

Subject to approval at the December 2, 2013, Common Council Meeting

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
NOVEMBER 4, 2013

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on November 4, 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, Parks Assistant Superintendent Ainsworth, Public Works Director Buck, Police Chief Dombkowski, Street Commissioner Downey, Human Resources Director Foster, Fire Chief Heath, WWTU Director Henderson, IT Director Newman, and Director of Development Poole.

MINUTES

Councilor Keen moved for acceptance of the minutes of the October 3, 2013, Pre-Council Meeting, and the October 7, 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

There was no report.

SPECIAL REPORTS

Mayor Dennis noted that the West Lafayette girl's soccer team has become the first state champion soccer team in the area. He thanked Fire Chief Heath and Police Chief Dombkowski for escorting the team into town.

PUBLIC RELATIONS

a. Council Appointment: Traffic Commission

Councilor VanBogaert stated that he was unable to locate the resume file he had planned to distribute and requested to postpone this item to the special meeting on November 7, 2013.

b. 2014 Council Schedule

Councilor VanBogaert moved for acceptance of the 2014 Council Schedule. Councilor Keen seconded the motion.

Clerk-Treasurer Rhodes suggested that the Pre-Council meeting for 2015 be listed as "to be scheduled as needed."

The 2014 Council Schedule was approved by voice vote.

FINANCIAL REPORT

Clerk-Treasurer Rhodes stated that there is no report, but she noted that in another sign of great synchronicity between Lafayette and West Lafayette, Lafayette has chosen to install the same accounting system that we have already begun to install. She credited the excellent working relationship we have through Mayor Dennis and IT Director Newman as encouraging closer cooperation in the future.

LEGAL REPORT

City Attorney Burns stated that this report is on file.

UNFINISHED BUSINESS: None

NEW BUSINESS

Ordinance No. 28-13 An Ordinance Requesting An Additional Appropriation For The Joint Funding Of Amtrak Hoosier State Service Through March 2015 (Sponsored by Mayor John R. Dennis)

Councilor Keen moved for passage of Ordinance No. 28-13 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis explained that some time ago, West Lafayette, Lafayette, and Tippecanoe County, along with other cities that reside along the Hoosier State route were made aware of the fact that Amtrak was going to discontinue the service for reasons both operational and financial. A summit was organized by supporters of the Hoosier State line, and the consensus was that the community was interested in keeping the line with the understanding that it is something that needs to improve. The sentiment was echoed by the public, the mayors that are on the route, our State senators, and some of our State representatives. Mayor Dennis stated that there were negotiations with the State which resulted in all of the participants along the route, with the exception of Dyer, contributing financially to ensure the line can last one more year. He noted that the State was initially somewhat reluctant to participate as the Governor and INDOT felt that a service that is not good is not worth keeping. However, they were

persuaded by the passion of the people along the route. Mayor Dennis explained that this ordinance is for a special appropriation to allow us to engage in an agreement to assist in funding the Hoosier State for one more year. He emphasized that it will include the fact that we will have a strong voice in trying to improve this service. The agreement will be used as a binding understanding of local government having skin in the game, which is critically important to bring to the negotiations. He stated that from what we understand, Amtrak is willing to listen to our suggestions, such as making the train more dependable and improving route times. Mayor Dennis stated that there is also a quality of life component as rail service offers the community opportunities. It gets cars off the road, where the accident rate is climbing each year. He stated that we are not discussing the service tonight, and what is before the Council is the request for a special appropriation. He explained that this will take two readings, but it also needs to come with the terms of the agreement that will stipulate how we pay, the terms we pay, and how long we will pay.

Councilor Dietrich stated that he disagrees with the comment that this is not about the service since there are questions about the service. If we are going to put \$200,000 into this, there needs to be an understanding and accountability for the service to the Council before it is approved. He stated that he would like to know what kind of numbers we are representing on economic impact, what kind of passenger travel, and if the City gets \$200,000 worth of income from this.

Mayor Dennis responded no, that the purpose of this is to continue the service that currently exists. The lack of participation would cause the service to go away.

Councilor Dietrich stated that the root of his question is that he is not sure that we should care.

Mayor Dennis stated that he appreciates Councilor Dietrich's honesty, but if it were exclusively an individual opinion it may be the case on several levels, but this is something that has been vetted publically and he is a public servant. After going through this process for the past four months, it is a compelling argument to try to keep the service. He emphasized that it is for one year.

Councilor Dietrich asked what happens after that. He noted that the City knows nothing about running a railroad to have a hands-on direct impact on operations.

Mayor Dennis said that question was also brought up at the State. There is a consultant from a successful railroad line in Iowa who will be used for technical consultation.

