



**Lafayette Common Council Agenda**  
Lafayette City Hall: Common Council Chambers

**PLEASE NOTE:**

Due to the current public health emergency the Lafayette City Council will be virtually meeting. 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](mailto:web-clerk@lafayette.in.gov) Comments must include name and address.

**The public will view via our [CITY YOUTUBE CHANNEL](#)**

**Regular Session**

Monday, May 4, 2020 @6:30 PM

**Pledge Of Allegiance**

**Roll Call**

**Public Hearing**

Ordinance 2020-11 (An Ordinance To Vacate A Utility Easement In The City Of Lafayette, Indiana)

Documents:

[ORDINANCE 2020-11 DRAFT.PDF](#)

**Approval Of Minutes**

Regular Meeting April 6, 2020

**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-March

Police Department Monthly-March

Renew Department Monthly-March

Water Works Department Monthly-March

**No Ordinances For Second Reading**

**Ordinances For First Reading**

Ordinance 2020-11 (An Ordinance To Vacate A Utility Easement In The City Of Lafayette, Indiana)

Documents:

[ORDINANCE 2020-11 DRAFT.PDF](#)

Ordinance 2020-12 (An Ordinance Amending Section 2.01.020(A) Of The Lafayette Municipal Code To Change The Time Of The Regular Common Council Meetings)

Documents:

[ORDINANCE 2020-12 DRAFT.PDF](#)

Ordinance 2020-13 (An Ordinance For Appropriation Of Local Option Highway User Tax Funds (County Wheel Tax( (Fund #2490))

Documents:

[ORDINANCE 2020-13 DRAFT.PDF](#)

Ordinance 2020-14 (An Ordinance For Appropriation Of Public Safety Local Income Tax Funds (Public Safety LIT) (Fund #2240))

Documents:

[ORDINANCE 2020-14 DRAFT.PDF](#)

## **Resolutions**

Resolution 2020-10 (A Resolution To Amend The City Of Lafayette Community Development Block Grant And The Lafayette Housing Consortium Home Program One Year Annual Action Plan For 2019)

Documents:

[RESOLUTION 2020-10 DRAFT.PDF](#)

Resolution 2020-11 (A Resolution To Approve The City Of Lafayette Community Development Block Grant And The Lafayette Housing Consortium Home Program Annual Action Plan For 2020)

Documents:

[RESOLUTION 2020-11 DRAFT.PDF](#)

## **Reports Of Standing Committees**

### **Reports Of Special Committees**

### **Reports By The Mayor**

### **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 No. 2020-11

**AN ORDINANCE TO VACATE A UTILITY EASEMENT  
IN THE CITY OF LAFAYETTE, INDIANA**

Be it ordained by the Common Council of the City of Lafayette, Indiana:

Section 1: That the utility easement described in **EXHIBIT 1** attached hereto and made a part hereof is hereby vacated.

Section 2: That this ordinance shall be in full force and effect from and after its passage.

Finally passed and adopted by the Common Council of the City of Lafayette, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Nancy Nargi, Presiding Officer

ATTEST:

\_\_\_\_\_  
Cindy Murray, Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Cindy Murray, Clerk

This Ordinance approved and signed by me on this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Murray, Clerk

Council Sponsor: Bob Downing

## EXHIBIT 1

A part of the Southeast Quarter of Section 23, Township 23 North, Range 4 West, in Fairfield Township, Tippecanoe County, Indiana, described as follows: Commencing at the Northwest corner of the Southeast Quarter of said Section 23, said point being marked by a Bernsten Monument; thence South  $01^{\circ}02'32''$  East (Bearings are based on the Tippecanoe County Section corners as published) 1,049.50 feet along the West line of said Southeast Quarter; thence North  $88^{\circ}57'28''$  East 40.00 feet to the Northwest corner of a tract of land owned by Helen Noah as recorded in Deed Record 71, Page 869 on 04/26/1971 in the Office of the Recorder of Tippecanoe County, Indiana, and the Southwest corner of a tract of land owned by B & M Properties, LLC as recorded in Document Number 0019037 on 09/01/2000 in the Office of said Recorder, and the point of beginning of this description; thence North  $01^{\circ}02'32''$  West 20.00 feet along the West line of the B & M property; thence North  $88^{\circ}57'28''$  East 160.00 feet to the West line of a 20 foot Sanitary Sewer Easement; thence South  $01^{\circ}02'32''$  East 20.00 feet along the West line of said Easement to the North line of the Noah property; thence South  $88^{\circ}57'28''$  West 160.00 feet along the North line of the Noah property to the point of beginning and containing 0.073 of an Acre.

WAIVER OF PUBLIC HEARING WITHIN THIRTY (30) DAYS

The undersigned hereby waives its right under Indiana Code § 36-7-3-16 and Indiana Code § 36-7-3-12 to a public hearing within thirty (30) days of the filing of the undersigned's Petition to Vacate a utility easement and agree that the Lafayette Common Council may hold such public hearing at its next regularly scheduled Common Council meeting on May 4, 2020.

The Church of Christ at Lafayette, Inc.

