

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
MAY 3, 2018

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on May 3, 2018, at the hour of 4:30 p.m.

President Bunder called the meeting to order and presided.

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

Absent: Gerry Keen and Gerald Thomas.

Also present: Mayor John Dennis, Assistant City Attorney Elliott McKinnis, Clerk Sana Booker, Interim Parks Superintendent Pennie Ainsworth, IT Director Brad Alexander, Director of Development Erik Carlson, Facilities Director Tim Clark, Human Resources Director Diane Foster, City Engineer Ed Garrison, City Controller Peter Gray, Deputy Police Chief Troy Harris, Fire Chief Tim Heath, WWTU Director David Henderson, and Building Commissioner Chad Spitznagle.

President Bunder noted that Ordinance No. 10-18 is at the top of the agenda in order to facilitate Mr. Teder's business with the Town of Dayton.

NEW BUSINESS:

Ordinance No. 10-18 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect. (South Street Capital, LLC – Marc Muinzer) (SSC State Northwestern PD) (PDMX to PDMX) (Submitted by Area Plan Commission)

President Bunder read Ordinance No. 10-18 by title only.

Dan Teder (Reiling Teder & Schrier, LLC), representing the petitioner, stated that this property is at the northwest corner of State Street and Northwestern Avenue. It is presently zoned PDMX. It has been boarded up since about 2012, and he thinks that will change drastically within the next few months. They want to rezone it again to PDMX. He noted that this received a favorable staff report and a unanimous yes vote from the APC. They will raze the existing building and replace it with a five-story building, much like the plans looked in 2012, though they feel some tweaking has made it look better. The basement will be used for retail, apartment amenities, storage, and bicycle parking. The second through the fifth floor will be for multi-family student apartments. There will be 36 furnished apartments with 96 bedrooms. There will be 34 off-street parking spots, either in the Chauncey Square Parking Garage or the Library's parking garage, which is very close to the site. He stated that, as everyone has heard, Target will be the retail tenant, and they are extremely happy about that. Target will occupy part of the basement and the entire first floor. They will have what is called a "small format store," which is the first one they will have in Indiana. Target has indicated that they will have around 45 employees, which will mostly be students from the apartment project above. The minimum wage will be \$12.00, which will be increased to \$15.00 in 2020. Mr. Teder stated that this is a win-win not only for the City, but also for the Village, Purdue, and the students. This is going to be the first Class A retail space, in his opinion, in the Village. He stated that there was conversation at the Joint Board meeting about what will be available in the store. Target has indicated that they do not have a firm handle on that. They will

not be in there until the end of 2019, and they will work hard to accommodate whatever the students want for that space. A handout he provided to the Council shows what the similar small format Target stores across the US have on their other sites, and a similar concept will be used here as well. Mr. Teder stated that the project will be around \$7 million, and they anticipate starting this summer in order to finish by the end of 2019.

Councilor DeBoer asked if there are any plans for a pharmacy inside this location. Mr. Teder stated that he has tried to get that answer from them. He believes they are discussing it, but there is nothing firm at this point.

President Bunder and Mr. Teder discussed that more detail will be given about parking at the Council meeting. President Bunder also spoke about how it is hard to imagine what Target will put in the space with the retail size being only 7,000 square feet. He asked if Target will offer a pick-up service, and Mr. Teder responded that he does not have those details.

There was no further discussion.

UNFINISHED BUSINESS:

Ordinance No. 02-18 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect. (Sagamore Commons, LLC) (OR to GB) (Submitted by Area Plan Commission) Continued from the April 2, 2018, Council meeting.

President Bunder read Ordinance No. 02-18 by title only.

Joe Bumbleburg (Ball Eggleston PC), representing the petitioner, introduced Sarah Wyatt as a new attorney at their firm, noting that she will be attending future meetings. He provided a handout to the Council members that has draft condition language concerning the new road. He noted that this project has been before this body enough that he will not reiterate facts that the Council already knows. The last time it was on the Council's agenda, there were some issues with the church regarding the road that was to connect Cumberland Avenue with the project. He stated that they have arrived at an understanding with the church, and their attorney is present to answer any questions. Mr. Bumbleburg stated that he will be asking the Council to include this condition language in the Ordinance. This language explains how the entranceway is going to be treated. He believes that will be the last of all of the conditions and problems that they have had with this matter, which has included having traffic studies done. He thinks this will satisfy the questions that the Council had at the last meeting. He stated that he thinks that the Council could, with good conscience and good government, approve this petition. There was discussion about correcting the Ordinance number in the condition language before Monday. There was discussion that a drawing will be provided to the Council members showing where the road will go.

There was no further discussion.

Ordinance No. 06-18 An Ordinance Providing For Temporary Loans (Police Pension Fund) (Sponsored by the Controller)

President Bunder read Ordinance No. 06-18 by title only.

City Controller Gray stated that this is the second reading of the temporary loan for the Police Pension Fund due to additional payouts of death benefits earlier in the year. We do get refunded for this, but we have to pay it out first.

There was no further discussion.

Ordinance No. 07-18 (Amended) An Ordinance Authorizing The Entering Into Of A Conditional Project Expenditure Agreement Of The City Of West Lafayette, Indiana (Purdue/PRF TIF Projects), And The Lending Of The Proceeds Thereof To Purdue Research Foundation, And Authorizing And Approving Other Actions In Respect Thereto (Submitted by Department of Development)

President Bunder read Ordinance No. 07-18 (Amended) by title only.

Director of Development Carlson stated that this will be the second reading of the agreement with the US 231 Purdue South TIF district, which is also referred to as TIF 2. This concerns reimbursement of project funds for infrastructure for that area.

