

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
JANUARY 3, 2012

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on January 3, 2012, 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, Thomas, and VanBogaert.
Absent: Keen.

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, City Engineer Buck, Police Chief Dombkowski, Human Resources Director Foster, WWTU Director Henderson, Interim Fire Chief Holder, Parks Superintendent Payne, Director of Development Poole, and Mayor's Administrative Assistant Betina Cochran.

MINUTES

Councilor Burch moved for acceptance of the minutes of the December 1, 2011, Pre-Council Meeting, and the December 5, 2011, Common Council Meeting. Councilor VanBogaert seconded the motion, and the motion passed *viva voce*.

COMMITTEE STANDING REPORTS STREET, SANITATION, AND WASTEWATER TREATMENT UTILITY

Councilor Bunder presented this report, which will be on file in the Clerk-Treasurer's Office.

PUBLIC SAFETY AND ORDINANCE

In the absence of Councilor Keen, Councilor Hunt mentioned that the report would be on file in the Clerk-Treasurer's Office.

PURDUE RELATIONS

Councilor VanBogaert noted that Purdue's spring semester begins January 10.

PARKS AND RECREATION

Councilor Hunt presented this report, which will be on file in the Clerk-Treasurer's Office. Councilor Dietrich thanked the Parks Department for their acceptance of reservations by phone.

ECONOMIC DEVELOPMENT

Councilor Thomas presented this report, which will be on file in the Clerk-Treasurer's Office.

PERSONNEL

Councilor Burch presented this report, which will be on file in the Clerk-Treasurer's Office.

BUDGET AND FINANCE

No report.

REPORT OF APC REPRESENTATIVE

In the absence of Councilor Keen, Councilor VanBogaert reported that the APC would discuss the Stadium Square project at its meeting on January 18.

FINANCIAL REPORT

Clerk-Treasurer Rhodes reported that the year-end close is underway. When the property tax settlement is received from the County, a meeting to review forecast and actual numbers will be scheduled. The City is on solid footing for 2012. There is no 2012 budget or tax rate, because the County has not yet submitted the assessed valuation to the State. There will be a lot happening in the upcoming months, to catch up the finances from 2011.

LEGAL REPORT

City Attorney Burns stated that the legal report has been filed, and Councilors have received copies. He offered to answer any questions.

UPDATE ON CITY OF WEST LAFAYETTE COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN

Mayor Dennis said that representatives from Wessler Engineering are present and will update the Council on the status of the City's combined sewer overflow (CSO) long term control plan.

Mr. Gary Ruston introduced Mr. Bill Leber, both of Wessler Engineering, who provided background on their work on modeling and offering alternatives to the City's long term control plan for the next 15 years. Mr. Ruston distributed a handout of his and Mr. Leber's remarks, which included a map of selected projects of the CSO drainage areas.

Mr. Ruston explained that a combined sewer is a sewer that, in dry weather, carries sanitary flow only to the Treatment Plant. In wet weather, it also collects rainwater. There are overflow points that are relief points in the sewer system that are intended to overflow when the capacity of the sewers is exceeded, and they discharge to the river. 100 years ago, there were no treatment plants, and sewers went directly to the river. The concept of a combined sewer was developed, where flows from both stormwater and wastewater went together, directly to the river. That continued until the 1960s, when separate systems began to be used. Combined sewers are primarily in the older parts of cities and towns. Treatment plants were developed in the 1940s and 1950s. In 1972, the Clean Water Act emphasized treatment of sewage, then the EPA (Environmental Protection Agency) focus turned to combined sewer overflows, to reduce and eliminate CSOs. The work on eliminating CSOs continues today.

Mr. Ruston outlined this City's history in addressing the long term control plan and CSO projects. In 1993, the City's Wastewater Treatment Utility facilities plan identified some CSO and wet weather deficiencies. That plan later developed into the WWTU plant expansion that was done in the mid-1990s, which added significant capacity to the Wastewater Plant, to treat higher wet weather flows. In 1996, IDEM issued the CSO strategy, including the primary items: a low capital cost CSO operational plan; a stream-reach characterization evaluation, upstream, in the City, and downstream from the City; and a CSO long term control plan as part of the NPDES discharge permit renewal process, with emphasis on public education, participation, and involvement. In 1996, the City amended the facilities plan to be the long term control plan. In 1999, the River Road Interceptor was constructed as part of the River Road-US231 improvements project. In 2000, State Enrolled Act 431 was passed which allowed CSOs to occur if a community had an approved long term control plan and an approved use attainability analysis (UAA). In 2001, the City began construction on the wet weather treatment facility; the CSO long term control plan was updated to include wet weather treatment facility recommendations; and IDEM issued its CSO long term control plan and use attainability analysis guidance document. In 2003, construction on the Western Interceptor Project began. In 2007, the City's CSO long term control plan was approved through a State Judicial

