

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
AUGUST 2, 2010

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on August 2, 2010, 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, Hoggatt, Hunt, Keen, and Thomas.

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

MINUTES

Councilor Keen moved for acceptance of the minutes of the July 1, 2010, Pre-Council Meeting, and the July 6, 2010, Common Council Meeting. Councilor Burch seconded the motion, and the motion passed *viva voce*.

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 Hoggatt presented this report. Purdue Student Government representative Dan Ferguson and Purdue Graduate Student Government representative Rebecca Logsdon introduced themselves to the Council. Councilor Hoggatt, Mr. Ferguson, and Ms. Logsdon have regular meetings with the Mayor and other City officials.

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.

Mayor Dennis announced that the City of West Lafayette recently was recognized by U-Haul. Approximately 1,200 U-Haul trucks will feature the City of West Lafayette and the firefly, subject of research at Purdue. The trucks will be driven throughout the country. This is a great development tool, to have the City mentioned. Generally, U-Haul trucks mention states, not cities. There was no cost to the City for this recognition.

PERSONNEL

No report.

BUDGET AND FINANCE

No report.

REPORT OF APC REPRESENTATIVE

Councilor Keen mentioned that he would talk about Ordinance No. 11-10 (AMENDED) during discussion of that item.

PUBLIC RELATIONS

West Lafayette Community Beautification Award

Councilor Keen presented the Beautification Award to Bethany Hansen of 220 Cedar Hollow Court.

FINANCIAL REPORT

Clerk-Treasurer Rhodes reported that the July books were closed today. She is waiting for the 2011 certified assessed valuation from the County Auditor, as well as several revenue forecast numbers. Tonight, the Council will consider first reading of the budget, with a public hearing on the budget at the September 7 Council meeting. Final reading of the budget is scheduled for the October 4 Council meeting.

LEGAL REPORT

City Attorney Burns stated that his legal report is on file. He offered to answer any questions.

UNFINISHED BUSINESS

Ordinance No. 11-10 (AMENDED) To Rezone Certain Real Estate Within The City Of West Lafayette, Indiana And Designating The Time When The Same Shall Take Effect (PDRS to R1, Timberstone Development, LLC) (Submitted by Area Plan Commission) [By action of the Common Council at the Pre-Council meeting on June 3, this ordinance was tabled until the August 2 Council meeting. The Area Plan Commission submitted an amended ordinance on July 9, 2010, and substituted for the original document by action of the Common Council at its July 29, 2010, Pre-Council Meeting.]

Mayor Dennis read Ordinance No. 11-10 (AMENDED) by title.

Councilor Keen moved that Ordinance No. 11-10 (AMENDED) be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mr. Dan Teder [Reiling Teder & Schrier], representing the petitioner, stated that the request is for a rezone from PDRS to R1 of a 6.62 acre tract located on Big Pine Drive in Lauren Lakes Subdivision. There was favorable staff recommendation from the APC, and a unanimous approval from the Area Plan Commission for their recommendation to the Council. The plan is to develop the tract into 17 lots, with three outlots. The configuration is the same as the Council approved in the prior Planned Development. The property is bordered on the north by the Ratcliff property, on the east by the Prophets Ridge Subdivision, the south by a farm, and on the west are the existing 130 R1 lots in Lauren Lakes. Farther to the west is the remaining PD, approximately 160 acres, for which a new Planned Development was recently filed. There will be no more than 517 lots in that new Planned Development subdivision. The lots will be the same size or larger than the existing Planned Development. The original layout had 517 Planned Development lots, 130 R1 lots, nine Ratcliff lots, and the 17 R1 lots; none of those is

changing. Mr. Teder distributed drawings of these areas. He reported that he and his client have met with the homeowners on numerous occasions. There is a tentative agreement with the homeowners; Mr. Rohler, the homeowners' representative, told Mr. Teder that the homeowners have no objection to the request this evening. Mr. Teder stated that the only thing not yet resolved is the timetable for the amenities. The Planned Development was filed last month; it will be heard at APC in September, and would come to West Lafayette City Council in October. With that package, there will be a narrative, as well as the drawings. There is a meeting with APC in August, at which the amenity package, the timetable, etc. would be resolved. He requested Council approval of the rezoning, and offered to answer any questions.

