

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
DECEMBER 9, 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 December 9, 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, Jonathan Jones, Gerry Keen, Larry Leverenz, David Sanders [6:35 pm], Gerald Thomas, and Norris Wang.

Absent: Steve Dietrich

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, Deputy Director of Development Erin Easter, Human Resources Director Diane Foster, City Engineer Ed Garrison, City Controller Peter Gray, Police Chief Troy Harris, Fire Chief Tim Heath, Parks Superintendent Kathy Lozano, Deputy Clerk Lindsey McCollum, Deputy Fire Chief Jeff Need, and Building Commissioner Chad Spitznagle.

MINUTES

Councilor Keen moved for acceptance of the minutes of the October 31, 2019, Pre-Council Meeting, and the November 4, 2019, Common Council Meeting. Councilor DeBoer 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

Councilor Keen stated that the West Lafayette Downtown Plan will be on the full Area Plan Commission (APC) agenda for the January 15, 2019, meeting.

PUBLIC RELATIONS:

Recognition of Service Award – Gerry Keen

Mayor Dennis spoke about how elected officials are often not recognized for their work within the community. This evening we are recognizing Councilor Keen for his 21 years of service. Mayor Dennis reminisced about Councilor Keen's willingness to advise him as a newly elected official 13 years ago. There have been numerous issues over the years, which have been brought before the Council for approval. Councilor Keen has played an instrumental part in implementing the vision of what the City of West Lafayette is today. Mayor Dennis then presented Councilor Keen with a service recognition award plaque.

Councilor Keen expressed appreciation and honor in serving as a member of the Council.

[Councilor Sanders arrived at 6:35 pm]

Presentation: 2020 Proposed West Lafayette Redevelopment Commission Spending Plan

Larry Oates, Redevelopment Commission President, stated that pursuant to State law, the Redevelopment Commission (RDC) has to present their Spending Plan for the following year to the City Council. Looking at the KCB TIF district, at the end of 2020 the balance will be \$3.9 million. He explained that we are in a different situation because of constructing the Wellness and Aquatic Center, as well as the new City Hall. Referring to the revenue section, there is \$1.6 million in a fund for the 2019 Reserve Wellness and Aquatic Center. In addition, there will be \$810,000.00 that will be added to that fund, which is listed under the debt payment section for the Wellness Center required bond reserves for January 2020. This money is set aside by the RDC, and will be used to pay the last \$2.4 million of the project. The bondholder has also set aside \$2.4 million that will be distributed back to us at the end of the project. He explained that while it looks like we have \$3.9 million remaining at the end of the year, \$2.4 million of it is set aside to finish the project. Part of the money will come back to us in late 2020 or possibly 2021, depending on when the project is complete. Furthermore, this is to be understood as a cash flow issue that requires money set aside ahead of time. Moving on, there is \$870,000.00 bond reserve under the revenues area for the 2019 Reserve City Hall in the Levee TIF district. This project will function the same way as the Wellness and Aquatic Center. In conclusion, Mr. Oates offered to answer any questions that the Council may have about the 2020 RDC Spending Plan.

COUNCIL APPOINTMENTS:

Councilor Bunder explained that due to the vast amount of Council and Mayoral appointments, he recommends that one motion be taken for all Council appointments and one be taken for all Mayoral appointments. There were no objections. Councilor Bunder read the names of the Council appointees as listed below:

Area Plan Commission (APC) – Larry Leverenz

Economic Development Commission – Elizabeth Tran

Go Greener Commission – Shannon Kang

Park Board Foundation – Sue Eiler

Police Merit Commission (PMC) – Rwitti Roy [Approved at Pre-Council]

Redevelopment Commission – Larry Oates and Patrick Hagmaier

Traffic Commission – District #4 – Ralph Bline

Traffic Commission – District #5 – Vicky Woeste

Traffic Commission – District #6 – Austin Bohlin

Councilor Keen motioned for approval of the aforementioned Council Appointments, and that the vote be by voice vote. The motion was seconded by Councilor DeBoer. The motion passed.

