

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
January 28, 2010

The Common Council of the City of West Lafayette, Indiana, met in the Lower Level Conference Room at City Hall on January 28, 2010, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

Present: Bunder, Burch, Dietrich, Hoggatt, Hunt, and Keen.

Absent: Thomas.

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, City Engineer Buck, Street Commissioner Downey, Fire Chief Drew, Human Resources Director Foster, WWTU Director Henderson, Police Captain Leroux, Parks Superintendent Payne, and Director of Development Poole. Tippecanoe County Auditor Weston and Jim Shook were in attendance.

Mayor Dennis reviewed the agenda. He noted that there would be a stormwater utility update as part of the Street, Sanitation, and Wastewater Treatment Utility report. Councilor Bunder asked if the recycling report could be comingled with the Street, Sanitation, and Wastewater Treatment Utility report; Mayor Dennis answered yes.

Councilor Hunt will nominate local attorney Nina Kirkpatrick to serve as the Council's representative to the Police Merit Commission.

Mayor Dennis reported that the Police Officer of the Year Award would be made at the March meeting.

Councilor Hunt announced that the Council appointments to the Traffic Commission for Districts 3, 4, and 5 would be made at Monday's meeting.

UNFINISHED BUSINESS

Ordinance No. 02-10 (Amended) An Ordinance Requesting An Additional Appropriation For Fire Pension Fund And Transfer For Police Pension Fund (Prepared by the Clerk-Treasurer)

PUBLIC HEARING

There was no discussion.

NEW BUSINESS

Ordinance No. 04-10 An Ordinance Establishing The Asset Forfeiture Program Fund (Prepared by the Clerk-Treasurer)

Clerk-Treasurer Rhodes said she is requesting that the fund is to be established to handle the proceeds to the West Lafayette Police department from the Department of Justice Asset forfeiture Program. Captain Leroux explained the Police Department's participation in the program.

There was no further discussion.

Ordinance No. 05-10 An Ordinance Requesting An Additional Appropriation, Perimeter Parkway Fund (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 05-10 by title.

There was no discussion.

Ordinance No. 06-10 An Ordinance To Authorize Unappropriated Expenditures From The Police Grants Projects Fund (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 06-10 by title.

Clerk-Treasurer Rhodes explained the ordinance.

There was no further discussion.

Resolution No. 01-10 A Resolution to Waive Noncompliance Relating To Tax Abatement Previously Granted to SRJ Development, LLC (Submitted by Councilor Hoggatt) **PUBLIC HEARING**

Mayor Dennis read Resolution No. 01-10 by title.

Director of Development Poole explained the situation with the tax abatement granted in 2007 to SRJ Development, LLC. The project is in compliance with the terms of the tax abatement, but SRJ Development did not timely file one form with the County. City Council action is necessary to waive this late filing in order for the tax abatement to take effect. Mayor Dennis expressed his support for the development and for ensuring that the tax abatement previously granted functions as intended. Councilor Hunt asked for confirmation that this is an issue of non-compliance with filing a form, not non-compliance with the tax abatement in terms of jobs and investment. Mayor Dennis confirmed that this is a matter of timely filing of a form. Councilor Dietrich asked if the timeline for the abatement would be extended. Mayor Dennis responded that resolution would reset the start date, but the length of the tax abatement would remain the same.

There was no further discussion.

Resolution No. 02-10 A Resolution Appropriating Insurance Recovery Received For Damage To City Property (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 02-10 by title.

Clerk-Treasurer Rhodes provided background for this resolution.

There was no discussion.

COMMUNICATIONS

► Councilor Hunt reported that the Pay As You Throw committee met last night.

► Councilor Bunder asked how the one might lobby the State Legislature, specifically in regard to HB1214, which contains language as follows:

“Regulation of residential landlords/tenants. Imposes certain procedural requirements on the adoption by a political subdivision of a regulation of landlord and tenant relations, residential leases, or inspection of real property subject to a residential lease. Provides that such a regulation may not: (1) require the licensing or registration of owners of residential rental property; or (2) impose a fee for certain inspections. Provides that such a regulation may not authorize investigation or inspection of a rental unit without probable cause.”

Mayor Dennis responded that the City is current with this item and that is following it and talking with legislators. Councilor Bunder expressed concern with the impact of code enforcement funding if this legislation passes. Mayor Dennis encouraged Councilors to contact their Representatives Truitt and Klinker. Councilor Dietrich asked for direction from the City as to whether individual Councilors should contact State legislators individually, or should there be a more coordinated effort. Mayor Dennis answered that Councilors represent their constituents, but speaking for the City would be his role. He would like to be aware of Councilors' efforts to lobby on specific legislative matters.

► Councilor Dietrich asked whether the school referendum is a City-wide vote or a school district vote. Mayor Dennis answered that it is a WLSC district matter only.

ADJOURNMENT

There being no further business at this time, Councilor Keen moved for adjournment and Mayor Dennis adjourned the meeting, the time being 4:52 p.m.