

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MEETING MINUTES

SEPTEMBER 5, 2006

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on September 5, 2006, at the hour of 4:30 p.m.

Mayor Mills called the meeting to order and presided.

The Pledge of Allegiance was repeated.

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

Absent: Plomin.

Also present were City Attorney Bauman, Clerk-Treasurer Rhodes, Director of Development Andrew, City Engineer Buck, Public Works Director Downey, Fire Chief Drew, and Police Chief Marvin.

MINUTES: Councilor Griffin moved for acceptance of the minutes of the August 3, 2006, Pre-Council Meeting; and August 7, 2006, 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.

The August monthly highlights for the Motor Vehicle Highway Department, Fairfield Contractors continues reconstruction of curbs and sidewalk safety improvement project on Salisbury Street. With the cool, wet weather coming in, the mosquitoes will also be multiplying. Be sure to empty any water standing in containers, remove old tires, and clean your eaves troughs. These are all places mosquitoes like to breed. As far as the Sanitation Department is concerned, there are a number of things to remember when placing trash at the curb. Trash and garbage must be placed in containers; the weight limit is 50 pounds. If you're putting out tree limbs, nothing longer than four feet or six inches in diameter. For putting out old carpeting, it should be cut in six-foot lengths, rolled and tied. No concrete, brick, sod, dirt or demolition debris is acceptable. No refrigerators, air conditioners, freezers, or dehumidifiers will be picked up by the Sanitation Department. If you have such items, you need to call a company that specializes in recycling those items. You can call Wildcat Creek Solid Waste District for disposal of hazardous chemicals. Latex paint cans should be filled with kitty litter to dry the paint and left at curbside, with the lid off of the cans. If you have metal objects to be picked up, call the Sanitation Department. Used motor oil, oil filters, and antifreeze can be brought to the Recycling Center at 705 South River Road. No debris from contracted work will be picked up. The contractor must remove the trash and brush from that project. That completes the report.

WASTEWATER TREATMENT UTILITY: Councilor Satterly presented this report.

Total flow for last month, 237.42 million gallons. The average was 7.6 million gallons a day. The Combined Sewer Overflow was 0.056 million gallons. The percent that was treated in the plant was 99.7%. 786 feet of sewer was televised and cleaned. Manhole catch basin repairs, 331 hours. That completes the Wastewater Treatment Utility report.

PUBLIC SAFETY: Councilor Keen presented this report.

For the month of August, the students returned, obviously, and it was a nice increase in activity with the Fire Department and the Police Department, as is expected this time of year. The Fire Department realized a 35% increase in calls during that month, and we have three new firefighters that have recently been hired, and they are just going through a whole variety of training, and they are enjoying that, I'm sure. We do have two new trucks that we're looking at getting, and significant progress has been made on specifications of the trucks. Hopefully, they'll be put out for bid and ordered soon. We'll be talking about that more later on. For the Police Department, their activity was also up. It was up about 22% over the previous month. Along with that activity, there's been a lot of participation in a variety of special enforcement programs, like the Fatal Crash Reduction Enforcement and DUI programs and those sorts of things. One good thing that has happened, as everybody does know, the Department lost Fonske, which was our canine officer, in July. Since that time, the Department has received donations and insurance money in order to get another canine officer, and we do have one. Officer Dunscomb was introduced to him last week, and his name is Kay. Also, I'd like to report that the Department started their first Citizen Police Academy on August 30. That is an 11-week program that will meet one night a week for approximately two to three hours, and that program covers a wide variety of topics, including dispatch, communications, training and the field training program patrol, traffic law, criminal investigations, and on and on and on. Apparently, the class is full, and we have a waiting list for the next one already. Lafayette's been doing this for a while, and I know that is just an absolutely excellent program, and I'm very excited to see us participating in that. That completes my report.

Mayor Mills said I'll just comment about that for a second. We had that class last week for the first time, and I want to thank the Chief and all the officers who are participating in the class. We did have a full house. I stayed for about the first hour. It was very interesting to hear, and great questions. People obviously looking forward to the class. So we're looking forward to the finish and then another group coming in and going through it. It's a great program.

PURDUE RELATIONS: No report.

PARKS AND RECREATION: Councilor Hunt presented this report.

I'll say, the students are back. We've noticed. The Parks and Recreation was one of the major sponsors of the Global Fest at Morton Center this past Saturday. It was wonderful—wonderful weather, wonderful events. I want to direct your attention to some photographs of the Global Fest that were taken by [City Attorney] Bob Bauman. The colors and the scenes are wonderful. It was just a great afternoon and all day, and it was very nice. Congratulations to the Global Fest Committee. Parks and Recreation staff worked many long hours, and also thanks to the performers, vendors, and the many, many other volunteers for putting on another very popular festival. The Greater Lafayette Community Foundation awarded \$4,000 for Global Fest, and other festival sponsors—they're listed, I believe, here and also on the poster. They include Arnett Health Systems, Bison Financial, Caterpillar, Chase Bank, Duke Energy, Eli Lilly, Henriott Group, Indiana-American Water, Keramida Environmental, Lafayette Bank & Trust, Lafayette Community Bank, Lafayette Life Insurance, Lafayette Savings Bank, Purdue Employees Federal Credit Union, Subaru of Indiana, Wal-Mart, and WBAA. Thank you, all of them, and I'm sure many of us in this room attended that event. Other events in the Parks Department is the Northwest Greenway Trail extension, which is one mile of paved trail, connecting Friendship House, Plaza Park Neighborhood, George Davis Manor, Westminster, and Sagamore Park

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Centre to Cumberland Park and also the rest of the trails. There was a ribbon-cutting for that trail addition on August 24. It's very nice. You might want to drop by and walk around it. When I walked it, there were many people of different ages and a lady pushing a baby and some older people, and it was very nice. In addition, the Lincoln Park plan has been revised and submitted for approval by the State Historic Preservation officer, and development will follow as soon as this plan is approved. Another exciting event coming up September 24 from 10 to 4 in Tapawingo Park is the inaugural "Art on the Wabash: A Local Artists' Fair," and the dedication of the new fountain in that park plaza will take place at 1 o'clock on that day. Again, that's September 24, and the fountain is very attractive also. The next Park Board meeting will be September 18 at 4:30 at City Hall. That ends my report.

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

I did want to interject to Councilor Satterly's report and didn't get it done, about the recognition that David Downey, our Public Works Director, received as a Road Builder Diploma from the Indiana Local Technical Assistance Program. It's a very nice picture, too, David. The Redevelopment Commission met on August 21, and they made an additional appropriation from the KCB TIF District for landscaping on Sagamore West. This is a pretty exciting project. It's one of the recommendations of the Sagamore Parkway Task Force, and it will be where Northwestern intersects with Sagamore West, so is in the KCB District. They'll plant about 100 trees and 1,500 shrubs in making it, I think, as Curt [Slyder, *Journal and Courier* reporter] put it, as an urban forest in that corner. We'll also receive \$50,000 worth of funds from INDOT for that. Another part of that KCB TIF would be some work on the Celery Bog Nature area. The Sagamore Parkway TIF is working on the Nighthawk Trail extension by Sagamore Ridge apartments. That was another recommendation of the Task Force. The Commission also heard progress reports on Chauncey Square, Tapawingo Park Plaza, the Sagamore West Pole Project, and Tapawingo South. Also an exciting project with INDOT to work on the signaling at Sagamore Parkway and Salisbury Street, to have it be radio-controlled right there at that intersection, and also one at Salisbury and Navajo. They will be synchronized, so that when there's more traffic, the light can stay on longer, and that's actually even going to be a master controller, so eventually maybe more of Sagamore West could be controlled by that. So that's an exciting project that we've been working on for a while. The next Redevelopment Commission is September 18 at 12 noon. I did just want to say that all this good work by the Redevelopment Commission and the Department of Development has led to a bunch of exciting things that have happened. Councilor Hunt mentioned the ribbon-cutting for the Northwest Greenway Trail, and people were very excited. A busload came from Westminster, even though they can walk now, some of them took the bus to get there. In the Plaza Park neighborhood, they're very excited about having that done. A lot of good cooperation to get that done. There's also a ribbon-cutting at the International Technology Center. That's a great new facility in the Research Park. It's 80% leased, but they still have some space available. There are just a lot of businesses opening up all over West Lafayette. We have restaurants, Chipotle and Qdoba Mexican Grill in the Village, and Nine Brothers Irish Pub on North River Road will be opening this fall. River Rock Grille and Spotted Dog on the Levee, Kibu Café at State and Northwestern, Masala Kitchen and Wicked Pizza, also in the Village, Camille's Café and Spacibo European Market on Sagamore West, Dick's Bodacious Barbecue at Wabash Landing. And new retailers, Jos. A. Bank Clothiers in University Square, and there'll be a ribbon-cutting for that on Thursday. Collette's has been open for a while down at Wabash Landing, and another clothing store Juniper is coming there this fall. The College Park Centre, also up there by International, is a \$1 million expansion that's underway, so KitchenArt will be getting bigger and more new

businesses coming there. It's also medical and health-related businesses, with Sigma Medical Group on Sagamore West, Adam Cline Chiropractor and West Lafayette Chiropractic opening offices. This is in addition to all the exciting things going on in the Research Park. New businesses coming and businesses doing well. Imaginistics, one of our Research Park companies, has obtained an NSF grant and a spot in a premier technology show. So I just wanted to say kudos to the Department of Development and the Redevelopment Commission for all their work attracting and keeping businesses in West Lafayette.

Mayor Mills said thanks very much. I'll just add that some of the new light and banner poles are up along the Parkway, so drive down the Parkway. Pretty soon they'll all be up and we'll have banners hanging and we're making great progress on the recommendations from that Task Force.

PERSONNEL: Councilor O'Callaghan presented this report.

I guess I'll just mention that there are some salary ordinances on the agenda for tonight for second and final reading that do include a 2% salary increase. The salary ordinance for the elected officers is postponed until next month, to meet publishing requirements.

BUDGET AND FINANCE: Councilor Truitt presented this report

I will defer most of my comments to our discussion later, but I will say that in front of each individual's place is our August cash transaction document. We will have a public hearing tonight on the budget, and we will have our final reading some time later in September. It looks like that date is going to change, but we will let everyone know when that date is firmly set.

REPORT OF APC REPRESENTATIVE: No report.

#### REPORTS OF SPECIAL COMMITTEES

##### Global Fest

Mayor Mills said I will just add my congratulations to the staff and all of the volunteers for Global Fest. This was the 12<sup>th</sup> year. We had a record crowd on a beautiful, really perfect day for Global Fest. It wasn't nearly as warm as it sometimes is, and I think the fact that the food vendors ran short fairly early in the evening is a testament to how popular it was this year. Thank you again to all of the sponsors and all of the volunteers. It was a great success because we had so much support.

##### West Lafayette Youth Council

Councilor O'Callaghan said one other special committee, Mayor, is the West Lafayette Youth Council did have their callout a week ago last Thursday, and over 40 students came out. They met here on Sunday for the first time, and Mayor greeted them. They're real excited about getting a lot of projects done, and they're already doing a voter registration drive this week at the high school and have arranged with the Election Board to bring some voting machines to the high school. They did that two years ago when we had an election in November, and I think that's a great thing for those first-time voters to get to see it in an environment where they're comfortable.

Mayor Mills said it was a very impressive turnout. They've always had a very active group, but probably half that size.

Councilor O'Callaghan said not that many.

Mayor Mills said very impressive. Thank you.

## PUBLIC RELATIONS

### Employee Service Anniversaries

Mayor Mills said we have three employee service anniversaries this month. James Hedden in the Street and Sanitation Department has been here for 30 years. Great service from James. John King in the Police Department, 5 years; and David Smith in the Police Department, 5 years. So we extend our thanks and congratulations to all three of them who give great service to the citizens of West Lafayette.

### West Lafayette Community Beautification Award

Councilor Griffin said it is my pleasure tonight to present a beautification award to two New Chauncey neighbors. JoAnn Roe and Glenn Blackwell who live at 468 Littleton. Although they haven't been in our neighborhood very long, a couple of years, JoAnn especially, and Glenn attributes the success of the garden to his working in the background, I think what he has said. But JoAnn is both a master gardener and a master naturalist, and JoAnn has certainly demonstrated that, even in the urban part of our community of West Lafayette, where a lot of the lots are smaller, that even with small frontage on the street, it's still very possible to have a really attractive garden. In fact, there's not very much grass in their front yard, because it's a lovely combination of perennials and a few annuals and so forth. We have a lovely picture here on the computer—

Mayor Mills said we have four, actually.

Councilor Griffin said we have four lovely pictures on the computer. Are we going to—? Do you think we'll have them up-front here at any moment?

Director of Development Andrew said we're trying.

Councilor Griffin said well let me ask, while we're trying, let me ask JoAnn and Glenn to come forward and receive— Yes? Well, I'll let you guys fight out— Here we go. You can see we're looking across the side of that property. As you can see, as we look across that, is your yard about 50 feet across? Does that sound about right?