Councilor Hunt stated that she rides this train on occasion and attended the summit. She noted that there are volunteers at the train station every day, including Joe Krause, to help passengers. She stated that one of the issues is that length of time it takes to get to Chicago, which is made difficult by the fact that Amtrak does not own the tracks, but it is fairly on time. She stated that it is very nice to not have to park your car in Indianapolis to get on the train.

Councilor Keen stated that he agrees with a lot of Councilor Dietrich's concerns. He did attend the summit and heard a lot of those concerns from people there, and he heard a lot of comments about how the rail service benefits this area. Councilor Keen feels that if the rail were to just go away, it would have a significant economic impact on our area, and that it is worth investing for this period to see what issues can be fixed. He feels the investment will be worth it in the end if they get things straightened out.

Councilor Burch asked if this is successful this one year, if in the future Purdue University, or the City of Dyer, or businesses may contribute to maintain the running of the line.

Mayor Dennis stated that it is a good hypothetical question that he cannot answer, but if it is successful the ridership will go up and there would not be a need for further contributions.

Councilor Bunder stated that it has to be said that this is a lousy way to run a railroad. Looking at this from almost anyplace else in the country, the State has had since 2008 to figure out what to do with the removal of the short-haul subsidies. We are the last of 19 states to decide what to do with our short-haul routes. That the cities are in the position to have to decide what to do with interstate rail service between Indianapolis and Chicago is odd. He stated that we will have high-speed rail in the State. It will go through the northwest corner from Chicago to Detroit, and we have the Indiana Gateway Funds to do that. This should not have taken so long and come down to the responsibility of these cities. He stated that he will vote for this as it is a good to have rail service, but this is a mess and a strange way to solve the problem.

Councilor VanBogaert stated that he shares that sentiment. He is a frequent rider of the line, and he feels that it should be up to the federal government, but this is a way for us to keep it alive until both the State and federal government get through the conflict they have now.

Councilor Thomas stated that he and his family have taken the train to Chicago and he enjoys the ride without having to worry about traffic or parking his car in Chicago. He feels that from a personal standpoint, it is an advantage to have that rail service, and from a business and economic standpoint it is important that we have that service. There are issues to deal with and a year's time should be long enough to figure out if they are solvable.

Mayor Dennis stated that he plans to have a direct and active involvement.

Joe Krause (2202 Trace 22) stated that he volunteers at the train station because he likes to go there to help people. He noted the variety of people he sees who need this train as a matter of desperation. He provided examples, including a single mother with three kids, a person who is handicapped, senior citizens on a trip of a lifetime, or who do not want or cannot drive anymore, and people traveling for medical reasons. He noted that weekends are busy with college students, which include many from all over the world who know what train service is like elsewhere. He explained that his volunteer work involves helping with parking passes and tickets and making sure they are on the platform at the right time. Mr. Krause stated that INDOT has been very hard to work with and they were ready to stonewall at the summit meeting. Other states have spent millions of dollars on passenger rail in the past 10 years. In those 10 years, Indiana has spent \$150,000. He stated that INDOT has stiffed us for years. Now INDOT is saying to the mayors along the route that if they want the rail line, they need to pay. Mr. Krause stated that he agrees with Councilor Bunder, and asked why those cities have to pay. He speaks to people at the train station from the entire region, not just residents of these specific cities. He believes that Dyer should do its share. He stated that the issues with INDOT answers the question of why it has come this long. In response to Councilor VanBogaert's question, Mr. Krause explained that Congress said that the States will pay for the short-distance trains, and 18 states are already doing that. Indiana is the last one to do that. He noted that there are difficulties with improvement. One is when other railroad companies have freight trains on the tracks. He noted that the Hoosier State line has approximately 75% reliability in being on time. The Cardinal is not bad coming into Chicago, but it is worse when heading east due to holdups with coal trains. Another complication is that in 2014, the Myers Bridge will be closed and people will have to be shuttled to the platform. So, during test year we

have this serious disruption. Mr. Krause offered to answer any questions and noted that he is in a position to know because he is there every day and works with many people.

Councilor VanBogaert thanked Mr. Krause for the education and stated that Mr. Krause had incredible remarks.

Thomas Kesler (479 Maple Street) stated that he has ridden the Hoosier State a few times and hopes to ride it again in the future. He is glad to see our community is getting on board with this issue. He stated that he has been the beneficiary of Mr. Krause's volunteerism at that station, receiving help with getting tickets, using the kiosk, and getting other feedback. Mr. Kesler stated that he learned quickly that if he is making a connection in Chicago, he should prefer the Hoosier State because of the shorter distance it travels which lowers the probability of meeting a freight train compared to the Cardinal line coming out of New York. He hopes to see this Amtrak line continue. He recognizes that we are kicking the can to a year from now, but it focuses attention on the issues, and he believes there is economic value in the line.

