

WESTFIELD CITY COUNCIL, August 25, 2008

The Westfield City Council met in regular session Monday, August 25, 2008 at the Westfield City Hall. Members present were Bob Smith, Bob Horkay, John Dippel, Melody Sweat, Tom Smith and Ken Kingshill. Also present were Chief Administrative Officer, Bruce Hauk, Mayor, Andy Cook, Clerk Treasurer Cindy Gossard and Legal Counsel, Brian Zaiger. Mayor Cook called the meeting to order at 7:00 p.m.

President Kingshill stated Councilman Rob Stokes would not be present for tonight's meeting.

Jim Ake thanked the Police and Fire for participating at Centennial Days.

Claims:

Bob Horkay made a motion to approve claims as presented. John Dippel seconded. Vote: Yes-6; No-0. Motion carried.

Miscellaneous Business/Special Recognition:

None

Old Business:

Ordinance 08-46: Trash/Recycling
Introduction – August 11, 2008
Public Hearing – August 25, 2008
Adoption Consideration – August 25, 2008

Ken Kingshill explained that this ordinance enables the process to start entertaining bids. He went on to explain that this ordinance does not allow for initiation of trash recycling.

Tom Smith commented on citizen's concerned with high costs,

Public Hearing opened 7:10p.m.

Jim Ake speaking for “We Can” spoke in favor of curbside pickup. Mr. Ake explained that this is a group of citizen’s that meets to discuss, (in an open forum) any topics that may be of concern.

Al Nelson, President of Setter’s Run HOA, stated the collective concerns were cost and giving up control, unless the costs are reduced significantly.

Matt Lutz, representing Merrimac, stated his HOA concerns were that the ordinance needs to have a clear description of its intent.

Ron Thomas, representing himself and Cool Creek homeowners, wanted the ordinance to be clear and pointed out some specifics. Mr. Thomas feels that this should be a freedom of choice, hands off government

Larry Stewart voiced his support of this ordinance and believes this could reduce costs.

Steve Hoover lives on Woodside Drive stating his neighbors are in support if it opens up more opportunity to recycle at a minimum cost.

Sharon Williams stated her concern with this ordinance is that it gives Government too much control and the potential of adding too many City employees.

Roger Harmeyer lives in a proposed annexation area stated he would welcome that service being provided by the City.

President Kingshill wanted for the record to state that Larry Stewart has turned in a petition with 42 signatures.

Public Hearing closed 7:36 p.m.

Councilman Melody Sweat stated she does like the idea that Mr. Nelson suggested of the “not to exceed” added to the ordinance.

Councilman Tom Smith asked about the ability to terminate the service if we did not receive what we wanted. Tom also explained that Westfield does not have any plans to buy any new equipment or to hire new employees and that Westfield will only be handling the billing with a small administrative charge.

Bruce Hauk explained that the termination clauses are very stringent and thorough and would be made available to the public.

This Ordinance will be tabled until September 8, 2008 meeting.

Ordinance 08-46: Nonpayment Ordinance
Introduction – August 11, 2008
Second Reading – August 25, 2008
Adoption Consideration – August 25, 2008

President Kingshill explained this Ordinance follows Ordinance 08-42 and should also be continued to our September 8th Council meeting.

Ordinance 08-13: 2009 Salary Ordinance
Introduction – August 11, 2008
Public Hearing – September 8, 2008
Second Reading – September 8, 2008
Adoption Consideration – September 8, 2008

Bruce Hauk stated he would be available for any questions regarding this item.

Public Hearing opened 7:50 p.m.

Ron Thomas stated he felt the raises for the elected officials were irresponsible.

Sharon Williams spoke stating she felt that the City employees were paid too much.

Public Hearing closed 7:53 p.m.

Councilman John Dippel explained that as the Town of Westfield moved to a City there was a study done regarding salaries for all positions.

This Ordinance will be continued to September 8th Council meeting.

Ordinance 08-41: Deputy Mayor
Introduction – August 11, 2008
Second Reading – August 25, 2008
Adoption Consideration – September 22, 2008

Councilman John Dippel explained this Ordinance is not creating anything new only codifying our current Deputy Mayor by adopting an Ordinance.

John also stated he felt this position should have an expiration date of each 4 year term as the Mayor is an elected official and should make their appointments as the Deputy Mayor position is appointed.

Councilman Tom Smith agreed with John Dippel regarding this ordinance.

There was some discussion with the Council and Legal Counsel.

President Kingshill stated this Ordinance will also be tabled until our September 8th Council meeting.

