

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
FEBRUARY 5, 2007

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on February 5, 2007, at the hour of 7:30 p.m.

Council President Hunt called the meeting to order and presided until Mayor Mills arrived at 7:37 p.m.

The Pledge of Allegiance was repeated.

Council President Hunt said before we call the roll, I want to explain why I'm sitting here. I'm Ann Hunt. I'm the President of the Council. Mayor Mills has been in Chicago on a City business trip, and her plane landed at the Purdue Airport, hopefully, at 7:15. So when she comes, I will move to my Council seat, but we'll start now. And before we start and before Clerk-Treasurer Rhodes does the roll call, I'd like to welcome the members of Communications 252 to our meeting. It's a cold night to be out, but welcome. Clerk-Treasurer, will you please do the roll call.

Present: Griffin, Hunt, Keen, O'Callaghan, Plomin, Satterly, and Truitt.

Also present were City Attorney Bauman, Clerk-Treasurer Rhodes, Director of Development Andrew, City Engineer Buck, and Parks Superintendent Payne.

MINUTES: Councilor Griffin moved for acceptance of the minutes of the January 4, 2007, Pre-Council Meeting, and the January 8, 2007, Common Council Meeting. Councilor Satterly seconded the motion, and the motion passed *viva voce*.

COMMITTEE STANDING REPORTS:

STREET AND SANITATION: Councilor Satterly presented this report.

Thank you, Madam President. Just one item on Street/Sanitation. The Barbary Lift Station construction will start March 2007, and the planned finish date is June 2007. That's all I have on the Street/Sanitation/Motor Vehicle Highway report.

WASTEWATER TREATMENT UTILITY: Councilor Satterly presented this report.

Thank you, Madam President. In January, the total flow was just under 300 million gallons, for an average flow of 9.65 million gallons per day. There was a combined sewer overflow of .57 million gallons. 99.81% of the flow was treated at the plant. The Western Interceptor pipe contract is proceeding, even in this cold weather. That concludes that report.

PUBLIC SAFETY: Councilor Keen presented this report.

Thank you. As most of you know, our West Lafayette firefighters have been participating in a major renovation of Station No. 1. They have really gotten quite a bit done, and I think if they're not just about done, they're getting very close. They've been putting in flooring and restoring doors and windows and insulation and just a whole number of things. Kudos to them for doing such a good job with taking care of that stuff. The Redevelopment has approved funding for the new fire trucks, out of the Levee/Village and Kalberer/Cumberland/Blackbird TIF Districts. Have those been ordered yet, do we know?

City Attorney Bauman said yes.

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

Councilor Keen said okay.

Councilor Satterly said we should get them in August.

Councilor Keen said yes.

City Attorney Bauman said they were bid the end of last year.

Councilor Keen said right. In response to the 9/11, the National Incident Management System was created. The State of Indiana is now divided up into 10 districts for the purpose of large-scale emergency response. And Tippecanoe County is bunched in with Benton, Carroll, Cass, Clinton, Fountain, Montgomery, Warren, and White County. Last Saturday or the Saturday before, West Lafayette participated in a drill in this District 4, and there were other fire departments, but also medical units, HAZMAT teams, helicopter units, emergency management agencies, and the Red Cross. And that was a very well put on training drill for them, and I think that was well worth their time. In January, the West Lafayette Police Department handled just over 1,300 calls, which is up about 8% from the month previous. I would also like to announce that we have a new police officer who started on the 16th of January. His name is Gary Stockall, and he has seven years of prior law enforcement experience. Welcome to him. Also during the month of January, the West Lafayette Police Department participated in a variety of training, which would include K-9; SRT which is the Special Response Team; basic criminal investigation; hostage negotiations; breath tests for intoxication recertification; Indiana pursuit workshop; and a number of other things. Finally, I'd like to report that the West Lafayette Citizen Police Academy will start another class on Wednesday, March 21. The Citizen Police Academy is an 11-week program that has different citizens from the community come in and they participate in a variety of training that includes dispatch communications, field training program, patrol, traffic law—a number of different things. This Citizen Police Academy is designed to assist in the event of a large scale type emergency response. I think it's a good program, and I think that for West Lafayette to be participating in that, I think, is a very good thing. That concludes my report.

Council President Hunt thank you, Councilor Keen. Mayor Mills, would you like to assume your chair, please.

Mayor Mills said I'm sure you're doing a wonderful job.

PURDUE RELATIONS: Councilor Plomin presented this report.

Thank you, Madam Mayor. Other than to note the large attendance of communications class students here at the meeting and to mention that we will be considering a tax abatement for a new building in the Purdue Research Park, I have no report. Thank you, Madam Mayor.

PARKS AND RECREATION: Councilor Hunt presented this report.

