

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
PRE-COUNCIL MINUTES  
November 29, 2018

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on November 29, 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 Gerald Thomas.

Absent: Gerry Keen and Norris Wang

Also present: Mayor John Dennis, City Attorney Zach Williams, Clerk Sana Booker, IT Director Brad Alexander, Street Commissioner Ben Anderson, Facilities Director Tim Clark, Human Resources Director Diane Foster, City Engineer Ed Garrison, City Controller Peter Gray, Fire Chief Tim Heath, WWTU Director David Henderson, Police Lieutenant David Lord, Parks Superintendent Kathy Lozano, and Building Commissioner Chad Spitznagle.

PUBLIC RELATIONS:

Council Appointments:

i. Area IV Council on Aging

Councilor Bunder explained that this position needs filled and has been vacant since the departure of Ann Hunt. Clerk Booker then noted that she has been representing the City on behalf of Ann Hunt. Councilor Bunder stated that this appointment is not necessary and it may be removed from the agenda.

NEW BUSINESS:

Ordinance No. 28-18 An Ordinance To Amend Ordinance No. 23-18, To Fix The 2019 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. 29-18 An Ordinance To Amend Ordinance No. 24-18, To Fix The 2019 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 Works)

Ordinance No. 30-18 An Ordinance To Amend Ordinance No. 25-18, To Set The 2019 Salary Schedule For The Elected Officials Of The City Of West Lafayette, Indiana (Submitted by the Controller)

President Bunder read Ordinance Nos. 28-18, 29-18, and 30-18 by title only.

City Controller Gray stated that Ordinance No. 28-18 has a title change on the second page to change Inspector (Rental Housing Inspection) to Inspector II. He explained that the main reason for the amendment on all three ordinances is to reflect the 2.25% cost-of-living increases, which the Council has already approved. The original ordinances reflected a 2.50% increase, so these amendments are necessary in order to correct those amounts.

There was no further discussion.

Ordinance No. 31-18 An Ordinance Providing For Temporary Loans (2019) (Sponsored by Controller)

President Bunder read Ordinance No. 31-18 by title only.

Controller Gray stated that this is our normal process at the end of the year. This is for the cash flow issues throughout the year for 2019.

There was no further discussion

Ordinance No. 32-18 An Ordinance To Approve Blanket Bond Coverage For 2019 (Prepared by Clerk Sana G. Booker)

President Bunder read Ordinance No. 32-18 by title only.

Clerk Booker stated that this is the annual bond coverage for employees. A blanket bond is done rather than bonding each position. The amount is up to \$750,000.00, which is what we have done the last few years.

There was no further discussion

Ordinance No. 33-18 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect. (Evergreen Campus Rentals, LLC) (R3W to PDRS) (Submitted by Area Plan Commission)

President Bunder read Ordinance No. 33-18 by title only.

Joe Bumbleburg (Ball Eggleston PC), representing the petitioner, stated that this rezone request is from R3W to PDRS, in order to construct a five-story building. The building will have 64 bedrooms, 48 units, and a parking garage. He noted that this received a favorable APC staff report and a unanimous yes vote from the APC. The recommendations in the staff report are standard and acceptable to the petitioner. There was a question in regards to an alley that has been used over time, but any supporting documents for it were never able to be found. Now in the final dedication for this alley, it will become the City's alley and any discussions about it will be able to be put to rest. Mr. Bumbleburg added that the staff report also discusses the architecture for the building.

Councilor Bunder stated for the record he wanted to let the Council also know that they are working on a land use plan for the land from the river to Morton Community Center.

Councilor Dietrich stated that when looking at the plot map it appears we are working with lot 17. Mr. Dietrich explained that he did not understand how Mr. Bumbleburg's group was able to give the City the alley, which nobody seems to know who owns, when we are dealing with one of four lots and there are three other people who touch that property. Mr. Bumbleburg responded that just because their property touches the alley does not give them ownership. He has prepared two deeds that will straighten everything out based upon the survey.

