

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
JUNE 1, 2009

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on June 1, 2009, at the hour of 6:30 p.m.

Mayor Dennis called the meeting to order and presided.

The Pledge of Allegiance was repeated.

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

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, City Engineer Buck, Street Commissioner Downey, Fire Chief Drew, Human Resources Director Foster, WWTU Director Henderson, Parks Superintendent Payne, Police Lt. Sparger, and Director of Development Poole.

MINUTES: Councilor Keen moved for acceptance of the minutes of the April 30, 2009, Pre-Council Meeting, and the May 4, 2009, 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 said thank you, Mr. Mayor. At the Wastewater Treatment Plant this month, all the equipment for the microturbines was inspected and checked out. We even produced a little electricity. The grease receiving station will open soon. Phase III of the Western Interceptor is progressing along US 231, just south of the Wastewater Plant. Please pay attention to the signs and orange barrels, as the lanes shift in this construction zone. Also, the Go Greener Commission appointed four working groups to deal with the Pay-As-You-Throw design proposal produced by Purdue EPICS. A group working on fee structure, Wayne Merriman and Curt Ashendel; education, Rachel Witt and Dennis Carson; implementation, Heather Gall and Dawn Whitaker; and legislation, your humble servant. That concludes my report.

PUBLIC SAFETY AND ORDINANCE:

Councilor Keen said in the month of May, the West Lafayette Police Department responded to over 1,500 calls for service. Many of the calls related to service-oriented activities such as auto crashes, loud noise, etc. The Police Department did also attempt to serve 23 arrest warrants in May, and one of the most interesting ones was on an apartment in West Lafayette, which resulted in several arrests of individuals for armed robbery, conspiracy to commit armed robbery, and various drug-related offenses. Sounds like we're cleaning up over here. Officers also participated in the "Run for the Red," which was a Red Cross fundraiser conducted at the Indiana Veterans' Home. They participated in the Special Olympics Torch Run last Saturday, May 30. The officers carried the Special Olympics torch through downtown Lafayette, West Lafayette, and areas adjacent to the Purdue University campus. The Purdue University Police Department organized the event and participated, along with the Tippecanoe County Prosecutor's Office. The Torch Run is an annual event that is held in conjunction with the opening ceremonies for Special Olympics. They raised several hundred dollars for that, too. Also during that time, the West Lafayette Fire Department participated in some live fire training, in working with the Lafayette Fire Department, at the Bridgeway Apartment complex. Over the

course of three days, they were able to extinguish 25 to 30 training fires. The Lafayette Fire Department and the Purdue Fire Department participated in that event. That gives them some really valuable training opportunities in doing that. There was a fire on Robinson Street, and many people heard about that. That was a fire that was started in a carport and quickly spread to the house around it. So if you're parking your car in your carport, please be careful with that. The Fire Department did arrive in less than two minutes, really good response time for the Fire Department on that one. There was a rescue on the trails in Happy Hollow Park. A couple that was wading through some water with their dogs, and one of the people fell and broke a leg. The closest access was from Thornbush Drive cul-de-sac. However, the trail was steep and narrow and very muddy from rain that had been falling for two or three days. The patient was secured and carried out in a Stokes basket, a backboard with sides on it. After they got him out, everything was handled appropriately. Good work. That concludes my report.

#### PURDUE RELATIONS:

Councilor Roales said thank you, Mr. Mayor. If Purdue does have a slow month, it would be the month of May when only about 6,000 of the 39,000 students are in attendance. Due to that decrease in traffic, it's also the time of the year when restaurants decide that, if they're going to close, that they're going to close, and so it's unfortunate to report that four restaurants have closed in my district in the last month. It's unfortunate, but I was talking with some landlords, in conjunction with getting appointments to [Councilor] Peter Bunder's study commissions, and one of them informed me \$63 million of transactions have occurred within two or three blocks of campus since 2005. That's encouraging, to see that level of investment, that large of a dollar amount being invested, so I'm optimistic that, as the economy improves, as our Development Department continues to chug away at attracting investment, that that area will be revitalized and those businesses will be filled quickly. Thank you, Mr. Mayor.

#### PARKS AND RECREATION:

Councilor Hunt said thank you, Mr. Mayor. I have a short report. The municipal pool opened for the season on May 23, and there was an annual Splash Bash that the kids go to after school that's out that day. There are many runners that regularly enjoy the Celery Bog footpath, and that runners group has spent several hours volunteering to spread new mulch on the trail. The mulch is very welcome, as it keeps the mud out and the weeds down and is a soft footing for running or walking. The Sagamore West Farmers Market is open every Wednesday in Cumberland Park from 3:00 p.m. to 6:30 p.m., and I have gone several weeks. It's very busy, and every week they have more and more produce. The next Park Board meeting is June 15 at 4:30 in City Hall. Thank you.