Thank you, Madam Mayor. Welcome back. Winter and spring recreation class and program registrations for 2007 are still available. One of the important news events and cold events was last Friday, the fourth annual and coldest ever—it was 16 degrees—"Dare to Bear" polar bear skate was held at Riverside Skating Center, and there were 83 bold folks who paid money to skate in their swimming suits. They hit the ice for a unique experience. It was really cold there, and there were lots of people having lots of fun. It was fun to watch. A total of 82 children are

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

enrolled in the learn-to-skate and hockey appreciation classes. A new daily attendance record at the skating rink of 761 was set on January 20. So the big news lately is the Riverside Skating Center. Riverfest has been scheduled for July 7 in Tapawingo. Global Fest, as we've said before, is September 1 at the Morton Community Center. And the next Park Board meeting will be February 26 at 4:30 at City Hall. That concludes my report.

DEPARTMENT OF DEVELOPMENT: Councilor O'Callaghan presented this report.

Thank you, Mayor. I thought it was going to be kind of fun to say, "Madam President," but— The Redevelopment Commission met on January 22 and approved their annual report. They also approved several resolutions for additional appropriations, one for the Nighthawk Trail extension. That's the trail will then go across to Sagamore Ridge Apartments, and we're excited about that completion of that as part of the Sagamore Parkway Task Force. They also approved the resolutions for the funds for the new fire trucks, as Councilor Keen referred to. The Levee/Village TIF for the fire truck for Station No. 1, and the KCB, the Kalberer/Cumberland/Blackbird TIF for the truck at the new fire station. So each resolution was for \$450,000, and it's exciting for this way to pay for fire trucks, which oftentimes can be such an incredible large ticket item. But having it being paid from TIF funds will then not put as much pressure on the property tax, so we're excited about that and certainly want to thank Chief Drew and his staff for all the time they put in writing those specifications and making sure that we got the best trucks possible. Also, I guess I would like to just mention that there was some concern after a headline about the K-Mart property, and just to reassure people that, as was stated in the editorial in the *Journal and Courier* today, that asking for the traffic impact statement is a very typical part of the process, and not really slowing things down. But it's just an important piece in the step. And then also I'd like to mention that the CDBG, the Community Development Block Grant, tomorrow will be having the first public hearing. Public Hearing #1 will be here tomorrow, that's February 6 at 7 o'clock, and that's where the social service agencies will present their applications for funding from CDBG.

PERSONNEL: No report.

BUDGET AND FINANCE: Councilor Truitt presented this report

Thank you, Madam Mayor. The City of West Lafayette has received its 1782 Notice for the 2007 City budget, which we received on January 24. Clerk-Treasurer Rhodes provided each of us with an email, as well as hard copies for our review. And we want to thank the Mayor for continuing to allow us to work in a proactive and collaborative way, as we're going to have a Budget and Finance Committee meeting coming up on February 13. While there's a significant amount of information contained within the memo, there were also two areas that I wanted to make sure, not only the fellow City Councilors, but also the public are aware of as it relates to our General Fund. Our County Option Income Tax revenue was decreased by a little bit over \$73,000, which is down from our 2006 total. In the memo, we were also given a five-year history to keep an eye on that what we call COIT, which is the County Option Income Tax. The other area of decrease was the Excise Tax revenue, which was reduced by \$28,500, so as fiscal stewards, we're looking at a \$100,000 decrease in revenue. In order to stay on top of this situation, we want everyone to be aware that we are having a Budget and Finance Committee meeting on the 13th in the Board of Works conference room, where we'll have an opportunity to discuss not only the 1782 Notice in more detail, but also continue some conversations surrounding the proposed resolution involving General Fund balances. If you remember, we ended the year stating that once the information from year end 2006 was received, as well as the 1782 Notice, we would get back together and determine if we're going to take a different

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

approach in regard to our fund balances. So I think all of us are looking forward to at least closing the loop and having that discussion, as well as, hopefully Clerk-Treasurer Rhodes will help put together a year in review from a financial perspective. So I encourage all those that are interested to come and attend the meeting on February 13 at 7:00 p.m. That concludes my report.

REPORT OF APC REPRESENTATIVE: No report.

REPORTS OF SPECIAL COMMITTEES: None.

PUBLIC RELATIONS:

Employee Service Anniversaries

Mayor Mills said we have some employee anniversaries. We neglected to do the employee anniversaries in January, and so we'll do both January and February tonight. Ed Sptiznagle from the Fire Department is 25-year anniversary was January. Chris Leroux, Police Department, 20 years. Drew Fellure, 15 years for Fire. Jeff Decker, five years for Police. Those were all in January. For February, Edward Ty Morris for Fire, 10 years. So we congratulate all of them and give them our thanks for great service to the community on their anniversary dates.