Ms. JoAnn Roe said I don't know. How wide is the yard?

Mr. Glenn Blackwell said sure, 55.

Councilor Griffin said 55 feet. Beautiful afternoon sun there, catching that. JoAnn, while you're so close here, my congratulations to our master gardener and master naturalist. The West Lafayette Community Beautification Award to both of you. Thanks so much for your contribution to the neighborhood.

Mayor Mills said look at this one, this is another great shot.

Councilor Griffin said here we have lovely phlox and daylilies and some daylilies in the back there.

Mayor Mills said do you want to say anything, either one of you?

Ms. Roe said this is a very nice honor. Thank you very much. It is an enjoyable hobby.

Mayor Mills said thank you. We all benefit from your hard work. Thank you very much.

### FINANCIAL REPORT

Clerk-Treasurer Rhodes said tonight I wanted to begin by a short review of the cash transactions report. I wanted to draw your attention to the totals toward the bottom that show increased personnel expenditures 2006 compared to 2005. Between the General Fund and Parks, we are over \$410,000 higher than we were this time last year. We're going to be talking later tonight about recurring and one-time expenditures, and surely you're recognizing that personnel expenses are typically recurring, unless we are restructuring how our staff is allocated among the funds. This time of year, as we go into budgeting, normally we would be receiving our Certified Assessed Valuation from the County Auditor. However, because of trending this year, we are probably not going to receive that until later, toward the end of October. The Department of Local Government Finance first has to approve the trending that has not occurred yet for our township. Then, of course, there are calculations that are done by the County Auditor, and, in particular, neutralization of the base of our TIF Districts must occur. So we will probably go past final adoption of the budget and, in fact, filing the budget with the State before we know what the certified is, a little bit later this year than we typically have it. The other news related to West Lafayette is information about our income tax distribution. I want to talk briefly about something which isn't necessarily tied to this particular budget. I'm providing you with several tables and some graphs to show you the allocation of the two income taxes in Tippecanoe County, the Economic Development Income Tax and the County Option Income Tax, showing the allocations among the big three entities—Lafayette, West Lafayette, and County government. The first plot shows you our percentage share of the income tax distribution. As you can see, our share is slowly declining in the County. Nonetheless, the second plot will show you that we're still receiving some more dollars. But this year, the 2007 distribution will be just \$30,000 approximately less than the current year. I wanted to point out a big factor that's occurred in the County that is related to the growth of the levy in the County. Income tax, as you remember from our discussion several times, is allocated based on levy, the amount of property tax various governments collect. It isn't allocated based on population. It is not allocated based on where the money is collected. So a government that has a larger property tax levy will receive an increasing share of the income tax. In the County, the Family and Children Levy has grown from \$3.4 million in 2005 to \$7.5 million this year, and I understand the budget request for 2007 is \$13.8 million. The levy for the City of West Lafayette is just slightly larger than the operating levy, about \$7.2 million. In fact, what has happened in our County for all intents and purposes is that we have another city basically, another entity that has a levy as large as ours, in fact growing, going to be significantly larger than us next year. Because of that, the allocation of income tax in the County is going to change. This year, as you'll notice, although we're down about \$30,000, about 1%; Lafayette's down about 2%, \$171,000; the County will receive over 10% more, or \$1.1 million more than they did this year. This is one of these items that is going to be a long-term situation of the County. We're likely to see a very large levy for this purpose in the County. It will feel, to us, like there is a whole other

city that's come to share in the income tax. It's certainly going to affect our share of the pie in the years to come. I wanted to just spend a few minutes talking about this, just allow us to look forward a little bit and be aware how significant that function is in our County, and how it will affect us in the years to come with our income tax distributions. It's certainly going to be a factor, along with other things that happen in the future in this County. That's all I wish to say until we're involved in the budget discussion. Thank you.

UNFINISHED BUSINESS

Ordinance No. 19-06 An Ordinance 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 Mayor) Councilor Griffin read Ordinance No. 19-06 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 as Councilor O'Callaghan pointed out, the salary ordinance includes a 2% increase for our employees. That's really the only change this year. Are there questions? Comments? Any discussion?

There was no further discussion.

Ordinance No. 19-06 passed on second and final reading, 6-0.

Ordinance No. 20-06 2007 Wastewater Treatment Utility Salary Schedule As Submitted By The Board Of Public Works And Safety For Approval By The Common Council Of The City of West Lafayette, Indiana (Presented by the Board of Public Works and Safety) Councilor Griffin read Ordinance No. 20-06 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 again, this is the salary increase for the Wastewater Utility employees, also 2%, as with the rest of the City employees. Any comments or questions? Any discussion?

There was no further discussion.

Ordinance No. 20-06 passed on second and final reading, 6-0.

Mayor Mills said I will remind you that we have postponed Ordinance No. 21-06, until our September 28 meeting, or whenever we schedule it.

Ordinance No. 22-06 (Amended) An Ordinance Appropriating Monies For The Purpose Of Defraying The Expenses Of The City Of West Lafayette, Indiana, For The Fiscal Year Beginning January 1, 2007, And Ending December 31, 2007, Including All Outstanding Claims And Obligations, And Fixing A Time When The Same Shall Take Effect (Submitted by the Mayor) Councilor Griffin read Ordinance No. 22-06 by title and put it on the table for public hearing. The motion was seconded by Councilor Satterly.

Mayor Mills said we will not vote on this tonight. But we will have the public hearing, so time for public comment, but I want to take just a few minutes. I want to remind people of a few things and talk for just a few minutes about the budget. At the same time, I'm going to put up a couple

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of larger charts. I thought it would be a bit easier to see, and I will move out of the way eventually, and you'll have a better opportunity to see them. I wanted to talk just a minute about the priorities for this year. As I spoke in the first reading of the budget, we have four, I think, in the 2007 budget: planned growth with our annexation; public safety; as always, the provision of quality services; and, as we often have, serious investment in City infrastructure. I'm going to just give you a few highlights, and then I'm going to go back and talk about them after the highlights. This year, the 2007 budget, as you know, we have annexed 1,173 acres. We've increased the size of the City by one third. So with that increase and new territory comes an increase, a necessary increase, in the City budget. Long-term, that increase will lead to a stabilization and, in fact, a decrease of our property tax rate. Short-term, though, it means a strategic use of some of our City reserves, our cash reserves, to provide those services in the timeframe that we must do by statute. This 2007 budget is a 3.8% increase in the property tax levy, so the amount of property taxes that we will collect to support the budget. To the average homeowner, and you can do your own math here, depending on the cost of your house, but it's a \$0.02 increase per \$100 of assessed valuation, so if you have a \$100,000 home, your property tax rate, your municipal rate, is going to change from about \$0.74 per \$100, or \$740, go up \$0.02 to \$0.76 per \$100 of assessed valuation, or \$760. So you can see that would be about a \$20 increase and that \$20 increase does not take into consideration Homestead Credit, Homestead Exemption. So the actual increase for a \$100,000 house will be less than that. I will remind you that, of all third-class cities over 15,000 population, we have the lowest property tax rate in the State. I've put these charts behind me here, so that you can see it a little bit better, but not only property tax rate, but the amount of dollars we appropriate for the City per person and the levy, the number of dollars we raise in property tax dollars. We are the lowest of all third-class cities over 15,000. We're very frugal, we provide services, I think, very well. This year we also include, as was mentioned earlier, a 2% salary increase for our employees. A bit later, I'm going to talk about the efficiencies and some of the grants that we've gotten. I've given a handout to all of the Council, and I certainly have more copies, if some of the public would be interested. I made, not many, but there's certainly enough for the crowd tonight. We do our jobs very well, and we've managed to continue to provide good services, even though our property tax rate is so low, because we have department heads who work very hard, and employees who work very hard at finding ways to tighten the belt every year. Again, I'm going to give you a very extensive list later on, which I think will point out to you just how well we've been doing our job. Again, just a map of the annexation, the blue hatched area is the 1,173 acres, and this is the rest of the City, so it puts in perspective just how large an area of land we are annexing. Again, with this annexation, we have a responsibility to provide services within one year of the annexation. That sounds great, and it is great, but the way the statute is set up, even though services must be provided immediately in 2007, a year from the day, so it will be August 17, we do not start collecting the property taxes from that area until 2008. So we will not get our first draw of property taxes until June of 2008. You can understand, then, why this year we must budget for next year the increases we'll need to provide the personnel, to provide the services for that annexation. It is a borrowing. I consider it a borrowing, a borrowing of some of our cash reserves, to provide those services, to add those personnel, and after the new area comes in, we will be repaying the money that we've borrowed from ourselves to make the services possible in 2007. I gave at Pre-Council or the Budget and Finance Committee meeting the analogy of any homeowner. I invested in a new kitchen this year, and, because of that, I spent a lot less money in every other way, so that I could save that money and invest in a new kitchen. Many of you probably go out and buy a new car and do the same thing, spend less in other areas, maybe forego a vacation this year if you're buying a new car, and you'll save up

and you'll build up your cash reserves, so that, when in the future you want to purchase something else, you'll have those reserves available. So, the City functions very much like all of us do individually. We must save up and spend money when we need it, and then replenish that money in our reserves. As I mentioned before, part of the advantage of annexation, there comes the ability to stabilize, and, in our case, to actually lower your property tax rates. There will be an immediate increase in 2008; we will be paying a higher property tax rate with annexation. But by 2009, that will have leveled off, and by 2010, we will actually realize a savings, so without the annexation, our property tax rate would continue to go up. With annexation, those property tax rates will lower and then stabilize. I think you can see it very well. The red line is with no annexation, assuming that the rate continued at 4% or this, I think, is actually calculated at 3.9%, which is the increase we had last year. The blue line is what will happen with annexation. Property tax rates will come down. That's made possible through economies of scale. We'll start collecting those property taxes. The direct service costs will increase, of course, but the administration and overhead costs will remain the same, and so that's why the property tax rate will go down. I had this graph up last time, and I just want to, again, talk about the difference between last year's budget and the 2007 budget. This budget is 14% higher than last year, but I've broken it down so that you can see where most of that increase is. Annexation costs are part of it, of course, and personnel. There are \$314,000 of just personnel costs—three firefighters, three policemen in that little pale green sliver that you see at the top. There are also \$561,000 new dollars, additional from 2006, that we will be paying in pensions this year, police and fire pensions. That is a cost that we have no control over. Those are the pension monies that we are responsible, as a City by law, so \$561,000 in pensions. The orange line is the road projects that we are investing in, and we will be spending \$761,000 this year on roads and street projects. We'll be actually spending more than that, we'll be spending about \$1.5 million in road and street projects, but \$761,000 of that \$1.5 million are brand-new dollars, so these are LOHUT, Wheel Tax dollars, and these are Major Moves dollars that we will receive as a City from the leasing of the Toll Road. So those are brand-new revenues to the City, brand-new appropriations that we've never had in our budget before. But, again, it will go to infrastructure and that is the reason those dollars are collected from all of us to go for roads and streets. I'll just reiterate, 14% increase, that's \$2.3 million, \$2.3 million over last year, but 83% of that \$2.3 million is right here—annexation, roads, and pensions. That doesn't leave very many new dollars to pay for everything else—cost of gasoline, increasing cost of health insurance, and the other projects that we'll be doing. Here's just a breakdown of the budget, 51% will go for public safety; 12%, roads and streets; 10% is Economic Development Income Tax, which traditionally we like to use for economic development, but we find ourselves, now that the State has okayed the use, actually using more of those dollars for operating. We would prefer to save that money entirely for economic development, but it's necessary right now to use some of those dollars for operation costs. We put more salaries in there in the last several years, and will no doubt continue to do so. 4% of the cost is the Sanitation Department. This year, we are buying a new trash truck. We will buy that over three years. Mr. [Public Works Director] Downey has been very patient, waiting on a truck and has cobbled his truck together for several years, and this year it's his turn to have a new vehicle, and so we are purchasing a new trash truck this year. 6.5% of the budget is for Parks and Recreation. We have a great 17-mile trail system now, we continue to add to our green space, and that takes not only money to maintain just in sweeping and cleaning and watering and weeding, but in also keeping the trails clear for the citizens to enjoy. 17% of the budget is everything else, the day-to-day City Hall function—there's a good breakdown for you of where the money is going. Again, I just want to say that we are the most frugal city. We have done an

