

Subject to approval at the January 6, 2014, Common Council Meeting

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
DECEMBER 2, 2013

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on December 2, 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, Fire Chief Heath, WWTU Director Henderson, Parks Superintendent Payne, Director of Development Poole , and IT Systems Administrator Wheeler..

MINUTES

Councilor Keen moved for acceptance of the minutes of the October 31, 2013, Pre-Council Meeting, and the November 4, 2013, Common Council Meeting, and the November 7, 2013, Special 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: None

PUBLIC RELATIONS

a. Council President Nomination

Councilor Bunder nominated Councilor Ann Hunt for Council President for 2014. Councilor VanBogaert seconded the motion.

There was no discussion.

The motion passed by voice vote.

Mayor Dennis congratulated Councilor Hunt, and Clerk-Treasurer Rhodes noted that Councilor Hunt may be among the longest-serving Council Presidents.

b. Council Appointments

i. Redevelopment Commission

Councilor Hunt stated that she would like to re-nominate Larry Oates for the Redevelopment Commission, noting that he has been the Chairman for several years. He is a local business owner and lawyer and has done a very fine job of leading the Redevelopment Commission with interest and enthusiasm. The new nomination is Bob Schauer, and Councilor Hunt listed some highlights of his resume, including that he has lived on Connolly Street since 1980, is a US veteran, is a graduate of Miami University in Oxford, Ohio, and is involved in several community and volunteer activities. Councilor Hunt nominated both Larry Oates and Bob Schauer to be appointed to the Redevelopment Commission. Councilor Burch seconded the motion.

There was no discussion.

The motion passed by voice vote.

ii. Go Greener Commission

Councilor Bunder stated that the Go Greener Commission is asking the Council to appoint Andrew Tuholski to the position of non-City resident Council Appointee. He stated that Mr. Tuholski's resume has been distributed, and he thanked the Purdue Graduate Student Government for helping to search out people who may be interested in the Go Greener Commission.

Councilor VanBogaert nominated Andrew Tuholski to be appointed to the Go Green Commission. Councilor Hunt seconded the motion.

Councilor Burch asked if there were any other applicants.

Councilor Bunder responded that there were many, but the by-laws for the Commission are so structured that we have particular slots of particular bits of geography and particular appointing bodies. There was a lot of interest from Purdue students, but none who lived in City limits. He stated that there are still positions to be filled in that area and they will continue to look for those folks.

The motion passed by voice vote.

### FINANCIAL REPORT

Clerk-Treasurer Rhodes announced that the Council will next meet for the Pre-Council meeting on January 2, 2014, and the first Council meeting of the new year will be January 6, 2014. She stated that it will be a very important meeting as we will be reviewing a restructured budget using our new chart of accounts. There will be a number of changes due to the transition to the new software system.

Mayor Dennis stated that although Clerk-Treasurer Rhodes uses "we and us," it has been predominately her that has been pulling this rock down the road and she has done an amazing job.

### LEGAL REPORT

City Attorney Burns stated that this report is on file.

Councilor VanBogaert asked about the cell tower issues.

City Attorney Burns responded that we have had inquiries from various brokers regarding cell towers and he met with some of the Department heads to discuss the relative pros and cons of extending, or not extending, their contracts. They are trying to monetize what they have and change the terms of the contracts. We have two cell towers.

Councilor VanBogaert stated that last year when they hit the conduit, a large copper cable for traditional phone service went offline, but there was also limited infrastructural redundancy in the communication connection between those towers which resulted in a widespread mobile service outage in some areas for more than 12 hours. Considering that the vast majority of students do not have a landline and rely on their cell phones for emergency calls and daily business, he believes that there is a strong public interest in making sure the cell towers are a safe and reliable communication channel moving forward.

City Attorney Burns stated that he believes there may be enough interest in the regard that we might have some leverage in that regard if there is something that can be done to improve the redundancy or reliability.

Councilor Dietrich noted that the report refers to the Faith West escrow matter. He asked if we are still looking into the possibility of their business portions being taxable income. He stated that while the café is a very nice place, it is clearly a business.

City Attorney Burns responded that the County will be taking that up next year, now that it is fully occupied and they know exactly what the uses are.

