CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
SEPTEMBER 29, 2011

The Common Council of the City of West Lafayette, Indiana, met in the Lower Level Conference Room at City Hall on September 29, 2011, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

Present: Bunder, Burch, Dietrich, Hunt, and VanBogaert.

Absent: Keen and Thomas.

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, Assistant Superintendent of Parks Ainsworth, City Engineer Buck, Housing Program Coordinator Dixon, Police Chief Dombkowski, Fire Chief Drew, Human Resources Director Foster, WWTU Director Henderson, and Director of Development Poole.

Mayor Dennis reviewed the agenda.

Councilor Hunt announced that the Park Board Foundation nominee is Ms. Anita Joglekar. Councilor Burch asked if Ms. Joglekar were replacing someone. Councilor Hunt answered that she is replacing Vinod Sagi.

Councilor Burch will present the Beautification Award.

UNFINISHED BUSINESS

Ordinance No. 18-11 An Ordinance Setting The 2012 City Budget and Setting The 2012 Tax Levy On Property and Tax Rate (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 18-11 by title. He noted that this would be the final reading, after a first reading and a public hearing. He asked for comments or questions.

There was no further discussion.

Ordinance No. 23-11 An Ordinance Vacating A Portion Of Garfield Street In The City Of West Lafayette, Indiana (Submitted by Purdue Research Foundation, Sponsored by Mayor Dennis)

Mayor Dennis read Ordinance No. 23-11 by title and said that this ordinance is part of the Wang Hall project. He asked for comments or questions.

There was no further discussion.

Ordinance No. 24-11 An Ordinance Vacating A Portion Of An Alley In The City Of West Lafayette, Indiana (Submitted by Purdue Research Foundation, Sponsored by Mayor Dennis)

Mayor Dennis read Ordinance No. 24-11 by title and said that this ordinance is part two of the Wang Hall project. He asked for comments or questions.

There was no further discussion.

Resolution No. 13-11 A Resolution To Amend The 2010 CDBG Appropriation (Prepared by the Department of Development)

Mayor Dennis read Resolution No. 13-11 by title and asked for comments or questions. This resolution was tabled at the September 6 Common Council meeting, until this meeting. He reminded the Council that there was question as to whether the remaining funding to a social service program, as opposed to sidewalks and curbs.

Director of Development Poole explained that the 2010-2011 CDBG funding cycle is closed. The Family Services Self-Sufficiency Life Skills program had been awarded CDBG funds before the program was discontinued. $3,587 of funding had not been used, which was then available for allocation. The HUD representative Grant McFann suggested that the money be placed in an "other" category, so that the City would not lose the money. The Department of Development worked with a social service agency, which had not applied for CDBG funds in the past, but the organization did not complete the paperwork necessary. If the Department had distributed the $3,587 to the other 11 funded social service groups, $326 would have gone to each group. Each contract would have had to be amended and approved by the Board of Works, and the Department's action plan would have had to be amended by HUD and the Council by June 30, the cutoff for the grant cycle. The funds remained in the "other" category. Social services has a 15% cap of the total CDBG funding, so the $3587 cannot be added to the 2011-2012 funding for social service, since the 15% of the 2011-2012 has been allocated.

Councilor VanBogaert asked for clarification. Director of Development Poole explained that, in the original 2010-2011 funding cycle, 15% was allocated to social services, with the Family Services program part of the funding. $3,587 was moved to the "other" category. In the new funding cycle, the maximum 15% has been allocated, not including the $3,587. Councilor VanBogaert asked whether the application of the 2010 money is subject to the percentage required under the current year. Mr. Poole said that the 2010 money could not be applied to the social service group, because they are already at 15% of the 2011-2012 funding. The funding could be applied to other categories, such as New Chauncey Housing or public improvements, as those areas do not have CDBG caps.

Councilor VanBogaert asked which sections of the City have made the City eligible for CDBG money, and asked if the money would be allocated to address improvements in those portions of the City. Mr. Poole responded that the CDBG-eligible areas in the City are quite large. Many efforts are focused in the New Chauncey area, but there are areas in the north side of the City that are also classified as eligible. Councilor Hunt asked to know which areas in the north part of the City are eligible. Mr. Poole answered that Wabash Shores, Yeager Road, some of the Northwestern corridor, and other areas.

Councilor Bunder asked if the Community Development Advisory Committee had been reconvened, to advise them of the situation. Director of Development Poole answered that they did not have to reconvene the Advisory Committee. At their meeting of March 10, 2010, when the allocations had not been finalized at the federal level, the social service allocations were

approved by the advisory committee, the Committee asked for another meeting, if the variance was more than 10%. If it was under 10%, no other meeting was necessary.