excellent job of pinching pennies, stretching dollars, waiting to do big projects, waiting to purchase equipment, and we do that because we have great department heads who, again, work very hard. I said I would talk about the efficiencies a little bit, and I'm going to do that now for just a moment, and I'm certainly not going to go through the whole list, because it's lengthy, but I'll just give you a few highlights of some of the things that have been done and some of the things that continue to happen. We're managing to continue the work with no increase in personnel or with fewer personnel than we had 10 years ago. Building permits have increased in the last six years, from 27 to 34 a month. That doesn't sound like a lot when you think about it, seven. But if you think of the fact that there are 20 days in a month, 20 working days in a month typically, you start thinking about that, and that's a lot of building inspections for people to do each week. Sorry, that's the permits. The building inspections have increased 32% in that same time, so not only is the permit process timely and lengthy for the staff, but then they have to go out and inspect all of those buildings and it often, usually requires multiple trips, multiple inspections, so it's a great deal of work from the. That's gone up from 106 to 140 per month, so that's seven per day, seven per day on a workday. You can understand how the staff is very busy in Engineering. I could go on at length about Engineering, but I'm not going to, because I'm going to try to just point out a few in each department. Mr. [Public Works Director] Downey in Street and Sanitation has reduced his employees from 14 to 7. At the same time that that reduction has been made and that's been over 10 years, the population of the City has gone from 20,000 to almost 29,000, so he's doing more with fewer people and the population of the City is increasing. He's done the same thing with Motor Vehicle Highway employees, reducing them from 22 to 11, while our road miles have increased from 61 to 84. Again, cut the staff in half, road miles have gone up by 23. He uses recycled motor oil from all of our vehicles to heat both the Street and Sanitation work area and the Wastewater Treatment work area, so we're saving energy and being very green—recycling that in both of those facilities. Again, I could give many more. We've done a great job there. Parks and Recreation, 90% of our vehicle maintenance is done in-house. We've reduced the open area maintenance by 30% by actually going to more natural vegetation, utilizing prairie and savannah plantings and doing different landscaping. 85% of their building, plumbing, and HVAC maintenance is done in-house now. They also contribute to that recycled motor oil that we use for heating. We use volunteers in many, many different ways, to cut down staff hours. Our "Adopt a Spot" programs use volunteers, the Lilly Nature Center is 95% staffed with volunteers. Wastewater Treatment Utility, same situation, we've reduced the number of maintenance employees from five to three. We've qualified for many grants there. We are in the process of updating our digesters and going to find probably about \$9 million in energy saving costs over the next 20 years, because we're going to go to the Fats, Oils, and Grease Program. Not only was that approved by IDEM, but they've sent us a nice letter saying that we're being very green and they especially are recognizing us for being energy conscious and taking that source to use for energy generation and methane generation for the City. Department of Development, we inspect 1,000 to 8,000 rental units annually, and that depends on which cycle of the inspections we're in. We have two inspectors, so a great deal of work to provide safe and decent housing for all of our renters in the City. We have 738 new jobs in the Purdue Research Park, and those are due to hard work of the staff and working with Purdue Research Foundation and working with the companies who are growing here or who want to relocate here. Those are great dollars for us and a great tax base. We conduct 35 to 60 monthly nuisance inspections, one person. Again, one person doing all of that work, and he's driving around in a 17-year-old car with no air conditioning. Each department has done a great job. I'm not going to go on any further. I can add things from the Police Department and the Fire Department. You have those all on your list, and,

again, I'm happy to put the extra copies out for people in the public to see. But this is the way we have managed to keep our tax rate low, because we have great people, we have great staff and department heads who work very hard to provide great service at the lowest possible cost. They are not only providing great services, but we continue, I think, to improve the quality of life here in the City with our trails, with our pedestrian improvements, with our redevelopment, and I'll just add the redevelopment of the riverfront. That's going to be a great addition to our community. So, again, this budget is a strategic investment in the future. We will realize a growth in our assessed valuation with all of this new area that's coming in to the City. We will also realized planned physical growth, so we will have a voice in how that area builds out, the physical build-out. We will stabilize our tax rate, and, again, we will add to our great infrastructure in the City. I will stop here and we'll go to the public hearing.

I will, at this time, open the public hearing. If you would like to come to the podium and make comments or ask questions on the budget, please do so. Give us your name and address.

Ms. Vicki Burch [1612 North River Road] said you talked about the newly-annexed area. We will be paying for the annexed area well into the future. How long we pay is determined by the number of houses built and sold. With the housing market currently soft, what are your contingency plans, if any, if the number of houses built and sold do not meet your predictions? Thank you.

Mayor Mills said I think that's a great question. These predictions are, of course, just predictions. We know that the housing market has been good. It has certainly softened a little bit. The annexation fiscal plan is based on the prediction of 167, I think, houses per year over the next 20 years, or 15 years, I believe. Last year, we had, I think, 31 single-family homes. We are, I think, on track about the same, maybe 28 for us, if we do what we have done so far through July. But the County had more than 600 new single-family home starts last year, and they are certainly on track to have very close to the same this year. Now, of course, a lot of that building is in the south area of the County, but I guess we're assuming and hoping that we will have good growth. Every year, this budget is based on what we do. The dollars we spend is based on the monies that are available. So if we find that housing growth does not occur at the rate that we anticipate, that will mean fewer dollars for us to spend, and we will make reductions accordingly. So far, we've been fortunate. We've managed to give a 2% salary increase, which I'm very pleased about. I think it's very important to keep good people. We've also been able to continue to buy equipment on a fairly timely basis. We're going to buy four police cars this year, even though the Chief would certainly like them more frequently. We make do as we can. The average age of our automobiles, City-wide—the average year of purchase was 1998, so you can see that we do what we have to, to make ends meet. We've been fortunate; we haven't had to have any layoffs. That's always a possibility. And, again, if the dollars aren't there as we anticipate, we'll use more of those economic development dollars for operating costs, we won't do the projects the year that we anticipate, which has happened to us many times before in the past. I'll give you one simple example, the Salisbury pedestrian safety project that we're doing this year we actually wanted to start in 2003. We didn't have enough money saved up in 2003 to do that project, except the bare bones curb ramps. Curb ramps would have been a great addition, but without moving all of the utility poles and changing all the really obstructions in the sidewalk, it wouldn't have been a very successful project. Instead of doing just a small part of it, we chose to save the dollars and wait two years and wait until this year when we had the money to be able to do the project well. Again, we are no different than a family. If the property tax

revenues do not come in that we anticipate, we'll make cuts. We'll tighten the belt again and we'll wait until it's possible.

Ms. Burch said thank you.

Mayor Mills said other comments? Questions?

Mr. David Bridges [1612 North River Road] said I want to take you up on the question of efficiency in departments. There's one—it's not really a department—but there's one area that I would like to address, and that is our legal department. There are several budgetary questions and issues that I want to raise. The first is this: While on a retainer from the City, the City Attorney filed a formal complaint with the State of Indiana Public Access Counselor, alleging that Clerk-Treasurer Judy Rhodes had violated the Access to Public Records Act. In April, the Public Access Counselor found that Mr. [City Attorney] Bauman's formal complaint was not sustained by the facts, not sustained by the facts. So one question I have, and I'd appreciate it if you would answer it, you know, when I finish some other issues, is how much did this cost the City in legal fees, including those needed by the Clerk-Treasurer in defending her office against this frivolous and trivial complaint? Now let's go on with efficiency. Mr. Bauman's reimbursements for services rendered, they're outrageous. First, in accordance with Part 2 of his contract, which I have here, and I'm sure Mr. Bauman is very familiar with it, we pay him a part-time salary that includes FICA. Only salaries, as far as I know, include FICA. It is misleadingly referred to as a retainer and is supposed to pay for his attendance at Common Council and Board of Works meetings; there are a few other things as well. In 2006, his part-time salary was just over \$26,000, partly from the City and partly from the Wastewater Utility. That was up 2% from last year. We increase his salary 2% every year. Secondly, on top of that, we pay him an hourly rate for legal services that are outlined in Part 3 of his contract, which I'm sure he's very familiar with. For example, he attends staff meetings, Pre-Council meetings for extra pay. It is this category that is out of hand. In 2005, Mr. Bauman was paid \$178,982—I'll leave out the cents—in this category alone. The total paid to Mr. Bauman in 2005, in fact, was \$204,516. Total projected for 2006: \$230,000.53, close to a cool quarter of a million dollars. Nice job, Bob [City Attorney Bauman]. And I can give you the breakdown on that, if you want it. The extra billing over and above Mr. Bauman's salary is bloated, it is out of control, and it is not subject to scrutiny by the Common Council. The Mayor approves his City legal bills, [Director of Development] Josh Andrew approves his Development and EDIT bills, and [Public Works Director] Dave Downey approves his Wastewater Treatment bills. My question is this: what plans does the City have to reduce these outrageous expenditures, specifically—and this is just one point; there are many others that I'd like to bring up—but specifically, do you plan to look carefully at all of the meetings the City Attorney attends and ask whether his presence is really necessary? By the way, another thing that occurred to me, does he charge us for his photographic services? Finally, it would help the City and it would be a gracious gesture, if Madam Mayor moved to amend the elected officials salary ordinance so that her salary rests at its current level. In other words, so that she does not accept a 2% increase, as indeed the rest of the Council have not either. Thank you very much. I appreciate your time—

Mayor Mills said thank you.

Mr. Bridges said and I look forward to hearing your comments. Thank you very much.

COMMON COUNCIL MEETING MINUTES, SEPTEMBER 5, 2006, CONTINUED

Mayor Mills said I'll try to answer them in order, and you may have to help me, because I wrote the answers and I'm not sure I'll be able to do the question. Mr. [City Attorney] Bauman charged the City no fee for his questioning of the Clerk-Treasurer's Office and the Merit Commission situation. I can't answer for what fee she paid out of her budget; we will let her do that in a minute. I know for a fact that Mr. Bauman charges us a lower rate than any of the other municipal attorneys who are on retainer. Every department in the City uses his expertise at some point, and so each department has some part of their budget set aside for legal. I don't know if the public is aware, but Mr. Bauman was the president of the municipal lawyers association and certainly, if you talk to people around the State, his expertise is considered very, very high, compared to the typical city attorney. You tell people that Bob Bauman is your city attorney and they're like, "Oh, well, you don't have any problems with legal matters," because he is very knowledgeable about municipal law. As for scrutinizing the bills, I look through, I see every bill that comes from Mr. Bauman that I sign. I go through each page, I look at the hours he has put down, and he itemizes every minute. His paralegal time is itemized, and not just the number of minutes, but what the conversation was, whether it was a phone call, what the subject matter was, what the meeting was, who was involved in the meeting. So trust me, we scrutinize those bills very well, and I'm sure Mr. [Director of Development] Andrew and Mr. [Public Works Director] Downey do the same thing. We do rely on his expertise, but none of us has extra dollars to pay for service that we are not getting. He is only asked to participate in the meetings where we know we need legal counsel. There are many staff meetings that he is not present at, often the early discussion of particular projects he is not involved in, because we know at that point no legal expertise is needed. He absolutely does not charge for his great photography. He provides that wonderful service to us gratis, not just his time and effort, but his photographic equipment and paper, so we benefit from his great hobby there. I will answer the last comment that you made about my salary being frozen, and, quite frankly, I'm not interested in having it frozen. I work very hard for the City. I'm very proud of how hard I work. I think I put a lot of time and energy, and I think you would be amazed if I calculated the dollar I was making per hour. I won't do that because I don't want to know what I'm making per hour. I work very hard at this job. So 2%, I think, is not even the cost of living, and I'm going to take it.

Okay. Other comments or questions?

Mr. Sam Haynes [713 Avondale] said well, I'm not prepared as usual, but it does make me rise to, first of all, thanks for allowing me to speak. I think this gentleman raises some very interesting points. It seems to me like every meeting that I've been to, Mr. [City Attorney] Bauman has been here. I've seen occasion where he's said, "Well, I'll have to go research that question, " and I was kind of surprised at that. I remember one amusing time, I used to go to the Courthouse and watch. We tried to get a lady to clean up her yard surrounding the house, and Mr. Bauman—we had another attorney, and Mr. Bauman and he were sitting side by side, and that lady whipped us. That didn't impress me very well. So she didn't have to clean up her yard. I would love to see more transparency in our government. There's more going on in our government that, as a whole, people don't even know about. We know some of the things, I think we know of the things that have to be told, but I don't believe that we are transparent in some of the projects that we take. Some of these projects are done by—don't you appoint a committee to—don't you have committees that you want certain things done? Now, does the Council have any oversight on those committees?

COMMON COUNCIL MEETING MINUTES, SEPTEMBER 5, 2006, CONTINUED

Mayor Mills said many of the committees, the members are made up of Mayoral appointments and Council appointments. So, yes, sir.

Mr. Haynes said well, how about the Mayor appointments? Which ones are they?

Mayor Mills said well, Redevelopment Commission has appointments by the Mayor, appointments by the Council. Park Foundation, both; Building Corporation, both; Economic Development Corporation—

Mr. Haynes said well, that's enough. But the ones—

Mayor Mills said Traffic Commission—

Mr. Haynes said for instance, the ones you appoint, does the Council have oversight on those?

Mayor Mills said no.

Mr. Haynes said why not?

Mayor Mills said that's set up by Indiana Statute.

Mr. Haynes said that's the Indiana law?

Mayor Mills said yes, sir.

Mr. Haynes said that seems odd, doesn't it?