#### ECONOMIC DEVELOPMENT:

Councilor Thomas said thank you, Mr. Mayor. The Community Development Block Grant Program received notification of the grant for the 2009-2010 program year in the amount of \$442,185. This is an increase of \$9,210, or a little over 2% over the 2008-2009 grant. The allocation plan was finalized and a copy will be presented. The public comment period for the plan is through June 22, 2009. It is anticipated that the application will be filed with the U.S. Department of Housing and Urban Development on or around June 26, 2009. The CDBG stimulus funds made available the American Recovery Act will be used for additional sidewalk and curb modifications on Robinson Street. To utilize the funds, an amendment to the 2008-2009 CDBG Action Plan was necessary. Also, the Development Department attended the BIO International convention as part of the State of Indiana team. With over 16,000 attendees, over 80 countries, and close to all 50 states being represented, this is the world's largest biotechnology conference. The Department has also been working with the Area Plan Commission on three planned developments that have anticipated construction start dates of

summer and fall of 2009. If we want additional details, I am certain Chandler [Director of Development Poole] can provide those for us. That completes my report.

PERSONNEL:

Councilor Burch said thank you, Mr. Mayor. Three items of interest tonight. One, the City provided vital assistance to the Indiana Blood Center by hosting a blood drive on May 28. Number two, the Lafayette-West Lafayette Health Promotion Committee is promoting a walk for employees this Friday, June 5, from 11:00 a.m. to 1:00 p.m. Show up on the pedestrian bridge to receive a gift and a snack before proceeding along the beautiful Wabash Heritage Trail. Number three, our Safety Committee is sponsoring a cookout sometime this month, in appreciation of employees who have observed good workplace health and safety habits. More information will follow. That concludes my report. Thank you.

BUDGET AND FINANCE:

Councilor Hunt said thank you, Mr. Mayor. The Budget and Finance Committee did not meet in May, but we have three meetings scheduled in June. Those are June 11, June 18, and June 25, starting at 5:00 p.m. The department heads will present their budget requests. We're starting aggressively, as you well know. Thank you. That ends my report.

REPORT OF APC REPRESENTATIVE:

Councilor Keen said I have no report this month.

SPECIAL REPORTS:

► Director of Development Poole said as part of the tax abatement process, I'm here to provide you with an update. I believe I have provided all of you here a copy of the report. On the 14 different tax abatements that have been awarded here in West Lafayette—as you can see a little synopsis on each one—I'm very happy to report that all of these companies or developers that have received the tax abatements have either met or exceeded their expectations. We're very, very proud of that, and very, very happy.

Councilor Burch said good job, Chandler [Director of Development Poole].

Mayor Dennis said so when you say they've met or exceeded their expectations, that means—?

Director of Development Poole said employment-wise, as far as number of new jobs created, and also salary.

Mayor Dennis said excellent. And that is great news for the City of West Lafayette.

Director of Development Poole said thank you, sir.

Mayor Dennis said do you have any questions for Chandler [Mr. Poole]?

Councilor Thomas said Chandler [Director of Development Poole], it appears that all these companies are a part of the Purdue Research Park. Is that correct?

Director of Development Poole said yes. Yes, they are.

Councilor Hunt said Mr. Mayor, I have a question, please.

Mayor Dennis said sure.

Councilor Hunt said I know in some other cities, they've had people that applied for tax abatement and then didn't meet those goals that you were just talking about. Do we have a process if they don't, or do we need one?

Director of Development Poole said if they do not meet their expectations or slip below what is reported on the S/B-1 form, which is original estimates, then they have to come in front of the Economic Development Commission and also in front of Council to explain why. In today's economy, I think we're pretty fortunate, but that does happen.

Councilor Hunt said thank you very much.

Mayor Dennis said other questions for Chandler [Mr. Poole]? Thank you, Chandler. Good work.

There was no further discussion.

PUBLIC RELATIONS:

West Lafayette Community Beautification Award

Councilor Keen said well, as you know Medha Gore who just got here, of 916 LaGrange Street is the winner of the June 2009 West Lafayette Beautification Award. She grew up in an urban area of Indian, but an aunt, who lived in the county, grew beautiful water lotuses. The lotuses stimulated Mrs. Gore's love of gardening. The Gores have lived in the home since it was completed in 1999, and Medha has planned and planted each bed with precision and skill. Her garden offers a wonderful palette of three season color as reds, oranges, and yellows fill the front garden, and the cooler colors of pinks, purples, and whites permeate the back and side gardens. A variety of textures mingle to enhance the color palette. An unusual tall and fragrant while lilac bush stands next to a tall blue spruce. Many plants were chosen to attract butterflies and hummingbirds. Mrs. Gore's favorite flowers are sunflowers, alliums, Iceland poppies, and golden California poppies. Neighbors often walk by and enjoy her garden, and say that they look forward to what is blooming in her ever-changing garden. We have some photos here of the beautiful gardens. We have a certificate for you, if you would like to come up here and get it. It says,

Certificate of Congratulations  
Presented to Medha Gore  
West Lafayette Beautiful Garden Award  
June 2009

Ms. Gore said thank you.

Councilor Keen said we also have a ribbon to put on your front door, to show all your neighbors about your award.

Mayor Dennis said and explain why it's red, somebody.

Ms. Lynn Layden said this year's color is "Paint the Town Red," and we're hoping by the end of the week to have a big red bow somewhere in the front yard of every Beautification Award winner. It doesn't have to be the front door.

