

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
February 2, 2009

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on February 2, 2009, at the hour of 6:30 p.m.

Mayor Dennis called the meeting to order and presided.

The Pledge of Allegiance was repeated.

Present: Bunder, Burch, Dietrich, Hunt, Roales, and Thomas.  
Absent: Keen.

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, Police Chief Dombkowski, Street Commissioner Downey, Fire Chief Drew, WWTU Director Henderson, Parks Superintendent Payne, and Director of Development Poole.

MINUTES: Councilor Burch moved for acceptance of the minutes of the December 30, 2008, Pre-Council Meeting, and the January 5, 2009, Common Council Meeting. Councilor Hunt seconded the motion, and the motion passed *viva voce*.

COMMITTEE STANDING REPORTS:

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

I will share this report with Councilor Hunt. But I have a show and tell for the Council and for anybody else. My thanks to David Henderson for providing pictures of the roof of the digester. Not only do we have pictures—that's the roof going on the digester—we have blocks of material that form the roof of the digester.

Councilor Hunt said I've seen it.

Councilor Bunder said you've seen it. That concludes my portion of the report.

Councilor Hunt said Mr. Mayor, may I ask a question of Mr. [Street Commissioner] Downey?

Mayor Dennis said yes. Mr. [Street Commissioner] Downey, if you would, please.

Councilor Hunt said Mr. Downey, now and then, people come to me and say, "Why does the Street Department put that watery solution on before the weather gets bad?" You've answered that question before, but would you clue us in again, please.

Street Commissioner Downey said the watery solution is a salt water. Basically, we take the rock salt that we get for roads and we run water on it and make a salt water. There's an interesting article in your LTAP magazine—hopefully you got it at the same time—but there are six key benefits pointed out in that article. It reduces overtime, cuts down on salt use, lessens

liability, protects the environment, improves safety, and saves money. But the biggest item there is that, during rush hour or during the morning hours during school, seven trucks can't cover the entire City, the 86 miles. I'm able to go out ahead of the storm, like they're predicting flurries tonight, I'm able to go out this morning like I did, I'll put the brine down, and it's there and it's ready to act before the flurries or the snow comes. It gives us a head start. Plus the fact that, during rush hour, my seven trucks get trapped in traffic and I can't get anywhere. It helps out that way.

Councilor Hunt said thank you.

Street Commissioner Downey said any other questions? Thanks.

Mayor Dennis said just a comment, though. You've done a great job so far, especially the last pit of snow we had. What did you have—nine trucks out at 3:00 a.m.

Street Commissioner Downey said there were eight trucks, and one backhoe. There was 5½ inches, so we had to move pretty quick. The brine helped us quite a bit. It was helpful to get that down, so that we could get out and get to the snow later. And, of course, they didn't cancel school or anything like that, so that didn't help us any.

Mayor Dennis said no. They had a rush out there at 8:00 a.m., that's for sure.

Street Commissioner Downey said thank you.

Mayor Dennis said good job. Thanks, Dave [Street Commissioner Downey]. Are we good?

Councilor Hunt said thank you.

Councilor Bunder said can I report that I rode on a snowplow?

Mayor Dennis said hopefully, you rode in one.

Councilor Bunder said I did, right. Thank you. You're correct.

Mayor Dennis said bumpy ride out there on the blade.

Councilor Bunder said it was fun. Thank you. I'm done with that.

PUBLIC SAFETY AND ORDINANCE: In Councilor Keen's absence, Councilor Roales presented this report.

Thank you, Mr. Mayor. Two items of note from the West Lafayette Police Department this month. Last month [December 2008], we honored Michael Koning for our community beautification award, and recently he's also been awarded an Indiana Association of Chiefs of Police Beautification award for his continued service in removing graffiti. This is something that's had a very positive impact in District I, where we had a significant amount of graffiti. So, you know, his work is being recognized around the State as well, and that's something he certainly deserves. West Lafayette Police have increased their enforcement of school zones, as schools come back into session. That's something that's obviously important at all times of the year, but it's good to see the Police have a proactive approach to the work of those issues.

Mayor Dennis said also, Councilor Roales attended President Obama's inauguration. Do you want to say anything about that?

Councilor Roales said it was a good event, and I think we had maybe a dozen individuals from West Lafayette attend that. And got a chance to catch up with some Purdue alumni that are serving in the Capitol, an individual that works in Senator Lugar's office, and hear some of their concerns and their activity, as it relates to West Lafayette and the stimulus package. It was a good opportunity to reconnect and just hear some of the updates.

Mayor Dennis said great stuff.

PURDUE RELATIONS: Councilor Roales presented this report.

Thank you, Mr. Mayor. Two quick things to report. One is just kind of an anecdotal observation. This month was the announcement of the opening of registration of the new Purdue dorm, which has a price point of \$13,000 per year. This is kind of an observation I just want to present to the Council and the community at large, is that we have a new tier kind of apartments coming online in West Lafayette. I'd point out the Wabash Landing, where a single apartment can run up to \$1,085 a month. I don't know how that will affect our community, what causes that will have to planning development, police and fire safety, but that is something to observe and be aware of. I think that it's a trend that's relatively recent, but I think it's something that will continue, because, you know, Wabash Landing has been sold out. The building above kind of Boiler Market there on State Street has been very popular and has been in that similar price tier. And so I think we'll see continued development of that. I just bring that to the community's awareness, that we have a new tier of apartments being developed in West Lafayette. I'd also like to highlight an art event. I've often overlooked the art amenities that Purdue brings into our community. In conjunction with Black History Month, an art exhibit titled "To Know My Mother" is on display at the Black Cultural Center, 8:00 a.m. through 10:00 p.m. Monday through Friday. I'd encourage people to look at all of the art and culture events provided by Purdue, but especially that one, which is very good. Thank you, Mr. Mayor.

PARKS AND RECREATION: Councilor Hunt presented this report.

