

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
JUNE 2, 2011

The Common Council of the City of West Lafayette, Indiana, met in the Lower Level Conference Room at City Hall on June 2, 2011, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

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

Absent: Bunder, VanBogaert.

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

Mayor Dennis reviewed the agenda.

Councilor Keen reported that the APC finished the Housing Component of the Comprehensive Plan, which should be on the County's website in the coming weeks. He encouraged the Council to look at that, as the approval will come before the Council in August or September.

Councilor Dietrich will present the Beautification Award to Todd and Cindy Leuck of 225 Pawnee, who will not be present at the Council meeting.

Presentation

Mayor Dennis introduced Stan Lambert, Executive Director of the Wabash River Enhancement Corporation, who provided an overview of projects that would affect West Lafayette and the Greater Lafayette community over the next 20+ years. In the next month or two, a resolution will be presented to the Council to vote for support of development projects along the Wabash. Mr. Lambert presented the Wabash River Greenway Master Plan and distributed a brochure, which outlined the main ideas under consideration. Additional information may be found at www.wabashriver.net.

Councilor Hunt asked the primary source of funding for these projects. Mr. Lambert answered that there would be partnerships between North Central Health Services, local governmental units, the U.S. Army Corps of Engineers, Federal Highway Administration, and other sources, depending on which specific project is under development.

UNFINISHED BUSINESS

Ordinance No. 09-11 (Third Amended) Historic Preservation Commission (Submitted by Councilor Bunder)

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

Councilor Hunt asked, if this ordinance passes, names would need to be submitted to the Mayor. Mayor Dennis encouraged the Council to submit names for his consideration.

There was no further discussion.

NEW BUSINESS

Ordinance No. 11-11 To Rezone Certain Real Estate Within The City Of West Lafayette, Indiana And Designating The Time When The Same Shall Take Effect (SSC VII, LLC, Chauncey Square PD, PDMX to PDMX) (Submitted by Area Plan Commission)

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

Mayor Dennis noted that Mr. Dan Teder [Reiling Teder & Schrier], representing the petitioner, had to be at two separate meetings on Monday, so this item may be moved to later in the agenda, so that Mr. Teder could be present.

Mr. Teder thanked the Council for their patience in this process. He distributed APC Staff Reports for Council review. Mr. Teder stated that Steve Bus, representing the developer, would be present at Monday's Council meeting, to answer any questions.

Councilor Hunt asked for clarification of the total parking spaces in the garage as mentioned in the Traffic and Transportation section of the APC Staff Report, where 20% of the total parking spaces in the garage would be converted to compact car spaces. Mr. Teder clarified 496 spaces would be the number of spaces, after the restriping to accommodate compact cars. He agreed that the wording in the APC Staff Report may be confusing. City Engineer Buck said that the APC took 20% of 482 spaces, making 96 regular spaces at 9-foot wide. When those 96 spaces are re-striped to 7½-foot wide spaces, there would be 14 additional spaces. Councilor Hunt expressed concern about the parking. Mr. Buck said that this is the first time the City has considered spaces for compact cars in a PD. He acknowledged that there is some apprehension about this matter, and whether it is appropriate. The number of spaces was proposed by the developer, and it seemed reasonable. Councilor Hunt said that when she heard this discussed at the APC, she presumed it would be mostly students as tenants. Mr. Teder agreed. Councilor Hunt asked Mr. Teder if he had any idea what percentage of students drive compact cars. Mr. Teder said he did not know what percentage of students drive cars, there is no agreement, but that the developer compared this to other parking garages in similar developments they have. Councilor Hunt asked how the compact car parking spaces would be marked. Mr. Teder said there would be signs, such as are in other garages.

Councilor Burch asked for clarification about the pre-existing parking license agreements in the second paragraph, which will continue, resulting in 73 fewer spaces in the garage. Mr. Teder said that referred to Town Center, to the west, which has always had a parking agreement, and the to the Fleischhauer development, in the original PD parking agreement. There is nothing new there.

