

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
AUGUST 3, 2009

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on August 3, 2009, 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, Roales, and Thomas.

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.

MINUTES: Councilor Keen moved for acceptance of the minutes of the July 6, 2009, Common Council Meeting. Councilor Hunt seconded the motion, and the motion passed *viva voce*. [The July 2, 2009, Pre-Council meeting was cancelled.]

COMMITTEE STANDING REPORTS:

STREET, SANITATION, AND WASTEWATER TREATMENT UTILITY:

Councilor Bunder said thank you, Mr. Mayor. Ordinarily I do reports from [Wastewater Utility Director] David Henderson and [Street Commissioner] David Downey. In terms of streets, though, I suspect the only thing that is exciting is the crosswalks and the status of Salisbury. I don't know if we want to say anything about that for the record or not. I leave that to your discretion.

Mayor Dennis said what's the pleasure of the Council? Would you like get an update on that?

Councilor Hunt said yes, sure. Dave [City Engineer Buck] will have a captive audience.

Mayor Dennis said we've got a small agenda, so we want you guys to get your money's worth anyway. Mr. [City Engineer] Buck, if you would, please, approach the podium.

City Engineer Buck said the two items you mentioned, crosswalks, they are underway, being installed now. We are waiting for some signs that have been ordered to come in. There's a special post base that those are being attached to the pavement with that is breakaway, because some of the signs are going to be out near the edge of the parking lane. So they will be more visible, but the pavement markings are, for the most part, down, and the only thing left to do is put the signs in. Again, those were at five locations near campus, three along Russell Street and two in the Village area, one at Northwestern and Columbia, and the other one at North Street and Grant Street. I've actually been out there quite a bit, and I've actually been yielded to, as a pedestrian. The other, the Salisbury Street Project is moving along very well. They've had a nice stretch of good weather. They're moving along the west side. There have been several driveways get poured and placed in concrete, and they're also putting in sidewalks. So the curb is done, storm sewers are installed, and they're making their way up the

west side with new sidewalks and the new driveways in the right-of-way. We hope they're going to get finished—

Councilor Bunder said by the time the students get back.

City Engineer Buck said well, I don't know if we'll be done by the time the students come back, because that's like day after tomorrow or something like that. In a couple of weeks, they'd still have asphalt resurfacing to do and underneath that they will first patch concrete joints in the original old concrete roadbed. A lot of the transverse cracks that you drive across and feel when you drive are actually underlying cracks in the concrete pavement underneath that's broken apart. So the first step will be to patch those locations on an as-needed basis, and then overlay the entire street with actually two layers of asphalt. So it will be thicker.

Councilor Hunt said Mr. Buck— May I ask a question, sir?

Councilor Bunder said you certainly may, madam chairwoman.

Councilor Hunt said would you remind us of the State law about drivers and pedestrians in crosswalks?

City Engineer Buck said I would ask the Police Chief to correct me, if I state it incorrectly, but a pedestrian in a legally-marked crosswalk has the right-of-way. So motorists are to yield to a pedestrian in a legally-marked crosswalk.

Councilor Bunder said how about Windsor and Sycamore? How are they doing?

City Engineer Buck said well, Sycamore Lane has been a utility relocation project thus far, and our contractor, Milestone Contractors, actually is hopefully going to be moving on site as early as tomorrow. If not, we have a progress meeting on Wednesday. So sometime mid-week, we should start seeing Milestone guys start actually working, and the Indiana-American Water crews finish their water line relocation work. So far, it's all been utility work, underground mostly, but also Duke Energy and Verizon on the utility poles that have been moving. It's been a slow process, but we're anxious to get started on the new sidewalks and traffic calming measures.

Mayor Dennis said great stuff.

Councilor Bunder said thank you very much.

Mayor Dennis said thanks, Dave [City Engineer Buck]. Anything else, Councilor Bunder?

Councilor Bunder said I thank Mr. [City Engineer] Buck for his patience.

Mayor Dennis said okay, thank you.