FINANCIAL REPORT:

Clerk-Treasurer Rhodes said I'll begin again with a familiar topic, the 2009 budget update. I have personal, direct knowledge that the DLGF has begun working on our 2009 budget. However, they haven't been able to advise me when they think the budgets will be released.

Now the 2010 budget update: As Councilor Hunt noted, the process is beginning this month. The budget process is really an 18-month financial review. It looks at the second half of 2009 at the same time as we plan for 2010. Tonight on the agenda, there is a potential action that will be considered for the Cumulative Capital Development Fund tax rate for 2010. State statute sets the deadline for consideration of this issue. This is the latest date we can start, working backward from that deadline, to complete the process if the Council should choose to do so. I want to tell you a bit about a new feature that's on the new City webpage, and that's the online payments for Wastewater Utility and trash bills. The online payment service began early in May. It has been well received. Over 100 customers, as of this morning, have already utilized the service. We're seeing payments made at every hour of the day, many outside of City Hall business hours. It's been particularly helpful for customers who have needed to attend to delinquency notices on their accounts. The same can be said for credit card payments that are now taken at the counter in City Hall. Ebill presentment in a new billing format is planned to roll out mid-month. There will be a public information outreach, to let customers know to take advantage of these new convenient services, which will not only provide better value for our customers, but also more efficient City operations. The billing staff have worked enthusiastically to bring on these improvements, and they've unleashed a lot of creativity and problem solving on many of the billing processes. There will be more benefits to come for both customers and ratepayers, I am sure. That's my report.

Mayor Dennis said thank you very much, Judy [Clerk-Treasurer Rhodes]. We will soon be rolling out the website with a significant press announcement and probably a press conference. The way we've done it right now is we've quietly rolled it out. We're encouraging people to use it and give us feedback as to things that might need some direction or correction. Keep those hits coming. As many visitors as we can get, the better the website will be.

LEGAL REPORT:

City Attorney Burns said thank you, Mr. Mayor. The legal report is on file, and I'd be happy to answer any questions that you might have about it.

There were no questions or comments.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Ordinance No. 7-09 An Ordinance To Name Depositories For The City Of West Lafayette (Submitted by the Clerk-Treasurer)

Councilor Keen read Ordinance No. 7-09 by title and moved that it be passed on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis said discussion? Let's start with Judy [Clerk-Treasurer Rhodes].

Clerk-Treasurer Rhodes said this ordinance addresses two requirements. One is that the Council shall designate which institutions are eligible to be depositories for public funds for the City of West Lafayette. This action must be taken at least every two years. The last time it was considered was in 2007. The second item relates to discussion arising out of a meeting with the Budget and Finance Committee on April 23, which is specifically designating that the Clerk-Treasurer may use any depository designated by the State Board of Finance as a depository for State deposits for the purpose of CD investments for the City of West Lafayette. This will provide us with better opportunities to invest our funds and offset the need to obtain revenue from other sources, especially our taxpayers. I ask for support from the Council in enacting this

ordinance, to contribute to better treasury management in the City and to meet the State requirement that depositories be designated this year.

Mayor Dennis said questions? Further discussion? Questions of Judy [Clerk-Treasurer Rhodes]?

Councilor Hunt said Clerk-Treasurer Rhodes did present this to the Budget and Finance meeting. She gave very good rationale for changing it, and there was no disagreement. So I thank you for that presentation and that information.

Mayor Dennis said further discussion?

There was no further discussion.

Ordinance No. 7-09 passed on first reading, 7-0

Ordinance No. 8-09 An Ordinance Establishing The Go Greener Commission Fund (Submitted by Diane Damico)

Councilor Keen read Ordinance No. 8-09 by title and moved that it be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis said discussion?

Councilor Burch said I have some questions, Mr. Mayor.

Mayor Dennis said okay. Diane [Ms. Damico, Go Greener Commission chair]—

Councilor Burch said of either Councilor Bunder or Ms. Damico.

Mayor Dennis said okay, Diane [Ms. Damico], why don't you come on up. All right, the floor is yours.

Councilor Burch said Ms. Damico, you mention in the third paragraph here that the Go Greener Commission has received notice of an award. Could you tell us about that, please.

Ms. Damico said we're really proud to announce that TIPMONT REMC Envirowatts Fund has given us \$7,500.00 to help with our green standards for events subcommittee. That subcommittee is going to be working this summer on between 10 and 12 events, and what this particular grant is funding is recycling bins and things that go along with recycling. If you've been to the Taste of Tippecanoe, you know they can generate a lot of waste. I'm really grateful to TIPMONT for getting that fund started off.

Councilor Burch said good job. Mr. Mayor, if the Go Greener Commission runs out of funds or is unable to secure future funds, is the City expected to pick up the tab?

Mayor Dennis said generally, no. The account itself is being established as more of a repository for tracking revenue to the Go Greener Commission.

Councilor Burch said lovely. Thank you.

Mayor Dennis said further questions or discussion?

Councilor Dietrich said do you, in fact, have any operating costs on—projects aside—in response to that question, is there a baseline operating cost for the Go Green Commission?

