

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
JANUARY 7, 2008

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on January 7, 2008, at the hour of 7:30 p.m.

Mayor Dennis called the meeting to order and presided.

The Pledge of Allegiance was repeated.

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

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, Assistant Director of Development Grady, City Engineer Buck, Fire Chief Drew, Police Chief Dombkowski, and Parks Superintendent Payne.

MINUTES: Mayor Dennis moved for acceptance of the minutes of the November 29, 2007, Pre-Council Meeting, and the December 3 2007, Common Council Meeting. Councilor Keen seconded the motion, and the motion passed *viva voce*.

COMMITTEE STANDING REPORTS:

STREET, SANITATION, AND WASTEWATER TREATMENT UTILITY: Councilor Bunder presented this report.

In order to move the evening along, Mr. Mayor, I won't read the report, with all due respect to [former Councilor] Gil Satterly. I will simply file the report with the Clerk for the record.

PUBLIC SAFETY AND ORDINANCE: Councilor Keen presented this report.

Thank you, Mayor. The only thing I really want to talk about tonight is some changes within the Police Department and the Fire Department. As you know, we've had an election, if you've been absent, and we have some new department heads and those sorts of things, but I did want to congratulate Phil Drew in that he is remaining our Fire Chief, and I think that is an excellent choice. He's done an excellent job for us. And as our new Police Chief, we have Jason Dombkowski, and I was going to see if he wanted to maybe make a statement of some type.

Mayor Dennis said good evening, Chief.

Police Chief Dombkowski said thank you. Thanks for the invite, Gerry [Councilor Keen]. I did just want to address the Council real quick, and give a real quick overview of some of the things that we're going to be striving for in the immediate future in our Police Department, which is maintaining an open and accountable environment to our citizens and to City Hall and to our student population as well. We're going to be striving to meet and really exceed the expectations of our community. We're going to be working on maintaining a positive work environment right off the bat. We're having a department meeting coming up in about a week, and we'll address some of those issues and some of that philosophy at that meeting. And then we'll do some in-house stuff that, hopefully, the community will notice as well, with that positive work environment transcending onto the services for the citizens.

Mayor Dennis said thank you.

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Councilor Keen said and as a closing thing, I would like to thank Chief Marvin in his years of service with the Police Department. He's done a good job for us, and I would like to thank him, and I don't know that he's here tonight, but I do want to extend our thanks to him for his job and his service that he's provided. That concludes my report.

PURDUE RELATIONS: Councilor Roales presented this report.

Today was the first day of the spring semester, so campus was busy again. But I'll place the rest of the report on file with the Clerk, to move the meeting along.

PARKS AND RECREATION: Councilor Hunt presented this report.

Thank you, Mr. Mayor. Well, I'm going to have to say a few words. Particularly the "Skating with Santa" was held at Riverside Skating Rink in December, and it was a great success. They had more this year than last year. And I wanted to tell you about the star skating attractions. They were Santa Claus. He had a friend Holly Claus, and four elves named Rinky, Dinky, Finky, and Blinky. And in addition, the fun-filled annual "Dare to Bare" where people skate in their swimsuits will be Friday, February 8, next month, at 7:00 to 8:30 p.m. That's always fun—a lot of photo ops also. Given the warm weather, the rink has had some closings, so if you're interested in skating like tomorrow, you need to telephone them and find out if they're—today the rink was pretty mushy and it was closed. Skating lessons and hockey appreciation begins on the 19th of January. The next Park Board meeting is the 28th of January at 4:30 at City Hall. That concludes my report.

ECONOMIC DEVELOPMENT: Councilor Thomas presented this report.

Thank you, Mayor. The Purdue Technology Center II facility has broken ground in the Purdue Research Park. I can look out my office window and see the construction going on, so that will be the second flagship incubator building for the Purdue Research Park. Then we also have two other economic development issues, I consider them, later on in this session. So that concludes my report.

PERSONNEL: Councilor Burch presented this report.

No report tonight, Mr. Mayor, thank you.

BUDGET AND FINANCE: Councilor Truitt presented this report

Thank you, Mr. Mayor. The Budget and Finance Committee will be beginning an active schedule of meetings beginning later this month. We have a tentative date, which I will be forwarding out to the rest of Council for later this month. There's a large number of items that we have been considering over the last couple of years. As most of you know, there's some items surrounding fees for City services that the Budget and Finance Committee need to research and consider. We will be doing that together, collaboratively. Most everyone knows how important the finances are to our City, and we will be embarking, I would say, on a new approach and a new vision as it relates to the budgeting process of our City. So we will be beginning the budget process earlier, but that will be more from a dynamic conversation, collaborative point-of-view among all different facets of the City. So I'm looking forward to beginning that process and hopefully having the support of the rest of the Councilors.

Mayor Dennis said I look forward to it as well.

REPORT OF APC REPRESENTATIVE:

Mayor Dennis said at this point, I actually need to get a ratification for one of my appointments. I'm going to be nominating Councilor Keen for the Area Plan Commission, and I guess I'd like to have a motion to that effect.

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Councilor Truitt said I'd like to move that Councilor Keen is the Council appointee to the Area Plan Commission.

The motion to appoint Councilor Keen to represent West Lafayette on the Area Plan Commission was seconded by Councilor Burch, and the motion was adopted by voice vote.

Councilor Keen said thank you, Mayor. The APC did meet last month, and there were a number of issues that were discussed, two of which we're going to be hearing on later this evening, about which I'm not going to comment at this point in time. So that will be my report for this time.

REPORTS OF SPECIAL COMMITTEES: None.

PUBLIC RELATIONS:

Appointments

► Councilor Hunt said I'd like to nominate several individuals for particular positions to committees or commissions that the Council is responsible for. I would like to nominate Larry Oates who is a local attorney, businessman, and resident and owner of Kitchen Art near the Research Park to continue on the Redevelopment Commission. He was elected President last week. Diane Damico has been on the Redevelopment Commission, and I'd like to nominate her for a new term. Those are my two nominations for the Redevelopment Commission. And the other one is the Greater Lafayette Public Transportation Corporation or GoCityBus Board. A couple of those terms are up, and I'd like to nominate Joe Krause who's currently the Chairperson of the Board. He rides the bus several times a week, and would like to continue. And finally, for the Police Merit Commission, we'd like to nominate Jonathan Hoggatt. He's a long-time resident of West Lafayette, a graduate student in microbiology and immunology at Indiana University School of Medicine. You have the résumés for Ms. Damico at your chairs, and I handed our Mr. Krause's and Mr. Hoggatt's last week at Pre-Council. So those are the nominations I'd like to make, please.

Mayor Dennis said they've all been nominated, so we'll go ahead and get a second for Larry Oates.

Councilor Burch seconded the nomination of Larry Oates to the Redevelopment Commission.

Councilor Thomas seconded the nomination of Diane Damico to the Redevelopment Commission.

Councilor Truitt seconded the nomination of Joe Krause to the Greater Lafayette Public Transportation Corporation Board.

Councilor Keen seconded the nomination of Jonathan Hoggatt to the Police Merit Commission.

The motions to approve each of the nominations passed unanimously by voice vote.

FINANCIAL REPORT: Clerk-Treasurer Rhodes

Clerk-Treasurer Rhodes said the Council has received your accounting ledger reports, which are prescribed by the State Board of Accounts, and a summary cash transaction report, which is on your places this evening. I'll make just a few quick comments about the review of the year-end close. All our budgets can be funded, including the General Fund and the Motor Vehicle

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Highway Fund that, as you may recollect, the Council chose not to cut '07 budgets at the end of last year. Nonetheless, they can be funded. Our cash position is stronger than expected, because of expenditure control, very much so in the fourth quarter of last year. Our prospective income tax distribution for the coming year appears to be stable. Good news for West Lafayette. Financial reports will be reviewed in detail at the upcoming Budget Committee meeting which Chairman Truitt will be scheduling with the Committee. Thank you.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 1-08 An Ordinance To Approve Blanket Bond Coverage For 2008 (Prepared by the Clerk-Treasurer)

Councilor Keen read Ordinance No. 1-08 by title and moved that it be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Truitt.

Mayor Dennis said Judy [Clerk-Treasurer Rhodes], discussion.

Clerk-Treasurer Rhodes said this is an annual requirement, that the Council approve the bonds for officials. In this case, based on the action taken last year, we are using a crime insurance policy to provide a blanket bond coverage for all City employees and officials in the amount of required by statute. There were a couple of questions at Pre-Council which I've responded to through email. Are there any other questions this evening? I would ask that you consider, following the first vote, suspending the rules to conduct the second vote this evening, so that the insurance can be properly approved by the Mayor and the President of the Council, and then recorded.

Mayor Dennis said any other discussion?

There was no further discussion.

Ordinance No. 1-08 passed on first reading, 7-0.

Councilor Keen said Mr. Mayor, I would move that we suspend the rules and consider Ordinance No. 1-08 on its second and final reading and that its vote be by roll call also. The motion was seconded by Councilor Truitt.

Mayor Dennis said it's been moved and seconded. We'll take a voice vote.

The motion to consider Ordinance No. 1-08 on second reading passed by unanimous voice vote.

Councilor Keen said Ordinance No. 1-08, An Ordinance To Approve Blanket Bond Coverage For 2008, I would move that move that Ordinance No. 1-08 be approved on its second and final reading, and the vote be by roll call. The motion was seconded by Councilor Truitt.

Mayor Dennis said any further discussion?

There was no further discussion.

Mayor Dennis said will you call the roll, please.

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Councilor Bunder said I'm going to get tired if I'm always the first one. Is there any chance we could periodically reverse the order—

Councilor Truitt said go in reverse alphabetic order.

Councilor Bunder said so that for four years, I don't have to pay close attention to every motion.

Clerk-Treasurer Rhodes said the alphabet's been like that for a long time.

Councilor Bunder said I'm sure the Ts are eager to lead the legislation.

Councilor Truitt said I like this order.

Councilor Bunder said I'll bet you do.

Ordinance No. 1-08 passed on second and final reading, 7-0.

Ordinance No. 2-08 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect [Collegiate Ventures, Champion's Centre PD (R1 and GB to PDMX)] (Submitted by Area Plan Commission

Councilor Keen read Ordinance No. 2-08 by title and moved that it be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Truitt.

Mayor Dennis said obviously, there's a significant number of folks here tonight, and I doubt they're here just to see our first Council meeting. How many folks are actually here to discuss this issue? Just a quick show of hands. Okay. Pretty significant. What we'll go ahead and do is, obviously your input is critically important, and that's what this political process, this governmental process is all about. So when it comes time for public comment, I guess the best way to do this, to make it flow somewhat smoothly, is just to stick on topic. Sticking on topic would be great. I'm sure that there are several folks that have similar commentary, whether it be the height, whether it be a zoning issue, things of that nature. And it's always great to get input, but we just want to make sure that it's relatively fresh. And if you could just stick to your comments. We're not going to inhibit your time limit, but remember we've got a lot of people that wish to speak. So we'll go ahead and move forward with that when it comes time for public discussion. The petitioner in this particular—Mr. Bumbleburg.

Mr. Joseph Bumbleburg [Ball Eggleston law firm] said I represent the petitioner in this particular matter before you this evening. I'm going to have a few graphics put up over there that we might refer to as this evening progresses. This is a request for a planned development approval for a \$60 million improvement to the City of West Lafayette. It is important, I believe, as do my clients, to all of West Lafayette, and the best example of that is, I understand, I've been told that this is not in a TIF District, and it has significant fiscal impact for the City and benefit. It is a planned development that received approval from the Area Plan Commission. And what that means is that the Plan Commission and its staff saw a series of drawings, schematics, plot plans, tree planting schemes, and all of the necessary items that are required by the zoning ordinance of Tippecanoe County. Why did we pick a planned development? A planned development has been a successful zoning system in West Lafayette. There have been three or four very successful planned developments. The reason that they are successful is they

