

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
JULY 3, 2017

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on July 3, 2017, 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, Gerry Keen, Larry Leverenz, Gerald Thomas, and Norris Wang.

Absent: Aseem Jha and David Sanders,

Also present: Mayor John Dennis, City Attorney Zach Williams, Clerk Sana Booker, IT Director Brad Alexander, Street Commissioner Ben Anderson, Director of Development Erik Carlson, Facilities Director Tim Clark, Parks Superintendent Janet Fawley, Human Resources Director Diane Foster, Deputy Police Chief Troy Harris, City Engineer Ed Garrison, City Controller Peter Gray, Fire Chief Tim Heath, WWTU Director David Henderson, and Building Commissioner Chad Spitznagle.

UNFINISHED BUSINESS:

Ordinance No. 14-17 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) [Postponed from the June 1, 2017 Pre-Council Meeting]

President Bunder stated that it is his understanding that the petitioner for Ordinance No. 14-17 would like to withdraw the ordinance. Joe Bumbleburg (Ball Eggleston PC), representing the petitioner, asked the Council to allow this petition to be withdrawn. He noted that members of the Engineering Department have been apprised that he would make this request. Building Commissioner Spitznagle stated that the plan is to take it back to APC to get the commitments and finalize the traffic plan.

Councilor DeBoer motioned to withdraw Ordinance No. 14-17. Councilor Dietrich seconded the motion, and the motion passed by voice vote.

MINUTES

Councilor Keen moved for acceptance of the minutes of the June 1, 2017, Pre-Council Meeting, and the June 5, 2017, 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

There was no report.

PUBLIC RELATIONS: None

FINANCIAL REPORT

City Controller Gray noted that the report is filed. We are halfway through the year, and our expenses are approximately 48% overall. Individual line items are above and below that due to the nature of timing and construction.

President Bunder asked if there is a schedule for the 2018 budget. Controller Gray responded that the department heads have been working on that for a number of weeks, and he has spoken with Councilor Dietrich on scheduling a meeting. Councilor Dietrich stated that the bottom lines for the budget are not going to change much at all, although internally some things may move between items. He believes the Council only needs one session with the department heads. We are looking at July 18, 2017, with July 20 as a back-up date.

LEGAL REPORT

This report will be on file.

SPECIAL REPORTS:

Joint Board Report

Councilor DeBoer reported that the next Joint Board meeting is in the Walnut Room of the West Lafayette Public Library on July 18, 2017, at noon.

Tax Abatement Compliance Review – Development

President Bunder noted that the Council received this report last month but did not motion to accept it.

Councilor DeBoer motioned to accept the 2017 Tax Abatement Compliance Review. Councilor Dietrich seconded the motion, and the motion passed by voice vote.

NEW BUSINESS:

Ordinance No. 16-17 An Ordinance Establishing The West Lafayette Public Arts Team (PAT) Fund (Sponsored by Mayor John Dennis)

Councilor Keen read Ordinance No. 16-17 by title only.

Councilor Keen moved for passage of Ordinance No. 16-17 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Director of Development Carlson stated that Ordinance Nos. 16-17 and 17-17 are stopgap measures for the foundation of a foundation. The Development Department is working with the Redevelopment Commission (RDC) to create a foundation that will help kick-start many of the ideas that we have been running through for a number of years in the community. These include ideas with historic preservation, development, and IT-related projects in the community. In the meantime, we have a few items that are more pressing than others, such as the purchase of the caretaker's house at Grandview Cemetery. This would allow us to accept donations at this time, that would be to a tax-deductible charitable organization, before the foundation can be established.

Councilor DeBoer asked if these funds can be used as vehicles to request a donation from a developer in exchange for building on the land. Director Carlson responded that if a proffer were to be made, and it was to be earmarked for certain organizations, then this could be used for that. However, that was not the intent behind 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
Jha	Absent
Keen	Aye
Leverenz	Aye
Sanders	Absent
Thomas	Aye
Wang	Aye

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

President Bunder announced that Ordinance No. 16-17 passed on first reading.

Ordinance No. 17-17 An Ordinance Establishing The West Lafayette Community Historic Project Support (CHiPS) Fund (Sponsored by Mayor John Dennis)

Councilor Keen read Ordinance No. 17-17 by title only.

Councilor Keen moved for passage of Ordinance No. 17-17 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Councilor Dietrich asked if these funds will go away in one year. Director Carlson responded that they will not necessarily go away, but they may not be as utilized. Once the foundation is established, the funds may be used for the foundation to give money to this fund so that projects could be done through the City instead of through a foundation. Councilor DeBoer stated that he thinks it would need a sunset provision to go away. Controller Gray stated that this is to establish the fund, and we could close it out any time the Council deems necessary, but if it is open then we would be able to utilize it. In response to further questions from Councilor Dietrich, Controller Gray explained that it is possible that there would not be a need for the funds once the foundation is established. We could close it at that time, or we could discuss if there is a need for it to stay open. He confirmed that the intent right now is to keep it open.

President Bunder asked if there may be other funds created for other purposes in the City. Director Carlson responded that it is a possibility. However, with the hope of starting this foundation, it would negate the need for such funds.

