

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
OCTOBER 7, 2013

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on October 7, 2013, 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, Public Works Director Buck, Police Chief Dombkowski, Street Commissioner Downey, Human Resources Director Foster, Fire Chief Heath, WWTU Director Henderson, IT Director Newman, Parks Superintendent Payne, and Director of Development Poole.

#### MINUTES

Councilor Burch moved for acceptance of the minutes of the August 29, 2013, Pre-Council Meeting, and the September 3, 2013, Common Council Meeting. Councilor Hunt seconded the motion, and the motion passed by voice vote.

#### 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

Mayor Dennis stated that this report is on file.

#### PURDUE RELATIONS

Councilor VanBogaert reported on events at Purdue University.

#### PARKS AND RECREATION

Councilor Hunt presented this report, which will be on file in the Clerk-Treasurer's Office. She gave particular focus to items related to ADA compliance, including the trails access information signs, which are the first such signage in the State, and picnic tables which provide a cut-out for assistive devices. She stated that she is proud of the Parks Department for doing that and the City for investing in it.

#### ECONOMIC DEVELOPMENT

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

Mayor Dennis thanked Director of Development Poole and Housing Program Coordinator Dixon for attending the meetings on House bill 1313. He stated that the potential outcome of that

would be to defund our rental registration and certification program, which would be detrimental to a college town like West Lafayette.

PERSONNEL

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

BUDGET AND FINANCE

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

REPORT OF APC REPRESENTATIVE

There was no report.

SPECIAL REPORTS:

a. Signage Issue Update – Police

Mayor Dennis stated that over the last several months we have had conversations regarding rental property signage in the New Chauncey neighborhood. The City, with the help of Councilor Bunder and some of the neighborhood residents, has taken a fairly aggressive approach on this with some positive results.

Police Chief Dombkowski stated that we started down this road in early summer with a lot of man hours of negotiation, identification, and resolution. We have come to where we no longer have any signs, as of a count done today. He explained that these were rental signs affixed to homes. Through a written letter, meetings, and negotiations, he reported that the City was able to get the signs to come down through voluntary compliance without taking enforcement or legal actions. He stated that this is a success story in making sure quality of life issues are addressed, and we have strengthened relationships with the landlords. He thanked resident Zach Baiel for his help in cataloging and ensuring we were aware of every single violation in those near-campus neighborhoods so they could be addressed through the Neighborhood Resource Team (NRT).

Mayor Dennis expressed his appreciation to Colin William for his help in identifying the situation and stated that Mr. William wrote a letter in support of the actions taken.

Chief Dombkowski stated that we will continue monitor the area for continued compliance.

Councilor Dietrich asked if there is still work being done on cleaning up the ambiguity of the Area Plan Commission code itself.

City Attorney Burns stated that Public Works Director Buck has had continuing conversations with APC representatives about updating. He stated that the code from the 1990s probably does not accurately reflect what needs to be done in residential neighborhoods, out of residential neighborhoods, and clearly business related districts. They are looking at a finer gradation between those different districts so that residences are protected and businesses can have appropriate signage.

Councilor Dietrich asked if there is anything the Council can do at this point to strengthen that.

City Attorney Burns stated that he is unable to give a timeline at this point, but it would come in front of the Council once it has gone through the normal vetting process at the APC.

Councilor Dietrich stated that he feels is important to stay on top of that, as this was something that broke very quickly. As soon as one person put a sign up everyone else felt obligated or entitled to join suit.

Chief Dombkowski stated that some of the confusion was with some of the language regarding what the word incidental meant. We define it as not permanently affixing signs to residential homes.

Mayor Dennis stated that voluntary compliance is a wonderful thing. He noted that this all started with the "banana house," which drew national attention.

Councilor Bunder expressed his appreciation to Chief Dombkowski, Mayor Dennis, and City Attorney Burns for working this out. He asked if the signs are likely to come back.

Chief Dombkowski responded that we have worked hard not only to establish the standards, but also increased open dialog and relationships with those landlords. He stated that he cannot promise, but we are in a better position than we started with a few months ago with maintaining those standards.

Councilor Bunder asked if we could have a meeting the landlords the way we do with the bar owners.

Mayor Dennis stated that would be a good idea. He stated that part of the issue is the rental properties used to be owned by individuals and now multiple properties are owned by companies. Those landlords are not from here and they do not give the neighborhoods the same level of consideration, so periodic meetings would not be a bad idea.

