

CITY OF WEST LAFAYETTE  
COMMON COUNCIL  
MINUTES  
JANUARY 5, 2009

The Common Council of the City of West Lafayette, Indiana, met in the Council Chambers at City Hall on January 5, 2009, at the hour of 6:30 p.m.

Mayor Dennis called the meeting to order and presided.

The Pledge of Allegiance was repeated.

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

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, Assistant Parks Superintendent Ainsworth, City Engineer Buck, Police Chief Dombkowski, Street Commissioner Downey, Fire Chief Drew, Human Resources Director Foster, WWTU Director Henderson, Director of Development Poole, as well as Tippecanoe County Commissioners Byers and Murtaugh.

MINUTES: Councilor Keen moved for acceptance of the minutes of the November 19, 2008, Special Council Meeting; the November 24, 2008, Pre-Council Meeting; and the December 1, 2008, Common Council Meeting. Councilor Burch seconded the motion, and the motion passed 7-0 by roll call vote.

Mayor Dennis said I'd like to depart from our posted agenda and invite Mr. Dewayne Moffitt of the Hanna Center up to the podium. He has a few words he'd like to say.

Mr. Dewayne Moffitt said I was thinking about the last time I was in this building. I think I was about 12 years old in the Police Department. I am the Director of the Hanna Community Center. I'm Dewayne Anthony Moffitt. I've been back here in town about six months now, and have had the opportunity to come and share some of our events with all of you. I appreciate Mr. Mayor. When I called today, he said I would be in front of your meeting here, and I appreciate the support. Hanna Community Center, as you may know, is a nonprofit program. We serve the community. We have programs for kids and seniors, we have a food pantry, we have after-school programs and summer camp, and a home care program. Like most nonprofits, we have events all year long to try to raise money, to make sure we keep our doors open, lights on, and serve our community. January 31 is our Ebony and Ivory Ball, the 26<sup>th</sup> consecutive year. We have an exciting agenda this year, and I want to invite everyone to participate and come on our. Get on your tuxedo or long dress and come on our and enjoy yourselves. We have Dr. Will Miller who is the pastor at the University Church as our emcee. We have Carolyn Johnson who is one of the founders of the Ebony and Ivory Ball as a guest speaker, and other activities. We have the Jahari Dance Troupe for entertainment. The Latin and Ballroom Dance Team will be performing, and there are other activities while you spend your money for Hanna. I'll be sending out invitations to all of you, now that I know who you all are, and it will be in the paper. Keep posted. I think tomorrow I'll be on Channel 18 News at lunchtime. We're trying to get the word out for people to come out and enjoy themselves and support the Hanna Center. Thank you.

Mayor Dennis said and this is January 31.

Mr. Moffitt said January 31, 6:00 to 12:00. From 6:00 to 7:00 is the reception hour, then entertainment, dinner, dancing, live music, and a lot of fun for everybody.

Mayor Dennis said and it's at the Purdue Ballrooms?

Mr. Moffitt said yes, Purdue Ballrooms. Thank you.

COMMITTEE STANDING REPORTS:

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

Thank you, Mr. Mayor. I am happy to report that construction continues on the Digester Project. A 1.5-megawatt backup generator is now at the plant, and the microturbines have been moved into the Digester Control Building, as have the boiler and sludge pumps. I can't answer any questions about anything I just said, but I can read, so I've done that. It is my understanding through Councilor Hunt that the Council will see—is it quarterly reports?—on the Wastewater Utility's finances going forward from here?

Mayor Dennis said yes. Actually, I think by law we're required to present an annual report, but I think it's going to be in everybody's best interest if we do assessments quarterly and submit those reports to the Council. I think that will provide for more transparency and more openness, and it will also help Mr. [Wastewater Utility Director] Henderson when it comes to operating decisions about the Utility.

Councilor Bunder said thank you very much for that, Mr. Mayor. Given the integration of the Wastewater Utility with the General Fund, that's a really, really good idea.

Mayor Dennis said great.

Councilor Bunder said thank you very much. Recycling sanitation—there's no money in plastic or mixed paper, and with that, I conclude my report.

Mayor Dennis said yes, and actually, if again, I might add on to that. According to what Mr. [Street Commissioner] Downey has informed me, the costs for recycling paper and plastics are going up, so that just means, like everything else it seems today, costs are raising and revenues seem to be declining. But we're going to continue to move forward with our recycling program. It's been recognized time and time again as being one of the best in the State. We're going to continue with that.

PUBLIC SAFETY AND ORDINANCE: Councilor Keen presented this report.

Thank you, Mr. Mayor. The West Lafayette Fire Department reported a record number of runs for the year of just under 1,600 runs. That is up about 3.5% over last year. Also, assistance was requested from Delphi on the corncob fire. If anybody has driven by there and seen the smoke, it is really quite amazing how long a pile of corncobs can burn. I drove past there last week, and it was burning as we went on up north, and we were there for a few days and came back, and it was still burning. I don't know, is it still burning today? It very well could be. But, anyway, the corncob fire, they requested West Lafayette's assistance on that, and we did

provide some assistance with that, with some equipment and that sort of thing. We certainly appreciate that. Also, West Lafayette Police Department received just over 1,300 calls for service in December, which is up about 20% over November. They have also implemented three new technology systems into the patrol vehicles, to allow for more efficiency, and officers to better utilize their time. One of those is the Electronic Citation, which allows the officers to write—actually use a computer to scan the driver's license and enter information for tickets and other information, which will increase efficiency with that. Along that same line, with Mobile Field Reporting and Automatic Vehicle Locator for the squad cars, which will definitely increase officer safety and accountability. Finally, last but not least, on December 13, West Lafayette police officers partnered with Lafayette and the County Sheriffs for the annual Shop with a Cop Program. Twenty-five children paired with officers to shop at Wal-Mart for Christmas gifts. Well done. Thank you.

PURDUE RELATIONS: Councilor Roales presented this report.

Thank you, Mr. Mayor. December is traditionally a quiet month for Purdue, but I do have a couple items to report. The same economic stress that the City has been dealing with over the last few months is also affecting our City's largest employer. In December, Purdue reported that it will be suspending a special merit pay program that they have. This means \$3 million less dollars of payroll will be injected into our community the next year. I mean, if we looked at that—it's approximately, like, 50 people or 60 people being laid off—so it does have an impact on our community. Purdue will also be examining if it needs to fill vacancies that it currently has. So this may affect housing and what new homes are being purchased on our market. So these are things to be aware of, as we consider our policies over the next year. The good news is the students and the economic stimulus they provide will be returning this weekend, and classes will begin on Monday the 12<sup>th</sup>. Thank you, Mr. Mayor.

