



Lafayette Common Council Agenda

Lafayette City Hall: Common Council Chambers

Caucus is Cancelled

Public Comment On Agenda Items May Be Submitted No Later Than One (1) Hour Prior To The Meeting Start Time Via Email To Web-Clerk@Lafayette.In.Gov Comments Must Include Name And Address.

Regular Session

Monday, February 7, 2022 @ 6:00 PM

Pledge Of Allegiance

Roll Call

Approval Of Minutes

Regular Meeting January 10, 2022

Presentation And Disposal Of Claims

Presentation Of Petitions And Communications

Reports Of City Offices On File In The City Clerk's Office

Fleet Maintenance Monthly-December

Renew Department Monthly-December

Water Works Department Monthly-December

No Ordinances For Second Reading

Ordinances For First Reading

Ordinance 2022-01 (An Ordinance Reestablishing The Cumulative Capital Development Fund)

Documents:

[ORDINANCE 2022-01 DRAFT.PDF](#)

Ordinance 2022-02 (An Ordinance To Amend Ordinance 2021-54-An Ordinance Fixing The Salaries Of The Sworn Protective Occupation And Law Enforcement (POLE) Members Of The Police And Fire Departments For The Year 2022

Documents:

[ORDINANCE 2022-02 DRAFT.PDF](#)

Ordinance 2022-03 (An Ordinance To Amend Ordinance 2021-53-An Ordinance Fixing The Salaries Of The Appointed Officers And Employees Of The City Of Lafayette, Indiana For The Year 2022. Excluding The Sworn Protective Occupation And Law Enforcement Members Of The Police And Fire Departments)

Documents:

[ORDINANCE 2022-03 DRAFT.PDF](#)

Ordinance 2022-05 (An Ordinance For Additional Appropriation Of American Rescue Plan Grant Fund (Fund #1760))

Documents:

[ORDINANCE 2022-05 DRAFT.PDF](#)

Ordinance No. 2022-06 (An Ordinance For Appropriation Reduction Of General Fund (Fund #1010) And For Additional Appropriation Of General Fund (Fund #1010))

Documents:

[ORDINANCE 2022-06 DRAFT.PDF](#)

Resolutions

Resolution 2022-02 (A Resolution Adopting A Community Investment Plan Detailing The Use Of American Rescue Plan Act Funding)

Documents:

[RESOLUTION 2022-02 DRAFT.PDF](#)

Reports Of Standing Committees

Reports Of Special Committees

Reports By The Mayor

State Of The City Address

Miscellaneous And New Business

Reports Of Councilmen

Public Comment

Adjournment

Public Comment: We welcome public comment and encourage active participation at this meeting. However, in order to proceed efficiently, public comment will be limited to two areas of this meeting. First, there will be an opportunity for public comment on ordinances or resolutions currently before the Council. These comments should be limited to three (3) minutes in length and be germane and relevant to the Ordinance or Resolution. All participants will be required to maintain a high level of civility, respect, and courtesy for everyone present. Any participant, who after being advised, persists in a discourteous or hostile manner which may disrupt the meeting will be asked to leave.

At the end of the meeting, time will be reserved for public comment on any issue or concern you may

have. Please remember to keep your comments concise and limited to three (3) minutes. Finally, the open comment section is not an opportunity for you to make inappropriate comments about, or personally attack council members or city officials. Again, all participants are required to maintain a high level of civility, respect, and courtesy for everyone present. Any participant, who after being advised, persists in a discourteous or hostile manner which may disrupt the meeting will be asked to leave. This is your opportunity to contribute to the community and assist the council in addressing issues that are important to the City of Lafayette.

ORDINANCE 2022-01

AN ORDINANCE REESTABLISHING THE CUMULATIVE CAPITAL DEVELOPMENT FUND

WHEREAS, IC 36-9-15.5 allows municipalities to establish a Cumulative Capital Development Fund;

WHEREAS, the City of Lafayette first established the Cumulative Capital Development Fund in 1984 through the adoption of Ordinance 84-27 as codified as Lafayette Municipal Code Section 2.13.070;

WHEREAS, the City last reestablished the Cumulative Capital Development Fund in 2020 through the adoption of Ordinance 2020-03 with a maximum rate of levy of \$.05 per \$100 of assessed valuation but such rate has been administratively reduced by the Department of Local Government Finance as part of adjustments per Indiana Code 6-1.1-18-12;

WHEREAS, the City finds the Cumulative Capital Development Fund is necessary and prudent for the municipality;