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permit mixed use. They permit the community input. They permit the City, through its redevelopment authorities, through its Engineering Office, through, indeed, its police and fire, if they choose, the lady that administers the tree program—all of these have a role in the planning for this particular kind of development. The Area Plan Commission and its staff also maintain a very close-knit attachment to this particular matter. Indeed, the neighbors are also participants in this matter, the interested parties. And that, by the way, is a definition of art in the ordinance, a group of people who are required by the ordinance to be notified. They were indeed notified. Also, in this particular situation, the Department of Transportation from Indiana is also involved. So you have a significant group of people who are involved in the planning process up-front that you might not necessarily have in a standard rezoning. It permits a give-and-take, because of the nature of these developments, they are typically large, they are typically complex, and, again, they have the mixed use. And it gives the City authorities the opportunity to get things sometimes that they might not get in a standard kind of subdivision, and it gives the developer the same kind of effort in response. So it's a give-and-take adjustment that goes on through a series of meetings. The sketch plans—and indeed, before you file a planned development, you typically go to the Plan Commission and kind of lay it out and say, "This is what we propose to do" And then start the process of dealing with the Area Plan Commission staff on this issue. And that means that you meet with their transportation people. They have people involved who are also skilled in the art of planned development. It also permits you, then, to create a, if you will, a book, a thing called the narrative. And you will see that, with every planned development now, instead of trying to put together many, many sheets, we try to put into a book the things like how big the signs are going to be and where the signs are going to be, and lots of things like that that are very necessary for a planned development. And you work your way through those. It also provides a degree of permanence. Indeed, if you rezone a piece of property to general business, you lose control over it, and the developer can essentially build it, as long as they build it under the ordinance. It may not be as aesthetically perfect as you might like it. On the other hand, in a planned development, most of that kind of stuff is all worked out, and there is a degree of permanence. Whatever is on the preliminary plat and the plan that was passed by the Area Plan Commission becomes chiseled in granite, if you will, and becomes very, very difficult to change. Indeed, the ordinance provides only one manner of change. One of you mentioned this on Thursday—asked about that—"What is the minor modification provision?" And that provision is that a minor modification cannot have any increase in residential density, it can decrease the residential density no more than 10%. Any change in the building dimension or location, other than within the defined building envelope, has to stay the same. Any change in landscaping, other than substitution of species or redesign with the same materials. Any alteration in any size or location of signage. Any change in land use. Any change in the alignment or intersection of streets. Any change in the restrictive covenants, or the horizontal property ownership regime or the homeowners' association. So you have all of those places where you simply cannot change it. You have to live with it, once it is approved. That's very, very permanent. Now the last zoning effort as I think happened in this piece of property in 1980, and that probably ought to be suggestive to us, that this piece of property, in its current form, was going to need a special kind of development and a group of people who had the ability to get it done. Otherwise, they would have come along a long time ago. The plot on this matter shows four lots, one outlot, and they are kind of as follows: Lot 1 is 0.99 acre, it's on the east side; it has a proposed condominium suite, parking garage structure, seven stories, and one floor included in that below the ground. Lot 2—0.94 acre on the south side, a four-story hotel center. Lot 3—0.51 acre, that's on the middle west side; that has a restaurant and a retail building, it's a combination one and two stories. Lot 4 is 0.78 acre; it's a developable lot with limited uses in the PD Narrative. And finally the Outlot, which is 3.18 acres, and that's centrally located, and that contains surface parking, circulation drives, central courtyard, open space, and buffer yards. Now the other thing that the planned development provides is more detailed buffer

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planning, screening use. It provides more internal traffic pattern control; in this particular case, it also led us through the Department of Transportation. Access on Northwestern Avenue was reduced, there was a negotiation of parking. This plan calls for 383 required under the ordinance; there will be 439, and we adopted and tried to stay with and then add to the City standard of one space per bedroom, which is what the City has been using for years, to try to keep control over this. Someone would say, "Why did you put the extra spaces?" and I think I told you the other night, when Grandmother drives here from Carmel or wherever, where does she park her car? And so we've tried to accommodate that complaint. Many, many questions have been asked of us over the time. One at the 15th of October meeting, where we invited people to come in and talk, a question came about the roof, what was going to go on the roof. We talked about the pool and a recreation area. Based upon what we were told at that meeting, the people would not prefer that, so we took that off and put the recreation area and the pool inside the building. We discussed at that meeting, and advised everybody that the hotel space would be approximately 94 rooms, the condo would be someplace—depending on how the planning works out—running up to 125 rooms. Now the question we have here is, and I've seen some criticism of our program as being a partygoers place—and, frankly, when you invest this kind of money into it, you're not going to tolerate that. And I have delivered to your City Attorney the covenants and all of the basic legal documents, and he can advise you as to whether or not a partygoers institution is going to occur here. It won't. This is a program that is directed toward people who might want to retire here, maintain a home here. They may want to keep a home in Florida, they may want to be people who come here for all of the football games at Purdue or the basketball games or whatever their particular matter might be. In any event, though, what I challenge you is that this whole process has to look at the total community good—a \$61 million project for this community on a piece of property that has not had a significant nibble since 1980. Now, what I would like to have here, Mayor, if you would permit me, is to invite Doug Anderson [realtor] to come forward and tell you a little bit about the site selection, because there has been some suggestion that there are multitudes of other places where this might be sited.

Mr. Doug Anderson [F.C. Tucker Realty] said I'm a commercial realtor with F.C. Tucker and part of the development team. Also I'm a resident, taxpayer, and voter of the City of West Lafayette. My job as a commercial realtor is to assist businesses in site selection. It's what I do every day, local businesses, businesses coming to town that want to locate here, local businesses that want to move their location. I help with the site selection process, and I've seen a lot of very good projects. When Gary Spillers and his group came to town, we looked at approximately 15 sites. We looked in the Levee, we looked out by Great Lakes, we looked on the Bypass, we looked in Lafayette. Of all the places we looked at, this was the site. This is the site for this development. It came down to these critical issues: it's close to campus, the sports complexes, the golf course, and the Research Park. These are all activities that drive this kind of development. Also, we could tell from our tour that this part of the community is vastly underserved with sit-down restaurants. Again, a component of this development and another reason to locate here. We're going to be replacing Class C hotel rooms with Class A hotel rooms and a condominium project. This is just a great site to do those things. That's why this site was selected. Thank you.

Mr. Bumbleburg said thank you, Doug [Mr. Anderson]. I would now ask Mark Hiatt to join us here at the podium.

Mr. Mark Hiatt [COO of Collegiate Ventures] said Mayor Dennis, members of the West Lafayette City Council, and members of the West Lafayette City staff, I am the Chief Operating Officer for Collegiate Ventures. I want to thank you for the opportunity to present our project for your

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consideration this evening. We sincerely hope that you will collectively vote to approve the Champion's Centre project. Let me tell you a little bit about my experience, starting with my educational background and then my business experience. I have an engineering degree with concentrations in structural and civil engineering from the United States Military Academy at West Point. After earning that degree, I was commissioned as an officer in the U.S. Army and served our country for five years. I decided to leave the service. Went back to graduate school in Northwestern University, just north of Chicago, where I earned a master's degree in management, with concentrations in real estate development. After which, I moved down to Atlanta in 1989, and from that point in time, I've worked exclusively in commercial real estate development. In that period of time, I have developed and been part of teams that developed over \$500 million worth of commercial property of all different types, from office buildings to multi-family type developments like condominiums and apartments, retail developments like restaurants, stores, and hotels. So I don't mean to bore you with all this, but I want you to understand that this is not my first project. I've been working almost 19 years in this field, and I know what I'm doing. All right, I'd like to take a couple of minutes to talk about the project from an operational standpoint. As the Chief Operating Officer of our company, one of my responsibilities is to understand the economic effect that our projects have on all of its shareholders, whether it be Collegiate Ventures or the local communities in which we become a part. We estimate that this project will generate between 100 and 110 new jobs within the community here in West Lafayette, between the operation of the condominium complex, the hotel, the restaurant, and the retail business. We estimate that the average annual salary for these jobs will be about \$25,000 per year per person. That may not seem like much, but it's important to remember that many of the jobs, such as those in the hotel, will be part-time jobs, ideally suited to people who are interested in working only a part of each day. These jobs will be different than those you might expect to see in the technology complex north of the Family Inn site. These jobs will be mostly management and service-oriented, as opposed to high technology jobs. If you multiply the annual salary by the number of jobs, you have \$2.5 million in annual salary paid to people who will be working at the Champion's Centre project. These are salaries that people will be use to provide for themselves and their families. This is a significant number. Additionally, our staff looked at the potential increase in real estate property taxes. We looked at the current tax records for the Family Inn site, as well as other PD projects within your City. Let me say that this was a cursory evaluation, and what we believe the increase will be in annual property taxes because of our development. We certainly respect the fact that the County Assessor will calculate the actual increases, once the project is finished. We estimate that property tax payments will increase by \$400,000 per year. This is funding that goes directly to maintaining and improving the City and County services here in West Lafayette. But I'm sure you're already aware of this fact. These two numbers, \$2.5 million and \$400,000, are significant. This analysis does not include the revenue generated by sales or use taxes, hotel occupancy taxes, real estate sales transfer taxes, and does not include the salaries that will be paid to the construction professionals that will work on this project. We estimate that this number of people could grow as high as 70 during the one-year construction period. All of these numbers add up to a substantial positive impact within your community. I want to finish with one thought. I can tell you very directly that in the past three months, everyone who has had any interest in the project here within the community has gotten information and has had the opportunity to ask questions of our local team, and even of us at Collegiate Ventures, if they so desired. We maintain an open-door attitude with respect to our development projects, and that will not change going forward. To the appropriate level, we will continue to work with the community, with the intent of becoming a part of your community. As an example, I have a meeting with the City and the APC tomorrow morning to discuss sidewalk improvements along Northwestern Avenue. Many neighborhood residents expressed concern about the difficult pedestrian access along that area and moving south to the next intersection. We will work with

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all parties to improve pedestrian access in this area and have directly discussed building curbs and a handicap-accessible walking path along the front of our property, extending down to the intersection. My point is that we will continue to work within West Lafayette to be good community stewards. That responsibility doesn't end with this meeting. Thank you again for your consideration.

Mr. Bumbleburg said Mr. Gary Spillers, please.

Mr. Gary Spillers [President, Collegiate Ventures] said somebody asks me from time to time what does it take to be a successful developer. You hire people like Mark Hiatt and Mark has done a great job for us and has done wonders in the development business, and we look forward to doing a lot of developments together, starting with this one. There's been a question, I guess, a direction to inquire about the ability of this company to do this development. As Mark [Mr. Hiatt] just pointed out to you, we certainly have the personnel to do it. We have teamed with some excellent people here in town and the neighboring state of Ohio in an architect, and we have a development team that I think is second to none. One of the things that would point to whether we're going to be successful with this and what we believe in this community and this project is the fact that we have spent—I called my accountant today and said, "How much money have we put into this development on the front end?" And the answer was \$550,000 that we've already spent, and those—the neighborhood meeting and the suggestions to change plans, we did all that, and we'll continue to do it until we get it exactly right. However, that costs money, and Chris and Joe are wonderful architects, and that's what we want for this development. They're expensive. And what I'm telling you is that we have already spent a half million dollars and we intend to follow up on that and produce what we said we can do. As part of that, we've done some light marketing already, and we don't really have our floor plans, because we don't know exactly what everything will work out. But we have some general floor plans. Part of that money that I just said, we did a marketing budget as part of a predevelopment marketing budget, and because of that, we already have in registrations on our website 265 registered requests for information to buy property in this development when we can produce the pricing for it. We have 25 \$5,000 checks on deposit with our escrow agent, of people wanting to buy, wanting to get in line to buy this product, because they know it's going to be successful. The first part of our jobs here, we've hired Chris Bearden. Chris, would you stand up. Chris is a Purdue graduate and lives in the area, and we're certainly proud to have him on board. He's doing a good job for us, and we look forward to working with him. Also a part of that money we spent is to make sure that we're on the right track. We did some research into the type of developments that we had done in the past, or I had done with another company, and what we found through that research is that what really would work better than the type of developments that I used to do, that was just condo only and some light retail, is to give these people what we know they want. And that is, in addition to the condominium, is an increase in the amenities that are offered. In this development, we're building—we hope; we made an application to—a Marriott brand hotel, and hope we'll get something similar to that. But we're going to have a first-class hotel there with an indoor swimming pool that was moved from the roof down. And we're going to have a really nice health spa facility within that. And, of course, some meeting rooms and that type of thing. And that's what people want. The space that we're creating is a destination resort. Part of the money we did the hotel feasibility study, and the feasibility study came back off the charts. At that location in a new hotel, properly managed, the numbers are really, really good. We've got already we have on file—I've got copies of them here. I think most of you all do. We gave the front page of the feasibility study. We already have two letters of intent for our—one from University Spirit, local people here that will set up a gift shop with Purdue-oriented. We also have a letter of intent from the Hall of Fame Cafes that was founded over in Columbus, Ohio. They're a fabulous restaurant. It's a

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sports bar with great food and great service. I know there's a lot of sports bars around, but it's hard to get one that really cares about the food side of the business, and we found one. As far as our ability to do this thing financially, I also have in hand a couple of letters from two lenders. One is Strategic Capital Bank, who is a bank used by our hotel partners in certain instances, and they sent us a letter thanking us for considering the Champion's Centre in West Lafayette at Purdue University, "We received your loan application, have begun working through it. Your team has done an excellent job of putting together the presentation. We have found it very complete and will be putting this project to our loan committee on Wednesday [next week]. Please let me know if there are any questions you may have. I will update you on any further information." The second letter is from Whitestone Realty Capital in New York City on East 57th Street. "Dear Gary, we've been tracking your steady progress of your mixed use developments, and area glad to hear that you're on the threshold of finalizing the West Lafayette project. As discussed previously, we believe the marriage of hotel, residential, and retail have a significant dynamic in most markets, and specifically within college-oriented environments. As you will note on our website, WRC is well-positioned to move aggressively in arranging third-party investor equity and construction development financing required to bring West Lafayette to fruition. The strong community profile, coupled with the signature brand hotel affiliation, will result in solid project stabilization. Please advise as to when we can begin actively assembling the project capitalization." Again, thank you. Now I don't think that you all have seen that. If you want to make some copies. Another one was an email from Brad Marley. I don't know if he's here or not, but he's a local banker, and this is not a solicitation for business, but what he said in his note was so true of what we do. And basically he wanted to confirm that "projects of this nature are indeed positive investments in their respective communities. Part of the success of any economic development issue is the fundamental reality that we must provide people a reason to be here. This project will attract new property owners as well as visitors. We will see a tremendous synergy from this development; it will benefit the community around it." We also have the backing of Purdue University through the John Purdue Club with a license agreement, and have scheduled different promotions with the Purdue Alumni Association also. There also is a false belief that this will be a party place. We did, after our fourth development at my former company, we had sold over 500 of these condominiums. We went back and did a study of the people who bought these and what type of people they are. What we got back was eye-popping. The average age of the person that buys this product is 57.2 years old. They normally are a graduate of that university. Most of them have been a season ticket holder for 17 years. 60% of those people have season tickets in more than one sport, so they're here for more than just one season. The average net worth of that particular group was between \$2.5 million to \$5 million. Again, backing what we said about the economic impact of what will happen in this community and what kind of dollars will be brought in to this community by this project. I want to wrap up by saying that the past projects that we have done and we had documented, and we've got letters—I think you all have seen letters—from three different people in three different towns where we did development. And what they said is, basically, "The development team that Gary [Mr. Spillers] and his company brought to town was great. They were great working with the city. And in every instance, the property around them improved and went up in value after the development was finished." I know for a fact at Georgia, the individual in the—it was sold out by the time we finished it—and the first 46 people that sold their units made between a 17% to 40% return on it. So that has got to drive up values around it, and it will. I've said in the initial press conference here, that this is a special piece of property and that it's been an eyesore, it's been a problem. And I promised we're going to fix that. We're here tonight to ask you for the power to fix that. Thank you.