Councilor Hoggatt asked if this is the first reading. Mr. Teder answered that there is only one reading.

Councilor Hoggatt remarked that Mr. Teder had reported that the vote of the APC was unanimous, but the Council has a document that shows a 9-2 vote. He asked Mr. Teder for an explanation of the discrepancy. Mr. Teder apologized for his misstatement.

Councilor Hoggatt asked the Council's Area Plan Commission representative, Councilor Keen, if there was anything he [Councilor Keen] remembered from the meeting, such as what the two dissenting opinions were. Councilor Keen replied that normally there is not a discussion of the dissenting opinions. Mr. Teder added that his client approached the APC with the idea that they were saving what was happening in the Lauren Lakes neighborhood, because of the C.P. Morgan issue. Mr. Teder's client did not initially want to have a Planned Development, so they filed a rezone for the 160 acres for PDRS to R1B. This rezone was filed at the same time, from PDRS to R1. APC did not provide a favorable recommendation on the R1B zoning request for the 160 acres, and Mr. Teder feels that there was some spillover from the denied 160-acre rezone request to this 6.62-acre rezone request. Since that time, those issues have been resolved and there was a favorable APC staff report. Mr. Teder believes there is no objection to what is being done. The proposal under consideration is the same as the Planned Development. Because there are only 6.62 acres, there is, realistically, nothing else that could be done, other than what is before the Council. There could be a change to how the lots look, but it is not possible to add more lots. Councilor Keen concurred with Mr. Teder's assessment.

Councilor Hunt asked Mr. Teder to clarify that the 160-acre tract is not part of this rezone. Mr. Teder stated that the request for 160 acres from PDRS to PDRS was filed with the APC the last Friday in July. That is for the same number of lots and the basic same configuration. That Planned Development will have larger lots, not smaller lots. Councilor Hunt asked for confirmation that the vote at this meeting is only for the 6.62 acres. Mr. Teder confirmed that. The other lot rezone will be brought to the October Council meeting.

Councilor Thomas asked Mr. Teder about the mid-June meeting, noting that the night of the meeting, there had been a severe thunderstorm with tornado watches. Councilor Thomas stated that he did not attend the meeting, because of the weather. Mr. Teder said that the meeting was held, there was a good turnout with lively discussion. Due to that meeting, Mr. Teder's client provided drawings and a listing of what they could do. Mr. Rohler then provided feedback and specific items for further discussion. The listing was finalized and the board and the homeowners were satisfied. The only thing left undone is the timetable.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

<u>AYE</u>	<u>NAY</u>
Bunder	
Burch	
Dietrich	
Hoggatt	
Hunt	
Keen	
Thomas	

Clerk-Treasurer Rhodes stated that the vote was 7-0.

Mayor Dennis announced that Ordinance No. 11-10 (AMENDED) passed unanimously on first and only reading.

