

Subject to approval at the February 4, 2013, Common Council Meeting.

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
PRE-COUNCIL MINUTES  
JANUARY 3, 2013

The Common Council of the City of West Lafayette, Indiana, met in Council Chambers at City Hall on January 4, 2013, at the hour of 4:30 p.m.

Council President, Councilor Hunt called the meeting to order and presided in the absence of Mayor Dennis.

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

Absent: Dietrich, Mayor Dennis, Keen

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, Police Chief Dombkowski, Street Commissioner Downey, Human Resources Director Foster, Parks Superintendent Payne, Information Technology Director Newman, Director of Development Poole, and Assistant City Engineer Susong.

UNFINISHED BUSINESS:

Ordinance No. 34-12 An Ordinance Establishing User Fees To Be Collected By The City Of West Lafayette From Owners Of Property Located Within The City. (Sponsored By Mayor John Dennis)

Councilor Hunt read Ordinance No. 34-12 by title and asked the Council if this item should be postponed as a formal vote on Monday, or at this meeting.

City Attorney Burns responded that either is permissible, it could be done now or wait until Monday.

Councilor Burch asked if there would still be a public hearing.

Councilor Hunt asked if there could be a second public hearing if the ordinance is postponed at this meeting.

City Attorney Burns responded that yes, it can be done both times, just adjourn Monday night after hearing public comment, then hold another one at the next meeting.

There was no further discussion.

NEW BUSINESS

Ordinance No. 01-13 To Rezone Certain Real Estate Within The City Of West Lafayette, Indiana And Designating The Time When The Same Shall Take Effect (The J.C. Hart Company, Cumberland Proper PD) (OR to PDRS) (Submitted by the Area Plan Commission)

Councilor Hunt asked Joe Bumbleburg if he would like to speak about Ordinance No. 01-13.

Mr. Bumbleburg (Ball Eggleston PC), attorney for the petitioner, stated that the Cumberland Proper request is to zone a piece of ground from OR to PDRS. It is for 266 units, 497

bedrooms, and it is on 19 acres. He described the location of the project as being at Cumberland Avenue, where the construction is about to start, north toward the Old Great Lakes building, the to the west of the drainage facility that runs through there. Mr. Bumbleburg stated that the staff report is the result of more meetings than he has seen on a planned development in his career. There were discussions, multiple drafting of documents, compromises, and suggestions. One list received from the Area Plan Commission had 65 suggestions on it. Things were looked at, such as the trail, drainage, separation with the neighbors, how the area was to be influenced, and the road construction. The staff report from the Area Plan Commission had a 14 - 0 affirmative vote.

Todd May (JC Hart Company) stated that they have worked very diligently with Area Plan Commission staff and many City of West Lafayette officials to create this special project. He stated that JC Hart is a central Indiana company formed in 1976. Since that time they have focused solely on the development of upscale luxury apartment communities. The majority of the company's 3,800 apartment units are in central Indiana. This project is directly across the street from the Purdue Research Park. He stated that the luxury apartments JC Hart focuses on appeals to young professionals, and the fastest growing segment of their business, which are empty nesters. The empty nesters choose to rent, though they could easily buy a home. He stated that the company wanted to create an opportunity and a community that appealed to that market segment that is not currently being met in West Lafayette. He stated that obviously, West Lafayette apartments are predominately for students. When the company did market research, every single property asked if help was needed with finding a roommate, and some offered fully-furnished units and leases by the bedroom. Mr. May stated that JC Hart Company does not lease by the bedroom, they lease by the unit. He stated that people who work for local businesses likely do not want to live with students. Something more upscale, professional, and quiet would fit that lifestyle. Therefore, the types of buildings created for this project are for that segment. There are seven different building types, all with different brick and stone facades, different color combinations. Apartment communities are generally a monotony of design, with every building looking the same and being the same size. This project is not that. Every building looks different and are mixed together to create a community that you can drive through. He asked the architect and land-planner, Gary Weaver, to go through the site plan and building layouts.