Mayor Mills said and that actually, for the ones that have both Council and Mayoral appointees, those are—

Mr. Haynes said that certainly reduces the transparency, doesn't it?

Mayor Mills said well, I don't know. We talk about it when we make a new appointment, it always comes before the Council, even if they're my appointments, I say, "I'm appointing to—" and we pass out resumes of the people involved. Many of the committees and commissions are bipartisan, so there are appointments from both political parties, and we make a point of having appointments from both political parties. We try to get businesspeople and we try to get University people, just community members. I don't disagree with your comment about transparency, and I think we struggle with that. I think we are trying more and more, that's why I've gone to the quarterly newsletter, so that I can try to get more information out. Almost everything we're doing, whether it's a capital projects program—whether it's the Village Parking Study, whether it's the Salisbury Street Project—all of that information is now on our website and accessible with the click of the computer. And that's because we think education and information sharing is very important. You, as a citizen, need to know what we are doing—

Mr. Haynes said I'd love to, yes.

COMMON COUNCIL MEETING MINUTES, SEPTEMBER 5, 2006, CONTINUED

Mayor Mills said and you need to have the ability to comment on what we're doing. We are trying to increase that transparency.

Mr. Haynes said well, I kind of lost my train of thought. I had another thought that came to my mind, maybe I'll take my seat and think a little bit and come back. It seems like we use a lot of consultants. Different committees hesitate to go out on their own, so we just get a consultant. I think I could serve on a committee if I could hire a consultant to tell me what should be done. Now, consultants, we think that's the most efficient way to go each time? When I worked for a consultant, I got twice what I was paid normally.

Mayor Mills said we certainly do use many consultants. Sometimes it's because we don't have the expertise in-house, but as part of the Engineering efficiencies, and I'll be glad to give you one of these, so you can look at it at length. I wrote down that these were some of the things that Mr. [City Engineer] Buck's department has done, and because we now have great expertise in there, not just Mr. Buck but the Assistant Engineer and the Engineering Assistant, we have done more than \$500,000 of projects in-house that we wouldn't have been able to do before. So the Indian Trail Curb Ramp Project was done in-house, many of our sidewalk projects are done in-house, and we feel that we'll be able to more and more—

Mr. Haynes said sidewalks sound like a—

Mayor Mills said inside.

Mr. Haynes said fairly simple job.

Mayor Mills said it still takes engineering, though. If you want it to work right and have the handicap ramps at the proper angle, so that a wheelchair can—

Mr. Haynes said okay. Well, I don't want to beat this to death.

Mayor Mills said the fire station is another example. When we build a new fire station, Mr. Buck has been working on that with the [Fire] Chief. We now have that expertise in-house. So we are trying every way not to spend any consulting dollars that we don't have to.

Mr. Haynes said I'm thinking short-term on taxes. I don't think we have a promise, but we're going to try, we're going to raise our taxes in '07 or '08, but we're going to reduce them after that. That's a promise, right?

Mayor Mills said that's the way it will work. And you know, sometimes you have to invest money up-front to get a return.

Mr. Haynes said I'm thinking short-term, don't forget.

Mayor Mills said you're going to be around long enough to enjoy that return.

Mr. Haynes said okay. Thanks for putting up with me.

Mayor Mills said thank you. Any other comments or questions?

COMMON COUNCIL MEETING MINUTES, SEPTEMBER 5, 2006, CONTINUED

Mr. Bridges said I do have one more.

Mayor Mills said will you come up please, Mr. Bridges.

Mr. Bridges said Madam Mayor, it just occurred to me. It's not directly related to the budget, but it is related to the first point that I brought out. And I wondered how it could be that a sworn officer of the City, working on a retainer or salary, whatever you want to call it, paid by the City, was able to file a formal complaint against an elected official without the approval of the Mayor?

Mayor Mills said it wasn't a formal complaint—

Mr. Bridges said yes, it was. It's says exactly that at the top. You want me to show you a copy of it? I can get you one.

Mayor Mills said I've seen a copy.

Mr. Bridges said it was a formal complaint. I can even give you the number of it. So I don't want to hear that. Neither was he acting as a private citizen. I believe in the Tooth Fairy as well.

Mayor Mills said other comments or questions? Comments from the Council? Well, let me close the public hearing first. I'll close the public hearing and we'll take comment from the Council.

Councilor Truitt said want me to start?

Mayor Mills said Mr. [Councilor] Truitt.

Councilor Truitt said in the spirit of transparency, Mr. Haynes, I hope to shed a little bit of light. I'm passing out to the Council members, and the Mayor, the Clerk-Treasurer, and Mr. [City Attorney] Bauman as well some information that I'll be going through here. [handout] Over the last three years, I've spent an incredible amount of time, I would also hate to figure out the per-hour cost of our time, but it's something that I enjoy doing. But I've spent an incredible amount of time studying the financial situation of our City. My goal and duty to the taxpayers of West Lafayette is to be a sound fiscal steward. Through our budget process I've called multiple Budget and Finance Committee meetings, which most of the Councilors have attended, and discussed many trends and offered many solutions. I think many of you will remember these little charts right here that we talked about back in 2004, which have that disturbing trend, or that disturbing line going in the wrong direction. I've been happy to say that some of the options that we've talked about have been implemented, i.e., the Rainy Day Fund being applied to the pension program and, most recently, the TIF release of assessed valuation back to the City's assessed valuation. However, a continuous point of emphasis through these three years focuses on an awareness of what I call warning signs of a potential financial crisis. My comments that follow are not to be taken out of context or are not to be taken personally by anyone. Because what I want is the same thing that everybody wants, a vibrant, fiscally sound City. I do appreciate the work that everybody in the City does provide, and I know that the service that they provide is also appreciated by the taxpayers. So with this in mind, I'd like to share with everyone the following thoughts on this budget, in order to help our City reach a

position of strength in today's tough environment. This will be on file in the Clerk-Treasurer's office, but I'm just going to go ahead and read through this, so that it is accounted for properly in the minutes. A goal of the 2006 budget that was presented to us was to preserve the cash balance at the end of 2006. In back of this packet, you'll see Charts 1 and 2, which actually go through two realities—one, the cash balance in the General Fund on January 1, 2006, and I am concentrating on cash balance, not the general operating balance, was \$2.5 million. The projected ending cash balance on December 31, 2006, is projected to be \$1.9 million, and then on December 31, 2007, it will be projected to be around \$1 million. Our cash balance was 28% of our General Fund at the end of 2004, but is projected to be at 9% at year-end 2007. If you go back and you look between 1998 and 2004, you will see that we've averaged a cash balance of approximately 26%. And if you go over to Charts 1 and 2, you can see in detail and in graph form what we're talking about, and I think if you go to Chart 2 right there which has the title, "General Fund Year End Cash Balance," you actually see this trend that's actually going in the wrong direction. This is one of those warning signs that I mentioned earlier. A goal of the 2006 budget was to preserve the PERF account until 2008. We've spent an incredible amount of time reviewing our pension program. However, with the current 2007 budget, we will be utilizing 32% of the Police PERF account in 2007. "By adopting the 2006 budget, more property tax dollars can be allocated to the pensions," is what the Mayor made mention in a memo that she wrote to the Council on July 30, 2005. However, I'm confused. Now I did hear a different number tonight so this might be different, but our contribution to this important obligation is dropping by almost \$225,000 this year. We contributed almost \$500,000 in '06, but we only have \$250,000 projected for 2007. The Mayor stated in August 2004 that our City standard was to maintain an 8% to 10% cash balance, and then, in that same July memo mentioned earlier, that target now changed to 15% with the 10% as a minimum. That target continues to change, so therefore it makes budgeting very difficult. So if you go to Chart 3A and Chart 3B, you will see that our General Fund net receipts, when compared to disbursements, or otherwise income and expenses, money in, money out, depending on which way you want to look at it, is starting on a disturbing downward trend. This is a main indicator that there's a problem. Chart 3B illustrates this problem by kind of combining everything together and actually shows that our receipts are well below our disbursements, which is a problem. The City of West Lafayette's proportional share of the County's income tax is decreasing, the incredible growth of this Family and Child Levy, which the Clerk-Treasurer spoke of earlier, has grown from about one-half our levy to almost double our size in two years. This will have a negative impact on our potential of receiving additional income tax in the future. We have moved two employees from the Parks NRO to the Parks Fund in 2007, due to inadequate revenue coverage. It's our intention to move an additional 2.5 employees in 2008 for the exact same reason. We are not in a position to absorb these additional expenses in our property tax funds in 2008, let alone in 2007. We all know that we've discussed this disturbing trend many times over the last years, and we've made no fundamental changes. This is another great example of approximately almost \$200,000 expenses with no revenue to support it. We did not have adequate revenue in Parks NRO and we don't have it in the Parks Fund either. And that is clearly depicted in Chart 4. The assessed valuation of our City has stalled. We have only 3,368 owner-occupied homes, out of 10,462 total households, according to the DLGF who I had a call with earlier this week, which will be eligible, potentially, for the additional \$10,000 Homestead Exemption, which could remove \$33,000,000 from taxation. That's 3.3% of our current assessed valuation. Since we are mainly a residential-based community, with most industrial based growth and other growth being captured in our TIF Districts, I again call for careful planning and careful thought. The recent release of \$18 million from the KCB TIF District, which I highly applaud, after the community-

wide public forum, will partly offset the possible Homestead impact described above. We all know that the impact of trending is unknown at this time, unfortunately. The impact of the Circuit Breaker, which is coming up later this decade, is currently not known at this time but is estimated by Umbaugh and Associates, our City's financial consultant, Mr. Haynes, to create a revenue shortfall of \$238,000 to the City of West Lafayette. Umbaugh suggests in their planned report that the City deal with this shortfall by utilizing existing fund balances and through budget reductions. This is going to be awful difficult when our fund balances are decreasing, which we've talked about over and over again. I will point out that some of these charts listed up above do contain some inaccurate information that I'd like to bring forth. Three of the cities listed there are not third-class cities, according to my conference call with the DLGF. The cities of Marion, East Chicago, and Michigan City are noted as second-class cities. It's also important to note that over 60% of the comparison cities have at least two utilities, while West Lafayette only has one. Therefore, this creates a very different employee base, it creates a very different revenue mix, not to mention the fact that we're just different. We have 32% of our households being owner-occupied. We are different. Annexation is part of the City's Strategic Plan and is necessary for the growth of our City. We must not lose sight of the fact that it's going to cost the taxpayers. But it is an investment. Annexation costs incurred in 2006 will not be able to be recouped, but our costs in 2007, as the Mayor pointed out, will be able to be recouped through the annexation appeal levy. And we know that we will be receiving a tax increase; it could be as high as 7%, which means in 2008, we could see a tax increase equaling almost 12%. This is assuming that the revenue and costs contained within the fiscal plan are achieved. We've had many recent conversations about our automobile fleet decreasing. However, the number of take-home vehicles has not decreased, it's actually increased over the last four years, based on the lists that the Board of Works approved. And this leads us to the question that we all must ask, what percentage of City gasoline usage, maintenance, and insurance costs are attributed to commuting in take-home vehicles? And I just need to ask the question, is this a concern of the Council? And, please, also remember that our health insurance renewal costs, that is estimated to be over \$100,000, is not included in the current budget submission.

Mayor Mills said since I am just seeing this for the first time, it's going to be very difficult to comment in a reasonable way, but a couple things jump out at me right at the beginning. I will comment on Number 2, the goal of the 2006 budget was to preserve the PERF account. We are preserving the PERF Fire account, we are using a little bit of the Police account, but I'll remind you that that PERF account was set up for pensions. That was pension revenue that we got from the State to pay for pensions, and we've done an excellent job of keeping that money for a rainy day. This is partly a rainy day, and so we're using a little bit out of the Police pension PERF this year, and I will also say that this is not a decision I made without the Clerk-Treasurer. We talked about this. We both feel this is the correct thing to do, and the time to use a little bit of that Police PERF money. Again, I think we're making a good decision that we both are comfortable with. The other thing that popped out at me immediately was on Number 9, on some of the charts, and you could be right about the third- and second-class cities. I did get this raw data from DLGF. I asked for second-class city data, and this was all included. I did not take the time to look through all of them, to make sure they were—

Councilor Satterly said you mean third-class.

Mayor Mills said I mean third-class cities. I did not take the time to look through and make sure they were all third-class cities. I assumed that what they sent me was data for third-class cities.

But I will tell you that those charts have nothing to do with the Utility. We are talking about property tax here, we are talking about the property tax levy, the property tax rate, and Utility employees don't have anything to do with property tax. It's utility revenue, it's separate from the property tax. I will be happy to answer more, but I'll have to have the time to look at this, since I got it tonight. Are there other comments that the other Council members want to make? Councilor O'Callaghan.