NEW BUSINESS

Mayor Dennis noted that the next four ordinances deal with the 2011 budget. He provided an overview of the development of the budget. The process is initiated early in the year. The Mayor thanked Councilor Dietrich, as Chair of the Budget and Finance Committee, for his efforts in organizing the effort. Department heads present their budgets to the Council, providing a line-by-line spending projections. The Council asks questions about expenditures. The hope is that, if changes need to be made, they are made during that time. The budget is the Mayor's spending plan. The Council validates the amount of money available for the Mayor to provide services to the community. The Mayor stated that this specific budget would provide the residents and taxpayers of West Lafayette with the high quality of services that they have become accustomed to. This budget takes into account the anticipated revenue losses for both this year and next. The impacts of cuts are seriously considered. Because of the lack of predictability of the revenue streams, the City needs to proceed cautiously. Mayor Dennis said the City is going to do the same thing it always does, emphasize public safety through Police and Fire and infrastructure improvements. Some of the budgetary goals are to maintain the high level of City services, and to ensure that the General Fund is balanced, to plan for the potential of the Circuit Breaker coming this year and next year. There will be no new positions. The open positions will be left unfilled for as long as practical. The tax rate itself, using this year's assessed valuation, is expected to be lower. The budget continues the practice of ensuring that the General Fund expenditures do not exceed the revenue and that the balance is stable. The budget is sensible, fundable, and will continue to provide high quality services. The Rainy Day fund will still have a balance of \$750,000. This year, some of the Rainy Day Fund will be used to help with the cleanup of the July storms. West Lafayette is not alone in experiencing reduced revenue streams and having to review budgets critically to make tough decisions regarding staffing levels and spending. Most cities in the State are going through the same process. Mayor Dennis thanked the department heads for making sacrifices and being analytical in their spending plans. The City is operating in as lean and mean manner as it can practically. More could be cut, but it would have an impact on the ability to provide high quality services. As Clerk-Treasurer Rhodes stated in an earlier meeting, the golden days of government are over. In other times, a mayor would have to explain why a city wanted to spend more. Mayor Dennis said that he is explaining why the City will spend less. He gave credit to the Council. The Budget and Finance Committee was attentive to the departmental presentations; they asked some very pointed questions. The Council's overall understanding of the budget is good. Mayor Dennis said he would compare the West Lafayette City Council's operational understanding of the budget with any council in the State. He stated that at he

appreciates the hands-on nature of the Council's activities. He has advised them that, if they have questions, they should ask the department heads or the Mayor. He remarked that he wanted the Council to have the necessary information to make good decisions. Mayor Dennis announced that he is proud of the budget, as it is both sensible and fundable.

Ordinance No. 15-10 An Ordinance Setting The 2011 City Budget And Setting The 2011 Tax Levy On Property And Tax Rate (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 15-10 by title.

Councilor Keen moved that Ordinance No. 15-10 be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis called for discussion.

Councilor Hoggatt said that he liked to begin large and work down to the details. He wanted to make certain that everyone is on the same page, that the Mayor believes that this budget as proposed will maintain City services as they are today. Mayor Dennis responded that he did. Councilor Hoggatt said and that this is as lean and mean as possible. Mayor Dennis corrected Councilor Hoggatt, noting that the budget is as lean and mean as practical. Councilor Hoggatt said that he shared those goals. He said that he was not able to attend all the Budget and Finance Committee meetings, and he has questions that may have been answered previously. He said that he asked for the laptop and projector to be set up, so that everyone could review his questions. Clerk-Treasurer Rhodes stated that she would operate the projector, since she is most familiar with the budget. She explained that each budget has a summary sheets and detail information about each line item.

Councilor Hoggatt asked about the EDIT budget, line 312 (Consulting Fees), why the budget for this dropped \$600,000, to \$100,000, going from 2010 to the 2011 budget. He pointed out that \$100,000 is lower than we have spent since 2006 and he wants to be sure this is a realistic estimate. Clerk-Treasurer Rhodes responded that she can bring in the prior year budget detail to assist in the year-to-year comparison. Councilor Hoggatt stated that he has the budget detail. The Mayor said that each year there are different needs and those needs are addressed accordingly. Councilor Hoggatt said that he just wanted to make sure that this need is being appropriately addressed for next year. Mayor Dennis said that he would not propose a budget that could not be funded. Councilor Hoggatt said that he understood the need to do practical budget cuts, but he wanted to make sure that this is not a need and that six months into 2011, we do not discover that we are way under budget and we need to draw it out of some other fund that has already been to cut to as lean and mean as practical.

