

CITY OF WEST LAFAYETTE
COMMON COUNCIL
PRE-COUNCIL MINUTES
May 29, 2008

The Common Council of the City of West Lafayette, Indiana, met in the Lower Level Conference Room at City Hall on May 29, 2008, at the hour of 4:30 p.m.

Mayor Dennis called the meeting to order and presided.

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

Absent: Keen and Roales.

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

Mayor Dennis reviewed the agenda for the Council meeting.

UNFINISHED BUSINESS:

Ordinance No. 15-08 An Ordinance Providing For The Payment Of Litigation Expenses Including Attorney Fees For Violations Of The City Code (Prepared by the City Attorney)

Mayor Dennis asked City Attorney Burns to address this at the Council meeting.

Ordinance No. 16-08 An Ordinance To Amend Ordinance No. 24-07, 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 2008 (Submitted by the Clerk-Treasurer)

Mayor Dennis said Human Resources Director Foster will speak to this item.

Supplemental Information for Ord. No. 16-08 and Ord. No. 17-08

Ordinance No. 17-08 An Ordinance To Amend Ordinance No. 25-07, The 2008 Wastewater Treatment Utility Salary Schedule As Submitted By The Board Of Public Works And Safety For Approval By The Common Council Of The City Of West Lafayette, Indiana (Submitted by the Clerk-Treasurer)

Mayor Dennis said Human Resources Director Foster will speak to this item.

NEW BUSINESS:

Ordinance No. 19-08 An Ordinance To Establish A Go Greener Commission In West Lafayette (Submitted by Councilor Bunder)

Mayor Dennis said any questions that we need to address now?

Councilor Hunt asked for information about the proposed ordinance. Councilor Bunder mentioned that greener is an important thing, noting that Indiana, says *Forbes Magazine*, is the 49th greenest state in the U.S., which leaves you only West Virginia in worse shape than we are. The front page of the *Indianapolis Star* today talks about Indy's carbon footprint, in an article on

an EPA list.

Ms. Diane Damico [Chair, Go Green Committee] distributed copies of a volunteer application form for those who want to become more involved in green issues. She mentioned that about 65 people have come to meetings or have asked to be contacted, and that Councilors have referred people as well. Ms. Damico said that the Committee is concerned that its efforts be taken seriously over a long time. She reported that it is clear from the experiences in Indianapolis and Ft. Wayne and others across the country that the sanctioning of the government was critical to the success of green initiatives. Ms. Damico described the composition of the current committee, including people in environmental sciences like energy usage, water quality and control, the effects of the environment on public health, biologists, economists, sociologists, and people in the transportation sector. Additionally, there are people involved in manufacturing, small business owners, church leaders, teachers, Purdue students, apartment building owners, apartment building dwellers, homeowners, grant writers, and people who describe themselves as average. Ms. Damico read some of the comments from those who want to volunteer. Mayor Dennis asked what the models were used for the West Lafayette "Go Greener" ordinance. Ms. Damico said that they looked at Bloomington, Ft. Wayne, Indianapolis, the Sierra Club, and others. Councilor Bunder mentioned that the ordinance is like East Lansing, Michigan's and Bloomington's. Mayor Dennis noted that the Indianapolis ordinance has a lot of good information.

