

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

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
AUGUST 5, 2013

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on August 5, 2013, at the hour of 6:30 p.m.

Mayor Dennis called the meeting to order and presided.

The Pledge of Allegiance was repeated.

Present: Bunder, Burch, 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.

MINUTES

Councilor Keen moved for acceptance of the minutes of the June 27, 2013, Pre-Council Meeting, and the July 1, 2013, Common Council Meeting. Councilor Burch seconded the motion, and the motion passed by voice vote.

COMMITTEE STANDING REPORTS

STREET, SANITATION, AND WASTEWATER TREATMENT UTILITY

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

PUBLIC SAFETY AND ORDINANCE

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

PURDUE RELATIONS

Councilor VanBogaert reported on events at Purdue University.

PARKS AND RECREATION

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

ECONOMIC DEVELOPMENT

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

PERSONNEL

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

BUDGET AND FINANCE

There was no report.

REPORT OF APC REPRESENTATIVE

Councilor Keen reported that a rezone request is expected to be heard at the August 21 Area Plan Commission meeting from MHD Hotels for a four-story hotel at the corner of State Street and Tapawingo Drive.

SPECIAL REPORTS: None

PUBLIC RELATIONS

Beautification Award

There was no award presented.

FINANCIAL REPORT

Clerk-Treasurer Rhodes reported that tonight is the first of the three meetings for the budget. The first reading is tonight, the public hearing is on September 3, and the adoption on October 7.

LEGAL REPORT

City Attorney Burns stated that this report is on file.

Councilor Bunder requested an update on the signage conversation.

City Attorney Burns responded that it is going well, and he believes there is a clear consensus among those involved, including other members of his firm and the Area Plan Commission attorney, that it is an area that can be regulated and that there have been some violations. The Neighborhood Resource Team Neighborhood Resource Team (NRT) has contacted most of the landlords in the R1 and R2 districts and we have achieved some compliance and some uncertain compliance.

Police Chief Dombkowski stated that that he had been briefed by NRT Supervisor Walker on the team's efforts over the last several weeks. They have gotten significant voluntary compliance from many of the landlords and are still working with others. He stated that we will continue to do what we can voluntarily before we get out the stick. There has been significant progress in getting signs removed which were affixed to the buildings.

Mayor Dennis asked what rationale has been given from the landlords who have not been voluntarily compliant.

Police Chief Dombkowski stated that they have mentioned the need to present the issue to corporate offices before action can be taken. The most compliance has come from people with established relationships in the community, while more difficult situations come from those who are outside of it and do not see the ramifications. In response to an inquiry from Mayor Dennis, Police Chief Dombkowski stated that there is a list compiled of properties that need to be visited again.

Councilor VanBogaert asked City Attorney Burns that since the language has been reviewed with his firm, if a need is seen for an update or revision to the language.

City Attorney Burns stated that there is an amalgamation of different opinions that there is a need for an ordinance to address the way business is conducted now since the current ordinance is likely from the 1990s. There is a need for a more specific type of regulation depending upon where the signs are, including how the land is zoned. Such an ordinance could help the neighborhoods and be better received by landlords as it would serve their needs.

Councilor VanBogaert asked if more structural changes are necessary to given the age of the code and development that has happened in First Amendment jurisprudence in the last 20 years.

City Attorney Burns stated that the status of the law in the last 20 years has gone toward the propriety of enforcement of commercial speech. It has become more settled law, so it is clearer now than 20 years ago that if speech is considered commercial speech as opposed to First Amendment free expression, then government at all levels can regulate it. He stated that it would not necessarily be more stringent across the board, but it could be in certain areas.

UNFINISHED BUSINESS: None

NEW BUSINESS

Ordinance No. 19-13 Historic Preservation Commission: Boundaries, Powers, Duties, Guidelines And Procedures (Submitted by Councilor Bunder)

Mayor Dennis read Ordinance No. 19-13 by title only.