MAYORAL APPOINTMENTS:

Councilor Bunder read the names of the Mayoral appointees as listed below:

Area Plan Commission (APC) – Kathy Parker

Historic Preservation Commission (HPC) – Peter Bunder, Mike Dunkle, and Colby Bartlett

Councilor Keen motioned for approval of the aforementioned Mayoral Appointments, and that the vote be by voice vote. The motioned was seconded by Councilor DeBoer. The motion passed.

FINANCIAL REPORT

City Controller Gray stated that we are 92% of the way through the year. The overall budget is running at 84%. Recently, we have received approval from the Department of Local Government Finance (DLGF) for the 2020 budget. The tax rate for the City of West Lafayette is the same as this year.

LEGAL REPORT

This report is on file.

SPECIAL REPORTS:

Joint Board Report

Councilor DeBoer stated that the next Joint Board meeting will be held on January 21, 2020, at noon in the Council Chambers.

UNFINISHED BUSINESS:

Ordinance No. 29-19 An Ordinance Requesting An Additional Appropriation To The 2019 Budget (General Fund, Major Budget Classification: Personal) (Submitted by City Controller) [No. of Readings 2 of 2] **[PUBLIC HEARING]**

This ordinance was withdrawn at the December 5, 2019, Pre-Council meeting. No public hearing was necessary.

Ordinance No. 31-19 An Ordinance Vacating A Portion Of The Right-Of-Way Of Old McCormick Road Within The City Of West Lafayette (Submitted by Franciscan Alliance, Inc.) (Sponsored by Mayor John Dennis) [No. of Readings 2 of 2] **[PUBLIC HEARING]**

Councilor Keen read Ordinance No. 31-19 by title only.

Councilor Keen moved for passage of Ordinance No. 31-19 on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

City Engineer Garrison reminded everyone that this is regarding a small piece of roadway that was bisected by the construction of US 231. It remained in place mostly due to the location of the old Morris Schoolhouse, which has since been relocated. The extension of Cumberland Avenue further changed the layout to provide secondary access to the other parcels. This vacation will remove the right-of-way for Old McCormick Road and allow it to be better used by future development.

Councilor Keen moved to open a public hearing on Ordinance No. 31-19. The motion was seconded by Councilor DeBoer, and the motion was passed by voice vote.

There were no comments.

Councilor Keen moved to close a public hearing on Ordinance No. 31-19. The motion was seconded by Councilor DeBoer, and the motion was passed by voice vote.

There was no further discussion.

Clerk Booker called the roll call vote:

COMMON COUNCIL MEETING MINUTES, DECEMBER 9, 2019, CONTINUED

Councilperson	Vote
Bunder	Aye
DeBoer	Aye
Dietrich	Absent
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 31-19 passed on second and final reading.

Ordinance No. 32-19 (Amended) An Ordinance For The Removal Of Vehicles ,Trailers, And/Or Other Equipment Parked On The Street During The Clearing Of Snow On Emergency Snow Routes (Sponsored by Mayor John Dennis) [No. of Readings 2 of 2]

Councilor Keen read Ordinance No. 32-19 (Amended) by title only.

Councilor Keen moved for passage of Ordinance No. 32-19 (Amended) on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Councilor DeBoer stated that we had a snow event shortly after we did this last month, which lead to some online discussion about the ordinance. He asked how that snow event would have been different if this legislation had been enacted.

Street Commissioner Anderson stated that the big one is State Street, which is all timed parking. After we have all of our signs up, what we are expecting is that people would move their vehicle off the street until the snow event is over. The area that is not timed parking is Cumberland Avenue, and we will send letters to those homeowners.

Councilor DeBoer questioned if it is correct that we would put out notices when there is a snow event.

Commissioner Anderson stated that it will depend on the language we use on the signs. Under each of the timed parking signs, there will be a paragraph about emergency snow routing. We are looking into the best language to use that will make sense, while keeping it short and simple.

Councilor DeBoer stated that those signs will be important as an outreach mechanism. He asked if there is a timeframe in mind, or if this will go into effect prior to the signs being posted. He questioned when we could expect the signs to be up.