Chief Dombkowski stated that he would have NRT Supervisor Walker work on that.

## PUBLIC RELATIONS

### a. Council Appointments: Human Relations Commission

Councilor Hunt stated that there are two empty slots on the Human Relations Commission due to one resignation and one graduating student. She presented highlights from the resumes of two people she is nominating to fill those positions. For the student position, Councilor Hunt nominated Sang-A Yun. Councilor Burch seconded the motion. For the second position, Councilor Hunt nominated Professor Ariel de la Fuente. Councilor Dietrich seconded the motion.

Councilor Burch asked Councilor Hunt how she found these two individuals.

Councilor Hunt responded that she speaks to the Chairman of the Human Relations Commission frequently, and they now have a nominating committee. One of the Committee members nominated and interviewed them, and Councilor Hunt also interviewed Professor de la Fuente. She stated that the Mayor was in agreement with these nominations.

Clerk-Treasurer Rhodes called the roll call vote for both nominations:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
Dietrich	✓			

	AYE	NAY	ABSENT	ABSTAIN
Hunt	✓			
Keen			✓	
Thomas	✓			
VanBogaert	✓			

Clerk-Treasurer Rhodes stated that the vote was 6 AYES and 0 NAYS.

b. Beautification Award

Councilor Bunder presented the Beautification Award to Loretta and Mike Piggott of 1439 Woodland Avenue. After home renovations damaged the gardens, they worked on the garden to add trees, perennials, a fence, and stonework to integrate the indoors with the gardens. Councilor Bunder described some of the other features of the garden and future plans for it.

Mr. Piggott stated that it is a work in progress, but they have accomplished what they wanted and hopes the neighborhood likes it. He expressed his appreciation for the recognition.

FINANCIAL REPORT

Clerk-Treasurer Rhodes noted that tonight we conclude the process that began on June 25 with the budget work session, and we will have the final vote on the budget.

LEGAL REPORT

City Attorney Burns stated that this report is on file.

Councilor Bunder stated that he will miss the legal report now that the signs are down, and thanked City Attorney Burns for his concern over the issue.

Councilor Burch asked for information on the listing of “review updated financial letter to County” under Development.

City Attorney Burns responded that it refers to the update done after the annexation area was reduced. The County received a new letter indicating what the financial impacts would be.

UNFINISHED BUSINESS:

Special Meeting

Mayor Dennis explained that due to the annexation statute, we are required to wait 30 days after the public hearing on annexation for the next vote. He stated that there is no vote tonight. The next vote will be on November 7, 2013, at 6:30 p.m. in Council Chambers. He asked the Council for a motion to affirm the fact that we will have a special meeting.

Councilor Burch moved that the Council meet on November 7, 2013, at 6:30 p.m. in Council Chambers. The motion was seconded by Councilor VanBogaert.

Mayor Dennis stated that this meeting will deal exclusively with the annexation issue. It will be for the final vote on annexation.

The motion passed by voice vote.

Ordinance No. 13-13 (Amended) As Amended By Resolution No. 14-13 (Amended) An Ordinance Annexing Certain Lands Into The City Of West Lafayette, Indiana (Sponsored by Mayor John Dennis) PUBLIC HEARING

Mayor Dennis noted that there is no vote on this ordinance tonight; it is just a public hearing. He explained that the Council is here as a collective legislative body to listen to statements and it is not a time for questions and answers. Any questions will be noted and responses will be made in writing. He asked that everyone be polite and brief.

Councilor Burch moved to open a public hearing on Ordinance No. 13-13. The motion was seconded by Councilor VanBogaert. The motion was approved by voice vote.

Mayor Dennis said, "We are in public hearing. Welcome public. I don't know that there's any explanation that we need to do here from the dais. I think that everybody understands that we are currently in the process of annexation. We have had one reading so far, and by statute we are obligated to have a public hearing, and that is where we are sitting at this point. The annexation map, which has been reduced from our original proposal, and our statute has been amended to reflect that, is up there, right there. And, as I said, the next part, the next obligation that we need to fulfill is the final vote, which will be on November 7. So, having said that, first off I will entertain any point of discussion from the Council. Hearing none, I will open it up to the floor. If you do come up to the microphone, remember I need for you say your name, and say it clearly, and also state your address. Don't be shy."