Councilor Keen moved for passage of Ordinance No. 19-13 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Director of Development Poole stated that the last update on the Historic Preservation Commission process was in September 2012, and now there is an ordinance with a map. He recognized the individuals who served on the Commission, thanking them for their hard work: Drew Freeman, Gerry McCartney, Jeanette Bennett, Jim Garland, Kelly Busch, Mary Cook, Mary Whittaker, Otie Kilmer, Persis Newman, Councilor Bunder, and Kurt Wahl. He expressed his appreciation to Mr. Wahl for helping to drive this. Director Poole explained that there are three parts to the historic preservation ordinance. The first part is the ordinance itself, which has been reviewed by the Commission and City Attorney Burns. It sets the rules for a particular area. The second part is to define the actual area with the map attached to the ordinance. He explained that the boundaries are similar to the New Chauncey neighborhood; however, areas along the northwestern corridor were removed as they are viewed as potential redevelopment opportunities in the New Chauncey Land Use Plan. He expressed that the goal is preserving the neighborhood and the character of the neighborhood, while also allowing areas of redevelopment where there would not be much conflict with the historic preservation ordinance. The third piece that comes with the ordinance that will be worked on is the resource guide, which will not be used for two years. He explained that for the first two years of the Historic Preservation Commission will only hear issues regarding demolition of a structure, moving of a structure, and new construction within the district. If, after those two years, the parcel owners vote to continue with the Commission, the resource guide will be used for such things as the types of doors, windows, structure types, and building classifications. Director Poole noted that the ordinance does not deal with house color. He stated that this group is not to be viewed as a draconian group; it is to be viewed as a resource for the neighborhood to help people improve their property. He stated that through the efforts of those who put together the ordinance and those who will continue on as part of the Commission, that this group will be viewed as a way to help protect our neighborhoods and the City.

Mayor Dennis thanked Director Poole for his time and effort. He stated that if this passes, the Commission is appointed along with Council representatives, so this is part of our legislative body. He explained that in early conversations, there were concerns about homeowners being able to afford to meet the historic preservation standards. Mayor Dennis said that Director Poole stated it best when he said, "This is not a board that is here to punish. This is a board to use as a resource and to provide guidance when necessary." Mayor Dennis stated that if the history of what has

taken place in Lafayette is any guideline for our board, then appeals and requests for assistance that are brought forward to the board, specifically hardship cases, are generally sided with the homeowner. He stated that this is critically important to understand because the purpose, in addition to being a resource, is to help preserve the quality of our neighborhoods. He thanked Councilor Bunder for his input and work.

Councilor Bunder thanked Director Poole and his staff for the time and energy they put into this complicated piece of work. He stated that it is a solid compromise. He thanked Mr. Wahl for being a mentor and helping to draw the map, and said that the Lafayette experience is probably the most instructive. Historic preservation districts have been at work in Indiana for 20 to 30 years, and this is an important way to stabilize and protect a near-campus neighborhood. He considers it a resource and recruitment tool for the City.

Councilor Burch stated that she heard talk of demolition, moving, and construction, and then she heard about the resource guide taking effect that would deal with issues of windows and doors. She asked for clarification.

Director Poole reiterated that the first two years of Commission will only hear cases regarding demolition, actual moving of a structure, and new construction. The resource guide will only take effect after those two years and will deal with the other details as it provides a resource for the Commission to look at for the various types of homes.

Councilor Burch stated that the map border appears to be behind Indiana American Water and just seems to be in the middle of that property, and she asked who owns it.

Director Poole responded that they avoided taking in the water plant as it would have been non-contributing, so the border went across to where the neighborhood is picked up again.

Councilor Burch asked for confirmation that the border goes through back yards between Sunset Lane and Lincoln Street.

Director Poole stated that they tried to take it through back yards to go along property lines without dividing streets.

Councilor Burch asked if there is anyone from the New Chauncey Neighborhood Association who can speak in favor or against this ordinance.

Zachary Baiel (124 Connolly Street) stated that as a representative he is in favor of this plan, mainly as the resource tool and guideline to maintain the neighborhood's integrity and current character.

Councilor Burch asked Mr. Baiel if he would say the majority of the neighborhood, or what number, agrees.

Mr. Baiel responded that there has been no formal polling, but he has not heard comments to the contrary in conversations with neighbors. He stated that it is his understanding that there will be a formal vote to continue with it, or not, in two years.

Councilor Burch stated that she is not happy with the makeup of Section 24.194 Appeal Provisions. She stated that unless one of the two members of the Commission is an architectural expert, it would be good to have someone of that quality on the appeals board.

