CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
March 29, 2012

The Common Council of the City of West Lafayette, Indiana, met in the Lower Level Conference Room at City Hall on March 29, 2012, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

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

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, Assistant City Engineer Michael Susong, 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.

Mayor Dennis noted the overcrowded room and asked to permanently move all Pre-Council Meetings to Council Chambers. Everyone agreed.

Mayor Dennis introduced Sameer Mishra and representatives of the Mayor's Youth Council , who have been invited to attend the Pre-Council Meeting to present the flag they had developed for the City of West Lafayette. Attending with Mr. Mishra were three other members of the Youth Council: Neha Ramani, Marcus Siegmund and Shiv Panigrahi.

Mr. Mishra explained that the Mayor's Youth Council is open to any high school students in the City of West Lafayette, including West Lafayette High School and Harrison High School. He noted there were 20 members and currently they all happen to be from West Lafayette High School. Mr. Mishra described some of the Youth Council activities. He invited everyone to attend the West Lafayette Youth Council Talent Show on Friday, April 9, 2012 from 7:00 p.m. to 9 p.m. at Morton Community Center. He said the object of the show was to showcase the talents of area youth. He explained other activities of the Council included participation in the annual Cumberland Elementary School Carnival to establish relationships with some of the children in the community, hosting food drives and other such projects, and the City Flag project proposed by Mayor Dennis.

Mr. Mishra and other members of the Mayor's Youth Council gave information on the history of the flag project and how they came to decide on each of the attributes of the City flag. The Youth Council was first presented with the project in the Fall of 2008. They explained they started off with about 26 submitted flag designs. They narrowed the selections down to three or four and then held a group vote to choose the final design. The design process began with a history lesson about the early City of West Lafayette from Mr. Nick Schenkel, Director of the West Lafayette Public Library. Mr. Schenkel described for them the three separate original neighborhoods or villages which eventually were merged and incorporated in 1888, to become the City of West Lafayette. These neighborhoods were Kingston, Chauncey and Oakwood. The three sections coming together on the flag represent the three original villages.

The Council members went on to describe using recommendations from the North American Vexillological Association "Good Flag/Bad Flag" publication. This document suggests keeping the design of a flag simple so it is easy to reproduce and recognize, using meaningful symbols, using only two to three colors, not using lettering or seals so the flag is recognizable from a distance, and being either relative or distinctive.

The Youth Council chose to design the flag with four colors: the color blue to represent Harrison High School and the color of the Indiana State flag, the color red to represent West Lafayette High School, the color white as a symbol of diversity, and the color gold to represent the State of Indiana. The color blue can also be a symbol of diversity as it also represents the various oceans of the world and indicates a coming together of various cultures and communities from around the world, since West Lafayette is known for being a culturally diverse community. Additionally, the white wreath, an international symbol for knowledge, education and open-mindedness, pays homage to the staff of the local schools and to the influence of Purdue University on our community, without using the Purdue University colors. The three intersecting blue lines on the flag design, represent the three original villages of Kingston, Chauncey and Oakwood. The shape of the star references both the stars on the Indiana State flag and the stars on the American flag. Only one star was used to represent the fact that Purdue University, the two high schools and the residents of the City are all part of the same community. The star is placed in the center of the three intersecting blue lines to represent all the parts of the community coming together.

Mayor Dennis commended the students on all the hard work, time and effort put in to creating such a wonderful flag for the City and noted that the students were really the driving force behind the entire design for the flag. The Mayor asked the Common Council members to write and pass a resolution regarding the use and display of the City flag and asked them to adopt the flag design as the new flag of West Lafayette.

Councilor Keen moved that the flag be adopted as the flag of West Lafayette. 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 7 AYES and 0 NAYES.

Mayor Dennis congratulated the members of the Mayor's Youth Council on the adoption of the flag for the City of West Lafayette.

UNFINISHED BUSINESS

Ordinance No. 06-12 An Ordinance Requesting An Additional Appropriation For The Cumulative Firefighting Building And Equipment Fund PUBLIC HEARING

Mayor Dennis read Ordinance No. 06-12 by title and asked for comments or questions.

There was no discussion.

Ordinance No. 07-12 An Ordinance To Ratify And Adopt Amendments To Chapter 44 Section 11 Of The "West Lafayette City Code" Concerning Parking

Mayor Dennis read Ordinance No. 07-12 by title and asked for comments or questions.

There was no discussion.