Ms. Damico said no, we've never been funded through City funds, so this is the first money we've had. We're pretty excited.

Councilor Dietrich said it's always nice to have a first one.

Ms. Damico said we're working for other grants, so it actually makes it easier for the people that are awarding grants, to know that it's going to be designated for what they've given it for.

Mayor Dennis said that makes it more legal.

Ms. Damico said that, too.

Clerk-Treasurer Rhodes said this would essentially create a special purpose restricted donation fund, similar to funds that exist in Parks and also funds that exist to fund Police and Fire activities. In fact, this morning, we bought one of our canines a bullet-proof vest out of a—

Ms. Damico said not out of my funds.

Clerk-Treasurer Rhodes said public safety fund.

Mayor Dennis said it's green, though. Diane [Ms. Damico], it's a green vest.

Clerk-Treasurer Rhodes said so it's a practice we've used for other functions of the City. It works very well for these special purpose donations. We refer to the award that the Go Greener Commission received as a grant, but in the finance world, it's really a donation.

Ms. Damico said which we would accept more of.

Clerk-Treasurer Rhodes said it's not a federal or state grant.

Mayor Dennis said any further discussion?

Councilor Bunder said Mr. Mayor, if I would, I would just applaud the Go Greener Commission. There's always a question as to how much this will cost the City. In point of fact, the invention of the Commission and the creation of this fund means the City will get money to do good deeds. And that's worthy of applause.

Ms. Damico said may I say a few more thank-yous? I do want to thank the subcommittee that helped write the grant, and [Director of Development] Chandler Poole for throwing in a few words there. Mayor John Dennis for letting us have a little bit of freedom, and, of course, TIPMONT. Thank you.

Mayor Dennis said well done. Thank you, Diane. Further discussion?

There was no further discussion.

Ordinance No. 8-09 passed on first reading, 7-0

Ordinance No. 9-09 An Ordinance Vacating A Portion Of South Chauncey Avenue In The City Of West Lafayette, Indiana (Submitted by Daniel A. Teder)

Mayor Dennis said Ordinance No. 9-09 was pulled by the sponsor, Mr. Daniel Teder.

Ordinance No. 10-09 An Ordinance To Establish The Cumulative Capital Development Fund And Readopt West Lafayette City Code Provisions Concerning The Fund (Submitted by the Clerk-Treasurer)

Councilor Keen read Ordinance No. 10-09 by title and moved that it be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Hunt.

Mayor Dennis said we'll go ahead and start the discussion. There has been a significant amount of conversation, both electronically and live, about this particular ordinance. There's been a lot of confusion about this particular ordinance and a lot of concern. When anybody hears the words "raise taxes," that has a tendency to get people's attention. It definitely gets my attention. One of the things that we need to be aware of, both as a legislative body and as a community, is that we're going through some very significantly difficult economic times. We, as a City, have made some specific changes to cope with those economic times. This year, the budget that we're going to propose, the recommendation that I've laid out for the department heads, is that we flat-line our budget as best as possible. Elected officials and department heads will not be getting a raise this year. As most of you have noticed, this year we are not requesting a special levy appeal for the annexation area. We are also well aware of the fact that this community is going to be facing some significant changes that could have a very significant impact on people's wallets. We've been made aware of the fact that our water company, Indiana American Water, is going to be raising rates. That raise could be significant. Double-digit significant. We are obligated by the Indiana Department of Environmental Management to basically clean up our river. The only way we can fund that process is through what's called a stormwater utility. That will also impact the citizens of West Lafayette. Gas prices are going to be over \$3.00 per gallon by the end of the summer. So this particular time, this particular year, is not the best year to be irresponsible with our citizens' money. Now, again, there's also some conversation as to where the money goes, what the money funds, and how the money serves this community. Quite clearly, Cumulative Capital Development goes towards basically what it says, capital improvements. It's not directly tied to salaries. It's not directly tied to staff. However, it would be irresponsible for me to say that there isn't an influence there. But this is an opportunity that's here this year, in these very difficult economic times, and it's also an opportunity that's going to present itself again next year. It's my understanding that the amount of the money that we would be remiss in accepting this year would be around \$60,000.00. The departments that generally have the most interaction with the Cumulative Capital Development Fund are Parks, Engineering, and Street and Sanitation. So that's about \$20,000.00 per department. I've been involved with managing departments for many, many years, and that's what it gets down to. It gets down to management. We have excellent department heads in this City who are excellent managers of their funds. That's how we were able to overcome some of our financial challenges last year, and that's how I intend to continue leading this City for this year as well. I think that, as a City, it's our responsibility to be reflective of the community that we serve. So I'm, at this time, indicating concern about raising taxes. I don't think that this is the year to be doing so. With that, I will go ahead and open the floor for further discussion.

Councilor Burch said Mr. Mayor, it was on the local news tonight at 5 o'clock that Tippecanoe County Commissioners stated that there would be no raises for County employees this year, and that the County is in dire straits.