Jan Myers said, "1909 Indian Trail, which means I am a West Lafayette resident. And I have, I'd say two questions."

Mayor Dennis said, "Do remember Jan, we won't respond to the questions tonight, but we will get the answers back to you."

Ms. Myers said, "I'm just stating these as questions. As I look at things, and I think even my history classes some time ago when I lived in another state, introduced me to the word gerrymandering. Not for annexation, but for different reasons. I'll call it ribbon conduits because of 231. Which raised two questions related to that. One came about because of an experience I had on the other side of the river in that other City where I got stranded, and when 911 had to be called to rescue me, there was a confusion about whose district we're in, regardless of all the cooperation. Several of you are aware I travel up Lindberg often, and expect to be traveling more often with the trails along the new 231. It appears, if I've read the maps right, that when we're annexing west along Lindberg Road, there is still going to be a doughnut hole at an apartment building nearby McCormick and Lindberg, and that causes me concern if I'm on the trail there. So, I'd like to understand, because not all the 911 operators know where you are in which district, and that's from personal experience. So, I raise that, and I raise also from an efficiency of government. I realize it's apartments, but I'm sure those residents are also wondering. Now, my other point also relates to 231. If any of you have tried to use the trail in the segments that are connected, and you get to the north end of the trail at 52, and we are connecting there, I would like to know how the City and INDOT are planning for safety on pedestrians and bicyclists using the trail that stops before US 52. I've already been there and seen bicyclists traveling on the shoulder of 231 because there is no trail for that last little bit. It stops abruptly. With the opening of another store up there, in addition to Menards, with the Meijer store, I believe we will have more bicycle and pedestrian traffic. And whether I have to kick INDOT some more, I've already started and I've gotten some bizarre answers on why they stopped the trail where they did."

Mayor Dennis said, "You've been doing an amazing job, Jan."

Ms. Myers said, "But, I would like those two questions addressed, and in one way or another, they relate to trail, sidewalks, pedestrian kinds of things. Okay?"

Mayor Dennis said, "Got it. Thanks, Jan."

Karen Jamesen (711 Sugar Hill Drive) said, "I'm here I think representing the vast majority of people from the Sugar Hill addition. I think all of you have the petitions that we signed."

Mayor Dennis said, "Yes, I was just going to make note of that. It's actually here, the petition."

Ms. Jamesen said, "So, you'll understand where we are."

Mayor Dennis said, "I do."

Ms. Jamesen said, "I think you all understand from our— or at least, our Mayor understands from his visit with our neighborhood that we really are very happy with the County services that we currently have, and we really are not interested in being annexed. So, that is our main point I think. Second of all, I don't think we have any influence on the 231 development, unless the City plans to buy us and develop us. Otherwise, I don't think we're going to affect that one way or the other. So, our real question is, why do you need us? Why do you want us? I have not really heard that answer, except that is was confusing if you didn't have us. Well, we've been in the center of Purdue for 30 or 40 or 50 years now, and Purdue seemed to not be too confused about us, so I don't think West Lafayette will be too confused either. Then, my last point is with sewer, and this is just my concern of not being told straight what is happening. At our meeting with you, when you came to our neighborhood, we were told that if our sewer failed that we would have to build a sewer all the way 231, which seemed unreasonable. When I called in and talked further, it sounded as though we would not have to do that because that was further than anybody could be forced to build a sewer."

Mayor Dennis said, "That one I'll take right now because that's a real simple answer. No, you don't have to. If your sewer fails you can continue on a septic, but you'll have the option to connect to our sewer system. And I believe— Did you write the letter?"

Ms. Jamesen said, "Right, and I've got the letter. And actually that ended with another question, because the last we were told then, which we had not been told before that I knew about at least, that we would not be on West Lafayette sewer anyway. We would be on, whatever it's called, Suburban Utility service. That's the last thing I heard. And then that same letter also said that but if we were annexed, that sewer would have to be provided within three years. So, that still is very confusing. So, I think if we're being annexed, we should be getting straight stories on that whole issue, and I don't feel that we have been getting straight stories. So, again, my big question is, why do you need us? Are you only getting us so you can get our tax dollars? And if so, we really don't want to pay more taxes. Thank you."

Mayor Dennis thanked Ms. Jamesen.