Thank you, Mr. Mayor. For those that dare to bare, the annual "Dare to Bare" ice skating event will be held February 6 from 7:00 to 8:30 p.m. That's where you wear your bathing suit and skate. It's really something. People are very brave. February 6, 7:00 to 8:30. Some are very creative costumes. Also, we have a new member of the Park Board. Richard Shockley was sworn in by the Mayor for a new term, after the resignation of Paula Woods. Paula Woods has been on the Park Board for quite a while. As many of us know, she's a local expert on local history in this County, and has written articles in *The Journal and Courier*. On the Park Board, she had a particular interest in the Wabash River, and so she was involved in some of the enhancement projects. One other thing is that there are volunteer members of the AARP who will be at Morton Community Center through February, to help individuals with taxes. I think all of us can need help with the taxes, whether we'll on some approval track at the National Capitol or other places. You need to call Morton for an appointment, for working with one of these volunteers. That number is 775-5120. The next Park Board meeting will be February 23 at 4:30 p.m. in City Hall. That ends my report.

Mayor Dennis said thank you, Ann [Councilor Hunt]. I'd also like to extend my thanks and deep gratitude to Paula Woods. She served the Parks Board for 14 years. A lot of the things that

people do in public service go without notice or thanks, and I would not like for her to think that we didn't appreciate all that she did and extend our heartfelt gratitude for her service. She did a great job, and she did great service to our parks.

ECONOMIC DEVELOPMENT: Councilor Thomas presented this report.

Thank you, Mr. Mayor. I'd just like to report that your City's Development Department is working diligently with the organizations involved in the Champion's Centre project and the old K-Mart locations to try and come up with creative solutions for moving those projects forward in some very tough economic times. That ends my report.

Councilor Bunder said could I ask a question to Gerald [Councilor Thomas] or Chandler [Director of Development Poole]. Is the new Purvis restaurant next to Wendy's mean that the Pizza King leaves the K-Mart Plaza?

Mayor Dennis said Chandler [Director of Development Poole], would you please come on up?

Director of Development Poole said yes.

Mayor Dennis said the project itself—Mr. [City Engineer] Buck is unable to attend tonight; he's suffering with what a lot of us have been exposed to, bugs, viruses, whatnot—but they've just broken ground. I believe they've got the foundation in.

Director of Development Poole said yes. They're working on it now. They will actually move from that location over to here. It will be more of a Sorrento's Pizza King concept. I don't know what Sorrento's is; it was before my time here.

PERSONNEL: Councilor Burch presented this report.

No report tonight, Mr. Mayor.

BUDGET AND FINANCE: Councilor Hunt presented this report.

Councilor Hunt said thank you. The Budget and Finance Committee met last Wednesday, and we had good discussion, had some ideas about what we'd like to do over the year, and certainly starting the budget process early, looking at the report from the graduate student study on Pay-as-You-Throw, and overall starting the budget early. I'm glad we started, and we anticipate meeting regularly. Thank you.

REPORT OF APC REPRESENTATIVE:

In Councilor Keen's absence, there was no report.

ORDER OF BUSINESS

Mayor Dennis said we have loads of Police officers here, and they're here for a very special reason, so, on the approval of the Council, can we go ahead and move the agenda item.

By consent of the Council, the order of business was changed.

2008 Police Officer of the Year Award: Police Chief Dombkowski presented this award.

Police Chief Dombkowski said thank you, Mr. Mayor. I appreciate you moving this up in the agenda. We do have some officers that are on duty this evening. I want to get them back out on patrol as well. This year, the Merit Board instituted an Officer of the Year Award, and we're

happy to be able to award that for the first time in our Department's history in this calendar year for the 2008 year. The citation that was written for the award winner was from Sergeant Watson. I'll go through some of the highlights of that citation that he wrote on behalf of Officer Wiete.

Officer Wiete is a top producer for the West Lafayette Police Department. He is a well-balanced officer in his enforcement efforts, having high traffic enforcement contacts, over 380 this past year, and over 80 criminal arrests, including double-digit felony drug arrests. Officer Wiete is a Field Training Officer, who has performed more weeks of instruction to our probationary officers this past year than any other Training Officer. Officer Wiete is also a member of the Department's Special Response Team.

Sergeant Watson cited Officer Wiete's strong work ethic, his aggressive approach to making the City safe for all, as a prime example for his peers to follow. I'll call up Dr. Corrigan from the Merit Commission, so that he can actually present that award with me. It is with gratitude that I present this award for Officer Stason Wiete, the 2008 WLPD Officer of the Year.

Officer Wiete said I don't have too much to say, except thanks. I'm honored. I just do my best every day out there on the road, do my job, and put 100% into my job. I'm lucky enough to love it, and there's nothing else I want to do. Hopefully, my numbers or activity will be better next year than they were this year. Thank you. I'm very honored.

Officer Wiete introduced his wife, Lesley and noted she is a Sergeant in the Purdue University Police Department. Mrs. Wiete said, "We're very proud of him."

Mayor Dennis said we're all very proud of him, too. Congratulations.

STATE OF THE CITY ADDRESS: Mayor Dennis presented this report.

Good evening. It is my honor to be here to present the State of the City of West Lafayette. As 2009 begins, our optimism must be tempered by the economic crisis facing our nation and world. Our optimism is well-placed on the quality of our citizens, a relatively strong local economy, and the dedication and commitment of City employees. Fortunately, we began restructuring City finances and streamlining City departments early last year. We had a head start on the frugality, which has now been imposed on most everyone during these tough financial times. I am confident that focused, economic common sense will continue in West Lafayette government, with the leadership shown on this Council and the work of our Clerk-Treasurer and the department heads. Despite any financial challenges, we will always focus on serving our citizens and improving the quality of life in West Lafayette. Our first job is to keep citizens safe and secure as they go about their daily lives. West Lafayette's Police Department had a productive and challenging year. Under the leadership of Chief Dombkowski, the Department's training, morale, and transparency to the public have increased dramatically. Challenges have been faced with openness and accountability, and a sincere desire to make improvements in all areas. While calls for service were up 6%, criminal arrests were down 22%. A year-long commitment to alcohol awareness, education, and partnering with other agencies and local businesses resulted in a 35% decrease in alcohol-related arrests in 2008. Our message is definitely being heard. Twelve Police commanders received intensive management training through Northwestern University, and the department made huge strides in becoming digital in its communication, enforcement, and record keeping. Public access to the Records Division was increased, with the department staying open until 6:00 p.m. on weekdays. The Fire Department had a 3.5% increase in runs compared to last year, with almost 1,600 runs made in 2008. Fire Chief Drew oversaw the refinement and adjustment to the services required

