

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
MARCH 31, 2011

The Common Council of the City of West Lafayette, Indiana, met in the Lower Level Conference Room at City Hall on March 31, 2011, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

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

Also present were City Attorney Burns, Police Chief Dombkowski, Street Commissioner Downey, Fire Chief Drew, WWTU Director Henderson, Parks Superintendent Payne, and Director of Development Poole.

Mayor Dennis reviewed the agenda. Councilor Hunt reported that Jim and Ruthie Shook would receive the Beautification Award from Councilor Hoggatt.

UNFINISHED BUSINESS

Ordinance No. 09-11 (First Amended) Historic Preservation Commission Ordinance (Submitted by Councilor Bunder) [Introduced at March 7 Council meeting postponed first vote until April 4 Council meeting]

Mayor Dennis read Ordinance No. 09-11 (First Amended) by title and asked for comments or questions.

Councilor Bunder reported that something would be done with Ordinance No. 09-11 (First Amended). He and Mayor Dennis have discussed the possibility of a more concise enabling ordinance. It is possible that the ordinance will be postponed another month, but there likely be a motion to schedule a public information session on a shorter enabling ordinance or an amendment to the First Amended version. Ordinance No. 09-11 (First Amended) or whatever number amended would likely be voted on first reading at the May Council meeting.

Councilor Hunt stated that she heard good reports about the March 23 meeting. Councilor Burch reported that she had heard that there was not enough time for questions to be addressed. Mayor Dennis answered that that was his fault, as he began by announcing that the meeting did not have to be long. Councilor Dietrich said that the meeting would have still been going on, had it been open-ended. Councilor Hunt said that she was certain that all the Councilors have received comments.

Councilor Bunder stated that he would meet with the Mayor and the City Attorney, then meet with Tommy Kleckner of the Western Region of Historic Landmarks before offering changes. Councilor Dietrich commented that the next public meeting should have more discussion about the ordinance, not about the concept or other plans—which are good background—but people are concerned or wondering what the ordinance will contain. The answer, “Well, we don’t know, because the Commission has not been established, etc.” is not very satisfying to them.

Whatever form the meeting takes, it should be more directed to specifically, "Here's what we're talking about possibly approving." Councilor Hunt said that some of the emails she has received contained ideas about specifics. Councilor Bunder said it is difficult to make those meetings into legislative sessions. He did think that the meeting was helpful, to demonstrate what the ordinance is about. The technical questions are for attorneys, the Council, and the Mayor. The primary question is ideological, whether the City wants to offer this protection to property owners in Hills and Dales and in New Chauncey. That is the most fundamental question. It has to be legal, and must have some connection to the State enabling legislation. The rest is open for discussion. In the end, there will be an ordinance to take forward. Councilor Burch stated that she has heard that people would like the ordinance to focus on West Lafayette and be unique to West Lafayette, not Indiana Landmarks. Councilor Bunder responded that the ordinance was crafted to match as easily as possible to the State enabling legislation.

There was no further discussion.

NEW BUSINESS

Resolution No. 01-11 A Resolution To Transfer Dormant Fund Balance [Fire Truck Lease Fund] (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 01-11 by title and asked for comments or questions.

Councilor Hunt asked if the new trucks for Station No. 3 are all paid for. Fire Chief Drew answered that this is for the aerial truck at Station No. 2. The newest trucks at Station No. 1 and Station No. 3 were paid outright. Councilor Hunt asked if all the City's fire trucks are paid for. Fire Chief Drew answered that all four fire trucks are paid for.

There was no further discussion.

COMMUNICATIONS

► Councilor Hunt asked Director of Development Poole to update the Council regarding House Bill 1543 about rental housing. Mr. Poole answered that this bill is an attempt to regulate rental inspection programs, which we have in West Lafayette. Last year, the bill was HB1214. This year's was authored by Rep. Speedy, coauthored by Reps. Turner and Austin. It passed the House. Mr. Poole reported that he and Rep. Truitt had a conference call with Rep. Speedy, to understand how this would affect West Lafayette and our program, which is used as a model by other communities. They created an amendment, which should protect West Lafayette, by inserting a statement that the bill affects regulations that go into effect after December 31, 2010. The City is grandfathered in. Councilor Hoggatt and City Attorney Burns asked whether changes to the City's ordinance would mean that the City would then fall under the new legislation. Director of Development Poole answered that any changes would apply to those programs put into place after December 31, 2010. City Attorney Burns asked what would happen if there would be an amendment to it sometime in the future. Director of Development Poole agreed to get clarity on this. Councilor Hunt asked that the Council be kept informed, and Mr. Poole agreed to do so. Councilor Hunt stated that individuals could follow this bill on the web. Mr. Poole provided the website, www.in.gov. City Attorney Burns asked what the Senate might do with the bill. Director of Development Poole said he did not know. Mayor Dennis suggested that Mr. Poole contact Sen. Hershman.

CITIZEN COMMENTS

► Ms. Jan Myers [1909 Indian Trail Drive] stated that other communities where she has lived have used maps to show houses that fit each date range (e.g., 40 years, 50 years), so that everyone knows which houses and which neighborhoods are historic.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 4:46 p.m.