

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
JUNE 1, 2015

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on June 1, 2015, at the hour of 6:30 p.m.

Mayor Dennis called the meeting to order and presided.

The Pledge of Allegiance was repeated.

Present: Bunder, Burch, DeBoer, Dietrich, Hunt, Keen, and Thomas.

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, IT Director Alexander, Public Works Director Buck, Assistant Director of Development Dixon, Police Chief Dombkowski, Parks Superintendent Fawley, Human Resources Director Foster, Fire Chief Heath, WWTU Director Henderson, and Street Commissioner Payne.

MINUTES

Councilor Keen moved for acceptance of the minutes of the April 30, 2015, Pre-Council Meeting, the May 4, 2015, Common Council Meeting, and the May 19, 2015, Special Common Council Meeting. Councilor Burch seconded the motion, and the motion passed by voice vote.

COMMITTEE STANDING REPORTS

STREET, SANITATION, AND WASTEWATER TREATMENT UTILITY

Councilor Bunder presented this report, which will be on file in the Clerk-Treasurer's Office.

Mayor Dennis asked Public Works Director Buck to speak about the traffic situation due to the closure of the intersection of Happy Hollow and River Roads earlier today.

Director Buck stated that the first day of a closure on anything is always new for everybody. He stated that the Engineering Department will be working with the Police Department and the contractor to get additional signage to help people find an alternate route. He stated that Salisbury Street was backed up significantly for northbound traffic from Navajo Street to Robinson Street. He stated that we will be promoting the use of Fowler Avenue ramp, Northwestern Avenue, and for heavy northbound truck traffic, Yeager Road. He stated that even US 231 can be used if they are coming from that far out.

Police Chief Dombkowski stated that the Police Department worked intersections on Salisbury until just after 6:00 p.m., and will be monitoring that tomorrow to put a full plan in place. He asked that people find those alternate routes of travel and be patient.

Councilor Dietrich stated that Deputy Police Chief Leroux was out with that crew relocating the signs, which should help out quite a bit. He stated that Deputy Chief Leroux did a nice job of organizing the crew.

PUBLIC SAFETY AND ORDINANCE

Councilor Keen presented this report, which will be on file in the Clerk-Treasurer's Office.

PURDUE RELATIONS

Councilor DeBoer reported on events at Purdue University.

PARKS AND RECREATION

Councilor Hunt presented this report, which will be on file in the Clerk-Treasurer's Office. She also commented on how, as a retired nurse, pleased see is about all of the training the Police and Fire Departments have done to treat opiate overdose with Narcan.

ECONOMIC DEVELOPMENT

Councilor Thomas presented this report, which will be on file in the Clerk-Treasurer's Office.

PERSONNEL

Councilor Burch presented this report, which will be on file in the Clerk-Treasurer's Office.

BUDGET AND FINANCE

There was no report.

REPORT OF APC REPRESENTATIVE

Councilor Keen reported that on June 3 the APC Ordinance Committee will be continuing its discussion on the rezone of New Chauncey neighborhood.

SPECIAL REPORTS: None

PUBLIC RELATIONS:

a. Beautification Award

Councilor DeBoer presented the Beautification Award to Cathy and Michael Lockwood for their garden at 1001 Ravinia, and he described the garden.

Ms. Lockwood spoke about the garden landscaping and expressed appreciation for the award.

Councilor Thomas stated that he lives two doors down from the Lockwoods and the house and yard is immaculate.

b. Council Appointments: Go Greener Commission

Councilor Bunder requested that the Council appoint three people to the Go Greener Commission. Two members to be reappointed are Parr Durr and Councilor Bunder. The third person is someone returning to the Commission after returning to the City, Diane Damico.

Councilor Burch motioned to appoint Parr Durr, Councilor Bunder, and Diane Damico to the Go Greener Commission. Councilor Dietrich seconded the motion.

Councilor Burch asked for confirmation that there are two people being re-appointed and one returning.

Councilor Bunder stated that Ms. Damico, who was instrumental in founding the Commission, has been out of town and is back.

The motion passed by voice vote.

FINANCIAL REPORT

There was no report.

**LEGAL REPORT**

City Attorney Burns stated that this report is on file.

Councilor Bunder thanked City Attorney Burns in his assistance in getting the first ever meeting of the Certificate of Appropriateness Committee of the Historic Preservation Commission off the ground, which was followed by the first ever meeting of the Historic Preservation Commission. He stated that the whole Commission appreciated City Attorney Burns' attendance and expertise.