WHEREAS, the City desires to reestablish the Cumulative Capital Development Fund rate in order to establish the rate of five cents per hundred dollars (\$0.05/\$100) for 2023;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE AS FOLLOWS:

1. Lafayette Municipal Code Section 2.13.070 Is re-adopted and amended to reestablish the Cumulative Capital Development Fund as follows:

Section 2.13.070 – Cumulative Capital Development Fund

- A. There is established a cumulative capital development fund.
- B. An ad valorem property tax levy will be imposed and the revenues from the levy will be retained in the Lafayette cumulative capital development fund.
- C. The maximum rate of levy under subsection B will not exceed \$0.05 per \$100 of assessed valuation. A tax rate of \$0.05 per \$100 of assessed valuation will be levied beginning with property taxes for 2022 due and payable in 2023 and thereafter, continuing until reduced or rescinded.
- D. The funds accumulated in the cumulative capital development fund will be used for any purpose allowed under Indiana Code 36-9-15.5-2.

- E. Notwithstanding subsection D, funds accumulated in the cumulative capital development fund may be spent for purposes other than the purposes stated in subsection D, if the purpose is to protect the public health, welfare, or safety in an emergency situation which demands immediate action. Money may be spent under this subsection E only after the Mayor issues a declaration that the public health, welfare, or safety is in immediate danger that requires the expenditure of money in the fund.
2. The Controller is directed to submit Proof of Publication of the Notice of Public Hearing to be held on March 7, 2022, a certified copy of this Ordinance, and Proof of Publication of Notice of Adoption to the Department of Local Government Finance as provided by law. Said Cumulative Capital Development Fund is subject to the approval of the Department of Local Government Finance.
3. This Ordinance shall be in full force and effect from and after the date of its passage, signing by Mayor and such publication as is required by law.

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana this _____ day of _____, 2022.

Perry E. Brown, President

ATTEST:

Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, for his approval and signature this _____ day of _____, 2022.

Cindy Murray, City Clerk

This Ordinance approved and signed by me on this _____ day of _____, 2022.

Tony Roswarski, Mayor

ATTEST:

Cindy Murray, City Clerk

Sponsored by: Mayor Tony Roswarski

2022 JAN 27 A 11: 05

CINDY MURRAY

ORDINANCE 2022-02

**AN ORDINANCE TO AMEND ORDINANCE 2021-54
AN ORDINANCE FIXING THE SALARIES OF
THE SWORN PROTECTIVE OCCUPATION AND LAW
ENFORCEMENT (POLE) MEMBERS OF THE POLICE AND FIRE DEPARTMENTS
OF THE CITY OF LAFAYETTE FOR THE YEAR 2022**

WHEREAS, on October 21, 2021, the Council adopted Ordinance 2021-54 which established the salaries, specialty pay, longevity pay and clothing allowance for POLE members of the Police and Fire Department;

WHEREAS, subsequent to adoption a scrivener's error was discovered which resulted in an incorrect amount listed for the 2022 clothing allowance and the ordinance as amend by Ordinance 2021-62 adopted by the Council on December 6, 2021;

WHEREAS, subsequent to the adoption of Ordinance 2021-54 and Ordinance 2021-62 an additional scrivener's error was discovered which result in an incomplete listing of the police department specialty field compensations;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA as follows:

1. Ordinance 2021-54, as previously amended by Ordinance 2021-62, is hereby amended to replace Exhibit A with the attached Exhibit A.
2. All other terms and conditions of Ordinance 2021-54, an Ordinance Fixing the Salaries of the Sworn Protective Occupation and Law Enforcement (POLE) Members of the Police and Fire Departments of the City of Lafayette for the Year 2022, as previously amended by Ordinance 2021-62, shall remain in full force and effect.

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana this _____ day of _____, 2022.

Perry E. Brown, President

ATTEST:

CINDY MURRAY, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on this _____ day
of _____, 2022.

CINDY MURRAY, City Clerk

This Ordinance approved and signed by me on this _____ day of _____, 2022.