Commissioner Anderson stated that we are able to print those signs ourselves, so we will go to work on getting that done if this passes tonight. If the Council prefers, that sign can be brought to the Board of Works for approval of the language.

Councilor DeBoer stated that the sooner they get posted the better, and Commissioner Anderson agreed.

Zachary Baiel (124 Connolly Street) stated that he wants to add a little more nuance to Councilor DeBoer's question. He noted that the limited time parking is only until 7:00 p.m., and asked what would happen if a snow event happens at midnight, such as what proactive communication the City will have to the public. He encouraged the Council to include language in the ordinance to address the issue.

There was no further discussion.

Clerk Booker called the roll call vote:

Councilperson	Vote
Bunder	Aye
DeBoer	Aye
Dietrich	Absent
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 32-19 (Amended) passed on second and final reading.

NEW BUSINESS:

Ordinance No. 33-19 An Ordinance Providing For Temporary Loans (2020) (Sponsored by City Controller) [No. of Readings 1 of 2]

Councilor Keen read Ordinance No. 33-19 by title only.

Councilor Keen moved for passage of Ordinance No. 33-19 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Controller Gray stated that this is a normal ordinance at this time of the year. The temporary loans provide our cash flow for the first half of the year prior to receiving the June increment of the tax levy.

There was no further discussion.

Clerk Booker called the roll call vote:

Councilperson	Vote
Bunder	Aye
DeBoer	Aye
Dietrich	Absent
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Aye

COMMON COUNCIL MEETING MINUTES, DECEMBER 9, 2019, CONTINUED

Councilperson	Vote
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 33-19 passed on first reading.

Ordinance No. 34-19 An Ordinance To Approve Blanket Bond Coverage For 2020 (Prepared by Clerk Sana Booker) [No. of Readings 1 of 2]

Councilor Keen read Ordinance No. 34-19 by title only.

Councilor Keen moved for passage of Ordinance No. 34-19 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Clerk Booker stated that we annually approve this blanket bond coverage in the amount of \$750,000.00. It covers anyone who has access to funds that belong to the City. We do this every year to ensure the City is protected.

There was no further discussion.

Clerk Booker called the roll call vote:

Councilperson	Vote
Bunder	Aye
DeBoer	Aye
Dietrich	Absent
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 34-19 passed on first reading.

Resolution No. 15-19 A Resolution Confirming The Designation Of An Economic Revitalization Area For Real And Personal Property Tax Abatement For Purdue Research Foundation/Saab (Submitted by the Department of Development) [No. of Readings 1 of 1] **[PUBLIC HEARING]**

Councilor Keen read Resolution No. 15-19 by title only.

Councilor Keen moved for passage of Resolution No. 15-19 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Jody Hamilton, Greater Lafayette Commerce (GLC), stated that this is the last reading for the Economic Revitalization Area (ERA) request for the property in which Saab will be building their new facility. She reminded everyone that this is a request for the ERA, which has nothing to do

with the request for a tax abatement. The abatement request will come to the Council in the next few months, and representatives from Saab will be in attendance at that time.

Councilor Sanders stated according to the information he received from the State and Indiana Code, the designating body may impose a fee for filing a deduction application. This one-time fee may be sufficient to defray actual processing and administrative costs. He asked if we have imposed that fee.

Director of Development Carlson stated it will be imposed and a check will be sent to the City of West Lafayette.

Councilor Sanders asked how much the fee is, to which Ms. Hamilton responded that it is \$500.00 per application. If they do both a real estate and a personal property application, it will be a total of \$1,000.00.

Councilor Sanders asked if that actually covers the cost of everyone involved.

Director Carlson stated that the fee would be aimed at any legal fees incurred, if any. The fee is essentially a proffer, regardless of if it is spent or not.

Councilor Sanders stated that Indiana Code says that we can charge a fee that defrays the costs of processing and administrative costs, which he assumes is greater than \$500.00.

Director Carlson responded that we have a relationship with GLC, which is funded through our normal operations. This allows them, Ms. Hamilton in particular, to do this sort of administrative work for us.

