

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
DECEMBER 4, 2017

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on December 4, 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, Gerry Keen, Larry Leverenz, David Sanders, Gerald Thomas, and Norris Wang.

Absent: None

Councilor Sanders, during roll call, knelt on one knee in front of the Council. He explained that he was on one knee for a moment to protest against suppression and unequal access to justice.

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 Keen moved for acceptance of the minutes of the November 2, 2017, Pre-Council Meeting, and the November 6, 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

Councilor Keen stated that he wanted to recognize four firefighters—Captain Brian Harshbarger and Firefighters Keith Burton, Thomas Lynch, and Cody Stacy—who went above and beyond. Though they are paid to save people's lives, he feels we need to recognize these four, and their skill and service to the community, for recently saving the life of a young lady on Happy Hollow Trail.

REPORT OF THE APC REPRESENTATIVES

Councilor Leverenz reported that there will be a public hearing on the Sagamore Commons subdivision project at the December 20, 2017, APC meeting.

PUBLIC RELATIONS:

Special Recognition Award - Police

Police Chief Dombkowski stated that the two awards this evening are given by a joint Awards Committee of the Police Merit Committee and the Police Department. He presented an Exceptional Service Award to Officer Jeff Decker. He read the citation written by Officer Decker's supervisor, which described an incident where Officer Decker responded to a call about a person standing on the edge of the Wabash Landing Parking Garage. Chief Dombkowski noted that Officer Decker is specially trained for situations like this. Officer Decker determined that the

person was indeed suicidal, and he used his skill and expertise to calm that person down. He was able, in a sincere manner, to convince the person to come off of the edge and receive help. Chief Dombkowski stated that because we believe that Officer Decker responded to this incident in a manner which is exceptional, he was nominated for this award and the Awards Committee agreed that it met the criteria. Chief Dombkowski thanked Officer Decker for his service.

Officer Decker thanked Captain David VanVactor for nominating him for this award, and the Awards Committee for presenting it. He stated that when someone interviews for a job as a police officer, one of the questions is, “why do you want to be a police officer?” He remembers getting asked that question in 1995 when applying for the Crawfordsville Police Department. The standard answer is always, “because I want to help people.” When he transitioned to the West Lafayette Police Department in 2002 he was a new guy looking for a way to make an impression at the new job. He responded to a memo from the National Alliance on Mental Illness (NAMI) to create a new program called CIT—Crisis Intervention Training. The program is designed to improve the service that law enforcement officers provide to persons in crisis. He volunteered to be a part of that program. He stated that being a part of the CIT program has allowed him to add many tools to his tool belt. He described the call to the parking garage, saying that he did exactly what any other officer of the WLPD would have done, which was to try to help. He does not know if it was chance or fate, but he was glad to be there with the tools he gained from the CIT program, and he was able to fulfill the answer that he gave in 1995—that he wants to help people.

Chief Dombkowski noted that Officer Decker undersold himself, as he is not only a part of the CIT program for area law enforcement—he is the CIT program. He instructs in the program every year to all area law enforcement officers. We are glad to have him, and we are proud of him.

Police Officer of the Quarter Award

Chief Dombkowski presented the Police Officer of the Quarter Award to Officer FN Lutz III. He read from the citation, explaining that Officer Lutz was involved in a high speed pursuit which started on I65 and continued south of State Road 43/North River Road towards the City of West Lafayette. The Sheriff's department was in pursuit of a dangerous felon, and they radioed ahead as the suspect came toward the City. Officer Lutz successfully deployed stop sticks, which is a tire-deflating device outside of the City, but the pursuit continued after the tires deflated. Chief Dombkowski stated that Officer Lutz is one of our officers trained in the Pursuit Intervention Technique (PIT), which is a dynamic maneuver that knocks the vehicle off of the roadway in order to prevent them from going farther. Officer Lutz had the skill, ability, and determination to make sure that this person did not make it into town. He successfully deployed the PIT maneuver twice on the vehicle, and the suspect was taken into custody without further incident. We thank him, as we know that if the vehicle had made it into the City the potential for someone to be hurt would be extremely high. Chief Dombkowski noted that Officer Lutz had 32 criminal arrests during the same quarter. He comes to work with a positive attitude and constantly strives to serve himself and our City better.

Officer Lutz expressed his appreciation for the award to the Merit Board, his commanders who nominated him, and the administrators who give the officers the tools to prevent injury and other serious events that could happen in our town.

