

Subject to approval at the December 3, 2012, Common Council Meeting.

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
PRE-COUNCIL MINUTES  
November 1, 2012

The Common Council of the City of West Lafayette, Indiana, met in Council Chambers at City Hall on November 1, 2012, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

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

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.

PUBLIC RELATIONS

a. Police Officer of the Quarter Award

There was no discussion.

b. West Lafayette Community Beautification Award

Councilor Hunt reported that there will not be a Beautification Award until spring.

UNFINISHED BUSINESS: None

NEW BUSINESS

Ordinance No. 28-12 To Rezone Certain Real Estate Within The City Of West Lafayette, Indiana And Designating The Time When The Same Shall Take Effect (Submitted by the Area Plan Commission)

Mayor Dennis read Ordinance No. 28-12 by title and stated that it was for the Saddlebrook Development near Prophets Ridge, north of The Villas of Stonebridge. It is a small development that will look similar to Arbor Chase.

Dan Teder (Reiling Teder & Schrier, LLC) stated that this was an easy zoning from a legal standpoint, with a favorable staff report and a 10 - 0 affirmative vote with the APC. He stated that several people from Stonebridge attended the APC meeting who thought that this development would be similar to Prophets Ridge, which is 180 degrees from the intention of Saddlebrook. After the APC meeting, the people of Stonebridge had a homeowners meeting with Darren Sorenson, the representative for Saddlebrook Development, LLC, who explained the layout of the development, including the green space and trees. Mr. Teder stated that once the people learned that this new development will be similar to Arbor Chase, they spoke of the possibility of moving to the new development. Mr. Teder does not expect anyone to have a problem with this development at the Council meeting. He stated that prior to the informational meeting with Mr. Sorenson, there was some misinformation about the density of the development and that it would be a family-oriented oriented, where in fact it is intended to be more for empty-nesters. The homes in this development will be detached.

At the request of Councilor Hunt, Public Works Director Buck explained that the 2009 survey describing the parcel is still accurate, and that the property is zoned as R1. The R1 zoning has certain requirements for the size of the lot and the amount of the lot that can be covered by the building and the minimum vegetative cover. R1B is another category of single family home; it is a smaller lot size than R1A, which is smaller than R1. To compare lot sizes, Prophets Ridge and the center part of Arbor Chase are R1B size lots, while the surrounding lots in Arbor Chase are that go up Westmoreland Drive are R1 size lots.

Mr. Teder stated that the hope is to duplicate the success of Arbor Chase. In response to an inquiry from Councilor Hunt, Mr. Teder stated that there is water and sewers available to the site. In response to an inquiry from Councilor Burch, Mr. Teder stated that services to maintain lawns and clear snow will be provided.

There was no further discussion.

Ordinance No. 29-12 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect. (Submitted by the Area Plan Commission)

Mayor Dennis read Ordinance No. 29-12 by title and stated that it is UZO Amendment No. 74 regarding farm draining tile contractors.

Councilor Keen stated that the current ordinance does not allow farm drainage tile installation in agricultural zoning. Some businesses that do such work want to get their businesses legitimized. After discussion, the APC decided that it would be appropriate to allow this type of business in the agricultural zone. There are a few stipulations. One is that it is only allowed with a special exception from the ABZA. It is also limited to properties of 2 acres or more. Also, there is no outside storage of materials allowed.

There was no further discussion.

Ordinance No. 30-12 An Ordinance Of The Common Council Of The City Of West Lafayette, Indiana, Authorizing The Issuance Of The City Of West Lafayette, Indiana Economic Development Revenue Bonds, Series 2012 (Metro FiberNet Project), And The Use Of The Proceeds Thereof To Support Metro FiberNet Projects, And Authorizing And Approving Other Actions In Respect Thereto (Sponsored by Mayor Dennis)

Mayor Dennis read Ordinance No. 30-12 by title and stated that this is the fiber projects that the cities and the County are doing.

Director of Development Poole state that the representatives will be at the Council meeting.

There was no further discussion.

Ordinance No. 31-12 An Ordinance To Amend West Lafayette City Code Chapter 21 Concerning The Designation Of Council Districts (Submitted by Councilor VanBogaert)

Mayor Dennis read Ordinance No. 31-12 by title and stated that this is our redistricting ordinance.

Councilor VanBogaert stated that we will consider the amendments, and that he appreciated

that Councilor Burch's proposals were filed as amendments instead of separate ordinances, which will allow it to be handled in one discussion. He stated that in double-checking some work on this, there are some minor population differences in the totals between the maps, and we need to insure that the total populations line up with the census number for the City. Councilor VanBogaert does not believe that the population differences are great enough to affect the statutory variance requirements, but we do need to make sure the population numbers line up, and so that the blocks being used as the geographic locators in the ordinance are appropriately listed. In response to an inquiry from Mayor Dennis, Councilor VanBogaert stated that he believed that two of the maps were off by less than 60 people, out of over 29,000.

Clerk-Treasurer Rhodes stated that one was off by over 550 people.