NEW BUSINESS

Ordinance No. 08-12 To Rezone Certain Real Estate Within The City Of West Lafayette, Indiana And Designating The Time When The Same Shall Take Effect. (Grant Street Station Planned Development) (R3W to PDRS)

Mayor Dennis read Ordinance No. 08-12 by title and asked for comments or questions. Mayor Dennis noted that the ordinance was in reference to the Grant Street Station Planned Development and introduced Dan Teder (Reiling, Teder & Schrier LLC), who is representing the development. Mr. Teder offered to answer any questions and said that Mr. Shane O'Malley, one of the developers for the project, was present to answer questions as well.

Councilor Hunt said she had questions since the project came up so quickly. She asked if anyone else would like a summary of the project.

Mr. O'Malley said the project started in February of 2011. There were four or five pre-submission meetings, four or five draft plan meetings, numerous check sets, and numerous sets of preliminary plans, working all of that with the company's own engineers and architects. The City Engineer, the West Lafayette Development Department, the West Lafayette Police Department and the West Lafayette Fire Department have been involved in all the various steps and meetings.

Councilor Hunt said she liked a lot of what she sees in the plans including the bike racks and the bus stops. She said as a nurse, she had some public health issues regarding safety concerns with the swimming pool. She noted she had discussed some of these concerns previously and invited Mr. O'Malley to let the Council hear how the concerns would be addressed.

Mr. O'Malley said there would be no outside access to the swimming pool. Access would be through the lobby of the apartment complex, which would cut down the number of students who would have access to the pool. There will also be "No Alcohol" signs posted around the pool area. There will be a fence around the pool and it will be on the second floor. It would be accessed by the lobby elevator. The pool will have a lighted cover on it after hours so people could not sneak in to swim. It will be locked down at night.

Councilor Hunt asked if there would be standard safety equipment required by the County and warnings that there is no lifeguard on duty.

Mr. O'Malley assured her that the standard equipment and signs would be in place.

Mr. Teder noted that there are a number of apartment complexes in West Lafayette with swimming pools with no lifeguards on duty, including Willowbrook, Whispering Winds, and Waterfront Apartments.

Councilor Hunt expressed her appreciation to Mr. O'Malley for addressing her concerns. She asked how the one occupant per bedroom statement in the narrative can be enforced.

Mr. O'Malley responded that that was tough to do, but there is not room for a second bed within the bedrooms.

Mr. Teder noted that the City of West Lafayette enforces that as well.

Councilor VanBogaert said he was disappointed to see the options disappear from the plans for a portion of the project to be retail.

Mr. Teder responded that they looked into the possibility of putting retail into the north side of the building, but they were unable to generate any interest in the retail space. The other issue that affected the removal of retail space was the awareness of parking space being a concern in West Lafayette. They felt creating as close to a one-to-one ratio for parking was of utmost importance. The Area Plan Commission (APC), the developer, and staff agreed that they could do something along the lines of the 0.75 parking, but they opted not to do that because of additional time constraints involved in adding that additional parking change. Going through the Traffic Commission would involve many more months of studies being done and waiting to begin the project, which has already been in process for over a year. Mr. O'Malley would like to get started on the project and have it completed by the summer of 2013, and that would not be possible with further delays of going through the Traffic Commission.

Mr. VanBogaert reiterated that he hoped that future development plans strongly considered adding retail space in the area.

Mr. Teder responded that in looking at parking issues related to the project, the City could really be proactive in promoting development in the area if they addressed the number of 2-hour parking spaces which he feels often sit empty as opposed to the free parking spaces which are always filled by staff, students and others.

Mayor Dennis conveyed that the City is currently looking into parking issues in the near campus area.

Councilor Dietrich noted that the narrative of the project included the idea of the shared vehicle concept. He said it is the second project which included this concept, but the numbers of parking spaces that the shared vehicles are said to save seem to be arbitrary numbers. He felt that it was important for the City to decide a standard which it would accept as the number of parking spaces a shared vehicle saves. Numbers between 7 and 14 were discussed during the last project. He wondered if there was a market standard that determines the number that is used.

Mayor Dennis said there is one.

Mr. Teder responded that they picked an arbitrary number, but the zip code standard says 14. He added that they chose an arbitrary number because there had been no indication from the City as to its own guidelines. He noted that it really helps to know ahead of time what the City wants. Mr. Teder agreed that it would be prudent for the City to choose the standard it would use.

