

Subject to approval at the May 4, 2015, Common Council Meeting.

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
APRIL 2, 2015

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on April 2, 2015, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

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

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

REPORT OF APC REPRESENTATIVE

Councilor Keen reported that there was a good discussion at the APC meeting about the New Chauncey rezoning, which will be heard again at the next meeting.

LEGAL REPORT

At the request of Councilor Dietrich, City Attorney Burns stated that he would be prepared to give a report on the progress of the sign ordinance at the Council meeting.

UNFINISHED BUSINESS:

Ordinance No. 08-15 An Ordinance Vacating Platted Easement In The City Of West Lafayette, Indiana (Submitted by Reiling Teder & Schrier, LLC) PUBLIC HEARING

Mayor Dennis read Ordinance No. 08-15 by title only.

Councilor Hunt stated that there may be some neighbors at the Council meeting who still had some concerns. She stated that there may not be a clear understanding of the easement.

There was no further discussion.

Ordinance No. 09-15 An Ordinance Requesting An Additional Appropriation For The Parks And Recreation Fund (Prepared by the Clerk-Treasurer) PUBLIC HEARING

Mayor Dennis read Ordinance No. 09-15 by title only.

There was no discussion.

NEW BUSINESS:

Ordinance No. 10-15 An Ordinance Authorizing The City Of West Lafayette, Indiana To Issue Obligations For The Funding And Construction Of A Childcare Facility For The Purdue Research Foundation And Approving Other Actions In Respect Thereto (Sponsored by Mayor John Dennis)

Ordinance No. 11-15 An Ordinance Authorizing The City Of West Lafayette, Indiana To Issue Obligations For The Funding And Construction Of A Flood Mitigation Project For The Purdue

Research Foundation And Approving Other Actions In Respect Thereto (Sponsored by Mayor John Dennis)

Ordinance No. 12-15 An Ordinance Authorizing The City Of West Lafayette, Indiana To Issue Obligations For The Funding And Construction Of A Sewer And Water Utility Service Project For The Purdue Research Foundation And Approving Other Actions In Respect Thereto (Sponsored by Mayor John Dennis)

Mayor Dennis reported that Ordinance Nos. 10-15, 11-15, and 12-15 will be pulled.

City Attorney Burns stated that he spoke with Steve Schultz, who is general counsel for Purdue University this afternoon. He explained that this was to be conduit financing, as a way to finance improvement projects in the western lands. The projects are still going forward without slow-down, but they have decided to use an alternative financing method. He stated that there can be a motion made at the Council meeting to show them withdrawn.

Councilor Bunder stated that he did not fully understand these, and asked what the Council would have done if these ordinances were being approved.

City Attorney Burns stated that it is approval for a type of financing that the Council has done before for various projects, including Westminster and Faith West. It is the same type of reasoning, in that there is a lower interest rate available. The developer of the projects thought that this was going to be a good approach, but perhaps upon reflection, or perhaps better options became known just recently, they have better ways to go.

Councilor Bunder asked who the financing would be for—Purdue, Purdue Research Foundation (PRF), or the developer.

City Attorney Burns responded that it would have been financing for PRF. He confirmed for Councilor Dietrich that it would have been with no obligation for the City.

There was no further discussion.

Resolution No. 05-15 A Resolution Requesting The Transfer Of Funds (IT and Police) (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 04-15 by title only.

Police Chief Dombkowski stated that the Police Department's request for transfer of funds is for an opportunity that came up outside of the budget, so he went through the budget to try to make this happen. He stated that discussions began in the fall of 2014 with Purdue University's Police and Fire Departments for a combined dispatch center, located at the Purdue University Police Department. He stated that the timing is right after annexation and some high-profile incidents on the campus last year. He stated that the County has three 911 centers, and we currently operate out of the Tippecanoe County Sheriff's Office. We will be vacating that center sometime this year and moving to a combined dispatch center at the Purdue campus, which requires some work, such as electrical and fiber. Some work was going to be done already due to a mandated replacement of the old radio equipment, which is paid by 911 funds. He stated that we are fortunate that gasoline is way down this year, so the transfer is out of that fund. He stated that the hope is for the dispatch center to be up by July.

Mayor Dennis stated that there was a time when this was something that would not have even been discussed.

Chief Dombkowski stated that the departments certainly work closer together now than they ever have.

Councilor Hunt asked if the communication will be any affected between the County or the City of Lafayette.

Chief Dombkowski stated that State law only allows for two 911 centers in any County, but there are exceptions. Tippecanoe County is granted a maximum of three centers due to the University. He stated that we were already in the Sherriff's Office when that law passed, so we do not have the ability to have our own center. Being with the University will allow our employees to be in our City. He stated that we want communications to be improved between the public safety entities at the University and the City, and this is a perfect opportunity for that. He stated that it will not affect the communications with the County or Lafayette. We do not go on many calls with the Sherriff, but we go on daily calls with the University. He stated that the Sherriff's Office also has other plans for our current location.

Councilor Dietrich asked if it is correct that all the locations are on the same bands so communication will still be seamless.

