

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
February 6, 2012

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on February 6, 2012, at the hour of 6:30 p.m.

Mayor Dennis called the meeting to order taking the consent of the Council that a quorum was present, and presided.

The Pledge of Allegiance was repeated.

Mayor Dennis told the audience that of all the meetings we have during the year, this is his favorite. This is the meeting in which the City gets to say thank you to the folks who have helped make this such a great city; those who serve and protect us; and to thank all the Department Heads for doing such a great job.

CITY SUMMIT

Police Officer of the Year Award

Police Chief Jason Dombkowski, on behalf of himself and Police Merit Commission President Don Corrigan, presented the Police Officer of the Year Award. Chief Dombkowski thanked the Council for having the award every year. He shared that the award began in 2008, in conjunction with the Police Merit Commission, as a way to recognize all of the officers. Throughout the year there are Officer of the Quarter Awards given, wrapping up with the Officer of the Year Award. There is a bit of a competition process through the command staff nominating officers who work for them for this award, Chief Dombkowski recognized that a lot of hours are spent in our community each year. There were over 24,000 calls for service from the Police Department in 2011. A citation was written by Lieutenant Harris and Lieutenant VanVactor, nominating Officer Travis Morgan. The nominations were voted on and Officer Morgan was chosen as Police Officer of the Year. Police Chief Dombkowski read the citation to the audience, which listed multiple achievements during the past year by Officer Morgan. Chief Dombkowski presented Officer Morgan with the award and plaque. Officer Morgan stated that the individual award is for all the men and women he works with, because police work is never individual. He expressed his appreciation for the award, for his fellow officers and for a great city in which to work.

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 and is appended to the archived minutes.

Volunteer Recognition Awards – Mayor Dennis

Mayor Dennis stated it was a privilege and honor to present the awards to five unique women providing services in our city. He noted they all have certain attributes in common: devotion, a giving spirit, a selfless attitude, and unconditional dedication to this community, specifically in the city's Parks and Recreation Department. They lead by example and make a difference in the world around them. Mayor Dennis presented the Volunteer Recognition Awards to:

COMMON COUNCIL MEETING MINUTES, February 6, 2012, CONTINUED

Tanny Dawson-Snyder, who was unable to attend due to illness, for her work sharing singing, guitar playing, and recreational therapist experience with Parks and Recreation Special Events, the Global Fest, and Wabash Valley Alliance.

Linda Eales, for her work with West Lafayette Public Library Board, Purdue Women's Club, New Chauncey Housing, Inc, Global Fest Naturalization Ceremony, and with Samara, and the Frank Lloyd Wright-designed John E. Christian House.

Karen Springer, for her work with elementary school musicals, West Lafayette Community School Corporation Musical Dinner Theatre, West Lafayette Music Boosters, West Lafayette School Board of Trustees, West Lafayette Parks Board, West Lafayette Parks and Recreation Department, Global Fest, several West Lafayette High School volunteer activities, and West Lafayette Elementary School Parent Council.

Susan Ulrich, for her work with (NICHES) Northern Indiana Citizens Helping Ecosystems Survive, Celery Bog Nature Area, Banks of the Wabash, compiling the first Warren County Breeding Bird Atlas, Friends Book Sale for West Lafayette Public Library, Library Friends Council, Friends Used Book Store and Book Fair, West Lafayette Public Library Endowment Foundation, Disposition Committee, Sycamore Audubon Society, Lilly Nature Center, and West Central Chapter of Indiana Native Plants and Wildflower Society.

Dot Wankat, for her work with Global Fest International Food Booths, the Costume Department for Musicals at West Lafayette High School, sewing baby quilts and newborn necessities for Newborns in Need, and West Lafayette Public Library Outreach Program for Daycare.

Mayor Dennis opened the regular business meeting of the Council for February 2012 and asked Clerk-Treasurer Rhodes to call the roll.

Present: Bunder, Burch, Hunt, Keen, Thomas, and VanBogaert.

