

Subject to approval at the June 3, 2013, Common Council Meeting

CITY OF WEST LAFAYETTE  
COMMON COUNCIL SPECIAL MEETING  
MINUTES  
MAY 20, 2013

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on May 20, 2013, at the hour of 6:30 p.m.

Mayor Dennis called the meeting to order and presided.

Mayor Dennis said that a statement was made in error on the 5 o'clock news regarding the City absorbing the Wabash Volunteer Fire Department. He stated that that was absolutely and utterly incorrect.

The Pledge of Allegiance was repeated.

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

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

Mayor Dennis asked the Council to rearrange the agenda. He stated that there is a significant ordinance at the top and a significant resolution at the bottom. He asked that we start with Item d., Resolution No. 06-13, and should that pass move to Item a., Ordinance No. 13-13. He asked if there were any problems with that. Taking the consent of the Council, the Mayor rearranged the agenda as stated.

Mayor Dennis stated that he presumes there are a significant number of people present to have a conversation about annexation. There is a lot of conjecture and misinterpretation, and an abundance of caution and fear of annexation. He explained that annexation is, by statute, the way that cities grow. It is a statutorily supported way for municipalities to expand their boundaries. The reason for this is that should cities choose to take that approach to growing, it is generally done through this process. Tonight is not the beginning and the end of this process. Tonight is how we get this process started. He stated that he cannot be more clear on that. Tonight is when we pull the trigger on the gun and say "go." That means that we will start to have significant public meetings. We will go out to meet with anybody who chooses to meet with us to tell them what we are doing, why we are doing it, and what the impact will be on the individual citizen and parcel owner. Also, by statute, we must send each parcel owner a certified letter explaining the process and what we are doing. The fact of the matter is, we are doing this in order to help the City grow. The City of West Lafayette is the most densely populated City in the State of Indiana, and the 27<sup>th</sup> most densely populated City in America. With that in mind, it is only obvious to draw from that anything we try to do has an impact on somebody or something, both positively and negatively. It impacts people's quality of life. It makes it difficult to bring positive growth into our community. Most importantly, it restricts our citizens and their opportunities to grow. Mayor Dennis stated that there is also an assumption made that annexation has no consideration for the area being annexed; that when you look at

the size of the geographic footprint that we are trying to expand to, that it is done with complete and utter disregard for those who will be falling under our influence. Again, that could not be further from the truth. The fact of the matter is, we take great pride in the partnerships that we have with Purdue, the Sherriff's Department, and the Wabash Volunteer Fire Department. We intend to solidify those and do nothing but improve those. Also, annexation means that you have representative government. Mayor Dennis said that for instance, if you do not like annexation, in about two and one-half years you can fire him if it passes, or anybody who is representing your district. He stated that another thing that needs to be understood is another reason why we are doing this. That is that the US 231 corridor has been completed and will be open for traffic in August of this year. That highway is going to develop. In the eyes of a developer, that is a goldmine. Mayor Dennis stated that he feels strongly that we need to have a strong voice in that development to make sure that it does not turn into another highway with stoplights every 100 yards and a sea of asphalt with no consideration for aesthetics, pedestrians, or bicycle traffic or trails. That is why we are into this. As a city grows, it also grows in its responsibility to its citizens. It grows in staff and it grows in its obligations to the people that they are going to be reporting to. Mayor Dennis stated that he takes this very seriously. This is not just a random land grab. Purdue University is also included in this annexation, and there are a lot of people making assumptions about what that means. For Purdue, it is basically neutral. Purdue is a State governed organization; they do not pay taxes, and they are not accountable to me or whomever they are within the jurisdiction of, and that is going to continue to stay that way. However, we have a very close partnership with Purdue at this time. We share resources, we share infrastructure, and we obviously have a significant relationship with each individual department head and our staff members where applicable. That relationship is going to continue to grow. With annexation, it is going to become closer; it is going to truly cement our relationship with Purdue University. Mayor Dennis stated that, most important, he wants to focus on public safety. There has been a lot of conversation about public safety, what growth means for it, and what it is going to mean to its citizens. He stated that he pledges that will not change. If anything, it is going to get better. We currently have a cooperative relationship with the firefighters on both the volunteer and professional. The Police Department responds to numerous calls in the annexed area; that relationship is going to continue. Another question that is often asked is, "Why? Why us? Why my subdivision? We are quite happy the way we were, why are you coming here and stirring all this up?" Mayor Dennis stated that one of the reasons why cities decide the area they are going to be taking in is predicated on the fact that we are already providing a service to that particular area, and we are currently providing sewer to the neighborhoods under annexation, for the most part. Again, there are a lot of issues at stake tonight. There are a lot of people who want to express their opinion, and we have a packed house. He asked that when it comes time for public comment, that you are organized and not repetitive. He stated that we have had similar conversations with other ordinances that have been equally as controversial, and we all know that if everybody comes up and basically says, "I don't want you, I don't need you, you're going to break me," he understands that. And it is going to be our job over the next several months to prove that that is not the case. He asked that people who come up to speak be brief and state their name and address.

#### NEW BUSINESS

Resolution No. 06-13 A Resolution Of The City Of West Lafayette Adopting A Fiscal Plan And Definite Policy For Annexation Of The US 231 Corridor Annexation Area (Sponsored By: Mayor John Dennis)

Mayor Dennis read Resolution No. 06-13 by title only.

Councilor Keen moved for passage of Resolution No. 06-13 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Councilors Burch and VanBogaert indicated they would like to ask questions about the fiscal plan.

Mayor Dennis asked the Council to allow for a presentation first. He introduced Mike Shaver, the City's consultant for annexation.

Mike Shaver (President, Wabash Scientific, Inc.) stated that his company does public policy consulting, with the largest focus being on helping communities grow effectively. He stated that they have done approximately 100 annexations, and they are completely different each time, and he expects nothing else in this particular case. The presentation is in regards to the process that is starting tonight. He stated that what they are asking the Council to begin tonight is a six-month public discussion. The purpose of the introduction of the ordinance is to initiate an official public discussion on a specific set of parameters, with the understanding that those parameters will be changing with regard to the people who have things to say. Nothing is carved in stone. We will be talking and we will be listening, and there will be changes. Mr. Shaver stated that as Mayor Dennis pointed out, the primary interest lies in the undeveloped portions of the US 231 corridor. The fact that several subdivisions were attached to sewers meant that it was appropriate to have a discussion about what those people want and whether it is appropriate to expand other services to those areas. Mr. Shaver stated that we will be talking about future development, finance, neighborhoods, and services. The process is absolutely unpredictable. He expressed his thanks to the Huntington Farms neighborhood for the meeting last Thursday, which included an honest, wonderful discussion with good people who had interesting thoughts, and some of those people did not agree. He stated that this works out perfectly well as far as he is concerned, and he would love to have those people as his neighbors. There were people who were against annexation, there were people who had not reached conclusions, and there were people who had questions that deserved answers. That is what the next six months is about. He stated that we would love to have meetings with all of the other subdivisions and neighborhoods that are very much like that. Mr. Shaver stated the core of the discussion, however, is the future of West Lafayette. There are 569 municipalities in the State, and West Lafayette is in the best position to make the shift to a genuine 21st century economy and to lead the State in a new direction.

Mr. Shaver described his experience as a college student, being able to make enough working during the summer in Gary, Indiana, to pay his tuition and fees at Wabash College, which is not possible now. As the steel industry began to go away, the jobs that people assumed would return never did, and Gary's economy is one of those places that suffered. Anderson is another one in the auto industry. He said that this community has the opportunity to lead the State in a new direction. The old boundaries between intellectual research and products and jobs and employment and making the transition from an idea to a product, are dissolving. Colleges nowadays are starting to embrace this notion. He cited the recent example of the Purdue President saying that that students' intellectual property remains the property of the students and is no longer claimed by Purdue University. That is the kind of thing that opens the door to ideas that people have never expressed before. Annexation provides us an opportunity to redefine Indiana's economy and to lead us into the economy of the 21st century. You have within a few miles of this building right here some of the smartest people in the world, and they have come thousands of miles to study here. Mr. Shaver emphasized that we are talking about careers, not just jobs. We are talking about young people being able to work with the people they studied with, with people that they trust, instead of having to go to the Stanford Research

Park to be able to do this. He related that we are aware that there is at least one Boiler interest group that is coming from Silicon Valley and communicates with the campus regularly. So, we are talking about transfer of technology from ideas to products, and about Indiana being a part of that in a more concrete and realistic fashion. The old strict boundaries between this is where your education stops and you walk across that boundary to go to work, may not be here in ten more years. He reiterated that some of the smartest people in the world work right here. One of the questions to consider in the next 6 months is what would you do as an individual City Councilor, as a community leader, as a dad, as a mom, whatever, to make it so those folks never want to leave, to make it so easy for them to start the business here so that they do not have to go to Silicon Valley. He cited other examples such as Duke in North Carolina and the Wisconsin Alumni Research Park in Madison, Wisconsin. Those places have all set a path that he believes we can not only replicate, but can improve. He wants to have that discussion begin tonight. Economic growth and taxes is another big issue here. We are talking about West Lafayette's tax base, which currently relies 60%-70% on residential property. That is an unhealthy balance. Other communities have taken steps to avoid that situation. He explained that the ones that were trending over the past 15 years to continue as bedroom communities, residentially dominant communities – Brownsburg and Fishers being among the biggest ones – have taken specific steps to increase and improve their industrial and business development. As a result, they have had major shifts, reducing by 12%-20% in the percentage of assessed value that is purely residential. He stated that our goal is to try to have a discussion that assures that the new US 231 corridor is optimized for its development potential. The best method for restraining property tax rates is to add business development. The City is about to go through another budget cycle. Business development pays off at the 3% cap and residential is at 1%, yet residential actually demands more services than the business community does. This is an opportunity to have a discussion about the financial benefit, the financial future of your community. Mr. Shaver said he believes that the new US 231 is an ideal location for new business to develop, and its benefits should be accruing to West Lafayette because he honestly does not believe that much of that development can occur without West Lafayette services.

