

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
APRIL 28, 2011

The Common Council of the City of West Lafayette, Indiana, met in the Lower Level Conference Room at City Hall on April 28, 2011, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

Mayor Dennis administered the Oath of Office to new First District Councilor Eddie VanBogaert.

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

Also present were City Attorney Burns, Assistant Superintendent of Parks Ainsworth, City Engineer Buck, Street Commissioner Downey, Fire Chief Drew, Human Resources Director Foster, WWTU Director Henderson, Police Captain Leroux, and Director of Development Poole, and Clerk-Treasurer's Assistant Thayer-Copeland.

Mayor Dennis reviewed the agenda, noting that Councilor VanBogaert would replace former First District Councilor Hoggatt on the standing committees.

Councilor VanBogaert will present the Beautification Award.

UNFINISHED BUSINESS

Ordinance No. 09-11 (Second Amended) Historic Preservation Commission Ordinance (Submitted by Councilor Bunder) [Introduced at the March 7 Council meeting; discussed at the April 4 Council meeting; postponed first vote until the May 2 Council meeting]

Mayor Dennis read Ordinance No. 09-11 (Second Amended) by title and asked for comments or questions.

Councilor Bunder moved that Ordinance No. 09-11 (Third Amended) be substituted for the Second Amended version. Councilor Burch seconded the motion.

Councilor Hunt asked Councilor Bunder to summarize the discussions at the two public meetings that have been held on this. Councilor Bunder said he was not prepared to do that, but he noted that the meetings were well attended with lively debate. Mayor Dennis said there were many good questions, many good answers, and that some fears have been removed. He added that the meetings were very constructive, and he liked the process.

There was no further discussion.

Clerk-Treasurer's Assistant Thayer-Copeland called the roll call vote:

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

Clerk-Treasurer's Assistant Thayer-Copeland stated that the vote was 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 09-11 (Third Amended) replaced the prior version and would be the one discussed at Monday's meeting.

There was no further discussion.

NEW BUSINESS

Ordinance No. 10-11 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect (University Terrace, LLC, PDMX to PDMX) (Submitted by Area Plan Commission)

Mayor Dennis read Ordinance No. 10-11 by title and asked for comments or questions.

Mr. Roger Fine (John E. Fisher & Associates) representing the petitioner, reviewed the project, which is a re-do of a 2003 planned development. The project is located at 105 East State Street. The proposal is a four-story residential building of masonry and steel frame with a multi-level parking garage. There is a possibility of three of the residential units that face State Street to be converted to commercial spaces, if the economy improves. Due to the site grade, there is a need to have two entries to the garage, one on Salisbury which will be one-way southbound, and one on State Street. The two entries do not connect physically. Each will have one-way in and one-way out routing. They will discourage left turns into the State Street entry from westbound State Street and discourage left turns from the garage onto westbound State Street. Mr. Fine provided a brief history of the project site. There is a four-story residential building behind this site which has a parking garage on the first level and parking spaces on the outside, three of which are part of a private agreement for use by this project. There will be 53 bedrooms with 51 parking spaces in the garages, with three additional spaces in the adjacent parking lot.

Councilor Burch asked for clarification of the parking spaces, which Mr. Fine provided.

Councilor Keen initiated discussion of the left-turns into the State Street entry from westbound State Street. Mr. Fine said that signage stating right turns only should deal with the exit issues, and experience will limit the turns from westbound State Street into the property. He noted that there is a double yellow line on State Street from River Road up the hill.

Councilor Hunt asked if the apartments would have assigned parking. Mr. Fine answered that would be the case. Councilor Hunt asked if the additional three spaces would be assigned also. Mr. Fine answered that they would be. Councilor Hunt asked, if the three units become

commercial spaces, would those spaces be out of the residential parking space count. Mr. Fine answered that, if three apartments are removed, there would be three spaces for commercial. Councilor Hunt asked if 53 bedrooms would be the maximum. Mr. Fine responded that 53 would be the maximum, and if the commercial space is used, there would be only 50.

