

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
JULY 30, 2009

The Common Council of the City of West Lafayette, Indiana, met in the Lower Level Conference Room at City Hall on July 30, 2009, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

Present: Bunder, Burch, Dietrich [arrived at 4:54 p.m.], Hunt, Roales, and Thomas [arrived at 4:32 p.m.].

Absent: Keen.

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

INTRODUCTION

Director of Development Poole introduced Tripp Muldrow of Arnett Muldrow Associates, who is the consultant for the City's strategic plan. He and his staff will interview groups and individuals as they assist in developing the road map to guide the City.

Mr. Muldrow said that he looked forward to working with City leaders, beginning in September, and having one-on-one interviews, small group work sessions, and public meetings. The firm will meet with each Councilor individually later on in the process.

Mayor Dennis stated that the preliminary meeting of the strategic plan was held today, and it went well. There was good turnout with good dialogue.

AGENDA ITEMS

► Councilor Hunt reported that Councilor Burch would present the Beautification Award. Councilor Bunder showed photos of the Arbor Chase entrance into the subdivision. The award will be presented to Arbor Chase and to Scott Blankman, who is the landscape designer.

► Police Chief Dombkowski announced that Marcus Slifer would be named Officer of the Quarter.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Ordinance No. 15-09 An Ordinance To Amend The Zoning Ordinance Of Tippecanoe County, Indiana – Rezone Certain Real Estate From R3W to PDRS (440 S. Chauncey Ave.) (Submitted by Area Plan Commission)

Mayor Dennis read Ordinance No. 15-09 by title and stated that this ordinance is in conjunction with Ordinance No. 18-09. He asked for consensus of the Council to discuss both ordinances at the same time.

and

Ordinance No. 18-09 An Ordinance Vacating A Portion Of South Chauncey Avenue In The City Of West Lafayette, Indiana (Submitted by Daniel A. Teder, Sponsored by Mayor Dennis)

Mayor Dennis read Ordinance No. 18-09 by title, and noted that he is submitting the ordinance for consideration.

Councilor Burch asked if Ordinance No. 18-09 (Amended) is the item under consideration. City Attorney Burns responded that it has not been approved by the Council yet. Councilor Roales asked what necessitated the amendment.

Mr. Dan Teder [of Reiling Teder & Schrier, representing the petitioner] mentioned that this is an unusual situation, in that these two ordinances are interrelated, so it is prudent to consider them together. He thanked Mayor Dennis for sponsoring the ordinance, since he did not realize that sponsorship of legislation was becoming mandatory in West Lafayette. Mr. Teder stated that the amendment was to clarify that, once any vacation is recorded, the street or alley is divided in half, with half to the property owner on one side, and half goes to the property owner on the other side. The new exhibit shows that the west half of the vacation goes to Mr. Cochran, and the east half to Mr. Fleischhauer.

Mr. Teder said that he had Street Commissioner Downey and Councilor Hunt look at it. The length of the street in question is about 150 feet of South Chauncey, and the only people who use that are Cochran on the west side and Fleischhauer on the east side. The only additional part is that the City enters the area in emergencies, for trash, and for snow removal. There will be an easement provided for those purposes. Both City Attorney Burns and City Engineer Buck are, Mr. Teder reported, satisfied with the arrangement.

Mr. Teder is asking the Council to pass the amendment by substitution of Ordinance No. 18-09 on Monday [the August Council meeting], then to hear that amended ordinance on first reading. He asked that Ordinance No. 15-09 not be heard until the September meeting, after Ordinance No. 18-09 (Amended) is passed at that meeting. In this way, the vacated street becomes a part of the property and becomes a part of the Planned Development. Both Area Plan and City Attorney Burns agree with this approach.

Mr. Teder described the rezone of 440 South Chauncey Avenue [Ordinance No. 15-09], which currently has an eight two-bedroom apartment building and two storage buildings, noting that the property is shabby and dilapidated. The intent is to raze the buildings on the property and to construct 23 two and three bedroom units with a total of 51 bedrooms and 52 parking spaces. The APC requirement as part of the planned development is that there is a covenant that there is only one person per bedroom. Councilor Hunt shared photos of the property she had taken.

Mr. Teder said that the property has about 9,000 square feet of greenspace, more than 35%; the requirement of the ordinance is for 30%. There will be more greenspace to the south of the site, as there is a ravine with woods. There will be a retaining wall to protect the walls, as is required by APC. None of the neighbors objects. APC had no objections. He offered to answer any questions.

Councilor Roales asked who FRP is. Mr. Teder answered that is the present owner of the property. There is consent from the present owner who is Fleischhauer. Greg Milakis of MC Woods is the name of the developer. Councilor Roales questioned whether it would be managed by Fleischhauer ultimately. Mr. Teder said it would be managed by Milakis, and noted that both Mr. Milakis and Mr. Cochran were present. Councilor Roales stated that it is not clear on the exhibit whether the drive will continue through the Cochran property at 440-450 South Grant. Mr. Teder provided another drawing that clarified the situation. Mr. Milakis said that the alley would remain. Councilor Roales said he was concerned about ingress and egress for the Fire and Police Departments. Mr. Teder reported that he and his clients had met with City Engineer Buck, and everyone else has looked at it. There is a sewer that the City will maintain, and the Street Department needs to be able to turn around for trash pickup and snow removal.

Councilor Roales asked City Engineer Buck whether the parking was perpendicular. Mr. Buck replied that it was angled. Councilor Hunt asked if the parking was on the side, away from Cochran perpendicular to the street. Mr. Teder said that north of it, it is. Councilor Hunt said there were two or three parking spaces in the area that are perpendicular.