Mr. Shaver continued with describing West Lafayette as a City of great neighborhoods. In addition to economic development considerations, the City has extended sewer service to several neighborhoods. He again expressed his appreciation for the sane, rational, patient tenor of the discussion that occurred at Huntington Farms. He said that we will engage in a public discussion to determine whether the future of those neighborhoods is interwoven with the future of the City, or whether it is interwoven with some other entity, such as an unincorporated area or otherwise. The City has great municipal services, and they compete favorably with both private and public sector service providers. One of the questions is which services are wanted by which neighborhoods. He began by taking a piece by piece view of the City's services and how they compete. If the fiscal plan and ordinance are approved on first reading today, an extensive discussion of departmental services will start and it will take no less than six months. It could take eight months, depending on how the meetings and the advertisements fall. There is no question that City property taxes are going to be higher for the people in the unincorporated, annexation area, and they are higher in part because there are more services. The question is, are the services worth it to the people who are out there? That is a perfectly valid question, and one that the Mayor openly encouraged with the folks at Huntington Farms. Mr. Shaver said he would start with one that is pretty obvious, trash services. West Lafayette charges about half what the private sector charges and delivers a broader range of services. He stated that he does not want to get into details of that tonight, but that is part of the discussion. The City collects recyclables. Trash service around the State of Indiana has been an ongoing discussion. He just came from Logansport, which is doing two annexations, and the folks are discussing what happens to their trash service in this process. City snow removal is

faster and it is more complete than the services offered by the County. That is not to dismiss the County, but the County has 500 square miles while the City has 5% of that. The City has really good people delivering these services, that have worked the finite variables down to the point where Dave Downey knows where his trucks are at a given time, and he wants the snow off the streets in 24 hours. That is an aggressive approach and Mr. Shaver appreciates that there are quality people making those kinds of commitments. He believes that Police responses will be more timely. He noted that he has acknowledged to the press that he misunderstood a document given to him, but we believe that the West Lafayette Police can respond to the annexation area more quickly and can put patrols out there more quickly. During the discussion at Huntington Farms, there were people who said, "We don't think that we have ever seen a patrol car." He asked for correction if he is mischaracterized this statement. He said that does not mean that the Sherriff is not doing his job. It simply means that the City provides a different level of service, of a different nature, and that needs to be part of the discussion too. Maybe they want it; maybe they do not. Maybe they do not ever want to see a patrol car, just like they didn't when he was growing up in Gary. He commented that it is a little different down in this area which has the lowest crime rate in the Big Ten. Another thing is that the West Lafayette streets are swept regularly, which does a number of things besides just the aesthetic part. It reduces the accumulation of trash and debris, and it also affects stormwater pollution. As far as what we are going to discuss, Mr. Shaver said that service providers tend to be territorial, "on that side of the street it is mine; on that side of the street it is yours." We are going to be discussing how those service providers might be able to do a better job. There are three Police agencies: the Sherriff, West Lafayette, and Purdue. He asked whether there is a method by which those agencies could work more efficiently to protect the public, whether there is a way for those agencies to get more people or resources, or the proper resources, or the proper combination of resources to a situation better by working those three groups together as opposed to working them separately. There are three Fire agencies: Wabash Township, West Lafayette Fire Department, and Purdue Fire Department. He asked whether these assets can be organized in a manner that improves efficiency without across the board subsidization. One of the things that has changed in the past 15 years is that there was a point of time when you could all support your public safety by saying that this is the tax rate that we pay, and then you could allow the services to leak across the line back and forth. He said that sometimes that gets pretty expensive nowadays. This should be part of the discussion that the Council is particularly interested in. In summary, Mr. Shaver asked what happens at the end. During the process, the fiscal plan is quite likely to change. His experience is that there have been some that did not change, but it was very strange when that happened. He reiterated that he expects this fiscal plan to change. He expects that there will be a discussion which people will have thoughts about, and sometimes there are very good questions asked and that we can then clarify what we meant to say but didn't. Recommendations will be more specific. Right now, they are at a general level to allow some flexibility. Specific projects can be identified and services can be refined, phasing of different services depending on what people want. Do they want more Police services in the early part or do they want Police services phased in over time? The same with Fire – how does that happen? The City Council will determine the final boundaries. He explained that the law does not allow you to make something bigger if you realize later that you forgot something. He stated that we have tried to sit down with all of the department heads and figure out all of the reasons for consideration of the places that are along it. The primary target is still the US 231 corridor. It is quite common for the boundaries to be reduced, if that is what ends up happening after the discussion takes place. New ideas will have been presented with some being included in this annexation. Discussions will continue on this and other topics. Some things may get talked about that you did not think about before, but you will think about them differently. Some ideas simply will not work and we will try to be candid with you about which ones we think do not work and why we think that. By the end of all of this, you are being



asked today to simply embrace a process. The outcome is not pre-determined. The public will get individual information by certified mail that will include a summary. There is already information up on the website. A public discussion will be embraced. As the Mayor said, we are happy to go out and meet with any of the neighborhoods, especially to discuss what it is that you want. There are lots of things that change in the course of these, and he cannot begin to go through all of them from over 100 annexations. He expects that at the end of this you will have learned about future opportunities for West Lafayette, and then you will decide what you think is the best configuration of your services to extend to this area or to some area that is amended, whatever your final decision is with regard to boundaries. He then confirmed with the Mayor Dennis that he had covered everything the Mayor wanted. Mr. Shaver concluded by saying he was happy to answer questions.

Councilor Burch thanked Mr. Shaver for his presentation. She has a question on Page 28 on the draft of the fiscal plan. She asked if the annual personnel cost for Police, Sewer, Parks, Street, etc. includes just salary, or if it includes benefits, and where he obtained these numbers.

Mr. Shaver responded that there were meetings with each of the department heads to discuss the budget and service impact of an annexation area on their particular needs, in some cases multiple meetings. Those were the approximate numbers on an average per employee that they felt they would be adding based on if they wanted a particular kind of a person. For example, as shown in the smaller tables in the document, the Street Department had 1/3 of a mechanic. They tried to parse it out as carefully as they could, but it could still change.

Councilor Burch asked if it included benefits or just salary.

Mr. Shaver said that this does include benefits, at least that was the intent. At the end you might say we are only doing base level people and it might be reduced. This is a combination of potential positions that might be filled.

Councilor Burch said that as she looks on Page 24 which has the 1/3 mechanic, and the annual total cost of \$739,167, she is not seeing that total on Page 28.

Mr. Shaver responded that the \$739,000 was included in the Street Department annual personnel costs—Sanitation, MVH, and Pollution Control, so they were combined. He stated that these can be itemized separately if that would make her feel better.

Councilor Burch stated she would like to see that comparison. She said that the plan shows the under Police and Fire Departments, there will be a phase-in of four police officers over four years, and a phase-in of six firefighters over four years. She asked why that was not done for the other departments, and why that information is not on this page.

Mr. Shaver responded that to some extent the Police Department issue depends upon, for example, how the neighborhoods would propose to patrol. He stated that it is the City Council's decision at the end. If you wanted to push all four into the first year, we could still afford to do that. The point is, that we can take them anywhere from all four to the first year to phasing them in over that period of time.

Councilor Burch stated that this is not what she was asking. She asked why on Page 28 you show over the four years – but you have not done the same for Parks or Street or anybody else. She asked if this was not a little bit sloppy.

Mr. Shaver stated that he could assure that it was not sloppy. He stated that to give reassurance, his work has been approved by the Indiana Supreme Court. He explained that Street Commissioner Downey's responsibility starts immediately. One year after, he has to start providing that service. Patrols can be thinned out and make fewer of them in a day, there can be less fire runs projected, those sorts of things. It is not quite the same as plowing a road or picking up trash.

Councilor Hunt thanked Mr. Shaver for his presentation. She said that on Page 15, under Development, the cost of this position is \$65,000, and on Page 28 it is \$40,000 - \$50,000. She stated that it almost looks as though it were just salaries.

Mr. Shaver apologized and explained that a number must have gotten changed in the text and it was not carried through to the back page.