FINANCIAL REPORT:

Clerk-Treasurer Rhodes said as Budget chair Truitt mentioned, we have reviewed and responded also to the 1782 Notice. Within the next few weeks, we should receive our final budget order. In the next several weeks, as we approach the budget meeting, you will be receiving several more reports from me, variance reports, so that you'll have a chance to look at them before the meeting. That may make for a more productive conversation. You have, this month, the summary cash transaction report, and, of course, you received your ledger reports already in your mailboxes. I wanted to draw your attention to one feature of the January report. We're going to have, for a couple of months, an anomaly having to do with how we post payrolls, now that we are in a trial phase of doing double payrolls in order to accommodate an altered workweek in the patrol dispatcher group for the Police Department. In order to help you compare apples to apples here, I'm going to, for the months in which that occurs, adjust the cash reports, so that you can clearly see the payroll step in, as you'll expect to see with the pay dates. I've made an adjustment here in this cash report, so that you won't see a really high, abnormally high, cash flow, when, in fact, it's just an artifact of timing in how we post in the payroll system. There are other, of course, differences in cash flow that can be substantial from year to year, month to month. In this month, the greatest differences had to do with the timing of payment of the health insurance with UHC, and also actually for our package policy. Those have not been backed out, but those of you who are comparing these reports to your fund ledgers will notice there isn't going to be a one-to-one match any more. I'll be glad, in fact I encourage you to come talk to me, email me, and I'll explain in more detail. The purpose of the summary report is just to give you a quick glance to see how we're doing revenue to expenses this month compared to this time last year. For the most part, that will be a pretty comparable period. One other thing I wanted to mention tonight is, at the far end of the dais here, perhaps they'll be able to show the folks at home, we have been able to get the new maps for the City of West Lafayette which reflect our new precincts that have been created as a result of the annexation. The large very light blue area, which is District 4, covers, I reckon, about 70% of the City. Several new precincts are now in the City—Wabash 24 and Tippecanoe 7. There's Wabash 23; no one lives there. And Wabash 20 has been extended a bit. These maps are

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

available for every Council member at the APC, and we'll certainly post ours in our office for all to see. This is West Lafayette's new look. I invite everybody here to come up afterwards and look it over. It's quite an expanse. That's my report for tonight.

UNFINISHED BUSINESS:

Ordinance No. 1-07 An Ordinance To Name Depositories For The City Of West Lafayette (Submitted by the Clerk-Treasurer) Councilor Griffin read Ordinance No. 1-07 by title and moved that it be passed on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor Satterly.

Mayor Mills said this is a yearly ordinance to name the depositories for the City. Are there any questions or any discussion? Any questions for the Clerk-Treasurer? Anything you'd like to add, Judy [Clerk-Treasurer Rhodes]?

Clerk-Treasurer Rhodes said no.

Mayor Mills said all right, will you call the roll, please.

There was no further discussion.

Ordinance No. 1-07 passed on final reading, 7-0.

Ordinance No. 3-07 An Ordinance To Establish The Perimeter Parkway Fund (Prepared by the Clerk-Treasurer) Councilor Griffin read Ordinance No. 3-07 by title and moved that it be passed on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor Satterly.

Mayor Mills said okay, this is an ordinance to establish a fund for the Purdue Perimeter Parkway Project. We will be receiving federal grant monies and other monies at some point during this 20-year project, and we are establishing a separate fund for those dollars, so that money can be moved in and out of there without going into the General Fund and having to be reappropriated. We will need to have a public hearing tonight. I will go ahead and open the public hearing. If any of you would like to comment, please come to the podium and give us your name and address. No one would like to speak? All right, thank you. We'll close the public hearing. Are there any additional questions or discussion among the Council?

Councilor Griffin said Madam Mayor, will this need to be established each year during that 20-year period, or this will be a one-time establishment and then dissolution when it is no longer needed?

Mayor Mills said I assume it will be—

Clerk-Treasurer Rhodes said the fund will continue as long as the purposes for which it was created remains. However, there may be a need from time to time to do an appropriation.

Councilor Griffin said thank you.

Mayor Mills said any other questions? Any comments?

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

There was no further discussion.

Ordinance No. 3-07 passed on final reading, 7-0.

Ordinance No. 4-07 An Ordinance To Establish The Police Grant Projects Fund (Prepared by the Clerk-Treasurer) Councilor Griffin read Ordinance No. 4-07 by title and placed it on the table for public hearing. The motion was seconded by Councilor Satterly.