TONY ROSWARSKI, Mayor

ATTEST:

CINDY MURRAY, City Clerk

Sponsored by: Jacque Chosnek, Corporation Counsel

Amended Exhibit A - Ordinance 2021-54
2022 Salaries for Sworn POLE Members of the Police Department

Rank	Bi-weekly Salary
Deputy Chief	\$3,333.24
Captain	\$3,175.22
Lieutenant	\$3,024.75
Sergeant	\$2,881.45
Detective	\$2,744.93
Technician	\$2,744.93
1st Class Patrol Officer	\$2,614.98
2nd Class Patrol Officer	\$2,355.00
Recruit / Probationary Officer	\$2,225.00

Specialty Fields Compensation:	Annual Supplement
> K-9 Unit	\$1,250
> Field Training Officer (FTO)	\$1,200
> Special Weapons and Tactics Team (SWAT)	\$1,000
> Crisis Negotiation Team (CNT)	\$500
> Fatal Alcohol Crash Team (FACT)	\$500
> Mobile Field Force (MFF)	\$500
> Polygraph Examiner	\$500
> Accident Reconstruction Specialist	\$500
> Indiana Law Enforcement Academy (ILEA) Certified Generalist Instructor	\$500
> ILEA Certified Defensive Tactics Instructor	\$500
> ILEA Certified Firearms Instructor	\$500
> ILEA Certified Emergency Vehicle Operations	\$500
> Street Crime Unit	\$500
> Criminal Interdiction Unit	\$500
> Crime Scene Investigator	\$500
> School Resource Officer	\$500
> Community Officer Program	\$500
> Spanish Speaking Unit	\$500
> Dive Team	\$500
> Motorcycle Unit	\$500
> Bicycle Patrol	\$500
> Honor Guard	\$500
> Armorer	\$500
> Unmanned Aircraft Systems (UAS) Pilot/Operator	\$500
> Any other certifiable specialty approved by the Office of the Chief of Police	\$500

Specialty Fields Compensation based on performance in specific categories with maximum aggregate specialty pay of \$2,500, paid annually in lump sum at year-end; Specialty Fields Compensation shall be pro-rated for specialty fields held less than a full year.

Longevity Compensation - Paid in quarterly installments to eligible members; \$250 additional compensation upon attainment of 4 years of service, additional \$250 compensation increment per year for 5 - 19 years of service; additional and final increment of \$750 upon attainment of 20 years of service resulting in maximum longevity pay of \$4,750.

Longevity Compensation shall be pro-rated for service less than a full year.

Clothing Allowance - \$1,500 per year; Paid in quarterly installments to eligible members. Allowance shall be pro-rated for service and/or eligibility that is less than a full year.

Overtime Pay - 1 ½ times regular pay as per contract

ORDINANCE 2022-03

**An Ordinance to Amend
Ordinance 2021-53**

**An Ordinance Fixing the Salaries of the Appointed Officers and Employees
Of the City of Lafayette, Indiana, for the Year 2022,
Excluding the Sworn Protective Occupation and Law Enforcement Members of
The Police and Fire Departments**

WHEREAS, the Common Council of the City of Lafayette, Indiana adopted Ordinance 2021-53, An Ordinance Fixing the Salaries of the Appointed Officers and Employees of the City of Lafayette, Indiana for the Year 2022, Excluding Sworn Protective Occupation and Law Enforcement Members of the Police and Fire Departments; and

WHEREAS, the Mayor and City Attorney have determined the needs of the City will be best served by converting the City Attorney position from an Independent Contractor position to a full-time employment position which will provide greater accessibility, communication and efficiencies without increasing the overall budget needs for legal services; and

WHEREAS, the Facilities Director, in consultation with Human Resources and Controller's Office, has determined, the needs of the Facilities Department and the needs of the City will be best served by changing one Custodian position (LTC I) to a Senior Custodian position (LTC II) and such reclassification will not result in an increase of the overall salary budget for the facilities department; and

WHEREAS, the Mayor has consented to the proposed changes; and

NOW THEREFORE, Be it Ordained by the Common Council of the City of Lafayette, Indiana:

1. Exhibit "A" of Ordinance 2021-53, An Ordinance Fixing the Salaries of the Appointed Officers and Employees of the City of Lafayette, Indiana for the Year 2022, Excluding Sworn Protective Occupation and Law Enforcement Members of the Police and Fire Departments, is hereby amended to add a Legal Department and add the following position within the Legal Department:

<u>Position</u>	<u>Classification</u>
City Attorney	SO

2. Exhibit "B" of Ordinance 2021-53 is hereby amended to add the following SO (Special Occupation) Bi-Weekly Wage Scale for the City Attorney Position:

	Initiation	Step 1 (1 year)	Step 2 (3 years)	Maximum
City Attorney		as determined by Mayor		\$4,621.33

2. Exhibit "A" of Ordinance 2021-53, of Lafayette, Indiana for the Year 2022, Excluding Sworn Protective Occupation and Law Enforcement Members of the Police and Fire Departments, is hereby amended to reclassify one Custodian (LTC I) position to a Senior Custodian (LTC II position). The reclassification of the Custodian position to a Senior Custodian position shall be retroactive to January 1, 2022.

