

WESTFIELD CITY COUNCIL,

The Westfield City Council met in regular session Monday December 14, 2009 at the Westfield City Hall. Members present were John Dippel, Steve Hoover, Bob Horkay, Ken Kingshill, Bob Smith, Tom Smith and Rob Stokes. Also present were Mayor Andy Cook, Clerk-Treasurer Cindy Gossard and Legal Council Brian Zaiger. Mayor Cook called the meeting to order at 7:00P.M.

APPROVAL OF MINUTES:

Steve Hoover had corrections on the November 9, 2009 minutes. The fourth page under Ordinance 09-28, the first line will be struck as it is not correct. Also on the fifth page, first paragraph, Ordinance 08-28 should be referenced as 08-31. The last correction is, the last page in reference to the voting on adjournment should be Vote: Yes-7; No-0. Motion carried.

Steve Hoover made the motion to approve the November 9, 2009 minutes as amended. Bob Smith seconded. Vote: Yes-7; no-0. Motion carried.

GUESTS:

Sharon Williams spoke on her property having been annexed and her concerns. President Kingshill explained that the appropriate venue for her to appear and express her concerns would be in Court, not at this Council.

CLAIMS:

Bob Horkay made the motion to approve the claims as presented. Tom Smith seconded. Vote: Yes-7; No-0. Motion carried.

Miscellaneous Business/Special Recognition:

2010 Holiday Schedule

Bruce Hauk explained that this is an annual consideration and this would be the 2010 Holiday Schedule for consideration. Tom Smith made the motion to approve the 2010 Holiday Schedule as presented. John Dippel seconded. Vote: Yes-7; No-0. Motion carried.

Fire Department Write-Offs:

Fire Chief Todd Burtron presented the write-offs and explained that this allows the Fire Department to clean up bad debt for 2009. This is consistent with Ordinance 09-11 for auditing purpose. Tom Smith wanted clarification that these write-offs were EMS runs. Rob Stokes asked if all steps had been taken to recover the debt. Chief Burtron confirmed that these were EMS runs and that

all steps had been taken to recover debt. The collection agency that was being used deemed it not profitable to represent the City of Westfield as there was a low amount of debt in the collectables. Rob Stokes made the motion to approve the Fire Department Write-Offs as presented. Bob Horkay seconded. Vote: Yes-7; No-0. Motion carried.

OLD BUSINESS:

Ordinance 09-22: Elected Officials Salary Ordinance

First Reading-November 9, 2009

Second Reading-December 14, 2009

Adoption Consideration-December 14, 2009

Bob Smith and Steve Hoover would like to see the Clerk-Treasurer's salary raised to a 7.5% rather than the 5% presented. This would get that salary more comparable to other Clerk-Treasurer's salaries in Hamilton County. We are still below the average. Councilor Dippel agreed. Rob Stokes, Bob Horkay and Tom Smith would like to see the Clerk-Treasurer's salary increased to 5% as this is consistent with other Department Heads and employees. Bob Smith made the motion to approve Ordinance 09-22 with an amended percentage for the Clerk-Treasurer to 7.5%, changing the salary to \$ 63,425.00. John Dippel seconded. Seconded. Vote: Yes-3; No-4(Bob Horkay, Ken Kingshill, Tom Smith and Rob Stokes). Motion failed.

Rob Stokes made the motion to approve Ordinance 09-22 as presented. Bob Horkay seconded. Vote: Yes-5; No-2. Motion carried.

Ordinance 09-24: Repealing Annexation Ordinance 08-18 (SE Area 1)

First Reading-November 9, 2009

Second Reading-December 14, 2009

Adoption Consideration-December 14, 2009

Ken Kingshill explained that this is the second reading of the four Ordinances. This was initiated from the Mayor's office for consideration. Each Ordinance will be voted on separately.

Mayor Cook asked that there be a brief clarification of what approval or non approval of these ordinances mean. Ken Kingshill explained that if these ordinances are approved, the annexations would not happen at this time and if not approved, the annexations would remain in their current status.

Bob Smith stated that he has met with home and land owners of the Southeast Area 1 and that he feels that there would be an opportunity to develop the farm land in the future if annexation was repealed at this time, based on his conversations.

Tom Smith pointed out that there were originally 19 areas considered for annexation. There were five that successfully remonstrated. He was concerned in sending a negative message to the

annexed areas, if the four remaining areas are repealed. He supports a denial of the four ordinances up for consideration. Rob Stokes agrees that we should annex the remaining four areas as it is delaying the inevitable. Steve Hoover feels that areas 1 and 2 should be annexed as they are completely surrounded by the City of Westfield and are clearly benefiting from the growth. Areas 3 and 9 are not completely surrounded by City of Westfield and do not have the commercial growth benefits. He would support repeal for areas 3 and 9. Ken Kingshill and Bob Horkay agreed with all of the points that Steve Hoover made.

Steve Hoover made the motion to deny Ordinance 09-24 as presented. John Dippel seconded.
Vote: Yes-6; No-1 (Bob Smith). Motion carried.

