

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
PRE-COUNCIL MINUTES  
MAY 2, 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 May 2, 2019, at the hour of 4:30 p.m.

President Bunder called the meeting to order and presided.

Present: Peter Bunder, Nick DeBoer, Jonathan Jones, Gerry Keen (4:31 p.m.), Larry Leverenz, David Sanders, and Norris Wang.

Absent: Steve Dietrich and Gerald Thomas.

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, Deputy Director of Development Erin Easter, Human Resources Director Diane Foster, City Engineer Ed Garrison, City Controller Peter Gray, WWTU Director David Henderson, Parks Superintendent Kathy Lozano, Deputy Fire Chief Jeff Need, Assistant City Engineer Marcus Smith, Building Commissioner Chad Spitznagle, and Deputy Police Chief David VanVactor.

PUBLIC RELATIONS:

Councilor Bunder requested consent to add a Mayoral Appointment for the Historic Preservation Committee to the agenda for Mike Dunkle. He is the President of Dunkle Custom Build, where they create wood slab furniture among other things. There were no objections from the Council.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 09-19 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect. (UZO Amendment #96) (Submitted by Area Plan Commission)

President Bunder read Ordinance No. 09-19 by title only.

Mayor Dennis stated that he would like to table Ordinance No. 09-19 to the June Council Meeting. Due to numerous upcoming construction and Go Greener Commission projects, Mayor Dennis stated that we would like to present this item with more information at a later time.

Councilor Keen motioned that Ordinance No. 09-19 be tabled to a time certain of June 3, 2019. Councilor DeBoer seconded the motion, and the motion passed by voice vote.

There was no further discussion

Ordinance No. 10-19 An Ordinance Requesting An Additional Appropriation For The Community Crossings Grant Fund (Submitted by City Controller)

President Bunder read Ordinance No. 10-19 by title only.

City Controller Gray stated that the City will be receiving money from the Community Crossing Grant, in the amount of \$425,315.00. This Ordinance will allow the money to be appropriated, so we are able to use it. Controller Gray noted that there will be a public hearing held on Monday, May 6, 2019. However, there is no necessity to ask for the rules to be suspended for two readings on Monday, so the second reading will be in June.

Councilor Bunder asked where the money would be used, to which City Engineer Garrison responded that there will be two separate projects. The first one will be to finish the roads in Bar Berry Heights, which was a project that began last year. The second project will be in the Chauncey Village area. He noted that their focus will be on Meridian Street, Vine Street, Marsteller Street, Harrison Street, and portions of Chauncey Avenue.

There was no further discussion

Ordinance No. 11-19 An Ordinance Of The City Of West Lafayette Authorizing Appropriation Concerning The U.S. 231 Annexation Area Newman Road Underpass Project (Submitted by City Controller)

President Bunder read Ordinance No. 11-19 by title only.

City Controller Gray stated that this is for a project that has been approved by INDOT to receive \$10 million that is a Federal exchange. The \$2.5 million, in order to balance out the budget, will be coming from Purdue Research Foundation (PRF). This appropriation allows the City to have the authorization to spend the \$10 million from INDOT. Controller Gray noted that next month we will request approval for a public hearing during the second reading.

There was no further discussion

Ordinance No. 12-19 An Ordinance Regulating Pedal Carriages (Submitted by the Department of Development)

President Bunder read Ordinance No. 12-19 by title only.

Deputy Director of Development Easter explained that this ordinance puts into effect certain rules for the operation of pedal carriages, also known as pedal bars, to be able to operate within the City of West Lafayette. The City had concerns when initially approached. The company was understanding about allowing the City the time to be make sure it was done the correct way. Part of that procedure was consulting with both the Police and Fire Departments, and to begin establishing an operation area map for these pedal carriages.

Councilor Bunder asked if the language within the ordinance would place people with disabilities at a disadvantage by paying large fees, to which Deputy Director Easter responded that it was all for commercial use, and it does not have the same ADA standards that we have to worry about for City related items.

Councilor Wang asked if representatives from the company would be coming to Council to answer any questions, to which Deputy Director Easter responded that when there comes a time that they apply we could have them present to the Council. She further explained that these regulations reflected our expectations before being tailored toward a specific business. Councilor Wang noted that he has questions dealing with the food, alcohol, and inebriated customers.

In response to a question asked by Councilor Bunder, Deputy Director Easter explained that part of this will establish perimeters by having an Administrative Officer, whose authority it is to approve maps and routes.

Councilor Bunder asked if there would be test rides, to which Deputy Director Easter responded she presumes it could be arranged. The pedal carriages are able to seat 15 passengers at one time.

Councilor Sanders stated that in Section Nine (f) it reads: *Operators are prohibited from smoking while carrying passengers.* Mr. Sanders expressed his concerns for the passengers because the language did not prohibit them from smoking on the pedal carriages too. Deputy Director Easter noted that this could be made as part of a restriction through the Administrative Officer's approval.

There was no further discussion

Ordinance No. 13-19 An Ordinance Protecting Bicycle Riders (Submitted by the Engineering Department)

President Bunder read Ordinance No. 13-19 by title only.

Mayor Dennis stated that he would like to table Ordinance No. 13-19 to the June Council Meeting. He explained that there is some clean-up work that needs to be done in conjunction with the Police Department and some enforcement issues before it is brought in front of the Council.

Councilor DeBoer motioned that Ordinance No. 13-19 be tabled to a time certain of June 3, 2019. Councilor Keen seconded the motion, and the motion passed by voice vote.

Councilor DeBoer stated that \$1,000.00 seems steep and he does not know if it is appropriate for what we are trying to enforce under these circumstances. Mayor Dennis noted that this is one of the issues that was brought up and is currently being worked on.

There was no further discussion

Resolution No. 04-19 A Resolution Approving Sewer Service Area Agreement Between The City Of West Lafayette And American Suburban Utilities (Sponsored by Wastewater Treatment Utility)

President Bunder read Resolution No. 04-19 by title only.

WWTU Director Henderson stated that we have negotiated an amendment between the boundaries of our utilities and American Suburban Utilities (ASU). He stated that the Council could find the highlights for the terms of the agreement in the handout, which was distributed to the Council. This addition will be beneficial to our service area, which envelopes the Aerospace Park.

Councilor Bunder asked why we needed to do this type of agreement instead of one of the utilities just claiming the area, to which Director Henderson responded that we have two different governing bodies that work here. The WWTU has the Common Council to set rates, while ASU's oversight is provided by the Indiana Utility Regulatory Commission. We need to properly define any changes in our service areas, agree to it, and then have both bodies provide approval for it. We are a public utility and ASU is a semi-private utility with a different set of rules.

There was no further discussion

ADJOURNMENT

There being no further business at this time, Councilor DeBoer moved for adjournment. President Bunder adjourned the meeting, the time being 4:47 p.m.