Councilor Hunt stated that it changes the bottom line also, so far by just \$15,000, but it was itemized.

Mr. Shaver stated that he is happy to itemize it and it should not take long to get a table that is better. He explained that they were trying cram it all onto one page so that you would have it all follow.

Councilor Hunt asked City Attorney Burns if we can anticipate getting the revision that we vote on.

City Attorney Burns responded that it may help to go through a bit of the process. He explained that the fiscal plan is approved on first reading by resolution, as before the Council now, on one vote. However, the important thing to note is that, as stated on the cover sheet, it is a draft fiscal plan and changes are anticipated and welcome. What that means is, even though the State statute does not specifically say that the Council needs to pass it twice, he does not see any way the Council cannot not pass it twice, because if there are changes, it will have to come back before the Council with all of the changes that are made throughout the entire process for the Council's consideration, and to pick from all of the potential changes that the Council could make, and decide which ones will be made, and then pass it on a final reading.

Councilor Hunt asked for confirmation that they can be reassured that they will get to look at it again.

City Attorney Burns responded absolutely, there will be another vote on it, even though it is a resolution. He stated that the important thing about the resolution and the reason that the statutory State process is a good one, in a lot of ways, is that by passing the resolution, the Council is saying, "Send the resolution out." By passing the resolution, it will be mailed out, so that people receive a physical hard copy by certified mail. That is what is required. Although the City has done a thorough job of putting it online, it has to get into people's hands. Those people will have suggestions at meetings and send emails and could create a pretty beefy list of changes. But, the Council will make the decision on what actually gets changed towards the end of this process on the fiscal plan.

Mayor Dennis said to think about how we did it with the trash ordinance, where we had that list.

Councilor VanBogaert asked if there is some text somewhere that gives that guarantee.

City Attorney Burns responded that it is actually in the ordinance [Ordinance No. 13-13]. He stated that he would prefer that the law made it clear that it has to get passed again if there are changes. However, under Section 3 of the ordinance, it states, "The fiscal plan attached as Exhibit B is hereby ratified and approved on final passage of this Ordinance." Therefore, in order for this ordinance to be finally effective on second reading, whenever that occurs out in the wintertime sometime, it will have to have the new and improved amended fiscal plan attached.

Councilor VanBogaert asked for confirmation that if we resolve that tonight, it will be that copy of the fiscal plan that is sent out.

City Attorney Burns answered affirmatively.

Councilor VanBogaert asked if we, hypothetically, want to see changes made to the fiscal plan prior to it being mailed out to residents, we would not resolve Resolution No. 06-13 this evening.

City Attorney Burns stated that it would be legally permissible for the Council to take the time to make the changes to the fiscal plan and then send it.

Councilor VanBogaert stated that he was not making a value judgment but that may be something to consider if we feel that it is incomplete.

Councilor Dietrich stated that "incomplete" might be a little misleading because it is not designed to be a budget; it is a fiscal plan. So we cannot have the expectation that it will be down to nickels and dimes. It is a general assessment, a best guess at this point, with modifications coming from whatever input is received. He stated that it should not be thought of as a budget when it is not a budget.

Councilor VanBogaert stated that he assigns caution only because it sets some tone in the process, and it is in many cases the introduction that many individuals will have to annexation as a concept. We want to make sure that we have that correct, not in terms of specificity maybe, but in terms of anything we might want to have in the introductory element.

Mr. Shaver thanked him for pointing that out and to feel free to share those kinds of thoughts with him at any point in time. He said he makes mistakes. He likes to think his methodology is good, but there are times he does not catch all the pieces. What will be sent out to everybody is actually a summary of the fiscal plan.

Councilor Hunt said it is not fun to read.

Mr. Shaver responded that no, he is sorry he could not make it into *Angels and Demons*, but it is one of those dry public policy things where people are actually reading it, he hopes, to find out if they are getting what they want out of it. The table on the back will be in the fiscal plan summary. The change will not be difficult to make and he will make sure it is there in the fiscal plan summary.

Councilor Hunt stated that that was just one example.

Mr. Shaver stated that he understands that, and if there are more he would happy to make those changes. He stated that the final approval includes a final fiscal plan that will have a different date on it, and during that period of time we will be tracking all of the changes. There



are likely to be special considerations for Wake Robin, Huntington Farms, special requests, and those sorts of things. At the end of this, there will be an actual commitment to x number of police officers in a particular period of time, if that is what the Council decides that it wants. Mr. Shaver stated that he is trying to leave the flexibility to make changes, so that if, for example, if it is decided not to hire two police officers early in the process, and there was enough money to make matching funds for a grant for a road project out there, and that is what the people wanted, it could be done. This is part of the flexibility they are trying to build into this.

Councilor Keen asked if it is correct to assume that this new and improved fiscal plan would also be sent out to all residents once it is approved since this version is likely to change.

Mr. Shaver responded that there is nothing to stop you from doing what you did. What you usually do is to post the changes on the web. The final version would be posted online. He suggested that that Pre-Council discussion is where he would expect to get approval on each individual item and make sure it is correct.

Councilor Hunt stated that we do not generally vote at Pre-Council.

Mr. Shaver stated that procedurally they do not vote, but to the extent that somebody had a problem with it, we would take it out. He says he does not necessarily want a 4-3 vote on a particular change. He is hopeful that we end up with is that someone feels strongly about one thing and someone else feels strongly about something else. So, the procedural issue is that it would be voted on officially at the Council meeting.

Councilor Hunt asked for confirmation that it would come back to the Council.

Mr. Shaver said twice.

Councilor Dietrich asked if it was oversimplification to say that the Council is being asked to vote on a draft, and will again be asked to vote on the final product.

Mr. Shaver said that is not an oversimplification.

Mayor Dennis stated that actually, that is it.

Councilor Burch stated that she has questions on Page 29, which is Estimated Additional Revenue.

Mr. Shaver responded that would be for Mr. Treat.

Mayor Dennis asked for more questions for Mr. Shaver while he is up there.

Councilor VanBogaert asked if, on Page 28, any considerations were made to the time value of money. He does not see a discounted cash flow, and there is potential for more than a 5% variance over four or five years. He asked if that is a consideration that is made.

Mr. Shaver responded that the primary thing that is the operative variable in the process is the fact that each year there is a budget, and there is more than the time value of money involved in the fluctuations of available revenue. He stated that it can be plugged in if desired, but what ends up happening is that if it is a good year at the State there is more money than anticipated. If it is not a good year, there is less, or if somebody messes up a calculation as some counties

have done, then you end up with less or more. He stated that he has had communities that vary by \$10 million on an error alone. He explained that it is not that we are neglecting it, but it ends up falling into the budget process, and the Council has to make decisions on each budget year. Mr. Shaver stated he is happy to put the numbers in in a more detailed way if it would help and if it would make you more comfortable.

Councilor VanBogaert responded that he thinks that it would. Not only is there a potential for a collection issue or a State issue, but that could also be compounded in a certain year to push our upper and lower bounds out a little more.

Mr. Shaver asked Mr. Treat for help on that.

Councilor Bunder asked if it is correct that we will not be sending out this 29 page document. He asked what will be sent out, and if the document that we are considering will end up online to be changed from time to time. He asked if we will see that summary, and how that is handled in terms of the resolution that we are passing tonight.

City Attorney Burns responded that the State statute uses the term that we will send a “detailed summary.” So, that is what will be sent, and he expects it to be lengthy. It will contain all of the financials. It may not contain all of the verbiage or preparatory statements throughout the documents. He stated that as far as seeing it again, that can be provided to the Council to make sure everyone is comfortable with what is being sent.

Mr. Shaver explained that the packet will include a map showing the zoning, a legal description, the financial table, anticipated expenses by department, and when the capital and non-capital services would commence assuming an approval date of January 2014, something like that. We will pick the date. The legal description is 15 pages.

Councilor Bunder asked whose work product this will be. He asked who they should blame when they get yelled at about something that is in it.

Mayor Dennis responded that, like all things that would be him. He stated that he is a human piñata.

Councilor Bunder stated that his question still stands—who writes it?

Mr. Shaver responded that due to the technicalities of the State’s municipal finance system, his firm used to make projections on what property values would generate in taxes. We now rely on the people who created your budget to do that so that it is done in exactly the same way and reduces the number of errors than just the calculation format. He stated that he could be blamed for the public policy side of it. Any errors in the legal description would be Butler, Fairman and Seufert, Inc. He stated that for the ordinance, he enthusiastically recommends that the blame be on City Attorney Burns.

City Attorney Burns stated that that is fair.

Councilor Hunt asked about the Clerk-Treasurer and our financial firm, O.W. Krohn & Associates.

Mr. Shaver responded that they are doing all of the financial stuff. He stated that he works with the department heads, so that if they say we need "this, this, and this" to make our services work, we include that. The only time there is a conflict is if revenue does not cover all of that.

Clerk-Treasurer Rhodes stated that she would like to clarify that she is the finance officer, and of course does the budget with the Mayor, and that this fiscal plan is not a budgetary document. She stated that her name is not on it, for a very good reason.