#### PUBLIC SAFETY AND ORDINANCE:

Councilor Keen said thank you, Mr. Mayor. During the month of July, the West Lafayette Fire Department, the Tippecanoe County Emergency Ambulance Service, and the St. Elizabeth Hospital all participated in a national research study conducted by Western Michigan University and the American College of Cardiology Foundation. They had an actor who mimicked symptoms of a heart attack, and this patient was then treated. The whole thing was videotaped

and reviewed for initial treatment through the continued treatment during the first several hours of hospital stay. All three agencies—the West Lafayette Fire Department, the Tippecanoe County Emergency Ambulance Service, and St. Elizabeth—all received very high marks for their efforts, and a lot of praise from the independent reviewers who reviewed the whole thing. We've done very well. So congratulations to the Fire Department. Also during the month of July, the West Lafayette Police Department handled over 1,200 calls, which was up about 0.05% from June. That concludes my report.

#### PURDUE RELATIONS:

Councilor Roales said thank you, Mr. Mayor. Summer commencement is Saturday, August 8, and 1,200 new alumni will be created and have fond memories of their time in West Lafayette as they go into the world. We don't get a long reprieve, as freshmen will start to move in on August 15. So just 12 days from now, the West Lafayette community area will increase in size 20% in just two days. If you're going to need to go to Wal-Mart sometime in the next month, I recommend doing that soon. Classes, of course, start on the 24<sup>th</sup>, and on the 25<sup>th</sup>, many of my fellow councilors and City administrators—and I invite everyone—help the community welcome back the students by distributing pamphlets, largely in the New Chauncey areas, but in areas where we see a lot of community and student interaction. It's been a well-run program in the past, you get a free t-shirt, it just takes an hour or so of your time. You get to go out and knock on doors and take a little walk through our community. It's usually a good time. And so I'd invite all the department administrators and councilors and anyone really here. It's 6:30 p.m. at the Northwestern Parking Garage Visitor Information Center on Tuesday, August 25. That was announced and put together by the West Lafayette-Purdue Community Partnerships group, which met here in the City Hall last Wednesday. It was well-attended, and we discussed numerous issues, some of which have been highlighted already. That group continues to make progress. Lots of new business activity in the campus area. We're seeing strong interest from national developers and national tenants. Mr. [Director of Development] Poole has more information, if you're interested in the details, but there's lots of continued activity, and that's good sign for our community as well.

Mayor Dennis said it sure is.

Councilor Roales said thank you, Mr. Mayor.

Mayor Dennis said thank you, Paul [Councilor Roales]. Again, just to reiterate what Paul said, August 25 at the Visitors Center at 6:30. We did this last year, and it's amazing. The students are so surprised to see the City take such a proactive approach to welcoming them into our community. The only issue we had last year was that I had to tell the Chief to put his gun away, because a lot of kids thought, when we went knocking on the door, their first words were, instead of "What do you want?" was "Do you have a warrant?" Anyway, all those who choose to participate are more than welcome.

#### PARKS AND RECREATION:

Councilor Hunt said thank you, Mr. Mayor. Tapawingo Park had several festivals in July. The Dancing in the Streets was July 18, and the Cruise and Concert for Kids was July 25. I know the Go Greener program had a lot of recycling during that. Also there was River Fest, and even though it took two heats, West Lafayette continued its championship over Lafayette in the voyageur canoe race. I hear we veered a little bit in one direction. The summer sports program and the playground program have been completed. In Cumberland Park, the coed softball tournament started, the men's softball tournament is about to begin, and recreational use soccer starts in August. The last day to enjoy the municipal pool is August 16. The Community

Schools start the next day. There were 1,446 people who had swim lessons. Global Fest is September 5 at Morton and it's always fun. Art on the Wabash will be September 20 in Tapawingo Park. There was a review for some of the artists that we've had before held—a reception, actually, held at Ivy Tech last week, and several of us went. And the Sagamore West Farmers Market continues to be open on Wednesdays from 3:00 to 6:30. The next Park Board meeting is August 17 at 4:30 p.m. in City Hall. That's it.