By: Steven C. Prashow  
(written)  
STEVEN C. PRASHOW  
(printed)  
Its: ELDER  
(title)

STATE OF INDIANA )  
)SS:  
COUNTY OF TIPPECANOE )

Before me, the undersigned, a Notary Public in and for said County and State, this 6 day of April, 2020, personally appeared The Church of Christ at Lafayette, Inc., by Steven C. Prashow its ELDER, and acknowledged the execution of the foregoing instrument.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:  
4/30/2025

Jennifer German  
(written)  
Jennifer German  
(printed) NOTARY PUBLIC  
Resident of Carroll County

## NOTICE OF A PUBLIC HEARING

Notice is hereby given that on the 4<sup>th</sup> day of May, 2020, at 6:30 p.m., the Common Council of the City of Lafayette, Indiana, will meet in the City Council Chambers, Lafayette City Hall, 20 N. 6th St., Lafayette, Indiana, to consider Ordinance 2020-11, An Ordinance to Vacate a Utility Easement in the City of Lafayette, Indiana, described as follows:

A part of the Southeast Quarter of Section 23, Township 23 North, Range 4 West, in Fairfield Township, Tippecanoe County, Indiana, described as follows: Commencing at the Northwest corner of the Southeast Quarter of said Section 23, said point being marked by a Bernsten Monument; thence South 01°02'32" East (Bearings are based on the Tippecanoe County Section corners as published) 1,049.50 feet along the West line of said Southeast Quarter; thence North 88°57'28" East 40.00 feet to the Northwest corner of a tract of land owned by Helen Noah as recorded in Deed Record 71, Page 869 on 04/26/1971 in the Office of the Recorder of Tippecanoe County, Indiana, and the Southwest corner of a tract of land owned by B & M Properties, LLC as recorded in Document Number 0019037 on 09/01/2000 in the Office of said Recorder, and the point of beginning of this description; thence North 01°02'32" West 20.00 feet along the West line of the B & M property; thence North 88°57'28" East 160.00 feet to the West line of a 20 foot Sanitary Sewer Easement; thence South 01°02'32" East 20.00 feet along the West line of said Easement to the North line of the Noah property; thence South 88°57'28" West 160.00 feet along the North line of the Noah property to the point of beginning and containing 0.073 of an Acre.

Copies are filed and available with the Lafayette City Clerk's Office, 20 N. 6th St., Lafayette, Indiana.

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Cindy Murray, City Clerk

PUBLISH: April 16, 2020

PUBLISH: April 23, 2020

STATE OF INDIANA            )  
  )  
COUNTY OF TIPPECANOE    )            SS:     BEFORE THE COMMON COUNCIL  
  )            OF LAFAYETTE, TIPPECANOE COUNTY,  
  )            INDIANA

**PETITION TO VACATE A UTILITY EASEMENT  
IN THE CITY OF LAFAYETTE, INDIANA**

COMES NOW The Church of Christ at Lafayette, Inc., an Indiana non-profit corporation (“Petitioner”), and hereby respectfully petitions the Common Council of the City of Lafayette, Indiana to vacate a platted utility easement located in the City of Lafayette, Tippecanoe County, Indiana more particularly described herein, and in support states as follows:

1. This petition is filed pursuant to Indiana Code § 36-7-3-16 which states that platted easements may be vacated in the same manner as public ways and public places pursuant to Indiana Code § 36-7-3-12.

2. The Petitioner is the owner of the property commonly known as 511 N Creasy Lane, Lafayette, Indiana, having State Identification No. 79-07-23-401-004.000-004 (“Easement Real Estate”). The Petitioner took title to the Easement Real Estate as Lafayette Church of Christ. The Church of Christ at Lafayette, Inc. and Lafayette Church of Christ are one and the same.

3. The Petitioner is the owner of the adjacent property to the south of the Easement Real Estate, which said property is commonly known as 445 N Creasy Lane, Lafayette, Indiana, and has State Identification No. 79-07-23-401-005.000-004 (“Petitioner Adjacent Property”).

4. Attached hereto and made a part hereof as **EXHIBIT A**, is a copy of a document entitled Sanitary Sewer Easement Descriptions February 23, 2001 and recorded as Document No. 2001017258 in the Office of the Recorder of Tippecanoe County on July 6, 2001 (“Easement Plat”). The Easement Plat shows a 20’ utility easement located on the Easement Real Estate (“Utility Easement”). The legal description for the Utility Easement is set forth in **EXHIBIT B** attached hereto and made a part hereof (“Easement Area”).

5. On the Easement Plat, the Easement Real Estate is marked “1”, the Petitioner Adjacent Property is marked “2”, and the Easement Area is marked “3” and shown with hatch-marks.

6. The Utility Easement is located within the corporate boundaries of the City of Lafayette, Indiana. A copy of this petition was provided to the City Engineer’s Office prior to filing.

7. The Petitioner hereby requests that the Utility Easement be vacated for the reason that the Petitioner intends to build a church building on the Easement Area.

8. The Petitioner has been informed by the City Engineer’s Office of the following: there is no public infrastructure in the Easement Area; the sewer main located in the Easement Area is private and previously served two residential customers, but has been abandoned and the properties previously served

by the sewer main are now owned by the Petitioner; and the vacation of this Utility Easement will not impact the City's system or have an adverse impact on any other private party.