Clerk-Treasurer Rhodes stated that it will first go through the Assessor's Office.

City Attorney Burns stated that we have been in communication with Linda Phillips and she is aware that we have an interest in that.

Councilor Burch asked about the Williamsburg matter.

City Attorney Burns responded that there is a new owner, Herman & Kittle Properties. It is a very well-regarded developer out of Indianapolis and they are interesting in continuing the

student housing that has been the history there. He stated that it was a positive meeting and all of the developments from it sounded good.

Councilor Bunder thanked City Attorney Burns for attending to the class conversion matter. He stated that he looks forward to talking more about it, and when they City might consider moving from a Class 3 city to a Class 2 city.

Councilor Dietrich asked if the rental sign issue is completely dead, as in compliance being at 100%, and if we are still looking into clearing up the ambiguity that caused the problems to begin with. He stated that he would hate to see the issue get laid to rest and come back up again.

Police Chief Dombkowski stated that currently it is a bit of a non-issue because everyone is in compliance, but Rick Walker from the Neighborhood Resource Team working on putting together a coalition of landlords to meeting and discuss these issues and then move forward with a plan to the Area Plan Commission (APC). He stated that it is out of our confines, and thought it is a situation unique to West Lafayette it will need to be done on a County-wide basis.

Councilor Dietrich stated that when he spoke to the APC attorney, it was indicated that he does not share the concern regarding the ambiguity. Councilor Dietrich stated that it seems like we need to be the driver in this and he does not want the sign issue to return suddenly.

Chief Dombkowski stated that it is his preference that the landlords be the driver in that because it boils down to what we have heard consistently as a fairness issue. There is one set of rules for commercial development, where an apartment complex is able to advertise, compared to a neighborhood dwelling. He stated that he is willing to be the facilitator to come up the issues to pass onto APC.

Councilor Dietrich stated that he appreciates Chief Dombkowski's interest in harmony with the landlords.

Chief Dombkowski stated that it is really the neighborhoods.

Councilor Dietrich stated that his bigger concern is the City, what it needs in this matter.

Councilor Bunder expressed his agreement with Councilor Dietrich.

Councilor Dietrich stated that they are different because they are zoned differently, and he has no problem with telling them that on a house it should not be there while it is okay on an apartment complex.

Chief Dombkowski stated that they have said that explicitly.

Councilor Dietrich stated that he would hate to give away too much in trying to get the landlords to the table and the City is in the driver's seat here.

Chief Dombkowski stated that our point is to get some parties involved and have the discussions that will hopefully be driven by the neighborhoods, specifically by the New Chauncey neighborhoods which has the largest concentration of rental housing for students. He stated that we are on a path, and he does not have a timeline for it, but we have some time because we do have compliance. He does realize that it will not always be the case.

Mayor Dennis stated that it will likely be a challenge each semester.

UNFINISHED 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) PUBLIC HEARING

Mayor Dennis read Ordinance No. 28-13 by title only.

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

Mayor Dennis stated that this has been well vetted in the newspaper, on TV, and at last month's Council meeting. He confirmed for Councilor Burch that this funding is for one year.

Councilor Dietrich asked if there has been a resolution to the metrics to determine the success of our dollars and support as the last he knew it was vaguely attached to ridership.

Mayor Dennis responded that the enforcement power is a little more specific. After the contract is signed, the participating entities will convene a board which will have the power to dictate to Amtrak all of the basic metrics that we will expect them to comply with. In the event that they do not comply, the board can choose to terminate the contract without further payment. There is a significant degree of control that this board will be empowered to exercise. The board will involve the participating cities and the State.

Councilor Dietrich asked for confirmation that the State had the money but chose not to fund it and came to the cities along the route for help.

Mayor Dennis responded that whether or not they had the money is debatable. When the cities were made aware that the line would go away we started asking what could be done to continue the service. It was our understanding and intent that if it continued, improvements would be made.

Councilor Dietrich stated that it was his understanding that the State had found the funding, and that it was set aside, but they pulled back. It is his recollection that they chose not to fund it entirely.

