

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
NOVEMBER 3, 2016

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on November 3, 2016, at the hour of 4:30 p.m.

President Bunder called the meeting to order and presided.

Present: Peter Bunder, Nick DeBoer, Steve Dietrich, Azeem Jha, Gerry Keen, Larry Leverenz, and Norris Wang.

Absent: David Sanders and Gerald Thomas,

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

PUBLIC RELATIONS:

President Bunder requested that the Go Greener Garden Award be added to the agenda. There were no objections from the Council.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 32-16 An Ordinance Amending Ordinance No. 32-97 Being The Unified Zoning Ordinance Of Tippecanoe County. (UZO Amendment #87) (Form Based Code) (Submitted by Area Plan Commission)

Ryan O’Gara, Assistant Director, Area Plan Commission, stated that this is basically the template that will be used to launch the New Chauncey Neighborhood section. He stated that this will create a new Chapter 7 in the UZO, establishing form-based overlay zoning. There is a general administration section that would apply to all overlays, regardless of locality. After that there are the neighborhood-specific subsections that would have specific design requirements within the neighborhood. There would be parallel zoning districts in which R1U would mean something different in New Chauncey than it would outside of the neighborhood. The Centennial Neighborhood in Lafayette was the first one to get this, but New Chauncey is not far behind. The code will be brought to the City staff and the Historic Preservation Commission (HPC). The HPC deals with architectural elements, which is part of what form-based code does, but the historic district does not take up all of New Chauncey. He stated that he expects to have a working draft of the New Chauncey section in a couple of months, and that will ultimately be brought to the Council.

President Bunder asked if it is correct that the task, at this time, of the Council in every town and city is to give APC the administrative authority to do form-based code. Mr. O’Gara responded that is correct. This will become part of the UZO once it is adopted by all localities. As this innovative type of zoning is desired in specific geographically-outlined places within a community,

then that body could petition the APC to do an ordinance amendment to create a new form-based overlay area. This could be created fairly quickly using the template.

There was no further discussion.

Ordinance No. 33-16 An Ordinance Of The City Of West Lafayette, Indiana, Amending The West Lafayette City Code To Include Sexual Orientation, Gender Identity, Gender Expression, And Veteran Status As Protected Classes Under The West Lafayette Human Relations Commission (Sponsored by Mayor John Dennis)

Corporation Counsel Burns stated that Ordinance No. 32-16 represents an upgrade from previous resolutions [Nos. 27-93 and 11-10], which have provided a form of protection for sexual orientation, gender identity, gender expression, and veteran status. This item will move that from resolution status to ordinance status. The difference between the two is that an ordinance has the force of local law, while a resolution is an advisory. Our own code of ordinance provides that an ordinance must have two readings, so he suggests that Ordinance No. 33-16 be read at two meetings in order to take those protective classifications and move them to a more rigorous position in our code.

Council Keen asked if this would make it enforceable, and Counsel Burns responded that is correct; it will make it enforceable equal to all other traditional and customary classifications.

Councilor DeBoer stated that he is concerned that previous Senate legislation wanted to nullify any ordinance after December 31, 2015, so if they were to revive the exact same legislation, it would nullify this action. He asked if that is correct. Counsel Burns responded that it would if it were the exact same legislation, but the presumption would be that if it is introduced again then the date would be bumped to a new year.

Councilor Jha asked if it is correct that the benefit to passing this now is that it would be grandfathered if the Senate bill were passed, and Counsel Burns responded yes.

There was no further discussion.

Resolution No. 19-16 A Resolution Requesting The Transfer Of Funds (Clerk, Police) (Prepared by the Controller)

President Bunder read Resolution No. 19-16 by title only.

Controller Gray stated that this is moving money from one major category to another major category. It is within the budget, and it is a net gain of zero. This is to move budget from Contract Services to Supplies for the Clerk's Office, and moving funds from Personnel and Gasoline to Equipment for the Police Department to get another license plate reader.

There was no further discussion.

ADJOURNMENT

There being no further business at this time, Councilor DeBoer moved for adjournment. President Bunder adjourned the meeting, the time being 4:41 p.m.