Mayor Mills said again, this is a similar ordinance, a special fund is being established for grant monies that we receive for special Police enforcement projects. We will deposit the money into that fund and will pay overtime to our officers who run these enforcement programs out of that particular fund. We do need to have a public hearing tonight, so I'll, at this time, open the public hearing. Do we have anyone who would like to comment on this establishment of this grant fund? All right, hearing none, we'll close the public hearing. Is there any discussion from the Council or any further questions? Councilor Plomin.

Councilor Plomin said I have a small question. Right now, we do do these projects—seat belt enforcement and Operation Pullover, those types of projects from the State.

Mayor Mills said we do.

Councilor Plomin said and how is the money currently being tracked?

Mayor Mills said so the money is currently being deposited into the General Fund when we get the grant. Then when we run the programs, we have to—well, the complication for us is that we pay overtime to run these programs, so we end up going back and appropriating or usually an additional appropriation to have enough overtime monies to sometimes run the programs. This will allow us to keep the money separate, and we'll pay overtime out of the money that's deposited specifically for that program. An easier way for us to track it, and an easier way to kind of turn the money around without going in and out of the General Fund.

Councilor Plomin said okay. So when we address the 2008 budget, this will be a line item on the budget and we would expect, then, to see a decrease in the Police salary line item for the coming year?

Mayor Mills said no—

Councilor O'Callaghan said perhaps not another additional appropriation.

Mayor Mills said yes, it will prevent something additional being appropriated as we go through the year.

Clerk-Treasurer Rhodes said in 2006, we paid approximately \$68,000 in Police project grant funds out to officers. That all ran through the General Fund. By establishing a separate fund, we should be able to separate overtime due to normal Police duties, which includes normal Police activities—

Mayor Mills said football games—

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

Clerk-Treasurer Rhodes said football games, special events, Police Academy participation—those kinds of activities, apart from overtime which is going to be reimbursed, at least the hourly rate at time and a half, by grants. Several times last year, the Police Chief came to you and asked for transfers or additional appropriations for various overtime needs. By removing it to a separate fund, it should be very clear when additional overtime is needed; it will not be for activities that are reimbursable under the project grant. The second factor advantage is that when we enter the second half of the year in budgeting, we're locked into estimates of miscellaneous revenue. If there's a large increase in Police grant activity, which often happens, as the grants tend to run from October to October, we have revenues that we can't really recognize in terms of budgeting. We don't get the advantage of that. We just show the expenditure side. So we want to take that out of the budgeting for the General Fund. However, when we made the budget for 2007, we did include an amount that would include reimbursement for working these project grants. In fact, it was my intent to come and ask for a reduction in the Police budget commensurate with the amount that was earmarked for Police project grants.

Councilor Plomin said when we get our budget documents to plan for the annual budget, we get effects which are net of additional appropriations and reductions, right? We do get information that includes what action's been taken to appropriate additional monies or reduce funds.

Clerk-Treasurer Rhodes said that is correct.

Councilor Plomin said okay. So we should expect to see something of that sort when we do the budget cycle next.

Clerk-Treasurer Rhodes said as I said, there's going to be a discussion yet this year as we get the fund set up, to discuss whether that line item, which originally included a significant Police grant project reimbursement, ought to be reduced. On the other side, the revenue that was recognized in planning the General Fund for grants will also be revised.

Councilor Plomin said okay, thank you.

Mayor Mills said other questions?

Councilor Griffin said Madam Mayor, a motion then is in order to vote on this on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor Satterly.

Mayor Mills said all right, will you call the roll, please.

There was no further discussion.

Ordinance No. 4-07 passed on final reading, 7-0.

Ordinance No. 5-07 An Ordinance To Amend Ordinance No. 34-06 Fixing The Biweekly Salaries Of Appointed Officers, Employees, And Members Of The Police And Fire Departments Of The City Of West Lafayette, Indiana, For The Year 2007 (Submitted by the Clerk-Treasurer) Councilor Griffin read Ordinance No. 5-07 by title and moved that it be passed on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor Satterly.

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

Mayor Mills said this is an amendment to the salary ordinance. We are changing the salary range for part-time employees, specifically for one of our Parks employees who has moved to part-time. Are there any questions or any discussion on this?

There was no further discussion.

Ordinance No. 5-07 passed on final reading, 7-0.

NEW BUSINESS:

Ordinance No. 6-07 An Ordinance Providing For Temporary Loans From A Fund Having Sufficient Balance To A Depleted Fund (Prepared by the Clerk-Treasurer) Councilor Griffin read Ordinance No. 6-07 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 Satterly.

Mayor Mills said all right, this is an ordinance to move money from a loan from Parks Nonreverting Operating to Parks and Recreation, \$200,000, and from the Wastewater Treatment Utility to Parks and Recreation in the amount of \$400,000. This is a cash flow issue for us, so we borrow internally to make our salary payments, our employee payments. And short-term loans that we pay back to the loaning departments as we go through the year. We'll do this many times before we get our tax draw, but this is the way we function internally, by borrowing money from the different departments. Are there questions or discussion from the Council? All right, will you call the roll, please.