Councilor Dietrich asked if these 73 spaces should be subtracted from the 496 new spaces. Mr. Teder said that was correct, and said that there would be 386 for residential, 73 for restricted license spaces, 5 for commercial, which leaves 32 unrestricted spaces. Councilor Dietrich said that 5 for the commercial spaces seems "thin" to him. Mr. Teder responded that everyone in the area of the development walks. Councilor Dietrich said that this issue has been discussed. The Village area was a hot topic for about 20 years, over the concept of whether students walked or

drove. He said that he would hate to open that issue again, because of only 5 spaces for commercial tenants. Mr. Teder stated that Lafayette has zero parking for commercial, with not as many students living there. In West Lafayette, there are many students who work there and who eat there, walking in both situations. He said that they felt there should be at least one space available for the manager. Additionally, he said, they believe that the parking garage will never be full, so that one space may be designated, but there are extra spaces in the parking garage. During the day, when people might be eating, a student might be gone. The parking garage doesn't stay full with 386 residential spaces, 7 days a week, 24 hours per day; it's a coming and going. At this point, they have determined, on the spaces that are available with the units that are there, all those spaces are not taken one per bedroom. It doesn't work that way.

Councilor Keen said that it wasn't that long ago when Panda Express PD was approved, which has one parking space, and there have not been any issues. Mr. Teder said that Qdoba has zero parking spaces. Councilor Keen said that this development is in the same proximity, and he does not see the parking as a major issue, based on historical actions. Mr. Teder said he has discussed general parking in West Lafayette with APC, where it had been 1:1. The reality of it is that the number of bedrooms to parking spaces is something like .7:1 or lower. There will be vacant spaces available, which benefits this project and the other businesses around it.

Councilor Dietrich asked any thought has been given to how parking will be enforced, or determine which cars are properly in the garage. Mr. Teder said there would be keypads for access to the garage. Councilor Dietrich said that does not allow customers to access the garage. Mr. Teder answered that it would be similar to Wabash Landing garage, where there might be an hour free. He suggested that it also might help people from outside West Lafayette patronize the West Lafayette Village. Councilor Dietrich said that the parking was problematic when he had earlier spoken with Mr. Teder, and he is not comfortable with it.

There was no further discussion.

Ordinance No. 12-11 An Ordinance Providing For Temporary Loans From A Fund Having Sufficient Balance To A Depleted Fund (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 12-11 by title and asked for comments or questions.

Clerk-Treasurer Rhodes stated that the City receives State pension relief twice a year. The first check usually arrives in early July, but in June there is a cash flow problem. This temporary loan is the amount needed to cover the June payment. Before the second check is received, it is possible that an additional temporary loan would be needed. Councilor Keen asked if two readings of this ordinance would be requested. Clerk-Treasurer Rhodes said she would need two readings.

There was no further discussion.

Ordinance No. 13-11 An Ordinance To Amend Ordinance No. 16-10, To Fix The Salaries Of Appointed Officers, Employees, And Members Of The Police And Fire Departments Of The City Of West Lafayette, Indiana, For The Year 2011 (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 13-11 by title and asked for comments or questions.

Human Resources Director Foster said that Foreman/Equipment Operator VanMeter retired in March. Street Commissioner Downey decided to change the position of Accounting I/Receptionist to Receptionist/Office Assistant, which had been an unfilled position. The Board of Works approved the transfer of a Wastewater Billing Office employee to this position. This amendment to the salary ordinance is one of housekeeping, changing the job title, hours, and biweekly minimum/maximum salary.

There was no further discussion.

Ordinance No. 14-11 An Ordinance To Ratify And Adopt Corrections To Chapters 10 through 67 Of The "West Lafayette City Code" (Submitted by City Attorney)

Mayor Dennis read Ordinance No. 14-11 by title and asked for comments or questions.