9. The following is a list of the names and addresses of all owners of land abutting the Utility Easement and/or nearby properties that may have an interest in this petition:

- a. The Church of Christ at Lafayette, Inc., 405 N Creasy Lane, Lafayette, IN 47905;
- b. City of Lafayette, 20 N 6<sup>th</sup> Street, Lafayette, IN 47901;
- c. Jonathan Ryan Christenberry and Nicole Lee Christenberry, 316 Winesap Drive, Lafayette, IN 47905;
- d. The 320 Winesap Drive Trust, Victor Isbell, Trustee, P.O. Box 663, Westfield, IN 46074;
- e. Thomas Summer, 312 Winesap Drive, Lafayette, IN 47905;
- f. Hugo and Rosa Renteria, 402 Winesap Drive, Lafayette, IN 47905;
- g. Richard Michael Dionne and Andrea Hatch, 308 Winesap Drive, Lafayette, IN 47905;
- h. Michael W. McCool and Cheryl A. McCool, 300 Winesap Drive, Lafayette, IN 47905;
- i. Michael Morgan McCalment and Stephanie McCalment, 304 Winesap Drive, Lafayette, IN 47905;
- j. Kelly A. McGill, 523 N. Creasy Lane, Lafayette, IN 47905; and
- k. E.W. Chambers and Salvacion C Trustees, 406 Winesap Drive, Lafayette, IN 47905.

10. The following is a list of the names and addresses of utility companies serving Lafayette, Indiana and who may have an interest in this petition:

- a. Vectren, 2345 E Main Street, Danville, IN 46122;
- b. Comcast, 3465 South Street, Lafayette, IN 47905; and
- c. Duke Energy, 1000 E Main Street, Plainfield, IN 46168.

11. The proposed vacation of the Utility Easement will not hinder the growth or orderly development of the neighborhood in which the Utility Easement is located or any property to which the Utility Easement is contiguous.

12. The proposed vacation of the Utility Easement will not make access to any lands by means of public way difficult or inconvenient.

13. The proposed vacation of the Utility Easement will not hinder the public's access to any church, school, or other public building or place.

14. The proposed vacation of the Utility Easement will not hinder the use of a public way by the neighborhood in which the Utility Easement is located or to which it is contiguous.

15. Upon vacation of the Utility Easement, the Petitioner shall remain the owner of the real estate upon which the Utility Easement is located.
16. A proposed ordinance is attached hereto as **EXHIBIT C**.
17. Councilman Bob Downing has agreed to sponsor this Petition.

[The remainder of this page intentionally left blank]

WHEREFORE, the Petitioner prays for an ordinance vacating the Utility Easement in the form attached hereto.

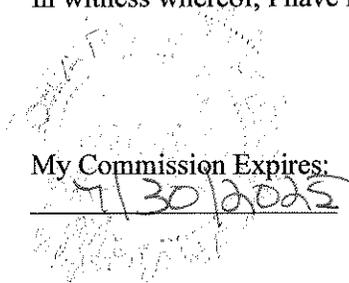
The Church of Christ at Lafayette, Inc.

By: Steven C. Prashon  
(written)  
STEVEN C. PRASHON  
(printed)  
Its: ELDER  
(title)

STATE OF INDIANA )  
)SS:  
COUNTY OF TIPPECANOE )

Before me, the undersigned, a Notary Public in and for said County and State, this 6 day of April, 2020, personally appeared The Church of Christ at Lafayette, Inc., by Steven C. Prashon its Elder, and acknowledged the execution of the foregoing instrument.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.



My Commission Expires: 7/30/2025

Jennifer German  
(written)  
Jennifer German  
(printed) NOTARY PUBLIC  
Resident of Carroll County

This instrument prepared by:  
Kevin J. Riley  
Reiling Teder & Schrier, LLC  
250 Main Street, Suite 601  
P.O. Box 280  
Lafayette, IN 47902-0280  
Telephone: (765) 423-5333  
Facsimile: (765) 423-4564  
E-mail: kjr@rtslawfirm.com

**EXHIBIT A**

(Attached)



## EXHIBIT B

A part of the Southeast Quarter of Section 23, Township 23 North, Range 4 West, in Fairfield Township, Tippecanoe County, Indiana, described as follows: Commencing at the Northwest corner of the Southeast Quarter of said Section 23, said point being marked by a Bernsten Monument; thence South  $01^{\circ}02'32''$  East (Bearings are based on the Tippecanoe County Section corners as published) 1,049.50 feet along the West line of said Southeast Quarter; thence North  $88^{\circ}57'28''$  East 40.00 feet to the Northwest corner of a tract of land owned by Helen Noah as recorded in Deed Record 71, Page 869 on 04/26/1971 in the Office of the Recorder of Tippecanoe County, Indiana, and the Southwest corner of a tract of land owned by B & M Properties, LLC as recorded in Document Number 0019037 on 09/01/2000 in the Office of said Recorder, and the point of beginning of this description; thence North  $01^{\circ}02'32''$  West 20.00 feet along the West line of the B & M property; thence North  $88^{\circ}57'28''$  East 160.00 feet to the West line of a 20 foot Sanitary Sewer Easement; thence South  $01^{\circ}02'32''$  East 20.00 feet along the West line of said Easement to the North line of the Noah property; thence South  $88^{\circ}57'28''$  West 160.00 feet along the North line of the Noah property to the point of beginning and containing 0.073 of an Acre.

**EXHIBIT C**

Ordinance No. \_\_\_\_\_

**AN ORDINANCE TO VACATE A UTILITY EASEMENT  
IN THE CITY OF LAFAYETTE, INDIANA**

Be it ordained by the Common Council of the City of Lafayette, Indiana:

Section 1: That the utility easement described in **EXHIBIT 1** attached hereto and made a part hereof is hereby vacated.