PARKS AND RECREATION: Councilor Hunt presented this report.

Thank you, Mr. Mayor. Mail-in registration for Winter/Spring Parks & Recreation classes is underway. Two particular classes that I learned a lot about today are offered again this year; they've been offered before. One is Learning to Skate, and the other is a hockey appreciation course. Both of them are offered at Tapawingo ice skating rink. Hockey appreciation does not include any clubs or any pucks, I might add. Sticks, I should say. But it does include basic hockey skills like skating backwards and, of course, you need to have some skating skills to start. The rink has been repaired, as many of us know, and attendance is great. Every day, they have really good attendance. Another annual event that's all exciting is Dare to Bare, where you can skate in your swimming suit; it is February 6, 2009, from 7:00 to 8:00 p.m. That's always lots of fun. Bring your cameras and swimming suit or whatever. A couple of other things. Fifty-seven youngsters enjoyed the Skating with Santa on December 13. If I were you, I would call to the rink, to find out if they're open and if they're making ice, etc. And, as I said, the Dare to Bare. The next Park Board meeting is January 26 at 4:30 in City Hall. That concludes my report.

ECONOMIC DEVELOPMENT: Councilor Thomas presented this report.

Thank you, Mr. Mayor. The New Chauncey Housing, Incorporated completed the rehabilitation of the property at 460 Maple Street, and the property is for sale to an eligible family. Rehabilitation of 267 East Sunset Lane and 214 Connolly are in progress, and limited rehabilitation of 1222 North Salisbury Street will occur when weather allows exterior concrete work. An additional property at 476 Littleton was purchased, with the closing occurring this month. The rehabilitation at 476 Littleton will involve exterior painting and substantial masonry

work. As of the end of November 2008, \$11,472 has been expended for social services. 519 persons have received services that include housing and supportive services for the homeless, elderly supportive services, and services that assist persons towards the goal of self-sufficiency. The Department of Development staff attended an economic development meeting sponsored by the Wabash River Enhancement Corporation. The staff is working with their consultants to provide data that will assist in making decisions about possible riverfront development. Staff also met with representatives of PRF and The Schneider Corporation, to start planning for the Research Park expansion in Phase 3 and in Phase 4. Development staff also met with city officials from Indianapolis concerning the Indianapolis Cultural Trail, and also met with city officials from Carmel and Noblesville. Aldi's is still on target to close on the site and build a new store in 2009. That concludes my report.

PERSONNEL: Councilor Burch presented this report.  
Thank you, Mr. Mayor. No report tonight.

BUDGET AND FINANCE: Councilor Dietrich presented this report  
With the exception of stating that I'm still in the learning curve process, working feverishly to get a handle on some of those numbers—I don't know if I'll ever get a handle on all of the numbers—we have no report.

Councilor Bunder said could I ask a question of Steve [Councilor Dietrich], and I know this is probably unfair. Could we have a meeting soon, just for the heck of it?

Councilor Dietrich said sure.

Mayor Dennis said I was going to address that every issue.

Councilor Bunder said okay. Thanks, guys.

Mayor Dennis said we'll be going ahead and moving forward with that and doing pretty much the same as we did last year, convening the committee, getting meetings scheduled. So everybody can have early this year, they can go through their calendars and check when it's going to be most convenient to go through the budgetary process for '09 for Budget '10.

Councilor Bunder said thank you, Steve [Councilor Dietrich]. Thank you, Mayor.

REPORT OF APC REPRESENTATIVE: Councilor Keen presented this report.  
Thank you, Mr. Mayor. The only thing I wanted to report is that on the January 21 meeting of the APC, it's scheduled to discuss the Cherry Creek Ventures, which is the petitioner is requesting the rezoning and developing the rural estate subdivision which is at the corner of Northwestern and Cherry Lane. Anyone who might want to go and hear that discussion, that starts at 7 o'clock. That will conclude my report.

SPECIAL REPORTS:

Update from Go Greener Commission

Ms. Diane Damico [Chair, Go Greener Commission] said mine is not as speedy as most of yours, but it's under 10 minutes, unlike some of the department heads. I'm Diane Damico, I'm the Chair of the West Lafayette Go Greener Commission. This past July, the City Council approved the creation of a citizens' advisory and advocacy environmental group called the West

Lafayette Go Greener Commission. I'm going to tell you today about some of the things we've done since July, and what we're hoping to do in the coming year. We've assisted in increasing the recycling efforts at local events like Global Fest and Uptown Jazz Festival and eight other events. Even though there's no money in it, we did it. We held an Unwanted Medicine Collection to raise awareness about the environmental dangers of flushing medications down the drain or the toilet. Don't do that. It's not good. We had a crew of volunteers help Detrash the Wabash. We co-sponsored a gift-wrapping contest with the West Lafayette Public Library and the *Journal and Courier*, to highlight the increased amount of waste that comes with the holidays. We've provided speakers for area events about energy efficiency and other water conservation and other topics. We've held what I think are very interesting public education meetings. They combine the expertise of City personnel, scientists, local business owners, and average Joe and Jane Residents. At those meetings, we present what the research is telling us about issues and what the City and individual residents can do to help the community. We've learned about things like composting, water conservation, and why we need to reduce our limited-use plastics. We've found that plastics are a good thing when you're building cars and computers, and not so good when you use them for water bottles. We won't say anything. Some projects are just starting out now and are continuing. What you should look for this year are things like:

- We've just teamed up with WFLI and will providing a three-minute spotlight on green news every week. Three minutes seems to go by pretty quickly, but when you think about commercials might be 10, 20, or 30 seconds long, that's very generous. They are going to be posting follow-up information to those spotlights on their website. We're really grateful for what they're offering there. You can tune in tomorrow morning for the very first one, if you're up at 6:30.

- We're working with IDEM, the Indiana Department of Environmental Management, to create a clean community challenge quality of life plan. What that is is the City departments and Go Greener reps are working together with IDEM to choose four or five projects to work on for the next few years. We don't know yet what those are; we've just started meeting. We've had one meeting on that.

- A member, Nick Carson from Sheila Klinker's office, is creating an e-newsletter to keep us informed about legislative updates regarding environmental issues.

- The pay-as-you-throw study by Purdue's EPICS and STATCOM students should be completed by the end of this semester.

- We have a group working on reducing plastic use, and they are planning "a day without a plastic bag event."

- We'll be completing green standards for local events. Our goal there is to help provide event planners with information on how to make their event more eco-friendly. We're developing criteria that they need to be able to earn the "kiss of approval" by the Go Greener, and we're working on what incentives might be used to entice planners to follow those green standards.