Zachary Baiel (124 Connolly Street) said, "Another current West Lafayette resident. Since it was just brought up, my concern is the sewer system. I know that's listed as one of the capital improvements that will be available to the newly annexed areas. Do we know how many clients this is going to bring online to the new area? That would be one question. How are we addressing the current sewage run off, especially with probably the downpour that we received with the inches of rain within a short amount of time over the weekend? I'm sure some of our

toilet water made it into the mighty Wabash due to the overflow that occurs with that. As we know, there's hundreds of brand new toilets going in at 720 Northwestern that will be used here next year. So, just other things to consider even without people tapping into our sewer system. So, that's just one aspect as far as those capital projects. I don't know what our current capacity is with that; I don't know how to obtain that information. In the citizen's comments, I'll bring up the State Street Master Plan. I assume we'll have a 231 master plan, to make sure that that's developed in some kind of cohesive fashion, as opposed to a piecemeal development, so I would push for that. Another large concern of mine is what I will assume will be a very large new voting block of Purdue residents. So, that will be concerning. Right now, District 1 is represented by Councilperson VanBogaert here. However, the people who can vote for him are only in that hashed yellow area. I assume the rest of Purdue will then have a district. So, we're going through a redistricting right now, but that will be washed aside if this is voted in favor of. So, it'll be interesting to have a transient population voting for someone that will be making large swath decisions for those residents who are in the long-term. And then third, to kind of answer the question that was brought up before. I assume a lot of this is brought up because we want to be a Class 2 City. Right? We're going from 3 to 2? Not 2 to 3? I haven't heard a lot of the opportunities. I assume there's grant money. I assume there's new things we can apply for, opportunities from the Federal and State level. Maybe it would behoove us to talk about some of the opportunities that we plan to seize in the coming years. I think that's it as far as annexation. Thank you."

Mayor Dennis thanked Mr. Baiel.

Laurie Crabtree (1003 South Newman Road) said, "One of our, mine and my husband's, concerns was the taxes being higher. But also, we moved where we live for more privacy. And when you're in City limits you don't have that. You have more traffic. We have a young child. So, that's some of our concerns. And it just kind of forces us, if it is annexed, to either live within City limits, which we didn't want, or uproot our whole family. So, that's our main concerns. Thank you."

Mayor Dennis thanked Ms. Crabtree.

William Baitinger (700 Sugar Hill Drive) said, "I wanted to start by thanking the Mayor, plus his crew, to come out and give us a special presentation. We also have a arrow-catcher award which we could bestow on you."

Mayor Dennis said, "Thank you very much. It did hurt a little bit"

Mr. Baitinger said, "Well, we're actually quite frank, so we always tell you what the problem is."

Mayor Dennis said, "Yes, you are."

Mr. Baitinger said, "I wanted to give you a little history on Sugar Hill, just so you'll understand the magnitude of what Sugar Hill is. It's 18 houses. So, by most standards it's not a big deal. We took a poll after you left, and in two other meetings. Eighty-eight percent of the residents decided they did not want to be annexed, which is the memo I wrote to the Council, so you can look at that. Also, 6% of the residents were in favor of annexation, that's one person. Two other people were undecided, hadn't their mind up yet. So, I thought I would share those numbers with you. As the memo I made available to the Council, I'm urging you to vote against annexation for Sugar Hill. I might just share some of the background on that. In our discussions, we could only come up with one logical reason why you would want to vote for

