

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
JUNE 1, 2017

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on June 1, 2017, at the hour of 4:30 p.m.

Vice-President Dietrich called the meeting to order and presided.

Present: Nick DeBoer, Steve Dietrich, Aseem Jha, Gerald Thomas, and Norris Wang.

Absent: Peter Bunder, Gerry Keen, Larry Leverenz and David Sanders.

Also present: 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.

REPORTS OF CITY DEPARTMENTS ON FILE IN THE CLERK'S OFFICE

Vice-President Dietrich noted that it is budget time again, and we will start scheduling meetings at the end of June or starting in July.

UNFINISHED BUSINESS:

Ordinance No. 10-17 An Ordinance Providing For Temporary Loans (MVH to Parks) (Presented by the Controller)

Vice-President Dietrich read Ordinance No. 10-17 by title only.

Controller Gray stated that this will be the second reading of this ordinance. The temporary loans are to cover our cash in-between getting the levy from the County.

There was no further discussion.

Ordinance No. 11-17 An Ordinance Requesting An Additional Appropriation And Reduction To The 2017 Budget (Engineering, MVH) (Submitted by the Controller) PUBLIC HEARING

Vice-President Dietrich read Ordinance No. 11-17 by title only.

Controller Gray stated that this is the second reading of this ordinance to transfer money, which will allow us to save money on road construction inspections.

There was no further discussion.

NEW BUSINESS:

Ordinance No. 13-17 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect. (Ed-An Properties) (NB to GB) (Submitted by Area Plan Commission)

Vice-President Dietrich read Ordinance No. 13-17 by title only.

Building Commissioner Spitznagle stated that McDonald's approached the City because they want to do a complete demolition of the store on Sagamore Parkway, but a drive-through is not allowed in the current zoning if the building is completely taken down. As we started this rezoning process, we also invited the landowner to look at rezoning the adjacent properties, since there are a couple of other drive-throughs and some other items. Other than the three restaurants, there are two parcels that have other business uses on them. So, this is a request to rezone from Neighborhood Business to General Business. There are also some commitments on certain GB items that will be kept out of it. Commissioner Spitznagle confirmed for Councilor Jha that this item has already passed the APC.

Councilor Thomas asked if it is correct that the business owner owns property all the way from the old CVS through McDonald's. Commissioner Spitznagle confirmed that is correct, and they also own the strip center to the west that includes the urgent care.

There was no further discussion.

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)

Vice-President Dietrich read Ordinance No. 14-17 by title only.

Commissioner Spitznagle stated that the City staff has worked with the petitioner on this item, and we will ask that this be tabled in order to work with the landowner on some more commitments. It may be done in a covenant. He noted that it is the Council's decision to hear this on Monday night or to take it off of the agenda now. Vice-President Dietrich stated that if the intention is to go ahead and pull it anyway, we have a quorum to vote on that now.

Councilor DeBoer motioned to remove Ordinance No. 14-17 from the Council agenda. Councilor Thomas seconded the motion, and the motion passed by voice vote.

Corporation Counsel Burns asked the petitioners if they want to table the ordinance to a time certain, for the July meeting, and Joe Bumbleburg (Ball Eggleston PC) responded that he would like that. Counsel Burns confirmed for Councilor DeBoer that if it is tabled to a time certain, then the Council will start with the same document, but it would need to be amended to add the commitments.

Councilor DeBoer motioned to table Ordinance No. 14-17 to a time certain, being the regular Council meeting in July 2017. Councilor Jha seconded the motion, and the motion passed by voice vote.

There was no further discussion.

Ordinance No. 15-17 To Amend Certain Portions Of The Unified Subdivision Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect. (USO Amendment #10) (Parcelization Application Filing Requirements) (Submitted by Area Plan Commission)

Vice-President Dietrich read Ordinance No. 15-17 by title only.

Commissioner Spitznagle stated that the APC did a couple of modifications to the Unified Subdivision Ordinance (USO) to clean up some parcelization items, and information is provided in the APC Staff Report.

There was no further discussion.

Resolution No. 07-17 A Resolution To Adopt The 2017-2021 West Lafayette Parks And Recreation Master Plan (Submitted by the Parks and Recreation Department)

Vice-President Dietrich read Resolution No. 07-17 by title only.