But we do need to know whether any of our efforts are having any effect, and I'm happy to report that the voting board of the Commission has been appointed and will begin meeting for the first time tomorrow. One of their main functions is to create a way to assess the group's efforts. We have twelve members on that board, and it's me, Diane Damico, Curt Ashendel, Peter Bunder is our Council rep on that, Dennis Carson, Heather Gall, Allen Jacobsen, Richard Johnson, Wayne Merriman, Dan Schuster, Isaac Slavin, Dawn Whitaker, and Rachel Witt. You are all invited to attend that meeting. It will be held in City Hall tomorrow at 7:00 p.m. I want to

thank all the City personnel who have expressed interest and have helped us. We've been given a lot of involvement from a lot of the departments, and I think we're moving forward. And so we'll see you next year for our next annual report.

Mayor Dennis said thank you very much, Diane [Ms. Damico]. As Kermit the Frog once said, "It isn't easy being green," but we'll do everything we can.

Councilor Burch said Mr. Mayor.

Mayor Dennis said yes.

Councilor Burch said I have a question for Diane. Actually, two questions for Diane. Ms. Damico, are you going to work with the grocery stores to reduce their use of plastic bags?

Ms. Damico said one of the things that the plastic-use people want to do is maybe more a whole shopping plaza that wants to do the event, to kick that off, the whole idea of what plastic bags will do. And I'm hoping to work with the Farmers' Market this year as well.

Councilor Burch said and also, on your unwanted medicine collection, did you do that on your own, or in collaboration with someone else?

Ms. Damico said we did that—there was a senior residence hall that did that, too, in the Lafayette side. On our side, Chief Dombkowski helped us get that ready, and what we did was we collected a big tub of medicine that wanted to get rid of it, and we had it incinerated, rather than flushed. We think we'll do that annually.

Councilor Burch said thank you.

Mayor Dennis said thanks, Diane [Ms. Damico].

Councilor Hunt said Mr. Mayor, may I make a comment?

Mayor Dennis said do you need Diane [Ms. Damico] up there for that?

Councilor Hunt said no, that's okay. [To Ms. Damico] I'm not going to ask you a question. One of the events was during America in Bloom, was this drug drop, as I call it. And we have lots of photographs of those awful pills, so if you want to see them, I've got them.

Mayor Dennis said remember the bad old days when you'd just flush them down the toilet? Lots of very happy rats in those days, let me tell you. Or sad.

#### PUBLIC RELATIONS:

##### Police Officer of the Quarter Award

Police Chief Dombkowski said thank you, sir. We have started this program this year, Officer of the Quarter. It's been well received in our department and with cooperation from the Merit Board. How that works is a committee of Merit Board members and officers that review nominations that are submitted by supervisors, and the committee collectively picks somebody for the Officer of the Quarter Award. This quarter, we'd like to recognize Art Choate from our

Detective Division. Art, come on up. Before I give this to him, I'll read the citation that his commander wrote on his behalf. Lt. Harris submitted this on Art's behalf.

During this quarter, Detective Choate has been given the duty of Department liaison with our two HUD housing properties that the Department has had numerous challenges with in the past. Det. Choate has forged a solid relationship with the management of these properties, and keeps the Patrol Division abreast of the problems that we all face with these properties in our area. Specifically, the development of that relationship has enabled us to address a lot of nuisance complaints in those complexes, and a lot of drug issues as well.

We appreciate Art [Det. Choate] forming those relationships and maintaining them, and the communication between those entities and our department is essential for us to do our job. Thank you.

Dr. Leverenz, President of the Police Merit Commission, presented a citation for Det. Choate as well.

Det. Choate said I was kind of surprised and very excited about this. I moved to Detectives in August, and that was one of the challenges that Lt. Harris placed on me, with his assistance, speaking with the HUD housing. I think it's been very successful, and I'll try to continue to do that and keep the officers aware of what's going on out there. I'm enjoying my job. Thank you.

Mayor Dennis said introduce those you brought with you.

Det. Choate said my wife Nikki. The little one is Addilynn, and that's my three-year-old Katie.

#### Appointments to Redevelopment Commission

Mayor Dennis said I will entertain nominations from the Council.

Councilor Hunt said the Council nominates—every year, we have to renew the appointments to the Redevelopment Commission, and that's required by State law. I would like to nominate two people that are already on it who have done a great job. One is Larry Oates who's a local businessman, lives here, of course, has a business in the Research Park, and has been very helpful in the community, setting up the Farmers' Market originally, and certainly has been part of the Redevelopment Commission for several years now. So I would nominate Larry Oates. May I make my other nomination, too, at this time?

Mayor Dennis said go ahead. We can actually do the one, vote on that, then do the second and vote on that.

Councilor Hunt said so you want me to wait for the second?

Mayor Dennis said I need a second.

Councilor Dietrich said I'll second.

Mayor Dennis said Steve [Councilor Dietrich] seconded. It's been motioned and seconded that Mr. Larry Oates be reappointed to the West Lafayette Redevelopment Commission.

The vote on the nomination of Mr. Oates to the Redevelopment Commission was unanimously AYE by voice vote.

Councilor Hunt said I'd also like to nominate Diane Damico who's also been on the Redevelopment Commission several years. She's no longer a math teacher, but there's a certain set of skills that go with being a math teacher that I think are relevant. She's also a small business owner, and she's been very active, and certainly with the Go Greener and also asking very good questions in the Redevelopment Commission. So I'd like to nominate Diane Damico for an ongoing term, please.

Mayor Dennis said I need a second.

Councilor Thomas said second.

Mayor Dennis said it's been motioned and seconded. Any discussion?

There was no further discussion.

The vote on the nomination of Ms. Damico to the Redevelopment Commission was unanimously AYE by voice vote.

Mayor Dennis said thank you all very much. Thank both Diane [Ms. Damico] and Larry [Mr. Oates] for your attentiveness, your vision for where we're heading in the future of West Lafayette. The year 2008 was a pretty active year. We encountered a lot of challenges with some delays on payments and then some paybacks in other cases, and took the unprecedented step of actually loaning our school corporation some money to help them through some tough fiscal times. I appreciate both of you and your leadership on those issues. I look forward to working with you in 2009. Thank you very much.

#### Election of Council President for 2009

Councilor Bunder said Mr. Mayor, I would like to nominate [Councilor Ann Hunt] to be President of West Lafayette City Council, and is known to all of us as a long-time City Council member and a faithful laborer on behalf of the City and the Council. I'm happy to offer her name in nomination.

Mayor Dennis said thank you very much.

Councilor Burch said second.

Mayor Dennis said it's been motioned and seconded. Any discussion?

There was no discussion.

The vote on the nomination of Councilor Ann Hunt to be President of the West Lafayette City Council for 2009 was unanimously AYE by voice vote.