Director Poole explained that there are four categories of the appeals board. There are two members of the Commission; one shall be the president and the other shall be appointed by the Commission from another political party. He stated that those are the random ones where we could provide an architect to the Commission.

Mayor Dennis stated that it would make a good resume to draw from, to have someone of that kind of quality.

Councilor Burch asked if this ordinance only affected the map area or it applies to the entire City of West Lafayette.

Director Poole responded that the ordinance itself is only within the boundaries of the map.

Councilor Burch stated that it does not really say it on there.

Councilor Dietrich asked what happened to the Hills and Dales neighborhood.

Director Poole responded that the Hills and Dales group was not interested in pursuing this at this time. They are considering a land use plan. However, they may be interested in a historic district at a later time.

Councilor Dietrich asked if this means that the City will go through this process for all of the neighborhoods that care to do this in the future. He asked why we would want to go through this repeatedly.

Director Poole responded that the process would be just to create a local historic district. There would not be a new ordinance. A map would be created to show what they would like to do.

Councilor Dietrich asked for confirmation that the resource guide and the "sticks" would all be the same for the ones coming forward, and Director Poole answered affirmatively.

Councilor Thomas asked for information on how a structure gets put under interim protection

Director Poole asked Kurt Wahl to answer that, and noted that Mr. Wahl has been a fantastic resource as he sits on the Lafayette Historic Preservation Commission.

Mr. Wahl (1815 Underwood Street, Lafayette) responded that interim protection is meant to be applied to properties which are not in a current district. He stated that if a structure is to be demolished outside of the boundaries, the Commission could place that structure under interim protection for 60 days to allow time to research options available for saving the structure. It is used very rarely; it has only been used once in 9 years in Lafayette.

Councilor Dietrich responded that it seems the answer to Councilor Burch's question on if it impacts the rest of the City would have been yes, because it indirectly does by being able to reach outside of the area with the arm of this ordinance.

Director Poole stated that he was not thinking about it in terms of interim protection, but in terms of demolition, windows, and doors.

Councilor VanBogaert asked for a pointer to the language the ties the map as the jurisdictional element.

City Attorney Burns stated that there is State statute that says you may have the ordinance but must have the map before it can go into effect.

Councilor VanBogaert stated that he sees the language now stating, "First, attached hereto is a map showing the boundaries..."

Councilor Bunder read a letter from Persis Haas Newman, a member of the Commission, in support of the ordinance. He stated that he had also received a voicemail from Carolyn Gery, who recently moved from Robinson Street, who is in favor of the ordinance as she felt it would make it easier for homeowners to sell their homes.

City Attorney Burns stated that to clarify on interim protection, Lafayette has a different method for this. For West Lafayette the interim protection only takes affect if another neighborhood is interested in having a historic neighborhood and is far enough in the process to have a map submitted to Council. The intention is that if someone were to attempt to quickly tear down a building, then the Commission would have the authority, under severe time constraint, to send a notice of interim protection to the property owner and the change cannot be made. The interim protection would end as soon as the Council has acted on the map request. In response to an inquiry from Councilor VanBogaert, City Attorney Burns stated that it is similar to an injunction and the intent is that interim protection would only apply if the Commission is actively looking at a neighborhood to bring in. It prevents a property owner from getting in directly ahead of legislative action. He stated that the details are on Page 9 of the ordinance.

Councilor Burch asked what legal authority the Commission would have to send this notice.

City Attorney Burns stated that it is pulled directly from State law.

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 5 AYES and 2 NAYS.

Mayor Dennis announced that Ordinance No. 19-13 passed on first reading.

Ordinance No. 20-13 An Ordinance Setting The 2014 City Budget And Setting The 2014 Tax Levy On Property And Tax Rate (Prepared by the Clerk-Treasurer)