in the annexation area. Six firefighters moved up from entry-level to Firefighter Second Class, and movement within the command structure insured that the right people were filling the best positions for their skills and abilities. Good fire protection costs a great deal of money and the Fire Department was fortunate to have received a \$142,000 grant from FEMA and the Department of Homeland Security for the purchase of new self-contained breathing apparatus. West Lafayette is soon to roll out a brand new, intuitive, highly interactive City website to increase citizen communication, promote our community, and allow on-line payments for City services. Featured prominently on this website are the prized examples of what makes West Lafayette such a great place to live: our neighborhoods. We are fortunate to have such an excellent collection of neighborhoods supported by effective and well-organized neighborhood associations. To help protect our neighborhoods, this Council moved decisively to make changes to the Ordinance Violations Bureau to deal with the most pressing challenges to our neighborhoods. The changes to the Ordinance Violations Bureau will increase the speed and effectiveness of solving neighborhood problems. In the 2008 reporting through November, 426 actual violations were observed. The good news is that 98% of these violations were remedied through personal contact, with only nine violation notices being issued. During 2008, 13 over-occupancy cases were investigated. Of those, two were determined to be in violation, both of which were remedied without the necessity of court action. West Lafayette takes code enforcement seriously, to insure neighbors respect one another and the neighborhoods in which they live. Early in 2008, our City was fortunate to land a new Director of Development, Chandler Poole. Under his leadership, the Department has undergone a restructuring and emerged stronger, more efficient, and focused. While many communities reel from the swirl of our current national economic crisis, our Department of Development views this as a time for opportunity to become partners with developers, companies, and those seeking to move to our community. We have taken our "show" on the road to Indianapolis and Chicago, to market our community to decision-makers far and wide. The intrinsic strengths of our community make us a safe haven for investors to consider. Our close relationship with Purdue University and Purdue Research Foundation continues to pay dividends. The Innovation Center at the Research Park continues to develop, an investment group from Seattle has placed a significant property under contract, and the CTS building has been sold to an intranational investment group. As we all know, the Redevelopment Commission worked very hard to help recruit EDS to the Research Park. EDS is projected to have over 250 high-paying jobs, many of which will be recent Purdue graduates. Site acquisition is completed on the former Burnham's property that will house the Purdue Crew and public watercraft boathouse. As a City, we will continue to assist projects such as the hotel on Tapawingo Drive, the Swiss development at the old K-Mart location, and the Champion's Centre. New development will always help keep taxes low. We must do all we can to insure the projects are ones that we all can be proud of. Our Department of Development also oversees the Community Development Block Grants. In 2008, New Chauncey Housing was able to acquire 11 properties and repair one. Six out of the 11 acquisition projects were resold in 2008, with another two sales pending. This program is doing its part in slowing the tide of conversion from single family to rental housing which threatens all of our neighborhoods. CDBG funding in 2008 provided for nine public service agencies, helping 2,900 people with housing, elderly support services, domestic abuse prevention, and individual self-sufficiency. The Department of Development has been involved in many projects including the planting of 260 trees, sidewalk and curb replacement on Salisbury street, completion of the Lincoln Street Park, sponsorship of Art on the Wabash, graffiti removal, and page after page of other projects too numerous to mention. Seeing snow, some people think of sleigh bells. I think of [Street Commissioner] David Downey and his hard working crews. In 2008, the Street Department did an excellent job of controlling the more than four feet of snow that fell on City

streets. When not removing snow, the Street Department removed over 1,000 tons of leaves, spent 1,100 hours patching potholes, and 1,700 hours sweeping streets. Last year, less trash went to the landfill and 13% more material was recycled by West Lafayette citizens. As you know, the two are related and increasing recycling and decreasing trash to the landfill is a good thing for every reason—financial, environmental, and otherwise. On top of this, more than 700 tons of brush and yard waste were composted—the most natural and basic form of recycling.

Making wise environmental choices must always be part of every decision made by the City of West Lafayette. The very structure of City departments is being changed to protect the environment. Led by [Wastewater Utility Director] Dave Henderson, our Wastewater Utility serves as a model for Indiana. The long-awaited digester project is nearing completion that will allow the Wastewater Utility to produce energy from what used to be waste product. As a part of the comprehensive environmental plan for the City of West Lafayette, the Wastewater Utility has, for the first time, provided significant funding to the Street and Sanitation Department. These departments work together to manage all types of waste efficiently and economically. By using the Wastewater funding source, the citizens get a cleaner City with no rise in taxes and no rise in user fees. My thanks to my fellow Board of Works members who keep a close eye on the Wastewater Utility finances. With a bank president and an accountant on board, you can be sure our Wastewater funds are being managed wisely. Where would we be without our parks and trail system? Parks Superintendent Joe Payne and company had another banner year. Our pool got a face-lift, the Cumberland Tennis Complex got a new shelter, Lincoln Park is completed, and, most significantly, during 2008 the Peck-Trachtman Park was dedicated, a fitting tribute to two men so thoroughly committed to our parks. Wabash Heritage Trail extensions are in the works and another trail extension occurred near Friendship House North. The Sagamore West Farmers' Market has really started to produce. More farmers, more marketing, more events, and more customers and on-lookers occurred in 2008. West Lafayette is a great place to be if you want to ice skate, play soccer, baseball or basketball, participate in adult softball, dance, swim, adopt-a-spot, fish, see art, buy art, de-trash the Wabash, plant a tree, row a canoe, or pull garlic mustard. With all this going on, citizens and staff will be pleased to use the new City website to register and pay for all this marvelous activity online, starting this spring. As you can see, there are lots of things happening in your City government, which serve the citizens and make life for everyone more enjoyable. Pick any day and pick almost any activity or project in the City of West Lafayette and one person you will see involved is our City Engineer, Dave Buck. If it needs to get done and no one else knows how to do it, our City Engineer and his staff are there to help. As always, the Engineering Department has a very full plate with more always on the way. Salisbury Street widening and the related Burtsfield demolition represent an excellent cooperative effort between the school system and the City to save money and time for both. The Sycamore Street traffic improvements and Cumberland Avenue renovation are in the advanced planning stages. Lindberg Bridge represents both a major engineering undertaking, as well as splendid cooperation between the City of West Lafayette and Tippecanoe County. For only the second time in history, the County Bridge Fund will be used to pay for a bridge within a city. This arrangement makes excellent sense for our entire community. I take very seriously my accountability for ensuring the citizens receive information about the stewardship of City assets and our performance. We have implemented unprecedented transparency in City administration by making it easier to learn about the City's actions and use of your tax dollars. We made the Board of Works agenda public for the first time and we electronically post all items under consideration, including listing every claim on City dollars. The 2009 budget was presented with a new format that provided supporting detail on every proposed line item. The Budget and Finance Committee has already met, to review the report on budget variances from 2008 and begin to plan for this year's budget process.