There was no further discussion.

Ordinance No. 6-07 passed on first reading, 7-0.

Councilor Griffin said Madam Mayor, I move we suspend the rules to consider this ordinance on final reading at this time. The motion was seconded by Councilor Satterly.

The motion to consider Ordinance No. 6-07 on second reading passed by voice vote.

Councilor Griffin moved that Ordinance No. 6-07 be passed on final reading, and that the vote be by roll call. The motion was seconded by Councilor Plomin.

Mayor Mills said all right, is there any further discussion? Will you call the roll, please.

There was no further discussion.

Ordinance No. 6-07 passed on second reading, 7-0.

Resolution No. 2-07 A Resolution Approving The Designation Of An Economic Revitalization Area For Property Tax Abatement For SRJ Development, LLC (Prepared by the City Attorney) Councilor Griffin read Resolution No. 2-07 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 Satterly.

Mayor Mills said all right, we have a resolution to approve a tax abatement tonight for SRJ Development in the Research Park. Mr. [Director of Development] Andrew is here, if there are questions. We also have Cinda Kelley from the Economic Development Corporation, Steve

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

Shook, and Tim Peoples all here to speak to this. So does someone want to give us a short presentation? Mr. Andrew.

Director of Development Andrew said I think we would prefer to answer questions, because we gave a fairly lengthy presentation at the Pre-Council, and in order to speed things up— I could have Mr. Shook speak, if you'd like.

Mayor Mills said Mr. Shook might want to—

Clerk-Treasurer Rhodes said it's only 8 o'clock.

Mayor Mills said talk about the project, so the public knows what we're doing. Thank you, Mr. Shook.

Mr. Steve Shook [Owner, Coldwell Banker Commercial Realty Services] said thanks, Josh [Director of Development Andrew]. Thank you, Madam Mayor. I'm Steve Shook. On behalf of Tim Peoples [Director of Purdue Technology Centers] from the Purdue Research Foundation and Cinda Kelley [Director of Business Development] from the Lafayette-West Lafayette Development Corporation, thank you for your consideration for tax abatement for a portion of a new building in the Purdue Research Park. This new building will be at the corner of Kalberer Road and McClure Boulevard, just east of the Ross Enterprise Center and the International Technology Center. This portion, when fully populated, we estimate will house roughly 59 jobs in this portion of the building. The building is scheduled to be 26,000 square feet, and roughly 18,000 square feet of that is designated for office and research space. The abatement, if granted, would directly affect the employers who would choose to lease and use that space.

Mayor Mills said any questions for Mr. Shook? Mr. [Councilor] Plomin.

Councilor Plomin said I understand the portion that's not going to be used for office space is designated to be a restaurant?

Mr. Shook said that is one of the uses for that other space that we're working on, yes.

Councilor Griffin said but that would, of course, be excluded from the tax abatement area. Just so that our public understands what's going on.

Mr. Shook said correct, yes. There are, let's see, roughly 8,000 square feet of that 26,000 which would be excluded from the tax abatement.

Mayor Mills said other questions?

Councilor O'Callaghan said I guess I'd just like to say that those 59 new jobs at estimated salary of \$2.4 million, so I think that would be at least over \$40,000 per job. Those are the kind of salaries that we're looking to attract to our community. So thank you for that.

Mayor Mills said Mr. Plomin.

Councilor Plomin said why is there a restaurant in this building?

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

Director of Development Andrew said talk to Pete Kissinger [Chairman of the Board and Chief Scientific Officer, BASi].

Mr. Shook said as the Park has grown, there has been—and this is not just me, this is a constituency at the Purdue Research Foundation office—to create an area that would include a restaurant, a place to grab lunch, dinner, gather during the day, grab a newspaper, grab a cup of coffee. And as you have more and more employees out in the Park, it's these kind of amenities that seem to keep surfacing on surveys and needs assessments. It's just an item that we've been—it kind of got designated for this building. It is just north of the circle or the roundabout there. It's becoming a more central location within the Park, easily accessed by foot during the day by employees.

Mayor Mills said the Research Foundation, Mr. Peoples can speak to this better than I, has been talking for quite a while now about the campus atmosphere of the Research Park and the amenities that they want to offer to attract companies and to provide services for the employees who are already there in the Research Park. This would be a wonderful addition to that idea. We're excited.

Councilor O'Callaghan said Mayor. Excuse me.

Mayor Mills said yes.