Councilor Hoggatt asked about EDIT line item 351 (Electricity), which is showing in 2010 on the summary sheet that \$0 had been spent, but the individual tab shows \$150,000 was spent. Clerk-Treasurer Rhodes responded that these two tabs (315 Electricity and 352 Water) were originally budgeted in the City Services Department of the General Fund. They were budgeted in EDIT, in response to Circuit Breaker. The entire detail sheets were lifted and put there to give background information; they are not EDIT expenditures. An annotation to that effect would be helpful. Clerk-Treasurer Rhodes said she would provide copies from the 2010 budget to address these concerns.

Councilor Hoggatt had question about EDIT line item .14-447 (Vehicle Leases), which is showing four vehicle leases. He presumed that there were two additional vehicles, 2011 Ford

Escapes, which are adding \$14,336 to the budget from last year. He asked what the intent of the vehicles is, who is using them. Mayor Dennis answered that they would be used in the Department of Development. Director of Development Poole addressed uses of the vehicles for in town and out-of-town travel. A 2003 Taurus and a 2004 Taurus at the end of their useful lives are being traded in.

Councilor Hoggatt asked about Cumulative Capital Development (CCD,) line 312 (Consulting), Lindberg Road from Northwestern to Salisbury, \$175,000, and asked what the City will get for this fee, is this budgeted extra, or more than we will need, or we will get a little less. Mayor Dennis responded that many of the questions can be addressed through other operations of the City. He understands that your time constraints may probably make it difficult for you to do some of these things. We will try to do our best to answer them. Like other cities, we hire consultants for guidance and assistance in doing specific projects. Many times that number is a not-to-exceed number. For this project, it is for the work to be done at the intersection of Lindberg and Northwestern, and it is specific for that project. Councilor Hoggatt said he appreciates that even other Councilors at these meetings would be hard pressed to answer a lot of these questions such as what vehicles are being used for. He is trying to be comfortable that the City is as lean and mean as practical, as possible. He is trying to be sure that he will be comfortable voting on a budget, as we are setting policy for the future direction of the City.

Councilor Hoggatt asked about CCD, line 433 (Sidewalk/Curb/Parking Improvements), ADA sidewalk ramps. He cited that Jan Myers last month stated that she does not believe that the City's work with these ramps is appropriate, particularly for the visually impaired. He asked if the City has looked in to changing the approach because he did not want to spend \$150,000 putting in accessibility ramps that might not be the best we could be doing. Mayor Dennis responded that the City is meeting ADA requirements.

Councilor Hoggatt asked for the history on CCD, line .06-447 (Vehicle Lease/Purchase-City Hall), when this was added this car to the fleet, what it is used for. Mayor Dennis answered that the car was added in 2009 and he uses it to do his job. Councilor Hoggatt asked if such a vehicle were used in previous administrations, or if it is new. Mayor Dennis said he believed Mayor Margerum tried once but he didn't know what happened. Councilor Hoggatt asked if the Council disapproved it. Councilor Keen said that issue never came before the Council in the past. Councilor Hoggatt said he didn't remember Mayor's in the past having a vehicle so he wondered if the job had changed from then to now. Mayor Dennis said he has been a Mayor for 3 years. Councilor Hoggatt stated that if Mayor Margerum and Mayor Mills accomplished their jobs without a vehicle, he is trying to figure out the difference between then and now. He is very analytical in his approach to the budget, and he trying to understand if we as lean and mean as practical. Mayor Dennis said they were being compensated for travel. Councilor Hoggatt asked whether the vehicle is cheaper than the vehicle compensation. Mayor Dennis said we would find this out. Clerk-Treasurer Rhodes added that before Mayor Mills' election, Mayor Margerum tried to get a car for the Mayor position; she did not proceed with it, but she did speak to the need for it. It was Mayor Margerum's recommendation that the use of Mayor's personal vehicle for City business not be continued. That was never however put in the budget.