Mayor Dennis said again, another opportunity for me to speak. I've had the privilege of working very closely with Councilor Hunt this past year, and it has been both a pleasure, as well as a

learning experience. I appreciate that and look forward to working with you again in 2009. Thank you for your leadership.

Councilor Hunt said thank you. Thank you very much. I appreciate the honor.

FINANCIAL REPORT: Clerk-Treasurer Rhodes

Well, the clock has struck December 31, 2008, midnight. We're in a new year, but as far as our financials are, we aren't, because we're still waiting a substantial settlement of property tax revenues, income tax, and other revenues from the County. As a result, we really won't have a final assessment until later this month. Highlights were there was very strong continued emphasis on expenditure control in the fourth quarter of 2008, which met or exceeded goals set by the Mayor. Our revenues, we hope to have an almost-final settlement approximately about January 21, which would be 51 days past the payment due date of December 1. At that point, we will have a stronger sense of where we are going to be, in terms of working cash moving forward. As we discussed at the Pre-Council, we ended the year with basically our cash depleted from the General Fund and Parks Funds, two of our main operating funds. Tonight we'll be asked you to consider ratifying a temporary loan that's necessary for us to make payroll, pay health insurance premiums, and other bills of the City that have already occurred, as well as obligations coming up within the next two weeks. The Budget Committee has, in years past, often met to have a review of the year-end. I'm sure that will occur this year, when we will present highlights of some of the actuals-to-budgets and variances, both on the revenue and the expenditure side, which will help us set the scene for following our financial plan for 2009, and always moving into the next budget cycle. Thank you.

Mayor Dennis said thank you very much.

UNFINISHED BUSINESS

Councilor Bunder said Mr. Mayor, can I ask just one question. This is simply for the record.

Mayor Dennis said sure.

Councilor Bunder said beginning next month, we will have a legal report as part of the presentation of the City Council. That's correct?

Mayor Dennis said correct.

City Attorney Burns said that is correct.

Councilor Bunder said okay.

NEW BUSINESS:

Ordinance No. 1-09 An Ordinance Providing For Temporary Loans From A Fund Having Sufficient Balance To A Depleted Fund (WWTU to General Fund and to Parks & Recreation Fund) (Prepared by the Clerk-Treasurer)

Councilor Keen read Ordinance No. 1-09 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 Burch.

Mayor Dennis said discussion?

There was no further discussion.

Ordinance No. 1-09 passed on first reading, 7-0, by roll call vote.

Councilor Keen said Mr. Mayor, I move that we suspend the rules and consider Ordinance No. 1-09 on second reading. The motion was seconded by Councilor Burch.

Mayor Dennis said it's been motioned and seconded.

The motion to consider Ordinance No. 1-09 on second reading passed by unanimous voice vote.

Councilor Keen read the ordinance by title. He motioned for passage of Ordinance No. 1-09 by passed on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis said discussion?

There was no further discussion.

Ordinance No. 1-09 passed on second and final reading, 7-0, by roll call vote.

Resolution No. 1-09 Resolution Approving Interlocal Agreement For Lindberg Bridge (Sponsored by Mayor Dennis)

Councilor Keen read Resolution No. 1-09 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 Burch.

Mayor Dennis said there's been a lot of debate and a lot of discussion about this in the media lately. It's probably going to be over simplistic, but obviously we're talking about correcting a problem that's been a problem in this community for some time. I see that there are a couple County Commissioners in the audience this evening. Thank you very much for attending. I appreciate your attendance. And I also appreciate the cooperation on the part of the County Council to help us solve this problem. I think one of the issues that we probably need to bring forward first is that we, as a City of West Lafayette, are getting an exchange of about \$10 for every \$1 that we spend. We, at some point, are going to be accountable for a preliminary study, a feasibility study, as it were, and then also a preliminary engineering design. But I think what sells the day is the cooperative spirit on the part of two governmental entities in fixing this problem. I think also what needs to be brought forward is the fact that now is the best time to move forward with this project. Quite clearly, delaying the project is only going to cause the road to sink a little bit more. Also, insofar as the market goes, we're in a position to actually bid a project at a time when a lot of construction companies and engineering firms are fairly hungry. So we will get a better exchange on our return, as well. I think that something that can't be ignored is the fact that the road itself is getting less and less safe all the time. I hate to bring up a horrific event like what we read in the newspaper this morning, but they referred to that road as "a roller-coaster." I've heard Lindberg Road be referred to in the same context. I will not tolerate an unsafe road in this City, so I think it's imperative that we go ahead and move forward on this project. Having said that, we actually have an in-house bridge expert on staff here, who

can provide some guidance and some background, in regards to the bridge project, if needed. But, having said that as well, we'll go ahead and open it up for discussion and for questions.

Councilor Bunder said Mr. Mayor, perhaps the first thing to be done is to have Mr. [City Engineer] Buck review the history of Lindberg Road. He did a good job at Pre-Council. I suspect, for the audience here and for our massive television audience, it might be a good thing to do.

City Engineer Buck said do we have time?

Mayor Dennis said we have time, David [City Engineer Buck]. Come on up.

City Engineer Buck said it's no short history. As everyone probably knows, the project originally was conceived back in the early 90s, even the late 80s, it was first thought of as actually doing a Lindberg Road improvement and widening project. It used to be a very narrow County chip-and-seal, probably, a little bit of asphalt every few years be added to it, and the area through the Bog was very narrow. There were guardrails on each side of the road, and the guardrail kind of leaned out. If you got off the edge of all that pavement that was piled up, you kind of got in the guardrail automatically, because the way that it was rounded up like that. I can remember driving that road back then—long before I was with the City. The project was programmed as a federal aid project, to use our Tippecanoe County portion of the federal gas tax dollars that come back through, in our case, the Metropolitan Planning Organization, which is abbreviated as an MPO. We collectively—Tippecanoe County, Lafayette, West Lafayette, Dayton, and Battle Ground—prioritize how those funds are used, and we continue to do that today, in a document called the Transportation Improvement Prioritization or Program, the TIP for short—there's always acronyms, like everything else. Lindberg Road went through that process, and originally an engineering firm was selected by the City to do an engineering study, not just on the area in the Bog but the entire mile and a half or so section of Lindberg from Northwestern clear out to McCormick Road. Exactly how much land would need to be acquired, how wide the road would need to be, how many lanes it should be, as well as what should be done through the area of insufficient soils, or the peat moss area, where the Celery Bog is. Several options were analyzed as a part of that preliminary engineering study, from do nothing—don't even do the project, it's not worth the dollars—to build a bridge, to put two cul-de-sacs in, to take the road around the south end of the Bog and not go through that bad soil, to do what is called a consolidation. A consolidation is basically a large embankment—actually, they ended up designing two embankments that were supposed to be built—to basically sit in place for a long period of time and consolidate the material on which it was sitting, squish the water out and, over time, consolidate it so it was dense enough and suitable enough to carry the weight of the road. Lindberg Road is not an interstate. It doesn't have a lot of semi-truck traffic. The traffic itself is not the main weight. It's the weight of the road itself that is the governing factor, in terms of the structural design of what has to be supported by the subsoil underneath of it. You can very plainly see now where you get into the bad soil and the road has continued to settle. And when you reach the area where they eventually remediated, what ended up failing with pilings, and you get back up on the pilings. The design continued. The options recommended—basically, the bridge option was determined by INDOT and Federal Highway that it was too costly of an option for the return. The cost-benefit ratio basically for it was higher than the cost-benefit ratio of the embankment and consolidation method. Because that's the way a federal aid project goes, that was the option that was allowed. So design continued. Right-of-way was acquired. Utilities were moved. Construction was started after the project