Volunteer Recognition Award

Mayor John Dennis stated that it is his pleasure to honor Shelley Lowenberg-DeBoer. He stated that Ms. Lowenberg-DeBoer has been involved in community and volunteer activities in the greater Lafayette area since moving to the area in 1985. She has actively and passionately contributed to the community in countless ways, and she was the first Director of Morton Community Center. While managing day-to-day operations at Morton, she was charged with

coordinating activities and planning Global Fest. She was the Executive Director of the Tippecanoe Arts Foundation, where she represented the local arts in numerous public committees and planning groups. Ms. Lowenberg-DeBoer was instrumental in the establishment of these and countless other programs, and continues to be a huge benefit to West Lafayette, thanks to her love of art and history. She pushed for the establishment of Community Historic Project Support (CHiPS), a community organization dedicated to saving historic structures throughout the City, which is currently leading the charge to save the Caretaker's Cottage at Grandview Cemetery. She was instrumental in planning the Cemetery Walk, and has helped to raise thousands of dollars in the past few months to contribute to the restoration of the Caretaker's Cottage. Ms. Lowenberg-DeBoer's dedication to West Lafayette's history is also apparent through her dedication to the Historic Preservation Commission to ensure that the historic homes in New Chauncey are preserved and maintain their historic charm. In addition to contributing to the preservation of history, she has also been dedicated to making West Lafayette beautiful. She is a founding member of the Public Arts Team, and she is the only member without a term limit, serving as secretary and on the nominating committee. She has helped the City bring many sculptures and murals to the community, and has also reminded us to be mindful of performance art. She has encouraged projects like Pop! Art, which was a series of pop-up performances. She is also a founding member of Art on the Wabash, a juried local art fair, which she has been actively involved in for the past 12 years. Mayor Dennis stated that although he is excited for this opportunity to honor Shelley tonight, it is with a heavy heart that she is soon leaving West Lafayette. Her contributions to the community have been so numerous that it is impossible to list them all. He added that she has been on the Board of Directors at the Delphi Opera House, a member of the New Chauncey Neighborhood Leadership Team, and a member of the Parlor Club, The Purdue Women's Club, Century Club, and countless others. Her contributions to West Lafayette have helped transform our City into a more pleasant place to live and will continue to improve lives for years to come. The City will continue to invest in the projects that she has founded, and her contributions will continue to create a better community. Mayor Dennis presented Ms. Lowenberg-DeBoer with the Volunteer Recognition Award. He thanked her for her commitment to West Lafayette, and he noted that the citizens of West Lafayette are fortunate to have gained from her experience. He told her that we are thankful for her generous devotion and willingness to serve, and that her contributions will continue to be greatly valued. He told her that West Lafayette will miss her terribly.

Ms. Lowenberg-DeBoer expressed her appreciation for the award. She spoke of how cool it is to be sitting in this room at Morton Community Center, where she helped to pick out the paint color and chose the special flooring for dancing. She loves to come back here and is glad that the City is using the building, and that they have not kicked out Parks & Recreation. She stated that it will be hard to leave this place, where they lived for 32 years. She asked that anyone who is not involved in sharing their skills in the community, to step-up and do so; it is rewarding. She expressed her thanks for all of the opportunities.

Council Appointments:

West Lafayette Public Library Board of Directors

President Bunder stated that Felicia Fosmire has been put forward for appointment to the West Lafayette Public Library Board of Directors. Councilor DeBoer motioned to approve that appointment. Councilor Dietrich seconded the motion, and the motion passed by voice vote.

Redevelopment Commission

President Bunder stated that it is time for the annual appointments to the Redevelopment Commission. We are again putting forward the names of Larry Oates and Christine Campbell to serve in 2018. Councilor DeBoer motioned to approve the two appointments. Councilor Dietrich seconded the motion, and the motion passed by voice vote.

Council Nominations and Elections:

Council President

Councilor Sanders moved to nominate Councilor Bunder as Council President, and Councilor DeBoer seconded the motion. There were no other nominations. President Bunder moved that the nominations be closed, and Councilor DeBoer seconded the motion. President Bunder asked for a vote for those in favor of having him serve again as Council President, and the motion passed by voice vote.

Council Vice-President

Councilor DeBoer moved to nominate Councilor Dietrich as Council Vice-President, and Councilor Sanders seconded the motion. There were no other nominations. President Bunder moved that the nominations be closed, and Councilor DeBoer seconded the motion. President Bunder asked for a vote for those in favor of having Councilor Dietrich serve as Council Vice-President, and the motion passed by voice vote.