Councilor Hunt said may I ask that the Clerk-Treasurer give us some more explanation of this? I know she explained it in Pre-Council. There was some confusion as to several things, whether this was salaries. She later clarified that, thank you very much. And also whether we could do this again or not. Some of us misunderstood that at Pre-Council. Clerk-Treasurer, could you give us an explanation from your good knowledge of this, please.

Clerk-Treasurer Rhodes said the filing of this ordinance is the only mechanism by which the Council can retain one of the tools in its toolbox for the 2010 budget. The State sets the deadline of August 1, by which the Council has to complete a series of steps, if it wishes to address the issue of the Cumulative Capital Development rate. The Cumulative Capital Development Fund, we call it CCD, has a tax rate, affects your tax bill. It's a rate that is adopted by the Council and then that rate continues without any further action by the Council in perpetuity, actually. However, every year, the State, through the Department of Local Government Finance, makes an adjustment to the rate. The adjustment is meant to keep the rate generating a constant amount of money, so that, as the years go by and there may be increases in assessed valuation because of general reassessment, because of what we call trending now, or because there's new growth, new properties developed in the City, that the property tax collections don't automatically rise. In fact, the State has a formula that adjusts the rate adopted by the Council every year, as part of the budget order. The rule of thumb is if the assessed valuation of the City goes up, the rate is adjusted down. The Council has the deadline, as I said, of August 1. That's clearly after the Council has started the budget process, but not at final adoption. So if the Council wishes to even use this tool, the June Council meeting for us is the last time we can consider using the tool in our toolbox for the 2010 budget. The last time the Council took any action on this rate was, I believe, back in 2002. That's two Councils prior to this. There really isn't any institutional memory. So the filing of the ordinance advises the Council that the option before them is to reestablish the CCD Fund rate, back to the rate that was originally established back in 2002, or they can back down from that. But this is the last opportunity they have to even examine that tool and make a decision on it. That addresses the timing. How the rate is adjusted is prescribed in statute. It's a bit technical. As the Mayor related, the CCD Fund has been used for capital in the City, certainly many large infrastructure projects, capital equipment needs, and, since 2003, it's been very important for support of the Parks Department for the kinds of expenses related to the maintenance of the Parks facilities, as well as capital acquisitions for the Parks. Those expenses can be paid elsewhere. Our primary alternative source is the General Fund. So by using CCD, we have relieved the General Fund and freed up more money to support our primary expense, which is personnel in this City. The Council and the Mayor will make a decision tonight on whether to they wish to consider utilizing this tool for the 2010 budget, whether they don't wish to at this time. But I just wanted to say the Council has taken up the matter of this tax rate five times in the last 25 years, since it was established. I will say there's a very unusual set of circumstances that is going to occur over the next several years. We haven't got our tax rates yet, but we know what our assessed valuation of the City is, and because of the additional Homestead Credit, we know that the assessed valuation of the City has been reduced by over 20% this year. That will cause a reduction in the revenue that the Mayor mentioned, in the \$50,000 to \$60,000 range. In 2010, that special deduction is set to expire, which will cause the assessed valuation of the City to rebound. That will, because of the formula for the automatic rate adjustment, cause revenue for this tax rate to fall again. The third piece of the puzzle is that a general reassessment is set for March 1, 2011, at this time. It hasn't been rescheduled. And that will make the year prior to the general assessment very important in terms of setting a benchmark for the rate out to 2012 and beyond. As the Mayor mentioned, and I think the Council understands now, the Council has an opportunity every year to deal with this. In the past, it didn't need to, because, before trending, the rate was static. Once the adjustment was made, it pretty much held steady. Now, with trending, that's not true, and there's more

downward pressure on the rate. So the only mechanism the Council has, if they wish to even consider using this tool, is to begin the discussion this evening. The Council can have this kind of review every year. But this year, they need to be advised that, as I said, there are several unusual things about to happen, and that should be figured into their long-term planning, as they look at the capital plan for the City in the next several year. My hope was that this would provide this body with an opportunity for deliberation, that the Council would not find itself in the middle of the budget process and learn that there was a tool that they never knew existed. It's not meant to necessarily foreclose any kind of decision or presume that the Council and the Mayor ought to go one direction or another. As we go into the budget process, this is something that the Council needs to be informed about and I'm sure it will be on their minds through this budget process, as well as the next two budget processes that we will work on together.

Mayor Dennis said and, Judy [Clerk-Treasurer Rhodes], if we do nothing, the rate stays the same as it is this year? The money does not go away.

Clerk-Treasurer Rhodes said the question has been does the rate go away if the Council doesn't act? No, the rate doesn't go away. It will continue. But the rate will continue to be adjusted by the statutory formula. This is one of these legislative "improvements" I'm not sure was. It originally began that the Council had to, every three years, review this. That ensured that every Council that was seated had to consider this issue. Then the State made it more convenient, in that there was no need to revisit the issue. As a result, unless there arrives a particular circumstance such as has arisen now, in terms of the State-mandated changes in the assessed valuation of the City, such as coming up to a reassessment, and the impact of trending, the Council would perhaps not feel that it was a time to deliberate on the matter. However, as the Clerk-Treasurer of the City, I feel that it's important that the Council have all the information as they go through this budget process, because in the end, they're accountable for what taxes they chose to raise and how the money is going to be spent. I hope that this ordinance is viewed in a light that's positive in regards to that discussion. Thank you.