Councilor VanBogaert said that Purdue University will have a zip car in the next year and that will help in determining what the usage rate is and how that will affect parking spaces. He noted that the usage rate of alternative transportation may be less on Purdue's campus than it might be at Chicago area universities where students are already primed for shared transportation.

Mr. Teder observed that that is something that will come in the future but will not affect their project except for minor modifications that are allowed.

There was no further discussion.

Ordinance No. 09-12 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect. (Faith West Planned Development) (PDMX to PDMX)

Mayor Dennis read Ordinance No. 09-12 by title and asked for comments or questions.

Councilor Thomas asked, "Can we have the Reader's Digest summary of the project?"

Clerk-Treasurer Rhodes asked, "Did you get the project narrative? There are paper copies available if you did not."

Councilor Thomas said, "I did."

Councilor Dietrich said, "The best single sentence summary of the project is they said they would build a YMCA."

Councilor VanBogaert said, "In the packet there was a reference to a $10.1 million budget sufficient for a $6 million dollar tax exempt bond. Is the Council authorizing that by this ordinance?"

Director of Development Poole responded, "This ordinance is not authorizing that but would be a factor or an element in the future for moving the project forward. This was an element brought forth in the process of discussions with Pastor Viars, the legal team and financial team, and it will be part of future aspects of the project."

Mayor Dennis clarified, "The ordinance is to affect the rezoning portion of the project."

Councilor Hunt noted, "The project will come back to us for approval of other parts later."

Councilor VanBogaert said, "I understand that but still think it's somewhat germane. How are the bonds approved?"

Director Poole responded, “They are approved by the Economic Development Commission and then are brought to the Council for approval.”

Councilor VanBogaert asked, “Will be some legal guidance to make sure this doesn’t happen without any sort of establishment cause issue?”

Director Poole asked him to repeat the question.

Councilor Bunder interrupted and said, “Will we end up in court like South Bend?”

Several people responded that they hoped not.

Pastor Viars added, “It might be helpful to know that we have already had a similar bond issued through the County for our Community Center and the County has offered to do the same for this project. But the way the law reads for this particular project they needed to start the process with the City of West Lafayette first, which is why we began working with Director Poole first. The options would be to serve as a conduit or to authorize the County to do that. We are willing to do that but it will have to start here.”

Mayor Dennis asked if there were further questions.

Councilor Bunder said, “Here we go. It’s taxes, it’s PILOTS (payment in lieu of taxes). How much of the property will pay taxes, how much won’t? Will there be payments in lieu of taxes? That’s my question.”

Pastor Viars said, “I cannot answer the questions because the Assessor can’t answer it for us. Faith Church will fill out an application for Not-For-Profit exemption with the County Assessor, but even if we filed the application today the Assessor would not be able to determine what is taxable and what isn’t. We are actually following the process that the government has outlined both with the planned development and with taxes, and so when they are able to answer the question for Faith Church, Faith Church will certainly pass that answer on to everyone else.”

Councilor Dietrich said, “Help me out. What is the question we are asking? What determines this is taxable, that’s not taxable? Is it what you’re doing with the property in some respects?”

Mayor Dennis said, “Is it use or ownership? That’s the question.”

Councilor Dietrich said, “The best religious scholar I know, just ask Peter (Bunder) if everything a church does is tax exempt, and then the answer may not be true. I don’t know what the question is to ask.”

Attorney Burns responded, “It’s more of a use than an ownership issue.”

Councilor Dietrich asked, “Does it have to do with them charging fees or is it more of a concept issue?”

City Attorney Burns said, “That would play into it.”

Councilor VanBogaert said, "I'm guessing we would have classifications for use. It would be interesting to see how precise they were with regard to the activities that they have."

Councilor Hunt said, "Along those same lines I think I have a particular question that I mentioned to Rev. Viars a few minutes ago. If you look on Narrative page 3 of 11, it talks about Lot 1 and then Lot 2. And Lot 2 is kind of up in the air, is that right?"

Pastor Viars said, "Very much so."

Councilor Hunt continued, "It lists some things that are really supportive of the Faith Church ministries and the immediate neighborhood. And it lists some things like stationary stores, jewelry stores, camera shop, optical shop, copies, and games. I don't understand quite what that means. It is along the same questions as previously mentioned."