Councilor Thomas asked about the sustainability indicators and how the assessment will be framed, as far as who will do it and how it will be generated. Ms. Damico responded that they had started by brainstorming all sorts of indicators with all levels of practicality. They then created a database of ideas they will pick and choose from at a later point. Initially, they are investigating what statistics are already being collected, so that they can compare those next year. Ms. Damico stated that the newly-formulated Commission members' areas of expertise will be important. Mayor Dennis said the Indianapolis plan also had a similar approach. Councilor Burch asked the Mayor if there are indicators laid out in the Indianapolis plan why there are no specifics on indicators that Ms. Damico can provide. Mayor Dennis responded that the Indianapolis project itself was initiated in July 2007 by then-Mayor Peterson. The group was selected by Mayor Peterson and began a comprehensive study on what could be done in Indianapolis to make it greener; they used that data and made recommendations to the Mayor. Ideas such as neighborhood smart land use and brown fields are outlined. Councilor Bunder said EPA provides a timeline on their website, noting that it doesn't happen tomorrow, which is one of the reasons to make sure that there's a permanent connection to the City in some way. Councilor Hunt noted that this is the bones, the mission statement and some possible topics that will be fleshed out. Councilor Bunder responded that West Lafayette's plan would not look like Indianapolis', it will not look like East Lansing's. Ms. Damico said that the committee's metrics are two pages, and they aren't quite sure which ones will be the necessary for the next couple of years. She reported that, for example, if trails are recurring, the Commission would keep that measurement, not how they would improve that, or whatever comes out of working with City departments, those would have to be prioritized. The Mayor responded that prioritization is critical, because the City has to look at all sorts of drivers for such a plan. Ms. Damico said that the creation of the Commission is only step one. Councilor Burch asked Ms. Damico how much this Commission would cost the City. Ms. Damico responded that she anticipated that the expenses would be minimal, with some staff time. Councilor Burch suggested that the request is for administrative staff, not secretarial support, as other Commissions have. Ms. Damico said that she didn't see the difference, that the minutes and agendas for the group would be done by someone on the Commission. Ms. Damico said that some communities have hired energy managers. Mayor Dennis said that Indianapolis has done

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that. Ms. Damico said that Ft. Wayne did that also. Councilor Burch noted that we have to be economically efficient, particularly now, and that using volunteers to save City staff hours is a good idea. Councilor Hunt added that the West Lafayette America in Bloom competition has brought to light several things that the City is already doing to be green and conserve. Councilor Bunder said that it's a tribute to the City's past work in the areas of great wastewater treatment and trails, recycling, etc. that we are looking ahead to find possibilities to do more. Mayor Dennis reminded the Council that Purdue's resources are available for help. Councilor Burch asked Ms. Damico for some examples of what the Commission's roadmap might be, noting that water pollution, air pollution, gas mowers, and other ideas have been raised. Ms. Damico responded that the current committee has focused on education and limited initiatives, but that they are working on an event to collect unwanted medicines, to keep the pharmaceuticals from getting into the water supply. The purpose of the group is not only to collect the medicines, but to let people know not to flush their medicines into the wastewater system. Councilor Thomas said that this specific issue is serious, keeping water systems clean. Police Chief Dombkowski said that as recently as five years ago, police departments flushed evidence, when it was no longer needed, and now it is incinerated. Councilor Burch asked how the size of the Commission was determined. Ms. Damico said that other communities have large commissions, also that there have been a high number of people interested in this subject. Since there can be up to five members from outside West Lafayette, there is consideration that things such as the bus system, the river, and air quality affect the entire community.

Ordinance No. 20-08 An Ordinance To Amend West Lafayette City Code Chapter 26 Concerning Credit Card Fees (Submitted by Councilmember Roales)

In Councilor Roales' absence, City Attorney Burns said he was in agreement that the chapter does need to be updated, possibly more generic than Councilor Roales has suggested. For example, copying charges at \$0.03 per copy are below cost. Mayor Dennis asked about the costs associated with using credit cards. Clerk-Treasurer Rhodes answered that the cost of a point-of-sale terminal at about \$700 would be incurred; and discount fees that could be recovered, but the exact amount only could be recovered, probably \$0.25 to \$0.30 per transaction. She noted that we are not able to turn away corporate cards which have very high discount rates, and she has concerns that insurance companies who buy most of the accident reports in the City will be using cards that will be revenue-generating for them, in addition to other considerations. There were nearly 900 accident reports sold through the Police Department in 2007, according to Police Chief Dombkowski. City Attorney Burns commented that there is a Statewide authorized vendor who is selling accident reports by credit card online. Chief Dombkowski noted that he is looking into this program, and is close to entering into an agreement with buycrash.com which is authorized by the State to upload accident reports daily. That company is the central repository for the State of Indiana, and the State permits the company to sell any Indiana municipality's reports. If we enter into an agreement with the company, they will give us a portion of their sales of West Lafayette reports. Councilor Bunder said he would not speak for Councilor Roales, but Councilor Roales' concern is usually with students, and that students usually are dealing with debit cards rather than cash. Mayor Dennis read an email from Councilor Roales which said that, "If you will remind everyone on Thursday that this ordinance would create the ability for the Police to start accepting cards, when they get all the details worked out, but it does not require them to do so during any time frame." Clerk-Treasurer Rhodes said she'd had a brief conversation with Councilor Roales, who would like for students to be able to phone in their credit card numbers and get an accident report. Chief Dombkowski said that the accident report income last year was less than \$4,500, but it may be increased, if we can capture a portion of the revenue the City loses through buycrash.com. Mayor Dennis said Councilor Roales' intent is to make it more convenient. Ms. Rhodes said

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that a new policy would need to be worked out before the acceptance of credit cards is implemented. A new system is planned to be installed in the next few months for online payments.