Mr. Bumbleburg said thank you, Mr. Mayor. That concludes our formal presentation. I'm sure that there are either questions or others who might want to speak on this issue. Thank you.

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Mayor Dennis said thank you, Mr. Bumbleburg. I'll ask the Council for any comments or questions.

Councilor Keen said I had one question for Mr. Bumbleburg. If you could briefly speak on the current zoning that is at this property.

Mr. Bumbleburg said this piece of property, Mr. [Councilor] Keen, is—

Councilor Keen said and what it would allow.

Mr. Bumbleburg said well, this piece of property is a General Business piece of property, except for a strip in the back which is R1. Obviously, the R1, if you were to somehow be able to develop it, would be a residential piece of some kind. General Business, on the other hand, permits that whole range—I didn't bring my Use Table along with me here tonight—but darn near any business that you can think of that is not heavy like industry or that sort thing, you could put in a GB zone.

Councilor Keen said are there any height restrictions to those?

Mr. Bumbleburg said oh, yes, there are height restrictions and someplace in here—I can tell you right now, I think, without digging too much—we've have been advised that the height restrictions in a General Business zone would be such that it would be very similar and maybe even in some instances greater than what we have here.

Councilor Keen said with this project?

Mr. Bumbleburg said yes. And the height issue is simply a red herring.

Councilor Keen said well, I mean, I'm looking for clarification—

Mr. Bumbleburg said sure.

Councilor Keen said you know, more for the public and that sort of thing. If this rezone were not to be allowed today, would it be possible for this company or another company to come in here and do essentially the same thing with the height of a building, except maybe moving it some—I can't tell on the map—maybe 50 feet further forward?

Mr. Bumbleburg said the answer to your question is yes. There can be buildings similar to this built on this site, simply by jockeying them around on this particular piece of property. We had this drawing done, and I think that you all got that, and it will show you that what you do is move the building closer to Northwestern and closer to the—what I'm going to call the—north, and you can put the building up.

Councilor Keen said but I'm saying the distance it would have to be moved to get to fit within that height restriction is really not significant.

Mr. Bumbleburg said no, not really.

Councilor Keen said I mean, that was my whole point on bringing that up.

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Councilor Truitt said then from a collaboration standpoint, because of GB, as long as they meet the permitted use requirements, they don't have to sit down with Mr. [City Engineer] Buck and APC and go through greenspace and plantings and—

Mr. Bumbleburg said well, we have to meet the City's—

Councilor Truitt said I mean, you have to meet the minimum standards, but as far as a negotiation period, you could just go in and...

Mr. Bumbleburg said that's right. If we meet the standards of the ordinance and file a building permit based upon those standards, the City could not deny that permit.

Councilor Keen said and with the proposed zoning, you would actually exceed those standards in the GB?

Mr. Bumbleburg said yes, the greenspace here is going to be 25%. Help me, Tom [Mr. Gall, T.J. Gall & Associates], 25% greenspace here?

Mr. Gall said yes.

Mr. Bumbleburg said which is more than what GB has?

Mr. Gall said yes.

Mr. Bumbleburg said yes.

Councilor Keen said and with the Planned Development, we also have the added assurance, if you will, of control of the development process.

Mr. Bumbleburg said you bet.

Councilor Keen said whereas with the GB, we don't have nearly the control that we have with the Planned Development.

Mr. Bumbleburg said it all goes back to what does the narrative say on one hand, compared to what is the ordinance for development in West Lafayette say. It's just that simple.

Councilor Burch said Joe [Mr. Bumbleburg], who enforces the letter of the Planned Development?

Mr. Bumbleburg said your administrative officer, the AO.

Councilor Burch said and who will that be?

Mr. Bumbleburg said that's Mr. [City Engineer] Buck.

Councilor Burch said thank you.

Councilor Roales said Joe, will this site be fenced at all times during the construction process?

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Mr. Bumbleburg said you know, I'm not a construction person, but I suspect that it is, because that's just from a lawyer's point of view and a liability point of view. You put a fence up, just to keep people from wandering in and out, even though that's always sometimes a chore. But my guess is that the answer is yes. I mean, if they ask me, "Should we fence it?" this lawyer's going to say, "Put it up."

[inaudible]

Mr. Bumbleburg said okay, here my architects and everything say yes.

Councilor Roales said thank you.

Councilor Keen said I had another question. I'm not sure who to direct it to. But I was hoping that someone could maybe walk us through the exact intent of this project. In other words, you have this project, we have an investor over here. What is he getting for his money, and how this the property going to be used on a day-by-day basis? I mean, what is the intent of the whole project?

Mr. Bumbleburg said well, the intent of the whole project is to provide several things that the City of West Lafayette tells me in my development world that we need. And the first one of which is a nice, sit-down restaurant; that will be there. That benefits the people who work there, the community, because they have that site. The hotel will provide hotel accommodations, just like a hotel would typically do that. The condominium will provide condominium spaces for that person who chooses to be here part of the year and chooses to be someplace else part of the year. Although, I gather that a person who chose to live in a condominium year 'round, and enjoyed not only the major sports but the minor sports, could live there year 'round. So it's a mixed kind of residential use.

Councilor Keen said I guess that was really what I was getting to, more as the condominiums than anything, and that is, what is the expected time that someone would actually be in one of these condominiums during the course of the year? I mean, it's called Game Day, so I know there's football season, there's basketball, and those kind of—so are we looking at people who are potentially going to be in these condominiums for, you know, two months out of the year, or four months out of the year?

Mr. Bumbleburg said I think you can see those kinds of people there. But there will also be the kind of person—you know, I'm thinking of a friend and neighbor of mine who lives in Florida in the wintertime, but never misses a home football game and plays golf here all summer long. I suspect that he's the kind of person who might acquire one of these things, so that he has a foot in both communities.

Councilor Truitt said Gary [Mr. Spillers], when you did your survey, did you ask any questions in regard to how often—? I think where Councilor Keen might be going is looking potentially at some of the neighbor concerns of, you know, traffic and so on, and when you talk that many beds, you've got a lot of potential activity, so I think that's where he's coming from.

Mr. Spillers said most of them use these in their unit personally 60 to 70 days a year. But they also have the opportunity to put them in a rental program [unintelligible].

Councilor Keen said can you explain how that rental program works? Because I—

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Mayor Dennis said can I interrupt for just one second here. Joe [Mr. Bumbleburg], would it be all right if we moved those signs. The folks sitting on that side of the building can't see a thing.

Mr. Bumbleburg said Brandon [Fulk, The Schneider Corporation], would you move those back over behind the Council, please. Thank you.

Mayor Dennis said sorry for the interruption. Go ahead.

Councilor Keen said that's okay. I was just inquiring how the—you mentioned a rental program. Can you explain how that rental program is going to be proposed or utilized?

Mr. Spillers said sure. The—

Councilor Keen said could you move to the microphone.

Mr. Bumbleburg said yes, come on here, Gary [Mr. Spillers].

Councilor Keen said thank you.

Mr. Spillers said the way it's worked in the past is we had set up a rental program—and this is just condominiums only. You can look at this as one development, or you can look at it as three different types of development. But what we've done in the past is to set up a rental program, when they can use it when they want to, or when they're not using it, they can put it in a short-term rental program, and it would derive lodging taxes and everything for the City, just like a hotel room. One of the problems we had with that, just he condominiums and management was that we couldn't generate enough—and we're still having the problems, now, even though Athens and Tallahassee are great developments—there's not enough people that put their units back in the rental program, because they use it year 'round, to generate enough income from it to hire a first-class management company. And therein is why we have the hotel facility. Our thinking was, with a branded hotel on site, we can use that same management company's personnel to manage the condos, thereby giving us more clout in the rental sector and offer more of a variety of type rooms and suites and everything to people coming in. So people now just coming in to stay in a hotel room, they would have the ability to stay in anything from a hotel room size on our property to a three-bedroom, three-bath suite as rental.

Councilor Keen said when you say using these units as rentals, I can just envision in people's minds, it's going to be a rental, and I think that's part of the misconception that this is going to be a party haven, because it's going to be filled with people renting. Can you comment on what the expected or proposed renters are going to be, what type of a profile that person might be, as far as—

Mr. Spillers said well, first of all, in our other developments, we don't rent to anybody under 25 years old, and we don't rent to anybody that doesn't have a credit card. And we restrict it in that way. I'm not saying that's exactly how they'll do it here, but that's some of the ways we did it, to keep from becoming that. These people spend anywhere from \$150,000 to \$1 million on these units. Some of them we have sold in excess \$1 million. And those people, first of all, don't want a rental program, don't want to put their unit in a rental program, but they want that solid feeling of having a management company there seven days a week looking after that unit while they're not— So it's a great synergy that would happen. I mean, it's designed so that it's a win-win for everybody involved—the owner, the renter—the renter is the same—I'd say the profile of the renters that would rent here would be very close to what the profile of the buyers are.

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Councilor Keen said that's what I was getting at, is I wanted to—

Mr. Spillers said right. Those people are going to go out to the interstate—you're talking about the partiers—or somewhere else. They're not coming here.

Mayor Dennis said okay, any other Councilors with any other questions? Okay, any other comments from the petitioner?

Mr. Bumbleburg said that's the end of our formal presentation, Mayor.

Mayor Dennis said okay. Thank you very much, Joe [Mr. Bumbleburg]. Now for public comment. I would ask that those folks that come up, just remember to state your name and your address.

Mr. Don Marshall [2001 Carlisle Road] said this is my wife Carol. We've lived here for 30 years, and I think you all received a letter that we have emailed you and we have talked to a couple of the Councilpersons.

Ms. Carol Marshall [2001 Carlisle Road] said we're here to explain why we and our neighbors are adamantly opposed to the building of the Champion's Centre. I know there's one person on the Council that was not able to read my email that was sent, and what I would like to do is read the email letter that was sent on January 4, 2008, to our Mayor, John Dennis, to West Lafayette [City] Attorney Eric Burns, and to each West Lafayette City Council member regarding Champion's Centre:

We are Don and Carol Marshall, 2001 Carlisle Road, West Lafayette, Indiana. Our residence of 30 years is located in direct line east of the existing Family Inn, due to be demolished in the near future, pending the vote to pass the construction of a seven-story building on that property by the West Lafayette City Council. For the past 30 years, we have enjoyed a country-like atmosphere because of the greenspace zoned R1 between our backyard property and the parking lot of the Family Inn. Right now, there is a row of trees next to the back parking lot of the Family Inn. In the summer months, the foliage is so that you can barely see the structure. We have enjoyed this country-like atmosphere and the wild animals that inhabit the area. We have enjoyed the view of the beautiful sunsets in the evenings, plus the vision of Northwestern Avenue and Lindberg Road from our back windows, enabling us to see the traffic flow, determining how the weather is affecting the pace of the traffic. Since the neighborhood meeting held October 15, 2007, at the Family Inn, the original project plan to build a four-story building has been changed to build a seven-story building, practically in our back yard. They tell us the building will contain condominiums with windows facing our back yard. There will be no privacy, no sunsets, no view of the existing Lindberg-Northwestern roads, and no more country-like atmosphere, to name a few of great amenities that will be taken away. We certainly will not enjoy stepping out of our back door to see a wall of nothing but building with people glaring back at us from a seven-story monstrosity. Our backyard has a swimming pool, where a certified swimming instructor gives private lessons to children almost every day. The backyard is used from early spring to late fall. There will be no more privacy. We're sure these things will not be taken into consideration. We opposed a seven-story building in this neighborhood, and feel it is not the place to build one among the single-story homes. We do realize that something needs to

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be done to the existing Family Inn building. In the 30 years that we have lived here, we have we have seen fire trucks and police cruisers pull into the area of the Family Inn. We know for a fact that there have been drug trafficking, people overdosing, and other various programs. I, Carol, have spoken with my son, a lieutenant with the Tippecanoe County Sheriff's Department about the problems encountered by law enforcement. Many times, he has stated that the Family Inn should be torn down. Many times, we have also experienced with our own eyes, officers chasing and tackling perpetrators running from the Family Inn to the backyard of our neighbors. One of the encounters with police came from a call that we initiated as we watched someone in the greenspace for 45 minutes act in a manner that someone on drugs would do. Yes, we do believe something needs to be done to replace the Family Inn, but not at the expense of our neighborhood with the proposed plan such as the developer is proposing. Lack of privacy is a main concern with the pending condominiums perched on top of the parking garage, facing the very private areas of our neighboring homes. If this were your residence, would you want a seven-story building just a few feet from your back door? We ask that you consider our concern and the concerns of the neighborhood by casting a no vote for the development of the Champion's Centre project. Thank you for your consideration in this matter. Sincerely, Don and Carol Marshall.