Councilor Hoggatt asked about the current limits on the Parks Nonreverting Capital – Pool (NRC-Pool) Fund. Clerk-Treasurer Rhodes provided background. Over the past several months, she and Assistant Superintendent of Parks Ainsworth investigated the history of this fund. From reviewing the City financial records, the Park Board records, and City Council records, the fund appears to have been rather informally constituted. Sometime in the late 1980s, after the Park pool bond was paid, pool admission fees were placed at different times in

a Pool Improvement Fund, in the Parks & Recreation Fund, and then in the Parks Nonreverting Capital - Pool Fund. The pool funds were never formally established according to statute, but things were informal in those days. The NRC - Pool fund was meant to accumulate money for capital improvements for the pool, and pool admission fees were deposited in this fund. It has been used for a number of projects, but there are also major projects for the pool that were so costly that Cumulative Capital Development (CCD) was used, for example the bathhouse project at the pool was funded through CCD. From year to year, the pool revenue has been partially diverted to the Parks Fund or left in the NRC - Pool Fund, to give flexibility, in the event of a shortfall in other Parks Fund revenue since the pool operation is paid for out of the Parks Fund. There is no prohibition about placing admission fees in the Parks Fund and it has been done in several past budgets. Councilor Hoggatt asked about Parks Fund lines 291 (Pool Supplies) and 364 (Pool), whether those expenses could be paid from the NRC - Pool Fund. Clerk-Treasurer Rhodes answered that the NRC- Pool Fund has, by practice, been reserved for capital items, and this has been respected. Those two operating line items (291 and 364) are easily identifiable. What is not so easily seen is the personnel cost for the Pool/Rink Manager. Most of the costs for that position are in the Parks Fund, but insurance costs are in the Clerk-Treasurer's budget that carries the main insurance items for the City property tax funds. When the operating costs for the pool are consolidated, the cost is over \$95,000 per year for staffing and operations. Councilor Hoggatt recalled there was about \$385,000 in the Parks NRC- Pool Fund and he thought that might ease pressure on the Parks budget by moving pool related expense items to that fund. Clerk-Treasurer Rhodes said that this is one of the issues that Mr. Jim Treat, the City's financial analyst, has begun to address with the Park Board when he made his presentation at their last meeting. Another issue that the Mayor and the Council will consider next year is the issue of the extent of funding staff from the Parks Nonreverting Operating Fund. There has been no alternative to that practice developed over the years. Next year, in forming the 2012 budget, an alternative will be needed, and the prudent use of the Parks Nonreverting Capital - Pool Fund might be helpful. The proposal this year is to use a small amount of the balance in the NRC - Pool balance and pool admission revenue to cover pool operation costs in the Parks Fund for 2011. The proposal is to give the Mayor, the Council, and the Park Board will have time to develop alternatives. If we would were just to move the balance into Parks Fund this year it would foreclose options that you may want to have, and there is not enough time for the Park Board to much deliberate and be involved in the process. The decision will probably be informed by the extent of Circuit Breaker next year. The proposal doesn't cause any harm and it gives all of the bodies respectfully enough time to deliberate and work together.

Councilor Hoggatt stated that he has some discomfort on voting the budget as it is, because of the items he has raised. He suggested that, once his questions are answered, he would be fine. Mayor Dennis said that Councilor Hoggatt's questions likely could be answered if they were given in advance since we didn't know and were contacted about 5 o'clock. Councilor Hoggatt said it was because he went through it today. Mayor Dennis said we need to have some focused the questions and answers, to provide materials to you, to better inform you, so you can make a more informed decision, rather than try to answer on the fly.

Councilor Hoggatt asked Clerk-Treasurer Rhodes if there was a typo error on Budget Revenue Form 2, Police Pension, where the source of funds is 1505 Cigarette Tax-Fire Pension. Clerk-Treasurer Rhodes responded that this was clearly keyed on the incorrect line instead and belongs on the line below, 1506 Cigarette Tax-Police Pension. She thanked Councilor Hoggatt for noticing the error.

Mayor Dennis asked Councilor Hoggatt that, if he had specific questions, if he would feel comfortable to email them so we can address them with the proper references so you can be better informed.