Agreement, and IDEM issued the CSO treatment design criteria, which defined the design storm approach that eliminated the need for the use attainability analysis. In 2010, IDEM requested that West Lafayette analyze the design storm approach, which brings the issues where they are today, looking at an amendment to the long term control plan, to update and recalibrate the combined sewer system model, analyze the one-year and ten-year design storms, and to prepare alternatives based on the 2007 guidance document.

Mr. Leber said that the City has been proactive and ahead of the game on CSO controls. The drawback is that many of the guidance documents and revisions to the plans occurred after West Lafayette's implementation. West Lafayette's plan was based on the presumptive approach, where if there are four overflows per year on an annual basis, it is presumed that the City meets quality standards. Now, there are two methods of analysis, the presumptive approach and the design storm approach. The presumptive approach considers alternatives, with a goal of having four or fewer CSOs on an annual basis. It requires use attainability analysis, which was outlined in the 2001 CSO guidance document. The West Lafayette plan started in 1996; the guidance document was issued in 2001. The purpose is to prepare a plan that has controls to reduce CSO discharges and meet the Clean Water Act. Use attainability analysis establishes a limited-use subcategory for the receiving stream, the Wabash River, adjacent to the City that says that the City will temporarily suspend the designated use of that stream during wet weather. The goal for all water bodies is full-body recreational contact, "fishable and swimmable." Rain events which would cause CSO discharges mean that the use attainability analysis is no longer attainable. For use attainability analysis, the City must have a long term control plan and be implementing it on schedule. There are specific procedures for conducting the use attainability analysis and the affordability. In order to eliminate CSOs or to treat them to a level where all the discharges meet all the requirements of the Clean Water Act, a substantial social and economic hardship might be created for a community. Under the presumptive approach, the City would have to prove that it is spending enough money on a big enough project so that sewer bills get to a level of widespread economic hardship. That is calculated to be about 2% of a median household income for the community. Some socio-economic factors, such as the unemployment rate, the bond rating, the tax collection rate, etc., are considered. For West Lafayette, that is about 1.8% of the median household income for sewer bills, which is approximately \$48 per month. Translated into a project cost, that is about a \$50 million project in addition to what already been completed in West Lafayette. Mr. Leber said there was some pushback to that. It is not entirely logical, so the design storm approach was developed.

Mr. Leber said that the design storm approach is such that a one-year, one-hour storm, which is about 1.2 inches of rain, can be fully treated in the Plant. Additionally, there is control for a 10-year storm, 2.1 inches of rain in an hour, from which any CSOs would at least receive partial treatment, such as the wet weather facility—getting rid of the solids and doing disinfecting for bacteria. If both of these criteria are met, there is no need for use attainability analysis. It would be assumed that the City was meeting its water quality standards. The design storm approach was issued by IDEM in 2007, in their Nonrule Policy Water-16.

For the past year, Mr. Leber said, the Utility and Wessler Engineering have been reviewing what would have to be done to implement controls that would get to a design storm approach. Now, the three CSOs that remain in the system would overflow in the 10-year storm scenario. It is anticipated that will reduce the number of CSOs, but it is not anticipated that that would cover the 10-year storm situation. Wessler Engineering and the Utility have come up with an approach that would cost approximately \$24.5 million to get the City to the design storm level.

Mr. Ruston said that the design storm approach, which does not require a use attainability index, is about half the cost of the presumptive approach. The handout provides a summary of the primary alternatives and the probable costs: The primary alternatives are (1) full transport and treatment; (2) sewer separation, which involves new sanitary sewers; (3) interceptor and partial sewer separation, which is a combination of the first two alternatives; and (4) the deep tunnel storage. Alternative 1a, full transport and treatment at the wet weather facility for the one-year storm event, was selected as the recommended long term control plan. It involves three major projects over a 15-year period: The wet weather treatment facility minor improvements, a new combined interceptor to the Treatment Plant, and a major expansion of the wet weather facility to store the one-year storm and treat up to the 10-year storm.

