

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
FEBRUARY 7, 2011

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on February 7, 2011, at the hour of 6:30 p.m.

Mayor Dennis called the meeting to order and presided.

The Pledge of Allegiance was repeated.

POLICE OFFICER OF THE YEAR AWARD

Police Chief Dombkowski and Police Merit Commission President Leverenz presented the Officer of the Year Award to Lieutenant Troy Harris.

CITY SUMMIT

State of the City Address – Mayor Dennis

Mayor Dennis presented his State of the City address, which may be found at the City's website, [www.westlafayette.in.gov](http://www.westlafayette.in.gov) and is appended to the archived minutes. He invited attendees to visit the display of items related to City accomplishments presented in the Council Chambers.

Volunteer Recognition Awards – Mayor Dennis

Mayor Dennis presented Volunteer Recognition Awards to:

Mike Koning for his efforts to eradicate graffiti in the community;

Lynn Layden for chairing the West Lafayette Tree Fund, coordinating the Art in Bloom garden tours, volunteer work at the Lilly Nature Center, and other gardening and community activities;

Wayne Merriman for his assistance to the West Lafayette Police Department, the Go Greener Commission, and the Common Construction Wage Commission;

Sam Postlethwait for his photographic postcards to benefit the Celery Bog Fund, his work at the Lilly Nature Center, for leading trail walks, and for other activities that benefit the community [Robert Postlethwait accept the award for his father];

and to:

Joan Mohr Samuels for creation of the Remove Invasive Plants (RIP) Squad, founding Friends of the Celery Bog, the educational program Wednesdays in the Wild, and for her efforts to educate citizens about natural resources in the area.

Mayor Dennis convened the regular meeting of the Council for February 2011.

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 December 30, 2010, Pre-Council Meeting, and the January 4, 2011, Common Council Meeting. Councilor Burch seconded the motion, and the motion passed *viva voce*.

#### COMMITTEE STANDING REPORTS

##### STREET, SANITATION, AND WASTEWATER TREATMENT UTILITY

No report.

##### 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. Councilor Hunt also shared remarks about Paula Woods, who had been active on the Park Board and was an expert on West Lafayette history, and who died on January 30.

##### ECONOMIC DEVELOPMENT

Councilor Thomas presented this report, which will be on file in the Clerk-Treasurer's Office.

##### PERSONNEL

Councilor Burch announced that Tim Heath was promoted from Sergeant to Lieutenant on the A shift, and John Irr was elevated to the rank of Sergeant, both in the Fire Department. Both of these changes arose because of the recent retirement of Lieutenant Don Callahan.

##### BUDGET AND FINANCE

No report.

##### REPORT OF APC REPRESENTATIVE

Councilor Keen stated that his comments would be reserved for Ordinance No. 07-11.

##### SPECIAL REPORTS AND NOMINATIONS:

###### Nomination of Traffic Commission Representative from District 1

Councilor Hoggatt nominated Eddie Van Bogaert to serve as the District 1 Traffic Commission Representative. Councilor Hunt seconded the motion. Mr. Van Bogaert was elected by unanimous voice vote.

FINANCIAL REPORT

Clerk-Treasurer Rhodes reported that 2010 books are closed and her office is compiling financial statements. There are requirements from the State Board of Accounts and the Department of Local Government Finance for different reports. The January ledger reports and the investment report were filed with the Council. The 2010 final settlement of property taxes has not been received from the County at this time. The final payment for the fire truck lease rental bonds of 2001 was made, which eliminated the only general obligation debt with a tax rate in the City.

LEGAL REPORT

City Attorney Burns reported that the legal report is on file.

UNFINISHED BUSINESS

Ordinance No. 05-11 An Ordinance To Name Depositories For The City Of West Lafayette (Submitted by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 05-11 by title.

Councilor Keen moved that Ordinance No. 05-11 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 Rhodes 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 Rhodes stated that the vote was 7 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 05-11 passed on final reading.

NEW BUSINESS

Ordinance No. 06-11 An Ordinance Requesting An Additional Appropriation – Perimeter Parkway (Prepared by the Clerk-Treasurer) **PUBLIC HEARING**

Mayor Dennis read Ordinance No. 06-11 by title.