Councilor Hunt commented that Clerk-Treasurer Rhodes has attended Park Board meetings several times over the last seven years, talking about the concern of the Parks NRO Fund. Clerk-Treasurer Rhodes responded that the issue of the Parks NRO Fund has been a concern of every Mayor. This stems from the size of the City's levy and the desire of the citizens for a superb park program and facilities. The Mayor and the Council members have heard from their constituents about their desire for top-flight parks facilities and programs. During Mayor Margerum's term, there was recognition that the Parks NRO Fund had a balance approaching \$700,000, because while program revenue went into the fund, expenses for many programs were paid not from it but from the Parks Funds that was funded by property taxes. In order to balance the revenues and operations, over the course of the years, a variety of items have been funded through Parks NRO, including staff, utilities for Morton, etc. Using the Parks NRO Fund was recognized as providing time for alternatives to be developed. Clerk-Treasurer Rhodes has provided a graph for the Park Board and Council each year, which shows historic use of the fund balance. Using the Parks NRO Fund for expenses in excess of revenue has reduced the balance to where it will no longer be sufficient to cover the personnel costs. The need is for the Council, the Park Board, and the Mayor to develop alternatives for funding support for personnel costs. The situation has reached the point where the budget in NRO probably cannot be cover the expenses another year, without major changes. That is why it seemed prudent to make the issue a high priority for the 2012 budget, and to keep Parks resources pretty much held together, so that there are options available. Use of the entire Parks NRC-Pool Fund for the 2011 budget removes all the options. I feel my job is to try to keep as many options open until the policy makers have deliberated and made some decisions. Councilor Hunt is very much aware of this problem, and it has been a concern of every executive of the City and the Parks Department.

Mayor Dennis called for further discussion.

Councilor Dietrich encouraged Councilor Hoggatt to continue to ask questions on the 2011 budget without fear of monopolizing the topic. The budget generates many questions, and Councilor Hoggatt should not be concerned about taking the time. Councilor Hoggatt thanked Councilor Dietrich for his remarks.

Councilor Hoggatt said he does have many questions. One that can be addressed in particular is in CCD, line .05-447 (Vehicle Lease/Purchase-Engineering) appears to be listed twice at two different values. He asked which of the two values is correct, the one at \$9,608 and the other at \$6,957. He wants to know what the correct value is. Clerk-Treasurer Rhodes said they are two different items. Clerk-Treasurer Rhodes said there is a typographic error on the summary sheet. The line number in the series of 446 equipment lease purchase items should be .05-446 (Equipment Lease/Purchase-Engineering) instead of .05-447. The remaining line number .05-447 with the other 447 vehicle lease purchase items is correct. Looking at the detail sheet tabs for these two items, the account descriptors are correct and the detail provided shows two different items, one an equipment lease purchase item and one a vehicle lease purchase item. She thanked Councilor Hoggatt for catching this. She said that she is still combing through to catch these typos and appreciates the fresh eyes.

Mayor Dennis called for further discussion.

COMMON COUNCIL MEETING MINUTES, AUGUST 2, 2010, CONTINUED

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

<u>AYE</u>	<u>NAY</u>
Burch	Bunder
Dietrich	Hoggatt
Hunt	Thomas
Keen	

Clerk-Treasurer Rhodes stated that the vote was 4-3.

Mayor Dennis announced that Ordinance No. 15-10 passed on first reading.

Ordinance No. 16-10 An Ordinance To Fix The Salaries Of Appointed Officers, Employees, And Members Of The Police And Fire Departments Of The City Of West Lafayette, Indiana, For The Year 2011 (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 16-10 by title.

Councilor Keen moved that Ordinance No. 16-10 be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis called for discussion.

There was no discussion.

Clerk-Treasurer Rhodes called the roll call vote:

<u>AYE</u>	<u>NAY</u>
Bunder	
Burch	
Dietrich	
Hoggatt	
Hunt	
Keen	
Thomas	

Clerk-Treasurer Rhodes stated that the vote was 7-0.