Councilor O'Callaghan said I guess I would just like to comment on the presentation of "Efficiencies and Grants in West Lafayette 2006." You've indicated some of these things to us at various times over meetings, and we really appreciated that information at the time. But seeing them all put together is just so impressive, and it leads to the assessment that we are indeed a frugal city, and providing great service to our citizens with a minimal investment in taxes. I did talk to a citizen earlier that was hoping to come and talk about the value of the tax dollar here in West Lafayette compared to other places where she's lived, but her son had a freshman football game, and so she couldn't come. But we have seen that with our children who live in other places, how the tax rates are so much higher in other places, and here we make do with a lower tax rate and have great service, and we really appreciate that.

Mayor Mills said thank you. I will make one other comment, Councilor Truitt. You talked about my comments about reserves and cash balances, and absolutely I think we all have a level that we would be comfortable with, but I will say again, going into this annexation, we presented a fiscal plan—what the costs were going to be associated with that annexation, and all of you that are present here tonight voted in favor of that annexation, knowing that there were going to be costs associated. Again, I see it as a strategic use of those reserves, that we will replenish. That's the way we function in the City. We have to, because we never have adequate tax dollars to do everything we want, so we have to make decisions, we have to have a plan, a Strategic Plan for the City, we have to have budget priorities each year, and we do what is possible and the rest waits. We make the cuts that are necessary to give the best service and yet keep our budget in the black, and we will continue to do that. Other comments? Councilor Hunt.

Councilor Hunt said I have a comment, a couple of them. This is very interesting, Councilman Truitt. I wish we would have had it earlier. It sounds like you put a lot of work into it, with quotes, etc. One thing I would like to comment is the movement of some employees' salary from the Parks NRO to the Parks Fund. I don't recall that Councilman Keen was at that meeting with Park Board when Clerk-Treasurer Rhodes came and talked to the Parks committee about the importance of being aware of the fact that there were salaries coming out of NRO. It was my understanding she very much wanted for them to reduce that. So when those employees had been moved, and I think they were the higher paid employees, if I remember right, two of the higher paid, I thought that would meet her approval. I don't know how she feels now, but—

Clerk-Treasurer Rhodes said I'm adding up all the times I've been invoked here, and, at the end, I will respond. So keep on invoking me.

Councilor Hunt said that's why I mentioned that. And, like I say, I'd have to look at that. The sanitation fees, which I talk to my constituents, they talk about one of the best services in the community are the sanitation fees—I'm sorry, the street, picking up trash, etc., and I don't think that rate has been raised since, I don't know, what is it, 1993, Mr. [Public Works Director]

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Downey? So I don't know where that plugs in to the utility that you mentioned in the second-class cities, etc. But those are some concerns. But I really would like to look at this longer, and you did put a lot of work into it.

Councilor Truitt said I finished it about 6:58 tonight.

Councilor Hunt said well, I'm sure you—like I said, I wish we would have seen it before. I'll certainly look at it.

Mayor Mills said I'll add just one comment about the Parks NRO fund. Traditionally, and of course it varies from city to city, we all use whatever monies we can to provide the services and amenities we want to offer our citizens, but traditionally, the NRO is used for operating, it's not used for salaries. Before I was Mayor, I think there was a decision to move some salaries into NRO, as a way to relieve a burden on the General Fund. I'm all in favor of that, that's a great idea, it's like using the EDIT funds now for salaries for many of the Development personnel. But the operating revenue has decreased in the Parks Department. As you know, we offer great classes at Morton, but we're not the only entity that offers great classes now, and so some of that revenue has decreased. I guess, having come from a laboratory environment where you have hard money and soft money, I certainly consider the NRO soft money. That's always great for salaries while it lasts, but that's not a great place to leave people, because it is soft money, it depends on operating. We will leave people in the NRO as long as we can. But we have a responsibility to our Parks employees, too. I hope we don't get to the point where we cut staff, but that, as you know, is always a possibility.

Councilor Truitt said if I could just— I think one of the things that I would like to have the Council take away from this document, and it goes back to the spirit of my statement before I went through this information. We've talked about, in our Budget and Finance Committee meetings and other meetings about, we've gone back and forth, "Okay, what would you cut?" "What would you change?" We've talked about those types of things. We threw out, we talked about micromanagement, we talked about department heads being able to run their departments as professionals, so with that all out on the table, I feel that the role of all of us here—and I could be wrong here—but I feel the role here is to point out these types of trends, not to throw it in someone's face, and that's why I prefaced it by that statement, but it's a mechanism, I mean, there's things that are happening right now, why they're happening, maybe everything is able to be documented, okay, and there's a reason behind everything. But when you look at the different charts that are included in here, there are many different criteria that go into those charts, so there's a fundamental issue somewhere in the woodpile. And if you can't micromanage, which we don't have time to do right now, nor should be do, because we have individuals doing that and we have the Mayor leading the City, is that we have an issue here, and we have opportunities in front of us. She could form a blue-ribbon committee like the school did. We could bring citizen volunteers to sit on a finance committee, if she doesn't want the Budget and Finance Committee to dig into it. I've made it very well known that I'm willing to spend additional time, even more so than what I do right now, on looking at the financial situation of the City as a proactive way of trying to stop this trend. I don't think we can argue now. There is a decrease with regard to the annexation costs. I do agree with that, but we also have drops that happen pre-annexation, so we need to be cognizant of that fact as well, and make sure that we understand what is happening here. So I just want this to be taken in the right frame of mind in regard to this information. And then the other thing that we talked about

at the Budget and Finance Committee meeting, I do have a resolution that is drafted, obviously not filed or anything, that is a resolution to maintain an adequate General Fund cash reserve that I'd like to put forth later. That was an action item and a takeaway, and a deliverable from our last meeting that I do have. We will be submitting that, maybe for a future use, but that's something that I think would be an important budget-planning tool for us in the future.

Councilor Hunt said I would like to make one other issue. The take-home vehicles, not many of them are very new, by the way, that is an issue, and that's something you give employees—certain employees, limited employees—that need to come back in an emergency. That's one thing you give instead of salary. It's just a perk some people get. The Mayor and the Clerk-Treasurer certainly don't have take-home cars. But I think you need to think about if those individuals didn't have take-home vehicles, the department heads, particularly, because the policemen kind of have to have them. What would be the salary increase they would have to get, and in addition, you need to be competitive with other cities who might want to hire—I mean, many of our department heads really do quality work and, with their experience, we'd hate to lose them. So I think that's one thing you have to think about, as far as take-home vehicles versus the older, older average age or youth or whatever, is 1998. My car is 1998, it had 150,000 miles on it, and I'm starting to put a lot of money into it, but that's a different issue. But that is something you have to consider, how much would it cost to raise their salaries, and we don't want to lose qualified, experienced workers, so I think that's another point that needs to go in to take-home vehicles.

Mayor Mills said other comments from the Council? Councilor O'Callaghan.

Councilor O'Callaghan said I guess just another little insight about the take-home vehicles is that 18 of them are Police vehicles, and there are only six non-Police vehicles that are in the take-home fleet from the General Fund. There are three out of Motor Vehicle Funds and three out of Wastewater Utility Funds, but only six non-Police vehicles in the take-home fleet from the General Fund.

Mayor Mills said thank you. We talked about that a little bit at the Pre-Council. Other comments from the Council? Councilor Keen.

Councilor Keen said I would like to say that I completely concur with Councilor Truitt's statements, and I certainly appreciate his time put forth in developing these charts and the information he put forth tonight. I think he obviously did spend a lot of time on it, and I certainly appreciate that. Aside from that, I wanted to address these efficiencies just a little bit. There's a number of different things on here, and obviously you spent a lot of time putting these together as well. There's a lot of things on here and a number of them are just, they seem to be somewhat vague in their description of what they actually do. Having said that, I guess my question is, with all these efficiencies, how does this, how do these efficiencies go about to correct the fundamental problems that Councilor Truitt was addressing earlier, as far as falling year-end cash balances for '07? How do they answer the question of the General Fund receipts versus disbursements and those sorts of things? I guess they way I'm looking at this, it doesn't really matter if we saved a billion dollars with this efficiency list. The bottom line is how do they affect the '07 budget and where we're going with that? My overall concern is not just any one item on here, you take any one item on here, and I think we'd probably be fine. But we're looking at a whole host of issues, not to mention falling revenues, increasing costs, we're

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looking at pension obligations, Circuit Breaker taxes, trending, Child and Family taxes, falling cash balances— There's just a number of them, and that's just a few of the things I could come up with right off hand. That is the overall problem I have with this budget, and the whole concept, the whole fundamental issues involved with it. I don't see how, in '07, '08, I don't see any other way except to try and tax our way out of our potential problems here. I mean, is that where we're going with this? Is that what our attempt is going to be, is to try to just tax our way out of this? I mean, what's the answer here? I mean, I just don't see it.

Mayor Mills said I think I've already addressed that, Mr. [Councilor] Keen. Again, we run the City like I think you probably run your family finances. We do what we have money for, sometimes we invest short-term in a project that we want to see move forward or, in this case, we invest in the annexation which will bring considerable growth of assessed valuation to our City. It will stabilize and lower our property tax rate, at the same time we have some control over the growth that is—

Councilor Keen said that's not a guarantee.

Mayor Mills said happening around us.

Councilor Keen said that's not a guarantee.

Mayor Mills said well, if Mr. [Councilor] Truitt does his job very well, north of town it's a guarantee.

Councilor Keen said I think it's a safe—

Mayor Mills said we're going to be building, we have already approved more than 600 homes in that area, Councilor Keen, 600. So we are growing. Those are on the books, those have been approved. Again, we will do what is necessary to fund our budget. If we don't have the revenue that comes in, I said this to Ms. Burch earlier, we will make reductions. Just as you would in your family, if you have to replace an automobile this year that comes up by chance, I'm sure you'll cut back in many other areas. We do the same every year. It's maybe not quite as noticeable, but we are facing a situation that cities face every day, other cities, not just West Lafayette. It's called, you know, management. We are going to manage our budget and manage our resources to grow our City, and, at the same time, with proper planning, not face the reality of having to lay off people.

Councilor Keen said I certainly appreciate your efforts and your comments there. I guess this graph that Councilor Truitt put together kind of almost says it all. And, again, if this was just the annexation and the associated costs and all that kind of thing, and that was the only concern, if that was the only issue here, then it would be a little bit different. But I'm seeing a very disturbing trend here that started, it appears, in 2004 and it's just been a steady decline in our year-end cash balances, a steady decline in our revenues versus expenditures going up, and that's what really concerns me here is the trend that I'm seeing here. This is not a one-year thing. This is something that's been happening over several years, and I don't see an end in sight. And that's what I'm concerned about, is this whole fundamental issue that just keeps getting worse and worse and worse.

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Mayor Mills said well, I appreciate your concern. Again, we will do the job that is necessary to provide the services and leave our City in good financial shape. Fortunately, that has not been layoffs of any sort, fortunately that has not been the inability to buy equipment. We've postponed equipment and will continue to manage those purchases in a way that allows us to do what we need to do.

Councilor Keen said I just wanted to comment on Mr. Haynes' comment earlier about transparency in the government, when you were up there speaking. I just wondered how many of the taxpayers out there are aware of the fact that, you know, the City of West Lafayette spends some \$30 million a year, but yet only \$18 million of it is controlled by this Council. Therein, where is the rest of it, and how is it spent? It's all controlled by unelected people and I think that is a problem with transparency, in my opinion, and I would concur with what he said there. I just want to make that comment.

Mayor Mills said well, and I will comment that the Redevelopment Commission is what I think you're referring to, certainly is a very transparent body. Those meetings are all public; many people come and pay attention. That information is always accessible. Minutes are available, and people can come and comment, people do come and comment about how those TIF dollars are being used. So it's very transparent, it's a very transparent system. I think it works very well. You have appointments on the Redevelopment Commission, so you have the ability to influence what happens there. Other comments by the Council?

Clerk-Treasurer Rhodes said well, I'm ready to speak.

Mayor Mills said Clerk-Treasurer.

