

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
DECEMBER 6, 2010

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on December 6, 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, Hunt, Keen, and Thomas.

Absent: Hoggatt.

Also present were City Attorney Burns, Clerk-Treasurer's Assistant Thayer-Copeland, City Engineer Buck, Fire Chief Drew, Human Resources Director Foster, WWTU Director Henderson, Police Captain Leroux, Parks Superintendent Payne, and Director of Development Poole and Street Department Foreman/Equipment Operator VanMeter.

MINUTES

Councilor Keen moved for acceptance of the minutes of the October 28, 2010, Pre-Council Meeting (AMENDED), and the November 1, 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

No report.

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.

PERSONNEL

No report.

BUDGET AND FINANCE

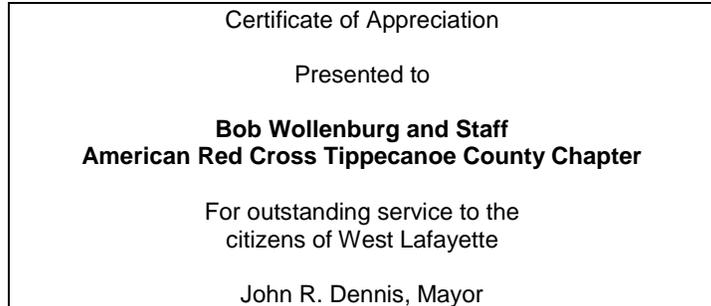
No report.

REPORT OF APC REPRESENTATIVE

Councilor Keen announced that at the December 15 meeting (7:00 p.m.), the APC will hear a revised rezoning request for Lauren Lakes (Timberstone Development, LLC).

SPECIAL REPORT

Mayor Dennis and Captain Leroux presented a recognition certificate to Mr. Robert Wollenburg of the Tippecanoe County Chapter of the America Red Cross on behalf of the City, in recognition of the Red Cross' outstanding service in dealing with the recent fires at Pine Manor. The Mayor read the certificate:



Mr. Wollenburg introduced Ms. Chris Brady, Disaster Services Director, and Ms. Joan McShane, a Disaster Team leader and board representative for disaster services. Both Ms. Brady and Ms. McShane were at the fire, and both have been deployed nationally to hurricanes and floods. The Red Cross training program, under Ms. Brady, has paid off. Police Chief Dombkowski and Captain Francis have worked with the Disaster Committee. The volunteers serve on a 24/7 basis one week a month, rotating shifts. Because the fire was so large, the page for assistance was sent to all the Disaster Team members. Mr. Wollenburg reported that there was great cooperation from Purdue Fire Chief Ply and West Lafayette Fire Chief Drew, from CityBus who transported people, from the hotel, and from McDonald's who made coffee at 3:00 a.m. The Red Cross just celebrated its 95th anniversary serving Tippecanoe, Benton, and Carroll Counties. Mr. Wollenburg said that about 30% of the Red Cross budget comes from United Way, with the rest coming from corporate, business, and individual contributions. Over \$10,000 in disaster relief was spent on the three fires.

Captain Leroux thanked CityBus for their quick response, as well as the temporary shelter for people to stay warm and dry during the emergency, as well as transporting people.

SPECIAL ACTIONS:

Election of Council President

Councilor Bunder nominated Councilor Hunt as Council President. The motion was seconded by Councilor Dietrich. Councilor Hunt was unanimously elected by voice vote.

Mayor Dennis announced that Councilor Hunt would be Council President in 2011.

Election of Two Council Appointees to Redevelopment Commission

Councilor Hunt nominated Joanna Lyn Grama, who is at Purdue as the Information Security Policy & Compliance Director, and Larry Oates who is currently chair of the Redevelopment Commission. By unanimous voice vote, each was elected to the Redevelopment Commission for a term beginning January 1, 2011.

Mayoral Appointment to Board of CityBus

Mayor Dennis announced that Jon Fricker would continue as the Mayoral appointment to the board of CityBus.

FINANCIAL REPORT

Clerk-Treasurer's Assistant Thayer-Copeland reported that the State Board of Accounts Reports have been distributed to the Council.

LEGAL REPORT

City Attorney Burns stated that the report is on file.

UNFINISHED BUSINESS

Ordinance No. 28-10 (AMENDED) An Ordinance Regulating Open Burning Within The City Of West Lafayette (Sponsored by Mayor Dennis)

Mayor Dennis read Ordinance No. 28-10 (AMENDED) by title.

Councilor Keen moved that Ordinance No. 28-10 (AMENDED) be passed on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

There was no further discussion.

Clerk-Treasurer's Assistant Thayer-Copeland called the roll call vote:

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

Clerk-Treasurer's Assistant Thayer-Copeland stated that the vote was 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 28-10 (AMENDED) passed on final reading.

Ordinance No. 29-10 An Ordinance Requesting An Additional Appropriation – Rainy Day Fund (Prepared by the Clerk-Treasurer) **PUBLIC HEARING**

Mayor Dennis read Ordinance No. 29-10 by title.

Councilor Keen moved that Ordinance No. 29-10 be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis reminded the Council that the transfer is to cover expenses incurred during the severe weather earlier this year.

Councilor Hunt moved to open the public hearing. The motion was seconded by Councilor Burch.

There were no comments from the public or the Council.

Councilor Burch moved to close the public hearing. The motion was seconded by Councilor

Hunt.

There was no further discussion.

Clerk-Treasurer's Assistant Thayer-Copeland called the roll call vote:

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

Clerk-Treasurer's Assistant Thayer-Copeland stated that the vote was 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 29-10 passed on second and final reading.

NEW BUSINESS: None

COMMUNICATIONS

Councilor Hunt moved to accept the 2011 Common Council Schedule. The motion was seconded by Councilor Burch, and the motion passed by unanimous voice vote.

CITIZEN COMMENTS

► Kimberly Krauss read a prepared statement:

Neither Jerry and Patti Weida nor any employee of Weida Apartments was aware of our intent or our over-occupancy until sued by the City of West Lafayette. We apologize to the Weidas and Weida Apartments for involving them in a lawsuit with the City as a result of our deviant behavior. We also ask the Council to make changes to the ordinance holding occupants solely responsible for over-occupancy such as ours. We also ask that the Council make changes to the ordinance that gives the over-occupants a warning and an opportunity to correct the violation. Thank you very much.

Councilor Bunder asked if this were the fifth and therefore the last of these. Mayor Dennis said there have been five. Ms. Krauss said there should have been one more, but she could not do that by the December deadline. Councilor Bunder stated that, at some point, he would like to share with the Common Council a section of Judge Busch's judgment on the matter of the City of West Lafayette v Patti and Jerry Weida. Since he had not advised anyone of this, he said he would save it for some future date, but he would like to get on the record what diligent monitoring means to a landlord.

► Mr. Wollenburg said that he forgot to thank Purdue University, which helped placed the students left homeless by the fires, and Prestige Inn, which opened a room for bathrooms during the fire, and shifted some residents, so that some people could stay there.

► Ms. Jan Myers (1909 Indian Trail Drive) said that, in keeping with the season, she would provide reasons she is thankful at this time of year. She is thankful for the technology to make her more independent, her medical team who encourage her to be an advocate for those with

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disabilities, and for Chief Dombkowski who has shared ideas for additional safety measures for street travel. She hopes that in 2011 there will be other things she is thankful for. Since 1976, with the Rehabilitation Act, and in 1990, with the ADA, civil rights for persons with disabilities have been established. She will consider 2011 a good year, if City, County, and State officials and employees can read and provide the services and benefits to all persons that reside here. That would be her greatest joy.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 7:04 p.m.