NEW BUSINESS (CONTINUED):

Resolution No. 05-18 A Resolution Of The Common Council Of The City Of West Lafayette, Indiana Approving Certain Matters In Connection With The Addition Of Projects In The 231 Purdue Economic Development Area (Submitted by Department of Development)

Director Carlson stated that Resolution No. 05-18 is looking at the amendment to the Project Development Agreement (PDA) that was entered into between the City and the University at the time of the State Street commencement. It is very much related to Ordinance No. 07-18, with a motion by the Council being required to continue on with this agreement. The two pieces of legislation are not one in the same, but they are necessary twins.

Councilor Sanders asked, regarding Ordinance No. 7-18, what the language means when it says to loan the proceeds of the expenditure agreement to the Foundation. Director Carlson responded that it means that the PRF will build the infrastructure that the City would typically build by utilizing TIF funds. This includes roads, sidewalks, utility placements, and other things a municipality would normally do, but there are no funds currently in this TIF district this is a way to incentivize development. The first few projects in the ground will be using the increment to pay back Purdue's portion of the State Street project. Therefore, PRF will be doing this work, and then when and if the level of funding becomes available within that TIF district, then we will be reimbursing PRF for that work. Councilor Sanders stated that at this point he is asking about the legal language of what it means to loan the proceeds of the expenditure agreement. It seems like we are committing future proceeds, so he does not understand the word "loan" there. Director Carlson stated that he would prefer that Richard Starkey address that question on Monday night.

There was no further discussion.

Ordinance No. 08-18 An Ordinance To Amend Ordinance No. 04-18, To Fix The 2018 Salary Schedule For Appointed Officers, Employees, And Members Of The Police And Fire Departments Of The City Of West Lafayette, Indiana (Presented by the Controller)

Ordinance No. 09-18 An Ordinance To Amend Ordinance No. 05-18, To Fix The 2018 Salary Schedule For The Wastewater Treatment Utility As Submitted By The Board Of Public Works And Safety For Approval By The Common Council Of The City Of West Lafayette, Indiana (Presented by the Board of Public Works and Safety)

Controller Gray discussed salary changes in both Ordinance No. 08-18 and No. 09-18. He explained that they are changing the position title of Deputy Chief of Operation in the Fire Department to just "Deputy Chief." They are looking into getting a second Deputy Chief, and this

change will help us utilize the same position on the salary ordinance. There is also the creation of a Deputy Director of Development position, which would replace the current Quality of Life position. He confirmed for President Bunder that it had been Bev Shaw's position.

There was no further discussion.

Ordinance No. 11-18 An Ordinance Vacating Public Rights-Of-Way And Alley(s) In The City Of West Lafayette, Indiana (Hayes Street, Raymond Street) (West Lafayette Junior-Senior High School Building Corporation) (Submitted by Reiling Teder & Schrier, LLC)

President Bunder read Ordinance No. 11-18 by title only.

City Engineer Garrison stated that the original plat of the area where the West Lafayette High School is located was never replatted at the time that the school was built. We now have a bunch of pieces and parts and what may have been alleys at one time cannot be that now. There are no existing utilities in the area and this will clean everything up as they do work on the school.

President Bunder asked if there is a guess as to why this was not done in 1930 or during the last renovation. City Engineer Garrison responded that we do have a lot of older buildings in the community with similar issues to this. President Bunder noted that he thinks the map for this is a keeper, as it shows Hayes Street going through offices at the school.

There was no further discussion.

Resolution No. 06-18 A Resolution to Amend the Comprehensive Plan for Tippecanoe County to Include a US 231 Corridor Plan (Submitted by the Area Plan Commission)

President Bunder read Resolution No. 06-18 by title only.

Director Carlson stated that this is a culmination of the US 231 Land Use Plan that Councilmen Wang and DeBoer sat on the steering committee for, along with himself, Mayor John Dennis, Alan White, Derrin Sorenson, and a handful of others. The steering committee looked at the land use for the Corridor and this finishes up that project, having had our 30-day comment period. The APC approved this unanimously at its meeting last month.

There was no further discussion.

Resolution No. 07-18 A Resolution To Request A Land Use Plan For The City Of West Lafayette's Downtown (Submitted by Department of Development)

President Bunder read Resolution No. 07-18 by title only.

Director Carlson stated that with the plan for US 231 coming to an end, we want to take a look at a land use plan for the downtown area. With the Council's vote on Monday, this resolution would kick off that planning study. President Bunder asked if he could arbitrarily appoint Councilor DeBoer and himself to this steering committee. Director Carlson stated that he believes that would make sense as those are the Council districts in the area.

There was no further discussion.

Resolution No. 08-18 A Resolution Authorizing The Filing Of An Application With The U.S. Department Of Housing And Urban Development, For Community Development Block Grant

Funds, As Provided In Title I Of The Community Development Act Of 1974, As Amended (Submitted by Department of Development)

President Bunder read Resolution No. 08-18 by title only.

Director Carlson stated that this resolution is approval to request the funds for the CDBG program through the U.S. Department of Housing and Urban Development (HUD). In order to get the money that we have been allotted, it requires the Council to pass this resolution. He noted that there was an increase of 37% from last year's funding levels with this, so we are anticipating \$445,511 in funds for the CDBG allotment. This will require another meeting of the Mayor's advisory group to determine how to fund the extra \$100,000 that they were not anticipating. Director Carlson noted that last year was the first increase after several years of decreases.

There was no further discussion.

Resolution No. 09-18 A Resolution Requesting The Transfer Of Funds (Police) (Prepared by City Controller)

President Bunder read Resolution No. 09-18 by title only.

Controller Gray stated that this is to transfer funds within the Police Department to budget for a copier and some vehicle equipment.

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 4:58 p.m.