Councilor VanBogaert stated that it is his understanding that the State has the resources but this was not a priority.

Mayor Dennis stated that they have the resources, but locally we felt that it was worth the investment as long as we will be in a position to dictate that the service improves.

Councilor Hunt said that a statement was made by INDOT that railroads were not in their business plan. She expressed her concern that reconstruction done on the bridge while we are trying to get this going will prevent people from easily getting to the train. She explained how it currently works using the bridge, including the help that Joe Krause and other volunteers provide.

Councilor Keen moved to open a public hearing on Ordinance No. 28-13. The motion was seconded by Councilor Burch.

The motion passed by voice vote.

Joe Krause (2202 Trace 22) said, "I can answer some questions. I am an advocate for passenger rail and I am, as identified, a volunteer along with two or three other persons, but I am the chief one. It is true, Councilor Dietrich, the State had the money, but as they set it primarily for the study, which they gave over to CDM Smith. Now, I understood they had for a while an amount of money, but they were very reluctant, their Chief Officer, Troy Woodruff, is very reluctant to commit any money. What happened at the Faith East Amtrak Summit, which was put together by the Greater Lafayette Chamber of Commerce, and put together well with the work of Arvid Olsen, and certainly Liz Solberg should be given credit for putting together the kinds of people there speaking. It turned out essentially that the fact that there was such a large number of people there, I think shocked Indiana Department of Transportation. Some key legislators who ought to be given credit are a legislator who was a former Councilor, Randy Truitt, and Senator Brandt Hershman. They at least said that we ought to be talking about this, and key persons came together. So, then what happened was the Indiana Department of Transportation got CDM Smith to do a study. The study said, look, this is not really, as referred to by Councilor Gerald Thomas last time, it's not really a good proposition. Now, there's this very large subsidy right now, about \$80 a rider. But if we had frequency, improved service, that could go down. For example, the State of Michigan, the subsidy is around \$20. Most of you understand that public transit is subsidized. City Bus does not make its money off the fare box. So, because we make choices as leaders that we need to have persons who can't have a car, don't have a car, a person that we don't want driving any longer, they choose not to drive or they can't, that we want to give them some alternatives. So public transit is in that category, and intercity rail is in that category as well. We don't want these people on the highway. I'm going to give you some numbers briefly, anecdotally, this weekend was very busy for transfer. We had—Purdue students were leaving town. On Tuesday, I had 77. On Wednesday, I had 83. On Thanksgiving Day, we had 99. So I was down there. Is City Bus running? No. Is Amtrak running? Yes. Then it dropped off Friday, 36, 38. And last Sunday, I wound up with a group of—We did some boosting for the Hoosier State. We run up on the train early today; we got there early because Union Pacific was not doing the track work up there, which has been in effect. It's affected our time. You know, you should all understand why Amtrak can't meet its time. It's because of the railroads; that's the reason. Train got half hour early to Chicago, going back was about 15 minutes early last night, and over 100—I'm sure over 100—got off that train. So the service has been there and it's sporadic. It's very heavy for students on the weekends and on the holidays, but is daily important for handicapped people, senior citizens, minorities, small children, mothers of small children, persons going for medical care. That service exists and that, of course, was not the thrust of the Amtrak summit, because they were talking about the millennials, the college students. You see what would happen if we did get frequency here, if we had one or two trains more. You would have what's happening already in Bloomington to Illinois, Bloomington–Normal. What's happening in Ann Arbor, what's happening in Champaign, what's happening in Carbondale. The numbers, they're not just doubled—tripled and more. Then you begin to see the ridership, and then you can all figure out if the ridership goes up then the subsidy is going to drop. But that's—What needs to be done in this State is what Senator Randy Truitt said, it needs a paradigm shift. That this State, like Illinois, like Michigan, like parts of Wisconsin, like 16 other different states, need to say intercity passenger rail should be supported from highway dollars. Not from public mass transportation. You know this is what's scaring the bus companies right now. They're afraid that INDOT is going to say, so what, you want the money from Amtrak? Let's take it from City Bus. Let's take it from Indianapolis bus