ECONOMIC DEVELOPMENT:

Councilor Thomas said thank you, Mr. Mayor. The Community Development Block Grant Program, we received notice from HUD for the release of funds for the 2009-2010 grant period in the amount of \$442,185. Notification of approval of the CDBG Recovery Program funding request, in the amount of \$117,571 was received on July 23, 2009. Atlas Building Services, Inc. has been contracted for the exterior painting of Fire Station No. 1, in the amount of \$19,293.60. The Development Department continues to interview applicants for the two vacant positions, the Housing Program Coordinator and Marketing/Grants Administrator. Interviews will continue until suitable selections are found. The first meeting of the 2009 Strategic Plan update has taken place. The consultant, Arnett Muldrow & Associates, paid a visit and met with the Mayor's Steering Committee. Arnett Muldrow will hold public sessions, one-on-one meetings with the City Council and department heads, and meetings with organizations within our community. The Development Department has met with representatives of the U.S. Census concerning the 2010 census. Marketing efforts will get underway in January of 2010. As you may have noticed, there is steel being erected on the Aldi's site, just north of Sagamore Parkway across from the old K-Mart location. Work continues on that. It looks like much progress is being made. Also, there was an open house held for Sorrento's, also on Sagamore Parkway, for their new location. If you also noticed the nice-looking Taco Bell renovation, it's added a nice touch to Sagamore Parkway. Also, the Tapawingo hotel location at State Street and Tapawingo Drive continues to be discussed. That seems to be moving forward. There have been plans looked at, as far as the design of the hotel. I think the plans are much closer to what the City would like, as far as a design is concerned. That continues, and we look forward to progress there. That concludes my report, Mr. Mayor.

PERSONNEL:

Councilor Burch said thank you, Mr. Mayor. I think the first thing I'm going to have to do is inform people which part is my part of the report. We've got good news. The first part of the good news is that the City has recently hired Michael Thompson as Assistant City Engineer. Mr. Thompson, if you'd like to stand up, so folks can see who you are.

Mayor Dennis said approach the podium. This is a rite of passage. It's like freshman initiation. If you would, please, Mike, why don't you tell us a little bit about yourself.

Mr. Thompson said I went to Rose-Hulman Institute of Technology, and worked four years in Indianapolis at a design firm. I'm married to Kylie Thompson, and she's an ICU nurse who just got hired at St. Elizabeth.

Mayor Dennis said welcome aboard.

Mr. Thompson said thank you.

Councilor Burch said welcome aboard, Mike. Our second bit of good news is that Mr. Rick Walker has joined the Police Department on July 31, as Code Enforcement Supervisor, heading up the Neighborhood Resource Team. So, Mr. Walker, you get to come forward.

Mayor Dennis said why don't you tell us a little bit about yourself, Mr. Walker?

Mr. Walker said I originally hail from the west side of the Indianapolis area. I moved here some 25 or so years ago, to serve with the Sheriff's Office here in Tippecanoe County, where I've done that with, hopefully, some good efforts over the years. We're here now, looking forward to really—first of all, I guess, to follow the pattern, I'm married to Kate, who's active here in our United Way efforts here in the community. I'm looking forward to being on board and implementing some of the things that the City's doing. It's a great community, a great city, and I'm just happy to be on board.

Mayor Dennis said welcome aboard.

Councilor Burch said welcome aboard. As Councilor Thomas pointed out, recruiting efforts are underway for the Housing Program Coordinator and Marketing/Grants Administrator. The bit of bad news here is that, last week, Debbie Windle-Harlow left the Mayor's Office as our Office Assistant. We regret that she left, but she went on to bigger and better things. The good news is that today the Board of Works approved the hiring of Rachael Weaver as the City's receptionist. That concludes my report, Mr. Mayor. Thank you.

#### BUDGET AND FINANCE:

Councilor Hunt said thank you, Mr. Mayor. The only news is that the Budget and Finance Committee, which is basically almost all the Council, will have a meeting sometime late next week or early the next week, to try to look at the compilation of the semi-final budget. So we're going to look at that and see what we can do. Thank you, Mr. Mayor.

#### REPORT OF APC REPRESENTATIVE:

Councilor Keen said thank you, Mr. Mayor. There are a couple of things on the agenda tonight that were discussed in APC, and I'm going to defer my comments to those, Ordinance No. 15-09 and Ordinance No. 18-09.