Mayor Dennis said further discussion?

Councilor Bunder said Judy [Clerk-Treasurer Rhodes], will we know—and you can't tell us, I'm sure—but will we know what the budget will be at the end of June, what the State will have in store for us by the end of June?

Clerk-Treasurer Rhodes said will we know the 2009 budget?

Councilor Burch said well, will we have a sense what the 2010 budget will be from the State? Thank you very much.

Clerk-Treasurer Rhodes said it's an unusual year. We definitely will most likely know the 2009 budget which is critical, because for the first time, there is an adjustment of nearly \$500,000 downward in our property tax levy for the City, once more a part of the new property tax initiative that the legislature enacted. Our ability to forecast the second half of the year and the coming year usually begins to—we have enough information to do that—following the end of the June close. So the question is, are you asking if you'll know by your July Council meeting—

Councilor Bunder said yes.

Clerk-Treasurer Rhodes said the grand outlines of the budget?

Councilor Bunder said and, again, I appreciate your comments.

Clerk-Treasurer Rhodes said it would be best for the City if we could. We're going through a budget process in June, in which we're going to have preliminary budgets from the departments and we'll certainly have added them up. But the other part of the equation is our resources. There's going to be a range of estimation there, and the question is how big that range will be, in terms of the nature of the decision you would have to make on this issue, for example. I wish I could assure you it would be a narrow range, but I'm not so certain, to be honest. The answer is don't know. Information will be better in one month than it is now, for sure.

Mayor Dennis said further discussion?

Councilor Hunt said along the same lines, may I ask another question? So, if we don't pass this this time, what will the loss of CCD funds be to the City in the next budget round?

Clerk-Treasurer Rhodes said in 2010?

Councilor Hunt said okay.

Clerk-Treasurer Rhodes said in terms of actual collections, somewhere in the range of \$50,000 to \$60,000, my estimate is.

Councilor Hunt said and that will affect Wastewater, Parks—?

Mayor Dennis said not Wastewater.

Clerk-Treasurer Rhodes said the CCD Fund has, as I advised you all, a balance at the end of this year, even with lower revenue of about \$1.3 million. That number, which, as you know was originally our pledge for the U.S.231-North River Road Project, I'm uncertain as to the disposition of those funds at this point. Your decisions on the budget are always in the context of the priorities that you set and the plans for the implementation of other long-term plans for the City. That becomes much clearer during the month of June, as the department heads make their presentations.

Councilor Hunt said so it would affect Parks, Engineering—?

Clerk-Treasurer Rhodes said well, the CCD Fund is a multi-purpose fund, very flexible. It's the fund that can be used anywhere in the City. It has certainly funded a whole variety of projects in the City, from roadwork to renovating the pool bathhouse, roofing the Parks barn, doing significant sidewalk work, ADA compliance work. It's run the gamut. It can be used anywhere in the City, and, as I said, it's really crucial for the maintenance of the Parks capital assets, to be honest. So it's certainly a fund you want to keep your eye on, keep track of it, long-term. In a way, that's my role, to give you benefit of the history of the City and the ability to look forward a little bit. If the sense is that this is not the year or the time in which you feel that it's imperative to take action, by all means, it's an issue that I particularly recommend over the next several years that you thoroughly review, because we're going through a very unusual time. I personally don't think most municipalities understand the impact of the downward push on the AV and then the rebound. To be honest, the rebound is more damaging than the downward, in terms of how the State sets a formula on this.

Mayor Dennis said further discussion? Steve [Councilor Dietrich].

Councilor Dietrich said Mr. Mayor, first of all, this is my first round of the budget, so I'm a little bit behind the curve on this. Please correct me, Judy [Clerk-Treasurer Rhodes], if I'm wrong. One of the major variables with this is information from the State that we don't have yet. Is that correct? Or is the reassessment, the information that you have, based for this part of it? I know you don't have for the other part of the budget. I understand that.

Clerk-Treasurer Rhodes said we know the certified assessed valuation that we'll have for Pay 2009. We can have a pretty confident assessment of what will happen to us 2009. We can, therefore, draw some conclusions about the minimum that's likely to happen to us in 2010. There is no idea of what the result of the general reassessment will be. In fact, there's some dispute whether it will actually occur in 2011 or be deferred for another year, as you probably read in the paper today.

Councilor Dietrich said but it's the reassessment part that we do know that impacts this particular tax or rate, right?

Clerk-Treasurer Rhodes said the reassessment, when it occurs in 2011, will have an effect on the adjustment of this rate also.

Councilor Dietrich said I guess, for fear of asking the same question that Peter [Councilor Bunder] did, we won't know any more of that part of it in a month from now, will we?

Clerk-Treasurer Rhodes said no.

Councilor Dietrich said okay. The second point, I guess, is a question of clarification from you, Mr. Mayor. There's been a lot of discussion about this tax increase being tied to three jobs, in particular, or "x" number of jobs, but particularly it's been three jobs in the Parks Department. I understood that when Judy [Clerk-Treasurer Rhodes] was talking, she did indicate that there is some impact on the overall General Fund, which primarily supports the biggest thing we've got going, which is personnel. But will not passing this will cost us three jobs in the City?