Section 2: That this ordinance shall be in full force and effect from and after its passage.

Finally passed and adopted by the Common Council of the City of Lafayette, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Nancy Nargi, Presiding Officer

ATTEST:

\_\_\_\_\_  
Cindy Murray, Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Cindy Murray, Clerk

This Ordinance approved and signed by me on this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Murray, Clerk

Council Sponsor: Bob Downing

## EXHIBIT 1

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Ordinance No. 2020-11

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\_\_\_\_\_  
Nancy Nargi, Presiding Officer

ATTEST:

\_\_\_\_\_  
Cindy Murray, Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Cindy Murray, Clerk

This Ordinance approved and signed by me on this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:

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Cindy Murray, Clerk

Council Sponsor: Bob Downing

## EXHIBIT 1

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WAIVER OF PUBLIC HEARING WITHIN THIRTY (30) DAYS

The undersigned hereby waives its right under Indiana Code § 36-7-3-16 and Indiana Code § 36-7-3-12 to a public hearing within thirty (30) days of the filing of the undersigned's Petition to Vacate a utility easement and agree that the Lafayette Common Council may hold such public hearing at its next regularly scheduled Common Council meeting on May 4, 2020.

The Church of Christ at Lafayette, Inc.

By: Steven C. Prashun  
(written)  
STEVEN C. PRASHUN  
(printed)  
Its: ELDER  
(title)

STATE OF INDIANA )  
)SS:  
COUNTY OF TIPPECANOE )

Before me, the undersigned, a Notary Public in and for said County and State, this 6 day of April, 2020, personally appeared The Church of Christ at Lafayette, Inc., by Steven C. Prashun its ELDER, and acknowledged the execution of the foregoing instrument.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:  
4/30/2025

Jennifer German  
(written)  
Jennifer German  
(printed) NOTARY PUBLIC  
Resident of Carroll County

## NOTICE OF A PUBLIC HEARING

Notice is hereby given that on the 4<sup>th</sup> day of May, 2020, at 6:30 p.m., the Common Council of the City of Lafayette, Indiana, will meet in the City Council Chambers, Lafayette City Hall, 20 N. 6th St., Lafayette, Indiana, to consider Ordinance 2020-11, An Ordinance to Vacate a Utility Easement in the City of Lafayette, Indiana, described as follows:

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Copies are filed and available with the Lafayette City Clerk's Office, 20 N. 6th St., Lafayette, Indiana.

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Cindy Murray, City Clerk

PUBLISH: April 16, 2020

PUBLISH: April 23, 2020

STATE OF INDIANA            )  
  )  
COUNTY OF TIPPECANOE    )            SS:     BEFORE THE COMMON COUNCIL  
  )            OF LAFAYETTE, TIPPECANOE COUNTY,  
  )            INDIANA

**PETITION TO VACATE A UTILITY EASEMENT  
IN THE CITY OF LAFAYETTE, INDIANA**

COMES NOW The Church of Christ at Lafayette, Inc., an Indiana non-profit corporation (“Petitioner”), and hereby respectfully petitions the Common Council of the City of Lafayette, Indiana to vacate a platted utility easement located in the City of Lafayette, Tippecanoe County, Indiana more particularly described herein, and in support states as follows:

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3. The Petitioner is the owner of the adjacent property to the south of the Easement Real Estate, which said property is commonly known as 445 N Creasy Lane, Lafayette, Indiana, and has State Identification No. 79-07-23-401-005.000-004 (“Petitioner Adjacent Property”).

4. Attached hereto and made a part hereof as **EXHIBIT A**, is a copy of a document entitled Sanitary Sewer Easement Descriptions February 23, 2001 and recorded as Document No. 2001017258 in the Office of the Recorder of Tippecanoe County on July 6, 2001 (“Easement Plat”). The Easement Plat shows a 20’ utility easement located on the Easement Real Estate (“Utility Easement”). The legal description for the Utility Easement is set forth in **EXHIBIT B** attached hereto and made a part hereof (“Easement Area”).

5. On the Easement Plat, the Easement Real Estate is marked “1”, the Petitioner Adjacent Property is marked “2”, and the Easement Area is marked “3” and shown with hatch-marks.

6. The Utility Easement is located within the corporate boundaries of the City of Lafayette, Indiana. A copy of this petition was provided to the City Engineer’s Office prior to filing.

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- i. Michael Morgan McCalment and Stephanie McCalment, 304 Winesap Drive, Lafayette, IN 47905;
- j. Kelly A. McGill, 523 N. Creasy Lane, Lafayette, IN 47905; and
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- a. Vectren, 2345 E Main Street, Danville, IN 46122;
- b. Comcast, 3465 South Street, Lafayette, IN 47905; and
- c. Duke Energy, 1000 E Main Street, Plainfield, IN 46168.

11. The proposed vacation of the Utility Easement will not hinder the growth or orderly development of the neighborhood in which the Utility Easement is located or any property to which the Utility Easement is contiguous.

12. The proposed vacation of the Utility Easement will not make access to any lands by means of public way difficult or inconvenient.

13. The proposed vacation of the Utility Easement will not hinder the public's access to any church, school, or other public building or place.

14. The proposed vacation of the Utility Easement will not hinder the use of a public way by the neighborhood in which the Utility Easement is located or to which it is contiguous.