Ordinance 08-44 Amendments to the Zoning Ordinance
Introduction – August 11, 2008
Second Reading – August 25, 2008
Adoption Consideration – August 25, 2008

- **Article 10 Introduction and Table of Contents**
- **Corporation Business Park District**
- **Sign Ordinance**
- **Nonconforming Signs**
- **Definitions of Zoning Ordinance**
- **Temporary Sales/Events**
- **Special Districts**
- **Development Plan Review to accommodate the addition of Special Districts**

Greg Anderson presented this item stating that this Ordinance contains amendments to the Zoning Ordinance. Greg explained that due to some concerns and considerations that have been raised he would ask to have Ordinance 08-44 brought back to the Council at our October 13th meeting.

Involuntary Annexations:

Introduction – June 23, 2008

Public Hearing – August 25, 2008

Second Reading – August 25, 2008

Adoption Consideration – August 25, 2008

Effective Date – December 29, 2008

Greg Anderson gave a brief summary of the 19 Involuntary Annexations.

President Kingshill stated there would be a Public Hearing held tonight for the areas to be annexed.

Public Hearing opened 8:15 p.m.

See attached “Exhibit A  ” for comments regarding:

Ordinance 08-16: Annexing Certain Real Estate – Northeast Area 1
Resolution 08-35: Fiscal Plan – Northeast Area 1

Ordinance 08-17: Annexing Certain Real Estate – Northeast Area 2
Resolution 08-36: Fiscal Plan – Northeast Area 2

Ordinance 08-18: Annexing Certain Real Estate – Southeast Area 1
Resolution 08-37: Fiscal Plan – Southeast Area 1

Ordinance 08-19: Annexing Certain Real Estate – Southeast Area 2
Resolution 08-38: Fiscal Plan – Southeast Area 2

Ordinance 08-20: Annexing Certain Real Estate – Southeast Area 3
Resolution 08-39: Fiscal Plan – Southeast Area 3

Ordinance 08-21: Annexing Certain Real Estate – Southeast Area 4
Resolution 08-40: Fiscal Plan – Southeast Area 4

Ordinance 08-22: Annexing Certain Real Estate – Southeast Area 5
Resolution 08-41: Fiscal Plan – Southeast Area 5

Ordinance 08-23: Annexing Certain Real Estate – Southeast Area 6
Resolution 08-42: Fiscal Plan – Southeast Area 6

Ordinance 08-24: Annexing Certain Real Estate – Southeast Area 7
Resolution 08-43: Fiscal Plan – Southeast Area 7

Ordinance 08-25: Annexing Certain Real Estate – Southeast Area 8
Resolution 08-44: Fiscal Plan – Southeast Area 8

Ordinance 08-26: Annexing Certain Real Estate – Southeast Area 9
Resolution 08-45: Fiscal Plan – Southeast Area 9

Ordinance 08-27: Annexing Certain Real Estate – Southeast Area 10
Resolution 08-46: Fiscal Plan – Southeast Area 10

Ordinance 08-28: Annexing Certain Real Estate - Southeast Area 11
Resolution 08-47: Fiscal Plan – Southeast Area 11

Ordinance 08-29: Annexing Certain Real Estate – Southeast Area 12
Resolution 8-48: Fiscal Plan – Southeast Area 12

Ordinance 08-30: Annexing Certain Real Estate – Southeast Area 13
Resolution 08-49: Fiscal Plan – Southeast Area 13

Ordinance 08-31: Annexing Certain Real Estate – Southwest Area 1
Resolution 08-50: Fiscal Plan – Southwest Area 1

Ordinance 08-32: Annexing Certain Real Estate – Southwest Area 2
Resolution 08-51: Fiscal Plan – Southwest Area 2

Ordinance 08-33: Annexing Certain Real Estate – Southwest Area 3
Resolution 08-52: Fiscal Plan – Southwest Area 3

Ordinance 08-34: Annexing Certain Real Estate – Southwest Area 4
Resolution 08-53: Fiscal Plan – Southwest Area 4

Public Hearing closed 9:25 p.m.

Tom Smith stated he felt the comments and questions were all very good and he is looking forward to working with everybody on these annexations.

Melody Sweat thanked everyone for coming as this will be a very important decision.

Bob Smith invited anybody with concerns or questions to call him.

Mayor Cook stated they all would consider everything said tonight and try and answer any questions and concerns in the coming weeks.

Adjourn:

John Dippel made a motion to adjourn. Bob Smith seconded. Vote: Yes-6, No-0. Motion carried.

With no further business the meeting adjourned at 9:57 p.m.

Clerk-Treasurer

Council President