Councilor Sanders questioned why the fee could not be used to pay for some of those services.

Director Carlson stated that it was already covered with an agreement through the Redevelopment Commission (RDC), which was previously approved.

Councilor Sanders stated that the Resolution says, "The Common Council confirms its findings that the Real Estate is undesirable for normal development and occupancy due to a lack of development and growth which has impaired the values and the development or use of the Real Estate." However, he does not know that is actually true. He does not feel the area appears undesirable or that there are not properties nearby that are being developed, and so on. He wants to remind everybody of what the definition of *economic revitalization area* is. It means an area which is within the corporate limits of a city, town, or county, which has *become* undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvement, or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property. Councilor Sanders stated that it is clear that what we are talking about is an area that is distressed. That does not apply here.

Director Carlson stated that on the property that this is developing, which is adjacent to the runway, is land that has never been developed in the City of West Lafayette.

Councilor Sanders asked if it is correct that it was a farm until recently, to which Director Carlson responded that he believes it was share-cropped. Councilor Sanders stated that it was a farm, so it was not unproductive land.

Director Carlson stated that the US 231 Corridor Study showed that it is land that would be developed, and should be developed. It is not anything in the City of West Lafayette. It is zoned as Agriculture at this point.

Councilor Sanders stated that he is not disputing that it should be developed. He is disputing whether it fits this definition. He spoke with Barry Wood with the DLGF, who conveyed to him that other jurisdictions have also played loose with particular definitions, and there is nobody at the State, as far as he can tell, who is minding the store to check and see whether these ERA designations are correct. He wants to bring attention to what we are saying and doing here, despite the fact that there is precedent of other locations ignoring what seems to be the intent of the Indiana Code. Councilor Sanders stated that his second point, which he mentioned last time, is that according to information received from the State, is that we are supposed to have had a statement of benefits, an SB-1 Form. The Form should be filed if the property owner, which he believes is Purdue Research Foundation (PRF), asks for an ERA designation, which they have. Councilor Sanders stated that Mr. Wood was surprised that no SB-1 was filed, but it is not actually in the statute. The other part that he read is the statute, but the SB-1 is included in the instructions given by the State to municipalities that are trying to decide on an ERA designation. It is clear what it says, but it did not happen in this case, as far as he can tell.

Ms. Hamilton acknowledged the language, and agreed that we did not do that. She stated that she also spoke with Mr. Wood, she believes a few minutes after the conversation between Mr. Wood and Councilor Sanders. Mr. Wood relayed the same information in regards to what is in his PowerPoint presentation is considered best practices, based on what he has seen in other locations. However, it is not a requirement of the State statute. Since Mr. Wood is an attorney, he is unable to give advice, but he recommended that we look to the City's attorney and the preferences of the Council. This could be something that we add in the future, but it is not a requirement.

Councilor Sanders stated that also according to Indiana Code, the designating body may impose an annual fee with the consent of the property owner. This fee is based on a percentage not to exceed 15% of the tax savings, and is used to promote economic development. Again, looking at the statute, the Council can, as the designating body, declare up to 15%, or \$100,000.00, whichever is less, be given to the County Auditor so that the designating body determines where it goes for economic development. He is bringing it up as a potential amendment to this document, to say that it is our intention to impose such an annual fee if there is a tax abatement granted. Then, it will be with the consent of PRF and Saab because they will understand now that when the abatement request is in place that we will request this fee.

Director Carlson stated that it can be considered. However, City staff would recommend that if that is something the Council would like to see moving forward, that it is something we keep in mind for future potential tax abatements. This particular abatement has been in the works for a little more than one year. It first came up during the week of Thanksgiving last year, and he had conversations with a lot of people about it at that time. Given that this is something that has been in the works that long, he thinks it would be an unfortunate look to potential employers in this community that we would change the terms of the abatements after they have come along this far. We would be more than willing to consider it in the future, if that is the will of this body.