Councilor Burch asked if she understood correctly that in the mailing to the residents that includes the map, the legal description, and goes through department by department, that you will list what the anticipated income will be verses what the expenses will be. She asked if they would get that information.

Mr. Shaver responded that Jim Treat will answer the questions about the revenue projections. He stated that he is happy to sit down with the Council and go over the summary. He wants it to be as complete as the Council would be comfortable with, to make it what they think the public will want.

Councilor Burch stated that she would like to see a schedule with the anticipated income and the anticipated expenses.

Mr. Shaver stated that that is not a problem.

Councilor VanBogaert stated that he thought Mr. Shaver had a very thorough argument on the commercial development side and on encouraging entrepreneurs and businesses to stay around. He is very close to that. He stated that he would like to hear Mr. Shaver's take, and he believes that is why a lot of people are here too, to go over the benefits and the theme of including some of these western neighborhoods. Councilor VanBogaert stated that he does not think that they speak to that initial message of commercialization and technology entrepreneurship or startup creation. It is not really a young person retention thing that we are talking about. On that side, it is about services and the merits of bringing certain neighborhoods into the City.

Mr. Shaver stated that he lives in southwest Clay. The case went to the Indiana Supreme Court. He was one of 25 homeowners out of 58 homes that wanted the annexation there, and 33 did not. So, he is comfortable with the fact that there are differences of opinion and living with the folks who had differences of opinion with him. The issue with the subdivisions out there is that they are on the City's sewer system. He stated that in the document, we explored what is legitimately discussed in public policy circles. Right now they are being charged the same amount of money as everybody else. The Mayor has stated his case that he does not see that changing. Mr. Shaver said that in other communities, they have a discussion and say that if you are not going to be inside the city, we expanded the sewer system so that you would be included, so we want to charge you a surcharge. We prefer to have the cash back that we spent and reduce our debt, so we are selling the customers to someone else. Mr. Shaver said that the point is what people have to discuss and understand specifically. In other communities there is a water situation, which then goes to the fire situation, and then to hydrant rentals. There are things like street lights, and whether you will be included in the trail or bicycle system so you do not have to ride your bike down three and a half miles of country road to get to the bicycle system. But at the end of the day, the Council is required to set public policy on whether those people will be included in the bike system or not.

Councilor VanBogaert asked what is he looking at is Mr. Shaver's case to the people that live in those neighborhoods for the merits of joining the City. He asked if it is the services there, or do you have a thematic element there the same way as for the corridor or for the University.

Mr. Shaver responded that the corridor situation is different, and the University situation is extremely different. He stated that Notre Dame is really the only other university that competes with this, in terms of technological education that it offers. He stated that this is an opportunity for ideas that does not really exist in very many other places, so that is unique. In response to a comment from Councilor Hunt, he stated that Purdue Research Park is the clearest manifestation of it, but there are people out there such as Bill Gates who never finished at Harvard. He took his idea to Seattle to make it and he needed a little help from IBM to make it, and they punted him, and he suddenly became a billionaire. So, there are very smart people that make decisions for their own reasons. Mr. Shaver stated that in his view, as a city planner and a public policy person, there is an appropriate time to have a discussion with people and say that we have extended part of our services. He stated that there is actually a State law that says when you extend sewers you are supposed to get a waiver of remonstrance. He continued, saying even if the waivers of remonstrance were in place, so that the people in Huntington Farms could not remonstrate against annexation, he would personally suggest that they decline using that against those people because they need to decide if they want to be part of the community or not. So, making a case for it, he would rather just have an informal, no-pressure chat with people about what they believe is important and valuable to them. If they want a police officer patrolling the neighborhood, then that part has value to them. If they do not, then that is fine. If they want a specific response time, are you more likely to give it than a volunteer fire department or some other fire department? And how long are you prepared to bleed before somebody shows up?

Councilor VanBogaert stated that the way he looks at it is that we have a very clear reason to annex the University, and to annex the largely, though not entirely, undeveloped territory around the immediate proximity of the corridor. He stated that he was talking about annexing the University back when people called you crazy for doing that, but he has some hesitations about those western neighborhoods if that is the central portion of resistance. He questioned why jeopardize the opportunity to annex the campus or the corridor by creating conflict and friction and going after the neighborhoods. He asked if the obligation we have on following up on the extent of those services is worth jeopardizing this annexation at large.

Mr. Shaver responded that he believes in the public participation process. He said he does these things more often — his wife has gone to one. His company has been in business since 1989. His wife has gone to one public meeting and she cried. That's the kind of stuff that you take; the human piñata comment that was made earlier. He said that if he were living out there, he would want to hear about the police patrols that are coming because he believes they are important, but that does not mean a single one of his neighbors did. He believes that when cities extend utility infrastructure that that is a part of the city. He believes that the fire response times can be better, especially once this corridor develops. He stated that that does not mean that he is trying to push his views down on someone else.

Councilor VanBogaert stated that he is not accusing him of that, but he is trying to flesh out the rationale for having that map when he feels that it would be open and shut to —

Mr. Shaver stated that if you gauge the discussion so that we are listening to them more than talking to them, then we will find out what they want. Discussions with the neighborhoods do not jeopardize the rest of this. The boundaries can change, and that is the point of this process.

Mayor Dennis stated that that was the point he was going to make. This process is exactly that, and the boundaries can change. The map that is up there is what we are thinking about now.

Mr. Shaver stated that there are situations where people just have not made up their minds yet, and we will figure it out.

Councilor Bunder complimented Councilor VanBogaert for his well-said comments.

Councilor Hunt stated that on Page 10 of the fiscal plan, it quotes the Indiana Code, and she is confused about the recent discussion, because it says that we need to provide equal services to the annexed area within one year. So, it is not as if they can refuse that we pick up their trash, but we can assure them that we will do so, and we will also pick up recycling and leaves, and we do an excellent job. She stated that she does not understand the discussion about giving people an option given the State code says we will provide equal services.

Mr. Shaver stated that the discussion is not about whether the City would provide equal services, but about whether the people find any value in that service. If they felt that they were getting service for whatever dollars per month from the private company and they found no value in the City's service, then going back to Councilor VanBogaert's comment, then if they do not assign a value to the City's service then there is a good reason for them not to be included in the annexation. But, once they are included in it, then the City does have to provide that service within one year.

Mayor Dennis thanked Mr. Shaver and asked that Jim Treat come up to answer questions.

Jim Treat (O.W. Krohn & Associates) explained that he is a financial advisor for the City.

Councilor Burch stated that Page 29 lists estimated additional revenue from the proposed annexation area, and then there are items (A), (B), (C), (D), and (E). Looking at item (C), which are primarily based on estimated population increases of 14,515, she asked if that is per year.

Mr. Treat responded that it is based upon the boundaries of the map, if everything is included in the final annexation, and that is the actual 2010 census tract. He stated that we are not adding any growth to make this work. This has to work with what is there today, not with future growth or anything like that factored in.

Councilor Burch asked where the number of residential customers comes from on item (D), which is based on an estimated 1,224 residential customers.

Mr. Treat stated that that number was provided by Butler, Fairman and Seufert, Inc. based upon the data they had from the assessor's office on the character of each parcel. He confirmed for Councilor Hunt that they are residential households.

Councilor VanBogaert stated that he does not know a lot about riverboat gambling in Indiana, and we have a big note on there, and he asked Mr. Treat to expand on what the thinking was to include in our summary.

Mr. Treat responded that the City currently has riverboat revenue included in the budget. He explained that there is a pot of money set aside at the State level for all of the non-gambling communities across the State, and it has been fairly fixed for a number of years now. They



simply take that money and allocate it on a per rata basis by population. He confirmed for Councilor VanBogaert that it is a straight per-capita item. Mr. Treat stated that it may change with all of the pressures on the riverboat community and the whole gambling arena right now. He stated that it is not a substantial portion of this, but it is there to try to be thorough. We were asked to look at every piece and come up with a basis for allocating that.

Councilor Hunt asked if this is the kind of thing that will go into the detailed summary.

Mr. Treat responded that he assumes it will because they said the financials will and these last couple of tables are what the financials are.

Councilor VanBogaert stated that Mr. Shaver mentioned that there is a lot of variance, and we see that year to year in the budget. He asked if the historical component of that been looked at all to develop an average variance, or is that even helpful in trying to build precision into it.

Mr. Treat responded that he will get back to Councilor VanBogaert on that after decisions are made on handling the time value of money and those kinds of things. There are many assumptions that can be made on the timing, such as positions being phased in or done up front. He stated that, as he has done with Clerk-Treasurer Rhodes on budget issues over the years, he likes to look at worst-case scenarios to see if everything had to be funded with the money we have right up front, can we do that? He stated that that is what they did when looking at this on a side-work product process, and we came to the same conclusion. There is a reasonable pot of about \$2.6 million in revenues based on population and the additional tax revenues the City would receive. He stated that that should be enough in the range that is shown in this tool. He stated that he would call the fiscal plan a tool. He stated that there is a range of \$2.5 million - \$2.8 million they are talking about in terms of expenses, and what this says is that the City is in that range of yes, we can do this. He stated that when it comes to imputing value to time and phasing things in, it is splitting hairs to the point where it is probably not very realistic to do and it is not adding much value. He stated that that is his professional opinion on that.