FINANCIAL REPORT

City Controller Gray reported that we are trending under the budget as of the end of November. The spending rate is at 81% while we are 92% of the way through the year. He expressed appreciation to the departments heads for their work to accomplish this. He noted that, as an internal control measure, we have eliminated petty cash. We have purchasing cards, so there are still ways to do transactions. Additionally, the amount kept in cash drawers has been lowered by almost 50%. These measures reduce liability and risk to the City regarding cash.

LEGAL REPORT

This report is on file.

SPECIAL REPORTS:

2018 Proposed West Lafayette Redevelopment Commission Spending Plan

RDC President Larry Oates stated that he is here as required by statute. The RDC has to put together a spending plan and they must present it to the City Council as part of the approval process. He stated that speaking on behalf of the RDC itself, he wants to thank the Council for putting their faith in the Commissioner's abilities and foresight as to what things needs to go on in the City. They are proud to be citizens of West Lafayette, and they take their charge very seriously to make this City the best place to live in America. He provided a review of 2017. He noted that the State Street Redevelopment Project was on time, on budget, and phenomenal as far as what we got done in a very short period of time this summer. We are proud of what has happened out there. He spoke of being out and seeing the people walking on the sidewalks, bicyclists and skateboarders using the bike lane, people sitting at the tables, and people who have had too much to drink crowding by the new railings along State Street. Putting everything together, State Street is a project that he knows that the RDC is proud of, and he thinks that a lot of people in the City are very proud of what has happened there as well. Mr. Oates stated that he wants to point out two others things that started in 2017. The first of which is a viability study for a recreation center. That study is well under way, and there will be two open house events in one week to get information from the public as far as what that facility should be, what our expectations are, and whether we can afford to have it. Likewise, we have a second viability study that just began with a meeting of the steering committee last week. That viability study is on the existence and/or placement of a new City Hall. There will be open house events on that topic in early 2018, including asking questions about what City Hall would look like, what new technology would be involved, and if we need a City Hall. It will also include asking where a new City Hall would be and where the funding is going to come from.

Mr. Oates then spoke about the 2018 RDC Spending Plan report provided to the Council. He noted that he is willing to talk through each line item if the Council prefers, but otherwise he will go over highlights. As he went through reports on each Tax Increment Financing (TIF) District, he reviewed the total of revenues, debt payments, and year-end balances for each one. He noted that the KCB District is where the Recreation Center will be located, and we believe that the funding mechanism for it will come out of this TIF District. We recently paid off the trail bond in this District. We then used that to pay for Fire Station No. 3 without taking out a bond; it was a build-to-own situation with a contract purchase. The final payment on Fire Station No. 3 will be January of 2019. In addition, the Ross Enterprise Center, which was a redevelopment project we did in the Research Park, has a final payment on its bond in January 2018. The roll-off of those payments will allow us to fund the Recreation Center. Mr. Oates stated that the RDC has always tried to make sure they can pay for projects as we go, or that we have a known funding mechanism for anything that we are going to pay. There is \$1 million set aside in 2018 for the start-up of the Recreation Center, but further bond funding will be needed and will come back to the Council. In the Levee/Village TIF District, he noted that there is a savings fund listed under revenues. This savings fund is money put aside to plan for the first availability payment for the State Street Project. Discussing the US 231 North TIF District, Mr. Oates noted that there is approximately \$265,000 planned for the design and implementation of the Cason Park so we can start using that beautiful piece of land.

Councilor Sanders asked about the project request for Amtrak listed under the Levee/Village TIF District. Mr. Oates responded that it is an ongoing project where the City, along with other nearby cities and the State, is supporting the Amtrak service in order to keep it in our community.

President Bunder expressed appreciation for the \$100,000 for a neighborhood lighting study in the Levee/Village District. Mr. Oates noted that the study is actually already nearly complete, and this \$100,000 is implementation money to buy lighting. That study has looked at the entire City, so we will be looking at different neighborhoods to add efficient LED streetlights.

President Bunder stated that he attends the Metropolitan Planning Organization meetings, and one of the challenges is how to fund the Cherry Lane extension. He asked if that is something that may come from the RDC. Mr. Oates responded that it is something that we are looking at; it is definitely on our horizon. There is not enough money generated in the US 231 North TIF District to fund that project right now. The project would cost approximately \$1 million, and it would be expensive to issue a bond for that amount. We are talking about setting up a savings account to bank some of the money out of that District over a three-year period to come up with that.