Gary Weaver (Weaver Sherman Design) stated that typically when you drive into most apartment projects, you drive into a large parking lot, and the buildings are placed on parking lots. This project has a variety of types of building, plus the biggest difference is the way the buildings are placed in the site plan. When you drive into this project, it will be like driving into a normal neighborhood, where you drive through a boulevard street, and all of the buildings will face the street. All of the buildings have a front door and a back door. Additional parking is in the back of the buildings, so it is all off of secondary roads, which provides the idea of having a complete street. This means buildings, parallel parking along the street, sidewalks, and eventually a canopy of trees along the street. The other thing this does is instead of having one big parking lot, it breaks the parking requirements down into little pieces. For example, within each building, there are individual garages. Some of them have direct access into the units while some have access to a common corridor. All guest parking is on the street. Mr. Weaver stated that the north of the project is near single-family neighborhoods, so the building scale was broken down more with a series of duplexes. This will allow for a typical street and back yards of these units will back up to the back yards of the single-family homes. He stated that a tree survey was done of that area between the single-family and duplexes and is part of their landscaping commitment in terms of tree preservation and screening. Additionally, adjacent to the duplexes, is a series of townhomes, which diversifies the market for the young professional

who wants the choice of renting instead of buying a home. Mr. Weaver provided details of the various building types using drawings. He stated that typically they have smaller buildings with the units appearing on the corners, giving the ability to have light on two sides. Typical amenities include screened-in porches, bay windows, and similar things that make the buildings more upscale than a typical apartment. He stated that typical amenities for the clubhouse include an exercise area, a half-court basketball gymnasium, a club room, and the sales office and maintenance is in the clubhouse. He stated that once the project is complete, it will be quite different and will cater directly to the market that Mr. May spoke about.

Councilor Bunder asked where the stormwater goes.

Mr. May responded that there are two different dry detention basins.

Councilor VanBogaert asked Mr. Bumbleburg to explain the focus of the meetings for this project.

Mr. Bumbleburg replied that everything was discussed. He said that the difference in this project from others is displayed in these drawings, with the different sizes and shapes of the buildings. It created more give-and-take on what the buildings should look like, including little things such as where hallways would be placed, and what type of windows are used. He stated that there was hardly a stone left unturned. The types of streets, the parking and garages, where the trash goes, where bicycles get parked, and how far away from the lot line will these buildings be from the neighbors were all discussed.

Councilor Burch asked if the garages were one-car or two-car.

Mr. Weaver answered that there are both types depending on the building.

Councilor Hunt noted that this is close to the Celery Bog. She stated that we have tried hard to increase recycling. She noted that the plans include a trash compactor, but wondered if recycling was considered. She noted that this project is about as far away from the 24-hour drop-in recycle center as one could get.

Mr. May responded that the trash compactor area has extra square footage inside the wall, and will have up to six totes for different types of recycling. He stated that these have been provided at other locations and have been very popular.

Councilor Hunt asked how tall the highest building is.

Mr. Weaver responded that the highest building is a three-story building. He stated that 9-foot ceilings are used because it appeals to the people that would rent them.

Councilor Bunder asked if this is in the Tippecanoe County school corporation.

Councilor Hunt asked Mr. Bumbleburg to find out the answer to that for the Council meeting since no one was certain. She then asked if there would be 24-hour in-house management.

Mr. May responded that most of the people who work for them typically live on-site. There may not be a manager there, but at least one maintenance person would live on-site. They do have 24-hour maintenance service. At the request of Councilor Hunt, Mr. May added that this is a one-of-a-kind development. They have never done anything quite like this and it will be the only

time they do something like this. They have done projects where they have mixed building styles and looks where it looks like a community, but this is something that is very fitting for the community, so nothing like it will be seen before or after.

There was no further discussion.

Ordinance No. 02-13 To Amend Certain Portions Of The Unified Subdivision Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect (USO Amendment No. 6) (Regarding Revisions and Additions to Primary Approval Effective Periods and Extensions) (Submitted by the Area Plan Commission)

Councilor Hunt read Ordinance No. 02-13 by title only.

Assistant City Engineer Susong explained that this is a way to extend the period of time that subdivisions can be built in. It went from five years to ten years, as explained in the staff report. He stated that this is a result of the economy, due to things slowing down. The time has been routinely extended on an individual basis. This provides a blanket solution instead of going through that process each time.

Councilor VanBogaert asked if this means that once a subdivision is approved, but the lots are not all developed in that time, then they need to seek special approval to be able develop the undeveloped lots.