Councilor VanBogaert stated that he appreciates that that Mr. Treat has more experience on the public sector realm than he does. He stated that it is a matter of perspective in what we are trying to gain out of this document, saying this would be certainly insufficient for a business that would be raising money, or even going for a loan, of a much smaller amount. He stated that this is out of his wheelhouse because he wants to see it even it is going to vary and there are ways of measuring that variance and having an expectation of that or having alternate scenarios presented. He stated that he thinks there is a difference there than trying to shoot for a broad window, and he thinks that is what makes him a little uncomfortable because it looks like the target we have set here is a half a million dollars per year, and we have struggled with circuit breakers that are less than that. If we are going to step into that hole, even if we understand and appreciate with the assumption of a fair degree of variance, we want to be able to have some sort of lean in our expectation.

Mr. Treat stated that the circuit breaker was going to be example he would give in response to question of whether we have really looked at historical experience, and that is one of the things we clearly have done. Any estimate of what the additional property tax would be has taken into consideration historical experience in terms of circuit breaker. Although that is not all seen here, it has been done.

Councilor VanBogaert stated that seeing the work would make him a lot more comfortable.

Mr. Treat stated that they can have a meeting on that to figure out the best way to proceed.

Councilor Dietrich stated that in the conversation about phasing in police officers, he is curious whether Police Chief Dombkowski or Mr. Treat factored in the COPS grant issue. When phasing people in, it may give an opportunity to phase them in quicker. He asked if that was a consideration.

Police Chief Dombkowski responded that the problem with the COPS grant is that we are a little too good. Every time we have applied for it, we get denied because our crime stats are too low. We have given the consultants two plans. One is to phase in officers and the other is to hire them immediately. We have scenarios for both for patrol districts and response times, and have tried to factor in estimates of calls for service from traffic needs on the US 231 corridor. He stated that that is where our partnership with Purdue University Police Department comes in, as we have preliminarily agreed to respond dually to the US 231 in parts, and Purdue having some sole jurisdiction, primary at least, and the City having some primary as well, as those are all unknown factors.

Councilor Dietrich stated that from Mr. Shaver's comments, it sounds like the neighborhoods would have a decision on whether they want a patrol in the neighborhood or if they just want someone to respond to calls, but that is not necessarily the case. He asked for confirmation that they will receive the same type of police response and patrol that we currently have in the City, and Police Chief Dombkowski answered affirmatively. Councilor Dietrich continued by saying this is based on the fact that we have mutual aid agreements with both Police and Fire, and we in fact have three fire departments in the community to work with. He asked if that allows for more flexibility on phasing people in.

Police Chief Dombkowski responded that it does, and when talking about the differences of service, we are talking about our bread and butter, and what we hold our hats on is the fact that we are very proactive. This is because we have the resources to be proactive, and that is not a slam on other law enforcement agencies in Tippecanoe County, but the jurisdictions and responsibilities are just different. The Sheriff's Office serves over 500 square miles while we serve about seven and one-half square miles with more resources. The annexation area, excluding Purdue, would add a bit under another mile of square coverage. He stated that we have patrol district plans based on having that square mile as its own entity or having it shared with other districts.

Councilor Dietrich asked for clarifications of the earlier statement by Clerk-Treasurer Rhodes. He stated that it could be taken two different ways when saying that her name is not on this for good reason. He asked if her name is not on it because she is not supportive of it, or simply because it is not a budget.

Clerk-Treasurer Rhodes responded that her approach to evaluating and testing whether something will work is different from the approach taken by the fiscal plan as it is written because she works from the bottom up. She stated that doing City budgets each year, she knows the restrictions on revenue. It is not enough to say that you have \$2.6 million total and it happens to match what you have in expenses, because you cannot use public funds like that. Clerk-Treasurer Rhodes stated that she did a test and created a cash flow and ran it for four years. She invited Mr. Treat to test it, work with it, and brainstorm different scenarios. She stated that the result convinced her that we can support City services to the annexed areas. There will be sufficient revenues, and we have flexibility to respond to changes that occur. But,

it was built in a different way, from the bottom up. She stated that seeing every bill paid by the City, she knows that it is not enough to buy trash trucks. You also have to buy fuel to put into them and pay the tip fee at the landfill. When it is time to snow plow, you cannot just buy the capital equipment, you have to buy the salt. She stated that she knows how much all of those new adds cost. She explained that she put it through its paces with some different premises, and she can assure that with the revenue forecast, she agrees with Mr. Treat – and it is conservative – and by taking a bottoms up approach, the annexation plan is fiscally sound in terms of us being able to deliver the same quality of services across the annexed area. The fiscal plan is largely meant as the “big picture,” the 20,000 ft. view, and to begin a discussion as Mr. Shaver indicated. But the fact is, in a few months we will make the budget for 2014, and everything we do in 2014 will affect 2015, so she is thinking ahead several years, very basic, “Can we pay the bills? Can we afford to hire these people?” She stated her assurance that, in her view, we can, and we have a tool that will allow us to look at several different plans. It is not all or nothing. So it is a very different process than Mr. Shaver used, mostly because they have very different experiences and different access to information. The fact that we have come to the same conclusion is reassuring.

Councilor Dietrich agreed that it is.

Clerk-Treasurer Rhodes stated that if you are asking if she would use this fiscal plan to make a City budget, the answer is no.

Mayor Dennis said that when Clerk-Treasurer Rhodes told him that we do not do it that way, he responded that he knows that we do not do it that way.

Clerk-Treasurer Rhodes said but have we gone through the exercise of making this cash flow with a lot of flexibility that allows us to respond to the changes in revenues and priorities, absolutely. She stated that she would be glad to share that with the Council and anybody who is interested.

Mayor Dennis invited comments from the audience. He reminded everyone to be orderly, polite, respectful, and succinct, to try to avoid repetition, and to stay on point of the resolution.

Sherry McLaughlin (216 Rosebank Lane) spoke in favor of the annexation commending the City for having the foresight to look at the future of the West Lafayette community and its role in change that will result from development along the US 231 corridor and to ensure the City tax base and resources to address the kind of expenses that will come to the City. She said people who live here, work here, and shop here, use City streets are already part of the West Lafayette community and using the services that are part of the urban area. She asked whether residents who currently outside the City but are part of the community, to share of the cost of all of the services. She described her viewpoint as a City taxpayer and asked Councilors to consider the impact on current City taxpayers of not doing the annexation.

Jim Schenke (2300 Robinhood Lane, Wake Robin Homeowner’s Board) spoke against the annexation, saying that they already have representative government and that another layer of government is not needed. While sewer service is provided by the City, it is a rate-based service and there is no legal provision on his property to waive remonstrance rights against annexation. He stated that his satisfaction with existing services. He questioned why his subdivision which is fully developed would be in the annexation given the areas that have potential for development.

Patricia Mason (1323 North 350 West) spoke against the annexation, saying that residents do not want to pay city taxes. She questioned annexation boundaries which eliminate certain areas and take in areas of higher assessed valuation and inconsistencies with areas served by American suburban Utility or are on septic systems. She questioned the ability of the City Fire Department to serve the annexation area compared to the Wabash Fire Department in terms of staffing, response time, and equipment.

Doug Corley (CFO, Lafayette Venetian Blind) spoke against the annexation because of the boundaries expanded to the west rather than confined to the US 231 corridor with Purdue, which he does support. He said that the taxes on Venetian Blind would increase \$60,000 a year, a detriment with no benefit to the company. He stated the overall impact of increased taxes on Wabash Township would result in be a net economic loss to the County.

Mark McGill (South River Road) spoke against the annexation saying that although he lives on South River Road outside the proposed annexation boundaries, he is concerned about extension of the City limits to 0.5 miles from his house because of increased development and destroying of the scenic byway. He said residents in rural areas do not need or want city services.

Kevin Keckler (2122 Windflower Place; Wake Robin) spoke against the annexation as a resident of the new Wake Robin subdivision and member of the Wabash Fire Department, questioning the ability of West Lafayette Fire Department to respond to calls in the annexation area as quickly as Wabash Fire can because of staffing, station location, and response time issues. He questioned how West Lafayette Fire Department can maintain coverage for the rest of the City without asking Wabash Township for help.

Dennis Morgan (1714 Northwestern Avenue; Owner, Venetian Blind) spoke against the annexation as co-owner of Venetian Blind and stated he was satisfied with current services to his company and wants it to continue, and that annexation will be detrimental to Wabash Township taxpayers and to his business.

Janice Smith (1213 Parview Drive; The Greens) spoke against the annexation stating her subdivision, The Greens, was satisfied with current services, citing their less expensive trash service and high level of snow removal, pointing out that this subdivision is on septic, not City sewer, and expressing concern about increased taxes.

Joe Bennett (1602 Scarlett Drive; Appleridge) spoke against the annexation saying that he and his neighbors, including those in The Orchard, is not convinced that annexation is a benefit.