Councilor O'Callaghan said may I just say that something that I talked about at Pre-Council was an analogous situation with Mr. Shook in the International Fitness Center and the Technology Building, that we didn't do an abatement for the fitness center part, but for the technology center part, the office space. And it really is something that brings amenities to the area that we need, but we're not supporting that with tax abatement for those kinds of amenities, just for the business parts that will bring the jobs. So I think that's a good analogy. And I think you'll agree, since we see each other out there, that it's a good thing to have out there.

Councilor Plomin said yes, I do work in the Research Park. The only concern I have is, as we try to attract new business to the community, we need to do it with the balance toward existing business that's already here. And since you've probably seen there's been some expansion in a few of the private buildings in the Research Park, including the one that houses KitchenArt right now. And while the building continues, I wonder if this would provide a disadvantageous situation to that building in particular and other private buildings in the area that may be interested in having that restaurant locate there instead.

Mr. Shook said and the question is—?

Councilor Plomin said the question is—

Councilor Truitt said are they going to get a—

Councilor Plomin said the question is the tax abatement reduces the overall cost of the building, including the space that's going to be rented to the restaurateur, and even though it's not a tax abatement for that square footage, because it's a more affordable building to build, relative to a non-abated building, the rent rate per square foot would probably be less there than in a private, non-abated building.

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

Mr. Shook said I don't think so. I think—

Mayor Mills said I think Cinda [Kelley] wants to comment.

City Attorney Bauman said Mr. [Councilor] Plomin, commercial leases are normally done on a net-net-net basis, and the lessor charges, directly as a pass-through, the taxes. And since there will be taxes on that portion, I assume on a typical lease, that would be directly passed through.

Mr. Shook said correct.

Ms. Cinda Kelley [Director of Business Development, Lafayette-West Lafayette Development Corporation] said in addition—

Mayor Mills said Cinda, will you just—?

Ms. Kelley said Cinda Kelley with the Development Corporation. In addition to that, I'd just like to say to you that we sponsor the Life Science Council that meets monthly out at the Park, and this has been an ongoing discussion that we've had about the amenities that the companies are requesting out at the Park, to make it more of a campus feel. This amenity—this restaurant, coffee shop, whatever it ends up going in here—would not be able to serve the entire Park. As the Park continues to grow, as we continue to add new employment to the area, this is just going to complement the existing area. There is not enough capacity right now of local amenities to handle all the employees that are out there and that we continue to help to bring out in that area. So this actually, in my job of helping attract new companies to the Park, as I think Tim [Peoples] would also speak to, this is something that is positive for us to be able to brag, to let them see that it's right there within walking distance, as is the other area of which you were speaking.

Mayor Mills said thank you. I think we're also very excited, because we're going to add necessary office and research space that we need out there.

Ms. Kelley said absolutely. This is a wonderful complement to the Park.

Councilor Truitt said can Steve [Shook] or Cinda [Kelley], can someone talk a little bit about the tenant—I guess, is it proposed? Can you just talk a little bit about what is actually going in the actual part of the building that is going to be this 18,000 square feet?

Mr. Shook said the first 7,845 square feet of the 18,000—the subject 18,000 square feet—will be an MRI imaging center, which is a collaboration and a joint venture between Unity Healthcare and GLHS and Purdue. It will serve the needs of residents and researchers. During the day, patients will be seen, and during the night, research will be done on small animals. It will occupy the first, again, 7,845 square feet. That's under lease. So the balance of that 18,000 that we're in the process of leasing currently or pre-leasing.

Mayor Mills said thank you. Any other questions?

Councilor Hunt said may I make a comment?

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

Mayor Mills said Councilor Hunt.

Councilor Hunt said this has been a concern of several people. It was discussed, as far as not abating the restaurant area. It was, if I remember right, we had draft of the minutes from the Development Commission, and it discussed it, and Mr. [City Attorney] Bauman stated some State law, and then we discussed it in detail at Pre-Council, because several of us—I think we had lots of questions and I think you did a very nice job of answering them at that time. That was a concern of many of us, and you and Mr. Bauman and the Development Commission had answered, as far as I was concerned.

Mayor Mills said anything else?

Councilor Truitt said I just have a quick comment. I think that one of the unique things in regard to this project, we talk about, as a City, looking for ways to collaborate, and I think we have two different phases of collaboration here, which is kind of neat. You have the collaboration between two hospital organizations in this community, which is kind of neat to hear and neat to have, and then you couple that with Purdue University, so you have a trifecta there that's kind of neat. And then you have what I think is one of the most important things, and that is a collaboration, again, Purdue University, the City of West Lafayette, and a private individual, private group, and I think it takes all those ingredients across the board in order to make something go, and I think as a City, we've had the history of, "This is what we're throwing in to the pot," in order to continue to grow the Research Park. We have to defer to Cinda [Kelley] and the experts in regard to what it takes to make the thing go around. We need all the restaurants we can get, if we focus on the restaurant side of things. I personally don't focus on the restaurant side of this abatement, because it's a moot point. We need all the businesses that we can get to keep growing the Research Park, so I think it's a great project and, based on our history, we don't want any precedent set, whether one abatement is a "yes" and one abatement is a "no." So I'm in favor of this abatement.