3. All other terms and provisions of Ordinance 2021-53, An Ordinance Fixing the Salaries of the Appointed Officers and Employees of the City of Lafayette, Indiana for the Year 2022, Excluding Sworn Protective Occupation and Law Enforcement Members of the Police and Fire Departments shall remain in full force and effect.

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana this _____ day of _____, 2022.

PERRY E. BROWN, President

ATTEST:

CINDY MURRAY, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on this _____ day of _____, 2022.

CINDY MURRAY, City Clerk

This Ordinance approved and signed by me on this _____ day of _____, 2022.

TONY ROSWARSKI, Mayor

ATTEST:

CINDY MURRAY, City Clerk

Sponsored by: Mayor Tony Roswarski

Ordinance No. 2022-05

**AN ORDINANCE FOR ADDITIONAL APPROPRIATION OF
AMERICAN RESCUE PLAN GRANT FUND (FUND #1760)**

WHEREAS, on March 11, 2021, the American Rescue Plan Act of 2021 (“ARP”) was enacted; and

WHEREAS, the ARP provides \$350 billion in emergency funding to state and local governments and the City of Lafayette will be a recipient of an estimated Sixteen Million Seven Hundred Thousand Dollars (\$16,700,000) of said funding (“ARP Funds”) which will be distributed in two tranches of fifty percent, one each in 2021 and 2022;

WHEREAS, the City received its first tranche of funding in the amount of Seven Million Nine Hundred Forty Thousand Five Hundred Twenty-nine and 50/100 Dollars (\$7,940,529.50) in June 2021; and

WHEREAS, the ARP funds must be obligated by December 31, 2024 and expended by December 31, 2026; and

WHEREAS, the U.S. Department of Treasury issued an Interim Final Rule providing guidance on allowable expenditures of ARP Funds and issued its Final Rule in January 2022 which final rule delivers broader flexibility and simplicity in the ARP program; and

WHEREAS, the Indiana State Board of Accounts provided additional guidance to Indiana governmental units on accounting for use of ARP funds in a Memorandum dated May 12, 2021 which mandates that a recipient establish a separate fund by ordinance for its ARP funds;

WHEREAS, on June 7, 2021, the City adopted Ordinance 2021-28 which established the American Rescue Plan Grant Fund (Fund #1760), listed the purposes of the fund and its permitted uses and provided the City shall adopt a plan providing the details for the proposed use of ARP Funds;

WHEREAS, on February 7, 2022, the City adopted Resolution 2022-02 which adopted the American Rescue Plan Act, City of Lafayette, Indiana, Community Investment Plan which details proposed ARP Fund expenditures and which plan may be amended from time to time as and when the Common Council approves additional appropriations from American Rescue Plan Grant Fund for the benefit of the community;

WHEREAS, the Mayor hereby brings this request for additional appropriation of funds from the American Rescue Plan Grant Fund in the amounts specified herein for the benefit of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA as follows:

1. That for the expenses for the City of Lafayette the following additional sums of money are hereby appropriated out of the American Rescue Plan Grant Fund (Fund #1760)), for the purpose specified below, subject to the laws governing the same, to-wit:

From:
Fund 1760 American Rescue Plan Grant Fund \$7,940,530.00

To:
Fund 1760 American Rescue Plan Grant Fund
Line 644160 Capital Asset Purchase \$7,940,530.00

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana this _____ day of _____, 2022.

Perry E. Brown, President

ATTEST:

Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, for his approval and signature this _____ day of _____, 2022.

Cindy Murray, City Clerk

This Ordinance approved and signed by me on this _____ day of _____, 2022.

Tony Roswarski, Mayor

ATTEST:

Cindy Murray, City Clerk

Sponsored by: Mayor Tony Roswarski

Ordinance No. 2022-06

AN ORDINANCE FOR APPROPRIATION REDUCTION OF
GENERAL FUND (FUND #1010)
AND FOR ADDITIONAL APPROPRIATION OF
GENERAL FUND (FUND #1010)

WHEREAS, the Mayor and City Attorney have determined the needs of the City will be best served by converting the City Attorney position from an Independent Contractor position to a full-time employment position which will provide greater accessibility, communication and efficiencies without increasing the overall budget needs for legal services;

WHEREAS, appropriation reductions and additional appropriations are necessary in order to fund the newly established Legal Department (Department 057) without an increase in the overall budget for legal services; and