annexation for Sugar Hill. One would be to increase the tax revenue of West Lafayette. And I fully realize, if I were in your position, that would be part of my job, to make sure you have an adequate stream. Obviously this map has been, someone else used the word gerrymandered, but it's certainly been modified. You've taken out three large subdivisions, which far exceed the size of Sugar Hill, for reasons which I'm not clear. But I presume they had good reasons. The only reason which we heard that made any sense was economic development. That you wanted to control the growth along 231. At our first meeting, I made a comment that I didn't think economic development was a valid reason there, because right now it's a beautiful stretch of highway. I would say what you're going to get on that road, this is just my opinion, what you're going to get on that road is a few gas stations and maybe a hotel. But it's hard for me to imagine high-paying manufacturing jobs locating on 231. As I stated in the first meeting on this subject, those jobs and those people want to be in the Purdue Research Park. We have great infrastructure backup and support services, not out on 231. That's a philosophical question. I've talked to Chandler [Poole] about that. His view and my view on economic development are slightly different in terms of the goal. Probably not the goal, the goal is probably the same. The method you use to achieve it, I suspect, is different. So, if you're going to do anything, and we have TIF districts and the years we've been developing the Purdue Research Park, that's where you want to put your high-tech jobs, your paying jobs. And what you're going to get on 231 is low-paying jobs, minimum wage jobs, and not a lot of them. So, that's one of my reasons. The other thing I also wanted to thank everyone for, you have supplied us today, I just had a chance to read it, with the agreement with Purdue University. One of my questions at the last meeting is where is Purdue? And the answer was they're in negotiations. The Memorandum of Understanding, which has been provided and is on the table for people to read. I've read it over, quickly, and I recognize President Daniel's input on that. In the second paragraph is the word revenue neutral, and the setup on that agreement is actually quite interesting as I read it. You have six people on a committee, three from each side, so basically as an entity the City of West Lafayette is not going to impose anything on Purdue University relative to this annexation. That's just a fact of what the memo says, and it is exactly what I would expect from Purdue, having worked there for 54 years. I understand them. At any rate, I'm urging you not to annex Sugar Hill. I've come to the conclusion you've already decided to do that, and I'll be interested to see what your vote is and your reasoning behind it. My feelings and the feelings of Sugar Hill. Thank you for your time, appreciate it."

Mayor Dennis thanked Mr. Baitinger.

Dr. Deanna McMillan (179 Blueberry Lane) said, "I'm a civil construction engineer, and my question is where are the comprehensive information regarding the improvements, the capital improvements, and the maintenance of the infrastructure of the impacted areas with the development that is going on? I'm from New York City. There have been significant improvements over the roads. There's lots of critters running around. I would like to know where I can find the infrastructure, the underground, the sewage, the water runoff, the maintenance of the difference between what the City of West Lafayette will do versus what the State and the County do currently. Also, of the services that we receive. Right now, if I call 911, I get the State Police. For those areas that are impacted, I also am a volunteer with the Crises Center, and I have a regard for the level of services that will be maintained once the expanded City of Lafayette comes under those services. So, I'd like to know where I can find the comprehensive information for the infrastructure services, as well as the State versus the City services that we receive in our area. Thank you."

Mayor Dennis said, "We can do that. Thank you."

Paula Baitinger said, "He did, he being husband, did a fabulous job, and I'm kind of sorry that I wasn't first because he could have covered up a lot of sins. I have a couple questions to ask. That is, in reference to being the doughnut hole, not the whole doughnut, we're just a little bitty hole here, why do you really need us? Why, why, why? Look in your hearts and tell me why you think you need Sugar Hill Drive and Sugar Hill subdivision. We're on septic. We have wonderful services coming to our house. When you get in trouble, they come so quickly. You know, all I can say is, if there is a real reason that you need Purdue to get into a Class 2 City, in voting, or to get Trader Joe's or whatever to come this direction, don't vote on that happening by counting the population of Purdue University by students. That doesn't count. They're already counted in the census in their home town. They're only here for four years, five years. They're here from another country; they're here from another state. Please don't count students as being what we need for this second-class City that we are looking forward to. I just want to know, why can't you just leave Sugar Hill alone? Let us go about our merry way for 50-some years. Bill has been at Purdue for 54 years, who has to be probably the oldest professor, person, head of department ever. We've lived there, had our kids there, we moved there on purpose. We moved to Sugar Hill on purpose so we wouldn't be in City schools, wouldn't be in City systems, and had the freedom of all the space around us. Thank you for all the fields that you have around us that are Purdue's. That's great, but we don't want to be annexed in. Really, really, look at your hearts and souls, and think about this. Please do. Students are students. They're wonderful. I love them. I've housed them, I've housed over 40 of them in my house for semesters at a time, from all over the world. I'm big on the International Center, I'm big all over. I'm also big on giving my opinion, and I think that if you need Sugar Hill Drive, Sugar Hill subdivision, you guys have got to search a little harder than that. Please look in your hearts and say, 'Why do we need to upset Paula Baitinger?' She's tough. She's tough and she makes one good cookie."

Mayor Dennis said, "Yes, you do. And you know what? You're not 88 either."

Ms. Baitinger said, "No, I'm 103."

Mayor Dennis said, "When we first met, she said she's 88 years old, and 'Don't I look great?' I'm like, well, yea."