had bid, and the low bidder, you know, as is done, won the contract and began construction. The embankments were designed to be done in two parts. The first phase was a widening, where there were two piles made, one embankment on the north side of the road, and one embankment on the south side of the road. Both those embankments were supposed to stay in place between 180 and 360 days, and it just was a matter of the readings of how that material was being consolidated from the borings, to know how the material was performing. That embankment was to be stuck off, and then a large embankment over the entire newly-widened area was to be built. Unfortunately, during the first embankment construction, the utility poles were still in place on the north side of the road, and the method that they built the embankment was different than what was done on the south side. The south side was done in a linear fashion, and the north side was done in between the poles, which was a little bit different than maybe what was designed. The contractor made good progress, piled that material on, and a shear failure happened, to where the material underneath gave way, basically, and it rotated, so that it changed places. A mud wave occurred north of the road, allowing the new embankment to fail and fall into the Bog. There was too much stress built up in too quick of a time. At that point, the project basically stopped. The City regrouped, contacted several folks, talked with folks at Purdue. Again, I didn't say this, but this is all before I was with the City, so from conversations—

Councilor Bunder said we're not blaming you.

City Engineer Buck said this is from reviewing the files, talking to people—the tons of meetings, I've been in about this since I started with the City—but at any rate, a contractor was contacted that deals with subsoils that are poor, and various methods that are used to mitigate that, depending on whether you're building a building or whether you're building a road, or whether you're building a bridge or anything, through areas that have substandard soils. They had a method to put pilings in and put a cap across the pilings of stone and geogrids. The contractor ended up using another subcontractor to do that. That's their right to do that, by the contract with INDOT, and that contractor's method was very similar, but there were some slight differences. A report was produced by a third party geotechnical consultant that the City hired to make an apples-to-apples comparison, to determine which one was the preferred or a better solution, and then what things would need to be done to the alternate contractor to bring it up to par with the other. That work was done, and the main difference between the two was not a specification of exactly a gradation of stone. More dirt was used than stone to build the cap, basically, and that material is what you see causing the waves and sagging between the pilings. So there's layers of what's called geotextile, which is a little different than geogrid; it's more of a fabric, and then a foot of fill material and another layer of that geotextile. Unfortunately, that material, when layered together with itself, is not rigid enough to span the distance or to bridge the distance between the pilings, and so with no support given from the peat moss in between the pilings, over time it's allowed to settle and sink between them. That's the washboard or the moguls, whatever, I've heard all kinds of descriptions, as you might guess. So that's where we are. Since 2005, we've been monitoring elevations to just get an idea of the magnitude of how much it's moving. At times, it would move a tenth of an inch in a month, at times it would move half an inch. Sometimes it would move down, sometimes it would come back up; it's very flexible and very unpredictable. The road opened in 2003; we put an asphalt overlay across the area of the Bog in 2005, and it has been back at the same order of magnitude of deflection since probably mid-2008, spring of 2008. It's getting to the point where, especially on the east end of the Bog, we're going to need to do some additional remediation, depending on how long it would be before a permanent fix would be installed. The more weight we pile on, the faster it

moves or the more it's going to continue to move. As it is, it's self-weight that is causing it to move more than anything.

Mayor Dennis said just a point of clarification. If we build a bridge, will the bridge fail?

City Engineer Buck said no, it is not likely. It is not possible.

Mayor Dennis said Mike [Mr. Malik, *Journal and Courier* reporter] misrepresented that.

City Engineer Buck said at Pre-Council, I was asked about the likelihood of the existing road, and it was printed that I was asked about the bridge, and I do not believe a bridge could likely fail.

Councilor Bunder said we appreciate the clarifications.

City Engineer Buck said thank you.

Mayor Dennis said thank you Dave [City Engineer Buck]. Further discussion?

Councilor Roales said Mr. Mayor.

Mayor Dennis said yes, sir.

Councilor Roales said I'd like to propose an amendment to line [section] 5 of the interlocal agreement. I mentioned this briefly during Pre-Council. I'd like to change "four years" to "three years," and the reason being that you would not want to hinder the actions of the Council that comes after us. Our term has three years left, and I think it appropriate to have a three-year duration.

Mayor Dennis said is that a motion?

Councilor Roales said yes.

Councilor Bunder said second.

Mayor Dennis said discussion?

Councilor Dietrich said Mr. Mayor, I think lots of our decisions that we make throughout our tenure are going to impact future Councils and future services. As I understand, the law allows for a four-year agreement. It would seem a little short-sighted, in my opinion, to cut that short, just to try to make a clean break of the Councils. I think that the project itself ought to dictate the time length, as opposed to our tenure.

City Attorney Burns said and I'd point out that the reason I put four was because that's the maximum allowable under the law. So that's the reason it was four.

Mayor Dennis said okay. Further discussion?

There was no further discussion.

The roll call vote on the amendment to section 5:

<b>AYE</b>	<b>NAY</b>
Bunder	Burch
Roales	Dietrich
	Hunt
	Keen
	Thomas

The motion to amend section 5 failed, 2-5.

Mayor Dennis said further discussion?

Councilor Bunder said perhaps it would be helpful again for everyone in this room and on cable TV to have Mr. [City Attorney] Burns speak to our position or lack of position regarding the lawsuit between INDOT and Atlas.