Absent: Dietrich.

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, Public Works Director Buck, Police Chief Dombkowski, Street Commissioner Downey, Human Resources Director Foster, Fire Chief Heath, WWTU Director Henderson, Parks Superintendent Payne, Information Technology Manager Newman, and Director of Development Poole.

MINUTES

Councilor Keen moved for acceptance of the minutes of the December 29, 2011, Pre-Council Meeting, and the January 3, 2012, 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. Councilor Bunder reported updates on the dedication of Lindberg Bridge, status of the Yeager Road and Indiana-American Water projects under construction this year, and the 2011 Wastewater Utility Green Power report.

Councilor Bunder noted that the City of Lafayette had a proposal to rename US 52 Bypass or moving it to be part of US 231, and he asked if the City of West Lafayette was part of that discussion, or if it involves us. Mayor Dennis replied that it does and that part of what is being discussed is in reference to INDOT's philosophy, which is that the roadways should reflect somewhat the way that the state of Ohio operates their roadways. In Ohio, any roadways that are within city boundaries are managed, owned and regulated by the city, and anything outside of that would still be under the state. This is part of the same philosophy of passing off their resources to the City. Mayor Dennis declared the eventuality is that the City of West Lafayette will take over the roads within our limits, at a price that can be agreed upon. There are a significant number of miles of roadway the City would be absorbing. The miles of roadway the City would take care of would double, and the number of electronic signals would increase from 8 to about 40. The City is looking at that process. The actual redesign of the roadway is actually left to INDOT and their philosophy is to make it more efficient. The project is somewhat like several years ago when they relocated the railways, but it will not have a negative impact. Councilor Bunder and Mayor Dennis concurred that it would be very beneficial for the City to gain control of both the 52 Bypass and Hwy 43 (North River Road).

PUBLIC SAFETY AND ORDINANCE

Councilor Keen stated there were significant personnel changes within the last month which Councilor Burch will present in her report, and the rest of his report will be on file in the Clerk-Treasurer's Office.

PURDUE RELATIONS

Councilor VanBogaert shared that on Monday, January 23rd, several representatives met with members of Purdue University and Tippecanoe County in the Community Partnership Meeting. There was a discussion of the goals of their Master Plan, including commercial development, an academic master plan for the compact growth of academic building, and the capital planning of the Intercollegiate Athletic Department. Some of the projects being discussed would occur over the next ten to twenty years and there was also discussion in more detail of some of the logistical phases of the project at 516 Northwestern Avenue.

PARKS AND RECREATION

Councilor Hunt stated the formal Parks Report was on file in the Clerk-Treasurer's Office, but she wanted to highlight the Dare to Bare Event at Riverside Skating Center. The Event occurred on Friday, February 3, 2012 with mild weather and plenty of ice. There was great attendance with over 120 people and a theme of football and cheerleader outfits, reflective of the game to be played at Purdue University the next day. She stated the event was fun and a great success.

ECONOMIC DEVELOPMENT

Councilor Thomas presented this report, which will be on file in the Clerk-Treasurer's Office. Councilor Thomas reported on activities of the Department of Development for the month including the upcoming process for Community Development Block Grant (CDBG) funding, the MetroNet fiber optic project, ribbon-cutting for Poblano's Restaurant in Levy Plaza, participation in the Big Ten Managers Meeting in Evanston, the proposed Faith West Planned Development on the former Champion Center site, planning for the inaugural Purdue Boilermaker Half Marathon, and the Historic Preservation Commission meetings.

PERSONNEL

Councilor Burch announced the new hires and personnel changes for the month of January:

- Michelle Payne, West Lafayette Wastewater Utility Billing Office
- Tim Heath, appointed Chief of the West Lafayette Fire Department
- Lesley Turner, Administrative Assistant/Deputy Clerk-Treasurer
- Anthony Newman, Information Technology Manager

Councilor Burch extended a welcome to all the new hires.

