

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
SEPTEMBER 5, 2017

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on September 5, 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, Jonathan Jones, Larry Leverenz, David Sanders, Gerald Thomas, and Norris Wang.

Absent: Gerry Keen

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

MINUTES

Councilor DeBoer moved for acceptance of the minutes of the August 3, 2017, Pre-Council Meeting, and the August 7, 2017, Common Council Meeting. Councilor Dietrich 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 Leverenz reported that the Sagamore Commons project is back on the APC agenda for the September 20, 2017, meeting.

PUBLIC RELATIONS:

2018 Council Schedule

Councilor DeBoer moved to accept the 2018 Council Schedule. Councilor Dietrich seconded the motion, and the motion passed by voice vote.

FINANCIAL REPORT

City Controller Gray reported that we are running a little under budget at this point. We are two-thirds of the way through the year, and we are at about 60% of the overall budget.

LEGAL REPORT

This report is on file.

SPECIAL REPORTS:

Joint Board Report

Councilor DeBoer stated that the next Joint Board meeting will be held on October 17, 2017.

UNFINISHED BUSINESS:

Ordinance No. 22-17 An Ordinance Setting The 2018 City Budget And Setting The 2018 Tax Levy On Property And Tax Rate (Prepared by the City Controller) **PUBLIC HEARING ONLY**

Councilor DeBoer read Ordinance No. 22-17 by title only.

Controller Gray requested that this ordinance be amended by substitution. Corporate Counsel Burns noted that the proposed amended version is available to the Council, and is marked "(Amended)." Controller Gray explained that the amended version is an overall decrease in the budget. There is one small increase. In going through the salaries for the different departments and elected officials, we would like to increase the Common Council total budget by \$1,665. Other changes are based on updated income information from the State, with a few of the budgets adjusted down. The Cumulative Capital Development Fund is reduced by about \$24,000. The Firefighting Fund was also lowered. This decrease is due to the Great Lakes Chemical Corporation facility, which previously hired us for fire protection, no longer being in operation. Economic Development was reduced by \$10,000, which was more of a scrivener's error.

Councilor DeBoer moved to amend Ordinance No. 22-17 by substitution. Councilor Dietrich seconded the motion, and the motion passed by voice vote.

Councilor Dietrich stated that he sees that we compensate the APC representatives with an extra \$40 a month for their additional meeting responsibilities. He wonders about the possibility of doing the same for the Council President. He knows that President Bunder would not ask for this, but he has required meetings where he represents us on an equal basis. It seems that it would be like compensation to factor that in as well. Controller Gray stated that it would be up to the Council to discuss, but it sounds like a reasonable thing for the additional duties that are required. Mayor John Dennis stated that we can calculate and factor in how much that would be and then apply the appropriate compensation. He believes it is a good incentive because the role of Council President is often inherited and never surrendered because everyone is so busy. Controller Gray stated that he will work with Human Resources Director Foster to look at comparable salaries in other cities and will have it as an amendment for the next meeting.

Councilor DeBoer moved to open a public hearing on Ordinance No. 22-17 (Amended). The motion was seconded by Councilor Dietrich, and the motion was passed by voice vote.

Controller Gray said, "For clarification, what was actually published for the public hearing are the amended numbers."

There were no further comments.

Councilor DeBoer moved to close the public hearing on Ordinance No. 22-17 (Amended). The motion was seconded by Councilor Dietrich, and the motion was passed by voice vote.

There was no further discussion.

Ordinance No. 23-17 An Ordinance Requesting An Additional Appropriation And Reduction To The 2017 Budget (Sanitation-MVH) (Submitted by the City Controller) **PUBLIC HEARING**

Clerk Booker read Ordinance No. 23-17 by title only.

Councilor DeBoer moved for passage of Ordinance No. 23-17 on second reading, and that the vote be by roll call. The motion was seconded by Councilor Dietrich.