Mayor Dennis announced that Ordinance No. 16-10 passed unanimously on first reading.

Ordinance No. 17-10 An Ordinance To Fix The 2011 Wastewater Treatment Utility Salary Schedule As Submitted By The Board Of Public Works And Safety For Approval By The Common Council Of The City Of West Lafayette, Indiana (Presented by the Board of Public Works and Safety)

Mayor Dennis read Ordinance No. 17-10 by title.

Councilor Keen moved that Ordinance No. 17-10 be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis called for discussion.

There was no discussion.

Clerk-Treasurer Rhodes called the roll call vote:

<u>AYE</u>	<u>NAY</u>
Bunder	
Burch	
Dietrich	
Hoggatt	
Hunt	
Keen	
Thomas	

Clerk-Treasurer Rhodes stated that the vote was 7-0.

Mayor Dennis announced that Ordinance No. 17-10 passed unanimously on first reading.

Ordinance No. 18-10 An Ordinance To Set The Salaries Of The Elected Officials, City Of West Lafayette, Indiana, For The Year 2011 (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 18-10 by title.

Councilor Keen moved that Ordinance No. 18-10 be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis called for discussion.

Councilor Hunt commented that the Council has not received a raise in at least seven or eight years, and there is no raise for 2011. The 2011 travel budget was also cut, in an effort to be good team members.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

<u>AYE</u>	<u>NAY</u>
Bunder	
Burch	
Dietrich	
Hoggatt	
Hunt	
Keen	
Thomas	

Clerk-Treasurer Rhodes stated that the vote was 7-0.

Mayor Dennis announced that Ordinance No. 18-10 passed unanimously on first reading.

COMMON COUNCIL MEETING MINUTES, AUGUST 2, 2010, CONTINUED

Ordinance No. 19-10 An Ordinance Providing For Temporary Loans From A Fund Having Sufficient Balance To A Depleted Fund (WWTU to Dental Insurance Payment Fund) (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 19-10 by title.

Councilor Keen moved that Ordinance No. 19-10 be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis called for discussion.

There was no discussion.

Clerk-Treasurer Rhodes called the roll call vote:

<u>AYE</u>	<u>NAY</u>
Bunder	
Burch	
Dietrich	
Hoggatt	
Hunt	
Keen	
Thomas	

Clerk-Treasurer Rhodes stated that the vote was 7-0.

Mayor Dennis announced that Ordinance No. 19-10 passed unanimously on first reading.

Councilor Keen moved to suspend the rules to consider Ordinance No. 19-10 for second and final reading. The motion was seconded by Councilor Burch.

The motion to consider Ordinance No. 19-10 on second reading passed by unanimous voice vote.

Mayor Dennis read Ordinance No. 19-10 by title.

Councilor Keen moved for passage on final reading, and asked that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis called for discussion.

There was no discussion.

Clerk-Treasurer Rhodes called the roll call vote:

<u>AYE</u>	<u>NAY</u>
Bunder	
Burch	
Dietrich	
Hoggatt	
Hunt	
Keen	
Thomas	

Clerk-Treasurer Rhodes stated that the vote was 7-0.

Mayor Dennis announced that Ordinance No. 19-10 passed on second and final reading.

Resolution No. 09-10 A Resolution Appropriating The Necessary Funds Resulting From The 2010 Community Development Application Of The City Of West Lafayette Under Title I Of The Housing And Community Development Act of 1974, As Amended (Submitted by the Department of Development)

Mayor Dennis read Resolution No. 09-10 by title.

Councilor Keen moved that Resolution No. 09-10 be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis called for discussion.

There was no discussion.

Clerk-Treasurer Rhodes called the roll call vote:

<u>AYE</u>	<u>NAY</u>
Bunder	
Burch	
Dietrich	
Hoggatt	
Hunt	
Keen	
Thomas	

Clerk-Treasurer Rhodes stated that the vote was 7-0.

Mayor Dennis announced that Resolution No. 09-10 passed unanimously on first and only reading.