#### PUBLIC RELATIONS:

##### Special Invitation

Mr. Dewayne Moffitt, Executive Director of Hanna Community Center, invited the Council and public to the 27<sup>th</sup> annual Hannafest, which is held on Labor Day, September 7 at the Hanna Center. This is a fundraiser for the Center, with games and rides for children, a car show, a 3-on-3 basketball tournament, and other activities. The event is sponsored by Hoosier Daddy Catering, a new rib company in town. There will be vendors and many activities. Hannafest will run from noon-5 p.m., although the basketball tournament and car show begin earlier.

##### West Lafayette Community Beautification Award

Councilor Burch said it gives me great pleasure to present this certificate to Arbor Chase and Scott Blankman. This large planned community located on Kalberer Road between Salisbury and Soldiers Home Road is an excellent example of landscape design harmonizing with infrastructure. The three entrances have matching stone pillars and planting beds, with masses of spruce, pine, bayberry, and viburnum grouped between them. These abundant plantings are installed in raised beds, which give privacy to the subdivision residents, but permit passersby on Kalberer to glimpse at the lake and the fountain. The plant material was chosen for its reduced maintenance, as well as being environmentally sustainable with no added irrigation. Inside the subdivision, there are generous tree lawns, gently curving sidewalks, and a good-looking stone bridge over the waterway. The combination of bikeways, walkways, and neighborhood

playgrounds reinforce the positive impression that the entrance gives to the visitor. Arbor Chase is one of the largest neighborhood landscapes in West Lafayette, and shows a commitment on the part of the developer to create a special place to live. Congratulations.

#### Police Officer of the Quarter Award

Police Chief Dombkowski said we have an Officer of the Quarter Award that we like to put a little bit of stock into and quite a bit of thought process into. Commanders nominate officers every quarter for something they have done, usually above and beyond what a normal officer is required to do during that time period. This quarter's selection is Officer Marcus Slifer. To give you a quick overview of why he was selected by his commander for this quarter, Marcus is pretty big in our outreach program for our Police Department. He does a lot of things outside of his patrol duties that we appreciate, one being a member of our R.A.D. Program that teaches aggression defense to women. He's also a member of a project that we started here this year under Sergeant Marion, which was Project SAFE Program. It is going around to local businesses and teaching a quick R.A.D. Program to some area businesses. They went to State Farm recently and provided those services. It is a pretty big hit, and we've had more requests from some of our businesses to do the same here. Thirdly, Marcus was participated with several other members of our Special Response Team in a burn camp that we had this summer out at Camp Tecumseh. He participated in it, and we're glad to see our officers doing those things outside in the community and giving back a little bit, and showing a little bit of extra from just what's required on their daily patrol duties. Thank you, Marcus.

Police Merit Commission President Dr. Larry Leverenz presented a recognition plaque to Officer Slifer.

Officer Slifer said thank you. It's an honor to be recognized. It's a lot of hard work, but I don't consider it work, because it's something I enjoy, working with the R.A.D. Program. It's a 12-hour program; usually we run it on four days, three nights a week. With the SAFE Program, it's the same thing, I enjoy doing it. I get a lot of good response out of the participants that take it. As far as the burn camp, it's another thing I enjoy going to. We take the S.W.A.T. truck, along with a couple of other S.W.A.T. members, and we set out all of our equipment. The kids come up, put on the vests, put on the helmets, try to carry the shield. Again, it's a lot of fun and I enjoy it. I appreciate this award. I have worked with two previous law enforcement agencies, and they don't have a program like this. It's nice to be recognized when you do a lot of hard work, a lot of time and dedication. I appreciate this award. Thank you.

#### FINANCIAL REPORT:

Clerk-Treasurer Rhodes said as the Budget and Finance Chair Councilor Hunt noted, we are in the midst of the 2010 budget process, beginning to compare proposed budget expenditures to revenues, and beginning to meet for a series of sessions to review, receive updates, and discuss fiscal policy. I'm going to provide some budget calendars, the first of several updates, so that the Council members will be able to check their schedules as we go on. I'd like to give you a brief summary of where we are to date. We heard department requests from department heads. They were reviewed by the Mayor and Clerk-Treasurer, as required by statute, and also presentations were made to the Budget and Finance Committee in June through July 13. Revenue forecasts for the second half of '09 have been completed. In fact, today we received additional information from the County Auditor in that regard. We are in the process of beginning the first revision of the budget. All the requests have been compiled, allocated expenses to funds for those requests that were not fund-specific when they were made, and the Council members received electronic versions this year—I think Gerry [Councilor Keen] has his disk on his desk there—to enable them to see the original request and then the first revision,

