

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
OCTOBER 1, 2018

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on October 1, 2018, 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, Steve Dietrich, Jonathan Jones, Gerry Keen, Larry Leverenz, and Norris Wang.

Absent: David Sanders and Gerald Thomas

Also present: Mayor John Dennis, Corporation Counsel Eric Burns, Clerk Sana Booker, IT Director Brad Alexander, Project Engineer Dan Auckley, Street Commissioner Ben Anderson, Director of Development Erik Carlson, Facilities Director Tim Clark, Human Resources Director Diane Foster, City Controller Peter Gray, Interim Police Chief Troy Harris, Fire Chief Tim Heath, Parks Superintendent Kathy Lozano, and Building Commissioner Chad Spitznagle.

#### MINUTES

Councilor Keen moved for acceptance of the minutes of the September 6, 2018, Pre-Council Meeting, and the September 10, 2018, 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 US 231 corridor rezone will be heard at the October 17, 2018, meeting.

PUBLIC RELATIONS: None

#### FINANCIAL REPORT

City Controller Gray stated that the report is on file. He stated that the City has used 71% of the budget with encumbrances, while being 75% of the way through the year.

#### LEGAL REPORT

This report is on file.

Councilor Dietrich asked if the annual reminder letter about signed ordinances and efforts will be sent out to candidates, to which Counselor Burns promised to see that it was sent out. Mr. Burns stated that the letter was sent out by the Engineering Department last year, and expressed his appreciation towards Councilor Dietrich for the reminder this year.

**SPECIAL REPORTS:**

2019 Proposed West Lafayette Redevelopment Commission Spending Plan

RDC President Larry Oates stated that pursuant to State law, the Redevelopment Commission (RDC) has to present their Spending Plan for the following year to the City Council. Due to the City being extremely busy with the building projects for City Hall and the Recreation Center, the RDC is presenting the Spending Plan earlier this year. Mr. Oates explained that they take their revenues and calculate their debt payments when preparing the plan. Mr. Oates noted that there is a typo in the third payment under Debt Payments for the Sagamore Parkway TIF District, which will actually be paid in 2020. The idea is to plan ahead with the debt payments, so if the increments do not come in on time from the County, we are still able to make all of the debt payments. This has been a conservative approach, but has bode us well over a number of years. The Sagamore TIF District revenues show \$1.4 million, a debt payment of \$30,000.00, a total project requests of \$1.197 million, and an end of the year balance of \$202,921.28. He noted that the various projects are listed on the handout, which was provided to the Council. The KCB TIF District has total TIF funds of \$5.68 million, debt payments of \$898,000.00, total expenditures in the amount of \$5.384 million, and the end of the year balance is \$302,817.44. He noted that the final payment for Fire Station No. 3 will be made in January 2019. The Levy TIF District has the total funds of \$7.886 million, total debt payments in the amount of \$4.92 million, total project requests are \$7.715 million, and the end of the year balance is \$171,380.00. The US-231 North TIF District has total TIF funds of \$722,000.00, with \$630,000.00 of total project requests, and an end of the year balance of \$92,593.00. The US-231 Purdue TIF District will have total TIF Funds in the amount of \$119,000.00, with \$100,000.00 going back to Purdue Research Foundation (PRF) for the reimbursement payments for the various contracts for State Street and infrastructure in the Discovery Park area.

Councilor Keen asked for Mr. Oates to discuss the development and incentives, as well as what they include. Mr. Oates explained that there is money set aside in a fund that is able to attract businesses to those TIF districts. In the past they have attracted businesses such as Fresh Thyme, which will be located at the old Marsh location. They have a purchased a right-of-way that was never deeded to the City, and we have now purchased the roadway in front of the Fire Station by the old Marsh building. The money is then used for incentives for new businesses within the TIF districts. He noted that this was a banner equipment year, which entailed the purchase of more police and fire vehicles than we have in the past. The timing for this funding plays a vital role for the ability to purchase these vehicles, with the benefit of the payments not being due until 2020.