City Attorney Burns said the upshot is there is currently a lawsuit that is still pending, between the contractor and Indiana Department of Transportation that has to do with claims by the contractor that they are owed money, in the neighborhood of \$750,000 or something like that. The lawsuit was filed in '07. It has continued on slowly, not a lot of activity, quite frankly. I think there may be more activity coming up in the next several months. I saw on the docket that there was a pre-trial that's set in March. That is moving forward. We are not a party to it. We've never been a party to it, and that's the way the system works, is that INDOT, while they may be using federal dollars, and INDOT, while they may be serving a local entity, they are the ones who are involved. They're the contracting party. And so they are the ones that are defending that litigation. I think Mr. [Councilor] Bunder had asked whether or not there was the possibility that there might be money coming back that we would want to make sure that we took, if it was there. There is not that possibility. This litigation is by the contractor, has a claim against INDOT. There is no counterclaim against the contractor. That is, the only money that would exchange hands, would be a one-way street from INDOT to contractor. There's no claim the other direction, so there is no possibility of funds coming to INDOT or to the City from that litigation. It's moving on, on its own. For a host of reasons, it was believed that moving forward with a fix was good for the reasons we've discussed here this evening, but also it's not a bad thing for the litigation also. They have their lawsuit. That lawsuit is going to get resolved in one fashion or another. The City will not be a party to it. But in the meantime, we have the authority to move forward and to get the actual problem fixed, while the lawsuit pends.

Councilor Bunder said thank you, Mr. [City Attorney] Burns. That's helpful.

Mayor Dennis said further discussion from the Council?

Councilor Bunder said if I may. Another point that is raised is why—and I'm all in favor of the County building the bridge, thank you—I have other things I'd like the County to do, too, but that list will have to wait—

Mayor Dennis said one step at a time.

Councilor Bunder said I know. The one question posed by members of our community is why wouldn't this go back into the federal government's planning for bridgework. Again, we've addressed this at Pre-Council.

City Attorney Burns said I will go as far as I can, which you'll see is going to be fairly short, and let Mr. [City Engineer] Buck fill in. It takes a long time and a lot of money to do a federal project. You can do a project that's just as high a quality on a local level for a lot less money, because of the requirements that the federal government imposes upon the local entity. That's one thing. Time and money. And there's also something I'll leave to Dave [City Engineer Buck] about the issue of the fed would even be participating in the most critical part of this project.

City Engineer Buck said we actually asked the question in our discussions, would the federal government allow additional federal funds to have, you know, a prioritization done and basically another turn at bat to use federal aid. Since this road project had been designed and constructed, a change order had been implemented and designed and installed in the area of the Bog, their response was, "not in the area of the Bog would we allow additional participation for federal dollars to be used." That area that has pilings, from beginning to end, would not be eligible for another federal aid project. They did, however, say if we were interested in programming another project, they would do the ends, or be involved in 80% or 80-20 funding for the tie-ins. And, frankly, the pilings didn't quite go far enough, as you can very easily see now. And actually, it didn't go far enough to the west either. There is additional work that needs to be done on each end of that piled area.

Mayor Dennis said correct me if I'm wrong, Dave [City Engineer Buck], but if we get involved in the federal funding cycle again, we go at the bottom of their ten-year list?

City Engineer Buck said we would be, again, discussing that as a part of the TIP, and the community as a whole would have to weigh against all of those needs that are used for that very limited amount of resources through federal gas taxes. We do a three-year rolling window of how those are prioritized in that document. There are several years from where we're at to when we get to the bottom of that list. So there's just not enough to go around very quickly in that funding mechanism.

Councilor Bunder said my thanks again, Mr. [City Attorney] Burns.

Mayor Dennis said thanks, Dave [City Engineer Buck]. Further discussion of the Council?

Councilor Hunt said I have a couple comments I'd like to make, please.

Mayor Dennis said sure.

Councilor Hunt said I sent out an email to two neighborhood associations that are in my district, and I got quite a lot of response, not a huge number, but quite a lot. All the responses were in favor, all of them were in favor of a bridge. They were concerned about the environmental impact, and it's my understanding that any time you do a bridge or anything of this sort, you do an environmental impact study. Is that correct? But I've also spoken to people from the Friends of the Celery Bog, particularly Joan Mohr Samuels, who has also spoken to the County Naturalist about this issue. First of all, from Ms. Mohr Samuels, she talks about a recent meeting of the Friends of the Celery Bog, the idea of a bridge replacing the Celery Bog [road]

was received favorably. So, I know there was quite a lot of concern recently about the Friends of the Celery Bog, and essentially, they're in favor of a bridge. In addition, Mary Cutler who is the Naturalist, gave me some data that was gathered in somebody named Dave Glista's Master's thesis, that this section of Lindberg has "the highest road mortality for amphibians of any road surveyed..." Now amphibians are the ones that do fly?

Councilor Bunder said frogs.

Mayor Dennis said no—

Councilor Hunt said they're the frogs, okay, I'm sorry. Sorry for forgetting my basic biology. And so that's some data that we can look at. We'll save the frogs. "Save the Bog, save the frogs." But essentially, I've got lots of positive comments about this. I don't think I got any that were concerned about spending the County's Bridge Fund. Sorry about that. But it does look like a good project we could work together, and the Bridge Fund seems to be quite healthy in its amount, and that's what it's for. It's my understanding that one or two bridges have been built in Lafayette and there's never been one built in West Lafayette. I think I've been told that. The City of West Lafayette. So it sounds like a win-win situation. I just wanted to report that that's the input that I've received.

Mayor Dennis said thank you very much. Further Council discussion? We'll go ahead and open it up to citizen comment.

Mr. Laszlo Kovacs [1709 Sandpiper Drive] said I'm a resident of the Lindberg area, first lived on the north side of Lindberg from 1974 in the Sherwood Forest subdivision, the last 10 years, we lived and still live in the southern part of Lindberg Road, in the Blackbird Farms subdivision. We have used Lindberg Road at least 30,000 times, so I have a perspective of traversing that area. I don't want to belabor the subject, because there are people who are more knowledgeable than I am, certainly from the technical point of view. Nevertheless, when we moved to Sherwood Forest, the north side of the causeway was still arable land. They used to grow corn there every season. What changed the profile there was the construction of housing around the former State Police station. Already in '74 and the following years, we knew that the Lindberg Road was a temporary solution for local traffic, primarily. As time went along, the Blackbird Farms subdivision association invited the Mayor's administration—that was something like nine years ago, I still have the logs on that in my calendar—but what is important here that the Mayor's administration presented the preliminary designs for widening and improving the roadway. The residents had a kind of an unofficial finding, and it was proposed that a bridge should be built, and not what was proposed by the Mayor's office and entourage. In fact, the response to the bridge at that time, in the meeting, was that it would be aesthetically not pleasing. We were assured that what would go into [the Bog] at some point would be sufficient for 20 years. Now I find nothing less than astonishing, I just returned from Europe, where I used roads that were built by the Romans, the legionnaires, and slaves with picks and shovels. And we have advanced just a little bit over these centuries. Nevertheless, putting that aside, somehow, through the back door, two engineering faculty from Purdue and an internationally known earth scientist were asked to contribute into the discussion. Now this earth scientist was, and still is, an internationally known unstable soil specialist. But the point is that, by the time these three individuals brought forward to this building their recommendation, they were told that the decisions had already been made, and the recommendation was put aside. You know, it was ignored. I knew this for a fact, because the earth scientist and I had lunch together that noon