Pastor Viars responded, "That is one of the things that I am so thankful for, the Area Plan Staff and your planning staff here. It's really a collaborative effort in coming up with this narrative. They guided us through it. We worked together on this. We are very up in the air on Lot 1. We really have no idea other than that as the site laid out, it just seemed like a natural division. It didn't really fit in with the immediate development that we were doing. We are leaving our options open. It is possible we may decide to expand and develop our ministry into that particular lot and the narrative gives us that opportunity. It is also possible, but not likely, we would sell that property, maybe lease it, and that's what some of the uses are there as well. And that's going to play back into the tax issue as well, but the answer to your question is we really have no idea what we are going to do with Lot 1."

Councilor Hunt said "Several us are getting concerns from residents about that same issue. But you're going to work with us and we're all going to work with the PTABOA (Property Tax Assessment Board of Appeals) and the assessors of tax appeals."

Pastor Viars said, "You know from our history, we don't view ourselves as being above community examination. In fact a couple years ago, someone mentioned to our previous Assessor some concerns they had about what we were doing on the East side and whether or not we were functioning as a church and whether or not we deserved our exempt status, etc, etc. and that's not threatening to us at all. We are very transparent people. This was back when Samantha Steele was the Assessor. She and her assistant came out, spent the better part of the day with us, and went through all of our documentation, all of our buildings, all of our ministries and that sort of thing. We are more than happy to work with any entity of the government to determine if what we are doing is correct."

Councilor Hunt said, "Because we are getting concerns."

Pastor Viars said, "I can certainly understand that. And one of the reasons is that many of the dear folks in our community wouldn't understand the law. And that's the beauty of a town like this. We can have conversations about that and even disagreements about that, but what makes us different than Syria, and why the people aren't picking up guns when they get mad about this, it's because we are governed by the rule of law. It's the principle of the law is king. I understand that some folks in town might not like this or that, I might not like this or that. That's not really the point. The point is what does the law say and our church has a high level of respect for the law and we follow it very carefully and we vetted this project very carefully before we got to it."

Councilor Dietrich said, "I take it from that last statement that the only tax or income the City's going to see is what is absolutely obligated by law as opposed to what we have an arrangement with like Westminster where they are not bound by law but are contributing each year to our General Fund, I believe. Is that what you're saying? That whatever the law says we'll do as opposed to maybe what's right?"

Pastor Viars responded, "No. That is actually not what I said. What I said was that it would premature for us to answer the question because we don't have an answer from the government entity yet. We can't answer a hypothetical question until we get an answer from the folks in the government. I would suggest that comparing us to Westminster Village, at least in my judgment, is not a true comparison. We love Westminster Village. They do great things for the community. We're a lot different than Westminster. I'm glad for what they do. I'm glad for the arrangement you have with them. And you mention would we do what's right. I certainly believe we're doing what's right on the east side of town. That's why the provision of the great skate project that kids are skating on today. It's not at Westminster. Nor is it on a facility that West Lafayette built. It's on a facility that Faith Church built. I could go on as long as you wanted me to go about how we're different than Westminster. It's not that we're better than Westminster, or that we are better than this government body, but we are different. On purpose, we are different."

Councilor VanBogaert asked, "What do you believe is the scope that we should be using in evaluating this planned development? Because I guess this is something that is related to how we view planned development in all projects, because certainly we see it a lot given just because the way the zoning arrangement is. There is some thought about whether planned development should be viewed very narrowly, specifically on the structure itself and on certain safety elements that maybe it would be okay to talk about balcony safety, but not necessarily aesthetic approaches, or if those things. And there's another set of thought that says that land within the City is more or less finite, and certainly valuable locations for community use are finite so we should be more selective in what goes into a certain location, or that we should use specific procedural opportunity to make other judgments on the value of a project on other terms. So for instance, we're going to have an opportunity to vote on this planned development before we know the outcome on the tax situation. And for me personally, I know that I really believe that the commercial elements of this project ought to be subject to some sort of property tax or pay some sort of PILOT. I guess I'm struggling with whether it is appropriate for me to enforce that view that I hold in a vote on what is effectively a zoning exemption, not only because this Council doesn't have the authority to make that property tax decision, but that being said, we do have a selective opportunity because of the timing to make that difference known now. I guess it's matter of a pragmatic issue versus one of a direct responsibility."