Mayor Dennis said no.

Councilor Hunt said I think—Steve [Councilor Dietrich], can I comment on that?

Councilor Dietrich said yes.

Councilor Hunt said one of the reasons I misunderstood it was, I think the phrase was used it's the equivalent of three salaries.

Councilor Dietrich said yes, that was used this morning.

Councilor Hunt said and Judy [Clerk-Treasurer Rhodes] clarified in a long explanation that this cannot be used for personnel.

Councilor Dietrich said but she did still indicate that there was a trickle down to—

Clerk-Treasurer Rhodes said it's a chip in the budget process, and it's not directly used for personnel, but it allows us to support about three staff in the General Fund and Parks Fund. I'm sorry that municipal finance tends to be arcane. It seems like we double back sometimes. Since our primary expense is personnel, for me, we really are dealing in, more than anything

else in terms of number of people who deliver services. And so the amount of the budget this year that is allocated to Parks in CCD is about \$150,000. That's about three people.

Councilor Dietrich said one last question, to make sure that I can try to internalize this: as I understand the Cumulative Capital Development history that we discussed in the Budget and Finance Committee meeting, we're still drawing well over half of that maximum amount anyway, correct? It's 0.0294 and the cap is at 0.05, is that correct?

Clerk-Treasurer Rhodes said that is the current rate.

Councilor Dietrich said so we're still drawing more than half of that money, even if we don't do anything tonight, correct?

Clerk-Treasurer Rhodes said that rate will very likely, because of the formula, remain the same for 2009. It will be lowered in 2010 with no action.

Councilor Dietrich said okay. Thank you.

Mayor Dennis said further discussion?

Councilor Burch said I need to reiterate for my own, to make sure that I have clarification. This CCD tax rate will still continue to exist; personnel salaries are not paid out of this; nobody is going to lose their job; we have \$1.3 million in the bank for this, pledged; infrastructure projects will still continue, so we will not lose City services, projects on the books will not be affected. Is that correct?

Mayor Dennis said that is correct.

Councilor Burch said thank you, sir.

Mayor Dennis said further discussion?

There was no further discussion.

The roll call vote:

<b>AYE</b>	<b>NAY</b>
Bunder	Burch
Hunt	Dietrich
	Keen
	Roales
	Thomas

When his name was called to vote, Councilor Bunder said for me, this is not as large a deal as, say, the excessive levy annexation of last November. I'd be happy to have this continue as part of our deliberations through June. If we hate it, we can kill it in July, so I will vote yes.

Ordinance No. 10-09 failed on first reading, 2-5.

Resolution No. 8-09 A Resolution Authorizing The Filing Of An Application With The U.S. Department Of Housing And Urban Development, For Community Development Block Grant Funds, As Provided In Title I Of The Community Development Act Of 1974, As Amended (Submitted by the Department of Development)

Councilor Keen read Resolution No. 8-09 by title and moved that it be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis said discussion? I guess this would be Mr. [Director of Development] Poole again.

Director of Development Poole said what we have here is, as part of the CDBG program and process, we have to file an application with HUD, as far as our action plan. You have a breakdown in front of you as to the \$442,185 that was allotted to West Lafayette. We've gone through the advertisement portion, where we asked for submittals of projects. Do you have those in front of you? Wonderful. It shows the rankings from the committee and the Council, and then also the requested funding for 2009-2010, and then the official funding that we allocated for '09-10. Any questions?

Mayor Dennis said questions for Mr. [Director of Development] Poole?

There was no further discussion.

Resolution No. 8-09 passed on first and only reading, 7-0.

Resolution No. 9-09 A Resolution Appropriating Housing Loan Funds On Hand Resulting From Repayments Of Loans Previously Made By The West Lafayette Department of Development (Submitted by Department of Development)

Councilor Keen read Resolution No. 9-09 by title and moved that it be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis said discussion?

There was no further discussion.

Resolution No. 9-09 passed on first and only reading, 7-0.

COMMUNICATIONS:

► Councilor Hunt said the red ribbon that was demonstrated earlier is a recommendation from the America in Bloom judges' visit last year, where we try to honor the individuals that have won the Beautification Award. One of the ways that the Beautification Committee has decided to do it is to have garden tours of individual neighbors, within walking or close driving proximity. On June 27, there's going to be an Art in Bloom Garden Tour, where there will be art in gardens in the Hills and Dales and in the Northwestern Heights. It's June 27, from 10:00 a.m. to 3:00 p.m., rain or shine. The red ribbons will be on the Beautification Award winners' properties and also on the areas close to the houses where the tours will be held.