Councilor VanBogaert said it is a matter of lining the tables up. He believes the maps are still good. He stated that lining up the block information in the ordinance itself is more of a process than anyone anticipated.

There was no further discussion.

Ordinance No. 32-12 An Ordinance Requesting An Additional Appropriation For The General Fund (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 32-12 by title only.

Clerk-Treasurer Rhodes said that this ordinance is to take care of the part-time receptionist in the Mayor's office, who covers when personnel are ill and assists when needed with extra time on special projects. Due to schedules this year and illness, we will be a little bit short, given that there was a pay adjustment. Therefore, approximately \$240.00 more is needed. This additional appropriation is related to Resolution No. 17-12, with the intent that we would reduce the appropriation in the Fire Department and increase it here so that the General Fund appropriation will not change for the year.

There was no further discussion.

Resolution No. 16-12 A Resolution Of The Common Council Of The City Of West Lafayette, Indiana Approving Certain Matters In Connection With The Formation Of A Certain Economic Development Area (Sponsored by Mayor Dennis)

Mayor Dennis read Resolution No. 16-12 by title and stated that it is for Metro FiberNet.

There was no discussion.

Resolution No. 17-12 A Resolution To Reduce The 2012 Budget (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 17-12 by title, and noted that this is what Clerk-Treasurer Rhodes just addressed.

There was no discussion.

Resolution No. 18-12 A Resolution Approving Interlocal Agreement For Mid-Block Crossings (Sponsored by Mayor Dennis)

Mayor Dennis read Resolution No. 18-12 by title and stated that this is a housekeeping item to get federal money for mid-block work. It does not designate any projects. It just designates the fact that we are going to partner with Dayton on that project.

Councilor Hunt stated that it is surprising that we are entering into an interlocal agreement with a place so far away, and requested some more information on that.

Public Works Director Buck explained that these are funds that come to our Metropolitan Planning Organization (MPO) safety fund, from which we get an allocation to program each year. Dayton is inside the MPO. There were originally three locations where they wanted mid-block crossings, two being on SR 38. The State did not want to have those done on the highway, so only one of the three is being done, and the amounts were adjusted accordingly. He stated that Dayton does not have the staff to help shepherd this project through. West Lafayette was also awarded two locations for mid-block crossings, one at Tapawingo at the Wabash Landings crosswalk and one at the Farmer's Market on Salisbury Street. The projects are very similar in nature, so it makes sense to ultimately combine them into one construction contract. By doing this interlocal, it allows the two parties to share the effort and put the funds forward accordingly that we are responsible for from a local share, and ultimately get the project through Indiana Department of Transportation's (INDOT) letting system. There will be many steps to get through to utilize these federal funds, and we will all go through them one time instead of each go through them separately.

Councilor Hunt asked if this project may mean that the two police officers at the Farmer's Market not being necessary.

Public Works Director Buck responded that it is possible, but that is a design-level issue that has not been discussed yet. A goal would be to reduce the amount of staff time, plus increasing the amount of time that the crosswalk would be effective, such as football events and busy times at the park along with the Farmer's Market. It would be available on a 24/7 basis instead of when the officers are there only during the Farmer's Market.

There was no further discussion.

Resolution No. 19-12 A Resolution To Increase The Cash Change Fund For The Clerk-Treasurer/Ordinance Violation Bureau, The Wastewater Treatment Utility, The Traffic Violation Bureau, And The City Court (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 19-12 by title and stated it is with regards to the cash drawers.

Clerk-Treasurer Rhodes stated that there are separate cash drawers in the Clerk-Treasurer's Department. Due to changes in fines and fee schedules over the years, it has become difficult to have enough change on hand to handle traffic infractions and ordinance violations. The request is for an increase of \$50 for each of the drawers. The Board of Public Works and Safety has already approved the change for the Wastewater Treatment Utility drawer. The City Judge has approved orders for the Court and Traffic Violation Bureau, but ultimately Council approval is needed to increase the cash change amounts. The ordinance also names the official responsible for custody of the funds. The amounts have not been changed in more than 20 years.

There was no further discussion.

Resolution No. 20-12 A Resolution Appropriating Insurance Recovery Received For Damage To City Property (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 20-12 by title only.

Clerk-Treasurer Rhodes stated that this resolution is related to a fire vehicle.

There was no further discussion.

Resolution No. 21-12 A Resolution Requesting The Transfer Of Funds (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 21-12 by title only.

Clerk-Treasurer Rhodes stated that the need for the Cumulative Capital Development transfer to be able to equip the offices for the IT Department. The transfer in the Parks Non-Reverting Capital – Pool fund is needed for part of the larger Americans with Disabilities Act (ADA) project at the municipal pool.

Parks Superintendent Payne explained that it is for improving and enlarging a shade structure outside of the old vending area, to provide more shade and try to prevent more skin cancer.

There was no further discussion.

#### COMMUNICATIONS

There was no discussion.

#### ADJOURNMENT

Taking the consent Mayor Dennis adjourned the meeting, the time being 4:54 p.m.