Westfield City Council November 12, 2012

The Westfield City Council met in special session Monday November 12, 2012 at the Westfield City Hall. Members present were Jim Ake, John Dippel, Steve Hoover, Bob Horkay (arrived at 7:35 P.M.) Bob Smith, Cindy Spoljaric and Rob Stokes. Also present were Clerk-Treasurer Cindy Gossard and City Attorney Brian Zaiger from Kreig DeVault, LLP.

Vice President Dippel called the meeting to order at 7:00 P.M..

Approval of Minutes:

There are no minutes to be considered. The minutes from November 5, 2012 meeting will be considered at the next Council meeting.

Claims:

Bob Smith moved to approve the claims as presented and this was seconded by Rob Stokes. Vote: Yes-6; No-0. Motion carried.

Miscellaneous Business/Special Presentation:

Special Presentation: Westfield High School Executive Student Committee

Mayor Cook introduced Westfield Teacher Mark Ewing. Mr. Ewing explained that the Student Leadership Committee is made up of Juniors and Seniors. This year's project recommendation from the Student Executive Committee is to form a Volunteer Data Base. Several of the students had a chance to describe this project. This would connect the community with opportunities to volunteer.

The Council had a few questions of how this plan would be transferrable to future classes. There were some concerns with updates and logistics. The Council encouraged resource sharing with other organizations.

The Council commended the Students for their efforts and ideas.

Request for Reduction of Connection & Availability Fees

Deacon Chair of Centennial Bible Church Roger Kilmer introduced Pastor Kirk Welch. Mr. Kilmer described their request and how it is consistent with the City Availability Fee Ordinance, which allows for certain reductions.

Bob Smith moved to approve the fee reduction of 50% on the ILP, not to exceed $1,000.00 and this was seconded by Jim Ake. Vote: Yes-6; No-0. Motion carried.

Request for Waiver of Road Impact Fees

Brian Zaiger introduced Ron Wright of Wright & Associates Law Firm. Mr. Wright is the Legal Counsel for the library. He described some of the allocations of the Westfield Library and the reason for

the request of full waiver of Road Impact Fees. He introduced Mike Thomas, President of the Library Trustees and Sheryl Sollars, Director of the Westfield Library.

President Horkay arrived and took over as Chair at 7:35 P.M.

City Attorney Brian Zaiger explained that the Ordinance does not pre suppose a Library but does for schools and churches.

After some discussion from the Council, Steve Hoover suggested that the Council could grant 50% on the Road Impact Fees and that the Library would go through the review process and that would determine if the Library would be granted 100%.

Mr. Wright would like this item tabled until the next Council meeting if Council will agree. This would allow time to work better through the process. The Council agreed.

Old Business:
Ordinance 12-35: ADA Coordinator and Grievance Procedures
Introduction – October 29, 2012
Adoption Consideration – November 12, 2012

Brian Zaiger described the introduction.

Jim Ake moved to adopt Ordinance 12-35 as presented and this was seconded by Cindy Spoljaric. Vote: Yes-7; No-0. Motion carried.

New Business:
Ordinance 12-36: Additional Appropriation- LRS and Rainey Day Fund
Introduction- November 12, 2012
Public Hearing – November 12, 2012
Adoption Consideration – December 10, 2012

Chief of Staff Todd Burtron described Ordinance 12-36.

President Horkay opened the Public Hearing at 7:53 P.M. Hearing no one the Public Hearing was closed at 7:54 P.M.

Bob Smith moved to suspend the rules and consider Ordinance 12-36 and this was seconded by Steve Hoover. Vote: Yes-7; No-0. Motion carried.

Rob Stoke moved to approve Ordinance 12-36 as presented and this was seconded by John Dippel. Vote: Yes-7; No-0. Motion carried.

Resolution 12-115: 2012 Utility Charge Offs
Adoption Consideration – November 12, 2012

Brian Zaiger presented Resolution 12-115 to the Council for consideration. This is done annually to clean up balances remaining from Utility Bills.

Rob Stokes moved to approve Resolution 12-115 as presented and this was seconded by Steve Hoover. Vote: Yes-7; No-0. Motion carried.

Ordinance 12-37: Andover PUD Amendment
City Council Introduction – November 12, 2012
APC Public Hearing – November 19, 2012
APC Recommendation – December 3, 2012
Adoption Consideration – December 10, 2012

City Planner Ryan Clark introduced Ordinance 12-37. He described the amendment and introduced Attorney Russell Brown representing Jim Frey of Redwood Management.

The Council had concerns and would like to hear of Redwood's initial plan before forwarding on to APC. There is a neighborhood meeting this week held at Washington Woods Elementary to address any citizen's concerns. After a brief description of the plan the Council's consensus was to move this on to APC.

Resolution 12-116: Establishment of Economic Revitalization Area
Adoption Consideration – November 12, 2012

Ryan Clark described the area and the necessity of considering personal tax abatement. He explained the timelines of the process.

After some clarification Bob Smith moved to approve Resolution 12-116 as presented and this was seconded by John Dippel. Vote: Yes-7; No-0. Motion carried.

Resolution 12-117: Transfer of Vehicle from Public Works to Administration
Adoption Consideration – November 12, 2012

Brian Zaiger presented this item to the Council for consideration.

Jim Ake moved to approve Resolution 12-117 as presented and this was seconded by Rob Stokes. Vote: Yes-7; No-0. Motion carried.

Ordinance 12-38: Updates to Westfield Parks and Recreation Departments Policies, Procedures and Fees
Introduction – November 12, 2012
Adoption Consideration – December 10, 2012

Parks Director Melody Jones was available for any questions from the Council. Brian Zaiger introduced Ordinance 12-38 for the Council to consider.

This will come back for consideration in December.

INDOT US 31 Improvement Agreement
Adoption Consideration – November 12, 2012

Mayor Cook explained the agreement for additional projects. He described in detail the negotiations of funds and how they would be allocated. He would like to equalize the opportunities that have been afforded to other communities.

Steve Hoover recapped the project committee's progress and recommendations. Jim Ake, also a part of the project committee, agreed with Mr. Hoover's comments. Both Mr. Hoover and Mr. Ake believe that there has to be a "leap of faith" to allow this community to move forward from an Economic Development standpoint.

Rob Stokes and Cindy Spoljaric have concerns with the unknown details in regard to costs and how funds will be allocated.

Bob Smith moved to authorize Mayor Cook and President Horkay to sign the agreement as presented and to allow Mayor Cook to execute the agreement through negotiations with the INDOT and the City of Westfield and Steve Hoover seconded. Vote: Yes-5; No-2 (Cindy Spoljaric; Rob Stokes). Motion carried.

There is a meeting with Mayor Cook and INDOT Representatives to discuss the US 31 Improvement Agreement.

City Council Comments:

- Rob Stokes requested to be invited to the next Grand Junction Task Force meeting.
- Steve Hoover updated the Council on APC projects.
- Bob Smith remarked on the positive Beechwood Drive project.
- Steve Hoover made a motion to adjourn and this was seconded by John Dippel. Vote: Yes-7; No-0.

With no further business the meeting was adjourned at 9:08 P.M.

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Deputy Clerk-Treasurer President