is a meeting tomorrow to work out some of the logistics of that, and she thinks that working more with local businesses will be coming down the pipeline to help expand the environmental friendliness. She stated that she fully supports this resolution and is glad that we are taking steps in this direction.



Amy Worley-Peterson (107 MacArthur Drive) stated that she is also on the Sustainability Council. She noted that they have a “Last Plastic Straw” committee. As far as making this a full-fledged resolution, they have also talked to the Go Greener Commission about creating a certification. One of the goals of that would be to reduce plastic usage. She stated that they are here to show support for the resolution, and they believe that reducing plastic straw usage in West Lafayette is a good small step toward creating a more sustainable community. This resolution will shine a light on the way our society relies on the use of single-use plastics, which we did not used to do. Hopefully it will spark change in businesses and individuals. This can be as easy as asking for a straw instead of being given one. That is the kind of small step that this resolution is going for. She stated that according to the Strawless Ocean, plastic straws are not recyclable in a lot of cases. In the best case scenario, the straws end up in the landfills. In the worst case scenario, they hurt wildlife in our oceans. As Purdue students, they want to see this change in West Lafayette’s approach to sustainability. As a Big Ten campus, they want to have sustainability as a priority like a lot of other Big Ten schools. They are dedicated to working with students and the community to educate and help lessen the environmental footprint of West Lafayette. They want to spread the word that there are sustainable alternatives to almost every single-use plastic item that we think we need, including these plastic straws and stirrers. She noted that the Council was sent a list of groups on campus who are also in support of the resolution, and she hopes the Council also takes their support into consideration.

Jennifer Teisling (912 Princess Drive) stated that she wants to give her support for this resolution and thank Councilor Sanders for bringing it forward. She had to purchase a large amount of plastics in 2018, so she made about five hours’ worth of telephone calls to find out about recycling plastics here. She eventually got to the inspector at the State of Indiana Waste Management Transfer Station, who proceeded to inform her about how recycling has changed in the State and specifically in Tippecanoe County. There was a waste problem due to the landfills being full, and in order to solve that problem we worked with a company to take more potentially recyclable material. That is now being transferred on rail cars and boats to Indonesia, after China started to refuse to take it. What is happening is that a substantial amount of the materials that we are sending to Indonesia are not recyclable. Indonesia is agreeing to take it because some of it is recyclable and they may make some money, but the non-recyclable materials are being dumped into the oceans, and the pictures are a horrific sight to see. She stated that this is a small step, and she wishes we were going further, but we have to start somewhere.

There was no further discussion.

Clerk Booker called the roll call vote:

<b>Councilperson</b>	<b>Vote</b>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Absent
Leverenz	Absent
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 0 NAYS.

President Bunder announced that Resolution No. 01-19 (Amended) passed on first and only reading.

**NEW BUSINESS:**

**Ordinance No. 02-19** To Amend Certain Portions Of The Unified Subdivision Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect. (USO Amendment No. 11) (Farmstead Parcelization) (Submitted by Area Plan Commission)

Councilor DeBoer read Ordinance No. 02-19 by title only.

Councilor DeBoer moved for passage of Ordinance No. 02-19 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Dietrich.

Building Commissioner Chad Spitznagle explained that the APC needed to do some updating to the farmstead parcelization items in the subdivision ordinance. West Lafayette does not have any large farm parcels, but it is still good to stay consistent with the ordinance.

There was no further discussion.

Clerk Booker called the roll call vote:

<b><u>Councilperson</u></b>	<b><u>Vote</u></b>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Absent
Leverenz	Absent
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 01-19 passed on first and only reading.

**Ordinance No. 03-19** An Ordinance Recodifying, Adopting And Enacting A New Code For The City Of West Lafayette (Sponsored by Mayor John R. Dennis)

Councilor DeBoer read Ordinance No. 03-19 by title only.

Councilor DeBoer moved for passage of Ordinance No. 03-19 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Dietrich.

Councilor DeBoer stated that years ago, even before he got onto the Council, one of the biggest problems that he witnessed, coming from a student government background, was that he could not tell what was going on in our City Code. It references documents that were proprietary that could not be seen, it would be self-referential to points that were no longer there, and it had sections about regulating the cable industry. He stated that he was frustrated that he did not know how to legislate from up here. Although that has changed some over time, he feels that this Code will be beneficial to the next Council. It will give the ability to actually see what is going on, to make amendments that is in City Code, and to be able to articulate the rules, fines, and fees to

the community. He thanked Clerk Booker, Corporation Counsel Burns, and the entire staff that worked on getting this done.

Counsel Burns expressed appreciation to those that worked on this. In the work sessions that the Council held, there were some items discussed that were controversial to an extent. We did not put those in this ordinance. He will not go through those, but there was some well-thought-out debate on a few issues. The purpose is to do as Councilor DeBoer said, which is to get something that we can be proud of, that we know is searchable, and that we know is going to represent the City well. It is going to get rid of some of the antiquated, outdated, illogical, and inconsistent provisions that normally, and perhaps always, grow up in a Code that started in 1960. We have now taken down all of the layers and are ready to start fresh. He hopes that the Council is ready to vote for the recodification so that we will now have a baseline. That baseline will actually start January 2018, including the things that we have done since then. After this passes, and we publish the items that will create fines and charges, it will be ready for the Council to work on further as they see fit.

Councilor DeBoer asked if every-other section being reserved in the code is so that we can add chapters later, and Counsel Burns confirmed that is correct. That will be the way to avoid having some of the inconsistencies later.