COMMON COUNCIL MEETING MINUTES, August 5, 2013, CONTINUED

Mayor Dennis read Ordinance No. 20-13 by title only, and stated that this is the 2014 spending plan. He thanked the department heads and explained that each year spending parameters are established and given to the department heads. It is then up to them to make sure they comply with the spending standards, and they have done a good job with that this year. Mayor Dennis thanked the Budget and Finance Committee within the Council who establishes the parameters and approves of what the department heads present. Mayor Dennis stated that he most specifically wants to thank Clerk-Treasurer Rhodes, and described her as one of the most gifted Clerk-Treasurer's in the State. He stated that the budget season for Clerk-Treasurer Rhodes is not unlike Christmas season for Santa Claus, with a lot of stress, pressure, deadlines, and obligation, and at times the department heads will unwrap a gift that turns out to be a lump of coal. He stated that without Clerk-Treasurer Rhodes' guidance, experience, and high-level of expertise the City would not be able to prosper in the way that it does. Each year we file a budget that is fundable, and try to be conservative to the point where we cut our budget to less than the year before. When we have to, we increase it by as little as possible. This year the budget is up 0.84% due to health care costs and a 2% raise for our hard-working staff. Mayor Dennis stated that it is his opinion that this is a good budget. He stated that there is often assumption in local government there is a lot of padding that goes on and things that are subject to question. The fact of the matter is that we try to do the best we can with the information that we have. He stated that, to quote Clerk-Treasurer Rhodes, this is somewhat of a defensive budget because we have a lot of area with a degree of uncertainty, especially with insurance costs. We are very cautious when we take that into consideration. He stated that the department heads know what they are doing and they are doing it very well. Mayor Dennis stated that it is a privilege as Mayor to be able to reward them for all of their hard work, even if it is only a 2% increase. He stated that we are doing everything we can to keep the health care package for each individual the same as last year, but we are not aware of plan changes until October. That is the reason for the defensive budget. Mayor Dennis thanked the Council for their input and guidance and thanked the department heads for taking direction well.

Councilor Keen moved for passage of Ordinance No. 20-13 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

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. 20-13 passed on first reading.

Clerk-Treasurer Rhodes thanked the department heads and the Council. She stated that we are in a transition with our chart of accounts with the implementation of the new software system. We

have been budgeting in slow-motion while beginning to change the detail in how we budget and what will be loaded on the public Gateway. She thanked the department heads for working with us during this change, with more to come. Next year we will be budgeting in a very effective system that will provide the department heads with more information at their fingertips, and looking ahead to next summer should be great.

Resolution No. 15-13 A Resolution Requesting The Transfer Of Funds (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 15-13 by title only. He stated that the Council has received an amended document and the resolution should be amended by substitution.

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

Councilor Keen moved to amend Resolution No. 15-13 by substitution. The motion was seconded by Councilor Burch.

The motion passed by voice vote.

Clerk-Treasurer Rhodes explained that this transfer request pertains to the Motor Vehicle Highway Fund as requested by Street Commissioner Downey. Also, as amended, the Cumulative Capital Development Fund at the request of IT Director Newman.

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 Resolution No. 15-13 passed on first and final reading.

Resolution No. 16-13 A Resolution To Appropriate Grant Reimbursement In The General Fund (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 16-13 by title only.

Councilor Keen moved for passage of Resolution No. 16-13 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.



Clerk-Treasurer Rhodes explained that this resolution follows a procedure required by statute regarding appropriation of grant funds received as reimbursement in a fund which is not exclusively used for receipt of grant revenues. She stated that this relates to a grant received by the Police Department from the Tippecanoe County Prosecutor's Office.

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 Resolution No. 16-13 passed on first and final reading.

CITIZEN COMMENTS

► Mr. Baiel expressed his appreciation for the update regarding the sign issue. He stated that he is looking forward to seeing more compliance, and said they will need to go around and get an update to the map and see what is happening in the R1 and R2 areas. He encouraged considering language in the ordinance in consideration to areas in proximity to R1 and R2 areas. He gave the example of having modifiers that decrease square footage of signs in areas of R3 zoning that is across the street from R1 and R2 zoning. He reported that Bicycle Lafayette had created an informational handout with information for incoming people. There will also be a larger pamphlet that they hope to have ready for the Boiler Bridge Bash. He stated that in regards to MHG hotel development going through APC, there was an article in the *Journal & Courier* that there is a State Street Master Plan and that the City is working with MKSK. He asked if there is an update on that and how the public can obtain a copy of that plan.