Ordinance No. 21-08 An Ordinance Requesting An Additional Appropriation (Police Station Nonreverting Fund) (Prepared by the Clerk-Treasurer)

Clerk-Treasurer Rhodes said that the City Engineer asked that this ordinance be prepared.

City Engineer Buck explained that the funds were appropriated last year, but did not get encumbered at year end. The fund is the same one used to renovate the Police Station and renovate the basement of City Hall. There were quotes for electrical improvements to City Hall received in 2007, to remove and replace the original building generator, which is not being maintained, as well as to remove old antennas on the roof and associated electrical equipment that would be removed. It was intended that the siren that's on the roof was to be replaced, but it is run by the generator. Mr. Buck said that he has applied for a grant through Homeland Security for \$24,000, to install a standalone battery backup for an emergency siren. Mark Kirby, Tippecanoe County Emergency Management Agency Director, has been involved, and they should hear soon on the status of that application. Items 7, 8, and 9 on the list Mr. Buck provided have not been started, but would like to move forward. Surge protection for the building and the other work on the chiller disconnect and chiller compressor is necessary, to eliminate problems with cooling in City Hall. The exterior lights and the handicapped ramp are to be installed in June; they were previously authorized. He outlined the other projects to provide technology upgrades in the Lower Level Conference Room, which are in the initial stages of planning.

Resolution No. 12-08 A Resolution Providing For A Transfer To The Rainy Day Fund (Prepared by the Clerk-Treasurer)

Clerk-Treasurer Rhodes explained that one of the changes in HB1001 was the change in the funding for the 1925 Police Officers Pension Plan and the 1937 Firefighters Pension Plan. Those plans have been supported by the property tax levy and a payment of pension relief from the State, which is from a variety of revenues, including cigarette tax and excise tax. Over the past several years, the State has been paying about half of the pension benefit costs, and the City has been levying property taxes to pay the rest of the cost. Now that legislation has abolished local levies for pension plans, the City is faced with how to proceed with its pension funds. After December 31, 2008, the City can no longer levy a property tax to pay this obligation. West Lafayette will still meet its obligation, but the State will be providing 100% of pension relief for the benefit payments. The question is what to do at this point, in terms of budget planning. After discussing the situation with legal counsel in Indianapolis and with the State Board of Accounts, the advice Ms. Rhodes received is that the City should clear out the balances in its pension funds, because they will no longer be needed. The City has not yet received its budget order for this year, because of the delay at the State level, and has no certified assessed valuation for the 2007 PAY 2008. When the preliminary budget order is received from the State, the levy for the old pension plans will be eliminated, because it will not be needed, and other funds will be adjusted. Over the years, the City has levied property taxes in excess of what was needed, in order to build up an operating balance. This was to enable the City to be assured of meeting its pension obligations, and to help the City absorb the costs when large numbers of members of the old plan, particularly the firefighter plan, would retire. Last year, it cost the City over \$280,000 in the lump-sum DROP payments when three members retired. In order to reflect the fact of these excess property taxes collected in prior years, Clerk-

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Treasurer Rhodes recommended that the purpose of the levy fund is no longer necessary, and that the funds be transferred to the Rainy Day Fund where they will be under Council control for appropriation. In the past, the Rainy Day Fund has been used to pay pension obligations, in order to allow operating balances to be preserved in the pension funds. She recommends this action to help the City prepare for the change in the funding of the pension obligation. She also pointed out that, beginning in 2009, the levy will be reduced by the amount that would be needed to fund the plan. So property taxes levied on City taxpayers will be lower, because the State is picking up the obligation for pensions.

ADJOURNMENT:

There being no further business at this time, Councilor Bunder moved for adjournment. The motion was seconded by Councilor Burch and passed by voice vote, the time being 5:37 p.m.

Respectfully submitted,

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