Parks Superintendent Fawley will give a presentation on the Parks Master Plan at the Council meeting.

There was no further discussion.

Resolution No. 08-17 A Resolution Of The Common Council Of The City Of West Lafayette, Indiana, Approving The Acquisition And Subsequent Sale Of Real Estate By The Redevelopment Commission In The Levee/Village Economic Development Area (Submitted by the Department of Development)

Vice-President Dietrich read Resolution No. 08-17 by title only.

Director of Development Carlson stated that both Resolution Nos. 08-17 and 09-17 are in regards to the Wabash Landing property. We have been working with the developer on a previously-approved planned development to build 112 new apartments at Wabash Landing in the strip area that is currently vacant behind Scotty's Brewhouse. This is an incentive of sorts, which will also bring the 92 parking spaces that this property owner has deeded within the parking garage back into the ownership of the Redevelopment Authority. The Redevelopment Authority owns the parking garage, and the Redevelopment Commission (RDC) pays the bonds on the parking garage. Once this transaction happens, the Development Department will take over management of the parking garage. We will begin to do some work on the garage so it has a better relationship with Wabash Landing and Tapawingo Park.

There was no further discussion.

Resolution No. 09-17 A Resolution Of The Common Council Of The City Of West Lafayette, Indiana, Approving The Acquisition Of Real Estate By The Redevelopment Commission In The Levee/Village Economic Development Area (Submitted by the Department of Development)

Councilor DeBoer stated that he believes he read something in the press that talked about how no matter the outcome of this deal, the City is not on the line for an increased amount of funding. He asked if that is correct, and asked Director Carlson to walk him through the details of this acquisition and leasing that is going on between the RDC and the parking garage spaces.

Director Carlson stated that the overall view for Resolution No. 08-17 is that we will be purchasing the land that is currently home to the vacant storefronts, and also selling that land back as an incentive opportunity for this development. There will also be two slivers of about 15 square feet that will be added to the property. It will be acting as an incentive similar to what was done for the Indiana Manufacturing Institute building and other redevelopments that have occurred here in the community. Resolution No. 09-17 is just for the 92 parking spaces. He explained that if no development is done on that site—if there is no added increment to this TIF district—then we will

not pay the incentives on Resolution No. 08-17. It is completely tied to the increment that this proposed development would bring. If the development does not come, or if, for whatever reason, the increment does not appear, then we will not be on the line for paying that back. For Resolution No. 09-17, we are on the line regardless. However, what we are doing with that has tied it to the increment that we have been told by actuaries will be coming in. So, the money that we are paying towards those parking spots, we believe we will be receiving those funds with this development. We will be paying for that, regardless, to get the ownership of the garage back under one entity.

Tom Brooks (Mayfield and Brooks, LLC), attorney for the RDC, explained that one of the reasons this transaction comes to Council is because it is over a ten-year period. Anything that is over \$5 million or greater than three years in financing requires Council approval before the RDC can proceed with financing. He stated that we have gotten the appraisals on the properties and the RDC passed the initial resolutions at the last RDC meeting [May 17, 2017]. If the Council passes this, then the RDC will be proceed with firming it up at the July RDC meeting. He explained that we will have a lease from the hotel and the apartments to lease parking spaces in the garage. They will be paying us money for those parking spaces. In response to questions from Vice-President Dietrich and Councilor DeBoer, Mr. Brooks stated that the RDC will have total control over the maintenance and improvements in the parking garage. It is one of the reasons that the RDC wants to take it over.

Councilor Wang asked if this is for a fixed number of spaces. Mr. Brooks responded that the fixed number is for the 92 spots that we are buying, because those are tied to the current apartments that are there. Those will remain fixed, but the others are first-come, first-serve. Mr. Brooks confirmed for Vice-President Dietrich that we are not reselling the 92 spots. The spots will be owned by the RDC, and the rest of the garage is owned by the Redevelopment Authority.

There was no further discussion.

ADJOURNMENT

There being no further business at this time, Councilor DeBoer moved for adjournment. Vice-President Dietrich adjourned the meeting, the time being 4:46 p.m.