Mr. Marshall said Carol and I have walked around in the neighborhood and talked to many of our neighbors. They're in the neighborhood, and we brought up the fact that this was going to be a seven-story building, and they were not aware of that. I would say probably 95% of the people we talked to throughout the neighborhood did not realize that was going to be a seven-story building. They are visualizing this, which was published in *The Journal and Courier* October 6, 2007, and it states in here, "The dominant feature of the complex will be a separate four-story condominium building with 115 units above a multi-story parking garage." And it's showing this, which is what they gave us at our first neighborhood meeting, which shows four stories. If you need a copy of that, I can get you one. At our first meeting, this is what they presented to us. They took all of our concerns and issues, and we never did hear anything from them. They even took our email address, said they would contact us and send us all the concerns and issues that were written down. We never received any of that. And a few days before the meeting with the Area Planning Commission, we received a packet from T.J. Gall & Associates. Reading through this, they submitted this and told us all the revisions they made, as to what our concerns were at the first meeting, by moving the swimming pool inside the hotel, stepping back the condominiums so that really wouldn't look out, and some of the other issues they mentioned here with the fence all the way around. But nowhere in here does it say anything about the big, major change they made from the four-story to the seven-story. That was not mentioned once in here.

Ms. Marshall said no.

Mr. Marshall said until I got to looking at the site plan, then it says, "proposed seven-story building."

Ms. Marshall said that's the first we knew about it.

Mr. Marshall said and that's when I first realized that is was going to be a seven story. So you have to read the fine print. I'm just asking that this not be—as many of the neighbors we've talked to, they say if this goes up, they're going to be selling their homes. I don't think this is good for the neighborhood. Do you have any questions?

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Mayor Dennis said thank you very much.

Mr. Paul Addison [2009 Carlisle Road] said I live just to the north of Don and Carol Marshall's house, but also directly east of the Planned Development project. Mr. Mayor, you asked to keep our comments short. I have everything on a three-by-five card, and Don and Carol [Marshall] actually covered just about everything that I have to say. So let me look at what's fresh here. We've lived in our house for just over 20 years; the people we bought it from lived in it since it was built in 1963. It's a very stable neighborhood. Our kids have gone through the school system, and they have moved out of the house, but my wife and I have no plans to move. We love the neighborhood. I don't know of anybody who is opposed to tearing down the Family Inn and putting up a nice, sit-down restaurant. That sounds great. A couple retail shops, you know, maybe a pro shop for the golf course, it all sounds great. But a complex like this—hotel, banquet rooms, stores, and a seven-story condominium/parking garage complex is totally out of place in a neighborhood that is completely consisting of single family homes. Besides looking very strange, being the only tall building that you can see, it's going to cast a huge shadow, and that shadow's going to fall right on my house and Don Marshall's house. We don't feel we're going to be able to see any sunlight in the afternoon for the rest of our lives. That's what we're concerned about, and so we hope you will vote no to this project. Thank you.

Mayor Dennis said thank you, sir.

Ms. Jan Myers [1909 Indian Trail Drive] said Mayor Dennis, may I have a moment to get to the podium?

Mayor Dennis said sure.

Ms. Myers said good evening. I am not one of the immediate neighbors. My reason for speaking tonight is two issues, and they relate to what the City Council is doing in establishing precedents on selecting to put in Planned Development in the midst of R1s. The first concern I have is, even though I've heard Mr. Hiatt speak of an accessible walking path, this entire plan ignores accessibility/ADA. I say that because everything I've looked at and everything I see over there has no sidewalk even shown in it. Understand what needs to be there. If you haven't already educated yourself, I suggest you go to the website ADA.gov and read it, and also while you're there on the homepage, you will see a spot called Access Board. They have been working on guidelines that have been available for public comment the last couple years, and early in 2008, so in the next couple months I've been assured from them, these guidelines become rules. The needs of accessibility for this site will increase considerably. I see no coverage of that. And when I think of coverage or accessibility, I think of universal accessibility—the young parent with a child on a tricycle, grandparents pushing the grandchild in a buggy. That's what accessibility is. That's what ADA allows for everyone. ADA came into existence in 1990. This City is far behind meeting the standards that are necessary. At another point in time, I will gladly share with any Council members, the Mayor, or City Attorney and so forth exactly the financial ramifications of the City not meeting this and being 18 years behind. It is quite severe. To allow a new development to come in and have none of this in place—not even planned, I mean no one can show me where it's planned. One little thing that I often hear is, "Well, we've got to work with INDOT. It's INDOT who's holding up the problem." I have worked through the prior two Mayors and the City Attorney, heard that excuse, which I found to be a bunch of hot air. I personally contacted myself to INDOT. It took one phone call, one confirming email. Mr. Plunkett, who heads the Crawfordsville District, made a visit to the sites that I was talking about, which happened to be Lindberg and Northwestern, and Salisbury and Sagamore, and has

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assured me in writing there since, that this spring, 2008, there will be the proper sites there. I do not plan to spend your time tonight on all the reasons he gave me that they had not done so. But the fact they had no communications from this City in writing said a lot. I urge you to look carefully at this precedent you're setting, at the very time that we're also talking about the City going more green and having a committee or council or something on that. Without a true sidewalk, accessible to everyone, not an accessible walking path—I don't even know what that is. There's no definition anywhere. And until I started raising issues by email, no one—I was even told, "It will be considered later." We've already been told by Mr. Bumbleburg and others this is one deal, take it or leave it basically. So let's seriously look at accessibility in meeting the ADA guidelines and the new rules coming on for 2008. My second concern in setting a precedent is the same idea—the seven-story building in the midst of R1s, because I happen to live very close to Burtfield School. Is this Council ready to say that the development at Burtfield School—whether it's next year, next decade, but we all know something's got to change there—is going to be multi-story, seven story or such buildings surrounded by R1s? That's basically what you're being asked for today, and I'm very concerned about it. To give a realistic comment on what it means to have a seven-story building when you're in a single family home, I've sent all of you email, which I anticipate you received, with a schematic in it, and I will give a copy of the Clerk-Treasurer, so it is part of the public record. But I would ask you, in an eight-foot ceiling room, to stand with your hand against the wall—in my case, that would be 28 inches—but somewhere between two and three feet, and look up at the corner of the wall where it meets the ceiling. That is exactly what all of the neighbors—Lindberg, Carlisle, and Windsor—will need to do to see the sunlight with that building. What is the City Council thinking about regarding the new microclimates that will most likely be on those lots surrounding it? Who's going to do all the replanting for those yards that now need shade grass, if that's where they're going to be, replace all the shrubs and trees. I have no interest in keeping Family Inn there. That is not my point. One easy solution, just as developed, is just to put all the parking underground. That can be structurally done. Not everyone will like the price tag, but it is structurally possible. I am reminded, when Wal-Mart came to the City, and all the requirements the City put on them—the berm to hide the site, making sure that it was sited in a low area. I haven't measured the height of that building, but it sure isn't seven stories, and we wanted it hidden. Yesterday afternoon, Sunday, warm weather, a little bit of fog, I decided I would go over to the site personally. I have a long interest in water and drainage, used to chair that committee for the Chamber of Commerce. There is no depiction of a detention pond, retention pond, or any other drainage there. It was amazing to me to see how wet, how many lakes in the back, on the south side, on the north side that property has at the moment. Going to increase the amount of hard surface on that property from what there currently is. So what's going to be the drainage? Where is it going? I ask you all to consider those very seriously, but as I see the plan right now, it has two precedents that are not good for West Lafayette, and until those are changed, a vote of no is my suggestion. And may I give these to you.

Mayor Dennis said thank you, Ma'am. Other comments?

Ms. Gale Kvam [1124 Windsor Drive] said for the first time tonight, I heard that there were meetings and there were invitations sent out. I can look out my front door, I can see the back of the Family Inn, and anybody who knows me knows that if I'd been invited to a meeting, I would have been there and would have been an active participant. So I don't know how you determine neighbors, but I really am one of them, and so if you have another meeting, I'd kind of like to be invited. I've lived in West Lafayette for nearly 18 years. I have spent the last three years on Windsor Drive. I used to live on Sylvia Street, surrounded by students. Sylvia Street is a noisy, yet vibrant, street, and except for a few weekends during the school year, it's a great place to live. The thing that caused me the most concern was the traffic, specifically the sheer amount of

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traffic and the speed these vehicles travel down a residential street. I'm telling you this to let you know I'm well aware of the problems caused by too many people living on too little land, as aware as Council member Bunder and Roales are. This is one of the reasons why I chose to live on Windsor Drive, and why I so appreciate living on Windsor Drive. Therefore, it's the main reason I oppose the proposed seven-story Champion's Centre to be built across the street from me. I'm astounded that they are going to need 400 parking places. The developers can talk all they want to about this project being aesthetically pleasing and better for the neighborhood than the present Family Inn. But the fact is they cannot honestly dispute the increased traffic and congestion in my neighborhood. Their residents will not walk in, they will not take public transport, they will drive. And so will their friends and their family. Mr. Bumbleburg talked about Granny; she's going to have to drive in to visit. If the developers want to be successful, and I'm guessing that's their goal, they will want to fill every one of the condos and hotel rooms 100% of the time. Seven stories of people will indeed have a major impact on the quiet residential neighborhood I have come to love. I appreciate Mr. Bumbleburg's comments tonight. I appreciate what he said about the narrative and the accountability that has gone on during this process, during this Planned Development, but the fact is that that accountability and that narrative end the minute those doors open. I think every one of us will agree that privacy is important. My neighbors have spoken very eloquently about it, and most will argue that each of us has a right to privacy. We build our houses with solid walls, not glass; put curtains and fences up; and then can feel safe in the knowledge that we have created a peaceful environment for ourselves and our families. If this seven-story center is built, the privacy that my neighbors and I have will be gone as soon as the first curtain is opened on the third, fourth, fifth, sixth, and seventh floors of the north and east sides of the building. Do you enjoy your backyard oasis? I do. My family does. That is until this building is open for business 24 hours a day, seven days a week. They can look down into my backyard. There is no tree that is tall enough to block the view into my backyard, and I live across the street. There's another concern I have about this combination of hotel rooms and condos. Not all of these condos will be sold to the wealthy alumni, no matter how attractive the package. There's already a glut of apartments in West Lafayette, and with the building of at least one more hotel in West Lafayette, I fear there will be a glut of hotel rooms, too. What happens then? The developer will tell you all he thinks you want to hear, but the fact is these unrented, non-money making units will be sold as kiddie condos. And for those of you who don't know what a kiddie condo is, it's purchased by a parent who is over the age of 25, has a credit card, and probably is worth \$3 million to \$5 million. That's who they're targeting their condominiums to. But every person in this room and every member of this Council knows what happens when a kiddie condo is your neighbor. I have no objection to living in student area; I did it for 15 years. What I do have a problem with is consciously overpopulating an area, adding traffic, and then expecting student residents to desire to maintain their properties as well as their neighbors do. I do not need to remind you that this neighborhood—and indeed it is a neighborhood—is not a barren strip of land. Most of it is zoned R1. We have accepted and accommodated a two-story business in our midst, but this is asking too much. A seven-story hotel and a condo complex will have a major impact on the quality of the surrounding neighborhood. I have never seen a West Lafayette City Council consciously vote to destroy a neighborhood, and I trust that the seven of you will not do that tonight. Please vote no on the proposed Champion's Centre seven-story project.

Mayor Dennis said thank you. Other comments?