Councilor Dietrich asked if his understanding is correct that we are obligated to maintain some sort of debt in each of the TIF Districts. Mr. Oates responded that the obligation is on our legacy TIF Districts. Those districts would have sunset unless they had some debt put in them, so we put projects in them to make sure the districts would last until 2039. The sunset clause does not come into effect until they get some debt in them.

President Bunder expressed appreciation to Mr. Oates and the RDC for all of the work they do. Mr. Oates stated that there are seven members of the RDC, and they are extremely hard-working individuals. He is also appreciative of the members. He stated that they are a working group, and they get things done.

Joint Board Report

Councilor DeBoer reported that the next Joint Board meeting will be January 16, 2018.

UNFINISHED BUSINESS:

Ordinance No. 30-17 An Ordinance Expanding The City Of West Lafayette's Garbage And Recycling Collection To Specific Neighborhoods Within The Unit (Sponsored by Mayor Dennis) [Continued from the November 6, 2017, meeting.]

Councilor Keen read Ordinance No. 30-17 by title only.

Noting that no action was taken on this ordinance at the November meeting, Councilor Keen moved for passage of Ordinance No. 30-17 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Street Commissioner Anderson stated that this ordinance would align our trash and recycling services with the solid waste district. The Council did ask for this to be tabled at the last meeting so we could look at the possibility of carving out a neighborhood, and he did ask Counsel Burns' office to prepare that. However, after that meeting we received calls from individuals asking if they could also be removed from the service. We would then get into "who is in and who is out." Therefore, before the Council is the original proposal with the all-or-nothing program, and that is what he is asking to be considered tonight.

Councilor Dietrich stated that he wants to say a few words of thanks to Mayor Dennis for this. The City has every right to do this action by the stroke of a pen and make it happen with nobody the wiser. However, Mayor Dennis does not operate that way. He welcomes input, even from citizens who do not get to vote for him. Because of Mayor Dennis' and Commissioner Anderson's efforts to make everybody aware of it, we are this point where we have had discussion and conversation about it. He appreciates that. Councilor Dietrich stated that last month there were approximately 140 houses in the HOAs who did not want the City's services. He has since received input from houses both inside and outside those neighborhoods that want to know why that group would be exempted and others not. He is a little conflicted over that. He asked Commissioner Anderson to talk about the mechanics from his end. He knows it would be easy to bypass one street, but it opens up the door for two houses in this neighborhood or whatever it is. He asked what problems that presents for the Street Department.

Commissioner Anderson explained that if we got into a situation where we are hit-or-miss in neighborhoods, then we have no idea who's trash is being picked up. Someone could set their trash out on the day we are picking up the majority of it, and we would grab the garbage. We do not know who is in or out within the boundaries. One of the other main reasons for doing this is to try and clean up some of the billing issues we have since our sanitation bill is part of the wastewater bill. From an efficiency standpoint, neighborhoods are the most efficient. He stated that he has provided a handout with a brief summary of where we have been in our trash service program over the years, and how we have reduced our manpower by increasing efficiency. Technology has come a long ways, and we have introduced a couple of new trucks recently that allow us to be more efficient in how we pick up our service, and they are a lot safer for the guys doing the work. As we get into subdivisions and neighborhoods, it is more effective to pick up every 60 or 70 feet. When we start jumping around then we start lacking efficiency.

Councilor Thomas stated that he is certain that most of the homes in the neighborhoods we are looking at do not have City trash receptacles. He knows there have been issues in the past with some workers being injured by tipping containers that may contain heavy material. He asked if there is a thought of putting everyone into a City trash container so that those injuries are minimized. Commissioner Anderson responded that ideally they would love for everybody to have a toter, for both trash and recycling, because the equipment is set to pick those containers up with minimal effort. Currently, with this proposal, everyone would be provided with a recycling

container, just like the current citizens. We have, for years, been selling our trash containers to our citizens. He stated that they are the best deal out there. He knows that there is some controversy about the price of those, and some of the private companies provide those as part of the bill, but with a 12-year warranty you cannot buy a better container at the store than what you can get from us. If we started to give people trash cans, it would get into figuring out how to balance it for people who have bought one. He stated that approximately 40% of our current pick-up has both recycling and garbage totes. We understand that there are some who do not currently have trash cans, and it will be a change, but our containers are \$59 for a small one and \$69 for a large one as a one-time fee good for 12 years.

