

WESTFIELD TOWN COUNCIL, October 11, 2004

The Westfield Town Council met in regular session Monday, October 11, 2004 at the Westfield Town Hall. Members present were Teresa Otis Skelton, Bob Smith, David Mikesell, Jack Hart and Ron Thomas. Also present were Clerk-Treasurer Cindy Gossard, and Legal Council Jay Church. President Otis Skelton called the meeting to order at 7:00 PM.

### ***Approval of Minutes***

Jack Hart made a motion to approve the minutes of August 5, 2004 as presented. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

Bob Smith made a motion to approve the minutes of August 17, 2004 as presented. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

David Mikesell made a motion to approve the minutes of September 2, 2004 as presented. Ron Thomas seconded. Vote: Yes-4; No-0; Abstain-1 (Hart). Motion carried.

Bob Smith made a motion to approve the minutes of September 13, 2004 as amended. Jack Hart seconded. Vote: Yes-5; No-0. Motion carried.

David Mikesell made a motion to approve the minutes of September 16, 2004. Ron Thomas seconded. Vote: Yes-4; No-0; Abstain-1 (Hart). Motion carried.

David Mikesell made a motion to approve the minutes of September 27, 2004. Jack Hart seconded. Vote: Yes-4; No-0; Abstain-1 (Skelton). Motion carried,

### ***Guests:***

Jack Bonham spoke regarding a recent resolution and who exactly prepared the specific wording.

Cindy Spoljaric spoke regarding zoning and land use maps and how up-to-date those maps are.

Kurt Kirby spoke regarding a recent advisory plan commission meeting.

Bill Koss read a statement regarding housing density and annexation issues.

### **Old Business**

***Ordinance 04-25***

**Vacation of Alley  
Public Hearing-June 12, 2004  
Public Hearing- September 13, 2004  
Second Reading:**

Ron Thomas spoke about his meetings with the affected homeowners for this project. He noted some of the items agreed upon by all parties.

This item will be on the November agenda for action.

**Regulatory Changes/Council Introduction:**

**First council consideration:**

- 1. Rezone 75 acres at 166<sup>th</sup> and Ditch Road (SCM)**
- 2. Amendment to Oak Manor PUD (Flynn and Zinkan)**

1. Kevin Buchheit introduced this item and gave some details on the area of concern.

Mr. Charlie Frankenberger introduced Mr. Mike Klein and Mr. Kurt Albertin. Mr. Frankenberger located the parcels in question for council members, and briefly described the residential development proposal, and the commitments being offered by the developers.

Mr. Albertin gave additional details on the conceptual site plan and the overall suggested density of 1.79 dwelling units/acre.

There were some council comments regarding stub streets, contiguity, and fiscal impacts to the community.

This item will be on the November agenda for further information prior to sending it to the Advisory Plan Commission.

2. Kevin introduced this item. He spoke briefly regarding the proposal and introduced Mr. Bob Barker.

Mr. Barker briefly described the parcel in question and described how it will fit into the existing Oak Manor PUD. He described in detail the proposed project and commitments offered by the developer.

There were some council comments regarding traffic on SR 32 and the number of driveway cuts, and the building layout.

This item will be on the November agenda for further information prior to sending it to the Advisory Plan Commission.

***Second Council Consideration:***

- 1. Oak Ridge Road South of SR 32 rezone 17 acres**

Kevin Buchheit briefly spoke regarding this item, and introduced Mr. Steve Hardin and Mr. John Talbot. Buchheit described this proposal, commitments, and noted that staff is working on a new zoning ordinance (SF-A) relative to this proposal.

Mr. Hardin spoke and outlined the changes made since the first council consideration. He noted this product is intended to supply the needs of the “empty-nester” market segment, and discussed some of the project’s fiscal issues.

There were some comments regarding the minimum square footage, ownership of streets, parking, and maximum building height.

This item was sent to the Advisory Plan Commission for their consideration as a multi-family project.