15. Upon vacation of the Utility Easement, the Petitioner shall remain the owner of the real estate upon which the Utility Easement is located.
16. A proposed ordinance is attached hereto as **EXHIBIT C**.
17. Councilman Bob Downing has agreed to sponsor this Petition.

[The remainder of this page intentionally left blank]

WHEREFORE, the Petitioner prays for an ordinance vacating the Utility Easement in the form attached hereto.

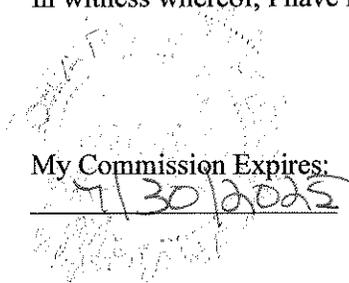
The Church of Christ at Lafayette, Inc.

By: Steven C. Prashon  
(written)  
STEVEN C. PRASHON  
(printed)  
Its: ELDER  
(title)

STATE OF INDIANA )  
)SS:  
COUNTY OF TIPPECANOE )

Before me, the undersigned, a Notary Public in and for said County and State, this 6 day of April, 2020, personally appeared The Church of Christ at Lafayette, Inc., by Steven C. Prashon its Elder, and acknowledged the execution of the foregoing instrument.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.



My Commission Expires: 7/30/2025

Jennifer German  
(written)  
Jennifer German  
(printed) NOTARY PUBLIC  
Resident of Carroll County

This instrument prepared by:  
Kevin J. Riley  
Reiling Teder & Schrier, LLC  
250 Main Street, Suite 601  
P.O. Box 280  
Lafayette, IN 47902-0280  
Telephone: (765) 423-5333  
Facsimile: (765) 423-4564  
E-mail: kjr@rtslawfirm.com

**EXHIBIT A**

(Attached)



## EXHIBIT B

A part of the Southeast Quarter of Section 23, Township 23 North, Range 4 West, in Fairfield Township, Tippecanoe County, Indiana, described as follows: Commencing at the Northwest corner of the Southeast Quarter of said Section 23, said point being marked by a Bernsten Monument; thence South  $01^{\circ}02'32''$  East (Bearings are based on the Tippecanoe County Section corners as published) 1,049.50 feet along the West line of said Southeast Quarter; thence North  $88^{\circ}57'28''$  East 40.00 feet to the Northwest corner of a tract of land owned by Helen Noah as recorded in Deed Record 71, Page 869 on 04/26/1971 in the Office of the Recorder of Tippecanoe County, Indiana, and the Southwest corner of a tract of land owned by B & M Properties, LLC as recorded in Document Number 0019037 on 09/01/2000 in the Office of said Recorder, and the point of beginning of this description; thence North  $01^{\circ}02'32''$  West 20.00 feet along the West line of the B & M property; thence North  $88^{\circ}57'28''$  East 160.00 feet to the West line of a 20 foot Sanitary Sewer Easement; thence South  $01^{\circ}02'32''$  East 20.00 feet along the West line of said Easement to the North line of the Noah property; thence South  $88^{\circ}57'28''$  West 160.00 feet along the North line of the Noah property to the point of beginning and containing 0.073 of an Acre.

**EXHIBIT C**

Ordinance No. \_\_\_\_\_

**AN ORDINANCE TO VACATE A UTILITY EASEMENT  
IN THE CITY OF LAFAYETTE, INDIANA**

Be it ordained by the Common Council of the City of Lafayette, Indiana:

Section 1: That the utility easement described in **EXHIBIT 1** attached hereto and made a part hereof is hereby vacated.

Section 2: That this ordinance shall be in full force and effect from and after its passage.

Finally passed and adopted by the Common Council of the City of Lafayette, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Nancy Nargi, Presiding Officer

ATTEST:

\_\_\_\_\_  
Cindy Murray, Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Cindy Murray, Clerk

This Ordinance approved and signed by me on this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Murray, Clerk

Council Sponsor: Bob Downing

## EXHIBIT 1

A part of the Southeast Quarter of Section 23, Township 23 North, Range 4 West, in Fairfield Township, Tippecanoe County, Indiana, described as follows: Commencing at the Northwest corner of the Southeast Quarter of said Section 23, said point being marked by a Bernsten Monument; thence South  $01^{\circ}02'32''$  East (Bearings are based on the Tippecanoe County Section corners as published) 1,049.50 feet along the West line of said Southeast Quarter; thence North  $88^{\circ}57'28''$  East 40.00 feet to the Northwest corner of a tract of land owned by Helen Noah as recorded in Deed Record 71, Page 869 on 04/26/1971 in the Office of the Recorder of Tippecanoe County, Indiana, and the Southwest corner of a tract of land owned by B & M Properties, LLC as recorded in Document Number 0019037 on 09/01/2000 in the Office of said Recorder, and the point of beginning of this description; thence North  $01^{\circ}02'32''$  West 20.00 feet along the West line of the B & M property; thence North  $88^{\circ}57'28''$  East 160.00 feet to the West line of a 20 foot Sanitary Sewer Easement; thence South  $01^{\circ}02'32''$  East 20.00 feet along the West line of said Easement to the North line of the Noah property; thence South  $88^{\circ}57'28''$  West 160.00 feet along the North line of the Noah property to the point of beginning and containing 0.073 of an Acre.

