WESTFIELD CITY COUNCIL, APRIL 12, 2010

The Westfield City Council met in regular session Monday April 12, 2010 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 City Attorney Brian Zaiger.

Council President Tom Smith called the meeting to order at 7:00P.M.

Approval of Minutes:

John Dippel made the motion to accept the March 8, 2010 minutes as presented. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

Guests:

President Smith announced that there would be a Special Recognition at this time. Mayor Cook recognized one of our most valuable employees of 15 years, Anne Cotham. President Smith mentioned the efficiency and assistance that Anne gives him on a daily basis as President of the Council. Other Council members chimed in with their praises as Rob Stokes presented Anne with a plaque. Anne expressed her appreciation for everyone's kind words.

David Davis, with Fallen Hoosier Heroes Memorial, distributed Indiana Code title 18 to the Council members. It would be his desire to partner with the City of Westfield for funding as allowed in title 18. Rob Stokes expressed his gratitude for choosing Westfield for the Fallen Heroes Memorial and also expressed his enthusiasm for partnering with the Fallen Hoosier committee.

David Wyser announced his candidacy for Hamilton County Prosecutor and would appreciate everyone's vote on May 4th.

Claims:

After a brief explanation of two Parks Department invoices Bob Horkay made the motion to approve the April claims as submitted. John Dippel seconded. Vote: Yes-7; No-0. Motion carried.

Miscellaneous Business/Special Presentation:

Autism Awareness Proclamation:

Mayor Cook invited representatives of the support group as he proclaimed April of each year as Autism Awareness month in the City of Westfield. He invited Kurt Wanninger and Melody Jones to come forward. As president of the Westfield Chapter Rotary Club, Kurt explained that this has become a support project of the Rotary Club. There has been a Rotary committee formed that is working with the City Parks Department. Parks Director Melody Jones went on to describe the plans for Freedom Trail.

Plans were already in the works for an "All Inclusive" playground along with a sensory garden. With a grant from the state applied for through the Rotary Club the plan can move forward in a bigger way.

Arbor Day Proclamation:

Mayor Cook asked that Melody remain as he proclaimed April 24, 2010 as the 138th anniversary of Arbor Day.

Net Literacy Proclamation:

Mayor Cook proclaimed May 7, 2010 as "Net Literacy Computer Drive Day to Increase Digital Inclusion and Promote a Green Environment". On May 6th and May 7th he encouraged anyone to bring their "gently used" computers and monitors to City Hall to recycle.

New Business:

Ordinance 10-05: Amendment to Bridgewater PUD "Parcel J"
Introduction-February 8, 2010
APC Public Hearing-March 15, 2010
APC Recommendation-March 15, 2010
First Reading-April 12, 2010
Adoption Consideration-April 12, 2010

President Smith explained that this is introduced this evening with a unanimous 7-0 favorable recommendation from the Advisory Plan Commission. Community Development Director Matt Skelton introduced Jon Dobosiewicz who will address any questions that the Council may have. Mr. Dobosiewicz explained that this parcel has 29 homes. Since it is coming to this Council with a favorable unanimous vote from the Advisory Plan Commission it can be considered at the first reading.

Ken Kingshill made the motion to approve ordinance 10-05 as presented. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

Bridgewater Marketplace PUD Amendment:
Introduction-April 12, 2010

Community Development Director Matt Skelton invited the petitioner Joy Skidmore to the podium. Ms. Skidmore gave a brief power point presentation of the proposed amendment. President Smith explained that this is an introduction to the Council before sending it to the Advisory Plan Commission to be considered. She described the sign changes and the adding of the City of Westfield to the sign. This one sign replaces the existing two. Ken Kingshill had concerns with the replacement of the existing clock sign. He feels that this has served as a gateway to the City of Westfield. After some discussion the Council unanimously agreed to pass this proposed amendment to the Advisory Plan Commission.

2010 Tax Abatement Review:

Matt Skelton presented the Council with the 2010 Review spread sheet. He went on to explain that these are all abatements approved by the Council. There are eight active abatements that consist of real estate and personal property. Deanne Ludwig (Economic Development) explained that there is documentation required depending on the status. There is no action required tonight. By presenting this update for the Council to review keeps all of the abatements on track.

Golf Carts and ATV Usage within City Limits Discussion:

Mayor Cook explained that if this Council desires regulations on and above State Statute a clear definition needs to be stated. He asked Police Chief Joel Rush to define any concerns with enforcement and or lack thereof. The Mayor also had concerns with liability to the City.

Chief Rush expressed some concern with potential future problems. The current State Statute prohibits any golf cart on public sidewalks, rights-of-ways and streets. He would be in favor of a structured, clear local ordinance. This could give the Police Department the tool for enforcement.

Ken Kingshill asked if State Statute was being enforced in Westfield. Chief Rush does not have the history under his leadership to determine that. He does know that it is enforced in some Municipalities. Attorney Brian Zaiger confirmed that the State Statute does not authorize golf carts on public streets.

John Dippel expressed his concern with safety particularly with under age people driving. He also is open to allowing golf carts in communities desiring to be a golf cart community.

Steve Hoover has concerns both from a safety and damage on primary trails and public streets. He also is open to allowing golf carts in communities desiring to be a golf community with age and speed limit restrictions.

Rob Horkay feels that there does need to be some restrictions to protect the City from liability issues. He also would like to see them restricted from primary trails.

Steve Hoover expressed an interest in allowing certain right-of-way cart crossings between neighborhoods with right angle cart crossing. Rob Stokes had concerns with undertaking the right angle crossing.

John Dippel described a golf community in Florida that allows for the golf carts to leave the community if the cart run 30MPH or faster.

Ken Kingshill suggested that a committee be formed to explore all of the Council's concerns and recommendations and bring a draft back to the Council consideration.

Westfield Citizen Mic Mead spoke in favor of golf carts. He would like to see restrictions on age, safety and licensing. He believes they should be allowed anywhere a motor vehicle is allowed with proper permits.

Rob Stokes, John Dippel and Bob Smith volunteered to serve on the Golf Cart committee.

CITY COUNCIL COMMENTS:

None

MAYOR COMMENTS:

- There will be a need to have a second City Council meeting in April to discuss revision of development fees to encourage desirable development in a down economy
- There was a groundbreaking ceremony this past week at the extended care at Bridgewater. This is a 20 million dollar piece with a one year completion timeline.
- There has been an increase throughout the community in homes built according to Community Development reports.
- The police department initiative of "Run with a Cop" got off to a good start with about 20 people. This takes place every Thursday at 6:30P.M. They are meeting at the Running Company at 146th Street.
- The Midland Trail construction has begun.
- Bids for South Union Streetscape came in and a contract with be initiated soon.
- The Youth Assistance program is having a fundraiser April 25, 2010 hosted by Mayor Cook. There are now about 125 youth that are in the assistance program.

With no further business Bob Smith made the motion to adjourn. Steve Hoover seconded. The meeting was adjourned.

DEPUTY Clerk-Treasurer

City Council President