Mr. Ruston explained that the map shows the combined sewer areas. The areas are shown as tributaries to CSOs, with the colored borders outlining the service areas, and the shaded areas being the actual combined sewer areas. The southern area is tributary directly to the Treatment Plant and is not tributary to any area. The proposed new sewer interceptor is shown as a black line and is not fixed at this time. When the time comes, further study will be done to specify the route.

Mayor Dennis thanked Mr. Ruston and Mr. Leber for their presentation.

UNFINISHED BUSINESS

Ordinance No. 27-11 (Second Amended) An Ordinance Repealing And Replacing Chapter 116 (Storm Drainage And Sediment Control) Of The West Lafayette City Code (Sponsored by Mayor John Dennis)

Mayor Dennis read Ordinance No. 27-11 (Second Amended) by title.

Councilor Burch moved that Ordinance No. 27-11 (Second Amended) be passed on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor VanBogaert.

Mayor Dennis observed that the City Engineer and his staff have spent considerable time an effort on this ordinance, and that the Council has had time to consider it.

Councilor Hunt said that she appreciates all the work.

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 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 27-11 (Second Amended) passed unanimously on second and final reading.

Ordinance No. 28-11 An Ordinance Amending The Perimeter Parkway Fund (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 28-11 by title.

Councilor Burch moved that Ordinance No. 28-11 be passed on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor Thomas.

There was no 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 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 28-11 passed unanimously.

NEW BUSINESS

Ordinance No. 01-12 An Ordinance To Approve Blanket Bond Coverage For 2012 (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 01-12 by title.

Councilor Burch moved that Ordinance No. 01-12 be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor VanBogaert.

Clerk-Treasurer Rhodes explained that the ordinance puts in place the required surety blanket bond coverage under a crime insurance policy, which is allowed by State statute. It is very cost-effective. It covers all the elected officials and officials named as requiring bonding. The coverage amount is raised to \$500,000, above the \$300,000 limit prescribed for Clerk-Treasurers. It encompasses all other offices in the City. She asked for Council approval on two readings, so that she could file it within two weeks.

Councilor Dietrich asked if this is for two-year coverage. Clerk-Treasurer Rhodes answered that it is not. Councilor Dietrich asked if the date at the bottom of the Evidence of Property Insurance should be 2012, not 2013. Clerk-Treasurer Rhodes answered that the date is a typo, and that it expires 2012.

COMMON COUNCIL MEETING MINUTES, JANUARY 3, 2012, CONTINUED

Councilor Dietrich motioned that the date of expiration in Section 1 be amended to December 31, 2012. Councilor Hunt seconded the motion. The vote to amend Ordinance No. 01-12 was approved by unanimous voice vote

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote on Ordinance No. 01-12 (Amended):

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

Clerk-Treasurer Rhodes stated that the vote was 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 01-12 (Amended) passed on first reading.

Councilor Burch moved to suspend the rules to consider this ordinance again at this time for final reading. The motion was seconded by Councilor VanBogaert.

The motion to consider Ordinance No. 01-12 (Amended) on second reading passed by unanimous voice vote.

Mayor Dennis read Ordinance No. 01-12 (Amended) by title.

Councilor Burch moved for passage of Ordinance No. 01-12 (Amended) on final reading, and asked that the vote be by roll call. The motion was seconded by Councilor VanBogaert.

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 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 01-12 (Amended) passed on second and final reading.

Ordinance No. 02-12 (Amended) An Ordinance Providing For Temporary Loans And To Extend The Time For Repayment Of Temporary Loans Outstanding From 2011 (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 02-12 (Amended) by title.

Councilor Burch moved that Ordinance No. 02-12 (Amended) be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Hunt.

Councilor VanBogaert asked, since the rules are still suspended, could the Council anticipate a second vote on the ordinance to permit final passage after this vote. Clerk-Treasurer Rhodes answered that the Council would have to do that separately, after the first vote. Councilor VanBogaert asked whether the rules remained suspended. City Attorney Burns said that it's piecemeal, a la carte, for each one as it comes. Councilor VanBogaert withdrew his request.

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 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 02-12 (Amended) passed unanimously on first reading.

Councilor Burch moved to suspend the rules to consider this ordinance again at this time for final reading. The motion was seconded by Councilor VanBogaert.