**Ordinance No. 2020-12**  
AN ORDINANCE AMENDING SECTION 2.01.020(A)  
OF THE LAFAYETTE MUNICIPAL CODE  
TO CHANGE THE TIME OF REGULAR COMMON COUNCIL MEETINGS

WHEREAS, Section 2.01.020(A) of the Lafayette Municipal Code the regular monthly meeting of the Common Council is to be held at 6:30 p.m.;

WHEREAS, there have been requests to change the start time of regular monthly meeting of the Common Council to 6:00 p.m.;

WHEREAS, moving the start of the Common Council to 6:00 p.m. should not impact the ability of the members of the general public to meaningfully participate;

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

1. Section 2.01.020(A) of the Lafayette Municipal Code is hereby amended to read as follows:

2.01.020 – Time of regular meetings

(A) The regular meeting of the Common Council shall be held in the Council chambers of City Hall on the first Monday of every month at six (6:00) p.m. In the event the first Monday of the month falls on a holiday, the regular meeting of the Common Council shall be held on a date adopted by the Common Council.

2. This Ordinance shall be in full force and effect upon passage and its approval by the Mayor.

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Nancy Nargi, 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Cindy Murray, City Clerk

This Ordinance approved and signed by me on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

Sponsored by: Jerry Reynolds, Common Council Member

**Ordinance No. 2020-13**  
AN ORDINANCE FOR APPROPRIATION OF  
LOCAL OPTION HIGHWAY USER TAX FUNDS  
(COUNTY WHEEL TAX)(FUND #2490)

WHEREAS, Tippecanoe County has adopted a Local Option Highway User Tax (County Wheel Tax) pursuant to IC 6-3.5-5-1; and

WHEREAS, the distribution to be received from those funds for the calendar year 2020 was not appropriated by the 2020 annual budget; and

WHEREAS, the amount of funds available from the Local Option Highway User Tax for use by the City of Lafayette in 2020 will be in excess of Nine Hundred Fifty Thousand and 00/100 Dollars (\$950,000.00); and

WHEREAS, the City of Lafayette's Engineering Department in consultation with the Street Department and Mayor have determined the funds are necessary for the construction, reconstruction, repair or maintenance of streets and roads in the City of Lafayette;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA, that for the expenses for the City of Lafayette the following additional sums of money are hereby appropriated out of the Local Option Highway User Tax Fund (Fund 2490), for the purpose specified below, subject to the laws governing the same, to-wit:

From:		
Fund 2490 Local Option Highway Tax Fund		\$950,000.00

To:		
Fund 2490 Local Option Highway Tax Fund		
Line 431080 Contract Services		\$950,000.00

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette,  
Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Nancy Nargi, 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Cindy Murray, City Clerk

This Ordinance approved and signed by me on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

Sponsored by: Mayor Tony Roswarski

**Ordinance No. 2020-14**  
AN ORDINANCE FOR APPROPRIATION OF  
PUBLIC SAFETY LOCAL INCOME TAX FUNDS  
(PUBLIC SAFETY LIT)(FUND #2240)

WHEREAS, Tippecanoe County has adopted a Public Safety Local Income Tax pursuant to IC 6-3.6-6 effective January 1, 2020; and

WHEREAS, at the time of the adoption of the 2020 annual budget the amount of the funds to be received was unknown and, therefore, were not appropriated in the 2020 annual budget; and

WHEREAS, the amount of funds available from the Public Safety Local Income Tax for use by the City of Lafayette in 2020 will be in excess of Three Million Dollars (\$3,000,000.00); and

WHEREAS, the Controller and Mayor, in consultation with Police and Fire Departments, have determined the funds are necessary and best utilized in the both categories set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA, that for the expenses for the City of Lafayette the following additional sums of money are hereby appropriated out of the Public Safety Local Income Tax Funds (Fund 2240), for the purpose specified below, subject to the laws governing the same, to-wit:

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)

From:

Fund 2240 Public Safety Local Income Tax	
Unappropriated Funds	\$3,000,000.00

To:

Fund 2240 Public Safety Local Income Tax		
Object	Account	Amount
412010	Salaries/Wages	\$80,000.00
413010	Payroll Taxes	\$6,120.00
413035	Fire/Police PERF	\$14,000.00
413050	Health Insurance	\$27,000.00
413070	Clothing Allowance	\$3,000.00
413115	Medical Exams	\$250.00
434010	Insurance-Workmen's Comp	\$215,000.00
436010	Repairs/Maintenance	\$211,000.00
438010	Debt Service – Principal	\$691,866.00
438020	Debt Service - Interest	\$46,190.00
444160	Capital Asset Purchase	\$1,705,574.00
	Total	\$3,000,000.00

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana  
this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Nancy Nargi, 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Cindy Murray, City Clerk

This Ordinance approved and signed by me on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

Sponsored by: Mayor Tony Roswarski

**RESOLUTION NO. 2020 –10**

**A RESOLUTION TO AMEND THE CITY OF LAFAYETTE COMMUNITY DEVELOPMENT  
BLOCK GRANT AND THE LAFAYETTE HOUSING CONSORTIUM HOME PROGRAM  
ONE YEAR ANNUAL ACTION PLAN FOR 2019**

WHEREAS, on May 6, 2019, the Lafayette City Council considered and adopted Resolution No. 2019-10, which resolution approved the City of Lafayette Community Development Block Grant (CDBG) and Lafayette Housing Consortium (“Consortium”) HOME Program one-year Action Plan for Program Year 2019; and