Councilor DeBoer asked if the idea of the foundation would be to collapse these accounts into one account to distribute through this legislation. Director Carlson responded that, by and large, that would be the idea. It would also give the opportunity for the foundation to seek grants that are not normally given to governmental entities. Some grants are not given to governmental organizations, while others are for the government, and that may be a situation for why we would choose to keep one of these open.

Councilor DeBoer asked if there will be any need for additional legislation on the Council's part in order to create this foundation, or if this the stopgap until that gets off the ground. Director Carlson responded that it will be the stopgap, and we are in the very early stages of getting the foundation

started. It seems to be a one-year process to have a foundation formed. He is not sure if the foundation requires legislation, or if it is adjacent to the City government. Councilor DeBoer suggested that we do sunset these accounts at that point to make sure we do not have an open-ended item.

Director Carlson clarified for President Bunder that there will only be one foundation created, but it will be able to handle numerous activities.

Councilor Wang asked if we create the foundation for the funds to be spent by the arts or historic disbursement, if it will be authorized by the Council and the Mayor. Director Carlson responded that these funds in particular are still under the City, so it would be required budgetarily. However, he does not envision that we would be steering any funds into these. If we do, it would go through the regular budgetary process. If donations come in, it would follow the same procedures to go through Board of Works or the Council as necessary by City and State laws. President Bunder noted that the RDC could direct funds to the fund. Director Carlson explained that he does not see a vehicle where the RDC could give directly to these funds; however, they could provide grants to the foundation once it exists.

President Bunder stated that he likes this idea, as it will give more flexibility in moving money to issues that are important to him.

There was no further discussion.

Clerk Booker called the roll call vote:

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

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

President Bunder announced that Ordinance No. 17-17 passed on first reading.

Ordinance No. 18-17 An Ordinance Requesting An Additional Appropriation To The 2017 Budget (CCD-Police) (Prepared by City Controller)

Councilor Keen read Ordinance No. 18-17 by title only.

Councilor Keen moved for passage of Ordinance No. 18-17 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Controller Gray stated that this additional appropriation is to carry over funds from last year. We made a deposit to a company for some police equipment that the company could not provide, so they reimbursed the City for the full amount of the deposit. In order to purchase that same equipment, we need to appropriate those funds into the 2017 budget.

There was no further discussion.

Clerk Booker called the roll call vote:

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

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

President Bunder announced that Ordinance No. 18-17 passed on first reading.

Resolution No. 10-17 A Resolution Of The City Council Of The City Of West Lafayette In Support Of The Paris Agreement (Sponsored by Mayor John Dennis)

Councilor Keen read Resolution No. 10-17 by title only.

Councilor Keen moved for passage of Resolution No. 10-17 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Mayor John Dennis stated that this resolution is something that supports us doing something that the City of West Lafayette is very good at. He stated that going back to the late 1960s and early 1970s, there was a strong push to clean up our communities—to clean up our cities and to clean up our waterways. It affected everybody; it affected companies, schools, and citizens in every way. That was the first iteration in us getting more conscientious about our environment. We are now in a position to where we are getting pretty good at not throwing garbage out of our trucks. We are getting pretty good at understanding that there are some things that can be reused, repurposed, and generally recycled. However, there are still things that we can do better. This climate agreement, at least our participation in it, is predicated on that. He noted that we have a Go Greener Commission, and some representatives from it are here tonight. He stated that we understand that there are ways for us as a City to do things, at no cost, to make sure that what we are doing is in the right direction of what are trying to achieve. Also, it can quantify that effort to see what we can do to do better. At the City's staff meeting in August there will be a conversation about looking at our operations and see what we can do to improve things. This agreement is a supportive statement in that eventual end. We are pretty passionate about that kind of stuff around here, and we take great pride in being a leader in the State of Indiana in making sure that we do what is right. We do what is right for our community, we do what is right for our citizens, and we do what is right for our environment. That is the basis of what all of this is about. He acknowledged that there are some people here who would like to address this topic.

Diane Damico (Go Greener Commission, Vice-Chair; 128 Blackhawk Lane) expressed appreciation to Mayor Dennis for bringing this forward. The West Lafayette Go Greener Commission is behind this idea, and would like to help in any way they can. The Commission is ready to help with the measurements of the City's baseline to see what the government is doing

currently that they are proud of, and what they want to work on that is more environmentally friendly.

Tyler Smith (3824 Division Road) stated that he is not only passionate about local and national politics, but he also does some advocacy for the United Nations (U.N.). He had the pleasure of being in Washington D.C. to advocate for the goals of the U.N., and among those were the 17 sustainable development goals that were established by our international community in order to benefit and make sure we are developing our economies and nations in a way that can be better for the whole of humanity as we move forward. This will make sure that we keep our world a place where all of us want to live and enjoy. Among these goals, five of them are committed to things such as clean water, clean oceans, and climate action—things that the Paris Agreement are also dedicated towards accomplishing. One of these goals is a partnership for the goals. That is something that enables local governments, states, and national governments to do what is right to make sure these goals are established on local and other levels. He stated that, quite frankly, our leaders in Washington are not doing what we believe they should be to accomplish these goals. While he was in Washington, he heard one of these gentlemen call climate change a “liberal hunch.” He feels that that is wrong, and he hopes that everyone agrees with him and will do what is right for the City of West Lafayette and vote in favor of this ordinance.