West Lafayette has a history of providing excellent services at a very reasonable cost. But these days, it is more important than ever to ask, "What is the most cost effective way of doing the people's business?" We in West Lafayette are fortunate to have the steady hand and sharp pencil of our Clerk-Treasurer Judy Rhodes. We are also lucky to have spent 2008 planning for a different, more frugal financial model for the City of West Lafayette. We have had great success in trimming City expenditures. For the first time in four years, the City is in the black in its operating fund at a positive \$300,000. In comparison, the City's deficit spending grew to more than \$500,000 of red ink in 2006 and over \$700,000 of red ink in 2007. The combined General Fund and Rainy Day Fund at year-end 2008 were at over \$2 M, which is 19% of our General Fund budget. This cash balance is vital for the City to meet its obligations in the coming year, or to see the City through uncertain financial times. Most of the credit must go to our department heads who exercised an amazing skill in spending restraint. We must keep the City savings account in the black. We are beginning 2009 with a budget that is lower than 2008. The 2009 budget reflects spending reductions across all departments, more efficient practices from how we organize our functions to how we purchase insurance, protect our capability to deliver and enhance quality City services. The citizens should be proud of this Council for passing such an historic and necessary budget. While all of this is good news, we still face significant challenges in the upcoming year and beyond because of a structural deficit in our City finances. In short, over many years, we have spent more than we have taken in, and our revenues cannot keep up with the commitments that have been made in the past. Since more than 80% of any City budget is personnel, it is not surprising that the financial imbalance comes in a large part from the new employees hired in order to serve the newly annexed area. While in 2008 this Council was unable to muster a majority to pass an annexation appeal, we must as a Council and as a City continue this conversation this year. To maintain the excellent services that we provide to all of our citizens, we must address the need for more revenue to cover the cost of the newly-annexed area. Excellent services are a given. Frugality in providing those services is a given. The challenge we face as a City government is how to provide sufficient revenues to restore health to the overall financial structure of the City. Our quality of life begins with stable City finances and excellent City services. Once these basics are covered, the quality of our people truly makes the difference. With citizens like [Councilor] Ann Hunt and Lynn Layden planting the seeds, our people harvest national awards like America in Bloom. We are all proud but slightly bemused by our City's selection as the 6<sup>th</sup> "smartest place" in America. And we all share nothing but pride for West Lafayette High School's recognition as best in the State. We are justifiably proud to be citizens of West Lafayette. I look forward to the upcoming year and working as one to provide our City with what it must have to continue to thrive. I thank all of you for the opportunity to serve this great community as Mayor. Thank you.

SPECIAL REPORTS:

Bylaws of the Go Greener Commission: Councilor Bunder presented this report.

Go Greener Commission chair Diane Damico said the bylaws, you all should have a copy of it. Our Commission worked with Mayor John Dennis to come to some agreement on the language of those. We're pretty excited to work for the City, and we're ready to go to work. I don't know if there's any questions.

Councilor Dietrich said I have a question. I'm curious about the logic of five voting members of the Commission including non-City residents.

Ms. Damico said we think the environmental impacts of what we're working on can't be restricted just to a political area, but it's more geographical. So if we're working on, say, Wabash River concerns, we'd want to pull in people from outside the area to work with us.

Councilor Dietrich said couldn't we accomplish this same idea, using them as resources, as opposed to voting members?

Ms. Damico said well, maybe not. Because what we are hoping to do is to write policies that would affect all the inhabitants of the area, so we have over 125 current members. They're all resources, but we thought they need to be able to have some input, whether they live outside West Lafayette in the County or not.

Mayor Dennis said actually, I believe the makeup of the Commission is already been established by ordinance.

Councilor Roales said I would just provide some background that, you know, when I was reviewing that part of it, I had questions about that, too, but I was reminded that the 11,000 students that live in the Purdue dorms are outside the City limits of West Lafayette, but they play an integral role in the community of West Lafayette. And so for members of Purdue Student Government or other student leadership organizations to play a role in this group, you know, it's helpful to have some of those exemptions. So it's kind of my thoughts on that area, as well.

Ms. Damico said one of our current Commissioners is a Purdue grad student who lives in Lafayette.

Mayor Dennis said other questions of Ms. Damico?

Councilor Burch said yes. I have some questions, Mr. Mayor. Diane [Ms. Damico], under Article 5, number 3, what are your sustainability indicators?

Ms. Damico said we've put together a possible list and haven't decided yet which we're going to use. We have about 100 metrics that we're checking on. And they're also depends on what other City projects are taken on. For example, we're working with department heads on the "Clean Community Challenge" with IDEM. Parks, Wastewater, and Street departments are all choosing their own projects, so those metrics would probably be measured through theirs, and the Commission itself would probably take on something else.

Councilor Burch said okay. A couple more questions. Article 5, item 6 and item 7. Item 6, "to research and apply for grants or other funds or gifts from public or private agencies." And number 7, you're talking about the Mayor appointing a staff liaison. Then it says that "the liaison will research and pursue funding opportunities."