COMMON COUNCIL MEETING MINUTES, September 5, 2017, CONTINUED

Controller Gray explained that this is moving funds from Motor Vehicle Highway (MVH) in order to facilitate purchasing a garbage truck for the Sanitation Department.

Councilor DeBoer moved to open a public hearing on Ordinance No. 23-17. The motion was seconded by Councilor Dietrich, and the motion was passed by voice vote.

There were no comments.

Councilor DeBoer moved to close the public hearing on Ordinance No. 23-17. The motion was seconded by Councilor Dietrich, and the motion was passed by voice vote.

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	Absent
Leverenz	Aye
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 23-17 passed on second and final reading.

NEW BUSINESS:

Ordinance No. 24-17 An Ordinance To Set 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)

Clerk Booker read Ordinance No. 24-17 by title only.

Councilor DeBoer moved for passage of Ordinance No. 24-17 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Dietrich.

Controller Gray stated that this, along with the next two ordinances, is the first reading of the 2018 salary schedules.

There was no further discussion.

Clerk Booker called the roll call vote:

<u>Councilperson</u>	<u>Vote</u>
Bunder	Aye
DeBoer	Aye
Dietrich	Aye

COMMON COUNCIL MEETING MINUTES, September 5, 2017, CONTINUED

Councilperson	Vote
Jones	Aye
Keen	Absent
Leverenz	Aye
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 24-17 passed on first reading.

Ordinance No. 25-17 An Ordinance To Set 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)

Clerk Booker read Ordinance No. 25-17 by title only.

Councilor DeBoer moved for passage of Ordinance No. 25-17 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Dietrich.

There was no discussion.

Clerk Booker called the roll call vote:

Councilperson	Vote
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Absent
Leverenz	Aye
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 25-17 passed on first reading.

Ordinance No. 26-17 An Ordinance To Set The 2018 Salary Schedule For The Elected Officials Of The City Of West Lafayette, Indiana (Submitted by the Controller)

Clerk Booker read Ordinance No. 26-17 by title only.

Councilor DeBoer moved for passage of Ordinance No. 26-17 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Jones.

COMMON COUNCIL MEETING MINUTES, September 5, 2017, CONTINUED

Councilor DeBoer asked if this will be impacted at all by the increase in funding that was done for the amendment to Ordinance No. 22-17. Controller Gray responded that this includes the amendment, but we will need to amend the adjustment for Council President next time.

There was no further discussion.

Clerk Booker called the roll call vote:

Councilperson	Vote
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Absent
Leverenz	Aye
Sanders	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 26-17 passed on first reading.

Resolution No. 16-17 A Resolution Requesting the Transfer of Funds (Police) (Prepared by City Controller)

Clerk Booker read Resolution No. 16-17 by title only.

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

Controller Gray stated that this transfer is to fund the rest of this year's expenses for the new body camera program. The expenses for next year are in the 2018 budget.

Councilor Dietrich asked if this money is available from salaries because of vacancies. Controller Gray responded that it is due to vacancies and the length of time it takes for the hiring process. We were budgeted to be fully staffed the entire year.

There was no further discussion.

Clerk Booker called the roll call vote:

Councilperson	Vote
Bunder	Aye
DeBoer	Aye
Dietrich	Aye
Jones	Aye
Keen	Absent
Leverenz	Aye
Sanders	Aye

Councilperson	Vote
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 8 AYES and 0 NAYS.

President Bunder announced that Resolution No. 16-17 passed on first and only reading.

REPORT BY THE MAYOR

Mayor John Dennis stated that one of the reasons that Controller Gray was being a little humble is that we have cut spending significantly. Something that is a bright light on the things we have invested in over many years, that is actually giving us some payback now, is our healthcare costs. We went into the Medical Trust a few years ago, in part because we thought that being part of a cooperative would assist us in getting our health costs down. Over the years we have had increases, as has everybody. This year we budgeted for a 10% increase in healthcare costs. After working with the Trust, our healthcare costs are going to go up only 0.1%. He recognized Human Resources Director Foster for her work in that, and spoke about how incredible that was. This helps us with our overall spending plan with the budget.