Pastor Viars replied, "Great question. I'm not the one who invented the concept of planned development, nor was that something that our church came up with. So I would just say we're trying to follow the process that the government officials have placed before us. It is an interesting process. I don't say that in a negative way, but it is an interesting process and we're trying to submissively follow our government. I'm not your attorney but I think the answer to your question is that I would encourage you to do the job that this particular segment of government has and not try to do the job that another segment of government has. But we work with the IRS on our exempt status. We are good friends with them. We spend a lot of time communicating with them and we should, because we want to be sure that everything we do fits within the law and fits within our church's charitable purpose. So, you're not the IRS, I'm not the

IRS. We work with the IRS. And you're also not the Assessor.

Councilor VanBogaert said, "But to play sort of Devil's Advocate here. I mean – "

Pastor Viars responded, "That's not a good thing to do with the church – sorry, that was too easy."

Councilor VanBogaert said, "But follow me here. I mean, certainly I think it would be viewed very negatively if we decided to table this until after PTABOA made its decision. My guess is that for cost and for your timelines and for other reasons that would impact you, you would not agree with that decision. This idea that the responsibility of a specific level of government is to an extent outlined in authority, but if we are – I also don't think it's that clear because we aren't necessarily bound, and there aren't necessarily, I guess, objectives laid out in that particular scheme of how the Council was created and if we are going to be representing our constituents, you know –

Councilor Burch said, "Mr. Mayor, I think this line of questioning is out of order."

Mayor Dennis said, "Let him finish."

Councilor VanBogaert said, "I'm not trying to belabor this. I'm just trying to follow this up. And I like the project. I think that I am leaning towards supporting the project because I think it does very good things and it opens space that, from what I've heard from residents, is a mosquito breeding ground, and not very attractive there. But I think it's an opportunity to consider to an extent how we view decisions like this. And I think that the timing is a little unfortunate, not from your perspective, not from bringing it forward, but simply that we make a decision that is impacted by a lot of things. Do you see what I'm saying?"

Pastor Viars said, "Absolutely, and to make bad news worse, the Assessor is not mandated to give us an answer on the property tax issue until after the building is constructed. And so we have no way of knowing for sure what the answer will be. And if you think you want to know the answer to that question, can you think of somebody else in town who might want to know the answer to that question? But again, we're trying to be submissive to our various governmental entities, and we're following the process exactly as they outlined. And that's not faulting the Assessor. Ms. Phillips has been very, very helpful to work with and the PTABOA are great folks. I'm not criticizing, I'm just saying that's the nature of the process."

Councilor Keen said, "Two quick comments. In talking about the planned development process, I personally like the planned development process, especially on this project because it gives us a glimpse into what we're getting before we get it, and in other projects you might not get that, so for that reason, I really like the process. But back to the taxes thing. I think we're missing the bigger picture here. I think that we cannot forget the fact that even if they don't pay taxes, what we're getting is something far better than what we have. And it's going to bring benefit to this community for years to come. And so I think we're being a little short-sighted here to be hammering on the taxes issue. But I think it's a valid point, don't get me wrong. And I know you agree with me."

Councilor VanBogaert responded, "Ultimately I come down on the side that I agree with you Gerry, it's just one of those things where because that, because I'm a little conflicted in coming to that agreement, I would almost like to have it more settled so I'm more confident in that

decision."

Councilor Keen said, "Well founded. But I don't want to lose sight of the big picture."

Councilor Bunder asked, "The first one is a factual one. If it's not a PD (planned development) does it go back to general business or does it stay a PD forever? Because this was general business when it was Family Inn. So does it stay the PD?"

Attorney Burns said "Yes, it stays a PD. It does not revert back to the predecessor. It would be the same."

Councilor Keen observed, "It was a PDMX before, wasn't it?"

Attorney Burns answered, "Yes, it would be the same."

Councilor Keen said, "Basically, the developer can buy the project and they can build what Champion Center was."

Councilor Bunder asked, "Off the first PDMX?"

Councilor Keen answered, "No. On top of the PDMX Champion Center, not the first one that came in."

Councilor Bunder added, "The second one is a political observation by a churchman, if you can stand that. Before I became the politician I am today I had a gig with the Episcopal Diocese of Indianapolis as chairman of the Property Committee. Followed that by being president of something we call the Standing Committee. It doesn't have a political equivalent. It's kind of like if the president of the Board of Works was Vice Mayor. It deals with the people that we affectionately call the suits: the lawyers and finance people for the diocese. And my experience as chairman of the Property Committee was this: that when we did these sorts of things, the guy from Barnes and Thornburg would come back and say, 'They want to know what you're doing with the property. Brownsburg wants to know what you're going to do with this. Are you going to put a strip mall in there or not? Are you just going to use it for church or not?' Carmel really, really, really wanted to know what we were going to do with the Hillburg property that we had gotten, particularly as Conseco came in. Lots of phone calls about that. I am used to, when I stood where you are standing, getting a lot more heat from city governments over disposition of the property. And I just share that with you. We're very nice. I am saying it is not inappropriate for this body, for the Mayor, the City, and the Administration to ask in a robust fashion, 'What's going in there?' In my experience, in my own small world, we knew what was going in there. We knew we were going to take it into development. We knew probably who the developer was and we could say that. These acres – us, these acres – the Indiana Spine Center, and so it went. And that's the observation. I was used to taking the questions."