BUDGET AND FINANCE

No report.

REPORT OF APC REPRESENTATIVE

Councilor Keen reminded everyone that on February 15, 2012 at 7:00 p.m., at the Tippecanoe County Building in the Tippecanoe Room, there will be a monthly Area Plan Meeting and on this meeting's agenda will be discussion of the Muinzer project on Northwestern Avenue. Councilor Bunder asked if the Faith West Project was on the Agenda for that meeting and Councilor Keen stated it was not, but will be coming forth soon.

SPECIAL REPORTS

- a. Redevelopment Commission 2011 Year End Report
Development Director Poole reviewed the activities and accomplishments of the Redevelopment Commission during 2011. The report is on file in the Clerk-Treasurer's office.

Director Poole reported on projects in the TIF districts.

Levee/Village TIF District

- Phase I of Wabash Heritage Trail was started, which goes along Robinson, River Road and into Happy Hollow Park. Phase II goes from Happy Hollow Park to the corner of Rose and Kingston Streets.
- The revitalization of Tommy Johnson Park is one of the more visible ones that everyone has seen. The New Chauncey Cooperative deserves a big round of applause and thanks for the help in the project and a neighbor of the park offered free maintenance of the Park prior to the improvements and deserves thanks as well.
- Engineering Department did much resurfacing in the Levee/Village area and it is much improved.
- Gumball Alley is now cleaned up and is a testimony to departments working well together. The Engineering and Wastewater Departments worked together on correcting that problem.
- Welcome Signs were updated on Fowler Street.

KCB TIF District

- Lindberg Bridge completion
- Fire Station # 3 (a permanent fire station) will be built with a customized financing package which will be financed over seven years with a couple balloon payments at the end, but that package allowed the station to be built without bonding for it, which saves a tremendous amount of money. Everyone working together on that made it happen.

Sagamore Parkway TIF District

- Alan White, a local developer, purchased the former K-Mart site and has sold off most of the parcels. In working with the City, the Redevelopment Commission invested \$225,000 in improvements for traffic-calming measure, sidewalks and landscaping. IU Arnett Health will build a 30,000 square feet sight on that location. Mike's Car Wash has been built, and the other two sites have been spoken for and construction should begin later this year.

Director Poole noted some other general highlights including that Dow AgroScience has once again expanded their presence within the Purdue Research Park and become the largest tenant in the park. Also, Campus Acquisitions, out of Chicago has purchased the long-suffering Chauncey Square within the Village Area. The property is currently under construction for the second and final phase of the residential component. It should be ready for fall occupancy.

Sagamore West Farmers Market has been extremely successful with \$300,000 in sales per year. Director Poole said they have been very happy to work with the Parks Department on that and that it has been a great addition to the city.

He reported that the Historic Commission has had some great discussion at its meetings and he is looking forward to submitting the actual ordinance for review later this year.

Working together with the City of Lafayette, the Lafayette-West Lafayette Convention and Visitors Bureau, and Purdue University, Mr. Poole reported an agreement has been reached to host the first Purdue Boilermaker Half Marathon on October 20, 2012. He extended an invitation to all to participate in the event.

Councilor Bunder asked Director Poole and City Attorney Eric Burns if they had any indication of what the state government will do in relation to TIF districts and how they will report to the city. Senate Bill 25, which is Luke Kenley's bill, requests that City Council review the Redevelopment Commission's Budget for its Spending Plan for the following year. Director Poole reported that Senate Bill 352 died in committee, and that it would have prevented redevelopment commissions from actually owning single family homes and condominiums, and things of that nature, which would have essentially prevented the Redevelopment Commission from doing any kind of neighborhood stabilization work. Director Poole stated he was very happy to see that bill did not make it out. Mayor Dennis asked about the time parameters that changed with Kenley's bill. Director Poole responded that if the Redevelopment Commission does commit to an incentive package over \$5 million or one that is over three years in length, it would have to come before the Council for approval. Attorney Burns agreed that from all he's heard the Kenley Bill will pass this session of the Senate.

b. 2012 Wastewater Treatment Utility (WWTU) Budget

Mr. Jim Treat (O.W. Krohn & Associates), the WWTU financial advisor, reviewed the 2012 WWTU budget. The entire report is on file in the Clerk-Treasurer's Office. He highlighted four schedules.