Councilor VanBogaert asked what the price range for the units would be. Mr. Fine said they have not been priced out yet. Councilor VanBogaert asked if these would be upper end, or what the market would be. Mr. Fine said these would be mid to upper, that there is a south-facing terrace on the inside of the building, from the second level for the exclusive use of the residents. Councilor Keen asked if the terrace would be opened to the south. Mr. Fine said it would be.

Councilor Thomas asked Mr. Fine to speak to the commercial portion of the development. Mr. Fine said that they have developed a list of possible types of businesses, but that they are flexible about the types of businesses.

Councilor Hunt stated that, during the America in Bloom judging, the judges thought that the location was a good place to improve. She said she appreciates the green space offered. Mr. Fine said that they are working with the power company, to see what can be done with the power poles there.

Councilor Keen asked how much distance would there be between the east side of this building and the Fleischhauer building at the corner of State Street and River Road. Mr. Fine answered that the northeast corner of this building is adjacent to the existing concrete retaining wall that is there now.

Councilor Hunt asked if the extreme angle of the area be a construction challenge. Mr. Fine answered that it would, and the elevation difference also adds to the challenge.

There was no further discussion.

Resolution No. 02-11 A Declaratory Resolution Approving The Designation Of An Economic Revitalization Area For Personal Property Tax Abatement For Dow AgroSciences, LLC (Prepared by the Office of the City Attorney)

Mayor Dennis read Resolution No. 02-11 by title and asked for comments or questions. Ms. Jan Mills (Purdue Research Foundation) presented the request of a 10-year abatement on personal property for Dow AgroSciences. The property is lab equipment and fixtures in the build-out of the Innovation Center in the Research Park. Dow AgroSciences will lease 35,000 square feet, and build that for a new facility, the relocation of the seed quality testing lab currently at Marshalltown, Iowa. The company will be investing \$5.8 million in equipment, and they estimate the cost of the remodel will be \$11.6 million. Construction has already begun, and they expect to have the facility operational by September. Dow AgroSciences is currently a tenant in the Research Park, leasing 16,000 square foot lab space in the Purdue Technology Center and an 11,000 square foot greenhouse. One of the reasons they like the Innovation Center space is that there is additional space if they expand. The facility will employ 27 full-time people, scientists and technicians, by 2014. The current salaries average \$80,000 per year. Ms. Mills added that Dow AgroSciences would become the largest tenant in the Research Park with 61,000 square feet. She asked for Council support for the resolution.

There was no further discussion.

Resolution No. 03-11 A Resolution To Approve The West Lafayette Public Library Capital Funds Project (Prepared by the Clerk-Treasurer) **PUBLIC HEARING**

Mayor Dennis read Resolution No. 03-11 by title and asked for comments or questions.

Councilor Hunt asked if the tax rate was increasing. Mr. Nick Schenkel, West Lafayette Librarian, answered that there is no tax increase requested.

There was no discussion.

CITIZEN COMMENTS

► Ms. Jan Myers (1909 Indian Trail) said she would speak to Ordinance No. 09-11 (Third Amended) on Monday. She indicated that she is pro-preservation and has been involved in other communities. She said that she finds it amazing that the National Trust for Historic Preservation, which has been around since 1949 and is also a funding source, is not mentioned in the ordinance. She will send the Council email and include some other publications which are available that she thinks would be valuable for the Council before they vote on more detail on preservation. Ms. Myers also urged that the word “protect” not be in the ordinance. She said she has never, in all her time in historic preservation, had it “protect” anything. It’s preserved lots of things, but the word “protect” may be, from what she hears, one of the words that is causing a lot of the residents’ concerns. You preserve a lot of things under historic preservation, you don’t “protect” them. She said the other thing, from her reading letters to the editor, is the concern that maybe they are getting mixed up on the idea of protecting the neighborhood. Historic preservation only deals with the exterior of buildings, it has nothing to do with who occupies them. If you’re going to worry about renters or families, that is never addressed by historic preservation. She came to that conclusion this week. She said she would not comment on this Monday night. She will send emails to the Council.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 4:59 p.m.