WHEREAS, the additional appropriations and appropriation reductions are in the best interest of the City of Lafayette;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA as follows:

1. That the following sums of money are subject to an appropriation reduction from the General Fund (#1010), to wit:

From:
Fund 1010 General Fund
Department 005 City Council
Line 431010 Prof. services – Legal \$ 950.00

From:
Fund 1010 General Fund
Department 007 Engineering
Line 431010 Prof. services – Legal \$ 5,500.00

From:
Fund 1010 General Fund
Department 008 Board of Works
Line 431010 Prof. services – Legal \$47,895.00

From:
Fund 1010 General Fund
Department 011 Police
Line 431010 Prof. services – Legal \$ 1,800.00
TOTAL \$56,145.00

To:
Fund 1010 General Fund \$56,145.00

2. That for the expenses for the City of Lafayette the following additional sums of money are hereby appropriated out of the General Fund (Fund #1010) for the purpose specified below, subject to the laws governing the same, to-wit:

From:
Fund 1010 General Fund \$56,145.00

To:
Fund 1010 General Fund
Department 057 Legal
Line 412010 Salaries/Wages \$40,301.00
Line 413010 Payroll Taxes \$ 3,080.00
Line 413030 PERF \$ 4,514.00
Line 413110 Instructional \$ 750.00
Line 421050 Office Supplies – General \$ 200.00
Line 431080 Prof. Services – Contract Svc \$ 5,500.00
Line 432030 Comm/Trans – Travel Expenses \$ 300.00
Line 433020 Print/Advertise – Legal Notice \$ 750.00
Line 439030 Dues and Subscription \$ 750.00
TOTAL \$ 56,145.00

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana this _____ day of _____, 2022.

Perry E. Brown, President

ATTEST:

Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, for his approval and signature this _____ day of _____, 2022.

Cindy Murray, City Clerk

This Ordinance approved and signed by me on this _____ day of _____, 2022.

Tony Roswarski, Mayor

ATTEST:

Cindy Murray, City Clerk

Sponsored by: Mayor Tony Roswarski

RESOLUTION 2022-02

A RESOLUTION ADOPTING A COMMUNITY INVESTMENT PLAN DETAILING THE USE OF AMERICAN RESCUE PLAN ACT FUNDING

WHEREAS, on March 11, 2021, the American Rescue Plan Act of 2021 (“ARP”) was enacted; and

WHEREAS, the ARP provides \$350 billion in emergency funding to state and local governments (Coronavirus State and Local Recovery Fiscal Funds) and the City of Lafayette will be a recipient of an estimated Sixteen Million Seven Hundred Thousand Dollars (\$16,700,000) of said funding (“ARP Funds”) which will be distributed in two tranches of fifty percent, one each in 2021 and 2022; and

WHEREAS, the City received its first tranche of funding in the amount of Seven Million Nine Hundred Forty Thousand Five Hundred Twenty-nine and 50/100 Dollars (\$7,940,529.50) in June 2021 and

WHEREAS, the ARP funds must be obligated by December 31, 2024 and expended by December 31, 2026; and

WHEREAS, the U.S. Department of Treasury issued an Interim Final Rule providing guidance on allowable expenditures of ARP Funds and issued its Final Rule in January 2022 which final rule delivers broader flexibility and simplicity in the ARP program; and

WHEREAS, the Indiana State Board of Accounts provided additional guidance to Indiana governmental units on accounting for use of ARP funds in a Memorandum dated March 18, 2021 which mandates that a recipient establish a separate fund by ordinance for its ARP funds; and

WHEREAS, on June 7, 2021, the City adopted Ordinance 2021-28 which established the American Rescue Plan Grant Fund (Fund #1760), listed the purpose of the fund and its permitted uses and provided the City shall adopt a plan providing the details for the proposed use of ARP Funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA, AS FOLLOWS:

1. The Common Council adopts the attached document dated January 27, 2022 and entitled American Rescue Plan Act, City of Lafayette, Indiana, Community Investment Plan (“Plan”) to provide details for the use of ARP Funds. The Plan shall remain in effect until amended or supplemented in accordance with appropriation ordinances adopted by the Council.
2. This Resolution shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Adopted and passed by the Common Council on the _____ day of _____, 2022.

Perry E. Brown, President

ATTEST:

Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, for his approval and signature this _____ day of _____, 2022.

Cindy Murray, City Clerk

This Ordinance approved and signed by me on this _____ day of _____, 2022.

Tony Roswarski, Mayor

ATTEST:

Cindy Murray, City Clerk

Sponsored by: Mayor Tony Roswarski