Clerk-Treasurer Rhodes said I've got my list. I've looked back over the last several years at budget discussion time, and I'm going to repeat a little bit what I've explained in past years, which is my role in the budget. It's prescribed by Indiana Statute in a very narrow legal sense, IC-36-4-7-6. My role is to prepare an estimate of revenues. My role is to perform mechanics that allow the Mayor and, ultimately, the Council, to see the big picture. That's called completing the budget forms, so that they can assess whether they've got a budget that can be funded, or a budget that can't. I've tried to give the Mayor tools, so that she can do as much of that as she wishes with her department heads and come to me at the end, when she would seek any advice from me. I don't even have the statutory right to ask a department head about a line item in their budget. I can ask, but it's up to the department heads if they wish to answer, and some don't, to be honest. I have no statutory authority to question any line item in any budget. This is the Mayor's budget. The days when I would sit at a table with the Mayor and a department head in this City and discuss a budget are long since gone. When the Mayor has worked the budget to the point where she has some questions about what options might not be apparent to her, she may ask me, and she does every year an open-ended question, and then I have the opportunity to say, "Well, you could try this" or "You could try that." My goal is to enable her to fund the budget that she and her department heads have determined needs to be proposed to the Council. I do not have the role like a business manager in a school corporation. I do not have any involvement in setting priorities on anything in the budget. Taking all the funds that we have, I will suggest, "This is the best way to achieve what you're trying to achieve for the budget," which is a budget which has an operating balance over zero, without which we can't go past the Department of Local Government Finance. If my experience is of use, that's

fine, but no one is obligated to use it, no one is obligated to ask me. The other job I have in the Council is I answer questions from Council members and from the public, who want information about the budget. Since I'm an independently-elected officer, they would come to me, just like they would go to a County Auditor or the County Treasurer, and ask to see the records, ask to see compiled information. I don't ask anyone's permission to provide that information. I act just like the Auditor of the State or the Auditor of the County would act in that regard. So that explains a little bit my budget involvement. There are techniques that I recommended. I did recommend using part of the Police PERF sub-account, because I thought that gave the best benefit for funding the budget that was proposed, and the least risk. The issue with the NRO, in early, I believe it was 2005, Parks staff and myself did do a presentation to the Park Board on the declining balance in the NRO, with the hopes that that would give a time period for people to think of how to address the problem, in which our recreation programs aren't self-supporting and to what extent they could be self-supporting. Since that time, there's been very little progress. The solution has been, you see in this budget, the proposal is to move people back into the property tax funds. My suggestion was to do that in stages once more, because that would enable the budget that was proposed to be funded. But it's not a solution to the ultimate problem of matching recurring expenses with recurring revenues. That's the fundamental, bread and butter problem every government has, and we have it here in West Lafayette. As far as, now drilling down a little bit into some of the detail here, the situation with legal support for my office is, yes, I did have to seek advice from my own attorney. That attorney is provided by statute for just these kinds of instances, and I had to seek advice in order to respond. However, I didn't need a lot of lawyering, because the facts were very apparent. It was just a lot of hard work to gather all the information. I had an expense for the first time in many years, \$315 to get advice. Because the filing of a complaint like that not only subjected my office to liability, but the entire City. That's up on the State website. You can google it. There we are, West Lafayette. I don't think it did our reputation any good. But I certainly, as long as I'm an office holder here, I'm going to protect the integrity of this office, because it has a very important function for this community. I want to comment on the take-home vehicles. The safe harbor that this City uses *vis-à-vis* the Internal Revenue Service is that all these take-home vehicles are our requirement. The Board of Works actually attests to the fact that every take-home vehicle is a requirement for each of those employees. They are not permitted to commute in anything but the vehicle we provide them. That's the safe harbor that we enact to use the valuation rule. We find ourselves again and again looking at these things as compensation. We can't have it both ways. You can't have a safe harbor and then keep on acknowledging these things as compensation. We struggle with it in daily operations, and it comes out tonight. If we don't feel comfortable, arms-length, straight-faced saying that these employees are required to commute in these specific vehicles, then we shouldn't do it, if we're determined to make this part of the compensation package. The IRS has other rules that would be more appropriate. But we're going to have to be more single-minded about this. We can't have it both ways. The reason why I'm adamant about this is that I sign the tax returns of the City. Ultimately, I've got an untenable situation. I understand the frugality list was distributed to Council members, and I received a list tonight. It is comprehensive, and it covers decades and decades. It's very difficult—I know I'm going to be asked, "How do you go from this list to costing services and efficiencies?"—and let me tell you, it's pretty tough. This is largely anecdotal, this isn't performance-based measures. We've talked about having performance-based measures in the City, and they would look different. If we decided to, in each department, select some critical measures, we could develop some quantitative measures on efficiency. We could actually track them from year to year and we could set targets, but I would caution you using this compendium. It's useful for some aspects,

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but probably would be very difficult for performance-based measurements in the budgets. That's it.

Mayor Mills said all right. And I was not giving out the efficiencies and grants to stand in the place of performance-based measurement, and I was not suggesting it wasn't anything but long-term efficiencies by every department, but, again, even though it is not performance-based, it does not decrease, I do not think, the number of things that each department does and has been doing for years to make our budget work in the City. As you all are very aware, our increase of property tax dollars is very minimal each year, it certainly in the last five years has not covered cost of living increases. It certainly does not cover increases in the cost of gasoline or health insurance. We are continuing to provide great service, because each department is tightening their belt a little more every year. At some point, when we have the funds in the budget to go to a more performance-based system, we might be able to do that, but unfortunately, we don't even have money in our budget for management training or some of the things that other larger cities can afford to provide for their employees, important parts of employee job training that would be wonderful to provide, we simply can't afford in the budget that we have now to provide those things to our employees, and I certainly think they're necessary services that you provide to every employee. I hope at some point, we will have the revenue for the City of West Lafayette that allows us to do that, and will allow us to move to a real performance-based measurement of the services we provide. That isn't going to happen in the next several years, I can almost guarantee it, based on our budget that we have now. Other comments?

Councilor Truitt said why do you cite budget restrictions for performance measurement?

Mayor Mills said well, it's a great idea to sit down and do all these things, but I've done Six Sigma training, a bit of Six Sigma training, just the preliminary, and I know that to do this well takes time and money. Time and money, you know, the money part we do not have. Time is money, when you're talking about employees and services, so it's not something that the unknowing, the uninitiated can do well and be effective in getting any real data. There's no point in doing it, unless we really can come up with performance-based data. My goal is to do that at some point—

Councilor Truitt said I would love to do Six Sigma, but, I mean, that's way out, way out there, and I will save everybody, I do have a memo on performance measurement that I will share with the Council as soon as it's totally completed. But one of the things that we do have among our community is a lot of professionals, and a lot of people that I think would be willing to volunteer their time, to help us on performance measurement, because I think, as taxpayers, I think that they would look at that as a good use of their time. I talked to an individual today that has an interest in doing that, so I just don't want us just to push that off. I would challenge you, I've told you multiple times I'd be more than happy to help spearhead that as a participant in something like that and spend the necessary time, if there's an interest, so I will throw that out there as well. And just encourage us to really look at that and start somewhere. You know, one little bite at a time. Six Sigma can be our goal, our long-term goal, but starting somewhere is better than nothing.

Mayor Mills said well, we actually have begun. We started this year in the Department of Development, we are reviewing our code enforcement process and how we do inspections.

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We've done quite a bit of internal meeting with all the members of the Development Department, and we've had STATCOM do a survey of all of our landlords, to put together data about the process. So you have to start, like you said, one place, and we have started that, early at the beginning of this year, and we are moving forward, we have made progress. And we have citizens helping us, actually.

Councilor Truitt said great. That's awesome.

Mayor Mills said the woman who is spearheading that study is just doing it as part of her Six Sigma project. So, she's been a great help to us in looking at code enforcement. But I think it's always great to move that way. Other comments by the Council? All right, we'll move on. We still have some of the agenda left tonight.

Councilor Truitt said do we know the date at all, at this point, as far as the final budget hearing?

Mayor Mills said we do not, because we haven't heard from Councilor Keen, we haven't heard from Councilor Plomin about the dates of their availability.

Councilor Truitt said those are the only two?

Mayor Mills said yes. As soon as we know, we will let you know and advertise. I've made a request that we change the final budget hearing from the Pre-Council, if we can. If we can't, I will change my plans, my travel plans. My parents are celebrating their 60<sup>th</sup> anniversary, and I had forgotten that we were going to do the final budget vote the night of the Pre-Council. We don't typically do that, we typically schedule a special meeting for that final vote. Again, if we can change it, that will be great; if we can't, I will change my travel plans.

Councilor Keen said I am available on the 28<sup>th</sup>. Is that the Monday date?

Councilor Truitt said I've changed my travel plans now, away from the 28<sup>th</sup> to that Monday, so if we could—

Councilor Keen said what date are we specifically speaking about?

Councilor Griffin said it's the date that was just sent out this afternoon.

Mayor Mills said we sent you four possibilities, so if you'll just please check your email and get back with us tomorrow, so that we can make a decision, then we can advertise when that final vote will be. Thank you.

There was no further discussion.

Ordinance No. 23-06 An Ordinance Setting The Tax Levy On Property And Tax Rate For The 2007 City Budget (Prepared by the Clerk-Treasurer) Councilor Griffin read Ordinance No. 23-06 by title and put it on the table for public hearing. The motion was seconded by Councilor Satterly.

COMMON COUNCIL MEETING MINUTES, SEPTEMBER 5, 2006, CONTINUED

Mayor Mills said again, this will only be the public hearing tonight, not the final vote. We will open the public hearing on the tax levy ordinance. If you wish to comment, please come to the microphone. As always, we have advertised the funds to be raised in excess of where the rate will really be, because we don't want to collect less than we are allowed by right, so we always advertise high, and that is reflected here in this ordinance. Would anyone like to speak to the ordinance setting the tax levy and tax rate? If not, then I'll close the public hearing. Again, we will have the final vote on this ordinance at the next scheduled meeting. Any of the Council want to comment or questions? If not, we'll move on.

There was no further discussion.

Ordinance No. 25-06 An Ordinance To Amend Ordinance No. 46-04 (Submitted by the City Attorney) Councilor Griffin read Ordinance No. 25-06 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 Mr. [City Attorney] Bauman, would you give us some background, please.

City Attorney Bauman said this is an ordinance to amend the original bond ordinance for Wastewater. It covers the current digester project. The amendments are basically twofold. One is that the name of the State agency involved has been changed from the Indiana Bond Bank to the Indiana Finance Authority and the second, more substantive change is the details of the digester project. You'll recall that's the project which, among other things, will make improvements allowing us to use fats, oils, and grease to generate both methane for the process and cogeneration of electricity, which are projected to save the utility \$9 million. Anyway, the Indiana Finance Authority has requested that we make this formal amendment. The bonds themselves have already closed for that project. The State program, the Revolving Fund Program, has allowed us to save millions of dollars in interest costs on several Wastewater projects.

Mayor Mills said thank you. And, again, just a reminder that the principal payment schedule is a bit changed from what you saw originally, and those changes were requested by the State Revolving Loan Authority. Are there questions for Mr. [City Attorney] Bauman or comments? Councilor Truitt.

Councilor Truitt said this was, if you remember our last meeting, we had a dialogue on the confusion around this bond. Now, I finally had some time to go through this. Can you walk through the process with me, in regard to this Financial Assistance Agreement, because if the rest of the Council remembers, we received an incredible amount of documents from Judy [Clerk-Treasurer Rhodes] in regard to this bond, and, quite honestly, I took it and stuck it in a "To Read" file and finally got through it all. I'm very confused in regard to this Financial Assistance Agreement, and I'm trying to understand the timing of the filing of the public hearing that we had on this and the fact that the Clerk-Treasurer and I think the Mayor also has to certify that all of this took place in a public hearing.

City Attorney Bauman said I'm sorry. Which public hearing are you referring to?

COMMON COUNCIL MEETING MINUTES, SEPTEMBER 5, 2006, CONTINUED

Councilor Truitt said did anything happen with this Financial Assistance Agreement at all, in regard to this bond? Anything weird?

City Attorney Bauman said no. The Financial Assistance Agreement was approved originally in Ordinance No. 46-04—

Councilor Truitt said okay.

City Attorney Bauman said okay, which was the end of calendar 2004. What the Indiana Finance Authority has asked us to do is to make a formal amendment to the Financial Assistance Agreement, reciting that the agency is no longer the State Bond Bank, but is the Indiana Finance Authority.

Councilor Truitt said okay.

City Attorney Bauman said and then the other thing that's been done is the details of the digester project have been added to the Financial Assistance Agreement. That was not in the original Financial Assistance Agreement, because we did not have an approved Preliminary Engineering Report at that time. There was a public hearing on the Preliminary Engineering Report.

Councilor Truitt said right, but did we have a public hearing on a PER that didn't exist?

City Attorney Bauman said no.

Councilor Truitt said okay. Then, Judy [Clerk-Treasurer Rhodes], I don't know if you can explain—because I finally had a chance to go through those documents—

Clerk-Treasurer Rhodes said let me rephrase his question, because he asked me, and I suggested he ask you, Mr. [City Attorney] Bauman. Before we closed the loan, I certify, as well as the Mayor, that there is a Financial Assistance Agreement dated June 30. We actually signed it. We also certify that all actions taken in regard to it occurred at a public meeting. We find ourselves here, two months after the bond closing, actually having the public meeting and approving the June 30, 2006, Financial Assistance Agreement. And he asked me, well how does that process work?

Councilor Truitt said is this normal? Is what we're doing now normal?

Clerk-Treasurer Rhodes said and that's something you could address. How it is that we are asked to certify a document that really doesn't exist, and then have the Council publicly basically create the document, following the closing of the bond issue?

City Attorney Bauman said the document existed. What the Indiana Finance Authority has asked the City to do is to have the Council also approve that change to the Financial Assistance Agreement. The Indiana Finance Authority asked the City to go ahead and close on the bond issue before the end of June, because the interest rate was lower.