Councilor Burch said, "I would just like to say that the comments that I have received have been very positive about Faith working with the community, working with the neighborhood and incorporating their suggestions. So I have not heard and complaints or concerns. They have been very happy to have Faith go into that empty lot and build something incredibly nice for our community. And I've heard nothing but strong, positive remarks for this potential development."

Councilor Hunt added: "I think many of us were at the public hearings and we feel very strongly,

at least I do anyway, I don't want to speak for everyone, that you listened to the neighbors, I mean really, really listened to them. And many of those things, many of the extra things like the nice trail around the property and the extra landscaping, and so in that respect I congratulate you for being responsive.

Pastor Viars said, "Thank you."

There was no further discussion.

Resolution No. 05-12 A Resolution Of The Common Council Of The City Of West Lafayette, Indiana, Approving An Amendment Of The Plan For The Levee/Village Redevelopment Area (TIF Levee/Village Expansion)

Mayor Dennis read Resolution No. 05-12 by title and asked for comments or questions.

Councilor Hunt asked if the resolution was essentially to extend the TIF. She asked for a summary.

Director Poole explained that what they are proposing to do is expand the Levee/Village TIF (Tax Increment Financing) District. He showed on a map which areas of the City would be included in the expansion. The expansion extends up Northwestern Avenue and touches the Smitty's site. The goal is to incentivize a redevelopment site at that location which has been an eyesore for a number of years. It includes all of Happy Hollow Park which will allow a lot of nice opportunities in the park including expansion, ADA compliance, trail access, which has been an issue off of Salisbury Street. In the Northwestern corridor there is an opportunity for a small pocket park. There is also a big chunk in the middle enveloping New Chauncey Neighborhood. One of the issues being addressed is neighborhood stabilization and how it will be accomplished. One way to stabilize the neighborhood is to buy rental homes and turn them back to single family homes, hopefully stemming the tide of rental conversion somewhat. Also, bike lanes, sidewalks, repaving the roads, streetscapes and things of that nature will be a part of the stabilization effort.

In another part of the expansion, there is opportunity for mixed use, higher density development coming into the southern area of campus. Also, the "Island" area is a part of the City that would be captured as part of the expansion plan. There is a tremendous amount of need for work to be done in that area, sidewalks, streets, streetscapes, and other things. On the south campus side of campus there is a tremendous amount of pressure building to make sure the City can help in the direction and development of that part of town. The expansion looks massive but it is necessary to encompass all of the New Chauncey Neighborhood to make sure that neighborhood stabilization can take place.

Attorney Tom Brooks, Jr. pointed out that it is important to remember that none of the residential part of the neighborhood will be captured, only the commercial properties.

Larry Oates (President, Redevelopment Commission) noted that while the expansion map is a large area, looking at it from the standpoint of what the City can do in that neighborhood, and the fact that we are not able to capture any of the single family properties, and none of the apartment buildings, because no apartment buildings in that area are over 3 to 4 stories tall and fall into a TIF category property, the City will now be able to accomplish a lot of things in an area

we wouldn't have access to otherwise. In 2013 or 2014, the City will be given Northwestern Avenue, which runs through campus. This expansion allows the City to decide what will be done with Northwestern Avenue and the roadway itself to make it more City-friendly and to decide what will be developed in the surrounding areas. At Lindberg Road and Northwestern Avenue there is a bike path which comes to an end with no easy way to cross the highway. The State has been unwilling to accommodate the problem as far as light timing, etc. When Northwestern Avenue is owned by the City, we have the opportunity to remedy situations like that and have the financing which with to do so.