Nicole Duttlinger (2106 Longspur Drive; Wake Robin Board of Directors) said she had several questions regarding what the City would provide. She said residents would like street lights, which she understands the City would have to provide, and asked about providing sidewalks, which residents would like on Lindberg to allow families to walk to the library. She also expressed concern about the lack of provisions for Parks, noting it is 15 minutes to Happy Hollow Park from Wake Robin. Her view is that the services currently provided are at levels residents like, so the City needs to offer more to sell the annexation to the subdivision and she would like to see that budgeted in the plan.

Mayor Dennis suggested that she speak to Public Works Director Dave Buck and Director of Development Chandler Poole who could answer her questions after the meeting.

Zachary Baile (124 Connolly Street) had several questions regarding how the annexation would make West Lafayette a community of choice, whether excluding the western neighborhoods would jeopardize some change in City classification, and how growth would be governed by long term land use and overlay plans. He questioned overall development strategy for the City. He asked about current or planned Parks in the annexation area in relation to no Parks budget in the fiscal plan. He requested to see a draft of the memorandum of understanding with Purdue. He questioned about how Purdue and the City would work out policies in the future given Purdue's influence and its governance by a non-elected Board.

Anna McDonald (261 Falcon Courts; Wake Robin) asked for clarification on how the annexation would not affect school boundaries and property tax support for schools.

Mayor Dennis responded that nothing with the school corporations would change.

Andy McCormick (1201 South Sharon Chapel Road) asked why the City did not annex various areas to the west of Soldiers Home Road instead of his area. He questioned whether West Lafayette Fire has a tanker truck to haul water out to his home, which is on a dead end.

Mayor Dennis said no.

Mr. McCormick said he has had excellent service from the Wabash Fire Department. He questioned whether certain properties on Sharon Chapel Road and Klondike Road were excluded for socioeconomic reasons.

Bill Baitinger (701 Sugar Hill Drive), said that based on his experience heading the Office of Technology Transfer at Purdue and his working with the Purdue Research Park, and his service on the City's Economic Development Commission, that he did not think that companies coming out of Purdue will not want to locate along US 231 but will want to stay in the Research Park and have close access to Purdue. He cautioned against the forecasts of major economic development impact.

Mike Strange (2025 Robinhood Lane) spoke against the annexation expressing concern about a potential for a roundabout at Lindberg and Klondike, about increased development in the area, about increased taxes, about limits on shooting, and on burning leaves and trash on private property.

Nolie Parnell (3726 Capilano Drive) asked how the tax base for the school corporations is affected by the annexation and particularly the impact from the West Lafayette school referendum tax.

City Attorney Burns responded that there is no change for the school corporations because the school district lines do not change with annexation and the referendum is a school district based tax.

Ms. Parnell requested that there be better communication with families of the Tippecanoe School Corporation in the annexation area about this issue.

Barbara Jeanenne Rothenberger (1910 Bayberry Lane; Green Meadows) spoke in favor of the annexation citing the multiple trash haulers on the street, improved snow plowing, and addition of street lights. She is a former resident of the City and would welcome being part of it again.



Eric Thiel (12 Circle Lane; Sherilee Dales) spoke in favor of his subdivision being included in the annexation in order to receive City services, saying other than Wabash Fire, no services are provided by the County.

Dick Lester (30 Wake Robin Gorge) spoke against the annexation saying an increase of \$1-\$2 per day in taxes is enormous, a 30% increase, large for a retiree and not wanted, given that he is already receiving all the services that the City could provide.

John McDonald (261 Falcon Court; Wake Robin) spoke against the annexation saying he already has great services, and the net difference in costs for him would be \$200 more per year for not better service than is already provided. In his view, the City is not offering enough to sell the annexation to residents.

Michael Dwyer (1519 Lionhart Lane; Hadley Moors) spoke against the annexation questioning why the City is citing the need for economic development in the area when there are locations for economic development within the City now, and whether the slow pace of development within the City would indicate the City can effectively promote development in the annexed area.

Fred Anderson (1815 SR26 West) asked whether residents would be required to hook up to city sewage and how the area along US 231 would be rezoned so the City can control the entrance to West Lafayette.

Don Lambert (2101 Robinhood Lane) asked about the availability of a guide to the City rules such as burning leaves, paving driveways, parking on streets.

Mayor Dennis said the City Code is available online.

Mayor Dennis asked for further public discussion. There being none, Mayor Dennis asked for further discussion from the Council.

Councilor Burch stated that she wants to do what is best for West Lafayette and also what is best for the people in the potential annexed area, but she still has a lot of unanswered questions, many of which were brought up by the speakers. She questioned why we have not heard directly from Purdue. She asked if there is any documentation of interactions between Purdue and Mayor Dennis, and stated she would like to see it if it exists. She has been told there are memos of understanding between the City and Purdue University with regards to Fire and Police service, but she has not seen them. She asked what guarantee those memos of understanding or mutual aid agreements will continue in the future. She stated that she is still unclear between the proposed relationship between the City's Fire Department and the Wabash Volunteer Fire Department. She stated that apparently the West Lafayette Fire Department will take over the responsibilities of the Wabash Volunteer Fire Department in the annexed area, which would lead to a shrinkage of the Wabash Volunteer Fire Department to a point where it may no longer be a viable entity. She stated that based on that, and since we are voting on the resolution, and she is not convinced about the fiscal plan, she will vote no.

Councilor Hunt thanked those present for being here, saying that we need to know this information. She stated that she would like to know more about the 6 a.m. snow plowing in The Greens, and stated she may talk to Ms. Smith later. She stated that this is a long process and she has many questions. In order to continue it, there would need to be a majority of positive votes tonight. She stated that she welcomes the questions, dialog, and the Council being invited to neighborhood meetings. Councilor Hunt stated that she still has some concerns, but

she thinks that there are some advantages, and she is extremely proud of the City's trash pickup, the firefighters have done a wonderful job, and there is a new fire station. She stated the question between the Fire Departments needs resolved. She stated that she would like to continue the dialog.

Mayor Dennis stated that that is what tonight is all about. He stated that in regards to the Wabash Volunteer Fire Department, they have loaded him on a backboard once too, and he thanked them for that.

Councilor Dietrich stated that there was discussion about how to control growth along US 231. In response to those questions, he stated that the City does not generate that growth. That growth is developed by private enterprises. It is not something the City is going to be able to do or not do. All the City can do is control it and hope it is done in the proper manner. He stated that he agrees with Councilor Hunt in this being the beginning of a long process. He believes this has been a great forum for the Council to listen and hear the concerns. He stated that the bottom line is that at voting time at the end of this, if we have not convinced these people or their neighbors, or a significant portion of them, that it is better to be a part of our City than not, then he will have a hard time saying we should force them to come in. He believes the benefits from the rest of the annexation, the US 231 corridor and the University, far outweigh anything we would gain forcing a neighborhood into our City. He stated that he has not always been a proponent of tax increment financing, but he has already spoken with Mayor Dennis, City Attorney Burns, Director of Development Poole, and the Redevelopment Commission (RDC) about forming a TIF district for that area so that we can accelerate the infrastructure in the corridor area, pertaining mainly to strategic growth in that area. He stated that that is something that should be considered along with this consideration, though the timing on how quickly it can be done is questionable. He stated that he will follow-up on that with the RDC. He stated that he will vote for this in order to continue the dialog because to be short-sighted and shut this down now would be premature. Councilor Dietrich stated that a lot of things will happen in change, in the size, shape, and manner of the growth in that period time, but we would be remiss if we did not allow the discussion to continue.

Mayor Dennis stated that he wanted to echo that sentiment. He stated that what we are talking about tonight is the beginning. He stated that it will probably not look like that when we are done. He stated that the fact of the matter is that we cannot make an informed decision until we get that information, and that is what tonight and future meetings are about. He stated that if we do not know what the people do and do not want, then the decisions made will be irresponsible for the future of those people and the City, and that is exactly what we do not want to do. He stated that he attended a neighborhood meeting last week, and started it by saying that our intent is to do no harm, and he could not be more sincere. That is exactly our intent—we do not want to hurt your quality of life, we do not want to hurt your neighborhoods, and we do not want to hurt your Fire Department. We want to be part of something successful, not the major component of something that has failed.

Councilor VanBogaert stated that he has a fair amount of ambivalence about that. He stated that, again, campus annexation is an open and shut issue for him. He stated that we have the better part of 10,000 people living in student residence halls, as seen in the census data. He stated that bringing the University into the City, while it does not generate new property tax revenue, it does bring that per capita revenue in. He stated that the University gets money from the State to handle infrastructure, and they are our largest Wastewater customer. He stated that as far as his involvement, this started with just the University, and for him that is obvious because as soon as students step off campus into the City, they run up the bill for the people

paying taxes in the City. That includes law enforcement and infrastructure. A lot of costs are incurred by the students who live in University residence halls, but we do not get the per capita distributed revenue to pay for those things. Additionally, we have students who participate in the community that we want to retain here. He stated that he graduated a few years ago and started a business here in Chauncey Village, has a storefront, and employs the types of software engineers and the type of people who we have spent a lot of consulting dollars trying to figure out. He stated that there are a lot of things we can do with annexation to make students, or young people in general, feel they are part of the community. He stated that he came into this process incredibly positive about this. He stated that some residents in the far expanses of the map have made it very clear from the contributions here that they do not want to be a part of the City. He hopes they are a representative sample and stated that we need to collect that information. Councilor VanBogaert stated that it is very fundamental thing that you should not create governmental units with people who do not want to participate in governmental units.