President Bunder asked for further details regarding the Neighborhood Lighting Program that appears in the description of a couple of the TIF districts, to which Mr. Oates responded that the original grant out of the RDC was for a study for what type of lighting was to be done. Mr. Oates believes the study has been completed, but would need to confirm with City Engineer Garrison. Now that the engineering work has been completed they will begin working in the neighborhoods to complete the installations.

President Bunder commended Mr. Oates on the work he is continuing to do with the RDC for the City.

Mr. Oates stressed how these projects only function because of the team approach the City has taken. There are no other communities in the State of Indiana who compare to our size that are doing projects such as the ones we continue to do.

Joint Board Report

Councilor DeBoer stated that the next Joint Board meeting is scheduled for Tuesday, October 16, 2018, at noon. The agenda will be sent out within the next week. Councilor DeBoer stated that he plans to follow-up at the November Council meeting.

UNFINISHED BUSINESS:

Ordinance No. 23-18 (Amended) An Ordinance To Set The 2019 Salary Schedule For Appointed Officers, Employees, And Members Of The Police And Fire Departments Of The City Of West Lafayette, Indiana (Submitted by the Controller)

Councilor Keen read Ordinance No. 23-18 (Amended) by title only.

Councilor Keen moved for passage of Ordinance No. 23-18 (Amended) on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

City Controller Gray explained that the ordinance is one of the three salary schedules for 2019. There have been no changes since the first reading. All of these items have been previously discussed in budget meetings.

There was no further discussion.

Clerk Booker called the roll call vote:

<b><u>Councilperson</u></b>	<b><u>Vote</u></b>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Absent
Thomas	Absent
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 23-18 (Amended) passed on second and final reading.

Ordinance No. 24-18 (Amended) An Ordinance To Set 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 Public Works)

Councilor Keen read Ordinance No. 24-18 (Amended) by title only.

Councilor Keen moved for passage of Ordinance No. 24-18 (Amended) on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

City Controller Gray explained that ordinance is one of the three salary schedules for 2019. There have been no changes since the first reading. All of these items have been previously discussed

COMMON COUNCIL MEETING MINUTES, OCTOBER 1, 2018, CONTINUED

in budget meetings. Due to this ordinance involving Wastewater, the Board of Works has also approved it.

There was no further discussion.

Clerk Booker called the roll call vote:

<b>Councilperson</b>	<b>Vote</b>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Absent
Thomas	Absent
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 24-18 (Amended) passed on second and final reading.

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

Councilor Keen read Ordinance No. 25-18 by title only.

Councilor Keen moved for passage of Ordinance No. 25-18 on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

There was no discussion.

Clerk Booker called the roll call vote:

<b>Councilperson</b>	<b>Vote</b>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Absent
Thomas	Absent
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 25-18 passed on second and final reading.

**NEW BUSINESS:**

**Ordinance No. 26-18** 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 R4W) (Submitted by Area Plan Commission)

Councilor Keen read Ordinance No. 26-18 by title only.

Councilor Keen moved for passage of Ordinance No. 26-18 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Dan Teder (Reiling Teder & Schrier, LLC), representing the petitioner, noted that the petitioner's representative was present to answer questions. A favorable staff report from Area Plan Commission (APC) was received, with a unanimous yes vote. Mr. Teder explained that they will be adding approximately three acres to the existing seven acres that the Council approved in July, which was changed from zone OR to zone R4W. After further discussion between the client and Purdue Research Foundation (PRF), it was determined that adding the additional three acres to the south portion of the tract made sense. The additional property will provide a better layout, add more parking, and increase greenspace. He discussed the various amenities from the project, which were also discussed at the July meeting. There will be 252 units with 427 beds in the 3-story complex, with a 1.7 parking ratio per unit and 1 per bed. There will be a number of furnished units within the complex for the temporary employees at the Purdue Research Park. He concluded by discussing the locations of the two bufferyards that will be around the property.

There was no further discussion.

Clerk Booker called the roll call vote:

<b><u>Councilperson</u></b>	<b><u>Vote</u></b>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Absent
Thomas	Absent
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 26-18 passed on first and only reading.