system, let's take it from Fort Wayne. You people, to you legislators, and to us at advocacy, we want to make sure that you get the legislature to say no, we need to have—I know this is going to be very difficult in the State of Indiana, but I'm talking about a paradigm shift here. Are we going to have to have dedicated funds at the State level for intercity passenger rail separate from public mass transportations funds? Furthermore, this City and this Council, and the City across the river and that Council, and Tippecanoe County are supporting this railroad, this service, and yet, when I volunteer down at that station, there are people who come from Mulberry, they come from Attica, they come from Lebanon, they come from Frankfort. They even come from Indianapolis because it's a more comfortable and safer station here. They come from Carmel. So, the point is, this is not just the responsibility of Rensselaer, or Crawfordsville, or Lafayette, or West Lafayette, or Tippecanoe County, or Indianapolis, or Beach Grove. It's the responsibility of the State, which consequently means there needs to be more State dollars through the State Legislature. I hope that you will, and I will, and all of the people here will work to say what's happening in other states needs to be done. Dedicated funds, from the State of Indiana, taking it from highway dollars. Balanced transportation is not just asphalt and concrete. Because that frankly is what the situation is in Indiana right now. Ohio has gone back; they've moved back. Now I realize I can be very passionate about this, and I'm going to pause to see if there are any questions you have. I am in a position as an advocate. I'm not an attorney. I'm not an engineer. Frankly, if the Hoosier State disappeared, my wife and I could travel, we know how to do the schedules, we know how to go east and west by taking the Cardinal to go up to Chicago, or driving to Bloomington-Normal and catching the train. So I'm going to pause to answer any questions you have. But I do want to say one more thing. You should go after Dyer and say why isn't Dyer also pitching in? There's a new station being built at Dyer. And currently, someone from Dyer, I'm not going say whether it's a Mayor or Councilman, says those 5,000 people you get at Dyer, they're not worth the effort. I think that's unfair to those people. I didn't hear that from West Lafayette. I didn't hear that from Lafayette. Okay, I'm pausing because I know, Counselor Bumbleburg knows this for sure. Okay, I'm stopping. If you want to ask any questions, ask them, otherwise I will gladly sit down."

Mayor Dennis said, "Questions for Joe?"

Councilor Burch said, "Mr. Krause, I think last time I had asked why the City of Dyer was not participating."

Mr. Krause said, "And I don't know the answer to that yet, and Councilor Burch, I would advise you, and I would encourage you, to write a letter say we're doing our share, why aren't you doing yours. We're not asking Dyer to give the same amount West Lafayette is. You know, there's going to be—This City is pledging, how many dollars are you talking about here?"

Mayor Dennis said, "About 16-grand a month."

Mr. Krause said, "A month. You see, the *Journal & Courier* article, as wonderful as it was, did not say monthly. It gives the impression it was annual. I talked to Chris Morrissey[-Vizza] here and she's a wonderful conduit for what I'm trying to get across. But, it looked like that was annual."

Mayor Dennis said, "No."

Mr Krause said, "But it's not."

Councilor Dietrich said, "Mr. Krause, that begs the question, how do they determine our contribution versus Dyer's contribution?"

Mr. Krause said, "Ridership. I think probably the Mayor could answer that better. Because you've got to understand, the Mayors were in those meetings. We trust those people. We're the advocates. We keep saying do this, do this, do this, but we know that you're the ones who have got the vote, you've got the authority, so he could probably answer that better."

Mayor Dennis said, "What he said."

Mr. Krause said, "Ridership."

Mayor Dennis said, "And the thing with Dyer, is that they've opted to be out financially, and Mayor Roswarski and I both have taken issues with that."

Councilor Dietrich asked, "So, Lafayette is also giving \$200,000, and we're giving \$200,000?"

Mayor Dennis said, "They're giving \$200,000 plus they're doing some work the depot, the station."

Mr. Krause said, "Well, major work."

Mayor Dennis said, "Yeah. How many millions is that?"

Mr. Krause said, "Yes."