Zachary Baiel (124 Connolly Street) expressed appreciation for the update as he is a frequent user of Municode, and it can be quite confusing. He asked Councilor DeBoer if there is any timekeeping log of the time in hours and personnel that were involved with this project, to which Councilor DeBoer responded that his concern was to get the update. Mr. Baiel stated that it is a concern knowing that different updates have been excluded from pursuit due to the cost of them, so he wondered what was involved in that. He stated that he assumes it was mainly the Clerk's Office and City Attorney, and asked if there is anyone else he should include in looking into that. President Bunder and Counsel Burns confirmed that the consultants from Municode were also involved.

There was no further discussion.

Clerk Booker called the roll call vote:

<b><u>Councilperson</u></b>	<b><u>Vote</u></b>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Absent
Leverenz	Absent
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 03-19 passed on first reading.

Ordinance No. 04-19 An Ordinance To Establish The Cumulative Capital Development Fund And Readopt West Lafayette City Code Provisions Concerning The Fund (Submitted by City Controller)

Councilor DeBoer read Ordinance No. 04-19 by title only.

Councilor DeBoer moved for passage of Ordinance No. 04-19 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Dietrich.

City Controller Peter Gray stated that this is to establish the Cumulative Capital Development Fund, also known as the CCD Fund. By State statute, we need to do this every year. This is for a valuation of \$0.05 per \$100 on the property tax, as far as what the State will move over to the City. This is something that we have done annually for many years since this has been established.

There was no further discussion.

Clerk Booker called the roll call vote:

<u>Councilperson</u>	<u>Vote</u>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Absent
Leverenz	Absent
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 04-19 passed on first reading.

### COMMUNICATIONS

► Parks Superintendent Kathy Lozano stated that it has come to her attention that some citizens of the City have been expressing concern about the future of the pottery studio that is currently housed in Room 119 in this building. It was a great undertaking to relocate all of the equipment to the former Happy Hollow School from the Morton Center, which the Parks Department happily undertook in order to ensure the continuity of current program. She stated that she would like to ensure members of the Council and the citizens of West Lafayette that the Parks and Recreation Department is committed to providing access to the arts for all individuals. The community space at the new City Hall is being designed to accommodate a variety of activities – arts, humanities, music, meetings, etc. No final decisions have been made about specific program space in the newly renovated building. She stated that she is here to assure everyone that we will see pottery included in some form in the arts program in the future. In conclusion, she would be happy to discuss this information with anyone that may have concerns.

► Councilor Dietrich recognized the passing of Bob Friend at the age 88 this week. He was a Westside standout and major league player. Mr. Dietrich expressed his appreciation to the Engineer's Department for the new signage that explains how the flashing crosswalk works on

State Street. He noted that he would like to offer some insight into the current leadership that is at West Lafayette Police Department. He explained that a cousin of Mr. Dietrich's passed away, and his son-in-law is a police officer at West Lafayette. While at the viewing he noted that Chief Harris and Deputy Chief Vanvactor were both in attendance. They were there for compassion and not to be on display. Numerous family members commented on their presence and how much they appreciated them being there. Both of those men display the type of leadership and compassion that we all would like to work for today. Lastly, he commended Corporation Counsel Burns for getting the information and numbers that he requested for the City Court. He noted that even more so he appreciates the proposal that has been put together for how the City is projecting to sustain the Court's future. We now have four years to test the waters as we run into another election cycle. He noted that Judge Lori Sabol has offered to take a significant cut in pay based on the old hours she was working. However, based on this new plan there will be more time devoted for her to work. He would recommend that we leave her annual salary at \$20,634.12, per the current salary ordinance budget. He asked if the Council would need to act on any change in that procedure or is it a function of the Court, to which Corporation Counsel Burns responded that there would not be any Council action needed. The salary is an annual salary, like all other elected officials. There is no action needed to implement any of the things that are laid out in the memo that was sent out to the Council members.

Councilor Dietrich encouraged his fellow Councilors to support the proposal that Corporation Counsel Burns sent to them.

► Councilor Bunder congratulated Bess Witcosky, who has now become the Director of Joyful Journey. Most recently Ms. Witcosky was the Director of the Morton Community Center in West Lafayette.

#### CITIZEN COMMENTS

► Jan Myers (1909 Indian Trail Drive) stated that she applauds the grid street system that is being proposed for the Levee area. Ms. Myers noted that she hopes we will be moving forward with more residential developments and this grid system. She is extremely familiar with the safety factors of the system because she was the Director of the Safety Research Information Service years ago. It is also a key factor in connecting the community, increasing walking and biking, and other things that make us healthy. Another point she brought up was in regards to the design for the locker rooms at the Recreation Center, to which she was in favor of. Some individuals may appreciate that they need the extra help like she does because of being a quadriplegic.

► Zachary Baiel (124 Connolly Street) stated that 2019 is a municipal election year. Next week is Sunshine Week, which is a week-long celebration of open Government transparency and engagement. From the Indiana Coalition they will be focusing on demystifying public records and ways people can be involved. The playground equipment from the Happy Hollow School was removed during the transition phase. It has been brought up with the plans of the new City Hall to include the playground, which is popular with families who utilize the library. He stated that Mayor Dennis had brought up a lot of the positive points for an open concept design for City Hall. However, current research is not in favor of the open concept design. Most recently there was a Harvard study against open concept offices, where there was a significant social withdraw from face to face interaction and collaboration with others. Most communication went back to email and instant messaging. The study showed that the quality of collaboration severely decreased with 70% less face-time for business, and email had an increase between 22%-50%. The loss of proactivity was also significantly hampered. Mr. Baiel encouraged the City to look into another alternative besides an open concept design. He noted that he attended an open concept school, and worked in two open concept offices. This design is not the panacea it is made out to be.

ADJOURNMENT

There being no further business at this time, Councilor DeBoer moved for adjournment, and President Bunder adjourned the meeting the time being 8:46 p.m.