Councilor Sanders stated that it turns out that this annual fee is not something that is general. It seems, again from the statute, that it is on an individual abatement. We could have it for this one and not have it for another. We would not necessarily have all future ones have it. The other thing is that he is not sure the other Councilors realized that this annual fee was a possibility. Although

it may have been discussed with the President, it was not discussed with him about whether we should or should not have the fee. He is representing our interests.

Director Carlson clarified that the annual fee was not discussed; it was the abatement process at large that was discussed.

Councilor Sanders stated that we are now discussing it. He thinks it is a legitimate thing for this Council to consider. In reading the statute, it seems that the actual imposition of the fee would be at the time of the abatement. If we were to amend this today, we would be amending it to say that if and when we grant an abatement, it would include this fee. He deferred to our attorney to verify when the fee is imposed. To be fair to PRF and Saab, if we have this amendment, then they will know when they are making their request that the fee will be included.

Corporation Counsel Burns expressed agreement with the statement about the timing issue. His reading of the statute would indicate that as long as it is done as part of the initial approval process of the owner's statement of benefits, then it can be imposed. So, timing wise, he agrees with Councilor Sanders. The only caveat that he has is that it requires the consent, and he does not know if Councilor Sanders' suggestion is considered consent.

Councilor Keen stated that he agrees with the idea of incorporating the fee. However, he also agrees with Director Carlson that it may not be an appropriate path to choose at this point in time. Perhaps for future ERAs and tax abatements, it may be something we should look at further. He added that since the beginning of his time on this Council, the ERAs have always had this designation about distressed property. He has come to understand that to mean that we are taking otherwise disadvantaged, or whatever the term may be, property and giving us a path to put something nice and better on that property. The language does not really help or define what is going on, but it is a path that we have available to us to make this happen. That is why he can be in favor of this, even if the language is not as appropriate as it should be.

Councilor Keen moved to open a public hearing on Resolution 15-19. The motion was seconded by Councilor DeBoer, and the motion was passed by voice vote.

Zachary Baiel (124 Connolly Street) said, "Real brief, just in regards to that SB-1, particular document, too often I think we hear that we are not required to by law as an excuse for not providing critical information. Looking at the form, it would have to be submitted any time new equipment is installed at the site. But, I think the importance of it is to actually give the governing body a lot of information ahead of approval of such things, and therefore, the public would also have access to have information in order to appropriately advocate and lobby for those particular economic revitalization areas to occur. And, so, the form does state that it is up to the designating body to determine whether or not that SB-1 is in there. So, that should help clarify that. Hopefully, this particular body goes forward and asks for this form moving ahead with any future economic redevelopment areas. Any other information that can be released ahead of time, I think is absolutely critical. That way we can have some intelligent, informed conversations at these public hearings and future meetings. Thank you."

There were no further comments.

Councilor Keen moved to close a public hearing on Resolution 15-19. The motion was seconded by Councilor DeBoer, and the motion was passed by voice vote.

There was no further discussion.

COMMON COUNCIL MEETING MINUTES, DECEMBER 9, 2019, CONTINUED

Clerk Booker called the roll call vote:

Councilperson	Vote
Bunder	Aye
DeBoer	Aye
Dietrich	Absent
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Nay
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 1 NAY.

President Bunder announced that Resolution No. 15-19 passed on first and only reading.

Resolution No. 16-19 A Resolution Requesting The Transfer Of Funds (Prepared by City Controller) [No. of Readings 1 of 1]

Councilor Keen read Resolution No. 16-19 by title only.

Councilor Keen moved for passage of Resolution No. 16-19 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Controller Gray stated that this is a request to transfer funds between different departments and buckets within our current budget. We are near the end of the year, so we are able to line this out without any additional appropriation or increase in the budget. The department heads were able to put this together to move the funds within the different departments, so that is greatly appreciated.

There was no further discussion.

Clerk Booker called the roll call vote:

Councilperson	Vote
Bunder	Aye
DeBoer	Aye
Dietrich	Absent
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Resolution No. 16-19 passed on first and only reading.