Mayor Mills said thank you. Anything else?

Clerk-Treasurer Rhodes said will the portion of the building which is housing the GLHS-Unity joint venture be a tax-paying portion of the building?

Mr. Shook said yes.

Clerk-Treasurer Rhodes said thank you.

Mayor Mills said all right, thank you very much, all of you, for being here to answer our questions. All right, will you call the roll, please.

There was no further discussion.

Resolution No. 2-07 passed on first and only reading, 7-0.

Mayor Mills said I will just add that Vice President Joe Hornett from the Research Foundation will be here next month, to talk to us about the Park and kind of update us on the growth and

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

the number of jobs that we've gotten there in the last couple years. So I think you'll enjoy that. He does a great job of presenting the Park.

City Attorney Bauman said just a reminder. Procedurally, next month we will have a public hearing and confirming resolution on this abatement.

Mayor Mills said right, thank you.

Resolution No. 3-07 A Resolution Appropriating Housing Rehabilitation Revolving Loan Funds On Hand Resulting From Repayments Of Funds Previously Used By New Chauncey Housing, Inc. (Submitted by Department of Development) Councilor Griffin read Resolution No. 3-07 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 Satterly.

Mayor Mills said Mr. [Director of Development] Andrew, would you give us the history of this, please.

Director of Development Andrew said this is a repayment for a project that did not qualify for federal funds, so the New Chauncey Housing, Inc. repaid CDBG from their funds, and then they did the project, which was in the target area and in a New Chauncey Neighborhood area. So it simply a repayment.

Mayor Mills said questions for Mr. Andrew?

Director of Development Andrew said thank you.

Mayor Mills said thank you. All right, will you call the roll, please.

Councilor Griffin said no question for Mr. Andrew. Comment, if I may?

Mayor Mills said certainly.

Councilor Griffin said just, again, for the public's clarification and edification, the New Chauncey Housing, Inc. is a separate organization from the neighborhood association, which is New Chauncey Neighborhood Association. That association does not deal with the buying and selling of houses. Thank you.

Mayor Mills said thank you. All right, will you call the roll, please.

There was no further discussion.

The roll call vote:

AYE	NAY
Griffin	Plomin
Hunt	
Keen	
O'Callaghan	
Satterly	
Truitt	

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

Resolution No. 3-07 passed on first and only reading, 6-1.

COMMUNICATIONS:

► Mayor Mills said I just have one communication. I would like to apologize again for being tardy. I had the opportunity today to go to Chicago with Vice President for Student Services Tom Robinson. We went to the Big Ten Student Affairs Conference. For the first time this year, they invited their respective government officials in the community, so every one of the Big Ten universities was represented today by administrative people from the university and some sort of government official from the city or town in which the university was located. A great afternoon of discussion. I took about 10 pages of notes of what other cities, university towns, are doing. We plan to meet, just the government officials, at the end of April to have our own private discussion of issues revolving around government and university towns, and then the full group plans to do this again. I think everyone found it very worthwhile, very useful. I appreciate Purdue zipping me up there and back, so I could get back for the Council meeting. So it was a very good afternoon, but I do apologize for being late.

► Councilor Truitt said since I missed the January meeting, I promised fellow Councilors that I would report on the fortunate activity that I was able to take place in at the 2006 National League of Cities meeting in December in Reno, Nevada. I found out that Reno's not warm this time of year, it's actually pretty cold. But the National League of Cities, commonly known as the NLC is a resource and an advocate group for over 19,000 U.S. cities, towns, and villages, which collectively serve over 218 million individuals. This was a very unique experience for me as an individual. I joined community leaders from all around the country to discuss innovative solutions to all the challenges that we all face together. The diversity at this conference was impressive, and the networking was priceless. I was able to sit at a roundtable discussion with a mayor of College Station, Texas, who ironically met his wife at a Lutheran conference here at Purdue University when he was a little individual. He said he was 18 years old at that time, and still explained the corner—I know exactly where it was, on the corner of Northwestern and State Street. It was kind of close to Harry's. I did bring that up, and he played a little dumb in regard to that. I rode on the bus one conference with a newly-elected mayor from Idaho Falls, Idaho. Sat at the same table with council members from Charleston, South Carolina, and spent time networking with a commissioner from the city of Fargo, North Dakota. There were over 3,500 mayors, council members, and other municipal officials, whose goal was to shape, not only the federal policy agenda, but to share new ideas and collectively collaborate with one another. Henry Cisneros was the keynote speaker. Jack Kemp was supposed to be there as well, but had an old football injury and had knee surgery and couldn't make the trip. The neat part was I was able to participate in multiple workshops focused on a couple of the following areas: how to create a strong and local infrastructure; how to become prepared for the unexpected; how to pay for essential services; how to keep our local economy strong; how to make our city a great place to live; and my favorite was how to engage and communicate with citizens in regard to the budget process. That was a busy one, so I think all of us as elected officials and individuals of concern share the same concern there. I got to participate and take place in a roundtable discussion with the universities-communities council. I think Councilor Hunt got to do that, I believe, down in Indianapolis last year, which was a gathering of elected officials from, not only Big Ten universities, but universities large and small. Again, this was a unique opportunity to share those same concerns that we all face day in and day out. It is important to note that the City of West Lafayette did not pay for this junket, as my wife called it. Instead, it was an investment which I hope will bring a return to the constituents of West Lafayette as we continue