and beginning to sum up the entire budget. As Councilor Hunt noted, we're planning to begin a series of meetings in about a week and a half or so. The budget must be advertised by September 2. That, for practical purposes, means before September 2. That means that, if we back up, we're really at the very end of August, where we have to determine how we want to advertise the budget, because once advertised, the budget and levy cannot be increased. From the time at the end of August, we have two months before we reach final budget adoption. So it's important when we do that advertisement, to give us enough leeway to make some decisions and not foreclosed decisions. The budget and salary ordinances will be filed on September 3, which is the Agenda Day for our September 14 Council meeting. As you recall, we rescheduled that, because of the Labor Day holiday. In mid-September, we need to file our proposed budget and levy with the County Council for their review. They are obligated to make a non-binding recommendation on the City budget before we have final adoption. The budget calendars you have, as you note down in October, regarding the Council meeting, we may need to review that, because there's a conflict with an IACT meeting, and we had planned on trying to schedule a public hearing on the budget within the first two weeks of October. We'll need to check schedules to see how we can get the Council members together for that. We're still aiming for a final vote on the budget on October 29, which would be our November Pre-Council meeting. As far as the 2009 tax billing, I was able to check in with the Auditor's Office today, the earliest possible billing date would be the end of this month, August. When the bills are prepared to run, we will then receive a report on the impact of Circuit Breaker on our 2009 budget revenues. It's still possible that there would be two installments for tax payments in 2009, but it's unlikely that we will have the final settlement again, until the following year. That's the update from the County folks. So we're going to be in a similar situation, in terms of our cash flow, until the end of this year.

Councilor Roales said Judy [Clerk-Treasurer Rhodes], you said there's an IACT conflict on the October 5 Council meeting date. I'm assuming that would reschedule the Pre-Council meeting as well?

Clerk-Treasurer Rhodes said the conference hits right on that first Monday. That's the problem. I think the Mayor wanted to take the opportunity, while everyone is here, to have a discussion, have people check their calendars, to see if we can't do it as early as possible as we can in October. Once more, to give the required length of time before a budget adoption, but I'm expecting that, by mid-October, we may actually finally get some better information on some of the revenue. Although estimates may be proffered, the reliability of them really is weak until we get a couple months later into this year. That's when the State agencies will really run the numbers and give us something to bank on, and also you'll absolutely know where we are with Circuit Breaker. I think that will be very illustrative of where we are looking at estimates of 2010, to have a well-informed decision on the budget.

Mayor Dennis said if it's okay with the Council, we can just go ahead and have Betina [Cochran, the Mayor's assistant] circulate dates. We can poll you electronically.

[overtalking]

Councilor Hunt said but do we need to discuss while we're all here? Will we need to cancel the October Council meeting?

Clerk-Treasurer Rhodes said reschedule.

Mayor Dennis said reschedule.

Councilor Hunt said I know. I mean cancel for that day.

Mayor Dennis said yes.

Councilor Hunt said okay. Is the next week Fall Break for students, Paul [Councilor Roales]?

Councilor Roales said I don't remember.

[overtalking]

Clerk-Treasurer Rhodes said it's actually also October Break. It often is. I don't have a Purdue calendar with me.

Mayor Dennis said anything else, Judy Clerk-Treasurer Rhodes]?

Clerk-Treasurer Rhodes said no, thank you. You've all received your State Board of Accounts financial reports for the month.

LEGAL REPORT:

City Attorney Burns said thank you, Mr. Mayor. It's been a busy month, and I've hit some of the high points here, and I'd be happy to answer any questions that anyone might have about the legal report for July. And, if not, that concludes my report.

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)

Councilor Keen read Ordinance No. 15-09 by title and moved that it be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis said discussion? We have Mr. Dan Teder, who is representing this particular ordinance.