Mr. Jason Berk [936 Lindberg Road] said good evening, members of the Council. I have sent you all an email already once. We've all sat here and heard about the mass amount of money that this stands to bring in, tax-wise, and the kind of upscale citizens that it's supposed to bring in and make our community better. But to reiterate the last lady's point, again, we've all been

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young and we all know what happens when dad's got a lot of money and a hotel room or a condo that's within a mile of Purdue University. One of the other things I'd like to bring up is, if we're targeting multi-million people and \$100,000 to \$600,000 condominiums, I don't understand why the Great Lakes Chemical building fields around it are any worse than the plot they've chosen now. If you've got that much money, what does one or two more miles away from campus, when there's no neighborhood around you, cause difference with? If you can get the kind of money to come to that place, you can get the money to drive the extra mile down the hill. Another interesting thing I noticed is that on January 2, 2008, *The Journal and Courier* published a report on the internet, and I'd like to read for you just some of the things, and then I'll submit it to the Council so they can look at it. One of the interesting things they published is that Lafayette and West Lafayette, or the Greater Lafayette and Tippecanoe County, are sitting right at about a 60% occupancy rate over a 365-day year. And they have currently 2,420 rooms at 33 different hotels, motels, and other operations. What's even more interesting with this is that corporations like the Courtyard Marriott are planning to do a \$10 million, three-story, 90-room development, and the Fairfield Inn and Suites is planning on doing a \$31 million, six-story development, and that one's in West Lafayette; the first one was in Lafayette. And maybe I'm overstepping my bounds, but it would seem that a conglomerate the size of Courtyard and Fairfield that have nationwide chains and are well-established, if they're only willing to sink in \$10 million or \$31 million in areas that are already high—not industry, but—mixed business at I65 and 26 junction, I'm not quite sure why we think a \$60 million outfit is going to work inside of the middle of a residential subdivision that's nothing but single-story units. Another thing that's interesting is that in the report which, I'll remind you, is only five days old at this point, for the Champion's Centre, it was listed as "A \$60 million mixed use project is planned for construction on the site of the 103-room Family Inns motel...The project will include an 80- to 100-room hotel, a four-story residential condominium with 115 units, retail, restaurant, and office space." So even something published as recently as five days old, they're still telling the community that this is a four-story building. That's all I have to say. I would like you go vote no for this.

Mayor Dennis said thank you.

Mr. Robert Kurtz [2111 Carlisle Road] said I live just north of the proposed project. I'm not against economic development; I'm not against community development. I'm for well-planned community development. I agree, Family Inns needs to go. I agree that picture is uglier than that picture. But any new project needs to fit in with the surrounding area. And I live in one of the single-story homes in that area. I haven't calculated the angles. I don't know if the sun will actually be shaded from my property in the winter. This time of the year, the sun's pretty low in the south. I think there's a pretty good chance that we'll have some shadow from the building, but I don't know that for sure. I have, in the past, had the pleasure of living directly across from a parking garage, at the bottom of a multi-story condominium, and I have experienced the car alarms going off at 2:00 a.m. I've experienced the tires squealing as people go around the curves to find their parking spaces, to go in and out of the garage. At the time, fortunately, my wife and I were living in a rented apartment; we had no great stake in it. All we had to do was fulfill the terms of our lease and find another apartment. But now we own our home. We don't want to move. We like our neighborhood. We've sunk a lot of money into our home. We just put a new roof on it. We've just put a new heat pump in it. We like it. We want to stay. And we want to stay in this community. But I don't want a seven-story skyscraper in my neighborhood. It doesn't fit in. It's the wrong thing to do. I understand that the current zoning does not prohibit a building of that size, and I think I understood the implication that if the Council votes no tonight, it could be built anyway. If that's what it comes to and there's nothing we can do about it, then that's what it comes to and there's nothing we can do about it. But that doesn't change the fact that it's the wrong thing to do. Please vote no tonight. Thank you.

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Mayor Dennis said thank you, sir.

Mr. Duckin Suh [1115 Windsor Drive] said thank you, Council. Already I sent email to all of you. I was shocked for this development project, because my property is located just the south side of the seven-story building, which means the building will definitely impact the right to the sunlight for the whole day. The buildings will be 132 feet high, and my property is only 75 feet, which means the seven-story building will completely block the sunlight to my whole property almost all day long, especially during our normal daytime activity. I can hardly make sense of how this seven-story building project is going on the middle of a quiet residential adjoining area. This project, the location, is totally wrong. I would definitely deny this horrible project for, not only the right of the sunlight, but also difficulty of parking, violating our privacy, and the heavy traffic and the noise by lots people visiting in the quiet residential area, etc. The right of the light to soar over the easement is the right to receive a sufficient natural light through windows or skylights and the collectors to allow the building to be used for its ordinary purpose and our normal living. This project should be concerned with the privacy of the residents, the neighbors' residential living environment, and the dimension of the solar element such as vertical or horizontal angles measuring in degrees, what the hours of day on specified dates during which direct the sunlight to be next to property should not be obstructed. So I really want the whole Council to reject this project for the peace of all of us. Thank you very much.

Mr. Ten-Tsao Wong [1925 Carlisle Road] said I sent you a couple emails. We hear that the company hired very high expertise people to try to put this plan in. And they have very good experience and good training with degrees. I tried to keep this short, because I try to prepare a lot of sentences to speak. I have a Ph.D. degree in environmental science. I come from the University of Maryland, College Park. I tried to prepare things to say, but I don't need to say, because already the first three people make all the sense. This is not what your training is. This is not what your background is in. It's what's in your mind you want to put there. It's unrelated to what your experience is; it's what's in your mind. The people try to make this plan here what's in their mind. It's making money out of this, so they increase the height of the building, put in a large density of residents there. All the issues have been raised by my neighbors, and I don't need to say too much. This is only come from—it needs to be so, by common sense—why this building can be there, why so many residents can be put there, what is the traffic going to happen to West Lafayette. The situation is going to burst. It only needs to be—just take common sense. You don't need to have a very good experience. You don't need me to have environmental science Ph.D. degree. So they already did it. So you have to think about it. It's just common sense, and if you can picture that, you will know that. So please vote no. I just keep it short. Thank you.

Mayor Dennis said again, we're trying to get unique perspectives. We've hit a lot of the same points, so...

Mr. Matt Thompson [1611 North Grant Street] said the only thing that I really want to point out is I'm here to not support the project. I don't live in viewing range of the building that's going to be there, but I'm just here to support everyone that is in view of it. And the only thing I really want to point out is, if you look at the picture of the new project, you can see nice forest and greenspace around what's going to be there, or what they want to build there, and if you look at the old project, you can see in between the sign and the building that's there now, a house. So if you can see that, the privacy that they don't have right now, imagine what a seven-story building's going to do to them and the next street and the next street and so on and so forth. So if you guys would vote no, that'd be great. Thanks.

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Mayor Dennis said thank you.

Mr. Brad Heiss [501 Riley Lane] said Heisses have had a presence in West Lafayette since the 1800s. I own property at 1145 Windsor. I'm a landlord. If I can't rent that property due to its undesirability, then it impacts me greatly. And as they came up with financial figures, there are a number of rental units in that area, and if it's not a pleasant residential area to live in, then you're not looking at the total finances. The other thing that I hear the corporation that proposes this, there's a lot of "if and buts," but there's no guarantees. And if there's money that backs up what they can't do, then I would think there ought to be some accountability held to this group, because if they pull out, what are we going to do? Who's going to buck up and redevelop this property? It'll be worse than that over there. The other thing is people have these condominiums. They're possibly going to look to defray some of their costs, and bring in subletting, if that might be done, and, once again, then we don't know don't know who our neighbor is. I want to reiterate a point and make a stronger case for it, as we talked about mom and dad buying the condo, and we have that in places like University Farms. Parents buy a house and their kids go and live in it. What their kids do isn't exactly what a 57-year-old-man does. So I would beseech you, I beg you, say no to this.

Mayor Dennis said Mr. Parker.

Ms. Sally Grant [921 Lindberg Road] said I'm trying to keep it fresh. I did actually study both architecture and economics at Wellesley College, and I have to say that there are a lot of things about this plan that I find very impressive. But one thing that I'm not convinced about is the economic feasibility, and I'm a bit concerned that if the zoning change goes through but the financing doesn't actually follow, what might be put in that place with the new zoning regulations could be some sort of high density student dorm or... So I'm just concerned, because I was doing some of the math, and, I mean, I'm sure that there's stuff that isn't in here, but I'm also an investor in some REITs, and given what I see here, I wouldn't put my money into this project yet. So I just have some concerns about changing the zoning and then perhaps not having this be what we get. And then the second point is my husband is studying for a Ph.D. in environmental resource management at Purdue, and at the last meeting, he came and he asked about impact studies, about the traffic and the runoff, and he was told that those were being done by—I don't even know if it was INDOT, but he looked into it and he found that the only impact study that had been done was about the traffic flow in and out of the property on Northwestern. And as residents of Lindberg and a growing family, we're just really concerned that there hasn't been any investigation into actually how the traffic patterns of the local neighborhood—Northwestern, Carlisle, Windsor, you know, those side streets—how this project would affect those traffic patterns and also the runoff issues. Thank you very much.

Mayor Dennis said thank you.

Mr. Brad Fingland [2100 Carlisle Road] said you could be able to see my house, but I guess it's covered up by a bunch of trees in that picture. The reason I'm here, I wanted to say something nobody else has really said, and, I'm a graduate student, so I like to do a bunch of research. So I did research on the past properties. Gary Spillers, I guess, was CEO and founder of a company called Game Centers. And they're similar in type to what's going on here, except they don't include like the—I guess the restaurant and the hotel—just basically the condo. And so if you can imagine the condo and maybe some shops underneath. And there's four centers that they've built, these Game Day Centers. I can't remember all of them, but I talked to everybody, all the managers in each of these four facilities. None of them, absolutely none of them, have

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single family homes around the area. It's all in like a business district or, you know, they're applicable to that community, so there's, you know, it's not like a seven-story building and then right next to it is a little single family home. I think I sent you all an email, and it concerns me when you look at a city and you see homes, and then right in the middle of the homes, you see this big building, it just is out of place. And so looking at what he's done in the past, this doesn't seem to fit the pattern, and it's kind of questionable why they would want to do this now. That's all I have to say.

Mayor Dennis said thank you, sir. Mr. Parker.

Mr. Brad Logan [3117 Courthouse Drive] said the only fresh perspective I have is I'm actually in favor of the project. I'm interested in buying one of the units. I work for a company located in the Research Park. I've worked for this company for 20 years. I am interested in living in a luxury condo in this area. In the Lafayette area, there's only really one other opportunity, and that would be Renaissance Place downtown that I consider comparable. With the hotel, that brings other luxury amenities that, obviously, the Renaissance Place might not have. I'm a Purdue grad. I don't have intentions of a kiddie condo. I don't have any kids. I'm going to be living here 24/7 365 days a year, and when I retire, I'll probably live on the west coast or a warm climate for a few months and then live here the rest of the time. The project appears to be well planned. As far as my reasons for this living accommodation, I'm a busy professional, taking care of elderly parents on the weekends. I don't have time to maintain a home in the subdivisions that you have in this area. I hope you would consider the people around here that maybe would like to be here tonight, but didn't know of the meeting or didn't receive emails from their neighbors. Again, I think the track record of this development company appears to be solid. If you have questions, and I know you've had opportunities. I was here last week when we met. Thank you for considering the project. I hope you vote yes on it.

Mayor Dennis said thank you. Mr. Parker.

Mr. Al Parker said at last. This location of Family Inn has not always been the mess that you see there now.

Mayor Dennis said Al [Mr. Parker], address.

Mr. Parker [1015 Lindberg Road] said I live catty-corner from this project. At one time the Campus Inn was some developer's idea of the perfect location. And in the last 50 years, this shiny Campus Inn has been remodeled, rebuilt, reformed, sold, sold, and resold, buildings put up, some changed, some put down, uses were changed, things were changed on it. And you know something? Now it's time to put something new there, and one thing I've heard tonight that's consistent, everybody's ready for something new there. And that's something we can all agree upon. The key is building something that we're all proud of, without damaging what is good in the area. This sits, as you heard, in a very established neighborhood. There is people been living in that area for a very long time. It is stable. It's a very good neighborhood. Why, when this thing is so bad there? This project has—where the Family Inn is right now—the Family Inn as you have heard has got tons of police calls, tons of problems, yet you have a petition that we passed around of 80 or so of the people that live in the immediate area that are asking you to vote no on this. They see this problem every day. They're hoping that you will wait to find another project to come through. You all should have the signatures of all the people that live there in the area. Makes you wonder why they stay. Four times since 1969 a developer with a new idea for this spot has tried to rezone that R1 strip of land that's at the back of this property. And that is what you're looking at changing. Not only are you changing the