There was no further discussion

Resolution No. 22-18 Resolution of the Common Council approving the Lease between the West Lafayette Community School Corporation and the City of West Lafayette Redevelopment Commission and other matters related thereto. (Submitted by the Department of Development)

President Bunder read Resolution No. 22-18 by title only.

Deputy Director of Development Easter stated this resolution is for the lease agreement between the West Lafayette School Corporation and the Redevelopment Commission. This is part of the larger project to revamp the current City Hall Building, while relocating city services at Happy Hollow School for an estimated two years before moving back to the original site.

City Attorney Williams noted that Corporation Counsel Burns has reviewed the lease. It is an acceptable legal form and has no issues.

Councilor Dietrich stated that article 14.2 discusses real estate taxes and assessments, which we currently do not pay. He asked if we would continue to not pay those items at Happy Hollow, to which Ms. Easter confirmed.

There was no further discussion

### COMMUNICATIONS

► Councilor Sanders announced that Anna Burkovitz passed away this week. Ms. Burkovitz was a member of the Department of Biological Sciences. Jim Klatch also passed away this week. Mr. Klatch was actively engaged in participating in exercising his civil rights. Mr. Sanders remembered how people would call his phone just to listen to his new hilarious message.

► Councilor Dietrich asked when there would be an update on the City Court, to which Mr. Williams responded he would find out before Monday.

Councilor Dietrich stated that on his way to this evening's meeting there were 22 scooters along the trail between Happy Hollow Road and Robinson Street. Mayor Dennis reported that he spoke with the Neighborhood Resource Team about this issue yesterday. If the scooters are not in compliance, our guys are on it. On average, there is anywhere between 20-40 confiscated scooters in our police garage. There are students, which are referred to as bird watchers, who are tasked to see an issue for a group of the scooters and then fix it. This is an ongoing tug of war. Now there are scooters that are being left in the neighborhoods and residents are complaining about them too. Lafayette is having the same issues and are looking to pass an ordinance that would not allow any more than 50 scooters in the downtown area at one time. Mayor Dennis stated that he is unsure how that number would be able to be tracked.

Councilor Dietrich noted that he thinks the scooters are a great concept. There are multiple bicycles and children along this specific stretch on River Road with no give to the road if they swerve into traffic. He expressed that he has more of a safety issue for the scooters rather than the inconvenience of them.

Mayor Dennis added that they are not militant. There is a high volume of scooters, and then the users at times park them creatively.

City Engineer Garrison noted that you are supposed to be 18 years old to ride the scooters. Mr. Garrison informed the Council that they are currently working on a joint ordinance between Lafayette, West Lafayette, and Purdue. Once it is fine-tuned it will be presented to the Council for approval. The ordinance will not just be identifying scooters, but will include anything with

electrically powered vehicles. The goal is to have something ready to present within the next couple of months.

Councilor Bunder recommended that the Mayor make a statement during his radio show to inform the public that the City is currently working on this task.

Councilor Jones stated that he would like to be in the loop as the conversations go on about the scooters and the joint agreement. He explained that he has looked into this issue and how other cities have handled it. He came to the conclusion that it is futile for him to do his own research when trying to communicate between multiple entities regarding this unique situation that is very legal and technical. The majority of the students do enjoy the benefit of the scooters, but he is aware of the growing pain with new technology as it is introduced into a community.

Councilor DeBoer asked about the tax revenue, to which Mr. Garrison responded that it will be part of the agreement. We will need to know how the tax revenue will bring in money for the City to be able to regulate and maintain it. We have looked through several ordinances from multiple communities across the country with the same issues.

Councilor Sanders congratulated the West Lafayette football team on winning the State Championship.

Councilor Bunder asked if there will be a parade, to which Fire Chief Heath responded that there was a parade when the team came home at 10:00 p.m. The football team has been invited to participate in the Christmas parade by riding on the West Lafayette Fire ladder truck. The City of Lafayette has offered one of their ladder trucks because we do not have room for all 70 players.

#### ADJOURNMENT

There being no further business at this time, Councilor DeBoer moved for adjournment. President Bunder adjourned the meeting, the time being 4:52 p.m.