Councilor Keen moved that Ordinance No. 06-11 be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis called on Clerk-Treasurer Rhodes to discuss this ordinance. Clerk-Treasurer Rhodes stated that the appropriation was requested by City Engineer Buck,

who would describe the extent of the project and the need for the appropriation.

City Engineer Buck explained that the Perimeter Parkway is a plan to develop a ring road around Purdue's campus, the Phase 1A of which will be to reconstruct Harrison Street from Martin Jischke Drive to Sheetz Street. Phase 1B will be from Sheetz Street to Chauncey Avenue. The City has worked with Purdue and INDOT, which will administer the federal grant funds for the construction of the project. INDOT accepted the low bid of \$4.8 million from Milestone Contractors. The Perimeter Parkway Fund was established to pay for the City's share of the project. The appropriation request will allow the grant funds, as well as Purdue's contribution, to be appropriated for the expenditure of the bills as they are received. Mr. Buck said that he expects to receive an invoice from INDOT for the 20% local match, which the City and Purdue have agreed to share, in the coming weeks. Construction on relocation of utilities will begin in the spring, and a lot of work will be done in the summer, but it is likely that the work will not be completed until the summer of 2012. The road will be open to traffic during the construction.

Mayor Dennis announced the public hearing. Councilor Keen moved to open the public hearing for Ordinance No. 06-11. The motion was seconded by Councilor Burch. The motion to open the public hearing passed by unanimous voice vote.

Mayor Dennis called for discussion. There were no comments from the public or the Council.

Councilor Keen moved to close the public hearing. The motion was seconded by Councilor Burch. The motion to close the public hearing passed by unanimous voice vote.

The Mayor asked for any additional discussion of Ordinance No. 06-11.

There was no further discussion.

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

Mayor Dennis announced that Ordinance No. 06-11 passed on first reading.

Councilor Keen moved to suspend the rules to consider Ordinance No. 06-11 for second and final reading. The motion was seconded by Councilor Burch. The motion to consider Ordinance No. 06-11 on second reading passed by unanimous voice vote.

Mayor Dennis read Ordinance No. 06-11 by title.

Councilor Keen moved for passage of Ordinance No. 06-11 on final reading, and asked that the vote be by roll call. The motion was seconded by Councilor Burch.

There was no further discussion.

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

Mayor Dennis announced that Ordinance No. 06-11 passed on second and final reading.

Ordinance No. 07-11 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect (UZO Amendment #72, permits live music entertainment in the NB and NBU zones, but only by special exception) (Submitted by Area Plan Commission)

Mayor Dennis read Ordinance No. 07-11 by title.

Councilor Keen moved that Ordinance No. 07-11 be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Councilor Keen reported that this ordinance would permit live music in NB and NBU zones by special exception only. City Engineer Buck presented a map to each Councilor before the meeting that shows NB and NBU zones in the City. Discussion in the APC meeting included clarification that one-time events would require the special exception. Councilor Keen said that he feels this is a good ordinance, as it is like a Planned Development for live music, in that it provides oversight as to when and where it can occur.

Mayor Dennis thanked City Engineer Buck for the maps.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

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

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

Mayor Dennis announced that Ordinance No. 07-11 passed on first and only reading.

COMMUNICATIONS

► Councilor Hunt asked City Engineer Buck to report on the status of the Lindberg Road Bridge, given the snow and weather recently. Mr. Buck responded that piles are still being driven, that the cold temperatures have been more of an equipment issue. Work on the piers has not begun yet because of the cold and snow. There is a progress meeting on Wednesday. Mr. Buck said that he expects to learn when concrete work will begin. Temporary enclosures can be erected to heat the space around the area where concrete is to be poured.

Councilor Burch reminded people that, for their own safety, jogging, walking, and driving are not permitted on the closed portion of Lindberg Road during bridge construction.

► Mayor Dennis introduced County Commissioner Murtaugh who was in the audience.

► Councilor Keen reported that APC is discussing going paperless. He encouraged the Council to consider using the website instead of paper. He stated that he was using his laptop to access the Council agenda and documents from the City website at this meeting, and that he found all the documents to be complete on the website.

CITIZEN COMMENTS

There were no citizen comments.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 7:41 p.m.