Assistant City Engineer Susong responded that as he understands it, it is not the lots but sections of the lots.

There was no further discussion.

Ordinance No. 03-13 To Amend Certain Portions Of The Unified Subdivision Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect (USO Amendment No. 7) (Replace the Final Plat Mylar Requirement with a Digital File Requirement) (Submitted by the Area Plan Commission)

Councilor Hunt read Ordinance No. 03-13 by title only.

Assistant City Engineer Susong explained that this is to bring everything up to new technology. Instead of using mylar to make copies of drawings and plans, and now everything is in electronic format.

There was no further discussion.

Ordinance No. 04-13 An Ordinance To Approve Blanket Bond Coverage For 2013 (Prepared by the Clerk-Treasurer)

Councilor Hunt read Ordinance No. 04-13 by title only.

Clerk-Treasurer Rhodes stated that this is the approval needed to use the blanket bond form of insurance instead of individual surety bonds, which are much more expensive. We exceed the coverage levels required by statutes. The process is to ask for approval in two readings on the same night so this can be filed within ten days of the beginning of the year. Also, the Mayor and Council President sign on the Certificate of Insurance, and the documents are recorded.

There was no further discussion.

Ordinance No. 05-13 An Ordinance To Name Depositories For The City Of West Lafayette  
(Submitted by the Clerk-Treasurer)

Councilor Hunt read Ordinance No. 05-13 by title only.

Clerk-Treasurer Rhodes stated that this item must be approved by the Council every two years. It is the same provisions as previously which allows deposit of City funds in any depository eligible to be used as a depository by the State Board of Finance.

Councilor Hunt asked if changes were made two years ago.

Clerk-Treasurer Rhodes responded that yes, the changes broadened it to make it so that any institution that is qualified by the State Board of Finance is qualified to hold our deposits, and for us to buy certificates of deposit.

Councilor VanBogaert asked if we have a broader deposit policy?

Clerk-Treasurer Rhodes responded that this is the policy. We used to recognize the boundaries of the City, then the County boundaries.

Councilor VanBogaert asked if there were requirements for a certain percentage of the money to remain invested locally.

Clerk-Treasurer Rhodes responded that depending on the kind of deposit arrangements that are made, there could be some limitations, but in practice the answer is no.

Councilor Burch asked if two readings are needed.

Clerk-Treasurer Rhodes responded that it would be fine, but it is not as time-sensitive as the recording of the blanket bond.

There was no further discussion.

Ordinance No. 06-13 An Ordinance Providing For Temporary Loans And To Extend The Time For Repayment Of Temporary Loans Outstanding From 2012 (Prepared by the Clerk-Treasurer)

Councilor Hunt read Ordinance No. 06-13 by title only.

Clerk-Treasurer Rhodes explained that this is a combination request. The first portion is to have an extension of temporary loans from 2012 to extend until January 31, 2013. That portion is similar to the request from last year. Again, it has to do with the delay in the City's third party COBRA administrator in remitting premiums. The lag is nearly two months, resulting in insufficient funds at the end of the year to make the payments out of the funds that designated for these. The loans would be paid back by January 31. However, in order for the loan period to be extended, the Council needs to use emergency powers to extend temporary loans. The total amount is \$36.88. Clerk-Treasurer Rhodes stated that the second portion of the ordinance is to provide her with temporary loan authority used throughout the year, as needed. The

amounts are similar to last year's amounts and are only drawn as needed. They are repaid by the end of the year, as were all temporary loans previously authorized by the Council for 2012.

Councilor Hunt asked if that meant the \$1.3 million was repaid.

Clerk-Treasurer Rhodes stated that authority was provided in 2012 for an amount close to that. All loans made, in fact the entire authority was not used, were repaid by December 31, 2012. However, new authority is needed for 2013. Clerk-Treasurer Rhodes asked for two readings.

Councilor VanBogaert asked if the emergency powers are limited to that particular item.

Clerk-Treasurer Rhodes stated that yes, the \$36.88 carried over from the loan from December 31, 2012 to January 31, 2013.

There was no further discussion.

#### COMMUNICATIONS

There were no comments.

#### ADJOURNMENT

There being no further business at this time, Councilor Hunt took the consent of the Council and adjourned the meeting, the time being 5:11 p.m.