before the 2 o'clock meeting in this building. So, anyway, I would strongly urge to make due diligence to consult Purdue experts who are being sought right and left from all around the globe. And here they are next door. And we, unfortunately, in many ways, bypass them. And the price we are paying for that right now is that \$6 million, \$7 million, \$8 million—maybe even \$10 million by the time this project is over. I do remember well that, after the grand opening and the ribbon was cut, 200 days—not 20 years—200 days later, there were some signs that there was some sinkages here and there. It was predictable. Any individual who has the slightest knowledge about unstable soil knew in advance that, sooner or later, something like this would happen. Now what will happen next? You will do your homework. I urge you to consult the right kind of people at Purdue. Without them, you will face the same thing in 10 or 12 years. Now what about during the construction? We have heard reports that so many thousands of vehicles cross that particular pathway. My suggestion would be—obviously, this is a far-fetched and unrealistic suggestion—complete the Cumberland area [avenue] all the way to Klondike. Number one. Number two, extend Cherry Lane to Klondike Road. Watching the traffic pattern, the demographic changes, west of McCormick over the years, I'm fully convinced that that area will grow and will demand a better traffic pattern. Obviously, this would be investing into not only 30 years, but beyond then, and I hope that at some point, perhaps not this year, but at some point, these two also will be considered. Because it will not be a small matter to make the detour at a time when gasoline prices will go back again, and we're not going to pay \$2 [per gallon] but again close to \$4 and very soon. Thank you very much for listening to me. I tried to keep this short and to the point, but please consult. Consult, and do this way ahead of time, before you see any of the final documents.

Mayor Dennis said thank you, sir. Other public comment? Hearing none, any further discussion from the Council?

There was no further discussion.

Resolution No. 1-09 passed on first and only reading, 7-0, in a roll call vote.

Resolution No. 2-09 Resolution Approving The Interlocal Agreement For Implementation Of NPDES Phase II Storm Water Quality Management Plan (Sponsored by Mayor Dennis)

Councilor Keen read Resolution No. 2-09 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 Burch.

Mayor Dennis said I'll probably call on Mr. [Wastewater Utility Director] Henderson for a little bit of perspective on this. Suffice it to say that this is an unfunded mandate from IDEM. Again, as always, I over simplify, but this is basically a course of action that we're initiating to try and cure some of the ills that we've, I guess, been responsible for over several years, for putting water into the Wabash that basically doesn't belong there. It's the runoff water from our parking lots and our open spaces that's going to need to go through our utility, in order to be accepted into the Wabash through the IDEM process. So if you would, Dave [Wastewater Utility Director Henderson].

Wastewater Utility Director Henderson said the interlocal agreement that you have before you is actually Round Two. We've finished our first five-year permit cycle from IDEM, regarding the implementation of the stormwater regulations. The federal mandate from EPA that the State Department of Environmental Management administers. The good news is—and for those of

you who don't know, the City of West Lafayette, the City of Lafayette, Tippecanoe County, Dayton, Battle Ground, Ivy Tech, and Purdue University are partners, in talking about government and other entities that work well together. This has been a model of cooperation. The State points to us time and time again, as they visit other communities that are looking at doing a better job. Our Tippecanoe County Partnership has been held up as the gold standard in the State. We had our first audit at the end of the five-year cycle, came through very well. They're very happy with us, which, in the end, means that this works, it's good for our community, and we should continue with this for the next five-year cycle.

Mayor Dennis said any discussion or questions for Mr. [Wastewater Utility Director] Henderson?

There was no further discussion.

Resolution No. 2-09 passed on first and only reading, 7-0, in a roll call vote..

COMMUNICATIONS:

► Councilor Burch said I just want to thank the Commissioners for their support of the Lindberg Bridge project. Thank you very much. We appreciate it.

► Councilor Bunder said I guess I'm looking for communication from [Redevelopment Commissioners] Larry [Oates] and Diane [Damico]. When do you have to write the check that starts the engineering study for the bridge we just approved an interlocal agreement for?

Mr. Oates said if only I were the one writing the check, but it doesn't work that way. It's Judy [Clerk-Treasurer Rhodes] that writes the check. But, realistically, it's once a bill is submitted to us to be able to do it. We can appropriate the funds, now that there's been direction by this body, to know that's where we want to go, as far as the Redevelopment Commission goes, in spending the money out of the KCB TIF for the work. But the actual check itself won't get written until a claim is made, much the same process that occurs here at the City Council itself. Our next meeting is January 21, and I would assume that, at that point, we will be presented with some type of appropriation request, to be able to fund this design work. At that point, the Commission would take the necessary votes to be able to actually appropriate the money, so that it could move forward. We, as with the City Council, it is in the same situation. We've not received dollar one yet from tax revenues for 2008. The only money we received in 2008 were interest payments off of our investments. Consequently, that's obviously going to play into this timing, too, that once that 2008 money gets released, then we're in a much better situation to be able to fund this work.

Mayor Dennis said but if I might add, Larry [Mr. Oates], there has been no time set for when that initial payment is due. So it's not likely to be on the 21<sup>st</sup>. We'll work closely with the County Commissioners in determining when that date might be.

Councilor Bunder said and this simple, who sends us that bill—the County? The engineering firm? How does that work?

City Attorney Burns said it's administered through the County, that's correct.

Councilor Hunt said may I make a comment about what was said at the Commissioners' meeting last week?

Mayor Dennis said sure.

Councilor Hunt said if I may. Well, last week...I'm not sure you [County Commissioners Byers and Murtaugh]—you weren't official. Anyway, they talked about three things that the \$174,000 were requesting. And that had to do with feasibility study, a geotech study, and predesign study. So that portion of the \$174,000 that was discussed did those three tasks.

Mayor Dennis said thank you, Ann [Councilor Hunt].

CITIZEN COMMENTS:

► Mr. Bob Schauer [242 Connolly] said I'm here as a member of Chauncey PAC, which is a political action committee for the New Chauncey Neighborhood, and I'd like to say a couple of things. We were real happy to see the City prevailed in its over-occupancy case in our neighborhood recently. We remain very concerned about over-occupancy and code enforcement in general. The Parks Department recently graded the Rose Street trail entrance to Happy Hollow Park, and this is really a nice improvement to a real well-used trail into that park. Just recently, one of my neighbors called the Police about an abandoned car with expired plates on our street, and it was towed away really promptly, and we appreciate that kind of attention from our Police. And we appreciate the excellent service provided by Mr. [Street Commissioner] Downey's people. Thank you.