Chief Dombkowski stated that is correct. He stated that the money we are putting in is because we have asked Purdue to remodel the dispatch center, and they are putting in a sizable amount of money as well.

Councilor Dietrich asked about the configuration of employee stations.

Chief Dombkowski responded that the configuration is to have three stations for each the University and the City. He stated that we currently maintain only two full-time, but sometimes have three. The University likes to maintain three at all times. He noted that the dispatchers have a lot of other responsibilities besides dispatching Police and Fire.

There was no further discussion.

COMMUNICATIONS

► Councilor Dietrich stated that he filed a resolution after the cut-off date for filing. He stated that he does have it in the format of a proclamation, and he will take the wishes of the Council on if they want to act on it today or at the Council meeting. He stated that his intention is not to be controversial or to argue what that law [Religious Freedom Restoration Act] does or does not say; it is merely to celebrate our City's history, going back nearly 50 years, in recognizing and being a welcoming community. He stated that if the proclamation is read, the resolution can still be on the agenda for the May meeting. He stated that he will yield to the group's interest.

City Attorney Burns stated that the proclamation would just be a general issue to be raised by a motion and second to have the City issue the proclamation and signed by whoever is interested in signing it.

Councilor Dietrich stated that he will issue it in the form of a motion and see how it plays out.

Councilor Hunt stated that we have been moving toward the tradition of taking actions at the Council meeting.

Councilor Dietrich stated that it is fine and he has copies for the Councilors to review.

City Attorney Burns stated that Councilor Hunt is certainly correct on any kind of ordinance or resolution, but this is not something that would break a standing rule at a Pre-Council. He stated that it is the will of the Council on if they feel it is timely to do today.

Councilor Bunder asked why we could not, at this meeting, make space on the agenda for a resolution.

City Attorney Burns stated that there are procedures for emergencies. He stated that his sense is that this is not an emergency. It can be done, but it would take a suspension of the rules. The proclamation would not take a suspension of the rules.

Councilor DeBoer asked if the 11-day rule is something that we control. He asked if it is something in our ordinance or if it is something in State law.

City Attorney Burns responded that it is our own rule and it is subject to suspension.

Councilor Bunder asked for confirmation that if something came up that we felt we needed it on the Council agenda for the next Council meeting, and then someone could suspend the rules and add it to the agenda.

City Attorney Burns responded affirmatively.

City Attorney Burns stated that there would need to be a motion to suspend and the vote would have to be unanimous. When voting on the item that the rules have been suspended for, there must be a two-thirds vote to pass it, as opposed to a simple majority. However, the proclamation does not require a suspension.

Councilor Dietrich stated that if the resolution can be added to the agenda for Monday, that is a different issue. The proclamation is in lieu of that ,to get the message out there right away, with the assumption that the resolution would be a month away.

Mayor Dennis stated, to get everybody caught up, there is a motion on the floor to read the proclamation at this Pre-Council meeting. He stated that if there is not a second, we can bring it up at the Council meeting.

Councilor DeBoer stated that we are discussing if we would be reading the proclamation tonight instead of Monday. He asked if that motion was intentional. He asked Councilor Dietrich if he wants it read it now.

Councilor Dietrich stated that there are two things in play. His first preference would be to get the resolution on Monday's agenda.

Councilor DeBoer expressed that as his preference as well.

Councilor Dietrich stated that he does not know if we can accomplish that at this meeting, so we can do the proclamation Monday.

Councilor DeBoer stated that we can move to suspend the rules on Monday to put the resolution in. If it fails, we can move for the proclamation.

PRE-COUNCIL MINUTES, April 2, 2015, CONTINUED

City Attorney Burns, after a conversation with Clerk-Treasurer Rhodes, stated that one option is to suspend the rules now, but it would be suspending two rules, including the rule that the Council does not take substantive action on a matter at a Pre-Council.

Councilor DeBoer asked if the rules can be suspended to put the item on the agenda for Monday at this meeting.

City Attorney Burns stated that that is Clerk-Treasurer Rhodes' suggestion, and they can certainly do that, and it would put it on the agenda. The appropriate form would be a motion to suspend the rules in order to place the resolution, No. 06-15, on the agenda for next Monday's regular Council meeting.

Councilor DeBoer stated that it would be a good idea to do that so it can be printed and updated online prior to the meeting so people have an opportunity to see it.

Councilor Keen motioned to suspend the rules and add Resolution No. 06-15 to the agenda.

Mayor Dennis, and Councilors Dietrich and Bunder discussed that Councilor Dietrich's motion died due to lack of a second, so there is a clean slate.

Councilor Thomas seconded the motion to suspend the rules and add Resolution No. 06-15 to the agenda.

Councilor Hunt stated that we had a citizen a few years ago who objected to doing things at Pre-Council.

Councilor DeBoer stated that we are just moving to add the item to the agenda, but not actually vote on the resolution.

Councilor Hunt stated that she does not mind doing that at Pre-Council.

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 it passes unanimously, so we will now have Resolution No. 06-15 as an agenda item on Monday.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment. Mayor Dennis adjourned the meeting, the time being 4:56 p.m.