WHEREAS, the City of Lafayette has been awarded \$394,084 CDBG-CV funding through the Coronavirus Aid, Relief, and Economic Security (CARES) Act to assist the City with its response to the COVID-19 pandemic; and

WHEREAS, the City has amended the 2015-2019 five-year Consolidated Plan to include Economic Development activities; and

WHEREAS, the City is allocating \$394,084 of CARES Act funding and \$5,916 of Administration and Planning funding to an Economic Development project to provide emergency assistance to small businesses; and

WHEREAS, a copy of the Amended Community Development Block Grant one-year Annual Action Plan for 2019 is attached hereto as Exhibit A and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED THAT THE COMMON COUNCIL OF THE CITY OF LAFAYETTE approves such programs, as set forth on Exhibit A, attached hereto and incorporated herein, and the applications for this federal assistance, including all understandings and assurances contained therein; and

BE IT FURTHER RESOLVED THAT, the Mayor of the City of Lafayette be designated and authorized to sign and submit such applications, to enter into such agreements as are appropriate to implement said programs, to act in connection with the applications, and to provide such additional information as may be required.

BE IT FURTHER RESOLVED THAT, all other terms not amended and contained in Resolution No. 2019-10 shall remain in full force and effect.

ADOPTED AND PASSED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,  
INDIANA, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Nancy Nargi, President

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 2020, for his signature and approval.

\_\_\_\_\_  
Cindy Murray, City Clerk

Approved and signed by me as Mayor of the City of Lafayette, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

**Exhibit A**

**Amended City of Lafayette One Year Action Plan 2019**

The City of Lafayette receives yearly allocations of Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development. All applications for these programs must be consistent with the five-year consolidated plan. Twenty percent of program income received will be allocated to Administration and the balance will be reallocated to the category where it was generated or reprogrammed at a later date. The final contracted amounts will depend on the actual amount awarded by HUD.

2019 CDBG Program Funding Available:

2019 CDBG Allocation.....	\$653,804.00
Prior Year Reallocation.....	32,000.00
Prior Year and Expected 2019 Program Income.....	\$0
CDBG-CV.....	\$394,084.00
Total CDBG Funds Available.....	<b>\$1,079,888.00</b>

**PUBLIC FACILITY IMPROVEMENTS \$178,141**

City of Lafayette Parks Department - McAllister Recreation Center Playground.....	\$178,141
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**PUBLIC INFRASTRUCTURE IMPROVEMENTS \$222,124**

CDBG Neighborhood Sidewalk/Curb Replacement.....	\$197,124
CDBG Neighborhood Streetlights.....	\$25,000

**HOUSING \$57,500**

Tippecanoe County Council on Aging:	
Senior Home Assistance Repair Program (SHARP).....	\$50,000
Owner Occupied Rehab (OOR) Program Delivery.....	\$5,000
Rental Housing Inspections.....	\$2,500

**SOCIAL SERVICES \$97,279**

Big Brothers Big Sisters – youth mentoring program.....	\$10,000
Family Promise – emergency homeless shelter for families.....	\$9,515
Lafayette Urban Ministry - night shelter for the homeless.....	\$11,250
LTHC Homeless Services – homeless services.....	\$30,000
Tippecanoe County Council on Aging	
Meals on Wheels.....	\$10,000
YWCA – Domestic Violence Intervention and Prevention Program (DVIPP).....	\$9,514
Wabash Center – homeless supportive services.....	\$17,000

**ECONOMIC DEVELOPMENT \$400,000**

City of Lafayette Small Business Assistance Program CDBG-CV.....	\$394,084
City of Lafayette Small Business Assistance Program.....	\$5,916

**ADMINISTRATION AND PLANNING \$124,844**

General administration and oversight of the CDBG program.	
Lafayette Housing Authority.....	\$109,838
City of Lafayette.....	\$15,006

**RESOLUTION NO. 2020 -11**

**A RESOLUTION TO APPROVE THE CITY OF LAFAYETTE COMMUNITY DEVELOPMENT  
BLOCK GRANT AND THE LAFAYETTE HOUSING CONSORTIUM HOME PROGRAM  
ANNUAL ACTION PLAN FOR 2020**

WHEREAS, the Housing and Community Development Act of 1974, Public Law 93-383, as from time to time amended, provides for the Community Development Block Grant (CDBG); and

WHEREAS, the National Affordable Housing Act of 1990 provides for the HOME program to maintain and develop affordable housing; and

WHEREAS, the Cities of Lafayette and West Lafayette have prepared a Consolidated Plan for 2020-2024 that identifies housing and non-housing community development needs and strategies for the five-year period; and

WHEREAS, the City of Lafayette is the lead agency for the Lafayette Housing Consortium, representing the Cities of Lafayette and West Lafayette, the Town of Battle Ground and the unincorporated areas of Tippecanoe County; and

WHEREAS, the CDBG grant for the program year beginning July 1, 2020, shall be in the amount of **\$669,906.00**; and

WHEREAS, the City is reprogramming an amount of **\$33,713.00** from previous grants and **\$12,000.00** from prior year or expected program income to make the total CDBG funding available **\$715,619.00**; and

WHEREAS, the Lafayette Housing Authority, acting as the Federal Grant Administrator for the City of Lafayette has prepared a program, which is attached hereto as Exhibit A, for expending Community Development Block Grant, as follows:

<b>Public Facility Improvements</b>	<b>\$453,152.00</b>
<b>Housing</b>	<b>\$ 28,000.00</b>
<b>Social Services</b>	<b>\$100,486.00</b>
<b>Administration and Planning</b>	<b>\$133,981.00</b>