Councilor Dietrich stated that one of the overlying themes and concerns that he has heard is that this is the first step towards annexation. It is usually an afterthought, but it is in people's minds. He asked if Mayor Dennis can put those rumors to rest. Mayor John Dennis responded that this is not any kind of misdirection towards annexation. Our intent is sincere. We are trying to bring in, under one umbrella, our sanitation district. There is no ulterior motive; this is not a precursor for something else. This is strictly to bring it under one umbrella.

Jay Smith (1313 McShay Court) stated that he is here as a board member of the Appleridge HOA, and he appreciates the opportunity to appear before the Council since they are not residents of the City. He stated that they are hoping that this proposed ordinance will either die tonight, or be amended with a compromised solution. The people in the Appleridge and Orchard neighborhoods are very diverse and very well educated. Many are associated with Purdue, directly or indirectly. They are not typically anti-government; in fact, they applaud and congratulate the City on many of its accomplishments, like the US 231 bypass and the State Street Project. Making West Lafayette a great place to live enhances their lives outside of the City limits too. He stated that they appreciate the Mayor's pledge that this is not a step towards annexation, and he hopes that the Council shares that pledge even beyond the Mayor's watch. He stated that they also acknowledge that a mayor and a city council have an obligation to grow a city and its revenues. They understand the temptation if \$200,000 appears to be left lying on the table, or at the curb in this case. He stated that many of them have grown businesses over the years too; however, they did that by solving the customer's problem and therefore earning the business. The City has not earned their trash business; it is being hijacked. Government is not the solution to every problem, and it is particularly not the solution in their neighborhood where there is no problem. That would just be overreach. They cannot buy the argument that it improves the efficiency of the existing routes, as they are not only a mile from the last trash can, but it is 2.5 miles to wind through their neighborhood with only one way out. He stated that none of them west of the City limits make the existing trash routes more efficient; they make them longer. He stated that in all due respect to Mr. Anderson, Waste Management can easily stop at every third house if needed; you can pick and choose who you do business with. He stated that if some of the 1,100 homes affected need City trash service—great; the City has earned their business, maybe because the other vendors have not. Meanwhile Republic Services has earned the business of the Appleridge HOA, and next time the contract comes up, they invite the City to bid against the private sector companies. In conclusion, this is a rare instance when, truly, it is not about the money. It is the principle. An extra \$3 per month will not break any of them, and something less than \$200,000 will not break the City either. By voting down or amending this ordinance, you are preserving free enterprise and free choice—two of the many principles important to them. The near-neighbors of the City, without voting rights, appreciate the Council's consideration.

Councilor Dietrich asked Mr. Smith to describe the process by which he is representing the HOA. He asked what the voting process is, and how the Council members know that he speaks on their behalf. Mr. Smith responded that they have a seven-person board. When this proposal was released, they met as a board and voted unanimously as a board to oppose this. They then took

it to the homeowners in an email survey, and they received no negative responses to it. Everybody was supportive of the board's position to be against it.

Bob Sorenson (2521 Gala Drive) stated that he is president of The Orchard HOA. He explained to Councilor Dietrich that they started with an email survey. It was not 100%; there are a few people who want to make the change. At their next regularly scheduled HOA meeting, there were 40-45 houses represented, and there were three that were interested in the City's services. Two of those homes were interested simply because of the recycling. He stated that he intends to focus on what Mr. Anderson said, or did not say, last month. He did say that leaving this neighborhood out did not destroy his model. He also indicated that there would not be added personnel or trucks. Given that, the arithmetic is pretty simple. With 1,100 added customers at \$16 per month is \$211,200. Exempting the 130 homeowners in these two associations takes away \$25,000 from that, leaving roughly \$186,240 on a reoccurring basis in the Utility budget. Mr. Sorenson asked what the cost is of improved efficiencies if it is not going to trucks and personnel. He stated that Mr. Anderson also indicated that none of that money would leave the Utility. He thinks that it would not, but clearly the municipal laws allow the opportunity to charge-back certain fees within the City, such as the Mayor's salary and the Controller's salary, to an additional cost to the Utility budget. Whether or not this would happen in the future can only be speculated, but it is certainly one of the realities. He stated that, in summary, it is simple—the HOAs do not want it, and their sense is that the City does not need it. He believes that Counsel Burns has given a simple way to fix it by amending the list to remove the HOAs. He appreciates the Council's consideration. He added that he knows that, like having a paper route, it is not easy to figure out which places to go and who to collect from. Here, they are not talking about the selective issues; they are talking about pulling aside two discrete units.