Mr. Dan Teder [Reiling Teder & Schrier] said good evening, Mayor, members of the Council. I represent the petitioner, Greg Milakis. At Council Caucus, I brought up that I would ask to talk about this rezoning request tonight, but ask you not to vote on it. I'd also like to talk at this time about the vacation ordinance [Ordinance No. 18-09], which is at the end of the agenda.

Mayor Dennis said and that would be Ordinance No. 18-09?

Mr. Teder said right, and I ask if we can discuss this at the same time, and maybe vote on it tonight as well.

Mayor Dennis said does that require any kind of action?

City Attorney Burns said no. So long as the Council is in agreement.

Mr. Teder said that acceptable with everyone?

Mayor Dennis said we can combine the two and just do them both.

Mr. Teder said additionally, I filed an amendment to the vacation ordinance, which was the exhibit, just to make it a little easier to understand. I don't know whether that was passed at Caucus or not, but that would need to be amended by the Council as well.

Mayor Dennis said do we have the amended version?

Clerk-Treasurer Rhodes said yes.

Mayor Dennis said we have the amended.

Mr. Teder said all right. Mr. Cochran was at the Caucus. He isn't here this evening, but he is the adjoining property owner to the west. He consents to the vacation. He has no objections to the planned development or the rezoning request. As I indicated, that vacation is really an integral part of the planned development, in that we need to hear both readings of the vacation first. After that second reading, then vote on the planned development, because one is a part of the other. With that, I want to pass out something for you. The purpose of the vacation is to add additional parking for the planned development, and also landscaping for the planned development. Additionally, I talked to Mr. Downey, I've talked to the City Attorney, and [City Engineer] Dave Buck, as well, about that area down there, and really the only thing they do is take their emergency vehicles, their trash vehicles, their snow removal vehicles, and turn around in that, or go westward across the alley that's across from Mr. Cochran's property. So we would propose that southernmost portion of Chauncey, which is a dead end, be vacated. It's 80 feet by 150 feet, and that we would propose that we would provide you with an easement back for the turnaround and going westward along the alley as well. Mr. [City Attorney] Burns and I and Mr. [City Engineer] Buck met and discussed that, and I think Mr. Burns would agree that that's acceptable. We're working on the easement. He gave me the language that he wants, so I'm waiting on getting the legal descriptions for these particular little tracts. I will present that to Mr. [City Attorney] Burns. Then, at that point, after you would vote on the second reading, then that would be recorded along with the other documents. The property is an R3W to PDRS. It's a 440 South Chauncey, the southernmost portion of South Chauncey. It presently has eight 2-bedroom apartments, with two garage/storage areas. Councilperson Hunt was down there, and I think she concurs with me that it's in pretty sorry shape, surrounding properties that are in pretty nice shape. To raze this seems to make a lot of sense. We're proposing to put 23 2- and 3-bedroom apartments on this site. It would be 51 bedrooms, 52 parking spaces, so we more than meet the requirements of the ordinance. We also would have a covenant, limiting one occupant per bedroom, which, I think, helps the City of West Lafayette as well. We're surrounded by student apartments. To the south and to the east of this is a gully, a heavily treed area; past that is the railroad; past that are a few more commercial areas, and then we get to South River Road. We are going to keep the ravine in place, the wooded area in place. We're going to put some retaining walls in certain areas of that, along the South Chauncey vacation portion is generally where that will be. The rest of it will be maintained. We presently have about 9,000 square feet of green space on that site; that's 35%. The ordinance requires 30%, so we've more than met that. We have no objections from any of the surrounding property owners. We received a favorable staff recommendation, a 12 yes to 0 no vote from the Area Plan Commission as well. So I would ask you not to vote on the planned development this evening, but to allow me to come back next month and vote on it at that time. I would ask you

to pass on first reading the vacation. I'd be happy to answer any questions that you might have. Thank you very much.

Mayor Dennis said thank you, Mr. Teder. Just by way of a little housekeeping, we'll announce—  
City Attorney Burns said we can wait until the end, if you want.

Mayor Dennis said do you want to do it at the end of the meeting, just—

City Attorney Burns said yes, you can. I guess I would take Ordinance No. 15-09 first and entertain a motion to continue to a time certain—

Councilor Keen said do you need a motion to suspend or continue until next month?

City Attorney Burns said to time certain, which would be next month's meeting.