Ms. Damico said well, for example—

Councilor Burch said they're the same thing. Why are we having the liaison person do that, as opposed to folks on the committee?

Ms. Damico said well, for example, this week—Chandler Poole is our liaison—and he and I will be attending a webcast about a rather large grant. So we're not quite sure how we would break

that down, but I think, in general, it's saying that, if we have an opportunity to try for a grant, we could. So could the City staff.

Councilor Burch said all right. And is this going to cost the City any money?

Ms. Damico said it hasn't yet.

Councilor Burch said thank you.

Mayor Dennis said other questions of Diane [Ms. Damico]?

Ms. Damico said okay.

Councilor Hunt said Mr. Mayor, there were some amendments added. I think everyone has a copy, both at your table, and maybe we'd gotten them earlier. I'd like to move that we accept those. Eric [City Attorney Burns], give me the right wording.

Mayor Dennis said the right words would be, "move to accept the bylaws as amended."

Councilor Hunt said yes, as amended.

City Attorney Burns said and I think you could take it as consent of the whole body, but I think generally the resolution is the better way to do it, because then it becomes a permanent part of record, showing that these bylaws were approved. I don't know whether the intention was to bring them for action tonight, or to give a presentation on them, have some discussion, and then presumably have a resolution to approve. The main reason that you do it that way is so that you have a good record through time of resolution so-and-so, as opposed to a motion from the floor.

Councilor Hunt said okay.

City Attorney Burns said I would think, unless there's a press on time, that that would be the preferable method.

Councilor Hunt said you mean you want us to wait—this is like a pre-information, and vote on it as a resolution next time?

City Attorney Burns said I think that would be a better method. You could, by consent of the whole body, do it otherwise, but I think that's probably better to get a numbered resolution from a Council member or from the Mayor and move it forward at the next meeting. I don't know what the time sensitivity is, though.

Ms. Damico said I would say we would keep meeting and doing what we're doing. I had assumed that the discussion would be at Pre-Council, but was aware that it wasn't held.

Councilor Bunder said how was the Merit Commission written into the City's practices, or the Traffic Commission, to the extent that they have bylaws. One of the reasons we did it this way is because we're not quite sure what this is. The resolution that created the Go Greener

Commission had, as an amendment, that the bylaws would be approved by City Council. But we weren't sure what that meant, so that's why it's here tonight—

Ms. Damico said right. The organization—

Councilor Bunder said and whatever form is your pleasure, we're happy to do that. It is not the ordinance. I suppose it could be a resolution. You could receive a report on the bylaws as they were approved by the Commission created by Mayor and Council. If there is a history—my question is, if there is a history, let's do it whatever way we've been doing it. I simply don't know what that is.

Mayor Dennis said okay. I'm not sure on that either.

Councilor Dietrich said I believe the bylaws from the Police [Merit] Commission is that once it was decided to have a Merit Board or a Commission, it's said in the statute how that's going to play out. I think that's a little different animal, but the decision of the City was, "If you're going to have it, then it's laid out by statute."

Councilor Hunt said but if I remember—excuse me, if I remember, and I think it was one of the first one or two Council meetings I was on at my previous term, I thought we approved the bylaws as a Council for the Police Merit Commission.

City Attorney Burns said yes, and that's part of State statute. That is required by State statute.

Councilor Dietrich said it doesn't sound like it's going to stop your operation anyway.

Ms. Damico said it hasn't yet.

Councilor Dietrich said don't let us get in your way.

Mayor Dennis said so what's the preference of the Council? How do you want to go?

Councilor Roales said I think the resolution is the proper.

Mayor Dennis said okay. So we'll go ahead. You'll submit a resolution next month. But you don't have to present again next month anyway.

Ms. Damico said I'll just come hang out.

Mayor Dennis said thanks, Diane [Ms. Damico], and thanks your hard work in getting these things out.

There was no further discussion.

Traffic Commission Report: Councilor Burch presented this report.

Thank you, Mr. Mayor. This is where I'm going to make up a lot of time. Sit back and enjoy. I'm going to give you a summary of some of the things that we have done, not everything and not the intimate details, but I want to bring the community up to date on some of the issues that have been discussed at the Traffic Commission over the past eight months. We have been

busy. We've discussed several mid-block pedestrian crossings. The first location we are looking at is Grant at North Street, just north of North Street. The second location is Columbia and Northwestern. These crossings are still under discussion. The City Engineer's office has completed several speed counts along Kalberer Road. The speed limit on Kalberer from Morehouse to Salisbury was 40 mph and it was 30 mph between Salisbury and Soldiers Home Road. The speed limits on Kalberer are now all 35 mph. West Lafayette City Judge Lori Sabol requested that the Commission revise the expiration date of the annual Neighborhood Parking Permit Program. The current September 1 to August 31 program dates are difficult to match with the August-to-August leases. Mr. Buck suggested an August 31 expiration date with new permits being issued beginning August 1. The entire month of August would then become an overlap period. The new renewal dates for the Neighborhood Parking Permit Program will be effective this next school year, beginning in September. The City did two "red light camera" studies, one at the intersection of Stadium and University, the other at Salisbury and Lindberg. One study was done in the summer, the other in September when the students returned. Although a number of cities, including West Lafayette, would like to have red light cameras, the State Attorney General has ruled they are illegal. They are in conflict with State laws. Under Indiana law, municipalities may not impose regulations that conflict with State law. With the demolition of the Burtfield School, the Salisbury Street Safety Improvement Project can begin this spring. Lindberg and Salisbury will have a new traffic signal with pedestrian crossing signals, new sidewalks, and ADA ramps. There will also be new pavement markings and shorter crosswalk distances. The Sycamore Lane Traffic Calming Project has an April start date. This project includes new curbs, sidewalks, and bump-outs. The Parks Department has received a federal grant to extend the Wabash Heritage Trail along Happy Hollow Park, Happy Hollow Road, and North River Road. The project includes adding a retaining wall where needed and adding a trailhead in Happy Hollow Park. Our City received funding to participate in the Safe Routes to School Program. The program establishes two types of funding opportunities: Infrastructure projects, such as engineering improvements, and non-infrastructure projects, such as education and enforcement. We have implemented a Safe Routes to School Program for children attending Cumberland Elementary and Happy Hollow Elementary Schools. The City of West Lafayette was awarded two grants in 2007, one for school zone beacons and pedestrian crossings [\$250,000], and the other for developing a master plan for Safe Routes to School Activities [\$71,000]. That concludes my report, Mr. Mayor.