Director Poole responded that the State Street Master Plan is something we have been working with in conjunction with Purdue Research Foundation and Purdue University to figure out how to take the State Street corridor from the river all the way through the near-campus, up the hill, and all the way through campus to the US 231 interchange. It is a major east-west thoroughfare and the details need to be sorted out for pedestrian crossings, streetscape, trees, and all of the things that will make the State Street corridor more attractive. He stated that we would like to work with MKSK, and we are currently working through a contract with them now, but have not signed an agreement with them yet. The Hampton Inn Hotel is the first step in redoing State Street with an opportunity there.

Mayor Dennis asked if we have a hard copy yet.

Director Poole responded that there is no agreement yet and this will take several months of meetings, which will be held with the public as well. It will take some time to before we are ready to

release anything as it will take public input and input from those who own property along State Street.

► Councilor Hunt stated that the Boiler Bridge Bash (BBB) is something she has heard about from BBB Committee member, Mary Whittaker, and the Council members will receive an invitation to attend and be at the booth.

► Mary Cook (Harry's Chocolate Shop, owner) asked if the bicycle pamphlet that Mr. Baiel mentioned is in multiple languages. She noted that the majority of the residents on the west side and the Village are of multiple cultures and diversities, and it may be a good idea that there is a focus made that they understand the safety rules.

Mayor Dennis noted that the International Student Association on campus would be a good resource regarding languages used on campus.

► Thomas Kesler (479 Maple Street) expressed his thanks for the comments about billboards on rentals and stated that he remains concerned about the issue and hopes it will progress in a fashion that is satisfactory to all. He stated that he continues to collect chunks of concrete.

Mayor Dennis asked where the chunks come from.

Mr. Kesler responded that the last bunch came from the sidewalk at River Road and Robinson Street. He stated that there was a bite taken out of the sidewalk there with chunks ranging in size from gravel to saucer were on the sidewalk where people congregate at the pedestrian crossing. Other sources have been along the alleys and other sidewalks. The very first collection started with a joint project with the Clean Sweep during Boiler Blast. He explained that he got permission to take concrete from back yards, so that is another source. He is aware of four or five piles of concrete in back yards right now. It comes from a lot of different places around the neighborhood. Mr. Kesler stated that he is enjoying the street repair on Maple and Lutz Streets. He asked, regarding the Historic Preservation district map, why Sunset Lane, Shilling Street, and Riverton Drive are not in the district.

Director Poole responded that when considering the contributing and non-contributing structures for the district, two resources were used. Although they tried to use the New Chauncey boundaries, those locations were not in the contributing/non-contributing historic context of the neighborhood. A general rule of thumb is 50 years, but that does not guarantee that a building is contributing to a district.

Councilor Bunder stated that initially those streets did not match the requirements of the historic district because of age. They may now, but they were not in the initial national historic register district. They are in New Chauncey, but that is a function of the census data and where lines are drawn in terms of income. Due to the map being a product of both the interim report and the old national historic registered district, they are not in the boundaries. It is possible they could go in, but they are not in this iteration.

Mr. Kesler asked if there are any initial observations or comments regarding the new trash ordinance.

Councilor Hunt responded that there are concerns about the grass clippings no longer being picked up. She stated that grass clippings can be taken to Soilmaker at no charge with documentation that the individual lives in West Lafayette. There will be a composting workshop on

September 14, which was partially in response to this issue. She stated that she, Mayor Dennis, and Street Commissioner Downey have been in communication about the frequency of warnings.

Mayor Dennis stated that there will be a pamphlet with information about Soilmaker.

Street Commissioner Downey stated that since the trash ordinance became effective in July, he has been tracking the issue. They have not refused picking up grass clippings from anyone. Flyers have been given out advising people on what to do with grass clippings. He reported that we had approximately 400 non-compliant properties, but in the areas that have been picked up to date there were only 50 cans of grass. So, it is working, and he expects the amount to decrease. He stated that there is a flyer that will be used each spring since there are a lot of people that move in and out, and we will continue to work with people and give warnings.

Mr. Kesler stated that it is good that Soilmaker will take the clippings, but he does not think we should encourage people to use cars to drive a few pounds of grass clippings there, and encouraging composting is a better idea. He stated that his concern is tight-fitting lids and asked if there are any comments on that. He stated that the alley near his house is still full of it of litter and animals are still getting into the cans.

Councilor Hunt responded that she will speak to the Neighborhood Resource Team about the issue.