**UNFINISHED BUSINESS:**

**Ordinance No. 16-15** An Ordinance To Establish The Cumulative Capital Development Fund And Readopt West Lafayette City Code Provisions Concerning The Fund (Prepared by the Clerk-Treasurer) PUBLIC HEARING

Mayor Dennis read Ordinance No. 16-15 by title only.

Councilor Keen moved for passage of Ordinance No. 16-15 on second reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Councilor Keen moved to open a public hearing on Ordinance No. 16-15. The motion was seconded by Councilor Burch, and the motion was passed by voice vote.

There were no comments.

Councilor Keen moved to close the public hearing on Ordinance No. 16-15. The motion was seconded by Councilor Burch, and the motion was passed by voice vote.

There was no discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 16-15 passed on second and final reading.

**NEW BUSINESS:**

**Ordinance No. 18-15** An Ordinance To Amend Ordinance No. 04-15, An Ordinance To Fix The Salaries Of Appointed Officers, Employees, And Members Of The Police And Fire Departments Of The City Of West Lafayette, Indiana, For The Year 2015 (Submitted by Mayor John Dennis)

Mayor Dennis read Ordinance No. 18-15 by title only.

COMMON COUNCIL MEETING MINUTES, June 1, 2015, CONTINUED

Councilor Keen moved for passage of Ordinance No. 18-15 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Chief Dombkowski stated that the intent of requesting this position, and the amendment to the salary ordinance that is required for such, is to fill a vacancy by an Officer who filled a role that evolved into something that can be done by a civilian. He stated that the Department has picked up the role for some time and has rolled it out as far as we can without taking an officer off the street to perform these duties. The duties includes intake of evidence, processing of evidence, and keeping on top of things with the prosecutor's office to get rid of said evidence through court orders and such. He stated that it is a tedious job and one that the Department would like to have done by a civilian, as is done in Lafayette. He stated that because we are smaller agency, he also feels the position can help out in other areas that do not need to be done by a sworn Police Officer. Those areas include managing outreach programs such as RAD and the Citizen's Academy, and maintaining social media accounts. He stated that the position is totally funded in 2015 in the current budget since the Department did not fill a part-time parking position as we move to automation.

Councilor Dietrich stated that he understands it being a civilian position and that it is needed, but asked why there is a minimum requirement of five years of police experience.

Chief Dombkowski stated that the candidates that the Department would probably look at for this position would often be a retired police officer. There is an integrity piece for chain of custody issues that makes it a nice segue for knowing the rules and regulations of a prosecutor's office.

Councilor Dietrich asked what kind of background investigation this person can expect for hire.

Chief Dombkowski stated that it would be the same as a civilian position entering the Police Department, subject to all of those rigors of being hired, but probably along the lines of the Neighborhood Resource Team work where people are doing a law enforcement-type of function.

Councilor Hunt stated that there is a minimum requirement of being able to properly handle biologically hazardous material. She asked if the person will be trained or if it will be assumed that they have it in the five years of police experience.

Chief Dombkowski responded that they would be trained when they are hired. He stated that Human Resource Director Foster helped with this, and she is well versed in making sure those bases are covered in the requirements for a certain position and listing those so that there are no surprises for the person we hire.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			

COMMON COUNCIL MEETING MINUTES, June 1, 2015, CONTINUED

	AYE	NAY	ABSENT	ABSTAIN
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 18-15 passed on first reading.

Councilor Keen moved to suspend the rules and hear Ordinance No. 18-15 on second and final reading. The motion was seconded by Councilor Burch, and the motion passed by voice vote.

Mayor Dennis read Ordinance No. 18-15 by title only.

Councilor Keen moved for passage of Ordinance No. 18-15 on second reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

There was no discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 18-15 passed on second and final reading.

Resolution No. 12-15 Resolution Of The Common Council Of The City Of West Lafayette, Indiana Authorizing The City Attorney To Exercise The City's Power Of Eminent Domain (Submitted by City Attorney)

Mayor Dennis read Resolution No. 12-15 by title only.

Councilor Keen moved for passage of Resolution No. 12-15 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

City Attorney Burns explained that the power of eminent domain is the power to take and fairly compensate a person or business for their property for public use. He stated that when the Redevelopment Commission (RDC) wants to do so, the law has changed to require that the Council give approval for that. He stated that this is a resolution that would approve the use of eminent domain in the described circumstance. He stated that each time we would require use of the power it will come individually, so this is just an individual authorization for this particular condemnation action.

Councilor DeBoer asked what the latest update is, and if our offers have been rejected.