PUBLIC RELATIONS:

West Lafayette Community Beautification Award: Councilor Bunder presented this report.

Thank you, Mr. Mayor. With pleasure. I am happy tonight to present the West Lafayette Beautification Award for February 2009 to a resident of the Second District, Mr. Thomas Kesler. Mr. Kesler is a legend in our neighborhood. In the year 2000, Thomas Kesler began to voluntarily pick up garbage in the block around his home. He later expanded his self-assigned task to picking up garbage in the nearby alley. In 2006, he further expanded his task and picked up garbage in every alley in New Chauncey Neighborhood. The garbage he has collected includes foodstuffs, more than 30 tires, six car batteries, and immeasurable recyclables. In 2006, he met a man with a truck. The availability of the truck allowed for the pickup of concrete rubble, really heavy concrete rubble. One cleanup of three lots resulted in six truckloads of rubble, and also an acute attack of poison ivy for Mr. Kesler. Mr. Kesler and his anonymous truck owner deliver the rubble to American Paving & Asphalt in Lafayette, Indiana, and, for a fee, that business accepts brick-free concrete rubble. Mr. Kesler always requests written permission to collect the rubble, if it is on private property. After more than 120 requests for permission, Mr. Kesler has only been rejected three times. Thomas Kesler

continues to pick up garbage, cigarette debris, and concrete rubble, and all of his neighbors appreciate his effort to maintain a cleaner neighborhood and cleaner waterways. I am delighted to give our February 2009 West Lafayette Beautification Award to Mr. Thomas Kesler.

Mr. Thomas Kesler [479 Maple Street] said I thank the City of West Lafayette for this Beautification Award. This recognition affirms the City's concern about its public appearance. I thank some of the students of Purdue who participated in the New Chauncey Clean Sweep in 2007 and 2008, and who helped with six of the 22 truckloads of material to leave New Chauncey. I conduct this effort to raise awareness about the material left in alleys and not removed by regular collections. I also wish to raise awareness about garbage on the ground in alleys, and hope that West Lafayette will promote the benefits of tight-fitting lids in 2009. We should continue the effort to prevent litter from reaching the River from New Chauncey. Thanks for listening and thanks for the award.

Mayor Dennis said and Tom [Mr. Kesler], thank you also very much for the informational letters. They provide great guidance. I appreciate that.

FINANCIAL REPORT: Clerk-Treasurer Rhodes presented this report.

The Council has received its financial reports for January. Our final settlement for 2008 property taxes, income taxes, and certain excise taxes is still pending. We expect that settlement will yet be made in the first half of this month. Part of the process in making the final settlement is making a determination on the TIF District distributions. That evaluation has gone very well, and once that is completed, the Auditor is able to move ahead with the final settlement. We have received advance draws for approximately 80% of our expected collections. Nonetheless, we currently carry \$1.135 million in loans from the Wastewater Utility this year, to meet the operating expenses in the General Fund and the Parks Fund. O.W. Krohn & Associates has been working on Wastewater Treatment Utility accounting issues, to improve its management reporting and ensure conformance to accounting standards. We expect a presentation on their progress to date this month to the Board of Works with a new monthly report format. The annual report review to the Council will occur at the end of the first quarter. Our State Board of Accounts audit is scheduled to begin later this month, which is later than usual for our City. Their audit schedule has been impacted by extensive risk assessment required to comply with new internal control evaluations. This is the first year that is being applied across the board, and it is causing great extensions of time needed to do the audits. I'll be very interested to see how useful this tool is. It's meant to be useful, to not only the finance officers but the executive and council of the various jurisdictions. That's my report this evening.

Mayor Dennis said thank you very much, Judy [Clerk-Treasurer Rhodes].

Clerk-Treasurer Rhodes said I forgot to note that, for those of you who were not able to attend the Budget and Finance meeting previously, handouts are at your places. The requested information on revenues and expenses shown in a different format has been provided; the sheets are on your tables as well. If you have any questions, please see me afterwards.

LEGAL REPORT: City Attorney Burns presented this report.

Thank you, Mr. Mayor. I'm pleased to present the first monthly legal report. I believe you have it in writing. It's a little better than a page. I will not read it, but will point out just a couple of the highlights that I believe exist in that report, which reflect work done in the month of January 2009. First was working on the Lindberg Bridge interlocal agreement, both with the County, as

well as presenting a resolution to the Council, which was, as you are aware, passed by this Council. The other thing that I've spent significant time on is about the over-occupancy provisions of our code, in light of the recent court cases, which have indicated that there are some deficiencies that we need to work on. I believe we have a meeting coming up, perhaps yet this week to talk about that. Third, I think it's very significant that the easement for the Phase 2 of the Western Interceptor with Purdue University has been submitted. I don't believe we have the final signed copy back, but that's a good deal of progress with that particular Wastewater project. I'd be happy to answer any questions from any of the Council members, and also comments on the form of the report for the future.

Mayor Dennis said is that the kind of detail that you would like to see? Is that okay?

Councilor Hunt said I need to go back and look at that resolution that was brought forth by a citizen about the requirements for monthly—we passed right at the end of my first term. Mr. Haynes might still be here and recall.

City Attorney Burns said the monthly—?

Mayor Dennis said for monthly reports.

Councilor Hunt said I thought it was the monthly—

Clerk-Treasurer Rhodes said I think it was a requirement that the Counsel submit monthly invoices, which if—

City Attorney Burns said oh, right. And I'm certainly doing that.

Councilor Hunt said well I thought it was to the Council. I'll have to look at that resolution.

City Attorney Burns said was that in '06?

Councilor Hunt said it was in '07.

City Attorney Burns said was it '07?

Councilor Hunt said it was right before the election in '07.