Councilor Truitt said okay.

City Attorney Bauman said and we appreciate their efforts in that regard, because it's saving our ratepayers money.

Mayor Mills said and, again, this bond issue was discussed at the end of 2005. You know, the details of the repayment schedule are more recent, but the bond issue, the Preliminary Engineering— you know, we went through several months of that discussion, Pre-Council and Council, so that you would be aware of the project, very aware of the project and of the bond issue that we needed to make the digester improvements.

City Attorney Bauman said the Preliminary Engineering Report hearing was done, I believe, preceding a Council meeting right here, and there was an additional presentation made at a Council meeting about the details of the Preliminary Engineering Report and all the work that would be involved in the digester project. I'm sure Mr. [Public Works Director] Downey would be happy to have those people come again, if you have any additional questions.

Clerk-Treasurer Rhodes said we're getting off into the design of the project, when the question is the process. Perhaps I didn't express myself very clearly. How does the process work, that the Mayor and I are expected to sign a Financial Assistance Agreement, which was dated June 30, 2006, and sign a certificate saying that this agreement was approved by the Council two months before they did so? Just walk us through how the process works with the State that that occurs.

City Attorney Bauman said that's what the State requested for us to close and save the interest money.

Councilor Truitt said that just seems—

Councilor Satterly said backwards.

Councilor Truitt said that just seems doesn't it, I mean, to you, being involved in this from a legal stand, doesn't that seem weird? Does it seem odd at all? Okay, maybe it's just me again.

Clerk-Treasurer Rhodes said you've asked me that question. I can't answer it. That's why we're asking him.

City Attorney Bauman said well, this program is a creature of the State, if we want to participate and save the money which, cumulatively, has been millions of dollars, then you follow their directives in how you do it. The change is made in the Financial Assistance Agreement with the formality of changing the name of the Bond Bank to the Indiana Finance Authority, and putting in the specifics of the digester project, which were already in the approved Preliminary Engineering Report. And that's why I said if there was a question about the scope of that project—

Councilor Truitt said I don't have any problem with the scope.

City Attorney Bauman said okay.

Councilor Truitt said what I'm just trying to—I mean, did they put that in writing, this request, so we have that?

City Attorney Bauman said yes.

Councilor Truitt said do we have that on file somewhere that says—I mean, if the State has directed us to do this, in my opinion, backwards and it just seems odd, but if the State—has the State mandated that in written form?

City Attorney Bauman said yes. I was specifically—I didn't make this document up.

Councilor Truitt said I'm not saying that you made it up, I'm just trying to understand—

City Attorney Bauman said I was specifically given this document with a transmittal, that this needed to be signed and returned to them, to close the bond issue, and to avail ourselves of the lower interest rate.

Mayor Mills said Councilor O'Callaghan has a question.

Councilor O'Callaghan said I guess what I said at the last time, that this really does go back to Ordinance No. 46-04, and I brought that with me last time. At that time, we did not have the Preliminary Engineering Report for the digester, and the description of the project was just only one sentence, and now it's a longer thing, and it is the changing of the names. Back to this Ordinance No. 46-04, so I guess I don't know why there's this confusion about this bond issue being on June 30, because the process always was [Ordinance No. ] 46-04 was the general project—

City Attorney Bauman said authorization.

Councilor O'Callaghan said for all of the things, but we couldn't do the bond issues on each of the projects until the Preliminary Engineering Report was done. So this just goes back to that original one, which was that whole big—all of the projects—and corrects the name of the agency and adds the information that we didn't have in [Ordinance No.] 46-04.

Mayor Mills said but I think Councilor Truitt's question is, you know, the bond issue was signed at the end of June and here we are in September bringing it forward to the Council—

Councilor Truitt said I just want to understand what I'm voting on, is my only question.

Clerk-Treasurer Rhodes said you have to understand that I and the Mayor being asked to sign statements that only now, after final action are, in fact, valid.

Councilor Truitt said yes.

Clerk-Treasurer Rhodes said and that was my concern. The City Attorney has said that this is a requirement of the SRF Program, so we'll certainly keep that in mind for future bond issues, to see if we can't get ahead of the curve.

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Mayor Mills said again, this speed was brought on by the change in interest rate that the SRF anticipated, and contacted cities that they knew were in the process of doing bond issues to say, "Please submit your paperwork before the end of the week, so that we can lock in the interest rate that all of your ratepayers are going to appreciate." So we were not the only city that had this communication from the SRF Office. They were trying to do, you know, their job in making sure the cities managed to get that good interest rate, since there were multiple people in the process already.

Councilor Truitt said so, just one more time. This process of what we're going through right now, with all of the items we've talked about has been documented and approved by the State, and this document was sent by someone to you.

City Attorney Bauman said yes, from the State.

Mayor Mills said from the SRF.

Councilor Truitt said from the SRF.

Mayor Mills said right.

Councilor Truitt said do you remember who, by any chance?

City Attorney Bauman said most of it was communicated to me from bond counsel, but they obviously got that from the State. That's the State's request of what they wanted to change.

Mayor Mills said and what I saw actually came from the Director of the State Revolving Loan Fund, so it was the Director whose name was on the correspondence.

Councilor Keen said did the State also dictate the payment schedule on this?

City Attorney Bauman said correct.

Mayor Mills said yes.

Councilor Keen said they dictated that we pay only \$5,000 in principal per year?

City Attorney Bauman said well, no. Let me make that answer more complete. The payment schedule was basically on the principal of wraparound, which Mr. Malone [Gary Malone, H.J. Umbaugh and Associates] from Umbaugh presented. The alternative to that would have been a significant rate increase. Based upon that request from the City, there were minor changes made that the State required.

Mayor Mills said and, actually, you got a memo from me, pointing out what those changes were in this document from the one that you'd seen previously, particularly talks about the changes at the end of the payment schedule, because that's where the majority of the changes by SRF were. I outlined those very clearly in a very short memo that went out to all of you, so that you would know exactly what had changed.

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Councilor Keen said well, I just remember back in '04 when we voted on this, it was a last-minute deal that we got the information on our desks the bottom of the—I think it was like 7:30 that evening, and it was the first time we'd seen most of the information. We were advised by Mr. Bauman that, if we didn't vote to approve it that night, we were going to cost the taxpayers \$1 million in added interest, which, incidentally, a month later, the interest rates actually fell, from what I remember. But I think that this payment schedule is my issue with this, and I think it's ludicrous to only be paying \$5,000 toward principal. I think the payment schedule should be amended somehow to not pay all the additional interest that we're going to be paying some—I don't know, you could calculate it out—this schedule here; I'm not sure what the other schedule was, \$3 million or \$4 million extra that we were going to be paying on that, and I just think that that is not something that we should be doing.

City Attorney Bauman said we could not change from the wrap-type payment schedule unless the Council, that being you, had wanted to increase the rates to cover a level amortization, and that proposal was not forthcoming from you.

Mayor Mills said you actually saw those numbers originally, when we talked about the wrap and the non-wrap, and it would have doubled the rate increase that we would have felt through the utility bills.

Councilor Truitt said we currently have 185% debt coverage anyhow, right now, according to the projections, when we only need 125%. So I want to be just a little bit careful in regard to this ratepayer savings, *per se*, because you could look at it on the opposite end.

City Attorney Bauman said well, but the coverage ratio you're speaking of is the gross revenue to the bond payments. There are other expenses at the utility as well.

Councilor Truitt said yes. I realize that.

Councilor Keen said and I would just like to reiterate what Councilor O'Callaghan reported, that the first time we voted on this, we did not have a lot of the pertinent information on this bond issue, and my vote at that time was based solely on the City Attorney's advice at that time.

City Attorney Bauman said which was based on what the SRF staff had told me.

Mayor Mills said all right. Other comments or questions?

Councilor Hunt said I'd like to change the direction just a little bit, and, Mr. Haynes, I'd like to particularly discuss some ideas you brought up. On the Appendix 2, under the Project Description which is a couple pages after 27, A2, number 2, it talks about the fats, oils, and grease improvements. The fats, oils, and grease is something really new that I had many questions about when the consultants were here. At least I believe that Mr. Wessler [M.D. Wessler & Associates] could be defined as a consultant, is that true?

Mayor Mills said absolutely.

Councilor Hunt said he had many ideas about the utilization of fats, oils, and grease to improve the efficiency, cut down the electric bill, and all sorts of stuff for the digester. He spoke many

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times, answered the questions that many of us had, and then later on, a bunch of people from California and all sorts of people came. That was a consultant, and hopefully payment of that consultant idea will save us some money. In addition, one of the employees of the Wastewater, I think Mr. Moore, one of our own employees, did a lot of gathering of data in areas around us, to see if this was a good study, if it was feasible to do this. And so I think that was a really good combination of a consultant that we don't have the expertise here to bring in new tech of fats, oils, and grease to use in the digester. And then also, a combination of our own employee doing the feasibility study to see if it was worthwhile. So I think that was probably a consultant well spent. I don't think we'll have many new digesters over the years. I don't know how old our one is now, but— So that was a way we do use consultants, hopefully to save money, in an area that we're not experts, but also we worked in, our employees did a lot of the data gathering.

Mayor Mills said I'll just add a little bit, Councilor Hunt, to that, because I want to toot our horn a little bit. This is a new technology, this fats, oils, and grease, and the Environmental Protection Agency, Region V actually had to approve this process as part of our SRF loan for the digester. We have gotten very positive feedback from them, from IDEM for this proposed fats, oils, and grease, because it's green-friendly. Not only is it going to use that grease to provide an energy source for the bacteria, but we're going to capture the methane, the added methane that's produced, and use it for energy for the plant. So it is a great technology that I think we're being progressive in using, and it's going to save us dollars.

Mr. Haynes said that's one good example. Thank you.

Mayor Mills said thank you.

Councilor Keen said I just would like to say that I actually agree with the project. I think the FOG Program, the cogeneration program, I think are some very forward thinking by the City. And I think that that is something that is definitely the direction in which we need to go. As far as the cogeneration, if anybody's been up to the dairy farm, they use a cogeneration—

Mayor Mills said yes, they do.

Councilor Keen said in the facility up there, and they provide a vast majority of their power for their farm through cogeneration. And the fats, oils, and grease, I mean, there's just a market there—the nearest market you can get to is Indianapolis, so I think there's a lot of haulers that would be bringing stuff to our facility, so the revenue possibilities there are great also. I just want to make it clear that my opposition to this is based on the financing of it, not the project itself.

[Councilor Griffin left the Council Chambers at 9:52 p.m.]

Mayor Mills said okay. Thank you, Mr. [Councilor] Keen. Any other comments or questions?

There was no further discussion.

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The roll call vote:

<b><u>AYE</u></b>	<b><u>NAY</u></b>
Hunt	Keen
O'Callaghan	
Satterly	
Truitt	
Griffin – delayed vote recorded	

Ordinance No. 25-06 passed on second and final reading, 5-1.

**NEW BUSINESS**

**Ordinance No. 27-06** An Additional Appropriation (Rainy Day Fund) (Prepared by the Clerk-Treasurer) Councilor O'Callaghan read Ordinance No. 27-06 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 this is an additional appropriation. We have used our Rainy Day Funds for pensions, and I think the Clerk-Treasurer wants to clean up this fund and make sure there are no dollars remaining in there, and so we are appropriating in excess, so that we won't leave dollars in this fund. Thank you. Are there any questions? Any comments?

There was no further discussion.

The roll call vote:

<b><u>AYE</u></b>	
Hunt	
Keen	
O'Callaghan	
Satterly	
Truitt	
Griffin – delayed vote recorded	

Ordinance No. 27-06 passed on first reading, 6-0.

**Ordinance No. 28-06** A Transfer Of Appropriation (Mayor, Clerk-Treasurer) (Prepared by the Clerk-Treasurer) Councilor O'Callaghan read Ordinance No. 28-06 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 this is a transfer from the Clerk-Treasurer's insurance budget, \$7,750 into my budget, the Mayor's budget, \$5,000 for consulting, and those funds will be used for the final quarterly newsletter of the year; grant writing for a Safe Routes to School grant, which we hope to get for some more sidewalk improvements; and a little bit of money will be spent on the Art on the Wabash costs, which this will be the first year for the art festival, Art on the Wabash, during Homecoming weekend. \$1,250 is going into my travel account, to be used for the IACT, the Indiana Association of Cities and Towns annual meeting, for my very regular travel to Indianapolis. I serve on the Environmental Committee for IACT and the Finance Subcommittee, so travel to and from Indianapolis, and actually tomorrow I am going with Commissioner Benson

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to the Regional Development for Local Success Symposium, Mr. [Director of Development] Andrew is going also. And then I have been asked to present a paper in Boston in November, at the National Brownfields Conference, and I learned today, actually, that my hotel accommodations will be paid for. I got grant monies to cover the hotel costs, so I will no doubt have travel money left, since some of my travel expenses are going to be covered by a grant. Are there questions on any of that? Comments?