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 6 AYES and 1 ABSTENTION.

In voicing his reason for abstaining, Councilor Dietrich stated that it is due to the fact that he was unable to attend the summit and he lacks information and the passion the other members have.

Mayor Dennis announced that Ordinance No. 28-13 passed on first reading, and told Councilor Dietrich that he will get information to him.

Resolution No. 19-13 A Resolution Appropriating Insurance Recovery Received For Damage To City Property (Prepared by the Clerk-Treasurer)

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

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

Police Chief Dombkowski explained that this request is to allocate money from one account to another so the Police Department can assist with the all-hands-on-deck approach to removing snow on City properties. The Neighborhood Resource Team truck is capable of having a snow

plow attached. We are inheriting responsibility for a lot of the State roadways as of December 1, 2013.

Mayor Dennis added that this stems from the large snow that we had February 2011. We came to the realization that we have a lot of vehicles but very few blades.

Councilor Dietrich asked if it can be inferred from this need that we did not receive equipment from INDOT as we had hoped.

Mayor Dennis responded that we will be getting two trucks. He clarified for Councilor Burch that the two trucks are the large snowplows for use on the new US 231.

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. 19-13 passed on first and final reading.

COMMUNICATIONS

► Mayor Dennis noted that there will be a special meeting of the Common Council on Thursday, November 7, 2013, for consideration of Ordinance No. 13-13, which is known as the annexation ordinance.

► Councilor Bunder asked again for the City administration to move forward on reconstituting the Historic Preservation Commission, and Mayor Dennis confirmed with Director of Development Poole that this will be done.

► Councilor Dietrich asked Public Works Director Buck if maps of the Cumberland Plan as it stands now will be made available to the Council members so they may respond to questions, and Mayor Dennis responded that we can do that.

CITIZEN COMMENTS

► Mr. Kesler stated that he found out from a vendor at the Farmers Market that there will be an additional market day the day before Thanksgiving. He reported that he saw significant clutter around the perimeter of the West Lafayette Public Library parking garage and he hopes that will be cleaned up. He stated that about a month ago, someone raked the yard of a rental on the 100 block of West Stadium Avenue, which he thought was good, but the leaves were left in the alley without being in a container. Mr. Kesler put the leaves in a container and flagged down someone on the crew to pick them up. He asked that the same quiet diplomacy that was

applied to the rental billboards be applied when leaf piles appear in alleys which will just rot there.

Mayor Dennis noted that the leaf truck cannot go down alleys.

► Mr. Krause reported that the National Association of Railroad Passengers is going to honor the Purdue Student Government for its passage of a resolution in support of continuing Amtrak service. The award is the Youth Passenger Rail Citizenship Award, which has only been given three times. The group recognizes the significance of the vote by the students because when Amtrak wanted to save the train, they said that we have got to get through Purdue. Mr. Krause stated that nothing was heard from the Purdue administration, though they have attended meetings, but it was the students who made efforts. The younger generation is recognizing the need for passenger rail, and that is happening all over the country. He is happy the students are being recognized.

► Chris Kulesza (190 Burke Court, Apt. 312), Vice-President for External Affairs for the Purdue Graduate Student Government (PGSG), announced that PGSG will discuss the potential move of City Hall to the Morton Center at their Senate Meeting, and they will provide feedback afterward. He reported that he is planning to work with the University to implement a program allowing graduate students to find places of residence for those who want to move from Lafayette to West Lafayette. He noted that there are some landlords who offer discounts to graduate students.

► Zachary Baiel (124 Connolly Street) thanked the Council for the discussion about the Hoosier State, which he assumes will have to pass at the next Council meeting and he looks forward to more information. He stated that INDOT spent \$2.1 billion last year on transportation and only \$61 million was for mass-transit with very little very trains. He stated that he participated in some of the State Street Master Plan process last week which provided a lot of information and he is happy about the process. He is happy that a lot of people want to focus on local businesses and mobility in the area. There were interesting ideas for cycling as well. Mr. Baiel reported that there is some nimble dancing around the UZO with the signage in the neighborhood, so he will gather information and report back on that.

► Mayor Dennis stated that he and Councilor Dietrich have had a lot of similarities in their lives, and they recently have something new in common, which is that they are both retired Police officers. He thanked and congratulated retired Captain Steve Dietrich, for his years of service to our community. Mayor Dennis noted that he did not spend all of his time at the Purdue Police Department; he was a County officer as well.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting the time being 7:25 p.m.