City Attorney Burns said it was the monthly detailed billings from the City Attorney, I know that. And that's certainly something I've been doing.

Councilor Hunt said I'll have to look at the wording, because I don't remember. I thought it was to the Council, but I'll look at that. Thank you.

Councilor Thomas said just a question for City Attorney Burns. You noted on code enforcement that there's work going on with the collections in the Bowden and the Weida cases. Is there a timeframe for when that has to happen, or can you give me some information?

City Attorney Burns said the general way that cases are collected would be that once all the appeal rights have been filed and the judgment has been upheld, then there is, by custom, a 30-

day period that goes by. And then there are procedures that the court can employ to obtain payment and there are also less formal methods that are actually being used at this point. Nothing more than conversations between the two counsels involved. That's Mr. Schrier for the City, and then the counsel for the judgment defendants.

Mayor Dennis said Councilor Bunder.

Councilor Bunder said well, he took my best question. I have a backup, though. First of all, I do appreciate this, Mr. Burns. It is good to have this. My question is, is this just you, or is this everybody working for the City in legal? I guess that's the question.

City Attorney Burns said this is just my office.

Councilor Bunder said okay.

City Attorney Burns said we would have—well, for example, Mr. Schrier I just mentioned, which I guess is mentioned in passing, Mr. Brooks of the Redevelopment Commission, you know, Park Board—

Councilor Bunder said Baker & Daniels did work last year. Will they be doing work in '09 for the City?

City Attorney Burns said I would expect they would for Redevelopment Commission. They did some work for some issues that came up in the TIF Districts, the EDS project, things of that nature. And the billings from all of those folks are actually reported monthly in the Board of Works packet. They get a monthly spreadsheet on that. I don't think Baker & Daniels has done anything this year that I'm aware of.

Councilor Bunder said and is O.W. Krohn a financial advisory firm or is that a legal firm?

City Attorney Burns said that's financial.

Mayor Dennis said other questions of Mr. [City Attorney] Burns? Yes, Councilor Burch.

Councilor Burch said Mr. [City Attorney] Burns, what is this Agreement of Understanding with the West Lafayette Police Department?

City Attorney Burns said that's, as it says, it's an agreement that was entered into between the Police Department and the Mayor, which has been or is going to be filed with the Merit Commission. It does not change any of the terms of employment of any of the Police officers, but it is just a document that, I guess, puts down for posterity what the understandings and agreements are and the operational procedures—things like vacation, things of that nature in the Police Department.

Councilor Burch said okay, great. Thank you.

There was no further discussion.

**UNFINISHED BUSINESS:** None

NEW BUSINESS: None

COMMUNICATIONS:

► Councilor Bunder said for those of you who don't know what EPICS is, they are helping us with the Pay-as-You-Throw program that Diane [Ms. Damico] alluded to. First let me say, for the record, what EPICS is, since some folks may be unfamiliar with that. The Engineering Projects in Community Service programs at Purdue University consists of design courses in which teams of students from across a variety of campus disciplines work together on long-term projects that benefit the community. Multi-disciplinary teams of student partners join with the local community to identify design, build, and deliver solutions to meet the community's organizational needs. One such team is the Boiler Green Initiative, and within the Boiler Green Initiative, the Pay-as-You-Throw Project is working on a proposal for a more equitable trash disposal program that will encourage recycling in our community. This year, this part of the EPICS program is sponsored by Shell Oil. Anything you see from them will have a little shell on the bottom, indicating the oil corporation's concern about their green image. In the near future, the EPICS group that is working on a possible Pay-as-You-Throw proposal will be conducting a survey in West Lafayette—once they get their survey approved, that is; they have to go through some steps—which they hope that several hundred citizens will be able to get their say as to how much they might like to spend for trash, whether or not they would be interested in putting tags on bags, and their level of satisfaction with the current service. I would love to be able to tell you when that would start. I thought I could, until about 4 o'clock this afternoon, but that still has to go through channels at EPICS. That is my communication tonight.

► Councilor Hunt said I imagine some of you watched the Super Bowl yesterday, maybe one or two—maybe one or two in this audience—and I hope you noted that, during the introductions during the first quarter, Chike Okefor, who is a Purdue alumnus and also from West Lafayette, mentioned his—most of the players mentioned their colleges or their high schools—but he said he was a West Lafayette Red Devil. That was very nice. I hope all of you heard that that watched the game. I just wanted to comment on that.

Mayor Dennis said West Side Red Devil. That was pretty neat stuff, actually.

► Mayor Dennis said I would like to acknowledge one of our Councilors. Some of you may know my wife works at Purdue University, and so she gives me all kinds of different little periodicals that she brings home. Most recently, she brought home a magazine called *Purdue Nurse*. Inside of it is this really, really neat picture of some recent inductees to the Purdue University Book of Great Teachers. Obviously, all deserve credit, but there's a lady in here that I know, I've known for a while. It's Ann Hunt. She's right there at the side. Let me read what's in here about her:

Ann Hunt taught at the Purdue School of Nursing from 1976 to 1980, went back to school to earn her Ph.D., then taught again from 1983 until her retirement in 2000. Hunt wanted her students to realize the critical role the nurse plays in the positive outcomes of the individual patient. [Quote from Councilor Hunt]: "Nurses make a tremendous difference in whether a patient achieves well-being."

And Dr. Hunt, which I will now refer to her as—I used to call her Mrs. Hunt because I was so intimidated by her when I was a little kid—anyway, Dr. Hunt was inducted into the Book of Great

Teachers in 1998. This quote could actually be changed somewhat, or it could be that, you know, just “people,” I guess, make a tremendous difference in whether other people achieve well-being, and for that I credit you, Ann [Councilor Hunt].

Councilor Hunt said thank you very much.

Mayor Dennis said it’s a pretty neat thing. Yet another one of our Councilors—

► Councilor Bunder said question, Mr. Mayor. Since last month we didn’t have audio from the cable company, this month we don’t have video from the cable company. Is this a staged withdrawal?

Mayor Dennis said really, I think we’re doing a good show.

City Attorney Burns said what is going on?

Mayor Dennis said well, they said that this time it was the modulator—

Councilor Bunder said cool.