Councilor Dietrich asked Mr. Sorenson to help him explain his answer, or his vote, to the other people who want to be exempted in other neighborhoods. He asked if it is that the HOAs are more organized or what reason it would be the HOAs and not the others. Mr. Sorenson responded that he thinks it is simple. They have people in the HOAs who would have liked to opt out but were told, "No, we represent you collectively." He will have the same issue when talking to those people. There are people who might want it who might get service they are not getting or get it at a reduced rate, but that does not apply to the HOAs. The all-or-nothing was a good strategy if picking up each individual household served. Councilor Dietrich stated that that is exactly what his question is—it is not how does he answer the people in the HOAs, it is how does he answer the people in the other neighborhoods who do not want the service. He asked if his answer would be that those two neighborhoods were better organized than the others. He is having a hard time with saying exempt these two, but not exempt the others. He also hears Mr. Anderson say that, from an operational standpoint, it is not practical. He is having trouble with that dichotomy. Mr. Sorenson stated that he thinks that the degree to which organizations are developed and organized is a significant one. He lived in Green Meadows at the time when the original ordinance went through on picking up the sewage, and organization there was not complete at the time. He thinks that it is unique for them to come into an HOA that has been organized and structured and dealing with issues on a regular basis in a harmonious way. He stated that the question is about what leadership is provided, what they have been instructed to do, and what their history is in terms of dealing with issues. He thinks that both Appleridge and The Orchard have dealt with issues regularly, such as with detention ponds. He stated that Mr. Anderson spoke to the fact of why you would want to exempt the neighborhoods; it is far more efficient not to have to pick and choose within particular areas. We are saying pick two areas, we have made that decision on our behalf.

Councilor Sanders asked Mr. Sorenson if he heard correctly that his HOA does not currently have recycling. Mr. Sorenson responded that they do, but it is picked up every two weeks, and some people would like it picked up every week.

Justin Johnson (3545 Chateaugay Court) stated that he is the president for the Huntington Farms HOA. He explained that they receive reasonable equitable service from Republic Services for about the same price as the City would offer. His problem, though, is that they are in a three-year contract with Republic. The contract cancellation would be a \$14,000 charge. They cannot get out of the contract without a six-month cancellation fee, so it would be a significant hardship. Councilor Leverenz asked Mr. Anderson how he would answer that concern. Commissioner Anderson stated that The Orchard's contract goes to 2020, and he has met with Republic. Republic's stance is that Huntington Farms signed their last contract in 2013. They had discussions that if this ordinance would go through, then it would not be an issue for them. We set this forward to where we would start services in June 2018 to give time for everybody to make those adjustments. Until we get an answer on the direction this is going, we cannot have continued conversations with the companies, but the first indications are that they will not fight the issue and pass that on to the customers. Councilor Leverenz asked if Mr. Anderson is saying that Republic has agreed to waive cancellation fees. Commissioner Anderson responded affirmatively. There have been conversations, though they are not going to show their cards until we know which direction we are going. Ultimately, from our perspective or their perspective, we are not into punishing any of our citizens or customers in trying to get this to go forward.

Councilor Dietrich asked if it is a six-month buyout from Republic from all three neighborhoods that we are looking at. Commissioner Anderson responded that Republic's normal policy is that if someone is getting out of a contract, then it is a six-month buyout on a signed contract. Those are questions he asked for his own benefit because he understands the situation for everybody. It is a conversation he had so that we would know how far to push the start date out, because there are people who would want us to start tomorrow. To be fair to everybody, to have that knowledge of the requirements for these private haulers, so that it does not put anyone in a situation where they have to pay to get out of a contract. We are not interested in doing that; we want to have as smooth of a transition as possible.