Councilor VanBogaert said, "Now, I read an interesting editorial in the *Northwest Indiana Times*, and I'm a little sympathetic, I disagree with it, I'm going to vote in support of this, but I am a little sympathetic to the situation that Dyer has. Just because, the thought is that if the State and State Departments understand that this is a leverage point over cities that rely on the help of this rail program, they can push this particular— they can push this cost off onto municipalities. It's a slippery slope, absolutely. But, that could potentially happen in other State programs. That's a concern, is that the State sees how easily municipalities, especially well-organized ones, scramble to make sure that these services are continued. That, maybe that extends to certain park services or other, you know."

Mr. Krause said, "That's exactly right. You're right. It's a State—"

Councilor VanBogaert said, "You've got to push back. You've got to make some noise."

Mr. Krause said, "It's a State responsibility. As I told you, I listed all the cities that are sending people here, and the same thing can go for Crawfordsville or Rensselaer. The persons who spoke at the summit would say that people from Rensselaer don't just take the train. It's a circle, 60 miles or more. For a while CDM Smith said well what's the circle? Two miles away from the station. That's nonsense. At least should be 60 miles."

Councilor Hunt said, "I have another question. Will the construction on the bridge—I mean, won't it disrupt the service and people will get discouraged and say I'm not going to go on that train anymore?"



Mr. Krause said, "Yes, I've been talking with people from the Michael Kline Associates, and we're supposed to try to do something with signing for a while, and the Mayor is aware of this, we're thinking about trying to use the—during the summer now, Councilor Hunt, using the West Lafayette skating building as a waiting room, if we can get Amtrak to put a ticket machine in there. Another possibility we thought about was going to the Hilton. When you look at what a nice place the Hilton is, I don't think they want a bunch of screaming kids in there, or people with a lot of luggage. It's not good for the Hilton. We thought maybe the skating rink would help. Another possibility is to have regularly, Lafayette Limo down there by the Amtrak station, in the Riehle platform. As soon as I found out the train's gotten through Crawfordsville, I'd say everybody get in that limo. Or earlier through signage and public relations, we say just get to the west side, go to the Margerum Fountain. And if your handicapped, we ought to have a golf cart to move the people. As all of you know, you can go down the ramp, you can get down to that platform. But, the part that is going to be seriously challenged is what's called the Riehle Bridge, and that's the one immediately above the tracks. That will be closed. We're saying about six to eight weeks. All of you in construction know what six to eight weeks means. It doesn't mean six to eight weeks."

Mayor Dennis said, "That's not real time."

Mr. Krause said, "So, that is a concern. Here we are in this test. West Lafayette, Lafayette, Tippecanoe County, Rensselaer are all being challenged now to make this train work. And then we're saying, but the people in West Lafayette say, well, why don't you go catch a train at Crawfordsville, why don't you get your train in Rensselaer. I have another concern. I'm not sure I can speak about it, but I'll introduce it nonetheless. Denison Parking is going to be finished with, as of September 31<sup>st</sup>, and the City of Lafayette Parking is taking over City of Lafayette, and they have a different philosophy about the parking the station. And if they're going to play hardball, it's going to be very difficult for the people there who want to leave their car. Well, some say you can park over in the Renaissance Garage, that's \$1 an hour, \$8 limit, that's not bad. Or somebody can park at the County garage that's two blocks away."

Councilor Hunt said, "Well, if you're going to be gone for five days, I mean that's a little much."

Mr. Krause said, "Well, sure, but it's not Chicago money."

Councilor Hunt said, "Well, I know, but we used to park free if you went and got your—"

Mr. Krause said, "Well, yes, but you know somebody said there's no such thing as a free lunch. You're right, it would be nice. Best bet, Councilor, is to get somebody to take you down there."

Councilor VanBogaert said, "If I can tack onto that. The Greater Lafayette Chamber of Commerce sent out an email today. They're hosting a meeting on Wednesday at 4 o'clock on the second floor of their building. That's going to be, it's a group discussion about the bridge closure and the ramp projects that are scheduled. It's a pretty open format."

Mr. Krause asked, "When is it going to be held?"

Councilor VanBogaert said, "It'll be at the Greater Lafayette Commerce building, 337 Columbia Street, the office that they share with [Congressman] Rokita there."

Mayor Dennis said, "Right across the street from the Court House."

Mr. Krause said, "I appreciate that information."