Councilor Hunt moved to close the public hearing on Ordinance No. 13-13. The motion was seconded by Councilor Dietrich. The motion was approved by voice vote, and Mayor Dennis closed the public hearing.

Ordinance No. 20-13 An Ordinance Setting The 2014 City Budget And Setting The 2014 Tax Levy On Property And Tax Rate (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 20-13 by title and stated that this is what is known as our spending plan and budget.

Councilor Burch moved for passage of Ordinance No. 20-13 on second reading, and that the vote be by roll call. The motion was seconded by Councilor Thomas.

Mayor Dennis stated that this will be the final vote on the budget, and Ordinances Nos. 20-13, 23-13, 24-13, and 25-13 are all basically included in the budget plan. He stated that there is not much more to say as the Council helped craft it. It is a 0.84% increase, which includes money allocated for health care costs as well as a 2% raise for City employees.

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 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 20-13 passed on second and final reading.

Ordinance No. 23-13 An Ordinance 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 2014 (Submitted by Mayor John Dennis)

Mayor Dennis read Ordinance No. 23-13 by title only.

Councilor Burch moved for passage of Ordinance No. 23-13 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 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 23-13 passed on second and final reading.

Ordinance No. 24-13 An Ordinance To Fix The 2014 Wastewater Treatment Utility Salary Schedule As Submitted By The Board Of Public Works And Safety For Approval By The Common Council Of The City Of West Lafayette, Indiana (Presented by the Board of Public Works and Safety)

Mayor Dennis read Ordinance No. 24-13 by title only.

Councilor Burch moved for passage of Ordinance No. 24-13 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 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 24-13 passed on second and final reading.

Ordinance No. 25-13 An Ordinance To Set The Salaries Of The Elected Officials, City Of West Lafayette, Indiana, For The Year 2014 (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 25-13 by title only.

Councilor Burch moved for passage of Ordinance No. 25-13 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 5 AYES and 1 NAYS.

Mayor Dennis announced that Ordinance No. 25-13 passed on second and final reading.

Councilor Hunt thanked Councilor Dietrich for holding the Budget Committee meetings this year and the Department heads for sharing their information. Councilor VanBogaert agreed.

NEW BUSINESS

Ordinance No. 26-13 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect (UZO Amendment #78) (Submitted by the Area Plan Commission)

Mayor Dennis read Ordinance No. 26-13 by title only.

Councilor Burch moved for passage of Ordinance No. 26-13 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Thomas.

Public Works Director Buck explained that this is a relatively simple amendment to the Unified Zoning Ordinance (UZO) which only impacts property in the Town of Clarks Hill. This allows nonconforming mobile homes in existing zones in Clarks Hill to be improved on, expanded, or replaced with larger homes with approval of the Town Board. Expansion of anything nonconforming is typically not allowed under the zoning ordinance. He stated that it will not have any impact on West Lafayette.

Councilor VanBogaert asked if everyone else gets our “noise” when we do things like this.

Director Buck responded yes, and explained that all of the UZO amendments goes to each member jurisdiction to keep the ordinance clean and together. Ordinances that only affect West Lafayette will be heard by the Clarks Hill Town Board.

Councilor VanBogaert noted that we still print all the paper for that particular ordinance for people who attend the meeting. He stated that it seems like we could promote some government efficiency by closing that up.

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 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 26-13 passed on first and only reading.

Ordinance No. 27-13 An Ordinance Providing For Temporary Loans (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 27-13 by title and stated that he will ask for a suspension of the rules and have a second reading.

COMMON COUNCIL MEETING MINUTES, October 7, 2013, CONTINUED

Councilor Burch moved for passage of Ordinance No. 27-13 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Thomas.

Clerk-Treasurer Rhodes stated that this is at temporary loan request to see us through the end of the year, with all loans to be repaid by December 31, 2013, after the December tax settlement is received.

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 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 27-13 passed on first reading.

Councilor Burch moved that the rules be suspended and the Council hear Ordinance No. 27-13 on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor Hunt.

There was no discussion.

The motion passed by voice vote.

Mayor Dennis read Ordinance No. 27-13 by title.

Councilor Burch moved for passage of Ordinance No. 27-13 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 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 27-13 passed on second and final reading.