City Attorney Burns stated that we have not reached a resolution but there is some optimism there that it will get resolved amicably.

Councilor Burch asked if acquiring this parcel through eminent domain would depress the value of the rest of the property.

City Attorney Burns responded that it should not because it is appraisal-based. We are required to do an appraisal by a certified appraiser, which was done in this case.

Councilor Hunt stated that she drove and walked by this lot and it looks like it is a green space that we are going to take. She asked Director Buck if it is a safety issue or mechanical.

Director Buck responded that this whole project is about safety improvements; it is the fourth phase of safety improvements on Northwestern Avenue. This is part of an improvement to a turn lane so that we can provide a pedestrian crosswalk at the proper location for that turn lane, and also the correct geometry for that turn lane given the change for the Northwestern southbound lanes in the alignment for this new design. He stated that there is not enough room with the current layout for this turn lane to prevent a bus or large vehicle from having the back axle come over the curb and onto the existing sidewalk. We need to widen the radius and make it larger. He confirmed for Councilor Hunt that the appraisal was done by someone who is certified.

Councilor DeBoer asked what we are looking at in terms of cost if we did have to take this to court, and how long actions like this normally take.

City Attorney Burns responded that the condemnation process has at least one quick feature to it, and that is that the first step is to have three court-appointed appraisers, which the City would pay for. He stated that they are appointed early in the process, within 45 days. The City would pay approximately \$4,000 total for the three appraisers. He explained that once they render their appraisal, then the City has the ability to pay the amount that they have determined is fair into the Court and then take possession of the property and begin the project. If the landowner still disagrees with those three appraisers they have the right to a jury trial to determine it. He stated that we at least get to the property to get the project moving. The landowner gets the money as determined by the three appraisers and then it moves on. The first phase is approximately 60 to 90 days, and the second phase after the taking could be another eight to ten months. The main costs would be attorney fees and appraisal costs.

Councilor Dietrich asked if that is a consensus appraisal.

City Attorney Burns responded that it is. He explained that the three appraisers, who are all local and know real estate well, get together and view the site and talk it over until they reach a consensus number. He stated that they are paid a flat fee by the court.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			

COMMON COUNCIL MEETING MINUTES, June 1, 2015, CONTINUED

	AYE	NAY	ABSENT	ABSTAIN
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Resolution No. 12-15 passed on first and only reading.

Resolution No. 13-15 A Resolution Appropriating The Necessary Funds Resulting From The 2015 Community Development Application Of The City Of West Lafayette Under Title I Of The Housing And Community Development Act Of 1974, As Amended (Submitted by Department of Development)

Mayor Dennis read Resolution No. 13-15 by title only.

Councilor Keen moved for passage of Resolution No. 13-15 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Assistant Director of Development Dixon stated that this is a request to approve the appropriations based on the CDBG Advisory Committee recommendations on how we spend our 2015 program year award. He stated that the amount of the award is \$307,715, and he reviewed the line items.

Mayor Dennis asked if the numbers are up or down from years past and asked the percentage.

Assistant Director Dixon stated that they are down. He stated that he has five years of data. He stated that in 2011 we had over 16% drop, in 2012 there was a 4% drop from that, and in 2013 there was a 12.6% drop. 2014 had the smallest drop of 0.6%, and this year it is down 7.4%.

Councilor Thomas asked if there is anything that tells us if this continual drop in our allocation is going to continue or level off.

Assistant Director Dixon stated that he asked the same question of our HUD representatives and we do not always get the clearest of answers. He stated that at one point they were thinking of dropping the lowest four or five cities in the State from the program and making them do a full application every year. Right now we are an entitlement city, which means that as long as we go through the process then we are going to get something. That plan has since fizzled out, so this could be leveling out, but he stated that he is not sure.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Resolution No. 13-15 passed on first and only reading.

Resolution No. 14-15 (Amended) A Resolution Of The Common Council Of The City Of West Lafayette, Indiana, Approving An Amendment To Certain Redevelopment And Economic Development Plans And Approving The Issuance Of Bonds Of The City Of West Lafayette Redevelopment District (Submitted by Department of Development)

Mayor Dennis read Resolution No. 14-15 (Amended) by title only.