Mayor Dennis spoke about attending a neighborhood meeting recently, which Councilor Leverenz also attended. He stated that one thing that was off-putting to him was that the people waited for this meeting to come before presenting these problems to us. He asked them why they waited so long, and said that he should have heard about this long before now. They responded that they felt that there was not a structure to get the information to us. He spoke about how he made them aware of our mode is to receive information as local government. He tasked all of the Councilors with being aware that they may hear more about issues from their constituents.

Mayor Dennis invited Councilor Dietrich to speak about a meeting he chaired last week involving the drone ordinance. Councilor Dietrich stated that it was well attended, with approximately 25 people. There was a very good exchange, and he thought that Counsel Burns did a good job of explaining our goals. Our goals are simple—personal safety, avoiding nuisances, and other public safety issues. He explained that there will be a change in federal legislation, so we are in a holding pattern waiting to hear that. There is no sense in us rushing before we have all of the information available. We have agreed to schedule another meeting with other information in front of us to move forward together with something that we can live with. Mayor Dennis stated that they were surprised at the attendance; there are a lot of hobbyist involved in flying model aircraft that felt that this could negatively impact their hobby. It was a good meeting.

Mayor Dennis stated that he and Councilor DeBoer attended a meeting about the US 231 overlay. We are looking at doing overlay zoning for that corridor. There are a lot of different opinions about growth, about what growth should be, and what is it supposed to look like. Some is fairly contemporary with understanding that things are changing. Others are not. That is a little bit of a surprise because one would assume that the idea that people are going to flock to shopping malls and stores that sell clothing is a bit antiquated. We are having the conversation now to try to figure out what will be the best for the densely populated areas near campus, and what will be best for that central corridor. He noted that the Sallie Fahey (APC Executive Director) and Ryan O’Gara (APC Assistant Executive Director) are involved, and they both know their stuff when it comes to blanket zoning. Right now we are still in just the conversation stages. This is good news because nobody has made up their minds yet. There are also a couple of developers involved in the conversation; their role is not quite passive, but they are receptive to what the elected officials are leaving as food for thought. It was a good, constructive meeting, and there is another one coming up on September 25, 2017. Councilor Dietrich asked if those are public

meetings, and Mayor Dennis responded that he believes so. Councilor DeBoer noted that as a West Lafayette Councilor, he can definitely attend.

Mayor Dennis stated that a “media room” has been created in Room 108. It is set-up in order to have interviews in an area away from all of the activity and clean-up that goes on at the end of a meeting. He thanked Facilities Director Clark for preparing that area.

COMMUNICATIONS

► President Bunder welcomed Jon Jones as a the representative of District 3 to the West Lafayette City Council, noting that he was sworn in at the Pre-Council meeting. Councilor Jones stated that he looks forward to representing the Purdue students. He serves as the Vice President of the student body there, so he is in touch with what the student body is feeling and what they are pushing for. He looks forward to being the messenger to bring that to the Council and bridge the gap between City operations and the pulse of the student body.

► Councilor Wang complimented Police Chief Dombkowski and the members of the Street Department for the smooth and organized transition we had with Purdue students coming back.

► Councilor Dietrich stated that because it is an area that the Council had to rezone for a specific project that did not go through, he is concerned about what is going in at Yeager Road and Kent Avenue. He asked Director of Development Carlson to give some details on that project. Director Carlson had been a planned development (PD), and the time period for that PD fell through. From a time where a PD is approved, there is a five or ten year period in which a PD can occur. When it does not occur, it reverts back to its previous zone. The project going in at Yeager and Kent is an office complex, and it is being built by Jerry Brand, the owner of INOK Investments. They have office buildings located on Sagamore Parkway in Lafayette, near 9th Street and Duncan Road. The building going up here is similar in style. It is able to be built by right, so it is not something that the Development Department was heavily involved in, as it would fit into the zone. He noted that our Building Commissioner made sure that stormwater run-off would be taken care of.