► Jan Myers (1909 Indian Trail Drive) reported that the State is holding a public meeting here in the West Lafayette Council Chambers next Tuesday, August 12 at 5:30 p.m. She stated that it is the INDOT ADA Advisory Group, of which she is one of the selected members. She stated that she has been fighting the State, and the State is about to give the City several hundred thousand, or millions, of dollars worth of immediate work. She stated that INDOT has decided that they do not have to abide by federal law regarding making all of the sidewalks compliant with ADA when resurfacing a road. She has followed all of the suits, and they have gone to appeals, and it must be done. She stated that INDOT is trying to say that they do not have to because of a contract. She does not have a copy of the contract, but the law does not give any exception for contracts that she can find. She stated that anyone interested in keeping the defensive budget where it is, as well as economic development and annexation, this has ramifications all over the place. Ms. Myers stated that regarding historic preservation, she has been involved with that since 1970, and she has concerns about the current ordinance. She stated that it talks about no alterations can be done, but federal law requires that residents be able to ADA modifications. She stated that she would hate for the new ordinance to be in violation of ADA and discourage people who want to age in their home from being able to put in ramps, elevators, and so forth. She stated that she is curious because it says that one of the reasons to do this is to ensure the viability of a downtown area, but the boundary does not go near State Street, nor does it mention the bank building designed by Louis Sullivan, one of the most important architectural buildings in the City. She is concerned that there is not a traditional neighborhood included, which would include supermarkets and post offices.

Mayor Dennis stated that this is just the first step of the process, and maps may be added.

Councilor Bunder explained that this ordinance has been around the block, and when initially proposed in 2010 the note was that there would be up to four historic preservation districts, including in Hills and Dales, New Chauncey, the Village or State Street, and a linear district that would include mid-modern homes of note. He stated that we have not gotten there yet, but some of the language that is retained is probably from the earliest of these proposals.

Ms. Myers stated that it seems to ignore ADA completely.

City Attorney Burns stated that the short answer is that we can pass anything we want but we cannot violate federal law anyway, no matter what we pass.

Ms. Myers stated that there have been cities that have been sued over this and cost them many thousands of dollars.

City Attorney Burns stated that that is why Council and himself would not allow them to do that. He stated that Ms Myers' point is well made that we cannot violate federal law because we pass a historic preservation ordinance.

Ms. Myers stated that there have been cities that have tried it, and when she did not see it was there it concerned her as a taxpayer. She shared a quote, stating, "For the timid, change is frightening. For the satisfied, change is threatening. For the confident, change is opportunity." She stated that she would hate to think that our historic preservation is a way of stopping change. Ms. Myers shared that a magazine article told about a man in Brazil was so upset about city hall not having a ramp, that he built one there himself to make the city aware of their noncompliance. She noted that over 100 countries have ADA laws. Ms. Myers made comments about the advantages of featuring the City's ties to Indianapolis and Chicago more, as similar to what was done with a tourist guidebook for Boulder and Denver, Colorado, which she showed as an example. She also noted the Boulder, Colorado is on a list of the world's happiest cities. Ms. Myers spoke, in reference to the "banana house," of a piece of public art that she saw on the Grand Canal during a recent trip to Venice, Italy.

► Chris Kulesza (190 Burke Court, Apt. 111), Vice-President for External Affairs for the Purdue Graduate Student Government (PGSG), expressed congratulations on the historic district. He has been a part of that process in the past and understands how difficult it can be. He stated the PGSG will be having the graduate student convocation soon, and he thanked the Council for taking part in welcoming new graduate students to campus. He invited members of the Council or City to come to the graduate student picnic when the date is selected. Mr. Kulesza reported that there has been significant interest in the annexation, and graduate students are interested in seeing what kind of businesses come in because of that. He stated that graduate students have been doing volunteer work in West Lafayette and Lafayette, and they will be partnering with the Lafayette branch of Habitat for Humanity. He asked for suggestions for projects in West Lafayette.

Councilor Hunt asked if they are in talks with the student chapter of Habitat for Humanity.

Mr. Kulesza responded that the student chapter has dues for members, so the PGSG would have to take out a portion of their budget to be a part of that, but they will communicate with them.

#### ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting the time being 7:54 p.m.