City Attorney Burns explained that the intent of the ordinance is to make corrections to misspellings, formatting, citations to State statute, and things of that nature. This is phase one to make the City Code more user friendly and more cohesive. There are no changes to the laws of the City of West Lafayette at this time. Phase two will be to go to the department heads and the Council, asking for changes to areas of the current Code that do not work the way they are intended. The overall goal is to modernize the West Lafayette City Code.

Mayor Dennis stated that this began two years ago. City Attorney Burns agreed, noting that this project was sidetracked for now various reasons, but is now on track.

Councilor Thomas asked what the timeframe was for completion of the project. Mr. Burns answered that the project should be complete a year from now. The suggested changes will be brought by topic, so as not to overwhelm the Council.

There was no further discussion.

Resolution No. 04-11 A Resolution Confirming The Designation Of An Economic Revitalization Area For Property Tax Abatement For Dow AgroSciences, LLC (Prepared by the Office of the City Attorney)

Mayor Dennis read Resolution No. 04-11 by title and asked for comments or questions.

Director of Development Poole reported that someone from Dow AgroSciences would attend Monday's Council meeting.

There was no further discussion.

Resolution No. 05-11 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 Department of Development)

Mayor Dennis read Resolution No. 05-11 by title and asked for comments or questions.

Director of Development Poole explained that this resolution is the annual filing for the CDBG one-year plan. The amount expected is \$399,010, a 16.38%.

Councilor Hunt asked if this resolution reflected the hearings. Director of Development Poole said that it did. Councilor Hunt asked if there was a report of how much was allocated to each request. Mr. Poole said that he would have that information for the Council next week.

There was no further discussion.

Resolution No. 06-11 A Resolution Appropriating Insurance Recovery Received For Damage To City Property (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 06-11 by title and asked for comments or questions.

Clerk-Treasurer Rhodes stated that this resolution reflects two incidents, one from the damage caused by the windstorm last summer, at which the City's siren on the West Lafayette High School was damaged, and one from a Police car, which was totaled in an accident that was not the fault of the officer. Because one of these recoveries crosses years, and they do not impact the budget, she felt it should come to the Council.

Councilor Thomas asked for clarification of the line items. Clerk-Treasurer Rhodes answered that the Police vehicle insurance recovery would be combined with funds that the Council will be asked to transfer later in the agenda, so that the new Police car can be purchased. The computer in the Police vehicle also will be replaced. The remainder of the transfer is for the siren replacement and its attachment to the building. The West Lafayette School Corporation is providing some assistance for this.

There was no further discussion.

Resolution No. 07-11 A Resolution To Appropriate Grant Reimbursement In The Cumulative Firefighting Building And Equipment Fund (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 07-11 by title and asked for comments or questions.

Clerk-Treasurer Rhodes said that the Fire Department purchased a CO-oximeter, which was funded by a grant from the Indiana Homeland Security Foundation. This appropriation restores the spending authority.

Fire Chief Drew explained that the equipment is a carbon monoxide pulsar, which means that readout is made from a finger device. It will provide information regarding exposure to carbon monoxide and the severity of the exposure. The cost was 100% covered by the grant.

Councilor Hunt asked how accurate the device is. Fire Chief Drew said that it is used as an indicator, not as a final determination. A higher reading would indicate the need for further evaluation. Councilor Hunt asked if it were similar to a pulse-ox. Chief Drew said that it is. Councilor Hunt said if they really want accurate readings, they do a blood gas. Fire Chief Drew said this device can do both.

There was no further discussion.

Resolution No. 08-11 A Resolution Requesting The Transfer Of Funds (Police) (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 08-11 by title and asked for comments or questions.

Mayor Dennis said this was part two of the insurance recovery resolution.

Captain Leroux explained that the transfer is to cover the difference between the insurance recovery for the totaled squad car and the cost of a new vehicle.

There was no further discussion.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 5:25 p.m.