The motion to consider Ordinance No. 02-12 (Amended) on second reading passed by unanimous voice vote.

Mayor Dennis read Ordinance No. 02-12 (Amended) by title.

Councilor Burch moved for passage on final reading, and asked that the vote be by roll call. The motion was seconded by Councilor VanBogaert.

There was no further discussion.

COMMON COUNCIL MEETING MINUTES, JANUARY 3, 2012, CONTINUED

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 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 02-12 (Amended) passed unanimously on second and final reading.

Ordinance No. 03-12 An Ordinance To Amend Ordinance No. 19-11, 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 2012 (Submitted by Mayor John Dennis)

Mayor Dennis read Ordinance No. 03-12 by title.

Councilor Burch moved that Ordinance No. 03-12 be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor VanBogaert.

Mayor Dennis stated that this ordinance had been reviewed at the Pre-Council meeting, and that he had conversations with several Councilors prior to that. This ordinance addresses existing staff, to bring their pay more in line with what they actually do. The first one is the Human Resources Director, whose position would be raised to the level of a department head. Secondly, the Mayor's Assistant's salary would be enhanced. Finally, the new position of IT Director would be a department head position. The salaries for these positions partially are paid from the Wastewater Utility.

Councilor VanBogaert asked if the ordinance dictates the title of positions, or is there flexibility in modifying the title for hiring purposes. Mayor Dennis answered that the ordinance itself establishes the position and the salary range. He asked Human Resources Director Foster to respond further. Ms. Foster said that the title is important on the salary ordinance. The title is IT Manager, and that will be the title of the person who will be hired.

Councilor Dietrich asked if the terms Manager and Director are the same, as far as the City is concerned. Councilor VanBogaert stated that when we refer to a department head, it depends on who is hired, but there is a difference between an IT Manager and an IT Director, a distinct position from a CIO, or Chief Information Officer, or CTO, Chief Technology Officer, which generally, within municipalities, have duties beyond operational functions, responsibilities relating to strategic planning and other project involvement. Since there will not be anyone initially reporting to the position at this time, there is no problem now. But it may influence who applies. Human Resources Director Foster said that the job description does refer to planning and directing, and is responsible for strategic IT operations within the City, and helping the departments develop a plan for that. It is strategic and has a large scope. Councilor Hunt said that the job description includes the long-range planning and looking at the big picture, more

than just a technician. Human Resources Director Foster said that she thought the most important thing is probably the salary than the title. Councilor VanBogaert said he did not know how the City finds a pool of applicants, but the title should not narrow the scope of applicants. Councilor Dietrich asked if there are industry titles that are more applicable. Councilor VanBogaert said that, if we are discussing a municipality, his experience in looking at this kind of position is with larger cities such as New York or Chicago, but they have a chief technology officer whose responsibilities are within this scope. Mayor Dennis suggested that, once a person is hired, there is enough to do that the City will have time to reassess the title. Councilor VanBogaert concurred. Human Resources Director Foster said that, in the City of Lafayette, the top IT position is manager.

Councilor Thomas asked what the timing for hiring the position is. Mayor Dennis answered that as soon as the position is approved and as soon as someone is hired. Councilor VanBogaert said the City's contract with Roeing runs through the end of the fiscal year, and asked if the person hired would be working with Roeing, if there would be duplication of expenditure because of that. Mayor Dennis answered that it would not. Clerk-Treasurer Rhodes added that the contract may be terminated on 30 days' notice by either party. Councilor VanBogaert said that money had been appropriated for Roeing through the rest of the 2012 fiscal year, but he was not certain whether the new position was related to them.

Councilor Hunt said that she was glad to have a person who looks at the big picture for information technology. The Mayor's Administrative Assistant has been very helpful to her, doing the beautification awards and posting that, and doing a lot on the website. And the Human Resources Director has always done a great job for us.

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 6 AYE and 0 NAY.

Clerk-Treasurer Rhodes asked for a sense from the Council as to whether they would consider a second reading tonight, for the reason that the Roeing contract clock is ticking, and the City is hoping to redeploy resources. If there is determination to move ahead, Clerk-Treasurer Rhodes asked that consideration be given to having two readings on this ordinance tonight and the following salary ordinance, so that the plan can be accomplished.

Mayor Dennis announced that Ordinance No. 03-12 passed unanimously on first reading.