Resolution No. 18-13 A Resolution Appropriating Insurance Recovery Received For Damage To City Property (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 18-13 by title only.

Councilor Burch moved for passage of Resolution No. 15-13 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Thomas.

Clerk-Treasurer Rhodes stated that these two items relate to insurance recovery received. One is for vehicle damage to a Police car, the other is for a radio loss in the Fire Department.

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 AYES and 0 NAYS.

Mayor Dennis announced that Resolution No. 18-13 passed on first and final reading.

### COMMUNICATIONS

► Councilor Bunder reported that last Thursday, members of the Area Plan Commission staff, the Purdue Research Foundation, and the New Chauncey neighborhood met to discuss the next steps of the New Chauncey Land Use Plan. The practical outcome of the meeting was to have the APC staff begin work on down-zoning in those blocks which are required by the Land Use Plan to be of a different zoning category. He stated the hope is that over the next two years there will be some kind of overlay zoning or form-based zone for portions of the neighborhood. Councilor Bunder respectfully requested that the membership of the Historic Preservation Commission be rebuilt. He stated that this is important going forward, for both New Chauncey and the City.

Mayor Dennis asked Director of Development Poole to facilitate that.

Councilor Bunder stated that his expectation is that there will be a corridor plan for US 231.

Mayor Dennis stated that it is a good idea and that we do well with that. He stated that we could use it as a focal point, but the first thing is to arrange it so that we have a strong voice in that development.

### CITIZEN COMMENTS

► Thomas Kesler (479 Maple Street) thanks the City for the efforts with the rental billboards. He stated that it was a very strong concern of his when the signs went up, and he is glad that cooler heads took the initiative and got it resolved. He stated that he did not see any of the signs during a short walk in the neighborhood. Mr. Kesler restated his support for the Amtrak Hoosier State, and hopes that we can find a contribution to keep the line going as he feels it has economic value. He reported that he got the chance to see a State issue of education reform up close when the Superintendent was in town to give a presentation on Saturday. He commented that though it is not a municipal issue, he feels it relates to the public image that the Council should be concerned about if we are going to be a part of the State. As he learned more about the details of the issue, he began to wonder just where his tax dollars went in that exercise over the last couple of years. He noted that there is an Old English saying that relates to this and demonstrates his position on education reform. He quoted, "The law doth punish the man or woman who steals the goose from off the common, but lets the greater felon loose that steals the common from the goose." He concluded he is watching the issue to see where his tax dollars go next.

► Joe Krause (2202 Trace 22) spoke regarding the Amtrak issue. He stated that Mayor Dennis has been courageous and forthright. Mr. Krause reported that he, Mayor Dennis, and Representative Randy Truitt appeared before the University Student Senate and were able to get support there. He thanked Councilor Hunt for sending letters. He said that we need letters to the Governor and the Chief of Staff of INDOT. He reported that on October 16 there will be a meeting of the Joint Study Committee of the Transportation Infrastructure of the General Assembly. There will be representatives from this community speaking on behalf of the many citizens and passengers. He explained that there is going to be major work done on the Riehle Bridge, which goes over the tracks. Ramps will be built, which may require a suspension of the bridge. That may mean that the waiting room for the train will be in West Lafayette. He stated that West Lafayette has participated heavily with regard to the use of that train, as have many surrounding communities. He feels that the State has a responsibility to support the regional stations, and that is the argument he feels needs to be made. He thanked everyone who has written letters and the *Journal & Courier*. He stated that he does not know what is going to happen, but he knows there has been a lot of citizen effort. He noted that his State representative said that it is going to need a paradigm shift, and that is what is finally happening for the State of Indiana to catch up with Illinois, Missouri, and Wisconsin.

► Ms. Myers thanked Mayor Dennis, and stated that she appreciates Councilor Hunt's candor when she spoke about the parks and tables. She noted that they have been off-limit not only to herself, but also to a lot of young parents. That is the audience she gets the most comment from because of the strollers they push around. She is waiting for the Indian Trail entrance to Happy Hollow to be accessible someday. Ms. Myers expressed appreciation that the City is working hard to get the Northwestern Avenue and Lindberg Road intersection working, as it is currently out of reach for those on "roundfeet." She stated there is a need for signal devices that are appropriate for people with vision or hearing difficulties there, and we need to teach INDOT. Ms. Myers commented about the move of City Hall, saying since we spoke of annexation, she asks that the City look at the East-West largest section of the City, and the longest length North-South, and see where that line bisects. She stated that we are sitting on the almost opportune site for a City Hall, especially when talking about economic development.