Schedule I (Budgeted Operation and Maintenance Expenses) includes detailed, line item, by department, operating expenses. This schedule compares the budget operated under in 2011 to what is planned for 2012. Mr. Treat observed that Director Dave Henderson does an excellent job keeping the Wastewater Utility facility on budget. The numbers through the first 11 months of 2011 were balanced at or below budget. Mr. Treat observed there will be an increase in budget for 2012. The 2012 budget will be just under \$4.6 million. That's an increase of about \$195,000 or 4.5% above 2011. The primary component of the increase is wages, benefits and insurance for employees. With one exception, there is no increase in the employment positions at the Wastewater Utility, so the increase basically reflects the 1.5% pay increase for all employees citywide for this year, and an additional one-time payment of \$500. The other increase reflected in the budget change is an insurance premium cost increase of about 15%, being entirely absorbed by the WWTU. None of that increase is being passed on to the employees. The one exception to employment positions mentioned is the hire of a new Information Technology Director, Anthony Newman, for whom the Wastewater Utility pays a share of his salary. Other budget increases are reflective of equipment repair and maintenance expenses and pollution prevention expenses.

Councilor Burch inquired about the \$4,000 increase in legal costs in the budget. Dave Henderson responded that the amount was for 2011 extra legal costs for the Indiana-American Water rate increase case.

Schedule II (Projected Operating Revenues and Expenses for the Twelve Months Ending December 31) looks at current operating budget and where operating revenues will be. Mr. Treat observed that Purdue revenues have flattened out somewhat without any real increase in the last several years. The estimate of billing revenues has been reduced to about \$8.4 million in total sewer fee revenues in order to be conservative. Recycling sales are up which resulted in increase in revenue from \$45,000 to \$60,000. Based on current experience with increasing miscellaneous revenues, which have running ahead of budget, this item has been increased to \$25,000 instead of the prior \$5,000. Included in the category 'miscellaneous revenues' are administrative fees, rentals, a contract for street sweeping with INDOT, and other things that are not often discussed, but contribute to the bottom line. Mr. Treat reported they are looking at operating with revenues of \$9.16 million and operating expenses of about \$4.6 million. The report presents result of cash flows resulting when the assumptions are that revenues remain flat and some inflation factors are applied to the expenses.

Schedule III (Five Year Capital Expenditure Plan) gives details of capital projects. Mr. Treat reviewed the capital projects. The most flexible project, in terms of timing, is the Purdue Research Park Improvements. There is a substantial project, the PRP Lift Station and Main Extensions, with about \$2.6 million under the Collection System and Lift Station categories. Mr. Treat observed the desire is to be ready and not hold back any development but at the same time not make any major investments there until the next section is being developed. The Soldier's Home Road Lift Station has been designed and is ready to bid. That project is expected to move forward soon. Under collections projects, there is very little left to do on the North River Road Interceptor and on the Western Interceptor Division IV, there are some change orders and clean-up things that didn't get paid last year

that are in this year's budget. Western Interceptor Division V was bid and started in 2011. The \$1.9 million included in this year's budget for that work is the remaining contracted amount needed to wrap up that project this year. Cumberland Phase II Project has already been bid and is ready to go, and the amount reflected in the budget is the WWTU portion of that project. The Capacity Expansion Project is to improve capacity at the plant. IDEM has given approval for this project, which involves an aeration tank expansion, about a \$2.0 million project. Clerk-Treasurer Rhodes reported that bids for the project will be opened on February 14, 2012. Mr. Treat noted that most of those costs will be absorbed this year but there will most likely be some carryover for a two-year period. Mr. Treat noted there was also included in this Schedule costs for replacing garbage and recycling trucks. Those kinds of equipment replacements are usually programmed in to be replaced every three to four years. In 2012 and 2013 there will be new billing software purchased for \$50,000.