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General Business, you're looking at changing the strip of R1 property that sat back there since this original Campus Inn, Congress Inn, was originally built. And that was put there intentionally, to help as a buffer between the people that are there. Four times somebody's tried to rezone that. One of the times, the Area Plan Commission threw it out. Three times, the Area Plan Commission said, "You can change it," and three times the West Lafayette City Council said, "We should not change it." Three times the rezoning on this land since '69 has come to this Council, and this Council has voted no. They voted to protect the neighborhood. The refuse to rezone is not responsible for the sorry shape of the Family Inn it is today. It's a building more than 50 years old. By now it would have to be replaced anyway. That no vote to rezone, what it did do was protect the neighborhood. It showed that the people living around there that an R1 is an R1. You have your safety zone; it stays. That is why, to this day, you have homeowners that have lived there 20 years, 30 years, 40 years—on next to this property. I've got one lady that lives there 49 years, and her next-door neighbors lived there 50 years. They have seen it all come and go out of this. Good neighborhoods have always been an important part to West Lafayette. That's why we like living here. Now comes the promise of a new project, a promise of big money, with lots of talks of big dreams, very little talk of the reality of what this stabilized neighborhood is going to be facing. Progress in a good society, in a good city, does not have to be "help these taxpayers but hurt these homeowners." It doesn't have to be an either-or. It does not mean that we're going to get money for one neighborhood by hurting—money—or damaging another neighborhood. It does not have to mean, "Well, the developer wins, and so people that live in the condos win, but the neighborhood loses." It doesn't have to be like that. We can find win-win situations. I have faith in this town. We are a growing community. This is a great place to live, a great place to do businesses, and all over West Lafayette, we have nice, shorter buildings do a fine business. Two-story business, they're fine. You heard the main exception to what's going on here right now is the height of that building, and I'm not going to go much into that. There is an answer to this land that we can live with. But that seven-story condo is not going to be it. One of the tallest buildings in West Lafayette in the middle of a residential area? We can do better than that. We can grow with some class. We can grow with some common sense. Have some faith. We can develop this. This is not an issue that's going to be over with today's vote. You're impacting the life of everybody that lives in that area. They have all signed a petition that live in that area, 80 of them, asking you to vote no. And every day, as long as they live there, for those that don't sell and move out, they're going to be looking at your decision. Please make it a good one. Protect them. Don't harm this neighborhood. If you think that looking at the back of a seven-story building and a parking garage, a parking garage that the people parking on it are actually taller than your house. If you think that's not going to hurt your neighborhood, well you're dreaming. It is going to. If you have any doubt in the success of this project, if you have any doubt in the right of damaging some to get money for others, then please err on the side of the homeowners, please err on the side of the landowners that have been there and have stayed there, and vote no on this. This is a new beginning for West Lafayette. We have a new administration. We have many new department heads. We have a new Redevelopment Commission that's just starting up. Some of you on the Council, it's your first time up here, it's a new Council. This is a new start for West Lafayette. What kind of tone do you want to set? It makes no sense to have your first act to be damaging long-time homeowners. Do you really want your first act here to be hurting a neighborhood? West Lafayette needs to be developer-friendly, not developer-desperate. We are better than that. Putting a seven-story building in a one-story area makes no sense. That is desperate. This is a sick property. We all agree on that. I know that some of you are really struggling to find the right cure. You've talked to people here, and I'm sure you're wrestling with this. I suggest you take a lesson from the medical profession. A proven philosophy going back to ancient Greeks when it comes to seeking the right remedy. It is, "First do no harm." "First do no harm." We can have progress. Let's keep that in mind. "First do no harm." For the sake of these homeowners,

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for the sake of progress with some common sense, I ask you, take a lesson from your predecessors that have had this question before, and vote no on the rezoning. Thank you.

Mayor Dennis said thank you. Questions from the Council?

Councilor Burch said Mr. Mayor, whether one's for or against this development, everyone agrees that the current Family Inn is an eyesore. The sticking point seems to be seven stories. And we're talking seven stories next to an established residential area. The other projects that were built in Georgia, Florida, Alabama were in or near downtown areas that needed revitalization. Is there any kind of concessions that the developers can make to reduce the seven stories? Can they put more than one garage underground? Can they put a garage—take one of those levels and put it under the hotel? Put it under the cafeteria? Are there any concessions?

Mayor Dennis said I think that's a question for—

Mr. Bumbleburg said Mark [Mr. Hiatt] would you speak to the question of the neighborhoods in the other places?

Mr. Hiatt [Chief Operating Officer, Collegiate Ventures] said sure. I just happened to bring with me some printouts. You can very easily go on to Google, Google Maps, in particular, and look at the four addresses for our past projects. Both in Auburn, Alabama; Tuscaloosa; Athens, Georgia, and Tallahassee, Florida, and if you look at them very specifically, and I have copies of all of them here, all of our projects, while they were specifically in downtown areas, were immediately adjacent to residential areas, both single-family homes and multi-family developments, typically rental developments. It's true in two cases there were redevelopment opportunities for the immediate area once we came in, and that was part of the bonus, so to speak, that many of the development officials saw in those projects. So I appreciate the opportunity for individuals to do that analysis and show the Council what our past projects have done. But the truth of the matter is, in those four projects, we did go into areas that had a dominant residential component to them. As I said, in some cases single-family, and in other cases, multi-family.

Councilor Burch said just one more question, if I may. Thank you. Is there a guarantee that a hotel will be built to maintain these condos, so that they're looking nice? This is all one package? Is my understanding correct?

Mr. Bumbleburg said that's the nature of a Planned Development. It's all one package. By the way, I have here a set of the covenants which Mr. [City Attorney] Burns has seen, and which the Area Plan staff tells us that this is the tightest, stiffest set of covenants that they've ever seen. Having to do with things like binding of the occupants to conduct and that sort of thing. Your other question was, essentially, can we change it at this point? And the answer is no, not without starting totally over. That's, again, the nature of the Planned Development. I might also, if I might, Mayor, make some response. This has never been a four-story project. Everybody seems to forget that four stories of condo and then three stories of parking garages make the seven stories. I would point out that the concept of how you develop a piece of property and you go about it is that, after you get these kinds of plans, then you commence to begin the construction plans. And these are the very detailed plans. Our architects would tell you, one of whom by the way teaches an ADA course, that the ADA compliance is all built right into the construction plans. And I would leave Mr. [City Engineer] Buck who is here someplace to comment about how his people have to review that, and you have to abide by those rules. The

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detention was raised as a question. The detention here is going to be in pipes under the ground. It will then be measured out in the way that it goes out of this particular area across the golf course. The drainage ordinance of Tippecanoe County and its administration by the City also governs that particular issue. I guess we can wait for another project. We've waited since 1980. That's up to you. That's going to be a matter of policy for this City, but for us to continue to be told that we're in the middle of a residential area is an interesting observation, given the fact that on the corner, there's a gas station and across the street there was a dental office and across the street again, there is a golf course, and across the street there is the old grocery store and everything, and, in fact, we're on a State highway. So, you know, if we were smack-dab in the middle of the Town of Chauncey, that argument would carry some weight. But when you put it on a State highway, as we have here, you have a horse of a different color. Thank you.

Mayor Dennis said thank you, Mr. Bumbleburg.

Councilor Keen said Mayor, I have one comment. In conjunction with what Mr. Bumbleburg just said, I thought it was interesting when Mr. Marshall was reading in the newspaper article. I have a copy of it here. I just wanted to point out that it very clearly says that this is to be a four-story condominium building with 115 units above a multi-story parking garage. It does say it's a four-story condominium, but it also says that it is above a multi-story parking garage. So I do want—and that was back in October of '07 that that was listed. So I think it is kind of misleading to say that they have been misleading in their representation of the rendering of this project. But a couple things I really want to point out. And I would really like to ask Mr. Buck if he's here. I don't see him.

Mayor Dennis said he's here.

Councilor Keen said there he is. Would you mind commenting just briefly, I mean, it was brought up about, you know, no sidewalks and no ADA and all these kinds of things. Can you comment briefly on that, on how that is just an unstated part of any development, that there are requirements that have to be met that answer those questions.

City Engineer Buck said yes, there are some common elements of every project that are going to have to meet ADA requirements or just connectivity requirements that make sense for whatever the development is. From our first meeting of this, with these gentlemen on this project, we had stated we want to have a connection along Northwestern or in that near vicinity from property line to property line for pedestrians to continue walking either from this development or to wherever their destination is, whether it's to the north or whether it's to the south. One of the things we want to discuss in our meeting that we've scheduled for tomorrow is how to create a synergy with this project being the driving force, to finally get some momentum to get improvements at the intersection with Lindberg, in conjunction with INDOT, and make other connections, especially along the east side. Camelback has sidewalks, Windsor West Apartments do not. That's a small segment. Maybe that's a place where the City can step up and prioritize and get a sidewalk link across that frontage. We're currently designing improvements on Yeager Road, from US52 south to Northwestern. That's an opportunity the City could put in to the intersection at Northwestern and Yeager, improvements for pedestrians to get that link up by the Masonic Lodge connected down into the rest of this, so that we've connected things to the north. To the south, they've committed to work with Shell and, hopefully, with the intersection with INDOT's participation, we can get crosswalks on all four corners, possibly medians in 231/Northwestern to create a safety area for pedestrians to cross midway, because it is such a long distance. So this has been something that we have

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discussed, and there's a lot of things and thoughts in the workings, but there's not enough detail to really show anything they can commit to, other than that there will be a pedestrian link across their property in some way, shape, or form. Whether that comes in next to the restaurant or whether that's just parallel behind the curb, out near the road.

Councilor Keen said my point is, and I think you made it fairly well, is even though these items are not part of the renderings or part of the current description, by law these things have to be in place, in order for this project to fly.

City Engineer Buck said that's correct.

Councilor Keen said I mean, that's just a given. And I think that Chief Dombkowski, if I asked him to, comment about the same thing with traffic and traffic patterns, and how all of that is analyzed and determined, even though it's not part of the renderings and not part of the description now. This is all part of the whole process of this whole Planned Development or any development, for that matter.

City Engineer Buck said and this one, in particular. You guys have already talked at Technical Highway Committee—not yet? That is yet to happen. So they will have another public forum, the Technical Transportation Committee, which is a subcommittee of the Area Plan Commission will discuss this with INDOT after INDOT's review of the access locations that are proposed with this project, comment on those. And that will get into the overall neighborhood impacts for traffic, whether it be on Windsor, Carlisle, or Lindberg.

Councilor Keen said thank you.

City Engineer Buck said yes.

Councilor Roales said Mr. [City Engineer] Buck, I have a question. Can you talk a little bit about how your department would continue to approve this project as it progresses? Can you talk a little bit about, if it's approved, what the timeline would be and how your department would continue to have check off points on the project.

City Engineer Buck said sure. If this would receive zoning approval tonight, they would then be able to begin development of final detailed plans, which are basically construction drawings. Depending on their timeline, that could take several months, it could take a year, that's up to them. Once they submit those, our office would have ten business days to review those, put comments together, and a back and forth would then happen with revisions and things that they needed to do, to meet the requirements of the Planned Development as spelled out in the narrative. That's when things like sidewalks, square footage of the signs that they're going to propose, where the parking spaces are going to be—all of the detail that will actually be needed to physically build this development will be generated and created. As a part of that process, there will likely be dovetailing or streamlining a building plan set to submit to the State, for the State Building Commissioner's Office to review and obtain a State Design Release. And so when all those things come together, they get approval from our office on the final detailed plans, they then—there's one more step in the process, for Area Plan to pass a resolution, after all the utilities and administrative officer signs off on those plans. They submit a State Design Release, they submit the Certified Final Detailed Plans. That's when they begin the process to get a building permit, with my office yet again. And that's when we'll look at drainage and approve the Drainage Report and look at the final Traffic Issues, look at the final signage, and, for the last time, check off on everything before they're actually allowed to begin digging on that

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site and start construction. So there's a lot of back and forth and review and a lot of opportunity as these details become ironed out for our office to take a look at and work with them and keep them on track.

Councilor Roales said thank you.

City Engineer Buck said yes.

Mayor Dennis said anything further from the Council?

Councilor Hunt said I have a couple comments, if I may, please.

Mayor Dennis said Councilor Hunt.

Councilor Hunt said I'd like to talk briefly about the process that happened. As most of you know, in October there was a meeting in the basement of the Family Inn, and I was there and lots of neighbors from my district, which is Northwestern Heights, and also neighbors there that live on Carlisle and Windsor. And there were notes taken of the questions, the requests of neighbors, whether it was a fence or trees or the pool not being on the roof, and also parking that was a concern that there would not be parking on Windsor and Carlisle, and so there were lots and lots of questions. There were other ones, too. And then there was an APC meeting on, I think, the 20th of December, and there is a huge sign on Carlisle. I went by today, took a picture of it, as a matter of fact, that announced the APC meeting that was December 20, and also this meeting that's tonight. So it really was posted. In addition, many people got letters announcing this, the relevant people in the neighborhood. In the meantime, many of us have met with residents there in the area. I've spoken to Mr. Addison and the Marshalls and Mr. Parker and several other Council people did. I walked the R1 area today, got my feet a little muddy, but there was a lot of drainage in the yards that wasn't in the R1 area. I also went in the Family Inn over the weekend. That was an interesting visit. They were very nice. They told me the weekly rates and the monthly rates, whether it was with the kitchen or without a kitchen. I went in one of the rooms, looked out one of the windows. It wasn't a real nice view from the windows, either. There are a lot of honeysuckle trees that rim the area. They're defined as invasive species by the State of Indiana, and they might have berries and flowers, but they are invasive and they're not really desirable. A couple of other things I'd like to talk about in the process, I guess. I asked Chief Dombkowski and Captain Leroux to gather police data for me, and as many have heard me say this earlier, there have been 413 police calls in the last 24 months at 1920 Northwestern. That's a little more than 17 a month. That's many more than—there's a motel nearby the carwash that has had, I believe, 25 police calls in the past 24 months, and another larger hotel north of there has had 17 or 18 in the past 24 months. So that's convincing data. Those police calls have ranged from everything from stabbing to domestic violence to standby for evictions and a variety of things. I must admit the room, to me, looked pretty clean. I'm not a real neatnik, but it looked real clean, the room I went in at Family Inn. I've spoken to firemen and they make quite a lot of trips there for health reasons. This is a little bit more about the process has been repeated, but I'd like to say it one more time, and that is a seven-story building with no controls could be built there right now. I am concerned about the neighborhood. And I, first of all, thank all of you for speaking tonight. I hear your shaky voices and I know even the four years I've been on the Council it's a little intimidating to speak in front of an audience, and I think you very much for your concern and your eloquence. A little bit of repetition, but your eloquence anyway. So this is a very difficult vote for me. I've spoken to many people. A little bit more on the process, and that is that I've received 50 or 60 or 70 emails in the last several days, and quite a few phone calls. And the percentage of my calls and my

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emails have been about 64% in favor of this, and 37% or so against it. And I must admit the against are almost all neighbors. And that does concern me quite a lot. But I wanted to tell you that many of us have been involved in listening and gathering data outside of these hearings. A little bit more about the process, the December APC meeting, both Councilor Keen and I were there, and we listened to many of the concerns. But I stress it has been a lot of notification and then also one more point about the process is that that question and answer and promise to get back to the people from the October meeting, there was a packet, I think, mailed to people. There was a bit of a delay, but there must have been 20 or 30—I don't know how many meetings they had to revise the plan. And so the individuals involved did receive a packet, it was just somewhere into December, I believe. That's my concern and how I'm looking at this issue.