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

together to strive for innovative and creative ways to continue to make West Lafayette a great city. That's the report that I did promise you, and I'm sorry it's a little late.

Mayor Mills said thank you for sharing that.

► Councilor Truitt said I have another one. Since I missed January, I've got to catch up on all this. Can we talk just very briefly in regard to what the strategy is on the Good Neighbor Ordinance?

Mayor Mills said we can.

Councilor Truitt said and just kind of—I don't think we have to talk about the ordinance, but what the input process is and timing and so on, because I have received some phone calls in regard to it. And I'm curious myself.

Mayor Mills said we are starting a program we are calling "Valuing Every Resident," which includes some ordinance changes to our ordinances—noise, alcohol, trash, landscaping—a plethora of small changes, some of them a little bit larger. We are adding some new language for disorderly houses, which we actually talked about today at great length at the Big Ten conference. But so far we have had a small meeting with about a dozen landlords, to take input from them. We have taken it and talked to the neighborhood coalition last week, which is representatives from each neighborhood association in West Lafayette. And I will very shortly put out just a small article that will kind of highlight the changes and kind of the philosophy behind those. We are trying to disseminate kind of a condensed version that really hits the highlights of the changes, so anybody could get online and really read through those quickly. We also will have the ordinance in its entirety on the website tomorrow, with those condensed points, so that people can read through. We're not in a rush. I mean, we'd like to do this this spring, but we're trying to roll it out a little bit at a time and hit focus groups, so we can really take input and make changes. We've made quite a few changes internally already in the last six months that we've been working on it. We've made more in the last several weeks. And we will continue to do that. I'm going to the Purdue Student Senate meeting on Wednesday night this week, and I've been asked to talk about this in particular. So I had a meeting last Thursday with a couple of the Purdue Student Government leaders, to answer their questions on this topic, and they promised to bring more questions on Wednesday night. So we intend to take a great deal of feedback and input. And we certainly encourage all of you to take the ordinance and the condensed version, and share it with the people in your districts, so that we can really get the information out to everyone.

Councilor Truitt said do you plan on doing any—I know you mentioned focus groups—but do we plan on any community-type opportunities for non-focus group folks?

Mayor Mills said haven't really talked about that, but that's certainly possible, if people would like to have a meeting where we talk about it in detail, we certainly can schedule one. Open to anything.

Councilor Griffin said the neighborhood coalition was really an open public meeting—

COMMON COUNCIL MEETING MINUTES, FEBRUARY 5, 2007, CONTINUED

Mayor Mills said it was. It was. I mean, it was not just the neighborhood coalition, there were other people in the crowd, but happy to do another one and advertise it, so people could come. Happy to do that.

Councilor Hunt said one other part that I was particularly interested in—I was interested in the trash and the noise also very much, but there was section toward the back—and it's 26 pages long, so it's hard to read it and grasp everything that's in it—but there was a section in there about fire safety, which I think we're all concerned about, given the horrible events in Bloomington. I think Chief Drew has spoken to us before about the inoperative smoke detectors that frequently could have saved lives in fire detection. I'm interested in that one also.

Mayor Mills said some of the final changes are through the BOCA housing code, to address life safety issues. I think the more public interest probably is the trash and the noise and the alcohol changes that we're making, but we certainly are interested in everyone knowing the full details of the changes we're going to make. Happy to have public meeting, if that's what people would like to have. I hope you'll let us know what you're hearing from your constituents.

CITIZEN COMMENTS: None

ADJOURNMENT:

There being no further business at this time, Councilor Griffin moved for adjournment. Motion was seconded by Councilor Truitt and passed by voice vote, the time being 8:25 p.m.

Respectfully submitted,

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