[Councilor Griffin returned at 9:56 p.m.]

There was no further discussion.

Ordinance No. 28-06 passed on first reading, 6-0.

Mayor Mills said we would like to have the second reading of that tonight, please, Councilor Griffin.

Councilor Griffin said I move that we suspend the rules to consider Ordinance No. 28-06 on final reading at this time.

Councilor Satterly seconded the motion.

The motion to suspend the rules to consider Ordinance No. 28-06 on final reading passed by voice vote.

Councilor Griffin said Ordinance No. 28-06 is now on the table for second reading. I move for passage and that the vote be by roll call.

Councilor Satterly seconded the motion.

There was no additional discussion.

Ordinance No. 28-06 passed on second and final reading, 6-0.

Resolution No. 21-06 A Resolution To Reduce The 2006 Budget (Prepared by the Clerk-Treasurer) Councilor Griffin read Resolution No. 21-06 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 it's typical at this time of year we do make some reductions in the 2006 budget, so that we can fund the 2007 budget, and this is a reduction in the Clerk-Treasurer's funds for insurance, PERF, FICA/medical. We know that we can get through the end of the year without these monies, now that we are this far along, so we are reducing the budget by \$100,000. Are there questions?

Councilor Satterly said does it take two readings?

Mayor Mills said it's a resolution, no, just one, only one reading. Any questions?

COMMON COUNCIL MEETING MINUTES, SEPTEMBER 5, 2006, CONTINUED

There was no further discussion.

Resolution No. 21-06 passed on first and only reading, 6-0.

Resolution No. 22-06 A Resolution Requesting The Transfer Of Funds (Police, Sanitation, Development) (Prepared by the Clerk-Treasurer) Councilor Griffin read Resolution No. 22-06 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 this is a transfer between funds, from Police-Full time Salaries into Overtime and Photo Lab, \$22,500; from the Sanitation Department Contracts into Repair Parts, \$20,000, and this is to replace a recycling bin on the 1993 recycling truck, and that's \$18,000 of that total, \$2,000 will replace a broken blade on the 1999 packer; and then finally, in the Development Department, from Office Equipment \$300 into Furniture & Fixtures, and it's for the purchase of two new office chairs. Are there any questions?

Councilor Truitt said I assume that in the Police 1-7-247, that should be \$2,500 and not \$2,250? Or am I—?

Clerk-Treasurer Rhodes said oops, it should be \$2,500. That is an error.

Mayor Mills said good catch.

Clerk-Treasurer Rhodes said yes. There is a typo there. Thank you.

Mayor Mills said Photo Processing & Supplies should say \$2,500, not \$2,250. Thank you, Councilor Truitt.

Councilor Griffin said since that's a typo, I assume that that doesn't need a motion, or does it?

Councilor Satterly said it changes the total.

Councilor Griffin said the total's correct.

Councilor Truitt said the total's correct.

Mayor Mills said it doesn't change the total.

Councilor Hunt said it's okay over here.

Councilor Griffin said all right.

Mayor Mills said okay, any questions?

Councilor Keen said I wanted to ask [Police] Chief Marvin one quick question. I think he answered it before, but I just want to make sure. A lot of this money that you're needing is going to be reimbursed by grants, is that correct? But it will actually have to go back in the General Fund or am I thinking differently?

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Police Chief Marvin said no, that's correct. A lot of the overtime that's been worked has been with some of the special enforcement programs, this is the Governor's Council on Dangerous and Impaired Driving. Some of it's been new overtime this year that we didn't know about ahead of time. For instance, the Fatal Crash Reduction Enforcement Program that we've been participating in this year is something new that we've been working with other agencies, so that there's been a lot of overtime work that's come out of the overtime account that the City will get some reimbursement back that will go into the General Fund.

Councilor Keen said do you know about how much that reimbursement will be?

Police Chief Marvin said I don't have that off the top of my head. I believe the Fatal Crash Reduction Effort year-to-date's been in the neighborhood of \$22,000 roughly.

Mayor Mills said if you look at your efficiency list, I think I included those grants under the Police Department.

Police Chief Marvin said it probably is. That's just a rough estimate.

Councilor Keen said well, I just wanted to make the point that we're getting a lot of that back.

Police Chief Marvin said sure.

Mayor Mills said all right. Any other questions?

There was no further discussion.

Resolution No. 22-06 passed on first and only reading, 6-0.

Resolution No. 23-06 A Resolution Confirming The Designation Of An Economic Revitalization Area For Property Tax Abatement For SSCI, Inc. (Prepared by the City Attorney) Councilor Griffin read Resolution No. 23-06 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 discussed this previously, but tonight we need to have the public hearing on the tax abatement, so at this time, I will open the public hearing. This is the designation of an economic revitalization area for property tax abatement for SSCI. We did talk about this earlier. This is one of our great success stories in the Research Park. This is a locally home-grown company that started in the sewing room of one of the owners, and they have grown. They have just purchased the entire building that they were tenants in, so a great addition to our tax base in the Research Park, and a wonderful success story of technology grown out of the University research and a very viable technology company. Any questions or comments? Anybody in the public wishing to speak? If not, I will close the public hearing,

City Attorney Bauman said I'd note that the process where we have a preliminary resolution and then a public hearing and confirming resolution is one that's prescribed by State Statute. In a lot of communities, I think the contemplation was that companies might request this kind of assistance and might have other competitors within the community, and so there should be a

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public hearing to determine whether this was a worthwhile goal. I think it's interesting that in this community we don't see people that have competitors in the community, but they're perhaps unique in furnishing these services to the entire country or the world. I think it speaks very highly of the kind of work that's going on in the Research Park.

Mayor Mills said thank you. Any other questions or comments?

There was no further discussion.

Resolution No. 23-06 passed on first and only reading, 6-0.

Resolution No. 24-06 A Resolution For A Statewide Renewable Electricity Standard (Submitted by the Mayor) Councilor Griffin read Resolution No. 24-06 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 I put this resolution forward at the request of more than 100 citizens who wrote notes and letters to me, requesting that we consider a Statewide renewable energy standard resolution. The resolution asks the State of Indiana to promote investment in renewable energy in Indiana and hold the standard that utilities would purchase or generate 10% or more of the electricity that they produce from renewable means. Twenty states currently have a renewable energy standard in place, and, again, it sets a minimum percentage for the regulated utility companies to generate electricity. It can include wind, solar, or biomass, and I think the biomass is particularly interesting to us in this community, with the research that Purdue is doing, but also the wind, since we know that windmills are going in Benton County and that is a particularly great area for wind generation. I think it's very timely, because Senator Lugar was here last week, holding a symposium with the President of Purdue, Martin Jischke, and I just want to make one comment or read one of Senator Lugar's quotes, which I thought was very good, and I think supports the thoughts of many of the citizens who wrote to me. He said, during the symposium,

"Neither American oil companies, nor American car companies have shown an inclination to dramatically transform their businesses in ways that will achieve the degree of change we need to address a national security emergency,

"We must be very clear that this is a political problem. We now have the financial resources, the industrial might, and the technological prowess to shift our economy away from oil dependence. What we are lacking is coordination and political will."

I think that says it all, and, again, I think it's timely, I think it's something that our citizens would like to see, so our resolution is asking the State of Indiana for a Statewide renewable energy standard. Any questions or comments?

Councilor Truitt said I think I'm definitely in full support of this resolution, for sure, but I would also encourage us to go back to that benchmarking and make sure that we spend the necessary time internally, making sure that our normal consumption of the normal mechanisms and sources of power is carefully looked at as well, just as another testament to support this type of resolution.

Mayor Mills said and just assurance to you that we have been doing that this entire year.

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Councilor Truitt said yes, and I saw that in the efficiency document, so I was happy—

Mayor Mills said it's been a great process for us. We are saving energy already, and we've looked at City Hall and the Police Station, and we will continue to look at our other facilities in the remainder of this year and next year. It's a great point. All right.

There was no further discussion.

Resolution No. 24-06 passed on first and only reading, 6-0.

Review of Vote on Ordinance Nos. 25-06 and 27-06

Clerk-Treasurer Rhodes said may I ask for a moment on procedure.

Mayor Mills said sure.

Clerk-Treasurer Rhodes said I noticed that one Councilor was momentarily absent from the Chamber during the recording of the roll call vote on two Ordinances. There is a procedure which can be used after a roll call vote, to ask if anyone who has entered the room after his name was called would then like to vote. I understand that we have moved in the agenda past these items of business, but I would like to know if the Council would like to give the member an opportunity to have his vote entered into the record.

Councilor O'Callaghan said sure.

Mayor Mills said do we need a motion for that, or do we just need concurrence from the members of the Council?

Clerk-Treasurer Rhodes said I would suggest if the Mayor would call the roll call on Ordinances No. 25-06 and 27-06, we might allow me to call his name. I'd be glad to enter his vote, if the Council member so desires, as you've been here through a very long meeting.

Mayor Mills said Councilor Griffin, would you like to have your vote counted on Ordinances No. 25-06 and 27-06?

Councilor Griffin said thank you to the Clerk-Treasurer. And, yes, I would like to.

Clerk-Treasurer Rhodes said on Ordinance No. 25-06, Griffin, your vote?

Councilor Griffin said AYE.

Clerk-Treasurer Rhodes said Ordinance No. 27-06, your vote?

Councilor Griffin said AYE.

Clerk-Treasurer Rhodes said the vote will be entered into the roll call tally and reflected in the minutes of the meeting.

Mayor Mills said thank you very much.

Councilor Griffin said thank you for your detailed orientation to Roberts' Rules.

Clerk-Treasurer Rhodes said I think we just broke them, but I thought it might better reflect what actually happened during the meeting.

Mayor Mills said thank you very much.

### COMMUNICATIONS

#### 911 Memorial

Councilor O'Callaghan said actually, my apologies to [Fire] Chief Drew, because we talked about bringing this up under Public Relations, but I think I was looking at the pretty pictures of Glenn and JoAnn's house and I forgot to bring up this one item. And that is that Chief Drew and I have been working to find a place for the piece of steel from the World Trade Center that would be more accessible and visible to the public. We have communicated with [Library Director] Nick Schenkel in the [West Lafayette Public] Library, and eventually, we would like to put it outdoors by the Library, that plaza outside, because you can even see Fire Station No. 1 from that area, and Nick has even said that he would be amenable to it being the 911 Memorial. And so it's something that would be a really visible and accessible thing to students walking by on Northwestern. People do use that entrance to the Library quite a bit. To begin with, we would like to just move the display indoors after the memorial on the bridge. On Monday, September 11 at 5:00 p.m. will be the memorial on the bridge, and the piece of steel will be there for the firefighters and police officers to put a carnation on, and any members of the public that want to at that time, too. And then from there, to move it indoors in the Library, on the stand that is at Fire Station No. 1 with some bunting around it that also has the flag that was flown over the Pentagon and the flag of the State of Pennsylvania. So it would be a nice memorial in the Library, but eventually, we'd like to have it outdoors where it would be even more accessible. There's even a wall that eventually could be incorporated into the 911 Memorial Plaza, so I wanted to bring that forward.

Mayor Mills said thank you. I suggested to Councilor O'Callaghan since she and Chief were talking about it, that we have a little bit of public discussion, because I think it's a great idea and I assumed everybody else would think that would be a very appropriate place to have a display. The Chief was pleased to put it there, and we appreciate the Library's interest in having it in that very public plaza, an area where people go back and forth frequently. Thank you, Councilor O'Callaghan and Chief Drew. I think that'll be a great addition.

#### Little Gridiron

Councilor Truitt said it is fall and it is football time, and I will encourage the community to visit Leslie Field down on Grant Street on the 17<sup>th</sup>, as well as October 1 for the Little Gridiron program. If you've never been down there to see those kids play tackle—they do more falling, not so much tackling, but that is taking place here with teams and schools from throughout the area.

#### Flag Football

Councilor Truitt said a brand-new program in West Lafayette is taking place up at the Varsity Complex at Salisbury on Thursdays. There's probably about 140 kids taking part in the first-

ever West Lafayette flag football program for kindergarteners all the way up to 4<sup>th</sup> grade. So if you're ever looking for anything to do, it's quite the activity.

Mayor Mills said thank you for sharing that. Sounds great.

CITIZEN COMMENTS

Mr. Dan Schuster [109 East Navajo] said thanks for the opportunity. You've discussed a lot of these issues before regarding energy and volunteering and performance-based that and everything else. I'd just like to be one of those volunteer consultants, to help out the City, the Common Council, or the City Engineer's Office, to look at energy risk mitigation, possibly you might have some accounts that are large enough to hedge natural gas. I'll help you figure out how to do that, look at metrics, as far as how many BTUs per gross square foot per year, dollars per year, using all your buildings, and try to compare to other similar buildings and similar climates. I'd just like to help out where I can. Please use me if you can. Thank you.

Mayor Mills said we appreciate that very much. Thank you.

ADJOURNMENT

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

Respectfully submitted,

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