Mayor Dennis stated that that is a good philosophy to follow.

Councilor VanBogaert stated again he has this ambivalence, and he is worried that the pursuit of this map will cause something to get tied up. He wants the assurance of leadership that taking out any contiguous part of this map that does not want to be a part of the annexation can be done easily and without costing us the clear and obvious opportunity of bringing Purdue's campus in. He stated that he would also like to bring in the area directly west of the campus because it does directly influence the University. He said that if we talk about something like the New Chauncey Plan, Purdue West – right? Is in the County? Not in the City of West Lafayette? I struggled for a long time. Right? And the immediate territory there, inside of 231, that area there, I feel like could receive development attention and infrastructure attention, that would reduce the demand pressure on the neighborhoods that we are trying to preserve and protect. And I think that we have become really mired in a very kind of zero-sum attitude to development in our boundaries, and it is very contentious, because again, we are as dense as we are. He stated that that is one of the reasons it is attractive for a lot of graduates to stay here. Councilor VanBogaert stated that if he did not choose to stay in West Lafayette, he would want to live in Chicago, San Francisco, or D.C., or at least a larger city because it provides the walking opportunities, entertainment, and retail. He stated that we do not do enough of that, but we do a degree of that, and he thinks that is an important selling point. He stated that being able to do that in Purdue West and the immediate territory is a very clear and actionable economic development goal. He stated that he has not been convinced that bringing in the outside neighborhoods is germane to our initial task. He stated that in looking at this particular vote, he would love the Mayor's feedback. Councilor VanBogaert stated that he was looking up the numbers, and this is our quasiquicentennial—125 years this month that we chose to be named West Lafayette. He stated that it is actually an annexation story, because between 1855 and 1866, Chauncey Oakwood Kingston, at approximately the time Purdue is founded, voted to become a part of Lafayette, and Lafayette said no. Councilor VanBogaert stated that he has hard time believing he is saying this because he has been pushing annexation, but he wishes we could take a breath go back and revisit some of this map before jumping in. He stated that if we have waited 125 years, then tabling it for a month and revisiting the budget –

Mayor Dennis stated that this is not a land grab as it has been called. He stated that area is what it is because of the service designation. He stated that the fact of the matter is, after what has been heard tonight, he can assure that we are not going to do something that is not wanted to be done. He stated that annexation serves as a valuable purpose for our community, but it has to be a community driven decision. It has been abundantly clear from the representation

here that it is not going that way, but this is how it starts. The map will not be the same, the discussion will not be the same, and the fiscal plan will change. This is where it starts. To delay it a month does not do anything more than delay this entire process. He stated that we, as empowered elected officials, can make those changes. He stated that it gets no higher than this. In this City, when we talk about legislation, it gets no higher than the Mayor's Office. Mayor Dennis stated that he is not going to do any harm. He asked Councilor VanBogaert if that was assurance enough.

Councilor VanBogaert responded that he thinks so.

Councilor Keen stated his vote is definitely for the continuation of the public process in this whole thing, and that is just what this is—this is the beginning of a public process. He stated that he would like the voices to be heard. He stated that his vote tonight is not necessarily in support of annexation as a rule, but it is in support of continuing the public process.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

Four Councilors made comments to preface their roll call vote. Councilor Bunder said, "With the understanding that this is probably too big, but we should send out the resolution anyway." Councilor Dietrich said, "For the same reasons as Peter." Councilor Thomas said, "Same reasons as everybody else has stated, to continue the conversation." Councilor VanBogaert said, "This map better come in."

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

Clerk-Treasurer Rhodes stated that the vote was 6 AYES and 1 NAYS.

Mayor Dennis announced that Resolution No. 06-13 passed on first reading.

Mayor Dennis asked that everyone understand that this is the beginning of the dialog. We are going to have more meetings, more contact, more conversation, and if there is one guarantee he can make, it is that things will change.

Councilor Hunt stated that all of the Councilors have an email address that is their first initial and their last name at westlafayette.in.gov. She stated that she would very much like to hear from all of the public commenters.

Mayor Dennis stated that he would like to continue with the rest of the agenda. He explained that the next item on the agenda is Ordinance No. 13-13, and it is "Part B" of the annexation. He stated that we can go through the same process again, but he believes we have a clear-cut understanding of the sentiments and feelings.

Ordinance No. 13-13 An Ordinance Annexing Certain Lands Into The City Of West Lafayette, Indiana (Sponsored by Mayor John Dennis)

Mayor Dennis read Ordinance No. 13-13 by title only.

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

Councilor Burch stated that she was under the understanding that this was the ordinance that would move the ordinance forward. She asked if that was correct.

City Attorney Burns explained that the resolution that was just voted on will allow the mailing of the fiscal plan, which will allow the formal public hearing. The ordinance is the vehicle that carries the actual law, should it be passed on final reading sometime in late winter.

Councilor Bunder stated that we have already heard, as Councilor VanBogaert explained very well, that annexation is done to not only capture property value from residential homes, but to aid commercial development and to gain per capita tax payments. He stated that the reason he is in favor of moving forward with the discussion is that you never know what the State government will do. He stated that one of the challenges for those in city governments is that the rules can change. So, one of the reasons for going forward with this now, is that we still have the capacity to build and expand TIFs, and we still have a certain freedom in the size of annexation, and we should take advantage of that while it is still legally possible to do so.

Mr. Baitinger stated that someone brought up the point that no one from Purdue is here. He stated that the City is annexing a large and prominent position and property in the community, and yet no one has bothered to come here.

Councilor Hunt stated that there are some people, including leaders in the engineering and planning for the University, in the audience.

Mr. Baitinger stated that they are silent participants. He has heard about some of these memorandums of understanding, and he would guess that there is not much in those. He stated that Purdue never gets bound up with very tight memorandums of understanding. He stated that it would be helpful to the group if he at least had a representative from Purdue, or the appropriate organization, come and give their view of what annexation involves.

John Weilbaker (3130 Klondike Road) stated that he noticed that Councilor Dietrich brought up a possible TIF district. He does not know how long these Councilors have been on the Council, but in the past the Council used some TIF money that was supposed to go to school corporations to put structures in West Lafayette, and that should have never happened. He stated that before this TIF thing is allowed to go forward, the Council needs to investigate what happened, because that was a very bad deal, and it creates a distrust situation.

John Collier (Director of Campus Master Planning, Purdue University) stated that he is here to confirm that we are in discussions with the City of West Lafayette regarding the possibility of annexation, but at this point, like many others, Purdue is not in a position to support or to oppose the annexation. He stated that they are here tonight primarily to hear what the citizens are saying as well.



Mayor Dennis stated, "neutral."

Ms. Duttlinger stated that she has a question about Councilor VanBogaert's comment on annexing the corridor and possibly cutting out some of the map. She asked if there are numbers on how much of the approximately \$900,000 is the subdivisions. She asked if the City can afford an annexation without all of the subdivisions where many of the people do not want it. She stated that she cautions the City saying that they are not going to force anything on anybody and then discover that they have put their foot in their mouth when the budgets are done and the result is that the City cannot afford to do the Purdue and the US 231 annexation without the subdivisions, and end up forcing them into it in the end.

Mayor Dennis responded that well, if we cannot afford to do it –

Councilor VanBogaert stated that that is a good point. He stated that it is his understanding that each time the map is redrawn, we also get a new fiscal plan at that point.

Mayor Dennis stated that this is correct.

Councilor VanBogaert stated that we would get to look at how that would shake out before we move forward with that. He stated that if he had to speculate, in using the example of the University directly, we have fewer new outlays because they already have State money for infrastructure, law enforcement, and things like that. However, the per capita revenue is brought in to handle a lot of the cost that we incur inside. He stated that he thinks that if we look at a lot of the expenses that come in a broader annexation come from neighborhood services. It is very expensive and the heaviest thing that a city does, to his understanding.

Mayor Dennis stated that that is true. Rooftops are generally more service oriented than businesses.

Ms. Duttlinger asked for confirmation that the City would say the annexation is affordable without the people to the west.

Mayor Dennis stated that, to Councilor VanBogaert's point, it is all a calculation, we would revisit everything.

Ms. Duttlinger asked if that means that the City has no clue what it is right now.

Mayor Dennis responded no, we will have to wait and see how the map ends up.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

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

COMMON COUNCIL MEETING MINUTES May 20, 2013, CONTINUED

	AYE	NAY	ABSENT	ABSTAIN
Thomas	✓			
VanBogaert	✓			

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

Mayor Dennis announced that Ordinance No. 13-13 passed on first reading.