► Councilor Dietrich said I have two things. First of all, I would like to recognize the passing of my fourth grade teacher, Ruth Michaud. She passed away this week at 106 years of age. She taught four Dietrichs, so anybody who survived that deserves to live long and prosper. She started the 5<sup>th</sup> Grade Camp, for those of us who came through the system. It was her original idea. She was big in the Audubon Society for the kids. We had weekly events, and she really instilled a nature thing. Certainly the Sinninger-Michaud Woods is a nice tribute to Mr. and Mrs. Michaud. Secondly, this is a blatant plug for the Plaza Park yard and garage sale this coming

Saturday. I have lots of valuable stuff that I need to get rid of, so I encourage everybody to come, rain or shine. Please come out.

► Councilor Burch said while we're making blatant plugs, please come out to the Indiana Fiddlers' Gathering, June 26, 27, and 28 at Battle Ground, rain or shine. Great show this year, great lineup. Hope to see you there.

► Councilor Keen said I was just going to plug the Tippecanoe Arts Federation Taste of Tippecanoe this year. It's June 20, Saturday, from 4:00 p.m. to midnight. It is a great fundraiser for the Arts Federation, and a really wonderful time for everybody. It will be another wonderful time this year.

► Councilor Thomas said I've been communicating with a gentleman that I met at one of the Go Green Commission meetings, who has basically moved here with his family about a year ago. He has lived in several communities within the United States, very nice communities, I think we would say, based on the list he has given. This gentleman has fallen in love with this community. He is absolutely blown away by our services and just the community itself as a whole. Sometimes, when we've lived here for a long time, or we have not lived anywhere else but here, we kind of take for granted what we really have in West Lafayette. This gentleman has reawakened my sense of that fact, that this is a great community and a great place to raise a family, a great place to live. I'm going to be very interested in communicating further with this gentleman and understand what maybe he can do for us, as far as his excitement for this City.

#### CITIZEN COMMENTS:

► Ms. Diane Damico [128 Blackhawk Lane, Go Greener Commission Chair] said my first comment is none of you have yet signed up to recycle with us at the Taste of Tippecanoe. Oh, Ann [Councilor Hunt], you're on the list. Thank you very much. The rest of you, I have a list to put your names on. My second comment is I'm not quite sure, during Council meetings, when the public does enter the discussion, as far as when you're talking about ordinances. Sometimes I'm here and there's public discussion before the vote, between the time when you guys are talking and the vote. And sometimes I'm here and there isn't any. So would you clarify when people are invited?

Mayor Dennis said anytime.

Ms. Damico said so before you vote, you can call—?

Mayor Dennis said sure. Usually what I do is I look in the audience. If nobody's getting up...

Ms Damico said okay, thank you.

► Mr. Danny Weiss [323 Lawn Avenue] said good evening. I'm a homeowner in the New Chauncey Neighborhood. I'm also the chair of a New Chauncey Neighborhood Political Action Committee. I have a comment and a question. I want to congratulate the Council on your fiscal responsibility. Thank you. And I want to voice my support for a tax increase, if needed, to maintain or increase services in the City. I think I'm not alone in supporting this. We want to maintain what we have here, and also improve what we have here and not to be shaken by what is being billed as difficult financial times. I think we need to forge ahead and the majority of citizens in West Lafayette, I think, are willing to support that with their wallets, I being one of them. That's my comment. My question for Mayor Dennis is—well, a comment first. Thank you for the beautiful new website. I'm sure we're all happy and proud of that web presence. We have been told that there will be a component on the site that will involve reporting housing

code violations, or at least major housing code violations. My question is when can we expect to see that? And let me just give you a reason for my question. There are individuals in the New Chauncey Neighborhood who would like to start posting that information on our website, and we feel that having it on the City's website would present an unbiased, more moderate view of these violations than perhaps would exist on our site.

Mayor Dennis said interesting. Chandler [Director of Development Poole] and I discussed that just this afternoon. We're still in the process of refining the website in total. That is a component of the Department of Development we'll be taking up. I don't want to tell you that it's going to happen tomorrow, but as time allows and staffing frees up, we'll go ahead and make sure that that's a component of the City website, Danny [Mr. Weiss].

Mr. Weiss said could we expect that by the end of the summer, reasonably?

Mayor Dennis said yes. He said yes.

Mr. Weiss said thank you for your good work and for allowing me my comments and questions.

Mayor Dennis said don't leave. Let me just respond to one of your comments. A lot of the things that we do in the City, obviously, are governed by taxes, which go in the General Fund, which help us buy stuff. But some of the departments are also supported by direct citizen input. They have foundations, they have ways for citizens to be actively involved with their laws, the Parks being one of the foremost departments. Quite clearly, when the tax rates stay the same, opportunities for citizens to participate financially in the progress of this great City is always an option. In other words, I'm not shy. I'll take your money.

Mr. Weiss said okay, thank you. I appreciate knowing about that option. I hadn't considered that. I was speaking in more general terms, distributing the so-called burden among all of us. \$20 to \$200 a person I don't think would be considered a hardship for most of us. My wife and I don't have children, but we happily support the West Lafayette school system, so I guess in a way I already am making a special donation to the City. I think most of us understand that services need to be paid for, and appreciate the services we have and the services that we could have. Thank you.

Mayor Dennis said thank you, Danny [Mr. Weiss].

ADJOURNMENT:

There being no further business at this time, Councilor Keen moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 8:43 p.m.