Theodore Fondak (927 N. Chauncey Avenue) stated that he came to this meeting specifically to talk in support of this resolution. He moved to the area four years ago, and he is the proud parent of a one-year and one-half year old boy. He stated that often when these discussions come up, it is cached through really rarefied terms. We talk about abstract temperature rises, economics, and geopolitics. However, when he looks at his boy, he wants his son to be able to swim in the Wabash River. He would like his son to breathe very healthy, clean air. He stated that he is proud of the manufacturing that goes on in this community. He comes from the rust belt area, and he knows well that this is a vital part of the community, but he would still like his son to be able to breathe great air. He would like his son to be able to thrive in a world that looks to be increasingly uncertain, chaotic, and volatile. He wishes that all children, every generation hence, have a wonderful world to live in. He is encouraged by the City pursuing this vision and this dream, and he thinks there are a lot of possibilities in working with Purdue, which is itself an incredible innovator and presence in our community. Mr. Fondak stated that on behalf of his boy and all of the other kids, he is here to talk in support of this resolution.

Tom McConville (1200 Rochester Street, Lafayette) explained that he decided to come here and speak after hearing about this resolution this afternoon. He stated that he has been a member of the local chapter of the Citizens’ Climate Lobby. If the City needs support to get this done over here, he is sure the Citizens Climate Lobby will help. He stated that he hopes that if this can be done over here, that it can also be done across the river.

Shaun Lutz (1003 N. 8<sup>th</sup> Street, Lafayette) stated that he agrees with the other points that has been made. He added that in an international economy, as Lafayette and West Lafayette try to be more competitive, staying up to date with climate agreements and green initiatives, which many mass industries, including many in the greater Lafayette area, have embraced, shows a competitiveness as well as an ability to look beyond very temporary contemporary politics toward a more long-term goal that will continue to embrace young talent, skill, and innovation in our community. He urged support of this ordinance.

Councilor DeBoer expressed his thanks to Mayor Dennis for bringing this forward. As somebody who will, hopefully, be on this planet for 50 or 60 more years, we will see what happens with the climate. He thinks it is vitally important to get behind this.

COMMON COUNCIL MEETING MINUTES, July 3, 2017, CONTINUED

There was no further discussion.

Clerk Booker called the roll call vote:

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

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

President Bunder announced that Resolution No. 10-17 passed on first and only reading.

Resolution No. 11-17 A Resolution Requesting the Transfer of Funds (CCD-IT) (Prepared by City Controller)

Councilor Keen read Resolution No. 11-17 by title only.

Councilor Keen moved for passage of Resolution No. 11-17 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Controller Gray stated that this resolution is a request to move \$10,000 from the maintenance fees to the hardware category for the CCD-IT fund. When the budget was done last year, we looked more at software licensing which ended up not being necessary for 2017.

There was no further discussion.

Clerk Booker called the roll call vote:

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

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

President Bunder announced that Resolution No. 11-17 passed on first and only reading.

REPORT BY THE MAYOR

There was no report.

COMMUNICATIONS

► Councilor Wang expressed congratulations and thoughts of a happy retirement to two individuals who retired from the City—Police Captain Gary Sparger, after 28 years, and Assistant Fire Chief Robert Molter, after 38 years.

► President Bunder seconded those thoughts, and added a particular thanks to Captain Sparger who was instrumental in helping the Neighborhood Resource Team (NRT) and the Police Department in interacting with his neighborhood.

► Councilor Leverenz thanked Mayor Dennis for providing the opportunity to stand in front of the crowd at the Community Band Night and lead the crowd in “Back Home Again In Indiana” in his absence. He noted that the program read that Mayor Roswarski, Mayor Dennis, and Friends would participate, but neither of the Mayors were there. He stated that it was a fun night.

► President Bunder thanked Dale Dixon, Director of Rental Housing Inspections, for working hard on a tenant-landlord dispute on North Chauncey. He stated that he has a question from a constituent about utility poles and wires at the corner of Quincy Street and Crum Court. He asked who can do something about the wires that have been knocked down by the trucks that have cut through Quincy to get around construction. Mayor John Dennis responded that we do not own the wires, and we do not own most of the poles. Usually the first place we call is the company that is responsible for the service, who also owns the wires. City Engineer Garrison stated that his office will make sure that communication with the companies gets taken care of. President Bunder noted that his alley is also filled with wires.

CITIZEN COMMENTS

► Ms. Damico expressed her thanks again for the resolution, to Mayor Dennis, and to the residents who are here. She noted that anyone who would like to help the Go Greener Commission with that project may volunteer, and the volunteers do not have to live in West Lafayette to help.

ADJOURNMENT

There being no further business at this time, Councilor DeBoer moved for adjournment, and President Bunder adjourned the meeting the time being 7:07 p.m.