Mayor Dennis said the September meeting?

Councilor Keen said I would move that we postpone Ordinance No. 15-09 until the September meeting.

Councilor Burch seconded the motion.

Mayor Dennis said it's been motioned and seconded that we postpone Ordinance No. 15-09 to a time certain, which would be the September Council meeting. Any discussion?

Councilor Hunt said I just want to—may I briefly say I do have photographs, if anybody would like to see the current situation.

Mayor Dennis said further discussion?

There was no further discussion.

The vote to postpone consideration of Ordinance No. 15-09 until time certain passed, 7-0.

Mayor Dennis said now if I could have, just so that I could have consent that we can move Ordinance No. 18-09 out of its place on the agenda. The voice vote was unanimous.

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)

Councilor Keen read Ordinance No. 18-09 by title and moved that it be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis said discussion or questions for Mr. Teder? Excuse me, we need to entertain a motion to amend by substitution Ordinance No. 18-09 as distributed.

Councilor Keen said I would move that we amend by substitution Ordinance No. 18-09 as distributed.

Councilor Burch seconded the motion.

Mayor Dennis said any discussion?

There was no discussion.

The vote to amend Ordinance No. 18-09 by substitution passed 7-0.

Mayor Dennis said once again, Ordinance No. 18-09 (Amended).

Mr. Teder said thank you very much. Sorry for the confusion, but there was no other way to do that, so I appreciate it.

Mayor Dennis said any questions for Mr. Teder? Discussion?

There was no further discussion.

Resolution No. 18-09 (Amended) passed on first reading, 7-0.

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

Councilor Keen read Ordinance No. 16-09 by title and moved that it be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis said we'll go ahead and open this up to the Clerk-Treasurer for discussion.

Clerk-Treasurer Rhodes said the request for additional appropriation is to authorize the expenditure of INDOT grant proceeds of approximately \$51,376, and Purdue University contributions of \$6,422, anticipated to be received as a result of the approval of Supplements No. 1 and No. 2 to the agreement with Butler, Fairman & Seufert for engineering services required for the development of the plan for reconstruction of the Perimeter Parkway, Phase I. City Engineer Buck has brought forth the extension of the plan design and can address those questions.

Mayor Dennis said any questions of Mr. [City Engineer] Buck?

There was no further discussion.

Ordinance No. 16-09 passed on first reading, 7-0.

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

Councilor Keen read Ordinance No. 17-09 by title and moved that it be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis said we have Mr. [Fire Inspector] Lancaster here from the Fire Department, if there's any questions on the part of the Council.

Clerk-Treasurer Rhodes said I just wanted to note that this is, again, an action for an additional appropriation to authorize the expenditure of funds to provide the \$13,000 for the City match for

COMMON COUNCIL MEETING MINUTES, AUGUST 3, 2009, CONTINUED

the Assistance to Firefighters grant, and \$6,000 for purchase of additional and necessary self-contained breathing apparatus components. This is related to a successful grant obtained from the Department of Homeland Security.

Councilor Keen said and, if my understanding is correct, by passing this, we will actually be receiving over \$100,000 worth of equipment, and this is our portion of that.

Mayor Dennis said correct. It's a 90-10 payback, which is pretty good in anybody's book.

Clerk-Treasurer Rhodes said I believe the total acquisition of equipment will be approximately \$144,000, as approved by the Board of Works in their action on the quote this morning.

Mayor Dennis said further discussion?

There was no further discussion.

Ordinance No. 17-09 passed on first reading, 7-0.

COMMUNICATIONS:

► Mayor Dennis said that the September Council meeting will be at 6:30 p.m. on September 14, here in Council Chambers. I hope to see you all right here.

► Councilor Bunder said I brought Mr. [Code Enforcement Supervisor] Walker a present. It was going to be a beer can, but I couldn't do that. Some of my favorite photos. There is no happier man in West Lafayette than Lieutenant Sparger, because—now I can give you these. I look forward to your department's active attention to District 2, which I represent. I'll give Lieutenant Sparger a lot of credit; these things actually got cleaned up. It took about 10 days, but they finally did get cleaned up. So I look forward to working with you in the 2<sup>nd</sup> District. [There was a comment by an unidentified member of the audience.] I love you guys. That's why the Police are now in charge of this.