### **New Business**

***Ordinance 04-32***      **Extension of Water and Sewer services**  
**First Reading-September 13, 2004**  
**Second Reading**

Bruce Hauk presented this item. He explained some of the additions made to this item since the first reading. This ordinance establishes the procedure to be used to recoup costs of providing these services.

David Mikesell made a motion to approve Ordinance 04-32. Bob Smith seconded.  
Vote: Yes-5; No-0. Motion carried.

***Ordinance 04-34***      **Connector fees-Ditch Road Water extension**  
**First Reading-September 13, 2004**  
**Second Reading**

Bruce Hauk presented this item. He noted this ordinance would allow the town to collect fees for Ditch Road water main extension project.

David Mikesell made a motion to approve Ordinance 04-34. Jack Hart seconded.  
Vote: Yes-4; No-1 (Thomas). Motion carried.

***Ordinance 04-35***      **Amendment to Sign Ordinance**  
**First Reading**

Kevin Buchheit spoke regarding this item. He stated this item is in response to lawsuits in neighboring communities about political signage and time limits. He suggested striking any language regarding time limits for political signage that appear in Westfield’s current zoning ordinance.

This item will have a public hearing at the October Advisory Plan Commission.

**Ordinance 04-36      Rezone 161<sup>st</sup> and Spring Mill Road**  
**Public Hearing-Advisory Plan Commission-September 27, 2004**  
**First Reading**

Kevin Buchheit presented this item. He gave a brief history of these parcels and noted there was a public hearing at the September Advisory Plan Commission. He stated this item comes from the Commission with a recommendation for approval (5-1-1).

Mr. Joseph Scimia, representing the owners of the parcels, gave a brief history of the project proposed for this site. He asked the Council to consider carefully all the ramifications of their decision this evening,

Jack Hart made the motion to approve Ordinance 04-36. David Mikesell seconded. Vote: Yes-4; No-0; Abstain-1 (Smith). Motion carried.

**Lease Agreement with Westfield Washington Schools for Washington Woods Park**

Jerry Rosenberger spoke, describing the property for council members. He described the terms of the lease and noted a legal description and map will be available later.

Ron Thomas made a motion to approve the lease agreement, with a legal description to follow. David Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

**Consent Agenda**

***Release of Performance Bonds***  
**None at this time**

***Release of Maintenance Bonds***  
**None at this time**

***Town Manager Report:***

Jerry announced he was distributing a copy of the contract for services for the comprehensive plan update for information. Mr. Buchheit added suggestions for the proposed steering committee membership.

Ron Thomas asked about advisory plan commission committees and comprehensive plan hearings and updates. He asked why that body was not producing some of this work.

There was some conversation on the importance of updating the plan and keeping it current. Kevin responded with comments on an adequate amount of staff and space to keep up with the necessary updates.

Jerry announced the Hamilton County Realtor meeting on November 4<sup>th</sup> at 9AM.

Jerry announced two meeting dates for general information meetings regarding town vs. city designations. The meetings will be held October 19<sup>th</sup> and 26<sup>th</sup> at 7PM.

Jerry will be meeting with the Township regarding fire truck payments.

Jerry reminded members of the special Town Council meeting on Thursday regarding annexation procedures.

***Council Members Comments:***

Teresa Otis Skelton thanked staff for their hard work on the recent annexation issue. She also spoke on the importance of keeping up with enforcement, and mentioned a couple of specific items. Skelton also asked if there is space for the Scout troop sponsored by the town to store a trailer.

Bob Smith asked about semi trailers parking on the streets in residential subdivisions. He asked if there is an ordinance in place or possible to deal with this.

David Mikesell inquired about potential general obligation bonds and computer purchases. He also asked about some drainage issues and how that affects development.

***Claims:***

David Mikesell made a motion to approve claims. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

With no further business the meeting was adjourned at 9:45 PM. An Executive Session followed.

---

Clerk-Treasurer

---

Council President