Councilor VanBogaert said, "It's an open meeting, it's 4 o'clock on Wednesday, December 4. And you can contact Erin Nelson who does a lot of the organizing, enelson@greaterlafayettecommerce.com."

Mayor Dennis asked, "Further questions for Mr. Krause?"

Councilor Hunt said, "Thank you."

Mr. Krause said, "Thank you again."

Mayor Dennis said, "Thanks, Joe. Further discussion, reference our public hearing?"

Thomas Kesler (479 Maple Street) said, "I continue my support for the Hoosier State. I rode it recently. The morning was very cold. The coach class car was warm and comfortable. I really like using that train and I hope to continue using it. I did see the Dyer station, I happened to be sitting on that side of the car, and I was surprised to see the size of it. I need to find out how big Dyer is to understand the size of that station. And yes, they are doing some construction there. Another thing I want to talk about is my trip back. It fell on a day of the Cardinal coming back, so it was a new experience for me and I learned a little bit more about Amtrak with the Cardinal. While they don't have the kind of dining service that they offer on trains going west, they do have a split car, dining/café car. So one half is the dining and basically serving those who have a sleeping compartment, and the other half is the café. But they do open the diner to coach class, and on the way back I got into the diner and I spent much of the trip back to Lafayette in the diner. And I sat with someone who gave me a little history of his riding the Hoosier State, an itinerant preacher who was commuting between Munster and Indy. So, I would add Munster to the list of cities in the region. I would also add Brownsburg, because in getting on the train to come home, I overheard another passenger say he was a physics teacher in Brownsburg. So, there are other cities where advocates might do a little tap on the shoulder and say the train is serving you, help us out. So, it was a very nice ride. I finished my meal around Battle Ground, and I got back to my seat around Brookston. [Mr. Krause, inaudible.] South, the return trip, on a Cardinal night. [Mr. Krause, inaudible.] Oh."

Mayor Dennis said, "You are paying attention."

City Attorney Burns said, "He was facing backwards."

Councilor Bunder said, "I don't think that's possible."

Mayor Dennis said, "That's why he's a lawyer."

Mr. Kesler said, "Alright, so I correct myself, thank you. So, yes, it was the further city I finished and the closer city I was back at my seat."

Mayor Dennis said, "Well covered."

Mr. Kesler said, "And I called the taxi, and ten minutes after I arrived, the taxi was there. So, it's a nice, convenient service. I've learned that by planning some activities in Chicago, I really don't want to have that vehicle and find all those parking places to get from one place to another. So, I do continue my support for the Hoosier State, and I hope that the region will take

a close look at this for the time beyond the year that we currently have the subsidies from the cities. Thank you.”

Mayor Dennis said, “Thanks, Tom. Other public discussion for the public hearing? Seeing none, I’ll entertain a motion to close the public hearing.”

Councilor Keen moved to close the public hearing on Ordinance No. 28-13. The motion was seconded by Councilor Burch.

The motion passed by voice vote.

Mayor Dennis confirmed for Councilor Burch that \$200,000 is a firm figure for the year.

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 NAYS.

Mayor Dennis announced that Ordinance No. 28-13 passed on second and final reading.

**NEW BUSINESS:**

Ordinance No. 29-13 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect (GDI Construction) (PDNR to NB) (Submitted by the Area Plan Commission)

Mayor Dennis read Ordinance No. 29-13 by title only.

Councilor Keen moved for passage of Ordinance No. 29-13 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Joe Bumbleburg (Ball Eggleston PC), attorney for the petitioner, GDI Construction, stated that this is a request to build a new Goodwill store in West Lafayette. The site in question is currently zoned PDNR, which is consistent with a planned development that was approved by this Council in 2004. Prior to that change, this was zoned NB, which is the category to which we want to return. The adjacent properties are zoned NB. He stated that clearly, the precedent has been established that this part of Sagamore Parkway is to develop commercially, and with this rezoning the existing uses would remain, the new building would go up, and we would have consistent zoning category though the area. He stated that this will be a Class C buffer zone. He stated that Councilor Keen indicated that he had received neighborhood input over the years about the noise in that area, but the Goodwill store will not have a dumpster to be emptied early in the morning. Nearly everything that is brought to the site is recycled on-site, and what is not is taken away by Goodwill. Mr. Bumbleburg stated that in Lafayette near Target, there is a new

Goodwill store, and he has seen pictures of one built in Anderson, which demonstrates that these people build a good looking building. The current Goodwill store has been outgrown and does not serve our uses well. He stated that the Area Plan Commission (APC) vote was 12 yes to 0 no and a staff recommendation of approval.