Resolution No. 17-19 A Resolution Approving Resolution No. RC 2019-10 Of The West Lafayette Redevelopment Commission Modifying The Newman Road Project By Adding A Roundabout Without Change To The Project Cost (Sponsored by Mayor John Dennis) [No. of Readings 1 of 1]

Councilor Keen read Resolution No. 17-19 by title only.

Councilor Keen moved for passage of Resolution No. 17-19 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Deputy Director of Development Easter explained that through the RDC, we have passed an amendment to the Newman Road Project to add a roundabout without incurring any additional costs to the project. The original project, as we proposed to INDOT when we received their 80% of the project in the amount of \$10 million, was to have some sort of traffic signal at the intersection of Newman Road and State Road 26. Upon further inspection, we discovered that there might need to be a more thoughtful presentation for that intersection. During conversations with the Joint Board, the Joint Management Team, and INDOT, we have decided to proceed with a roundabout for that traffic interchange.

Councilor Thomas asked what goes into the decision of having a roundabout rather than the decision to have a traffic signal.

Deputy Director Easter explained that a lot of it is preference, but it also has to do with the amount of traffic we anticipate coming in and out of that site. With the anticipated Saab development, with Newman Road as their main access point, and Schweitzer Engineering Laboratories (SEL), there will be an increase in traffic. The intersection is odd and is not the safest exchange of traffic, which is another component that went into our consideration. Another component is that we cannot put another traffic light as close to US 231 as that intersection is, as it exists currently.

Councilor Leverenz stated that at peak times that is a very heavily traveled road. If we start adding businesses and manufacturing sites, the traffic will only increase. He questioned what may happen if traffic gets backed up into the roundabout, to which Deputy Director Easter responded that we have had conversations about future planning of what we might have to do on other components of the roadways as traffic approaches that roundabout. At the moment, the traffic does not merit that. Per INDOT's review of patterns in that area, we are not anticipating a significant backup of traffic. We anticipate that it is a good problem to have and that we will be able to solve that in the future, but right now, we are not seeing the type of increase in traffic that will lead to that issue. We are also adding lanes, which will help with that as well.

There was no further discussion.

Clerk Booker called the roll call vote:

Councilperson	Vote
Bunder	Aye
DeBoer	Aye
Dietrich	Absent
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Aye

Councilperson	Vote
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Resolution No. 17-19 passed on first and only reading.

REPORT BY THE MAYOR

Mayor Dennis stated that he wants to say goodbye to another Councilor. Councilor Jones will be leaving us and continuing with his education in the wonderful field of medicine. He thanked Councilor Jones for his service, saying that he knows it has been a great sacrifice with his time constraints in trying to be competitive in medical school.

COMMUNICATIONS

► Councilor DeBoer asked the Development Department to give a brief overview of what the *Student Rental Report* showed. We had anticipated that it would give us information to illuminate whether this would be an appropriate time to lift the moratorium imposed by the administration on new developments. Unfortunately, that data did not come back. We are on a stagger right now, so we have last year’s information. Given the fact that we do not have a good view as to where the vacancy rates actually stand, at least through that report, he asked what the current position of the administration of the vacancy rate and development in the area within one half of a mile from campus.

Deputy Director Easter stated that we share in the disappointment of not having a full data set, which we had anticipated having as well. Another component listed in the report is that our desire was to see a thoughtful Downtown Master Plan and to understand where we thought development could happen, including the best location. We also recognize that students are not the only ones that live in the City. Although students are a vital and important part of our community, we want to make sure that the downtown area developments are for all citizens of West Lafayette. With that, the APC’s Ordinance Committee passed that plan just last week. It will come to this body in February. Although we are open to conversation, we recognize that we just had 2,550 beds come online that we have not felt the full impact of absorbing in the market.

Councilor DeBoer stated that there were 4,000 new students between June 2015 and 2016. The report shows over 2,000 new students in the Freshman class this year and a 4.4% increase every year. Those 2,500 students will be looking for housing this time next year. If we are going to be working with staggered information from year to year, he asked how we adequately anticipate meeting the housing needs of this community on an 18 to 24 month delay.