An unidentified member of the audience said we're on it.

Councilor Bunder said you're on it.

[There were comments by an unidentified member of the audience.]

Councilor Bunder said you'll see more of them. I'm sure you will. And I look forward—apparently there will be a list of tickets, a report on what's ticketed monthly, something. I look forward to see that, too. And welcome to the wars.

CITIZEN COMMENTS:

► Ms. Jan Myers [1700 Lindberg] said I've two short things tonight. The Police Chief and I have talked about this when we're talking about pedestrian safety, especially around campus. The right turn on red, when you're sitting in a little buggy like I am, is unbelievably dangerous. If it thought any of you were really upset with me being here, I'd say someone tried tonight, at Lindberg and Salisbury—wasn't on a cell phone or texting, just turned right when, as a pedestrian, I had the right-of-way, and I shouted loudly to the driver, "Pedestrian has the right-of-way." I don't think, with the windows up and the air conditioning on, anything was heard. But that is frequently a challenge here. The other point is more in planning in the future. Like the intersection at Salisbury and Lindberg, there have been pedestrian crossing buttons there.

When it went to construction, the City seemed to fail to remember how that needs to be done to keep it accessible. I asked the City Engineer, and the response I got was, "I'll check with the construction company." That is not the way the highway rules for cities handle it. There should have been a very designated and marked—incidentally, rope and tape doesn't count—pedestrian way there, and it has to be acknowledged for those who have sight difficulties. So it has to have sound or rough pavement and so forth. That was not done there, and I can't begin to tell you how many times I've tried to cross there. I didn't have to worry about right turn on red, I just had to worry about any vehicle or stop them in their tracks. So I'll look forward to the facts. I have brought it up at Traffic Commission. I don't make it to as many Board of Works meetings, but it should be part of all our contracts, so that we believe we're keeping all our citizens safe. That intersection right now has been quite a challenge. And, yes, Mayor, you won't see me through the whole budget thing. We will be out of the country, and all of you who get tired of seeing my face—

Mayor Dennis said it says here you're gone from August 30 until November 19. The places you're going are just—Portugal, Spain, Morocco—

Ms. Myers said Greenland, Iceland—

Mayor Dennis said the Gambia.

Ms. Myers said I thank you all, and I'll see you come holiday time.

Mayor Dennis said enjoy your trip.

► Councilor Hunt said Mr. Mayor, may I ask the Police Chief and whoever else he thinks would help him, to talk about the blitz we're going to have about informing drivers that pedestrians have the right-of-way, please.

Mayor Dennis said if you would, Chief [Dombkowski], please.

Police Chief Dombkowski said thank you. Lindberg and Salisbury? Daily challenge. We're working through that intersection. It's going to be better. Are you talking about the crosswalks?

Councilor Hunt said yes, and other blitz items.

Police Chief Dombkowski said we are doing a pretty major effort that I just signed off on today with Captain Leroux about over \$4,000 worth of overtime over a couple week period that we're going to do, starting the 24<sup>th</sup> of August. And a media blitz before then with Purdue University Police and, through their Student Government association and various other avenues through the University, we're going to try and do a real education effort and an enforcement effort eventually as well. There are a number of crosswalks that are getting the new signage, mid-block crossings, to be exact, and to try to educate people that the pedestrians do have the right-of-way when they're in those crosswalks. That's really our main focus of the effort, to educate first motorists, to make sure that we're getting the word out that, in this community, where pedestrian traffic is so heavy and where we've had some incidents in the past of pedestrians being hurt, even fatally in our crosswalks, that we yield to them when they're in there. And the second phase of that would be to educate our pedestrians to use those crosswalks, and we hope to encourage them to use that by providing a safe venue, a safe avenue, for them to cross the street. I think we would be remiss to think that we would have everybody crossing on a college campus environment at a crosswalk. That's not going to happen. But we want people

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to be educated to the point where they realize—in the Midwest, especially here, I think there’s a challenge—that the pedestrians in those crosswalks do have the right-of-way. Questions?

ADJOURNMENT:

There being no further business at this time, Councilor Keen moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 7:23 p.m.