WHEREAS, the HOME grant for the Lafayette Housing Consortium program year beginning July 1, 2020, shall be in the amount of **\$840,168.00**; and

WHEREAS, the Lafayette Housing Consortium is reprogramming an amount of **\$203,044.00** from previous grants and \$23,900 from prior year program income and recaptured funds to make the total HOME funding available **\$1,067,112.00**; and

WHEREAS, the Consortium has adopted a program, which is attached hereto as Exhibit B, for expending 2020 HOME funds, as follows:

<b>Homeownership Activities</b>	<b>\$586,088.00</b>
<b>Rental Activities</b>	<b>\$355,000.00</b>
<b>CHDO Organization Support</b>	<b>\$42,008.00</b>
<b>Administration</b>	<b>\$84,016.00</b>

NOW, THEREFORE, BE IT RESOLVED THAT THE COMMON COUNCIL OF THE CITY OF LAFAYETTE approves such programs, as set forth on Exhibit A and Exhibit B, attached hereto and incorporated herein, and the applications for this federal assistance, including all understandings and assurances contained therein; and

BE IT FURTHER RESOLVED THAT, the Mayor of the City of Lafayette be designated and authorized to sign and submit such applications, to enter into such agreements as are appropriate to implement said programs, to act in connection with the applications, and to provide such additional information as may be required.

ADOPTED AND PASSED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Nancy Nargi, President

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 2020, for his signature and approval.

\_\_\_\_\_  
Cindy Murray, City Clerk

Approved and signed by me as Mayor of the City of Lafayette, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

**Exhibit A**

**Lafayette CDBG One Year Action Plan 2020**

The City of Lafayette receives yearly allocations of Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development. All applications for these programs must be consistent with the five-year consolidated plan. Twenty percent of program income received will be allocated to Administration and the balance will be reallocated to the category where it was generated or reprogrammed at a later date. The final contracted amounts will depend on the actual amount awarded by HUD.

2020 CDBG Program Funding Available:

2020 CDBG Allocation.....	\$669,906.00
Prior Year Reallocation.....	\$33,713.00
Prior Year and Expected 2020 Program Income.....	\$12,000.00
<b>Total CDBG Funds Available.....</b>	<b>\$715,619.00</b>

**PUBLIC FACILITY IMPROVEMENTS \$453,152.00**

City of Lafayette Parks Department – Murdock Park Accessible Baseball field.....	\$453,152.00
--	--------------

**HOUSING \$28,000.00**

Tippecanoe County Council on Aging:	
Senior Home Assistance Repair Program (SHARP).....	\$25,000.00
Owner Occupied Rehab (OOR) Program Delivery.....	\$3,000.00

**SOCIAL SERVICES \$100,486.00**

Big Brothers Big Sisters – youth mentoring program.....	\$12,000.00
Family Promise – emergency homeless shelter for families.....	\$12,678.00
Lafayette Urban Ministry - night shelter for the homeless.....	\$14,846.00
LTHC Homeless Services – homeless services.....	\$35,000.00
Tippecanoe County Council on Aging	
Meals on Wheels.....	\$13,284.00
YWCA – Domestic Violence Intervention and Prevention Program (DVIPP).....	\$12,678.00

**ADMINISTRATION AND PLANNING \$133,981.00**

General administration and oversight of the CDBG program.	
Lafayette Housing Authority.....	\$112,544.00
City of Lafayette.....	\$21,437.00

**Exhibit B**

**Lafayette Housing Consortium One Year Action Plan 2020**

The Lafayette Housing Consortium, which is made up of Lafayette, West Lafayette, Battle Ground and the unincorporated areas of Tippecanoe County, receives yearly allocations of HOME funds from the U.S. Department of Housing and Urban Development. All applications for these programs must be consistent with the five-year consolidated plan. Ten percent of program income received may be allocated to Administration and the balance will be reallocated to the category where it was generated or reprogrammed at a later date. The final contracted amounts will depend on the actual amount awarded by HUD.

2020 HOME Program Funding Available:

2020 HOME Allocation.....	\$840,168.00
Prior Year Reallocation.....	\$203,044.00
Prior Year Program Income & Recapture.....	\$23,900.00
Total HOME funds available.....	\$1,067,112.00

**HOMEOWNERSHIP ACTIVITIES** **\$586,088.00**

Faith Community Development Corporation – acquisition, rehabilitation, and direct owner assistance.....	\$160,000.00
Habitat for Humanity of Lafayette – acquisition, new construction, and direct owner assistance.....	\$210,000.00
Unallocated Homeownership.....	\$216,088.00

**RENTAL ACTIVITIES** **\$355,000.00**

Lafayette Neighborhood Housing Services.....	\$300,000.00
YWCA DVIPP – Fresh Start TBRA.....	\$55,000.00

**CHDO ORGANIZATIONAL SUPPORT** **\$42,008.00**

General operating costs for Community Housing Development Organizations that carry out HOME-assisted projects.	
Faith Community Development Corporation.....	\$21,004.00
New Chauncey Housing, Inc.....	\$21,004.00

**ADMINISTRATION** **\$84,016.00**

General administration and oversight of the HOME program, primarily by the Lead Agency’s Grant Administrator and Fair Housing activities.	
City of Lafayette – Lead Agency Administration of HOME program.....	\$84,016.00