Deputy Director Easter responded that some of the projects that came online this year were anticipated to come online in 2018. That had a bit of an effect of how we anticipated and felt the increase in housing this year. The other item is that as we pass these plans, they are a minimum of two years from start to finish of the planned development process before they are completed. It is an extended period of time, which is harder to gauge, for these larger projects. In addition, we have not considered any large planned development projects, only smaller ones. In the situation of by-right development, there is no restriction, and anybody can develop by right for student housing where appropriately zoned. We have gone through our 2,550 beds this year, and we have an additional 825 beds that will be opening by 2021. This is a decent number as well, and it does not take into consideration any of the locations from by-right development.

Councilor DeBoer stated that as the new bedrooms come online, and we are evaluating housing policy, this moratorium is apparently still in place. He asked what the threshold is for lifting the moratorium in West Lafayette, and how will we know when it is appropriate to greenlight new development.

Deputy Director Easter responded that she thinks the marketplace is going to show us when there needs to be more housing. The marketplace has to be receptive to that. Based on some conversations we have had, she is not sure it is quite ready. All the developers are waiting to see how this increase in bedrooms has been taken in by consumers, by the students, and by the developments that happen on campus that we do not have purview over, but still increases the housing capacity within the City. There are two parts. One is making sure that we have a thoughtful plan for our Downtown Master Plan, and that we are developing in the way that we anticipate. Two is making sure the marketplace is ready for that kind of increase in development.

Councilor DeBoer stated that if he is not mistaken, Trinitas and Mr. Muinzer were both quoted in the newspaper as saying that they are waiting on this moratorium to lift before they act, though he understands that people can say one thing to the press and something else to us. However, he asked if, given the increase in University students that are coming down the line, and the fact that Chauncey Hill Mall is becoming vacant, we could not say that a rezone of the property would be appropriate.

Deputy Director Easter stated that there are a lot of things we are willing to entertain. In the instance of that development, there were a lot of conversations of what could possibly be there. Unfortunately, through multiple iterations of conversations of that development, the end product that was proposed to us was not the product that we agreed would be a good investment for our community. In addition, we were not willing to foot the eight-digit price tag on it either. That is a serious request that would have to come before the City bodies and face public scrutiny as well.

Councilor DeBoer stated that there is obviously a lot of new housing in his district right now. It worries him that the vacancy rate reported this year went down to 0.79%. He has done the math on the supplemental information from the Purdue survey, and it looks like around 516 units out of roughly 7,000 bedrooms in his district are now vacant. He recognizes that those buildings are not at max capacity yet, but first years are tough on new buildings. We are not going to see another building like that come online, as it stands right now. It worries him that if we are at 80% right now, then this time next year we will be at 90% to 95% on those buildings. Some by-right and others will come online, but without plotting that out on a two-year basis, we are going to be back in a position where we are 0.79% vacancy rate again. It is going to take a sustained effort to get over that 1% threshold to undo the damage of the past eight years of having a vacancy rate of 1%, where every single year it was going up much faster than wages, benefits, or any ways of people being able to pay. Therefore, more and more money is being taken and lit on fire once a month rather than going towards our bars, our restaurants, and everything in this City. It concerns him that we are saying, at least publically, that a moratorium exists while we are looking toward a future that it seems likely that we will back under 1%. He thanked Ms. Easter for the administration's views on this and stated that he looks forward to working with her on this over the next four years.

► President Bunder asked Councilor Leverenz if there is a timeline on when the Downtown Master Plan will get out of APC and show up here.

Councilor Leverenz stated that it left the Ordinance Committee last week. It will go to the full APC in January. If it leaves there, it will come here in February. Since it took a while to come out of the Ordinance Committee, he is not sure what will happen with the full APC in January. It may need

amended or need another reading there. Once it gets to the City Council, he is sure there will be amendments and work on it at that point. It may be late spring before it is finally approved. He noted that if the Council amends it, it will have to go back to APC.

President Bunder stated that spring will be interesting. When we have the Master Plan, we will be able to discuss where things should go with the developers.