► Councilor Thomas expressed congratulations for HR Director Foster. He stated that having worked in health care for 3.5 years, and understanding health plans, whatever she did to get that healthcare rate is an amazing job.

► President Bunder thanked the Fire Department for coming to the New Chauncey Neighborhood Picnic on Labor Day. He told a story about how, when he was a young Councilman, he was shown equipment at Fire Station No. 1 and got stuck several stories up in a ladder truck.

CITIZEN COMMENTS

► Jan Myers (1909 Indian Trail Drive) stated that her comments tonight go with the season. She has been noticing a lot of new trees getting planted around here. She explained how she and her husband reforested a number of acres in the Wabash Township. That included 29 species of native Indiana trees, so she is very conscious when trees are planted. She stated that we seem to be falling back to monocultures, and thought we had learned from the ash tree that monocultures along streets are not the best thing to be doing. She does not know whether it is the City or the State that has been putting in the trees along River Road, but we have monocultures there. They are also already getting rubbed by the mowers and other things down there. The other set of trees she observes a lot are on Sagamore eastward from Nighthawk Trail. Several of those trees have already been replaced because of the poor quality of the tree that was planted the first time. She is not seeing them get much watering, and most of the oaks were looking very dehydrated, if not dead. She stated that she already read the list of trees that we have approved planting for sidewalks and yard areas, and she noticed that there seems to be

little concern for the root pattern of trees. That is why she, along with many others, gets to bounce across sidewalks. The root pattern of trees does affect whether they will make the sidewalks rise, and she suggests that we reexamine that list of trees with that as a point. Trees are often planted in this City by the Tree Friends in what is referred to as the "hellstrip," and she would urge us to start thinking about not putting grass between curbs and sidewalks. Instead, we would put in perennials, which could be chosen by the people on the block or neighborhood. We would not have mowing there, and we would always have greenery there. There are a lot of ways to improve the look of the hellstrip, which is often the last thing mowed or is choppy mowed.

► Kay Miller (8143 Old State Road 25 North), Co-President of the Americus Area Community Coalition, stated that the Rogers Group from Tennessee has filed their request for special exception of the zoning of prime agricultural land around Americus to turn it into an industrial mining complex. She stated that the Council has expressed support before, which the Coalition very much appreciates. It will be passed along to the Board of Zoning Appeals (BZA) when they meet on September 27, 2017. She provided a flyer to those interested that included information on how they could write a letter to the BZA. She stated that after four years, maybe we will get something done on this. After discussion between Ms. Miller and President Bunder, Counsel Burns stated that it would not do any harm for the Council members to write individual letters, but the BZA may feel it duplicates the resolution signed by the Council [Resolution No. 02-17]. Ms. Miller noted that the BZA meetings have changed to 6:00 p.m. instead of 7:00 p.m.

► Thomas Kesler (479 Maple Street) stated that he would like to share with the new Council member, Mr. Jones, his view of a safe campus. He believes that a safe campus includes, among other things, no guns, no smokes, no booze. Mr. Kesler thanked the Street Department for taking the small amount of concrete that he has been able to collect in recent weeks, including from Park Lane. He stated that he recently filled three plastic grocery bags with litter from the two-block alley behind his home. That was on a Saturday, and the very next day there was a toppled garbage can in the middle of the alley. Then, 24 hours after that, someone had pulled the garbage bag off the alley, but the garbage that had spilled out was left there, and cars have been driving over it. He, once again, calls for better management of garbage in the New Chauncey Neighborhood. Tight fitting lids are always a good thing.

ADJOURNMENT

There being no further business at this time, Councilor DeBoer moved for adjournment, and President Bunder adjourned the meeting the time being 7:11 p.m.