Councilor Burch moved to suspend the rules to consider this ordinance again at this time for final reading. The motion was seconded by Councilor VanBogaert.

City Attorney Burns said the only thing he would point out is that, as Councilor VanBogaert pointed out, you can suspend the rules for more than one item, but the way that all of them have been worded is that we move to suspend for this one. If there was a sense that there were going to be a suspension for the next one, that can certainly be done now, but it depends on the wording of how that goes. It is up to the Council. Councilor Burch said there is only one more. Councilor Hunt said we don't have to do *déjà vu* all over again. Councilor VanBogaert asked if the Council would entertain two readings on Ordinance No. 04-12. Councilor Burch answered yes. City Attorney Burns said you could suspend the rules for the entire session if you choose. He said he was not trying to complicate things, and added that the Council should just keep moving forward.

The motion to consider Ordinance No. 03-12 on second reading passed by unanimous voice vote.

Mayor Dennis read Ordinance No. 03-12 by title.

Councilor Burch moved for passage on final reading, and asked that the vote be by roll call. The motion was seconded by Councilor VanBogaert.

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 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 03-12 passed unanimously on second and final reading.

Ordinance No. 04-12 An Ordinance To Amend Ordinance No. 20-11, To Fix The 2012 Wastewater Treatment Utility Salary Schedule As Submitted By The Board Of Public Works And Safety For Approval By The Common Council (Presented by the Board of Public Works and Safety)

Mayor Dennis read Ordinance No. 04-12 by title.

Councilor Burch moved that Ordinance No. 04-12 be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor VanBogaert.

There was no discussion.

COMMON COUNCIL MEETING MINUTES, JANUARY 3, 2012, CONTINUED

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 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 04-12 passed on first reading.

Councilor Burch moved to suspend the rules to consider this ordinance again at this time for final reading. The motion was seconded by Councilor VanBogaert.

The motion to consider Ordinance No. 04-12 on second reading passed by unanimous voice vote.

Mayor Dennis read Ordinance No. 04-12 by title.

Councilor Burch moved for passage on final reading, and asked that the vote be by roll call. The motion was seconded by Councilor VanBogaert.

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 6 AYE and 0 NAY.

Mayor Dennis announced that Ordinance No. 04-12 passed unanimously on second and final reading.

Resolution No. 01-12 A Resolution To Approve Updates To Certain Policies Contained In The Personnel Manual For West Lafayette City Employees (Submitted by Human Resources Director)

Mayor Dennis read Resolution No. 01-12 by title.

Human Resources Director Foster explained that there are eight changes to this revision to the personnel manual, the most significant being a new cell phone usage policy, which is a good reminder to all employees. It is a good safety policy to have in place. Two other policies, the new employee procedures and the Family Medical Leave Act, are amended to include some federal law requirements. The other changes are minor.

Councilor Burch moved that Resolution No. 01-12 be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Thomas.

Councilor Dietrich asked whether, in Appendix 4, where traffic accidents involving employees is discussed, item I.B., because it is so detailed, it should direct employees to contact law enforcement in the case of an accident. He suggested that it should be changed to include reporting to the jurisdictional law enforcement agency and the department head. City Attorney Burns said that is the law. Human Resources Director Foster agreed. Councilor Hunt asked for clarification that item I.B. would include reporting an accident to the police department. Councilor Dietrich said that, without his suggested change, the policy reads that the employee would be disciplined if an accident were not reported to the department head. He asked that the statement be changed to reflect that the employee would be disciplined if an accident were not reported to the police and the department head.

City Attorney Burns restated the phrasing, "Failure to report all accidents immediately to law enforcement and the department head..." Councilor Dietrich agreed, saying that he did not know if "appropriate" should be included. Police Chief Dombkowski raised a point of clarification on the law, that not all crashes or accidents in Indiana are required to be reported to law enforcement if they are under a certain dollar amount. He thought the amount was \$1,000. City Attorney Burns asked if it were a good policy to report it, even if the accident is a fender-bender. Councilor Dietrich said it might be better to change the wording of the second half of the sentence, where personal injury accidents are mentioned. Police Chief Dombkowski said that he thought that "all" is okay, but his point is that it is not required by law. City Attorney Burns said he thought it was a good way to document what occurred. Councilor VanBogaert said that amount is \$1,000. Councilor Dietrich said that the cleanest way is to have the sentence read, "...to the department head and law enforcement, as required by law..." City Attorney Burns restated the phrase for clarification, "...immediately to the department head and law enforcement, as required by law..."