RDC President Oates pointed out that with tax increment financing, none of the tax revenue goes into the TIF district that currently is there. So on the day this is passed there would be a base established, I believe as of March 1, 2012 assessment. Tax increments below that still stay in the General Fund and still stay with all the underlying entities. Once we get past the March 1, 2012 assessment date, then any increment or any increase will come into the Tax Increment Financing District Fund, but the base would remain in the General Fund. The biggest part of the expansion plan is residential, and while residential properties are not included in the revenue capture, including them in the district allows the City to go out into those areas and do some of the neighborhood stabilization work needed.

Councilor Burch asked how the TIF expansion coordinates with the New Chauncey land use development plan.

RDC President Oates said they are hoping the Area Plan Commission will get the land use development plan finalized because that is a very important piece of the expansion plan. The Redevelopment Commission needs to know what they should be doing and where they should be doing it so they want to use that program.

Mayor Dennis noted that Ryan O'Gara and Sallie Fahey of the Area Plan Commission have been working on the land use plan and the Purdue Research Foundation has been working on the neighborhood stabilization plan.

Councilor Burch asked how the New Chauncey Neighborhood Housing program plays into this expansion.

RDC President Oates answered that it will play into it, because it will continue to do its mission which is to provide housing for lower income families. However, the Redevelopment Commission (RDC) can do some things that the New Chauncey Neighborhood Housing program cannot, in terms of income limitations for purchases, etc. He said that the neighborhood stabilization plan is a cutting edge project, at least in the State of Indiana. For example, there is a block within the neighborhood which is going to go on the market. That house is holding that block together. It may be prudent for the RDC to purchase that house as part of this expansion in order to keep that part of the neighborhood stabilized. The Purdue Research Foundation might be able to help the RDC move along projects like that without the time constraints for public hearings and such that RDC might have.

Councilor VanBogaert said that Mr. Oates had noted there might be some limitations beyond simply contiguity as to where the money from the TIF could be spent. He asked what they were and asked to provide context. He went on to say that the way TIF is currently designed, if there were new development on the south end of campus the money generated would be spent in the same area. If the TIF is expanded, it sounds like the higher density structures which will

probably be in the student section of town will be funding those projects that are going to exist to the north. He felt that there was really no assurance that the funds would be spent on the south end of campus which could use a lot of sidewalk and infrastructural support. He said he leans toward supporting the project because he wants to show a good faith effort to the established neighborhood to the north. He said he felt in expanding the TIF nothing is being done to incentivize the higher density development projects south of State Street that would provide the needed supply to control prices which might be affected by the flipping of rentals to single family homes in the New Chauncey Neighborhood stabilization.

Councilor Dietrich asked if a TIF district does not generate additional funds, it merely states where the money can be spent? His concern is that the City is capturing money to be spent in a certain area and for those, including he, who live outside the TIF district, he doesn't see the benefit of the TIF or anything the City can't do already.

Attorney Tom Brooks, Jr. (Redevelopment Commission) said the money can only be used for public projects and public use. So, since the City can't afford to do street and sidewalk projects all the time, for example, the TIF funds could be used to do those things in the areas of the TIF expansion.

Councilor Dietrich asked if we are not creating any money.

Clerk-Treasurer Rhodes stated that we are.

Councilor Dietrich asked how expanding the TIF district creates money for the City.

Mr. Oates responded that by the economic development and redevelopment that goes on within the TIF district and the use of that fund, new tax base is brought into the district.

Councilor Dietrich asked if that is what we are counting on.

RDC President Oates answered that we were. By constantly spending to bring new businesses to the area, new tax base is brought in. He noted it was similar to what the City has done in the Purdue Research Park. By the money the City spent in the Purdue Research Park, all of those businesses have chosen to come to the area. The incentivization of the City promoted the growth of that Park.

Councilor Dietrich said he greatly appreciated the value of that, but from a north-end resident's standpoint he believes that the expansion will reduce the amount of funds that are available for the other areas of the City not included in the TIF.

City Attorney Burns said the other way to look at it is as a trade off. If there is a million dollars in the General Fund to do all the streets of the entire City, and there aren't as many streets that need to be done because TIF funds can be used for the work needed within the TIF district, then from that standpoint more money becomes available for other areas not included in the TIF.

RDC President Oates pointed out that a similar concept might be the people on the south side of the City being upset because TIF funds are being used to fund the Cumberland Avenue project which isn't in the part of the City they live in, and saying they are not getting any benefit from it. He said he felt that was the wrong way to look at it. It should be viewed as a City-wide

improvement. And just because a resident lives in one part of the City, doesn't mean they only move or stay within that part of the City. Parks are one of the big beneficiaries of the TIF districts as are road improvements. And everyone within a City benefits from those types of changes.