Councilor Truitt said Mr. Mayor, if I could say a few things. I echo Councilor Hunt's statements, and as an at-large representative, both Councilor Thomas and myself have the responsibility to look at our constituents across the entire City, and that's a little bit different than Councilor Burch, but at the same time, those individuals that live in this vicinity are also my constituents, but more importantly, they're members of the community which I love, the City of West Lafayette. But, you know, the process, I think, in the Area Plan report, it talks relatively clearly and succinctly the word "communication" is contained within that, and it talks about how important it is to communicate. I'm a little bothered by some of the emails that I received and I think at last count—I stopped counting today about 2 o'clock, and I was at 95 emails on the topic, and the majority of those are positive. But, you know, in these situations, you have to look at the Area Plan report, you have to look at the residents, you have to look at individuals that take the time to come to a meeting like this tonight, and I commend those individuals that not only attended but got up and spoke. You need to look at the current landscape environment from a standpoint of the overall picture as it stands today, is it positive or negative? You need to look at the needs assessment of the City. You need to look at problems in the area, both positive and negative. You need to look at the current situation and what potential problems could come with the proposed development. You need to look at the current zoning landscape, and I think that is a very important thing to keep in mind here. We have—I don't know what the exact percentage is, 80%?—is GB; is that a safe—? Roughly? Something like that? To me, that's very important. The petitioners that have tried to rezone in the past are the current owners of the Family Inn site, American Hospitality, and they wanted to put townhouses there and those were, I think, denied all three times back in that R1 spot, and then they tried to do another larger zone. We had a cleanup zone just recently at the Smitty's site. You know, there are certain telling tales in that area that is overall bothersome to me, to try to figure out what we can do in that sector that has a very unique makeup from an R1 and a GB, plus you have recreation right across the street at the golf course. So, I don't, I think Gale Kvam's email had a nice little quote at the bottom of it that I'm not going to quote Eleanor Roosevelt, but it just pretty much—I found it very fitting, because it said something like, "Do what is in your heart, because you're going to be criticized regardless of which way you vote." And that couldn't be any more accurate. So I just encourage everyone here, regardless of where you stand and where you sit to think about this and vote the way that you think is the right thing for the City and for those individuals that are going to be impacted, no matter where they live.

Mayor Dennis said any other comment? Is this a great way to have our first Council meeting or what?

Councilor Keen said I have one more comment that I want to make.

Mayor Dennis said yes, Councilor Keen.

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Councilor Keen said I think that—actually I have two things I wanted to say. One of the things that I just wanted to point out and really this is the crux of what it boils down to for me on this vote is that, even if we deny this rezone tonight, there's still a great possibility that you'll end up with a seven-story building there. All the current petitioner would have to do is move the building back about, I don't know, about 50 feet or so—I don't know what the exact measurement is, but it's not that far, and they could build the exact same thing without any approval from this Council. So the question in my mind boils down to what type of a project do we want to have here, and as far as what kind of control do we want to have over this project? With the Planned Development, we get a substantial amount of control over what happens on that property. Without the Planned Development, we don't. It's just that simple. The vote tonight is not a vote to approve this project. The vote tonight is simply to change the zoning to a Planned Development, which would give us the assurance that we can get a project on this land that we can all be happy with. There will still be a lot of processes that go on from this point after this vote tonight, to approve or disapprove this vote of the zoning change, and from that point on, if you have comments and concerns, let's continue to talk to the developer, because, as I said, this is not a vote to approve this plan. This is only a vote to approve the change in the zoning. And so I just wanted to make sure that people understood that.

Mayor Dennis said any further? Again, I appreciate everybody's comments. And I appreciate the fact that you did keep them brief. I know there's a lot of emotion involved in these sort of issues, especially when it involves quality of life issues. And both the Council and I do not take those lightly. But having heard significant amounts of interaction and discourse, we'll go ahead and put it to a roll call vote.

There was no further discussion.

When his name was called to cast his vote, Councilor Bunder said, Councilor Truitt, you sure you don't want to go first?

Councilor Truitt said I think that starting with B is the way to go.

Councilor Bunder said before I vote, just let me say that I think whether it was the Margerum administration, the Mills administration, or the new Dennis administration, or the members of this Council, none of us are interested in destroying neighborhoods in West Lafayette. I can't go home tonight if I do anything that looks like that. The question, however, is the urban density that's going to be a fact of life for us in West Lafayette. This is the first of three buildings of seven stories that we will consider tonight, and the question is not whether or not density will increase in West Lafayette, but how this community will deal with that increased density and what kind of urban development we'll be able to maintain. I think gives us our best shot to start doing the considerable amount of work on Northwestern Avenue. We keep the dentists, we fixed Smitty's, we fixed the Family Inn, and I suppose at some point the Windsor Apartments will age out and will need some sort of redevelopment out to a new Yeager Road, which is a part of the plan for this City. As we get a new ring road and a new 231. So I vote in favor of this.

When her name was called to cast her vote, Councilor Burch said yes, this is an extremely difficult decision for me to make. And having heard the evidence, having weighed the mitigating and aggravating circumstances, I will vote YES.

When her name was called to cast her vote, Councilor Hunt said I agree it's a very difficult vote, and I must vote YES.

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When his name was called to cast his vote, Councilor Keen said AYE.

When his name was called to cast his vote, Councilor Roales said I agree with Councilor Truitt's comments that there are a lot of circumstances that need to be weighed here, a lot of factors that need to be taken into account. I thank everyone that commented tonight. I vote AYE.

When his name was called to cast his vote, Councilor Thomas said just hearing Councilor Keen's comments about the fact that this is just a vote for rezoning and vote to approve this project—I have also received many emails and phone calls, and I listened to the citizens here this evening, and this is a tough vote, as a first Council meeting for newbie here, but I have to also vote YES.

When his name was called to cast his vote, Councilor Truitt said AYE.

Ordinance No. 2-08 passed on first and only reading, 7-0.

Ordinance No. 3-08 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect [UZO Amendment #56, Changes to Flood Plain Regulations] (Submitted by Area Plan Commission)

Councilor Keen read Ordinance No. 3-08 by title and moved that it be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Truitt.

Mayor Dennis said any discussion?

Councilor Bunder said Councilor Roales is momentarily indisposed.

Councilor Keen said well, I can make a couple of comments on this.

Mayor Dennis said go ahead, Gerry [Councilor Keen].

Councilor Keen said this ordinance is basically a housekeeping ordinance to discuss changes to the floodplain, and the ordinance that deals with that. The intent of this is to protect lowland areas and other areas adjacent to the floodplains. As I said, there's several pages of documentation on here. There are five things that I want to highlight on it. One, it will specifically prohibit clear-cutting in floodplains. Another thing it's going to do is limit wells and sewage facility construction within a floodplain area, and there's specific guidelines on how that would need to be done. It changes the description of how flood areas are described, and has a clarification on structures and uses that are allowed in the flood areas, and it describes the amount and type of fill necessary to construct in a floodplain. You can go through and read this, but that's a general synopsis of the whole thing.

Mayor Dennis said any other comment? Hearing none, any public comment? Hearing none, we'll go ahead with the roll call.

There was no further discussion.

Ordinance No. 3-08 passed on first reading, 7-0

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Ordinance No. 4-08 An Ordinance Providing For Temporary Loans From A Fund Having Sufficient Balance To A Depleted Fund (Prepared by the Clerk-Treasurer)

Councilor Keen read Ordinance No. 4-08 by title and moved that it be passed on first reading, and that the vote be by roll call. The motion was seconded by Councilor Truitt.

Mayor Dennis said Judy [Clerk-Treasurer Rhodes] would you like to comment?

Clerk-Treasurer Rhodes said this authority for temporary loans is simply a cash flow need, to allow for payment of insurance premiums in advance of the COBRA payments being provided by our third party COBRA administrator. However, as I noted to the Council, I'll be coming back to you for substantial temporary loan authority dealing with our operating funds next month. One note, the loans will be paid off by December 31. The loans have already begun. I'd very much appreciate two readings tonight. Thank you.

Mayor Dennis said comments from the Council? Hearing none, we'll go ahead with the roll call.

There was no further discussion.

Ordinance No. 4-08 passed on first reading, 7-0.

Councilor Keen said Mayor Dennis, I would move that we suspend the rules to consider Ordinance No. 4-08 on second reading. The motion was seconded by Councilor Truitt

Mayor Dennis said it's been moved and seconded that we to suspend the rules and hear this ordinance for the second time tonight.

The motion to consider Ordinance No. 4-08 on second reading passed by unanimous voice vote.

Councilor Keen read Ordinance No. 4-08 by title. I move for passage on its second and final reading, and the vote be by roll call. The motion was seconded by Councilor Hunt.

Mayor Dennis said discussion from Council? Discussion from public?

There was no further discussion.

Mayor Dennis said will you call the roll, please.

Ordinance No. 4-08 passed on second and final reading, 7-0.

Resolution No. 1-08 A Resolution Confirming The Designation Of An Economic Revitalization Area For Property Tax Abatement For Tapawingo Drive Partners, LLC **PUBLIC HEARING** (Prepared by Robert L. Bauman)

Councilor Keen read Resolution No. 1-08 by title and moved that it be passed on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Truitt.

Mayor Dennis said let's go ahead and set the public hearing. We need a motion.

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Councilor Keen said since we have the public hearing, will we vote on this tonight?

City Attorney Burns said yes, but you need a public hearing set.

Mayor Dennis said you need a public hearing set.

Councilor Keen said sometimes we do the public hearing without the vote, and that's why I was asking.

City Attorney Burns said we need a motion.

Councilor Keen said I move that we open the public hearing for Resolution No. 1-08.

Councilor Burch seconded the motion, and the motion passed by voice vote.

Mayor Dennis said public hearing.

Ms. Laurel Jizba [479 Maple Street] said is this the one and only public hearing on this?

City Attorney Burns said yes.

Ms. Jizba said okay, I didn't hear about any other. I'm concerned about development of land in a flood basin. Isn't this in a flood basin, and did anyone do—? I haven't read in the paper or heard anywhere that somebody did a study of how, in times of extraordinary river flooding, this is going to help the river. I've been concerned about the river, I'm concerned about the environment and the long-term life of the river from here to the Gulf of Mexico. So I want to hear about how the cars in the parking garage, where the garbage is going, if this has really been looked at, in terms of—not just in architectural and building event—but an event that changes the landscape permanently around a river plain.

Mayor Dennis said just for point of clarification, it's my understanding that this is not in a floodplain.

City Attorney Burns said correct.

Mayor Dennis said is that correct?

Councilor Keen said because there are restrictions on what you can and cannot put in a floodplain.

Mayor Dennis said you're absolutely correct.

Councilor Keen said and this would be something that would not be allowed in a designated floodplain area.

Ms. Jizba said okay. Who defines the designation of floodplain?

Councilor Keen said APC, I believe.

Ms. Jizba said who?

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Councilor Keen said the Area Plan Commission.

Ms. Jizba said the Area Planning Commission. Okay.

Councilor Keen said and the Zoning Board.

Ms. Jizba said the Area Zoning Commission. And is that a group that—who does that group report to, in terms of how they define something?

City Attorney Burns said you might suggest that those questions should be answered by the petitioner and by the City Engineer.

City Engineer Buck said this area once was in a floodplain, and it has been filled and certified by the Army Corps of Engineers to be out of the floodplain. And as a part of that process, the Area Plan has confirmed with the Army Corps what those boundaries are now, and that's how they adjust the zoning maps for floodplain-zoned areas, which this area has for many years—Mr. Shen, how many years has it been?

Mr. John Shen [owner of the property] said 30 years ago.

Mayor Dennis said you might—

City Attorney Burns said no, just let Mr. Buck—

Mayor Dennis said if you want to repeat it, so we can get it on the record.