Councilor Keen moved for passage of Resolution No. 14-15 (Amended) on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

City Attorney Burns stated that we have three legacy TIFs, and due to State legislature changes it is necessary for there to be obligations in those in order to extend them. We have traditionally paid with cash so we do not have those obligations. He stated that there are projects in each of the three areas related to safety lighting for pedestrian, bike, and vehicular traffic, on Cumberland Avenue, Cattail Trail, and Northwestern Avenue. Each of the three projects in each of the three TIF areas will be not to exceed \$300,000. He noted that financial advisor Jim Treat (O.W. Krohn & Associates) and bond counsel Richard Starkey (Barnes & Thornburg LLP) are present to answer questions.

Councilor Bunder asked how the people in New Chauncey access this money. He asked if this current \$300,000 fixed for three specific projects. He asked if it is possible to add street lights on Salisbury, which is related to the Land Use Plan. He asked if we could do another project another year. He stated that he would like to help the legacy TIFs survive and he would like to help encumber them with funds spent for lighting and public safety. He asked if this train has left the station, or will there be another train.

City Attorney Burns stated that money is fungible, so a \$300,000 infusion of cash in the form of these proposals potentially frees up money.

Public Works Director Buck stated that on this particular set of projects the train is leaving the station, and it needs to due to timing. He stated that there is certainly more room available now by not having this \$300,000 coming out of cash as part of the paygo projects that the Redevelopment Commission (RDC) does on an annual basis. If there is a request for a specific need or project, Director Buck asked that people let the Engineer's Office know. He stated that we have carefully considered lighting projects in high residential areas, or completely residential areas such as the south end of Salisbury Street, as compared to more commercialized area. He stated that the project in the Levee/Village area is along Northwestern, and then Cumberland is a residential area but also has mixed-use with the school. The third project along Sagamore Parkway is completely commercial. He stated that the other thing that we do with our lighting projects, because of policies with Duke Energy, is to buy our own lights rather than renting them from Duke. That has been a change because the lighting available through the power company was very limited in style and also very expensive. Basically, we were paying the same amount to buy the lights for Duke to install on our behalf. Now we have a service point for the electricity and pay the electric bill. He stated that LED lighting is very energy efficient, so it is not a high electric bill comparatively speaking. Once we have been able to afford the cost of the infrastructure, the lights and the installation, then it just a matter of maintaining that.



Councilor Bunder asked who would make that request. He asked if the neighborhood association would go to the RDC, or if the City Councilman representing the neighborhood would go to the City Engineer's Office.

Director Buck responded that any of those are great options. He stated that we have everyone including an individual who would like more light at their corner make requests. He stated that sometimes a small, specific spot issue is easier to solve by having the power company install a single light. He stated that we do take a poll about the popularity of that light. What might be a positive for somebody may shine in somebody else's bedroom window. He stated that we try to look at it, especially in residential areas, from all concerns. Safety is the top concern.

Councilor Bunder stated that safety is a concern of his, and so is working through the plan for the neighborhood. He stated that it is good to know that there might be funding this way.

Mayor Dennis stated that he has had questions about this before. He stated that there is a standardized product that has a relatively low-fixed cost. In the event that somebody would like to have something a little more decorative, usually a neighborhood association absorbs that additional cost.

Director Buck stated that we do a study, and it is fairly common that we will go out and determine how many lights are needed and where they are needed on a subdivision-wide basis.

There were no further comments.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Resolution No. 14-15 (Amended) passed on first and only reading.

Resolution No. 16-15 A Resolution Requesting The Transfer Of Funds (CCD-IT) (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 16-15 by title only.

Councilor Keen moved for passage of Resolution No. 16-15 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Clerk-Treasurer Rhodes stated that this transfer was requested by the IT Department in order to address the needs for materials for problems in Police vehicles.

There were no further comments.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Resolution No. 16-15 passed on first and only reading.

COMMUNICATIONS

► Councilor DeBoer stated that Zach Baiel alerted to him over the weekend that on Chauncey Hill, as the weekend progresses, trash tends to accumulate fairly quickly in the trash can. He stated that he thinks that it is the businesses’ responsibility. He asked if there is an enforcement that can make sure that that happens.

Mayor Dennis stated that Chief Dombkowski will get the NRT on that.

► Councilor Dietrich stated that several months ago the Council approved zoning on a project just north of Sagamore Parkway across from Beau Jardin Apartments. He stated that he has noticed that there is a “For Sale” sign up there and he is presuming that the project is no longer valid. He asked what happened to that project. He asked if there is some way the Council can put a caveat on those ordinance changes that are made for a project, that says if that project did not go through then it would revert back to what it was so that the projects can be judged on a case-by-case basis. He stated that now that it is zoned in a particular way, something that we may not like as well has the ability to come in under that new zoning. He asked if there is a vehicle for that, or a sunshine clause on timing, where if a project falls backward then we can reevaluate.