Mayor Dennis said, “a modulator that transmits the signal has gone down and cannot be fixed until next month.” They ran a ticker a couple of days in advance, to let people know they can’t see us.

Clerk-Treasurer Rhodes said TV-18 was here to film the State of the City Address, and I believe they will make that available on their website.

CITIZEN COMMENTS:

► Mr. Thomas Kesler [479 Maple Street] said just two quick things. First, as we meet, I am attempting to record what was supposed to come down, so that I could see myself on TV. Since my representative in District 2 mentioned EPICS, I’d like to share an experience that my wife and I had with EPICS. A few years ago, we attended a lecture by the students of EPICS. They described the stack effect of the home, and then when we returned home, we initiated a repair on the house, and we have benefited from the lesson that we learned from the students of EPICS, in that we stopped a lot of the hot air from escaping through the top of the house. I think we benefit from more comfortable living quarters, thanks to that presentation at EPICS. Thank you.

► Mr. Sam Haynes [713 Avondale] said well, it’s been a long meeting. I had a lot to say tonight, but I’m not going to do it. I want to keep in your good graces. But there’s one thing that I wanted to bring out. In previous meetings, it seems like you’ve been very efficient and getting things done quickly. I always thought it’s going along so fast, I always like to get up and say something. I’m a taxpayer. I think there needs to be maybe some word put out that people are welcome to express themselves, because I think that people are reluctant to get up and say what’s on their mind. I think that’s very important, that we have a chance—we only meet once a month—and we ought to have an opportunity and be encouraged to get up and speak. I don’t know how we can do that, but I don’t think we get enough encouragement to do that. Things go on here that I don’t even know what’s going on. And I’m not the brightest bulb in this room, but you mentioned several things, and I probably expose my ignorance when say I don’t know very

much about the Go Green. We don't know whether it costs us anything or not. The lady said that so far it hadn't cost us anything. Well, that don't tell me very much at all.

Mayor Dennis said well, I'll tell you what. She would be more than happy to talk with you.

Mr. Haynes said well, she had her chance.

Mayor Dennis said well, she still does, unless you beat her out the door.

Mr. Haynes said no, I'll talk to her. I'm not mean, I just talk bad. One thing that came up about three or four months ago, I asked you to do something about the CTS building at Yeager Road and Cumberland. You referred me to Mr. [Director of Development] Poole. And he sort of blew me off and said, "Well, these things take time." Then the next meeting, nothing was done, so the next meeting, I asked him in a polite way. I said, "Have you looked into that?" He said, "Oh, I thought you meant another location." I've been trying to think, and you apparently thought I meant down where they're going to build the Champion's Centre. Now, I notice there's not a thing done. It's a real eyesore. It doesn't require very much to get done. It just needs a new fence or straighten up the fence. There's water standing there all the time. What is the purpose of that water?

Director of Development Poole said the purpose of the water?

Mr. Haynes said yes.

Director of Development Poole said I'm not—

Mr. Haynes said well, it's frozen now, but I mean, there's been a lot of just water standing there. I didn't know whether it was— There's contamination there, I assume.

Director of Development Poole said yes, there is.

Mayor Dennis said Sam [Mr. Haynes], the CTS building is in the process of being renovated. They're doing some work on the inside. And so, obviously, the inside's getting the work first, and then when they finish that, they'll go ahead and finish up doing what they need to do on the outside. But he was sincere when he was telling you that projects like that take time. And the unfortunate reality of it is that it takes money.

Mr. Haynes said I'm talking about straightening up the fence or you know that plastic fence they put around—I don't buy what you're saying.

Mayor Dennis said we can disagree. We'll go ahead and look at it too, to make sure that we've done everything we can do.

Mr. Haynes said friendly disagreement. Okay. That's all I'm going to say tonight. I'll tell you what. I think if that eyesore was in front of any one of your houses, it would have been cleared up promptly. That's what I think.

Mayor Dennis said we'll look into it, Sam [Mr. Haynes].

Mr. Haynes said okay.

Mayor Dennis said and I'm not blowing you off.

Mr. Haynes said I get that once in a while. Thank you very much.

Mayor Dennis said thank you, Sam [Mr. Haynes].

► Ms. Vinod Singh [407 Ferry Street] said good evening, Mayor. Good evening, everybody. I have a document to give you. I'm here to request for the City of West Lafayette to have a street after Dr. King's name. I've been working for two years, and I have about 580 signatures so far. I'm still working on that. When I was asking for signatures, individual signatures, people gave me different suggestions. They suggested Greenbush, 18th Street, Union. They were the three main streets people gave me suggestions. Last month I spoke last month at the City Council meeting in Lafayette, and Mayor Roswarski said they are planning to use a new street, not to change the name [of an existing street], as it takes too much to change the name. So they're working on that. I'm here requesting the City of West Lafayette, if you can consider any street, so I spoke with Mrs. Klinker yesterday. She was saying that Union Street made sense, because, I was thinking, from here Salisbury is covering the bridge, is going to Union, by the 52 end of the east side. So that would cover both cities. If you consider, or does not matter. Any street you would like to rename or make a new name, that would be very good. So this is my request, and I have a— Somehow, I do not know how it went through the *JConline*, people are giving all their suggestions from all over the State. God knows how they did it, but, for example, I have an article from *The Exponent*, they have done a beautiful job. Thank you. And I have an article in the *J-C*. It was on Channel 18 news also. There are my original copies of the papers. Again, I'm here to request, Mayor and the Council, if you can consider that request, that would be beautiful. If you need any paper or anything, you have my number here.

Councilor Dietrich said I have a question. Are the signatures that you collected about a specific street or just in general?

Ms. Singh said I just collected in general. So then, people were telling me, "Okay, Greenbush or Union Street," because they have an African-American center right here West Lafayette. I said if you can cover both cities and the bridge, that would be beautiful. Thank you, Mayor. Thank you, Council.

Mayor Dennis said thank you very much.

ADJOURNMENT:

There being no further business at this time, Councilor Dietrich moved for adjournment. Mayor Dennis adjourned the meeting, the time being 7:47 p.m.