**Resolution No. 14-18** A Resolution Welcoming Citizens Relocating From Puerto Rico (Sponsored by Councilor David Sanders)

Councilor Keen read Resolution No. 14-18 by title only.

Councilor Keen moved for passage of Resolution No. 14-18 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

President Bunder explained that he is aware of the discussion from his fellow Council members for their concern to vote on this resolution without Councilor Sanders in attendance this evening.

Councilor Leverenz motioned that Resolution No. 14-18 be tabled until the November 5, 2018, Council meeting. The motion was seconded by Councilor Dietrich, and the motion was passed by voice vote.

There was no further discussion.

Resolution 15-18 A Resolution Requesting The Transfer Of Funds (Mayor and Facilities)  
(Prepared by City Controller)

Councilor Keen read Ordinance No. 15-18 by title only.

Councilor Keen moved for passage of Ordinance No. 15-18 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

City Controller Gray explained that this resolution is to move funds from one major category to another in the General Fund. The Mayor's Department we will be moving \$1,000.00 from Services to the Personnel, which will cover medical insurance. The Facilities Department will be moving \$3,000.00 from Services to Personnel.

There was no further discussion.

Clerk Booker called the roll call vote:

<u>Councilperson</u>	<u>Vote</u>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Aye
Leverenz	Aye
Sanders	Absent
Thomas	Absent
Wang	Aye

Clerk Booker stated that the vote was 7 AYES and 0 NAYS.

President Bunder announced that Resolution No. 15-18 passed on first and only reading.

REPORT BY THE MAYOR

There was no report.

COMMUNICATIONS

► Councilor Dietrich recognized the passing of Beverly Volkman, who was a second grade teacher at what was previously known as Morton Elementary School. He then asked for the current status on the issue for the Kent Avenue and Salisbury Street parking lot. Councilor Keen responded that the item has been withdrawn, which means at this point it would have to be refiled to be considered.

► Councilor Dietrich brought up the topic of City Court and stated that it has been rumored that there was no longer the need for the City to have one. He explained that since we are on the next wave of elections it is a topic he would like clarified. At this point we need to know how to proceed with this item, and how to go about taking it off the ballot if necessary.

Corporation Counsel Burns responded that the process has begun with conversations that have included Mayor John Dennis, City Controller Peter Gray, Judge Lori Sabol, and himself. There initially was some thought that there could be some additional cases brought from Purdue University, but it has since been discovered that there is no need for those cases to come to our court. He said that he will continue with the conversations that involve Mayor Dennis and Controller Gray, which will ensure that the process continues to move forward. The situation will come down to finances on some level, but also up to the Council to decide whether or not there is a perceived need within the community. There are some individuals who feel that our court is a place where people have a place to bring their concerns, and that itself has value. Mr. Burns stated he would get the financial information to the Councilors by the next meeting.

Councilor Dietrich asked if these proceeding would need State authority, to which Mr. Burns responded no. This is a decision purely made by the Council.

Councilor Dietrich noted that he would be interested in looking at the situation logically to be able to make a decision with his eyes wide open decision.

Councilor Wang requested Mr. Burns to gather further data from Judge Sabol such as the number of cases and how many times court per month court is held. He explained that this information will help show the cost benefits for the City. Mr. Burns responded that there could potentially be a subgroup of the Council, who would be able to get together to discuss these type of issues with the judge.

Councilor Dietrich assured the room that his intention to begin this conversation is not to attack the judge or her efforts. Since the prosecutor has pulled that role, it has been diminished. Therefore, court does not portray to be cost effective for the City.

Mr. Burns noted that Judge Sabol has affirmatively brought the topic up in the past.

Councilor Wang confirmed that Judge Sabol will understand that this is not an attack, as she is a woman of high character.

#### CITIZEN COMMENTS

► There were no comments.

#### ADJOURNMENT

There being no further business at this time, Councilor DeBoer moved for adjournment, and President Bunder adjourned the meeting the time being 6:58 p.m.