Ordinance No. 14-13 An Ordinance Requesting An Additional Appropriation For The Economic Development Income Tax Fund And The General Fund (Sponsored By Mayor John Dennis)

Mayor Dennis read Ordinance No. 14-13 by title only.

Councilor Keen moved for passage of Ordinance No. 14-13 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Clerk-Treasurer Rhodes requested an amendment to include the Clerk's Record Perpetuation Fund. The proposed amended version was made available to the Council.

Councilor Keen moved to amend Ordinance No. 14-13 by substitution. The motion was seconded by Councilor Burch.

The amendment passed by voice vote.

IT Director Newman stated that this appropriation is for an Enterprise Resource Planning (ERP) system, and he has discussed this with many of the Council members already. He explained that this has been a very long process that he has worked on with Clerk-Treasurer Rhodes. He stated that they began the process by interviewing department heads and their staff to try and figure out what would make their lives easier from a financial standpoint. This includes claims, payroll, and budget items. He stated that they looked at what other cities do and what vendors are out there. A Request for Proposal was done a couple of months ago and the responses were narrowed down to two vendors. He stated that the plan is to request one of those vendors at the Board of Works meeting tomorrow morning. He explained that this new system will touch every aspect of the City, including his Department, how the Engineering Department issues and handles permits, tying public safety into parking tickets and tracking those tickets, and how the Clerk-Treasurer's Office crunches numbers. He stated that if the Council saw what Clerk-Treasurer Rhodes' staff deals with on a daily basis to handle the current system, they would be amazed that it is still running. So, this new system will fix a lot of issues. It is not just financial; it will really touch the whole City. He stated that there is bid management, there are permits, code enforcement, and human resource management including applicant tracking. It is an overall arching system that will change the face of how department heads handles things, and drastically impact the budget process for the Council. It will be much easier with the opportunity to have several revisions on computers. IT Director Newman explained that this opens up the door for open data that President Obama passed in 2008 where citizens will easier access to our public records. He stated that they have crunched numbers, and will provide them if requested, but there is a lot of confidentiality from the vendors. They all do the same thing so they do not want to share what their costs are. He stated that we chose the most appropriate and the lowest cost vendor.

Councilor VanBogaert stated that he has met with IT Director Newman to talk about this. He stated that his business does not do this exact solution, but they are in this industry. He stated

that this looks like a lot of money, but this is a fair price for this. He stated that in terms of what we are able to save in labor costs, this is absolutely important in terms of transparency compliance. He stated that there are a lot of things that constituents have the right to request right now, but we would have to spend dozens of hours, even hundreds of hours, possibly even legal hours which come at a specific premium, and we are just highly exposed. Beyond that, this allows constituents to be able to log in and get more up to date information about how things are moving along fiscally. He explained that both of the vendors would give the members of the Council the tools to take more direct responsibility and have information immediately available.

IT Director Newman added that this is not something that will happen overnight. It will be an 18- to 24-month project. He stated that we are hoping to be under contract in July.

Councilor Hunt stated that she understands the implication for many departments, but she would like to verify that job applicants could make changes to their applications online.

IT Director Newman responded that it has a complete applicant tracking system, which many large and midsize organizations have as well.

Councilor Hunt stated that this is a big new chunk of budget, and she asked Clerk-Treasurer Rhodes if we can afford to do this.

Clerk-Treasurer Rhodes responded yes. She explained that as she pointed out when we got together as a working all-Council Budget Committee and we went through the cash flow, we have been saving for this project for a number of years. She stated that this is the time to do it, and we are going to be successful at this project, and we can afford to do it. Even with this large project spread out over several years, we will still retain approximately 24% of the operating reserves in the General Budget. She stated that this is a very strong fiscal position. She stated that there is no danger to the City and there are still reserves to respond to other issues that may arise, and she strongly recommended that we begin to work on this now.

Councilor Bunder stated that he had an unrelated question. He asked when the recorded meetings will be online.

IT Director Newman responded that we are now recording digitally. It is now a matter of his staff, now that he has wrapped up all his site visits to other cities and vendors for the ERP system, to deploy that. He stated that they expect to start that within the next month.

Councilor Burch asked the purpose of the \$150,000.00 under the Economic Development Income Tax Fund Contract Services.

Clerk-Treasurer Rhodes stated that was requested by Director of Development Poole.

Director of Development Poole explained that it is for annexation costs. We are going to incur some costs during this process and we want to make sure we have that in the budget to pay consultants.

Councilor VanBogaert asked if the \$150,000.00 is for services already rendered or does it include future services as the annexation process goes forward.

Director of Development Poole responded that the numbers he was given when he solicited the different consultants, including attorneys, the total came to \$150,000.00 for the process.

Clerk-Treasurer Rhodes stated that we have already expended \$32,482.50 on consulting expenses this year. The \$150,000.00 is meant to cover that plus provide sufficient funds to finish the project.

Councilor Dietrich asked if this meant we are still safe if we have multiple re-maps and recalculations, as it appears they will have to do this multiple times.

Director of Development Poole confirmed this.

Mr. Baile stated that he is very excited to hear that this meeting is now being recorded digitally; he appreciates it. He stated that transparency is a wonderful thing, so he is excited that this program will provide that opportunity. He asked if there are any reoccurring costs yearly.

Councilor VanBogaert stated that there is a support fee, as is typical.

IT Director Newman stated that he believes Mr. Baile is familiar with New World systems through the school, and as with that there will be recurring support fees in the range of 10% of the upfront costs. He stated that we are also considering a SaaS solution for the benefit of not increasing the IT staff or the data center. He confirmed for Councilor VanBogaert that this is Software as a Service.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

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

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

Mayor Dennis announced that Ordinance No. 14-13 passed on firstreading.

Ordinance No. 15-13 An Ordinance To Establish The Cumulative Capital Development Fund And Readopt West Lafayette City Code Provisions Concerning The Fund (Submitted by the Clerk-Treasurer)

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

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

Councilor Hunt stated that she is not prepared to vote on this tonight for a couple of reasons. She stated that we did not have a Pre-Council to discuss it. She stated that she does not know about the wording, "... the mayor issues a declaration that the public health, welfare, or safety is in immediate danger that requires the expenditure of money..."

Mayor Dennis stated that that is from the statute; it is not him, just the verbiage.

Clerk-Treasurer Rhodes stated that she filed this because after a lengthy period we reestablished the Cumulative Capital Development (CCD) Fund in order to support infrastructure in the City. As with the the West Lafayette Public Library with their Capital Project Plan, we are not asking to raise the tax rate; we are just asking to maintain it. She stated that we have to take this action annually because of the impact of reassessment trending and the automatic adjustments that are made to these cumulative funds. She explained that this is necessary for cities to do now with the change in how reassessment occurs every year in effect. She stated that when we began last year to bring our rate back up, she did say that before the next budget cycle we would need to return to this issue. She stated that we have to have this filed by August 1, 2013. It could be put off no later than the June Council meeting in order to have final action in July to be filed with the State. She asked that a vote be considered on this, and stated that there will be a public hearing with the second vote. Clerk-Treasurer Rhodes stated that the language is identical to what was adopted last year, and the language Councilor Hunt referred to is taken from statute. It is old boilerplate and part of the enabling legislation of the CCD Fund.

Councilor Hunt asked why the Department of Local Government Finance (DLGF) reduced it in 2013.

Clerk-Treasurer Rhodes explained that when there is a cumulative rate and the assessed valuation goes up, that rate is not allowed to remain at the rate at which it was adopted. It is reduced so that the revenue from the rate is not higher than it would have been under the prior assessed valuation. She stated that that is how this capital rates work, and every year assessments are adjusted for market value. It happens that the City of West Lafayette's assessment went up this year, and our rate was adjusted down. She is asking that the Council return the rate to the five cents per hundred dollars that was established last year. She assures that it will be adjusted down again by the DLGF, but it will be a lot closer to the revenue received this year. In other words, it is the only way to maintain a consistent flow of revenue, which as discussed last year is crucial for major road projects. We are absolutely dependent on having the CCD rate remain constant to be able to give us a reliable source of funds to undertake the large capital programs.

Mr. Treat stated that he agrees with everything said by Clerk-Treasurer Rhodes, and he wants to make it clear that this is a routine action that he does recommend for all of his clients right now. There is nothing out of the ordinary about it, and Clerk-Treasurer Rhodes is correct that the rate will just keep slipping, and the City relies on that CCD rate to do a number of things in the budget.

Councilor Dietrich asked regarding the five percent per one hundred, what kind of dollars are available to us. He knows that they will reduce it down.

Clerk-Treasurer Rhodes stated that our assessed valuation is a little over one billion, so it is approximately one-half of a million dollars, and less after circuit breaker.



There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

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

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

Mayor Dennis announced that Ordinance No. 15-13 passed on first reading.

#### COMMUNICATIONS

► Councilor Dietrich stated that Harrison graduate and former Purdue baseball player, Josh Lindbloom, is currently pitching in Texas right now, the first start of his career. He had 101 appearances as a reliever, but this is his first start.

#### CITIZEN COMMENTS

There were no comments.

#### ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting the time being 9:25 p.m.