Jessica Schneider (1907 Blueberry Lane), stated that she wants to thank the City for offering to share the excellent trash service with them, and she thinks it will be a nice improvement for the area. One big improvement will be recycling. She has only found one company picking up recycling from private individual customers, like herself, who lack group negotiation power. That service is every other week and costs \$30 per month. There are providers who offer similar pricing to the City, but they do not offer curbside recycling to individual customers. The current model does not encourage individual customer residents to recycle. Some do drive it to a collection center, but that is a hassle and is prohibitive to people who are not so passionate about sustainability. She believes we should do what we can to both encourage recycling and also reduce the fuel wastage from having many providers drive through neighborhoods picking up piecemeal. She stated that she has looked into many providers, and there are differences that make the City a great value. Individuals have to shop all sorts of companies, and reliability can be an issue, as in 2013 with the Waste Removal bankruptcy debacle. She has also looked into historical price changes to the trash service, and it looks like there were just two price increases in recent decades. Each increase was around \$5 per month, and some of it was related to significant improvements, such as not having to sort recycling. She stated that this is good stewardship in her opinion. Between all of the citizens of West Lafayette and this Council, there seems to be a great track record of pricing and service value oversight. She stated that she would consider the City's waste collection an attractive feature of her neighborhood, especially since the service is a great value for individual customers who lack group negotiation power. Additionally,

it looks like it will have a positive environmental impact for neighborhoods like hers. She appreciates the effort to more fully include them in the West Lafayette sanitation district.

Brooke Linn (Wake Robin subdivision) stated that she is also here to speak in support of this initiative. She moved into her home about a year ago, and she had to call around for service because they do not have a standard service. She stated that she also works for Purdue and is well-educated, but as a single mom she is on a budget. The cheapest service she could find is the same price that she would be paying the City, and the City service would include recycling. She was excited about the recycling service because, as a single mom working full-time, she does not have a lot of time to gather up recycling and taking it to the center. She hopes that the Council will vote positively for this.

Mary Sell (1923 Blueberry Lane) stated that, as Ms. Schneider mentioned, Green Meadows does not have an HOA. She stated that the initial letter received from the City's Street and Sanitation department offered service for \$16 per month. Her first inclination was that this was an offer, not a mandate. She recently learned that it is a mandate if the ordinance is signed, and that concerns her. She would like to have the freedom to opt for the garbage method that is used in her household. While \$16 per month is not a problem for them, they currently pay about \$40 per year. They recycle, reuse, compost, and are careful about their shopping. She knows the City's proposal to do recycling is a good incentive for a lot of people, but she would like to see more teeth into it than just that. She stated that it would have been nice if the ordinance was mailed to the people on the list so that it would be more clear, and there may have been more people here tonight. She stated that it feels sudden to her. In talking to a few people, one concern is leaf collection, which is offered to City residents but not to these outlying areas. She is concerned about leaves going to the landfill. She would like to see more efforts toward leaf collection. As someone who generates very little waste, she would also like to see the program that the City tried to implement years ago where people pay per bag. She knows it would be cumbersome for the City to figure out how to do that, but individual haulers now can go from house-to-house and know who to select. There are probably ways to measure people's waste output. It may be an added expense, but she thinks that for the sake of the environment that is something that is going to have to be done eventually.

Councilor DeBoer asked if there has been a motion to amend this, or if we are going to go to vote. Counsel Burns stated that there has not been a motion to amend.

Councilor Thomas stated that he heard a concern about people not being informed of this ordinance. He asked Mr. Anderson to give an overview of how this was rolled out to those areas. Commissioner Anderson responded that we sent a letter to everyone in the district that we were doing this. As Councilor Dietrich said earlier, the law gives us the option to just notify to do this, and that was not the choice we wanted to do. Instead, we sent a letter to everyone to say that this is what we were looking to do. We held meetings to get feedback. Out of those meetings, there were 169 people for having the service and 17 people against it. There has not been a mailer out about taking the next steps. Councilor Thomas asked if those meetings were well attended. Commissioner Anderson stated that from what he heard from other organizations, the amount of people we had compared to what they normally have at an HOA meeting, he felt that we had a decent turnout. There were also people who called in to voice their views. He thinks that when almost 20% of the people show up in their evenings or on a Saturday then it is a fairly good turnout.

There was no further discussion.

Clerk Booker called the roll call vote:

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

Clerk Booker stated that the vote was 8 AYES and 1 NAY.

President Bunder announced that Ordinance No. 30-17 passed on first reading.

Discussion confirmed that there will be a second reading at the next regular meeting in January.

NEW BUSINESS:

Ordinance No. 31-17 An Ordinance Providing For Temporary Loans (2017 Additional) (Presented by the Controller)

Councilor Keen read Ordinance No. 31-17 by title only.