Councilor Thomas asked for confirmation that he sees a loading dock on the plans, and asked if it is a two-station dock.

Mr. Bumbleburg responded that it is a two-station dock.

Councilor Hunt asked for confirmation that there were no citizens complaining at the APC meeting.

Mr. Bumbleburg and Councilor Keen responded that there were no citizens there at all.

Clerk-Treasurer Rhodes asked about the tax status of this property.

Mr. Bumbleburg responded that he does not know.

Clerk-Treasurer Rhodes stated that she believes this is a known quantity, and asked what is the tax status of the similar facility in Lafayette, which was cited as an example.

Mr. Bumbleburg responded that he does not know because he did not do that site. He stated that he does know that the Assessor's Office has been very vigilant about putting things that have some form of charity still on the tax rolls. That is a call made by that office.

Clerk-Treasurer Rhodes asked for confirmation that Mr. Bumbleburg is asserting that he does not know, and she asked if there is anyone else with Mr. Bumbleburg who would know the answer.

Mr. Bumbleburg stated that he does not know.

Councilor Dietrich asked if none of the group knows if they are currently being taxed or not.

Mr. Bumbleburg responded that Goodwill is a tenant at the current West Lafayette location, and he assumes the landlord there pays taxes.

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. 29-13 passed on first and only reading.

Ordinance No. 30-13 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect (UZO Amendment #79 Extending The Date For Elevating Existing Residences In The Flood Plain) (Submitted by the Area Plan Commission)

Mayor Dennis read Ordinance No. 30-13 by title only.

Councilor Keen moved for passage of Ordinance No. 30-13 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Councilor Keen explained that this is an extension of the deadline date from December 31 of this year to July of next year to allow people who have homes in the flood plain, that have been damaged or had repetitive losses, to get their homes elevated if they would like to do so.

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. 30-13 passed on first and only reading.

Ordinance No. 31-13 An Ordinance Requesting An Additional Appropriation For The Cumulative Firefighting Building And Equipment Fund (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 31-13 by title only.

Councilor Keen moved for passage of Ordinance No. 31-13 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Fire Chief Heath stated that the \$6,500 are the proceeds from the sale of the 1987 Pierce fire truck that we recently sold, and he is requesting that those funds be used to purchase new radio equipment for current trucks.

Councilor VanBogaert asked for the radio equipment to be described. He asked, considering that a lot of other forms of communication have been consolidated into mobile broadband, if this may be one of the last purchases we make of this type.

Fire Chief Heath stated that it won't be one of the last purchases. He explained that the radios are mobile units that go in the trucks to communicate with dispatch and to the portable radios in the field. There is an upgrade coming in 2015 called a P25 upgrade and all radios that are not

digitally compatible with the current networks will need to be upgraded next year, and we are trying to get ahead of that by purchasing some new ones. He stated that some of our radios are so outdated that they cannot be upgraded. In response to a question from Councilor Dietrich, Chief Heath stated that we will get two radios from the \$6,500.

Councilor VanBogaert asked if the major argument for this technology is that it is very reliable.

Chief Heath responded that it is extremely reliable, and when those systems fail there are State backup systems. There is a failsafe for everything in that system. He provided the example of the recent tornadoes that came through, explaining that some radios in the County went on failsafe to the State backup network, but it was such a fluid transition that they did not notice the switch-over. He stated that he does not foresee the broadband taking over public safety communications for a long time.

In response to an inquiry from Councilor Hunt, Clerk-Treasurer Rhodes stated that there will be a public hearing before a second reading at the next Council meeting in January.

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. 31-13 passed on first reading.