Director Buck stated that he does not know of a status update on that corner. He stated that he would defer to City Attorney Burns on the zoning issue. He stated that there is a State law that allows for commitments, which may be able to be creatively used to allow that goal.

Councilor Keen stated that he believes that the commitments have to start at the APC level.

City Attorney Burns stated that he believes the process would be that if the Council would like to see a commitment made on this then it would go to the petitioner’s office, and they would make a request to the APC.

Councilor Dietrich stated that it seems logical that if we are going to make an exception or change in a zoning area for a project, that if it is not that project then it should go back to square one.

City Attorney Burns stated that before the law changed to allow the commitments, it used to just be the strength of having person at the podium state their intentions on the record. He stated that the commitment is a much stronger tool to be used.

Councilor Dietrich stated that once an area is zoned for a particular thing we have no control over what fits into that puzzle.

Director Buck stated that is correct. He stated that this Council has seen a lot of planned developments, which are very project-specific, but a straight zoning class rezone is more common. The whole class of uses is wide open, so that should be kept in mind when considering a future case when it is a straight rezone.

Councilor Dietrich asked if the process would be that a project would come to Council and we would have to not vote on it in order to send it back to APC and get the commitment put on it.

Mayor Dennis stated that the dark side of it is how would we know. He stated that if an existing development would comply to the preexisting zoning, whether it is something we passed for something that we thought would go in there, we would not know. They would not have to register their development with us.

Councilor Dietrich stated that that is his point. If "Project A" is what we vote to make a change for, and "Project A" does not happen, he believes we should have the ability to yank that change and say that it only applies to what was presented at Council.

Councilor Keen stated that it can be done as long as it is a planned development.

Director Buck stated that rezoning is rarely project-specific. It is only the case in planned developments, when you are talking about a project and rezoning all rolled into one. He stated that anytime someone wants to rezone by class, then throw whatever project they are talking about out the window because it has to be by what is allowed in that zoning class. There can be commitments to that.

Councilor Dietrich stated that he is asking if the Council can make those changes plan-specific each time.

City Attorney Burns stated that it can only be done at the time they are asking for a change. At that point the Council can say that they are not comfortable with voting on this until there is a commitment, but hopefully it would start earlier than that.

Councilor Keen stated that if we had an inkling that something was going to change, we could vote it down and send it back to APC with a recommendation that we may be willing to pass it with a commitment.

Councilor Dietrich stated that he understands that the developer does not intend any changes, and we like the project, but if the project does not happen we do not want to leave that change hanging out there for any project that comes back. Once we know that the project cannot go forward, Councilor Dietrich asked if there is a way to make that "all bets are off" so that it reverts back to the way it was before the project came to the Council.

City Attorney Burns stated that it is a good question and he has never seen it put in those terms of it actually reverts back. He stated that he can look into it.

Councilor Keen stated that he does not see a way to make that happen under the current system. He stated that, as Director Buck said, when we are voting on a zone change, the Council needs to keep in the mind that the project that is before us at that point in time may or may not exist a year from now. Whatever we are approving for that area at that time is any use

that is allowed in that. That is what is the Council is approving. We have to keep in mind that it may or may not be the specific use that is going to be there when the project is complete, but anything that would fit within the zone would be allowed.

City Attorney Burns noted that if a commitment is put on it, it stays. He stated that he has never seen it put that it would return to the old zoning and does not know if the law would allow that.

Councilor Hunt asked if a variance is the same thing. She asked if it specific to a property or is it like zoning, where it continues. She gave the example of the adult day center at the intersection of Salisbury Street and Lindberg Road, stating that they had research to show that they needed outdoor space for the visitors there.

Councilor Keen responded that that rezone came with a commitment that started at the APC level and that is where commitments need to start. He stated that the Council as a body here cannot impose a commitment onto a rezone, under the current rules. We could vote down any rezone and send it back to APC.

Director Buck stated that a variance is not the same as a rezone; it is not about the use. The rezone is about what the land use choices are going to be based on the zoning category. A variance is something with regard to characteristics.

Councilor Bunder stated that the commitment is part of the rezone. So, the advice to Council is to be very careful when rezoning anything, particularly if taking it out of a residential property and moving it to NB.

Councilor Keen stated that the exception to that would be a planned development.

Councilor Bunder stated that historically almost everything that has come to the Council has been a planned development. He stated that it is to our credit both historically and practically; it gives the Council more control.