Clerk-Treasurer Rhodes said that the implication is without TIF we would have more money. That is totally not true. The only more money we would have would be about the two cents left of the Cumulative Capital Development levy that we still have intact, which is shrinking, times the amount of new development assessed valuation. You would have about another $15,000. The truth is there is no growth in income when TIF is not in place. What happens is that as the tax base gets larger the tax rates will be a little bit lower. The movements in the City tax rate are so small compared to the movements in the schools' tax rates, let's face it. The school referendum, their capital projects, and debt levies are really what move the tax rates now. A penny or two, or a thousandth of a percent in the City tax rate is almost imperceptible. The answer is, without the TIF the City would just have less money. She reminded the Council that the City's levy is about the size of Crawfordsville and Seymour. We are frozen at a bad time in the history of tax control. We have a levy of a city about half our size, a city with no parks, no amenities, and no planning department. The whole quality of life that we provide to our citizens would not be possible if we did not use all the financial mechanisms available. That is seen every year in the budget. There would be no Cumberland Avenue project or any other.

Councilor VanBogaert asked if there is a reason that there are not two different TIF districts.

City Attorney Burns responded that the advantage of expanding the current TIF district is the money that is already available in that district can be used immediately for projects rather than waiting for new money to come in from development in a newly created TIF district.

Councilor VanBogaert said that illustrates his earlier point that the money within the TIF district now in the student neighborhoods becomes money used to finance projects not within the student neighborhoods.

RDC President Oates responded that 74 percent of the homes in New Chauncey Neighborhood, which is allegedly a residential neighborhood, are rentals.

Councilor VanBogaert asked if the TIF wasn't going to be used to reverse that.

RDC President Oates said it would be used to stabilize it so the City doesn't have the situation of blighted areas all around the Purdue campus. Stabilizing the neighborhood means drawing a line in the sand and saying we need to make sure we keep residents living here, because that is part of what West Lafayette offers – an interaction between residents and students. He said it shouldn't be an "us" versus "them" mentality. It should be all of us, as a whole, working together. If we can't keep residents living here, the population feeding into the school corporation goes down, and then the school corporation loses funding from the State and it starts to fail. If we want to have a far reaching community, that looks for diversity and allows for people to have opportunities, then we have to make sure it is a place where all the people that make up or community can live together.

Councilor Keen said he wanted to remind everyone that with the upcoming acquisition by the City of Northwestern Avenue, the TIF expansion will give the City a huge tool for work that needs to be done in that area.

RDC Attorney Brooks added that it is not just Northwestern Avenue, but also North River Road will be coming into play in the future as well and it will also be part of new areas which need to be addressed.

RDC President Oates noted that these are all things which will need to be addressed in the near future and said that the proposed TIF expansion was drawn in a way that the City could benefit without over reaching. The Northwestern Avenue area, for instance only goes one block deep on either side, rather than capturing block upon block.

Councilor Keen said that if the City doesn't implement the TIF expansion, the only way that we would be able to afford all the needed work would be through a tax rate increase, which no one wants.

Mayor Dennis reminded everyone that what the City is trying to accomplish through the TIF expansion is not one targeted area but to improve the City as a whole. Tax increment finance districts give an amount of money to put toward a particular project, but not at the cost of the rest of the tax revenue. It is a focused point of expenditure. We know we have areas of the City that need help, but it is not currently financially possible to help them.

Councilor Burch asked for clarification from City Attorney Burns regarding his statement that expanding this TIF district would free up money in the General Fund.

City Attorney Burns explained that if there is a certain amount of money in the General Fund to replace a road in a TIF district, the TIF district funds generated can pay for that road work and free up the money in the General Fund to be used elsewhere in the City outside of the TIF district.

RDC President Oates pointed out that the money collected from the West Lafayette School Corporation referendum does not affect the TIF district. From the School Corporation standpoint their tax base remains the same.

Councilor Burch thanked everyone for the clarification.

Councilor Bunder thanked Director Poole, Mayor Dennis, and Larry Oates for their work in coming up with the TIF expansion project. He said he felt it was one of the most important things the City has done.

RDC Attorney Brooks reminded Councilor VanBogaert that if anyone wants to develop a project in any part of the City, including the southern campus area, they merely need to come to the Redevelopment Commission and request money and start the process.

There was no further discussion.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment. Mayor Dennis adjourned the meeting, the time being 5:46 p.m.