Councilor Dietrich asked how this situation could be avoided in the future, and why this was a May issue that the Council did not know about until September, after it was too late to move it to another social service program. He asked if there should have been some action to move the money or some direction in May, when it might have been possible to develop a "Plan B." Now there is no choice, and the four-month lag put the City in this situation. Mr. Poole said it would not have made much difference, considering it was May 12, and it would have taken more than six weeks to amend the contracts, seek Board of Works approval, and amend the yearly plan and have it approved by HUD and the Council. There would not have been enough time to make changes. That was why Mr. McFann suggested the "other" category, to hold the money until another group could be identified to use the funds. Mr. Poole addressed Councilor Dietrich's first question, saying that it was not possible to predict failure of a social service agency in mid-funding stream. Councilor Dietrich said he was not talking about stopping failures, but not being caught by surprise and not making a "Plan B" for reallocation. That should have been the first effort, to reallocate it into the social service area. There should be a plan. Mr. Poole said he thought they were prudent, putting the money into the "other" category, to allow them to work with an organization, which they tried to do, to keep the money within the social service group. That organization did not execute a contract with Development, so at least the money would stay in West Lafayette. The HUD representative recommended the safety net.

Councilor Burch asked for clarification, that if we do not use the $3,587, we would lose it. It will be gone. Housing Program Coordinator Dixon said that it might be cut. Councilor Burch asked if it might be cut that amount or more in the future. Housing Program Coordinator Dixon answered yes. Councilor Burch asked if the money could be used for a section of sidewalk or the New Chauncey Housing. Director of Development Poole answered that public improvements and the housing component do not have limits of time.

City Attorney Burns said it would be up to the Council to make that decision. The advisory group does not have to convene by their own 10% rule. Director of Development Poole agreed with those statements. City Attorney Burns asked for clarification that there is no federal oversight, because it was already put into that category, so it is purely within the Council's control. Mr. Poole answered that he believed so.

Councilor Burch asked if the Council needed to vote at this meeting, whether there was a deadline. Councilor VanBogaert said that there were trying to move quickly. Director of Development Poole added that they set dates to try to make things happen. City Attorney Burns said that the Council could take any action it would like.

Councilor Hunt asked if the two options are sidewalks and housing. Director of Development Poole answered yes, that they are using major groups, as opposed to specific areas. Councilor Hunt asked what was possible under housing. Mr. Poole answered that New Chauncey Housing was the only item in the housing category. Councilor Hunt asked for clarification on using the money for sidewalks. Housing Program Coordinator Dixon responded that it could be used for a small portion. Councilor Hunt asked about using the money for handicap ramps. Housing Program Coordinator Dixon said a small one. Mayor Dennis added that it would be in the target area.

Housing Program Coordinator Dixon offered that Fire Station No. 1 will have floor replacement, and the Department has allocated $25,000 for this. If the quotes come in higher, the $3,587 could be applied to this project.

Councilor Burch asked, if the funds were designated for the New Chauncey Housing, whether the money would be used for renovation for a family house. Director of Development Poole answered that the money could be used for renovation of a house or down payment assistance.

Mayor Dennis stated that one option is to have a motion and it could be voted on. Councilor Dietrich said that there is no longer the immediate need to act, the money is set aside. Housing Program Coordinator Dixon agreed. Director of Development Poole stated that the money would have to be programmed eventually, so the Council needs to determine where it should go, but that there is a limit of time. Housing Program Coordinator Dixon added that it would have to be allocated by June 30, 2012.

Councilor Hunt asked City Engineer Buck if a total handicap ramp could be done. Mr. Buck said that, depending on the size, there could be two done or a corner would be possible.

Councilor Bunder stated that he understands that the CDBG Advisory Group said it was okay for Development to allocate up to 10%, but he asked that the Advisory Group be reconvened, since there is no time constraint, to ask for their opinion. It is the group's turf, and Councilor Bunder said he felt that it would honor the intent of the resolution, if something significant happens, they would be consulted. Councilor Bunder said he felt that a program going out of business is significant.

Mayor Dennis suggested that the resolution be tabled. City Attorney Burns added that tabling it indefinitely would be a good approach.

Councilor Dietrich moved to table Resolution No. 13-11 indefinitely. Clerk-Treasurer Rhodes suggested that postponing the resolution indefinitely was more accurate. City Attorney Burns said that it is the same effect, that, terminology-wise, it is a postponement. Mayor Dennis restated the motion, that Resolution No. 13-11 be postponed indefinitely. Councilor Hunt seconded the motion.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✔			
Burch	✔			
Dietrich	✔			
Hunt	✔			
Keen			✔	
Thomas			✔	
VanBogaert	✔			

Clerk-Treasurer Rhodes stated that the vote was 5 AYE and 0 NAY.

Mayor Dennis announced that Resolution No. 13-11 is postponed indefinitely.

COMMUNICATIONS

►Councilor Dietrich announced that Ralph Davis, father of Mark Davis, died.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 4:53 p.m.