

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
PRE-COUNCIL MINUTES  
August 2, 2018

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on August 2, 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, Larry Leverenz, David Sanders, Gerald Thomas, and Norris Wang.

Absent: Jonathan Jones, Gerry Keen

Also present: Mayor John Dennis, Corporation Counsel Eric Burns, Clerk Sana Booker, Street Commissioner Ben Anderson, Development Deputy Director Erin Easter, Human Resources Director Diane Foster, City Engineer Ed Garrison, City Controller Peter Gray, Police Interim Chief Troy Harris, WWTU Director David Henderson, Parks Superintendent Kathy Lozano, Deputy Fire Chief Jeff Need, and Building Commissioner Chad Spitznagle.

PUBLIC RELATIONS:

Recognition of Chris Kulesza's Service to the City By Mayor John Dennis – Pre Council Meeting Only

President Bunder confirmed that due to the unavailability of Mr. Kulesza, this item has been withdrawn from the meeting.

SPECIAL REPORTS:

Mayor John Dennis requested the Council's approval for himself and RDC President Larry Oates to give a presentation on Monday, which was then approved.

President Bunder asked for the topic of the presentation, to which Mayor Dennis responded that they would be discussing various projects and the in-depth conversations that have taken place recently.

Councilor Dietrich asked if the City should be more transparent with the details of the special report, to which Corporation Counsel Burns recommended that the information should be added to the agenda.

Mayor Dennis noted that they would be discussing the new Recreation Center and City Hall.

UNFINISHED BUSINESS:

Ordinance No. 14-18 An Ordinance Restricting The Use Of Tobacco Products In Certain Public Places (Sponsored by Councilor Thomas)

President Bunder read Ordinance No. 14-18 by title only.

Councilor Thomas stated that a small group of individuals met a week ago to try to understand what type of language should be included in the ordinance. He stated that after discussion, it was agreed that it should be a deterrence ordinance. There will be signage in the park areas that state "No Smoking."

Corporation Counsel Burns stated that since the Council will not take any official action, the ordinance should be withdrawn.

Councilor DeBoer motioned to withdraw Ordinance No. 14-18, and that the vote be by voice vote. The motion was seconded by Councilor Dietrich. The motion passed.

There was no further discussion.

Ordinance No. 18-18 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect. (Pure Development, Inc.) (OR to NB) (Submitted by Area Plan Commission)

This is a re-introduction of Ordinance No. 18-18 for first reading. The Council voted four Nays and 2 Ayes at the July 9, 2018, Council meeting, which was an inconclusive vote due to not having a majority vote of elected members.

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

Dan Teder (Reiling Teder & Schrier, LLC), representing the petitioner, explained that a unanimous yes vote was received from the Area Plan Commission (APC). A site plan was not included at the original introduction at last month's Council meeting. A covenance to exclude a gas station for the site was added to the purchase agreement. The tract, which is 1.6 acres, has the intent to build a 9,000 square foot strip center. A coffee shop and a full-service salon are currently interested in this location, and they are looking into a restaurant to compliment these services. The reason why the property site should not maintain the OR zone because there are certain things that cannot be done in a OR zone that can be done in NB zone. A few examples of those are hardware stores, food stores, apparel stores, home furnishing, dry goods, liquor stores, sports goods, etc. A NB zone is able to do more retail than a OR zone. There will not be any leases signed until the project is completed.

Councilor DeBoer asked for clarification on why this ordinance failed last month, to which Corporation Counsel Burns explained that the ordinance only needs one reading under the State regulation. It was determined that the best way to note the ordinance was as a reintroduction to the first reading. The APC needs an affirmative vote of five votes one way or another. The vote needs a majority of elected members, rather than the majority of members present.

Councilor Dietrich expressed his appreciation for the efforts and provided site plans that Mr. Teder provided. He explained that his concern last month was that the Council was asked to change a zone without a site plan provided. The Council has been asked for their approval to change a zone for numerous projects in the past, but then the project falls through.

There was no further discussion.

NEW BUSINESS:

Ordinance No. 20-18 An Ordinance Providing For Temporary Loans (Submitted by Controller)

President Bunder read Ordinance No. 20-18 by title only.

City Controller Gray explained that this type of ordinance is typically completed twice a year, and is designed to help cover cash flow. This inter-company temporary loan is in the amount of \$2,000,000.00. The funds will be transferred from the Motor Vehicle Highway (MVH) budget to the General Funds budget.

There was no further discussion.

Ordinance No. 21-18 An Ordinance Setting The 2018 City Budget And Setting The 2018 Tax Levy On Property And Tax Rate (Submitted by Controller) PUBLIC HEARING

President Bunder read Ordinance No. 21-18 by title only.

City Controller Gray stated that this will be for the first reading and the public hearing. In the past there was the first reading one month, a public hearing the next month, and the second reading was the following month. The Department of Local Government Finance (DLGF) requested that the City sends our information earlier this year, and in return they have committed to approving all of the budgets before the end of the year. There were two meetings that covered the budget with Council, which will be reviewed on Monday. There are two differences since those meetings took place. As a placeholder for the Cherry Lane extension there is an estimated amount of \$1,140,000.00, which will be funded from the MVH budget. Since that meeting, the Redevelopment Commission (RDC) has indicated they will be able to cover \$600,000.00 of the project. The other difference is still added as a placeholder. The goal is to get it solidified within the next couple of weeks.

President Bunder asked if work will begin on Cherry Lane in 2019. City Engineer Garrison stated that this line item will be for the construction of the roadway. It is expected to be started and finished in 2019. This will be Phase 1 for the intersection at US Highway 231 and realign with the existing drive access to the sports complex.

Mr. Gray noted that another piece that the City is looking into for the budget is a medical expense increase of 10%. The preliminary numbers from the medical trust are indicating an increase of 15%-20%, but the City is still in the process of working those numbers out. Human Resources Director Foster has met with Gary Henriott, who is researching some of those items.

Councilor Sanders asked what the \$14,000.00 in other services and charges for the Police Merit Commission would cover. Interim Police Chief Harris responded that \$6,000.00 was for legal fees, \$4,500.00 is for psychological and medical testing for new hires, and the rest is for the miscellaneous fees.

There was no further discussion.

Resolution No. 12-18 A Resolution Of The Common Council Of The City Of West Lafayette, Indiana, Urging The Indiana State Legislature, Our Governor And All United States Senate And Congressional Representatives Of The Peoples Of Indiana To Join With Our Community And Pass Legislation To Keep Guns Out Of The Hands Of Violent Criminals, Domestic Abusers, And Severely Mentally Ill Persons By Closing The Loopholes In The Federal Background Check System And Strengthening State Domestic Violence Laws (Submitted by Mayor John Dennis)

President Bunder read Resolution 12-18 by title only.

Mayor Dennis stated that there will be several speakers on Monday at Council, who will abide by the timeline. There will be a lot of compelling conversation.

There was no further discussion.

Resolution No. 13-18 A Resolution Approving The Second Supplement To The Interlocal Cooperation Agreement Between The City Of West Lafayette And Purdue University Concerning The U.S. 231 Annexation (Newman Road Overpass) (Submitted by Mayor John Dennis)

President Bunder read Resolution No. 13-18 by title only.

City Engineer Garrison stated that one of the original projects that was identified on the reimbursement agreement to Purdue Research Foundation (PRF) was for improvements to Newman Road and the railroad bridge. PRF has reached out to Indiana Economic Development Corporation (IEDC) and feel that this is a good job to support. They are offering \$16 million to PRF for the development without the City having to pay a matching percentage, which is projected to cover the entire cost.

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 4:49 p.m.