Resolution No. 21-13 A Resolution Authorizing The Mayor Of The City Of West Lafayette To Enter Into An Interlocal Agreement With The City Of Lafayette, City Of West Lafayette, County Of Tippecanoe County And The Area Plan Commission Of Tippecanoe County (Purchase Traffic Counters) (Submitted by the Area Plan Commission)

Mayor Dennis read Resolution No. 21-13 by title only.

Councilor Keen moved for passage of Resolution No. 21-13 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis confirmed that this was discussed at the Pre-Council meeting.

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. 21-13 passed on first and only reading.

**COMMUNICATIONS**

► Councilor Bunder stated that he has an item related to Williamsburg on the Wabash. He asked that attention be called to the *Tippecanoe County Student Rental Unit Report and Survey*, prepared by the Area Plan Commission, and released in November 2013. He stated that it has a number of recommendations, and he read the list as below:

1. Support the land use recommendations in the New Chauncey Neighborhood Plan and create a land use plan for West Lafayette’s downtown (Chauncey Village), the Levee and area south of State Street.
2. Continue to support redevelopment efforts centered on West Lafayette’s downtown (Chauncey Village) and that stretch along State Street (from the campus boundary to the Wabash River), Northwestern Avenue (from State Street to Meridian Street) and the area south of State Street.
3. Prepare for the adaptive re-use of multi-family rental units built for students beyond the near-campus area.
4. Discourage the development of multi-family, residential developments on the urban fringe that are not along a transit route and not adjacent to a major commercial activity center.
5. Explore the creation of near-campus, municipal public parking facilities and investigate creating a residential parking permit program for the area south of State Street to increase parking efficiency and availability for residents while discouraging commuter students, faculty and staff from parking there.
6. Continually monitor Purdue’s on-campus housing planning and construction efforts to ensure proposed off-campus residential development is in fact needed.
7. Encourage Purdue to review annually the C-permit boundary limits so that they keep up with urban expansion, with the first expansion area to be considered being west of the campus to US 231.

Councilor Bunder noted that this is on the APC website, and he believes it would be important for the Council to be familiar with that report.

Councilor VanBogaert stated that he found the most remarkable statistic in that to be that in 2013 the average residential vacancy rate for rental property in Lafayette was approximately 6.5% and in West Lafayette it was close to 1.6%, but that was also the highest figure in the report.

#### CITIZEN COMMENTS

► Mr. Kesler brought attention to the fact that leaf collection is difficult on Maple Street due to the parking situation there during business hours. He stated that he is still collecting concrete and noted a large piece he saw recently.

► Zachary Baiel (124 Connolly Street) thanked Councilor Dietrich for bringing up concerns regarding Faith West as he likes to hear that some taxes may be garnered from their business. He expressed his appreciation for the ongoing conversation about signage in the New Chauncey neighborhood, and stated that the wall signs are down, but several freestanding signs have been put up in their place. He stated that the death in the fire on Lutz Street is deeply concerning in a multitude of ways and he is looking forward to learning more about it. He noted that Goodwill also develops a lot of adult education charter schools, and he asked if that is part of the development.

Councilor Keen stated that there was no mention of it at the APC meeting.

Councilor Bunder noted that the Excel program is available in Lafayette and that it is a separate business unit.

► Chris Kulesza (190 Burke Court, Apt. 312), Vice-President for External Affairs for the Purdue Graduate Student Government (PGSG), thanked Councilor Burch for attending PGSG's last event at the museum. He stated that during their last Senate meeting, they unanimously passed a resolution honoring Councilor Dietrich for his retirement from the Purdue Police Department. He stated that PGSG will need assistance from the City to put together a housing guide for new graduate students, including information such as property ratings from other students and rental rates.

Mayor Dennis asked Mr. Kulesza to talk to Director of Development Poole.

Councilor Hunt mentioned stated that at a Community Relations Advisory Committee meeting, they had a panel of students. One was a graduate student who lives in Lafayette and he mentioned that many graduate students live there. She asked Mr. Kulesza if that would be part of PGSG's study or manual.

Mr. Kulesza responded that right now they plan to focus on the West Lafayette properties, but may one day expand to Lafayette.

#### ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting the time being 7:43 p.m.