Ordinance 09-25: Repealing Annexation Ordinance 08-20 (SE Area 2)

First Reading-November 9, 2009

Second Reading-December 14, 2009

Adoption Consideration –December 14, 2009

Rob Stokes made the motion to deny Ordinance 09-25 as presented. Steve Hoover seconded.
Vote: Yes-6; No-1 (Bob Smith). Motion carried.

Ordinance 09-26: Repealing Annexation Ordinance 08-20 (SE Area 3)

First Reading-November 9, 2009

Second Reading – December 14, 2009

Adoption Consideration –December 14, 2009

John Dippel made the motion to approve Ordinance 09-26 as presented. Bob Smith seconded.
Vote: Yes-5; No-2 (Bob Horkay and Rob Stokes). Motion carried.

Ordinance 09-27: Repealing Annexation Ordinance 08-26 (SE Area 9)

First Reading-November 9, 2009

Second Reading-December 14, 2009

Adoption Consideration-December 14, 2009

Steve Hoover made the motion to approve Ordinance 09-26 as presented. Bob Smith seconded.
Vote: Yes-5; No-2 (Bob Horkay and Rob Stokes). Motion carried.

NEW BUSINESS:

Resolution 09-16: Year End Transfers

First Reading-December 14, 2009

Approval Consideration-December 14, 2009

Attorney Brian Zaiger explained that this allows the Clerk-Treasurer to transfer between funds to balance out for the end of the year.

Bob Smith made the motion to approve Resolution 09-16 as presented. Bob Horkay seconded. Vote: Yes-7; No-0. Motion carried.

Resolution 09-17: 2010 Policies & Procedures Manuel

First Reading-December 14, 2009

Second Reading-December 28, 2009

Approval Consideration-December 28, 2009

Bruce Hauk introduced Human Resource Director, Diana Peyton. Ms. Peyton presented the Council with the Updated Policies & Procedures Manuel for consideration. Ken Kingshill explained that the council will take this under advisement and will consider this at December 28, 2009 meeting. Steve Hoover asked for an explanation of the changes, particularly with the Police.

Ms. Peyton described that the Police will be going to twelve hour days. They have requested to take this time in hourly increments as it relates to shifts. The current 2009 policy states that they can take their time in half day increments which converts to hours.

Tom Smith asked for some clarification from Police Chief Joel Rush. Chief Rush explained that this came from the shifts even though it is somewhat different than many agencies. Tom Smith asked if there was opportunity for the Road Officers to manipulate time. Chief Rush assured that there was not that opportunity. It does give the flexibility to the shift supervisor to assign time for necessary work avoiding unnecessary overtime.

This will come back for consideration December 28, 2009.

Symphony PUD:

Introduction-December 14, 2009

Planner Kevin Todd described the proposed Planned Unit Development and its location. He went on to describe that this is 1,400 acres consisting of residential, commercial, civic and green space. Bryan Stumph with Estridge Development explained that the existing golf course will expand with some commercial retail. The residential area will have a variety of price points. He stated that they would be looking to be placed on the APC (Advisory Plan Commission) agenda February 15, 2010 for a public hearing.

The consensus of the Council is to forward this to the Advisory Plan Commission to work through that process.

Bridgewater PUD Amendment

Introduction-December 14, 2009

Kevin Todd explained that with the Nursing Home facility use that some standards for the original PUD may need amended. There was some question on the square footage. Mr. Todd explained that the Ordinance allows for 45,000 square feet but this facility would be 63,000 square feet.

The Council's consensus was to pass this on to the Advisory Plan Commission.

CITY COUNCIL COMMENTS:

Tom Smith asked that Robin Chaddock come before the Council and introduce herself.

Robin explained that she is a 10 year resident and is very enthusiastic to be the newly appointed Executive Director for DWNA (Downtown Westfield Neighborhood Association). She said that she has a non-for-profit background with some entrepreneurial aspects. The City Council welcomed her.

MAYOR COMMENTS:

The Mayor also welcomed Robin Chaddock in her new position with DWNA.

Last weekend the Westfield Ready along with the Westfield Washington Fire Department held the first HINI inoculation at Washington Woods Elementary School. There were 528 inoculations.

Matt Skelton is working to rezone 90 acres in Noblesville that the City of Westfield purchased for water well expansions. If successful with the rezone this will be used as a statewide Fire and Police training academy. The Town of Fishers and the City of Westfield have each received a \$100,000 grant to use for the academy.

This Thursday we will be hosting a presentation with Microsoft. Informatics Director Bill Lundy has introduced a sharing of information and data software that can be shared with all County agencies (Capstone).

Leanne Welsh with the GIS Department has developed a snow removal program that can be viewed by the citizens of Westfield. This will be divided up in to four quadrants and will show the status of snow removal. Each neighborhood street will be white in color. The street will change to yellow as the street is plowed. When the plowing is complete then the color of the street will be blue.

With no further business Bob Horkay made the motion to adjourn. Steve Hoover seconded.
Vote: Yes-7; No-0. Motion carried.

Clerk-Treasurer

President