She appreciates that with all her advocacy for inclusion that there is understanding of the inaccessibility of both this building and Morton Center. She stated that before moving City Hall very far from this location, if a study has not been done, there are many ADA situations at Morton Center that will compound things because of the district around a City Hall that has to be accessible. She explained that the City has “shut me off on it” up here with the promise that Salisbury Street and such will be improved. She emphasized that there are requirements of a circumference around a City Hall that the Department of Justice uses, and Morton Center will have difficulties. She is alerting the City that it is not just a cost of a City Hall in Morton Center, but the many millions it will take to bring the circumference around that into compliance. She noted that we have the beginnings of a City center here with the Police Department and new medical center nearby, and before we spend a lot of money and discard this building, this site is very appropriate for the growth of the City.

► Mary Cook (Harry's Chocolate Shop, 329 West State Street, owner) reported that there was an extensive publication in the *Journal & Courier* about homecoming and the events in the Village. As the circulation is county-wide, she feels that one issue that was not brought out enough is the amount of wonderful support provided by West Lafayette Police and Fire, as well as the cooperation between Purdue and the County. She commented that with all of the discussion of annexation, West Lafayette has been very open in communicating, and very giving and supportive. Homecoming weekend in particular is very difficult on everyone in the Village, but all the alumni and others feel welcome and safe, and it is a wonderful community. She noted that with the festivities, she cannot thank enough the City of West Lafayette and the entire community of law enforcement, safety, fire who work so hard in what they do to make it a safe, good community.

► Chris Kulesza (190 Burke Court, Apt. 312), Vice-President for External Affairs for the Purdue Graduate Student Government (PGSG), reported that they PGSG will be holding a mixer with graduate students on November 8, and the Council is invited. He thanked Councilors Hunt and VanBogaert for attending the PGSG picnic. He stated that in light of some comments made by *The Exponent*, he wants to thank the Council members for everything they do to serve the student population on campus, and the students are grateful for everything they do. He is glad for the constructive relationship between PGSG and the City. He stated that as a private citizen, he is concerned about the timing of the traffic lights on Northwestern Avenue.

Mayor Dennis responded that it is a State road so we cannot make changes.

► Mr. Baiel provided a Bicycle Lafayette update, stating that the education program is going well and engaging fellow cyclists with the rules of the road has been an interesting endeavor. He expressed his appreciation for the increased enforcement from the Police Department in and around campus, especially regarding the cyclists doing things such as riding on the sidewalk, going the wrong way, or failing to stop at stop signs. He related that they are looking to raise awareness at community events. Mr. Baiel expressed that he wants to encourage the Hoosier State financial contribution and he appreciates the City's efforts in regards to that. He noted that in regards to Faith West, he saw that the Café Literato is accepting applications soon, and a couple of months back there was an article on WBAA that reported that the tax status of these entities may be analyzed again by the County Assessor next summer. He hopes that, as in the original dialog, that these commercial business entities would be taxed despite being under Faith West's religious tax exemption umbrella. Mr. Baiel asked if there was an update regarding the feasibility of moving City Hall to the Morton Center. He asked if there is an update or timeline on the State Street Master Plan, and stated that he saw August 12, 2014, as the projected deadline. This means we have 10 months to complete a very important strategic plan

for a large portion of new development to take place in the West Lafayette area. He stated that the Plan will impact many generations. He quoted from the Facebook page for the Plan, "With the opening of the US 231 bypass, we have the opportunity to reimagine this street. Join us." He stated that he is here to say that he is here to join in the reimagining of the streets. Mr. Baiel referred to the signage issue, and he thanked the City, the Police Department, and his neighbors, including Colin William and Tom and Sarah Mustillo, for all their efforts. He remarked that he has received reports of signs coming down and no one has mentioned any going back up. He stated that this is a huge improvement in the R1 and R2 zoned areas. He commented that in regards to the mention of interested parties meeting, that it is actually in the New Chauncey Land Use Plan. It is Goal 1, Objective 2, and meets several of the strategies, so it can be checked off if we move forward. He noted that the number 5 strategy mentions a bi-annual or periodic discussion among property owners.

#### ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting the time being 7:54 p.m.