COMMUNICATIONS

► Councilor Hunt mentioned that last week Mayor Dennis, Clerk-Treasurer Rhodes, and Councilor Hunt met with Field Representative Mr. Gary Roberts of the State Board of Accounts for the City's exit interview, now that the audit is complete. She reported that there were no comments or no recommendations. Clerk-Treasurer Rhodes added that there were no findings. Councilor Hunt said it was encouraging to have no findings.

► Clerk-Treasurer Rhodes said that Councilor Hunt had asked her about access to the City's financial reports. The Clerk-Treasurer said that the financial reports are posted on the City's website, but they are also available on the State Board of Accounts website, www.in.gov/sboa/, where there are archives showing audit reports for all jurisdictions that are audited by the State Board of Accounts. They are very interesting to read. Councilor Hunt agreed that the reports give a view of how much the City pays in pensions, and there is lots of cross-referencing.

► Councilor Dietrich said that, as a resident of a neighborhood afflicted by the recent storm, he thanked Street Superintendent Downey and his staff for an amazing job of cleanup.

CITIZEN COMMENTS

► Ms. Jan Myers (1909 Indian Trail Drive) asked if the City had 50 or more employees. City Attorney Burns confirmed that there are more than 50 employees in the City. Ms. Myers read from the U.S. Department of Justice, Civil Rights Division, Disability Rights Section, for Small Towns regarding compliance with ADA. Items such as a self-evaluation, a review of all town services, programs, and activities, to identify any physical barriers or policies, practices, or procedures that may limit or exclude participation by people with disabilities are required. The self-evaluation includes permanent, temporary, and periodic services, programs, and activities. Each town should look at what services, programs, or activities are offered and in what location. A second point in complying with that is the town should provide notice to the public about the ADA obligations and about accessible facilities and services in the town. Each municipality is to have a designated individual to coordinate ADA compliance, and it must develop a written plan that identifies the modifications that will be made. A copy of the plan and plan of self-evaluation must be available for public discussion and inspection. A town is required to have a grievance procedure, which provides people who feel they have been discriminated against because of their disability, or others who feel they have been discriminated against because they have a friend or family member with a disability, with a formal process to make their complaints known to the town. This procedure encourages prompt and equitable resolution of the problem at the local level without having to force individuals to file a federal complaint or lawsuit. Ms. Myers cited these points because she hopes that in the budget, there is provision for providing better accessibility to City Hall. The ramp walls are leaning and separating from the building. Her recommendation is that the accessible entrance be moved to the lower level, as parking is better and there is better ease of access. Ms. Myers said that she and Mayor Dennis have spoken about the self-evaluation. All that she has seen is related to streets and sidewalks; the Disability Rights Section covers much more. Once example is the recent Garden Walk in New Chauncey, where two of the gardens were completely inaccessible because of the lack of access to the curbs and other things. At Lincoln Park, the starting point, the setup was on the sidewalk, which made that area inaccessible. She stated that she is unaware of an ADA coordinator and any grievance procedure in the City. She reported that she has managed her electric chair safely in many parts of the world. Recently, she was out for a walk with her neighbors and their young son. They went from Lindberg and Indian Trail Drive to the Happy Hollow entrance at the top of the hill. She was thrown out of her chair, into her neighbor's arms, and her lap desk was scattered on the street, because the sidewalk is not constructed properly. She said that the incident scared her more than any time she has ever been scared. Luckily, she was with someone who managed to get her back in her chair. What she learned from her young parent friends is that this spot in the sidewalk has been so dangerous for children on bicycles, tricycles, wagons, etc., that the parents have stopped allowing their children to use that part of the sidewalk. They all go in the street, but each of the children's vehicles she has named has flipped, and the children have ended up in the street. The parents were unaware that they could make a complaint, that there should be an ADA coordinator and a grievance procedure to

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bring this to the City's attention. She asked the Mayor and Council to think seriously about these matters.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment. Mayor Dennis adjourned the meeting, the time being 7:55 p.m.