Councilor Leverenz noted that the Downtown Plan, as it is now, is on the APC website for the public to view. It is around 100 pages long with a lot of detail and diagrams.

► Councilor Jones stated that since this is his last Council meeting, he wants to say that he feels very blessed to serve this term for District 3, representing the students. He expressed appreciation to the many people in this room that spent time answering his questions when he first got here. The general advice was good to give a young adult, and he is grateful. As a Boilermaker, he found a passion in representing student interests, and this was a great opportunity to do that. He also congratulated his opponent, Shannon Kang, for winning the election. They have had conversations, and she displays the same passion for representing the students. He knows they will be well represented, and he wishes Ms. Kang well. He extended an offer to help her with any questions she may have.

CITIZEN COMMENTS

► Zachary Baiel (124 Connolly Street) stated that he finds it a bit shocking that when things get published, such as the *Student Rental Report*, with inadequate information, it appears that no one knows about it until it is released. He asked if we are just not communicating between the different bodies as these things go on. He encouraged engagement in communication. In talking about the Downtown Plan, he is excited to hear that we are open to possibly amending the Plan. He thinks there are some things that need addressed. He noted that instead of going through the APC website, you can also just Google the West Lafayette Downtown Plan and find the link to the PDF. He thinks that they are making a December one based on the changes, but does not know if it has been updated yet. After discussion, as we heard, where the private steering committee structure failed the public, the APC Ordinance Committee finally approved the Plan to go to the January APC meeting. There are some serious concerns about it. One, the Plan is completely silent on the specifics around the desired growth for the new downtown. It does not talk about assessed valuation goals or population goals. He asked what we are looking to do with the densification of the particular area. If we are not looking at these, he asked what the desired goals for development are downtown. He asked what numbers we are using to drive the development and what hypotheticals have been explored. He asked, most importantly, if this Plan analyses the complex relationship of the downtown area with the other parts of the City or with Lafayette, or how those development trajectories are going to impact the City and its neighborhoods. He encouraged the Council to begin that dialogue around those important questions for guidance of every facet of the future of the City. To achieve good governance around the plan, we also need to have explicit dependencies between strategies, objectives, and goals. If you go through the Plan, nothing is linked together, so it is hard to understand in what order things are going to be pursued. Where applicable, there should be metrics around the strategies. There is a lot of ambiguous language, such as “improve” or “develop programs” or “periodically review.” If there is no mention of specifics, he asked how we can have accountability. There is no explicit feedback mechanisms from the public baked into the Plan to make sure there are tools for understanding. A greater fear that he and others in the New Chauncey neighborhood has is that without these feedback and accountability measures, the strategic elements will go the same way that the New Chauncey plan has gone, which is very little or backwards, or no movement at all. We adopted that plan in 2013, so short-term goals should have been achieved in 18 months, mid-term goals in two to five years, and long-term goals in six to fifteen years, so we are at the short end of the

long-term goals. He asked, along with several other people in New Chauncey, that we formally and publically revisit the Neighborhood Plan's strategic elements, of which there are around 100, and perform an audit to determine our current standing of the success of this incredibly important Plan.

► Lauren Kish (1154 Parview Drive) stated that she is a Senior Girl Scout, and she has recently decided to work on the Gold Award, which is the highest award in Girl Scouts. For that award, the Scout has to find a need in the community that is sustainable. Ms. Kish has found that the community needs more swings for kids with disabilities. She has a family friend whose son, Sam, cannot use his arms and legs, so he cannot swing like other kids. She always loved to swing, and felt bad that Sam could not. She wants to make sure that all of the parks in West Lafayette and Lafayette have swings for these kids. She is trying to raise \$10,000.00 to install 20 swings. She has partnered with the West Lafayette Parks and Recreation Department to do this. She wanted to inform the Council about her project.

► President Bunder reported that the City Employee Appreciation Luncheon is tomorrow, and that the Council is invited to attend.

ADJOURNMENT

There being no further business at this time, Councilor DeBoer moved for adjournment, and President Bunder adjourned the meeting the time being 7:36 p.m.