Councilor Keen moved for passage of Ordinance No. 31-17 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Controller Gray stated that he asks that this ordinance be read on second reading tonight if the Council would suspend the rules. This is for a temporary loan from the Wastewater Improvement Fund to the General Fund of \$500,000. This is an insurance policy, so to speak, to make sure that we have cash to cover the last payroll of the year if the levy from the County does not come in until later in December or January. This loan is until the end of December.

Councilor Dietrich asked what happens in the unlikelihood that the County does not give us the money until after the first of the year. He asked how it would get paid back by December 31, 2017, if that happens. Controller Gray responded that at that time the loans would need to go over, and there would be a lot of paperwork and red tape to go through. Counsel Burns confirmed for Councilor Dietrich that it is not possible for the Council to extend the loan beyond December 31, but explained that if the State does not give, then they are unlikely to take away if we are a week late. We would not get a State Board of Accounts (SBOA) write-up under those circumstances. Controller Gray added that we would have to get a commercial loan at that point, but we normally try to avoid interest costs by having these loans within the City. Councilor Dietrich stated that he hates the alternative of getting a commercial loan. He asked that even if the Council were to vote on this on December 31, 2017, if it is correct that we cannot pass that date. Counsel Burns confirmed that we cannot pass that date, but whether or not we would be given leave to pass it would be the question. There is no penalty to it other than a write-up from the SBOA, and he does not believe that SBOA would blame us for an error made by the State not giving us money on time.

There was no further discussion.

Clerk Booker called the roll call vote:

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

Clerk Booker stated that the vote was 9 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 31-17 passed on first reading.

Councilor Keen moved to suspend the rules and hear Ordinance No. 31-17 on second and final reading. The motion was seconded by Councilor DeBoer, and the motion passed by voice vote.

Councilor Keen read Ordinance No. 31-17 by title only.

Councilor Keen moved for passage of Ordinance No. 31-17 on second 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:

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

Clerk Booker stated that the vote was 9 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 31-17 passed on second and final reading.

Ordinance No. 32-17 An Ordinance To Approve Blanket Bond Coverage For 2018 (Prepared by Clerk Booker)

Councilor Keen read Ordinance No. 32-17 by title only.

Councilor Keen moved for passage of Ordinance No. 32-17 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Clerk Booker explained that this is the blanket bond coverage for \$750,000 that is renewed annually. We do a blanket bond in lieu of individual bonds. The bonds are for people who represent the City.

There was no further discussion.

Clerk Booker called the roll call vote:

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

Clerk Booker stated that the vote was 9 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 32-17 passed on first reading.

Ordinance No. 33-17 An Ordinance Providing For Temporary Loans (2018) (Presented by the Controller)

Councilor Keen read Ordinance No. 33-17 by title only.

Councilor Keen moved for passage of Ordinance No. 33-17 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Controller Gray stated that this is only for the first reading this evening. These temporary loans allow us to cover the cash balances for all of next year. He confirmed for Counsel Burns that although the ordinance has a date of January 1, 2018, he will not be authorized until after the second passage at the January 8, 2018, Council meeting.

There was no further discussion.

Clerk Booker called the roll call vote:

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

Clerk Booker stated that the vote was 9 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 33-17 passed on first reading.

Resolution No. 23-17 A Resolution Requesting The Transfer Of Funds (EDIT) (Prepared by City Controller)

Councilor Keen read Resolution No. 23-17 by title only.

Councilor Keen moved for passage of Resolution No. 23-17 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Controller Gray explained that this is to cover the funding of new gates and a ticket booth at the Wabash Landing Parking Garage. The RDC is footing most of that bill, but just under \$20,000 will come from the EDIT Fund. This is moving the budget from one major category to another to do that.

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	Aye
Thomas	Aye
Wang	Aye

Clerk Booker stated that the vote was 9 AYES and 0 NAYS.

President Bunder announced that Resolution No. 23-17 passed on first and only reading.

REPORT BY THE MAYOR

There was no report.

COMMUNICATIONS

► Councilor DeBoer asked if anything can be shared about the 320 Brown Street shooting. Chief Dombkowski stated that our detectives are following promising leads, and the investigation continues with progress.

► Councilor DeBoer asked for an update of the rewrite of the West Lafayette City Code. Counsel Burns stated that there has been a holdup from the service. The person helping us on the front end was extremely efficient, but we are finding less efficiency toward the back end of that project.

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 7:55 p.m.