City Engineer Buck said he said it's been about 30 years since that area has been filled and certified to be outside of the floodplain zone for the Wabash.

Mayor Dennis said okay. Thanks, Mr. Shen. Does that answer your question, Ma'am?

Ms. Jizba said sort of. I would only ask if, given the current conditions with environment and river quality issues, if there are new findings that need to be applied to this, because I'm still concerned that, okay, it hasn't been in the floodplain for 30 years, but it was for eons before that. And I still want to know if anybody has done a long-term study or any kind of study to show that this won't hurt the river.

Mayor Dennis said Mr. Buck or the petitioner.

City Engineer Buck said as a part of the Army Corps study, they look at the long term, 100-year flood occurrence, 500-year flood occurrence, and the elevations of the surrounding area and how much water is going to be generated at this location, generally, for the whole drainage basin of the Wabash River and how much water is going to be coming through here at that given time, take cross-sections along the river at 500- or 1,000-foot increments and that's how they do their certification. So it is a very long-range window of time that they're looking at that frequency of that flood and the potential for that flood happening. So, yes, it has been studied for that long window of time.

Ms. Jizba said okay. Well, I appreciate the opportunity to bring these questions up, and my questions, just for the record, have not just to do with the flooding, but pollution and effluent into the river, which is slightly different. Because I think you'll find that there will be a negative

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impact in some time. I can't say what that time is, but I do have some concerns about the population of a say, two seven-story buildings down there, with parking cars and that much cement on top of what should be ground drainage for helping get rid of the pollution that's coming off of the streets.

Mayor Dennis said okay, thank you, Ma'am. Will the petitioner address those other questions? Dave [City Engineer Buck] first.

City Engineer Buck said my good scout, real quick. One of the points that I forgot to make just a minute ago. As a part of the stormwater ordinance, we, within the last two years, adopted a new stormwater ordinance. The old one just had regulations, requirements placed on the quantity of stormwater. We've doubled our effort, and now we also have to have requirements on the quality of that stormwater—preconstruction, during construction, and post-construction. And as a part of the design of this project, they'll have to look at all three of those elements—what they're currently sending off the site now, both in terms of quantity and quality of the water that's leaving the site, what's going to happen during construction, and they're going to have to implement best management practices during construction to keep that sediment, that silt, that dirt that's stirred up when the rain comes along, to keep it from washing into the river, and then after construction, to keep oils and grits and things off the parking lot, things off the roof. Anything that comes off the site will also have to be collected and cleaned and maintained. So it is a relatively new element for us here in West Lafayette. Cities like Indianapolis and Fort Wayne have been doing it for several years, and the Phase II communities is probably what you've heard it called, was Phase I. Those are the smaller municipal areas of a population like we have here in Tippecanoe County. So it's kind of new to us, but it is something that's being put in place by the EPA, ultimately, to protect the Wabash River.

Mayor Dennis said thank you. Any other public comment? Okay, thank you. We need a motion to close the public hearing.

Councilor Hunt said so moved.

Councilor Keen said second.

The motion to close the public hearing passed by unanimous voice vote.

Mayor Dennis said now we move to discussion of the petitioner.

Mr. Bumbleburg said I'm in a little better voice than I was last Thursday. You know, Mayor, there is an old-time custom over here, that every now and then if you want to have some fun at the expense of Bumbleburg you can. And every time I look at those pictures, I think that the first meeting I came, Mayor Williamson was the Mayor, and the question was about sidewalks and everything, and somebody said you have to have that sidewalk, because the fire trucks come down that street. And I said to him, "Mayor, you know as well as I do that there hasn't been a fire truck down that street since it was built." And he grumped, and we went on with the meeting. The next morning about 8:30, my client called me and said, "By the way, do you hear that sound out the?" And I said, "Sounds like a siren." And he said, "Yes, that's what it is. Believe it or not, there's a fire truck coming down that street." And I always laughed, and Mayor Williamson and I always chuckled about the fact that it was amazing how the timing on that worked. So I invite you. You can go ahead and take a shot at me once in a while, it's fun.

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Mayor Dennis said no, sir, Mr. Bumbleburg, our past is too long and involved. I'll just leave it as it is.

Mr. Bumbleburg said oh, cut that out. You've heard a lot of our propositions at the caucus, and I would simply try the evening to tell you again, this is an economic development project that will put \$31 million of development into the City's gateway. It is a true economic development, as we might see it and look at the definitions in the ordinance. We sometimes think of economic developments in terms of salary, but if you really look at the definition, as I think Councilman Keen did the other night, you will discover that when you have a piece of ground like this, to restore it to use is also a form of economic development. I would also suggest that you must look at economic development in the sense of maybe the general area. And there were some questions the other night also about Wabash Landing. I guess what we're really trying to suggest to you here is that this is a piece of using an un-useful piece of ground, in order to bring to a greater area, a critical mass. And in that area, then you can also consider the work that we're going to do, the salaries that will be given, and what impact it has on the other parts of the area. There will be two hotels in this complex on Tapawingo Drive. It is, indeed, as you've seen, an open area. You have our renderings over there, showing both the area and what we propose to build on that particular area. And you've seen those before and all of you have driven by that, I'm sure. What Mr. Curtis has just done there is taken that down and has given you another one of our schematics, a drawing trying to start to figure out just exactly how you might use this piece of property. It's a potential site plan. Again, a six-story complex, 151 rooms under the SpringHill brand, 100 under the Fairfield brand. These are Marriott establishments. We need to make sure that we use the site correctly, and to do that, you've got to dig out 25 feet of construction stuff that has been placed there over several years, years of fill and it's construction fill, so far as we know. Although I suppose we could get down there and find others, but I suspect mostly what we have is bridge flooring and concrete. And what I know is when we were drilling, one of the engineers told me that it's hard down there and it was breaking the bits and it really is an interesting circumstance. But we have a circumstance where we'll have to dig out 25 feet. And to do that, that's going to cost a fair amount of money to get this all accomplished, so that this piece of ground can then be refilled and the ground can be properly packed and stabilized so that it can be used. That will cost approximately \$1,600,000 to do that. My client stands, at that point, some economic risk, because, again, what we know now brings all this about. What we don't know is what we might find 24 feet down in the ground. That's our risk under this circumstance. This project will add 50 to 60 new jobs for West Lafayette, and a payroll of about \$1,300,000 per year to the community. And so what we are able to do is take what is currently an unproductive piece of ground, turn it into a productive piece of ground, and fill out the area of Wabash Landing, Wabash Commons, those other two Planned Developments that are in the area. To speak more pointedly on the land itself, Mr. Shen who is the owner has spoken to you on several occasions, but I would invite John [Mr. Shen] to speak again, to tell you about this land and why we have to dig it out and fill it. John, please. The other thing I've got to say about this guy is he's hoping that we can get this done, because I know he'd like to go to Florida, right?

Mr. John Shen said Mayor Dennis and members of the City Council, I've been in this community 55 years. I have owned that piece of land with Fauber Construction Company many years ago, and six years ago I bought them out. Just for a very short summary, I'd like to tell you that the maximum tax that we pay is less than \$10,000 a year. That's after my construction of a retaining wall, which made a more distinguished property line between the street and this particular ground. This is the east end of a tract which we'd like to develop, but also at the same time, we have many proposals made to us. Fortunately, as the owner, we have a choice. The choice comes to try to benefit the City, as well as ourselves, as well as the developers,

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because it's not really a tax abatement. In the end, it's a tax increment, because you're having very little tax now. It's a win-win situation. It's not in a neighborhood. It's in a skyline with a background of Purdue University on a hill. When people come across the bridge, they like to see a nice building rather than—I could sell the land to anybody else, and they could have a two-story building with all the air-conditioning units on top. So, really, to me it's a win-win situation. Thank you for your consideration.

Mayor Dennis said thank you, sir. Comments from Council? Mr. Bumbleburg.

Mr. Bumbleburg said well, what I was going to do is say we have no further real formal presentation. You've heard a lot of it, and typically, you have questions, Mr. Curtis and our folks here would answer those questions if you have it. I think you've probably heard enough presentations this evening.

Mayor Dennis said well, it's good for me to work on my Roberts' Rules of Order. When Mr. Burns is whispering in my ear, he's—

Mr. Bumbleburg said and we can tell. But he's very able at it.

City Attorney Burns said let's make this really complicated for Joe [Mr. Bumbleburg], shall we?

Councilor Roales said Mr. Bumbleburg. This is a new rendering that we see here tonight. If I remember right, there's a sidewalk on what would be the west side of Tapawingo there, towards your property. Is that correct? Is there one there?

Mr. Bumbleburg said you know, frankly I can't remember. Is there?

Mr. Scott Travis [White Lodging Services, 6557 Bainbridge Way, Zionsville] said to answer your question, there is currently a sidewalk along the Tapawingo Drive, and that would remain, of course. Our civil engineer that drew this did not have that represented, but we would not be suggesting changing anything along that road.

Councilor Roales said okay.

Councilor Thomas said just a comment I had for John Shen. John, you and I have known each other for quite some time, and I commend you for your foresight, I guess, and vision in looking at the current use of this property that we're discussing this evening. Because I know that you could have done something else with this project. And this is the gateway from the east into West Lafayette. It will certainly enhance Wabash Landing, and I think it will bring more energy to that area than is currently there today. So, again, I just want to commend you for your foresight in what we're doing here tonight.

Mr. Shen said we'll come again for the rest of the 60% of the development, but we will not ask for abatement. Thank you.

Mayor Dennis said thank you, Mr. Shen. Other Council comments?

Councilor Roales said Mr. Bumbleburg, I assume that this would be fenced as well?

Mr. Bumbleburg said I'm sorry?

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Councilor Roales said you are the counsel for this project as well. This will be fenced during construction?

Mr. Bumbleburg said sure. Oh, yes.

Councilor Truitt said Paul [Councilor Roales], you know you're going to get a label as Fence Man.

Mr. Bumbleburg said are you in the fence business?

Mayor Dennis said however, good comments, though.

Councilor Roales said no. I think, you know, there's been concerns in the past about projects of this size not being fenced, and so just double-checking.

Mayor Dennis said it's very true.

Councilor Hunt said may I make a comment, please.

Mayor Dennis said sure.

Councilor Hunt said since this my fifth year on the Council, I will tell the story that I often tell to people that gets the most laughs. I've learned more about sewers and drainage and NPDES and construction rules you have to meet and—pre-operative I was going to say—preconstruction and post-construction inspections, and I'm very pleased with the City's progress with preventing pollution.

Mayor Dennis said any other comments from Council? From the public? Hearing done, we'll go ahead and do a roll call.

There was no further discussion.

Resolution No. 1-08 passed on first and only reading, 7-0.

COMMUNICATIONS:

► Councilor Truitt said Mr. Mayor, one of the important duties that we have as an elected body is to appoint a Council President to serve for a variety of different reasons, and I would like to formally make a motion that Councilor Ann Hunt be our Council President again for another year. So I'd like to place that official motion on the table for consideration.

The motion to make Councilor Ann Hunt the Council President for 2008 was seconded by Councilor Keen, and the motion was adopted by voice vote.

Councilor Hunt said thank you. I appreciate—this is an honor. Some busywork, too, but it's an honor, and I appreciate that. I'll work hard to fulfill this honor. Thank you.

Mayor Dennis said there is no doubt in my mind, Ann [Councilor Hunt], that you will work hard.

► Mayor Dennis said one other communication. I finally have hired an administrative assistant who's going to help me, obviously, with my duties. Her name is Betina Cochran. She's the lady in the bright green top. Thank you very much for attending tonight, Betina. Hopefully, they all

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won't go on this long. But we had some important business to cover. So, I appreciate your attendance. She'll be the one when you try and get me, that'll be the one you get first.

► Councilor Bunder said if I may, Mr. Mayor. First an announcement. And we fulfill statute if we do this. The City Council will be joining the West Lafayette Community School Corporation Board on January 23 at 6:30 p.m. in the Media Center of the Junior-Senior High School. Most of us will be there, and we have to tell people when we do that. So we have fulfilled our obligation.

Mayor Dennis said I think we have that as a motion.

Councilor Bunder said then I would so move that we announce that to the public.

The motion to meet with the West Lafayette Community School Corporation Board on January 23 at 6:30 p.m. in the Media Center of the Junior-Senior High School was seconded by Councilor Truitt, and the motion was adopted by voice vote.

► Councilor Truitt said I'd like to thank Dr. Killion [West Lafayette Community School Corporation Superintendent] for being here this evening and spending time. We look forward to talking with you and your Board in more detail here in a couple weeks.

Mayor Dennis said this is kind of payback for some of the long School Board meetings that I've attended.

Dr. Killion said I thought School Board meetings were exciting.

Mayor Dennis said riveting stuff here.

Councilor Truitt said we still have a whole other agenda to go through tonight.

CITIZEN COMMENTS: None.

ADJOURNMENT:

There being no further business at this time, Councilor Truitt moved for adjournment. Motion was seconded by Councilor Burch and passed by voice vote, the time being 10:17 p.m.

Respectfully submitted,

Judith C. Rhodes, Clerk-Treasurer
Secretary of the Common Council