► Councilor DeBoer asked if there is an update on the hotel [MHG Hotels/Hampton Inn project] on the Levee that the Council voted on approximately 18 months ago.

Director Buck stated that we have been getting submittals for both the final detailed plan review and the stormwater. They are getting close to having a final detailed plan signed off by the City, and then it goes back to the APC for a final resolution so they can record those.

► Councilor Dietrich welcomed the new West Lafayette Police Department K9, Barry. He also reported that the 2015 Niche Quality of Life rankings came out and West Lafayette scored No. 2 in the State, behind Carmel.

#### CITIZEN COMMENTS

► Thomas Kesler (479 Maple Street) stated that he joins the expression of concern about the trash that was mentioned, which he has seen in alleys during his walks around New Chauncey. He stated that he hopes that some of his neighbors will repair their concrete steps. Mr. Kesler stated that the lighted street signs on Navajo and Salisbury Streets are a nice touch to help get through the busy intersection at night. He stated that it also enforces his view of that intersection as a City center, and hopes that discussion about the future of City Hall includes discussion about rebuilding in place. He stated that he is pleased to see the curb repair work east and west on Sagamore Parkway east and west of Salisbury, but hopes that the workers in that area may collect some of the loose chunks of concrete. He expressed his appreciation for

the removal of a rental sign in the public right of way, which he contacted the City about a while back. He spoke about the need to enforce the ordinance to remove trash cans from the alley on days when trash does not get picked up. He spoke of his displeasure of large benches on some properties in New Chauncey, saying that he thinks they are unsightly.

► Zachary Baiel (124 Connolly Street) thanked Councilor DeBoer for bringing up the overflowing trash containers and thanked Chief Dombkowski for working on the issue. He thanked Councilor Dietrich for bringing up the rezone issue, and cautioned that commitments can be amended by the body that granted them originally. He stated spoke of the gas line replacement in the New Chauncey area, saying that residents are unhappy with the way the landscaping is being replaced. He stated that he hopes that the new position at the Police Department will include an effort to proactively post information on social media and help make the West Lafayette Police Department more accessible and transparent. Mr. Baiel stated that in regards to the approved TIF resolution, he echoes Councilor Bunder's concerns about New Chauncey. He stated that as a member of the Leadership Team of the New Chauncey Neighborhood Association, he will help to formalize a request for some of the types of improvements listed in the Land Use Plan. He noted that the Plan objectives also include well-marked bicycle lanes, and this is especially potent given the recent event of a cyclist being injured after being struck by an SUV. He stated that several cyclists have organized to create a Bridging Greater Lafayette: Taking the Lane awareness ride on June 6 on the Harrison Street Bridge. This is to help raise awareness about commuter cyclists instead of just recreational cyclists. He invited Mayor Dennis, the Council, and other City employees to join in, even if for a single ride across the bridge.

► Pat Boling (610 Carrolton Boulevard) stated that she is the Activism Chair of the Wabash River Cycle Club, and she is also here to talk about the awareness ride. She stated that she would like to urge a more active stance than joining the ride across the bridge. She stated that sharrows are not a good solution to the problem that was manifested by the collision with the cyclist. The sharrows on the bridge are fading and are only on the eastbound lanes. She stated that a better solution would be rumble strips so the bikes would have a protected lane both directions. She noted that the collision occurred because the motorist was looking for his cell phone, and she stated that hitting a rumble strip may have alerted him before he would have hit the cyclist. She expressed her hope that the Council and Mayor Dennis take this safety issue seriously, and her hope that they take an assertive position with the County on behalf of the City's citizens who use the bridge.

► David Sanders (324 Jefferson Drive) stated that he noticed that the number of standing committees equals the number of current Councilors. He stated that he is wondering, with the expansion of the number of Councils, if there would be a change in the number of committees.

Mayor Dennis responded that he had not thought about it, but he will now.

Councilor DeBoer stated that that question goes to how the general code is going.

City Attorney Burns stated that all of the elements are identified for the Second Class City, including the Clerk-Treasurer and things of that nature. The rest of the code project, other than that, is going slowly. He stated that we will be ready for the Second Class City transition.

► Councilor Bunder asked what goes to the APC Policy Board. He asked if that would be a place to take questions about bicycle safety and that bridge. He stated that it is the one place where everybody is, but the only thing that seems to be part of the conversation is building stuff.

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Councilor Keen stated that he does not know that it would be the place, but he could contact APC Executive Directly Fahey and find out.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting the time being 7:50 p.m.