Councilor Hunt said that she had a question, kind of along those same lines. If something is in our code and we passed in an ordinance or resolution and it is not exactly the same wording as here, is it still required? This doesn't supersede anything we passed, right? City Attorney Burns said if it pertains to personnel matters, absolutely. This is a policy manual, so it does not purport to be the contract. It's more of a guide. It refers them to what they are supposed to do, but it always has to go back to whether it's State law or local law. That's what really is controlling this.

There was no further discussion.

Councilor Dietrich moved to amend the City Personnel Manual, Appendix 4, Item I.B. to read, "Failure to report all vehicular accidents immediately to the department head and law enforcement as required by law, including personnel injury, and/or damage to equipment or vehicle: Discharge." Councilor Burch seconded the motion. The motion passed unanimously by voice vote.

COMMON COUNCIL MEETING MINUTES, JANUARY 3, 2012, CONTINUED

Mayor Dennis read Resolution No. 01-12 (Amended) by title.

Councilor Burch moved that Resolution No. 01-12 (Amended) be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor VanBogaert.

The Council discussed whether the phrasing should include a comma after the word "enforcement," and by consensus agreed that there should be no comma.

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 6 AYE and 0 NAY.

Mayor Dennis announced that Resolution No. 01-12 passed on first and only reading.

Resolution No. 02-12 A Resolution Appropriating Insurance Recovery Received For Damage To City Property (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 02-12 by title.

Councilor Burch moved that Resolution No. 02-12 be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor VanBogaert.

Clerk-Treasurer Rhodes explained that this resolution will appropriate insurance recovery for a lost item in the Police Department.

Councilor VanBogaert asked what the item was. Mayor Dennis answered that it was night vision goggles.

Councilor Burch asked if it was just one pair of night goggles that was lost. Police Chief Dombkowski answered that it was just one pair.

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 6 AYE and 0 NAY.

Mayor Dennis announced that Resolution No. 02-12 passed on first and only reading.

COMMUNICATIONS

► Councilor Hunt said that the Mayor’s assistant Betina Cochran organized a work session for redistricting, which will be held on January 24 at 6:00 p.m. in City Hall.

CITIZEN COMMENTS

► Mr. Thomas Kesler (479 Maple Street) said that he had two quick items. As the City moves into new IT activities, it should be remembered that those things that can be accomplished digitally do not necessarily have to be accomplished digitally; sometimes the old-fashioned way remains the better way. Regarding the combined sewer overflow matter, Mr. Kesler said that he found that the City of Lafayette’s underground storage tank to be interesting to watch in the news. He asked, given West Lafayette’s footprint, how many gallons 1.2 inches of rain is, and, if the full transport and treatment option is pursued, how many gallons does that number of gallons compare with the current wet weather treatment facility. Mr. Ruston answered that the number of gallons of rainfall would have to be calculated. The second part of the question is that the current wet weather facility holds 585,000 gallons of storage. The alternative to increase that facility would be 2.5 million gallons of storage, to capture the one-year, one-hour storm event.

Councilor VanBogaert asked if some sort of estimate of City volume was incorporated into the analysis of the City’s needs. Mr. Ruston answered that it was. It was done using the XPSWMM model, a sewer model. Different storm events were evaluated, with different scenarios to produce the different volumes that needed conveyed. Wastewater Utility Director Henderson added that not only is the total volume looked at, but how quickly that volume moves through the system, the maximum flow rate, so that pipes can be sized and the wet weather expansion appropriately, to give full treatment to the one-year, one-hour, and be able to capture everything up to the 10-year, one-hour storm. Councilor Dietrich said that we should have an answer to Mr. Kesler’s question then, if we calculate how much water is moving through at what rates. Councilor VanBogaert said that is a more nuanced question, it is a fluid dynamics issue. Mr. Leber said that 2.5 million gallons will store it, although more than that is generated in runoff, but while the 2.5 million gallons in storage, flow is also being sent through the treatment plant, which is being treated at capacity, 22.5 million gallons per day. There is also inline storage, volume stored in the pipes. Mr. Leber said he would get back to Mr. Kesler. Wastewater Utility Director Henderson said that he had the answer on the white board in his office, and would contact Mr. Kesler with the answer. Mr. Kesler said that he would contact Mr. Henderson.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting, the time being 7:32 p.m.