Councilor Hunt asked for confirmation that the Council would vote on Ordinance No. 15-09 at its September meeting. Mr. Teder confirmed that, reporting that the vacation is part of the rezone, and Ordinance No. 18-09 as it will be amended on Monday during its first reading.

Councilor Roales asked if Ordinance No. 15-09 would be on first reading in September. Mr. Teder responded that it only needs one reading, but he felt that it was important to talk about both together.

Councilor Hunt asked how many three bedrooms versus how many two bedrooms. Mr. Milakis said there were 5 three bedrooms and 18 two bedrooms. Councilor Hunt asked where the outlot is that is talked about in the APC document, two paragraphs before the staff recommendation, "As part of this Planned Development, a 0.16 acre outlot..." City Engineer Buck answered that is the point of the triangle on the east half of the lot, not buildable for the developer. Councilor Hunt read that it "is being reserved for conveyance to the adjoiner in the event the land could be combined with adjacent properties for development under a separate application," and that that made her nervous. Mr. Teder said that Councilor Hunt did not walk to the area in question, as she would have needed hiking boots. What is being discussed is that it is greenspace, and the adjoining property owner may want to acquire it for additional greenspace for their property.

Councilor Hunt asked Street Commissioner Downey to discuss the steps. Mr. Downey stated that his department would recycle the steps and use them at the Street Department for use with the calcium tank, saving the City money.

Councilor Hunt asked if everyone was satisfied with the easements for the Wastewater. City Attorney Burns said that it is fine.

Mr. Teder thanked the Council.

There was no further discussion.

Ordinance No. 16-09 An Ordinance Requesting An Additional Appropriation – Perimeter Parkway Fund (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 16-09 by title and asked Clerk-Treasurer Rhodes to discuss it.

Clerk-Treasurer Rhodes explained that this additional appropriation is related to the extension of the Perimeter Parkway Project recently approved at Board of Works. She called on City Engineer Buck to update the Council.

City Engineer Buck said that this is for Supplement No. 1, geotechnical services, and Supplement No. 2, right-of-way engineering services. Those are delayed until the beginning of the engineering survey work, so that the scope of the services is clear. Because this is a federal aid project, some of the supplements are a part of the agreement, because additional detail is needed to enter into those supplements. Phase IA Part 1, primarily along Harrison Street, now has sufficient detail, thus necessitating the additional appropriation authority.

There was no further discussion.

Ordinance No. 17-09 An Ordinance Requesting An Additional Appropriation – Cumulative Firefighting Building & Equipment Fund (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 17-09 by title and asked if there were questions. He clarified that the appropriation is for the 10% match.

Councilor Roales asked if the Fire Department would be selling the old equipment and the price the department hopes to get. Mayor Dennis answered that the equipment will be sold. Clerk-Treasurer Rhodes added that Fire Chief Drew has not determined what kind of selling price he would ask.

There was no further discussion.

COMMUNICATIONS:

► Councilor Hunt said that she, Councilor Bunder, and Councilor Roales went to the Community Partnerships meeting yesterday. The topic of crosswalks was discussed. She asked for Police Chief Dombkowski or City Engineer Buck to inform the Council, so that they can educate people about where those crosswalks will be, the State law, etc.

City Engineer Buck explained that, at the request of several people at Purdue, the City Engineer's Office looked at specific locations on Russell Street along the cross streets, as well as at the intersection of Grant and North Streets. The Traffic Commission approved additional signage and pavement markings at five locations, at the North and Grant intersection, in front of the West Lafayette Public Library on Columbia and Northwestern, and three locations on Russell Street—one existing at Third Street, a stop-controlled intersection; at Fourth Street; and at First Street. Traffic on Russell, by State statute, must yield to pedestrians in the crosswalks. In conjunction with that, University and West Lafayette Police will provide additional education and enforcement in those areas.

Police Chief Dombkowski added that the crosswalks will look different from others in the community, in that they will be very visible, heavily signed near the travel way. City Engineer Buck said that there would be yield line symbols, as well as signs that say "Yield Here to Pedestrians." Chief Dombkowski stated that the enforcement and education are joint efforts between West Lafayette and Purdue University Police Departments. His department will pay for its portion from the overtime budget and not request additional appropriations from the Council. The largest issue is driver education, getting them to yield to pedestrians. At this point, there will be no targeting of pedestrians who jaywalk; the effort is to get pedestrians to use the crosswalks. The Chief said that, if the crosswalks in these areas are successful, there might be other areas of the City that use them.

Councilor Thomas asked for more information about the educational component. Police Chief Dombkowski replied that the University community will learn of the pedestrian crosswalks at Boiler Gold Rush and other back-to-school venues, and the City's will be education in the media. Mayor Dennis asked Chief Dombkowski to clarify the law. The Chief explained that the law for stopping for pedestrians is that pedestrians have the right-of-way in designated crosswalks. Mayor Dennis added that Purdue Student Government would also be involved.

Councilor Bunder said he wanted to lobby for a painted crosswalk at Stadium and Grant, because left-turning drivers do not yield to pedestrians.

► Mayor Dennis noted that Mike Malik of the *Journal and Courier* is leaving the community, and moving to Bloomington.

► Street Commissioner Downey said that Northwestern Avenue is down to two lanes, one in each direction for the next several days. The slip lining of the sanitary sewer should be completed by mid-week next week.

ADJOURNMENT:

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 5:07 p.m.