Mr. Treat summarized that significant capital expenditures, over \$11.0 million to \$12.0 million, will occur in the next five years. The CSO (Combined Sewer Overflow) Long Term Control Plan is not included in this report. Mr. Treat stated they do expect a plan to be approved this year, but it is a 15-year program. What the engineers have laid out so far does not involve any major capital projects in the next five years. It is beyond the scope of the budget the plant is looking at currently, until we see some major things appear in the budget, but planning includes what is known to be coming down the road as part of that Long Term Control Plan.

Schedule IV (Projected Cash Flows and Bond Coverage For the Twelve Months Ended December 31), the last page of the budget, includes a wrap-up of the various schedules and shows an expected net revenue of about \$4.4 million to \$4.8 million to pay debt service and the cost of capital projects. There is a substantial balance in the Improvement Fund, and some of it has been spent to reduce the need for additional debt. Mr. Treat observed the Utility needs to keep an eye on the Improvement Fund and make sure the code and ordinance requirements are met as far as cash balances, bond payment and reserves, and operating cash. The money in this fund is not only to be used for planned projects but also for unplanned projects and emergencies, and for temporary interfund loans with the City, so the City does not have to go out to banks and borrow the money. Mr. Treat stated it is wise to keep the balance within \$3.0 million to \$4.0 million for long term security.

Councilor Thomas asked for clarification of the budget revenue drop from Purdue of \$300,000. Mr. Treat explained that Purdue had additional flows in the past, and that Purdue has done different things in handling these flows now. While Purdue University is building, they are also doing some retrofitting and saving on water usage and cutting back, so the Utility is not really seeing any growth on the revenues from Purdue. Director Henderson added that Purdue reports both water consumption and deduct meters for water that does not get returned to the sewer system. They identified a deduct meter that had been reported as a usage meter, so there was an accounting problem there and when that was resolved, along with some of the retrofits in the residence halls, there was a substantial drop in revenues.

Councilor Keen inquired about the FOG (Fats, Oils and Grease) revenues on Schedule II. He noticed that the 2010 revenues were \$27,000 and the projected revenues for 2011 were closer to \$70,000. He asked how close to the projected amounts the WWTU actually was. Director Henderson stated we were actually well under the projected amounts. Councilor Keen asked if we should be closer to \$50,000 for 2012. Director Henderson said we are hoping so and that in the first month and a half we were on track to be. Early indications are that things are improving and the plant signed permits for a couple of new grease haulers. He said intake is very inconsistent. Some weeks they have three or four haulers come in and other weeks they don't. One hauler services local Walmarts and Sam's Clubs and comes in once a quarter. The plant is looking at other potential sources of feed stock for the digesters. Last year the plant experimented with thin stillage, a bi-product of ethanol production, but it was too potent and created all kinds of problems with too much gas production and safety valves popping. Other waste is being considered including waste from a local manufacturing plant which might work well with the digester. Laboratory analysis is being done to see if it will work. It is a good source and could result in a consistent number of gallons delivered each week. The grease deliveries have been very inconsistent.

Councilor Keen also asked about the drop in recyclable sales from 2010 to 2011. He noticed the 2012 projected sales are back up again and wondered how close to accurate that projection would be. Wastewater Utility Director Henderson responded that the 2010 amount in the report is actual sales and he didn't have actual sales for 2011, but the 2011 sales are way above the projected budget amount of \$45,000. He noted that the plant had moved closer to a \$60,000 per year level of sales, and they expected that much in 2012.