Mayor Dennis said thank you very much. It's always nice to get words of encouragement.

► Ms. Gale Kvam [1124 Windsor Drive] said one year ago, at your January 2008 Council meeting, you voted to rezone a small strip of property adjacent to homes on Carlisle, despite objections from over 90 neighbors. Your actions allowed developer Gary Spillers to proceed with his planned development, the Champion's Centre project. I thought I would come to the meeting tonight, to let you know what has happened in our neighborhood since your vote last January. I'm speaking before you tonight because I'm not entirely sure you've received my emails. Not one of you has responded to me, not my City Council representative Vicki Burch, and not even Council member Peter Bunder who always received a response from me when I was on the school board, and he was a frequent correspondent. But I digress. When Mr. Spillers spoke at the meeting last January, he proposed an ambitious timeline for development of the property, beginning in March, with the demolition of the Family Inn, breaking ground in August for the seven-story parking garage and condominium structure, and opening the Champion's Centre hotel and condominiums by August 2009, in time for the football season. He was confident last January that he would be able to sell his over 100 condominiums to alumni and alumni only. Indeed, he took offense at the suggestion that any of his units would be used as "kiddie condos." It was April when the ceremonial demolition of the Family Inn building was held, and demolition continued through much of April and May. In late May, I got water in my basement. I should point out that my home is across the street from the development site. We got a little clear water in the basement, less than half an inch covered the floor. To me, it was more of an annoyance than damaging. We were told a lift station at the end of the street had failed, causing this problem. Shortly after this happened, my neighbor, whose property is directly adjacent to the Champion's Centre site, began to have severe mold problems in her basement. She built this house nearly 40 years ago, and had never had a problem with mold in her basement. It cost her nearly \$3,000 to have it removed. I want to point out the water in my basement and the mold in hers were not isolated incidents. Other

neighbors on our street were experiencing the same sorts of problems, too. The explanation for the cause of these problems arrived via letter from the City Engineer on July 30. Our neighborhood was experiencing problems because the Champion's Centre crew neglected to plug a sanitary sewer pipe during demolition of the Family Inn. The letter from the City Engineer—and I do appreciate the staff that you have here at the City; the City Engineer, all of the staff have been very helpful—told us to seek restitution through one of two insurance companies, if we had suffered any losses. Now, here's the kicker: My 87-year-old neighbor, who had spent close to \$3,000 on mold removal, did seek restitution. She was told it was a pre-existing problem and she would therefore not receive any compensation for her loss. In June, Champion's Centre opened its sales office on Windsor Drive, complete with a model condo unit. Neighbors, curious about what one of these units might look like, stopped by. The salesperson proudly told them that he had had over 30 inquiries—hard to tell how many sales—including one sale to a family that was buying a unit for their child who would be attending Purdue. I really don't have to remind you that, by definition, that would make that unit a "kiddie condo." On August 14, bulldozers destroyed up to 50 trees on the Champion's Centre property. They were healthy, 30- to 40-year old trees that did not present any apparent safety issue. They were just in the way. It's hard to determine why they were in the way, as they were at the back of the property and construction had not yet begun on anything. Indeed, as of today, there have been no groundbreaking for any structure on the Champion's Centre property. Right now, there's a large hole at the front of the property, lots of mounds of dirt, and unsightly fencing surrounding the property. I dread to think what will happen if we receive a large amount of rain this spring. The large hole will be an ideal breeding ground for mosquitoes. So here we are in a new year. The economy is in a serious state of disrepair, and it's no surprise Mr. Spillers is having problems selling his condos. I've heard he's having problems finding a hotel chain to manage his hotel, as well. In any case, he seriously misjudged the market for this type of project in this area. Last year, Councilperson Bunder assured us that our neighborhood would not be destroyed if the Champion's Centre project went forward. That might be true, but the project has had a major impact on the neighborhood. To recap, loss of residential land, water and mold in basements, trees destroyed, and the very real possibility that there will be "kiddie condos" in yet another neighborhood of single-family homes. If you've learned nothing else as a Council this year, I hope you've learned, "Buyer beware. Nothing is as good as the developer makes it sound." The neighbors of this project warned you last year that this type of development was wrong for the neighborhood and the City. Now is your chance to make it right. Mr. Spillers must already recognize that the economy will be unstable for a few years. In any case, I would be surprised if alumni and Purdue fans will choose to invest their slim invest dollars in weekend condos. When your Director of Development meets with Mr. Spillers this week, I would suggest that Mr. [Director of Development] Poole tell him no help will be coming from the City, except help with selling the property to a local businessperson. Someone who lives locally and has a stake in what happens to the local environment will be far more likely to take better care, when proceeding with developing this property. And maybe, just maybe, we will have an attractive development that fits with the neighborhood and the City, instead of a seven-story monstrosity, empty hotel, and row after row of unused parking spaces. Thank you.

Councilor Burch said Gale [Ms. Kvam], first of all, I would like to say I have not received any of your emails. As you know, in the past, I have responded to your emails, so if you have sent something to me recently, I have not received it.

Ms. Kvam said the emails that I sent came back, and I did correspond with [Councilor] Ann Hunt, who assured me that she would forward those on to you. That was before, I believe, your comcast [email address].

Councilor Burch said I did not get them.

Ms. Kvam said okay. I would be happy to send you copies.

Councilor Burch said yes, please. Thank you.

Ms. Kvam said sure.

► Tippecanoe County Commissioner David Byers said I just want to say thank you. First of all, you guys really ought to pat yourselves on the back on having Eric [City Attorney Burns] up here. That's two bridges he's gotten out of the County so far. So you've got to compliment him on that stuff. As somebody brought up the suggestion the other day, when we were talking about Lindberg, of just putting it back to gravel. I mean that's an option, of just dumping gravel and more gravel on it. I just want to say Tom [Tippecanoe County Commissioner Murtaugh] and I, being rookies, want to work with everybody. We want to work with both cities, we want to work with the communities. I think the biggest thing is communication. Let's talk to each other. Let's keep going—hopefully in the right direction. I think you are all in the same position as we are. Let's try and make life better for our citizens. Congratulations to all of you, thank you, and let's keep working together.

ADJOURNMENT:

There being no further business at this time, Councilor Keen moved for adjournment. Motion was seconded by Councilor Dietrich and passed by voice vote, the time being approximately 8:15 p.m.