Councilor Bunder asked for more information regarding the cost of legal representation for the Indiana-American Water rate hike situation, and noted that it has to be more than the \$4000 which was mentioned earlier. Attorney Burns, Mayor Dennis and Clerk-Treasurer Rhodes all addressed the question and reported that it is definitely higher than that. Clerk-Treasurer Rhodes stated that the City compiles the expenses for legal services weekly as they come through the Board of Works, and that it can be obtained from the records of meetings. The total cost so far is higher than \$50,000. Councilor Bunder asked where the rest of the money is coming from. Clerk-Treasurer Rhodes responded that it is a combination of General Fund, legal, and some consulting (Clerk-Treasurer's budget), and EDIT (Economic Development Income Tax) for support for the financial analysis and for the legal representation. She stated that it is a major undertaking and that she would report back on spending to date.

PUBLIC RELATIONS

a. Council appointment to the Board of the Greater Lafayette Public Transportation Corporation (GLPTC)

Councilor Hunt re-nominated a current member, Joe Krause, whom she said had a lot of experience and who actually rides the bus all the time and is extremely active in assisting people who ride the Amtrak train to Chicago. He volunteers at the track all the time. Councilor Burch seconded the nomination.

The motion was approved unanimously by voice vote.

b. Council Appointment to the Police Merit Commission

Councilor Hunt nominated for full-term appointment, Nina Kirkpatrick, who is an attorney, grew up in West Lafayette, and who has been filling an unexpired term for Jill Suitor who went on sabbatical. Councilor Hunt stated she had spoken with Police Merit Commission President Corrigan and he recommended her as well. Councilor Burch seconded the motion.

The motion was approved unanimously by voice vote.

FINANCIAL REPORT

Clerk-Treasurer Rhodes announced that on Friday, February 17, 2012 there will be a public hearing conducted by the Department of Local Government Finance (DLGF) on the 2012 Budget. All entities in Tippecanoe County are considered at that hearing. The meeting will be held in the Wabash Room in the Tippecanoe County Office Building at 1:30 p.m. Everyone is welcome to attend and the floor will be open for comments. The public Gateway which provides access to budgets and shortly, annual financial reports, is available to the public. The certified assessed valuation figures filed with the DLGF are also available there.

Clerk-Treasurer Rhodes stated they are hoping for a speedy recovery of Councilor Steve Dietrich and at the convenience of the Council, meeting to review the financial position at the beginning of this year. She said she would like to hear from the Council as to when they would like to have a work session in that regard.

LEGAL REPORT

City Attorney Burns stated that the legal report has been filed, and Councilors have received copies. There were no comments.

UNFINISHED BUSINESS

None

Resolution No. 03-12 A Resolution Requesting the Transfer of Funds (CCD) (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 03-12 by title.

Councilor Keen moved that Resolution No. 03-12 be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Clerk-Treasurer Rhodes stated that this transfer resolution is necessary to pay the portion of the benefits for the IT Director that is paid out of city funds. The remainder is paid out of the Wastewater Utility budget.

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 6 AYE and 0 NAY.

Mayor Dennis announced that Resolution No. 03-12 passed on first and only reading.

COMMUNICATIONS

Police Chief Dombkowski reported that he had been in communication with Councilor Dietrich whose recovery is going well.

Councilor Bunder noted that the Council wished Councilor Hunt well on her upcoming surgery.

Councilor VanBogaert reported on the recent Council work session on redistricting which took place on January 24, 2012. He asked for any conceptual ideas for potential maps moving forward that anyone might wish to contribute in time for the March 1st Pre-Council meeting next month. The Council will be deciding at that meeting when they will get together either for a special work session or putting together something fairly quickly.

CITIZEN COMMENTS

Thomas Kessler (479 Maple Street) inquired as to how many federal dollars the City of West Lafayette received in 2011. Clerk-Treasurer Rhodes responded that the City is very close to having that total as part of the federal grant schedule which is compiled for the annual financial reporting required by the State. She will let him know in a few days.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 8:38 p.m.