

Westfield City Council May 10, 2010

The Westfield City Council met in regular session Monday May 10, 2010 at the Westfield City Hall. Members present were John Dippel, Steve Hoover, Bob Horkay, Bob Smith, Tom Smith and Rob Stokes. Also present were Mayor Andy Cook, Clerk-Treasurer Cindy Gossard and Legal Counsel Brian Zaiger.

President Tom Smith called the meeting to order at 7:02P.M.

Approval of Minutes:

April 26, 2010 (special meeting):

There was an omission of Steve Hoover being present. Bob Smith made the motion to approve the April 26, 2010 minutes as amended. John Dippel seconded. Vote: Yes-6; No-0. Motion carried.

Guest:

Robert Hart spoke regarding his water bill charges due to a break in his pipe. He is requesting his bill be considered for adjustment by the Council.

Steve Hoover made a motion to adjust Mr. Hart's bill back to his normal rate. Council approved this by acclamation.

Claims:

Steve Hoover made the motion to approve the claims as presented. Bob Horkay seconded. Vote: Yes-6; No-0. Motion carried.

Miscellaneous Business/Special Presentation:

Municipal Government Week:

Mayor Cook invited President Tom Smith to share in this proclamation. Mayor Cook proclaimed the week of May 10 – 14, 2010 as Municipal Government week.

Request to Rescind Illicit Discharge Violation Fine :

Kurt Wanninger described the violation pursuant of ordinance. This violation was fined due to the dumping of motor oil into a storm drain. He gave the address of the alleged violator and explained that when a violation is disputed that this Council review any appeal consideration. The fines range from \$1,000 to \$10,000 depending on the severity of the violation. Typically the first time offence would be \$1,000.

Mr. John Masters was invited to the podium to appeal this violation. Mr. Masters explained that although he has cleaned grass trimmings in to the drain he has never poured or dropped any oil in to the drain.

After some questions from the Council it was agreed to rescind the illicit discharge violation and waive the fine. Mr. Masters was asked to refrain from dropping even the grass clippings in to the drain. President Smith did want to press the seriousness of any oil or contaminants being handled inappropriately from any resident or business.

Old Business:

Ordinance 10-06: Water & Sewer Fee Amendment:

First Reading – April 26, 2010

Second Reading – May 10, 2010

Adoption Consideration – May 10, 2010

Bruce Hauk presented this item explaining the need to reduce the water and sewer availability fees. Bruce explained that by restructuring the fees and schedules it will aid our economic activity and growth. The proposal would reduce the fees for availability by 50% from the effective rates as adopted or later amended by the City. This is an attempt to diversify our tax base. All single family residential homes existing at the time of the adoption of this ordinance that have City water and or sewer Service available to them but are not yet connected shall have their availability fees waived completely during the period that this ordinance is in full force and effect.

John Dippel would like to see a sunset date of July 4, 2011.

After some discussion Steve Hoover asked if President Smith would entertain an opportunity for public input. President Smith consented and asked for public input. There was no one to speak.

John Dippel made the motion to approve Ordinance 10-06 with an amendment to Section 4 to show a date of July 4, 2011. Bob Smith seconded. Vote: Yes-6; No-0. Motion carried.

New Business:

Ordinance 10-07: Supplement to and Amendment of Ordinance 07-13 Video Franchise Fees:

First Reading – May 10, 2010

Second Reading – May 24, 2010

Adoption Consideration -May 24, 2010

Bruce Hauk presented this item explaining and the need for a supplement to an amendment of Ordinance 07-13. Bruce stated with Ordinance 10-07 the city would have equity and would have a clear definition of our franchise fee. Mr. Hauk described the ordinance in detail and asked the Council to consider suspending the rules to consider on the first reading.

There was much discussion on the State Statute versus the local Franchise Agreement. Attorney Brian Zaiger confirmed that this proposed Ordinance 10-17 would eliminate ambiguity. Time is of the essence as to better define the argument.

Steve Hoover mentioned that there is an error in referring to the previous Ordinance 07-13 in referencing an incorrect year.

Bob Smith made the motion to suspend the rules and consider Ordinance 10-07 at this first reading. Steve Hoover seconded. Vote: Yes-6; No-0. Motion carried

John Dippel made the motion to approve Ordinance 10-07 as amended. Steve Hoover seconded. Vote: Yes-6; No-0. Motion carried.

*Resolution 10-05 Economic Revitalization Area – 17435 Tiller Court:
First Reading - May 10, 2010
Adoption Consideration – May 10, 2010*

Economic Development Director announced that Westfield has been successful in relocating a new business to the community. He also referred to Indianapolis Business Journal's article The new business is CPS, a packaging manufacturer located at 17435 Tiller Court. He introduced a member of his Economic Development team Deanne Ludwig. Ms. Ludwig referred to the abatement packet and material describing the financial information. She then introduced President of CPS Jason Ray and Katie Culp.

Ms. Culp explained their request for a Tax Abatement and the obvious benefits but went on to explain that through local incentives often opens doors to State incentives.

Mr. Ray gave a brief overview of his company and through consolidation was looking to relocate. Westfield had the greatest appeal and is appreciative of the cooperation of the Community/Economic Development staff for assisting in this process.

There was some discussion on the consolidation and new positions. Mr. Ray confirmed that the 20 positions would be new positions.

Ms. Ludwig explained that tonight is to consider a resolution to designate the economic revitalization area. There will be a public hearing May 24, 2010 to consider the actual abatement. This is the first step to consider abatement by determining that 17435 Tiller Court is an economic revitalization area.

Bob Smith made a motion to approve Resolution 10-05 to designate Economic Revitalization Area at 17435 Tiller Court. Steve Hoover seconded. Vote: Yes-6; No-0. Motion carried.

*Westfield Thoroughfare Plan Addendum:
Introduction – May 10, 2010*

Matt Skelton described the proposed changes to the Westfield Thoroughfare Plan and the process. There has been much cooperation with all of the City staff, Mayor, Grand Junction Task Force and the US 31 Task force.

Mr. Skelton explained that there are three categories as follows:

- Increase connectivity in the Grand Junction Area
- US 31 major moves solution. This would accommodate traffic flow while the US 31 project is under way.

Mayor Cook explained the necessity for mobility in the downtown area while these projects are happening. He went on to explain that it is key to know what is planned for State Road 32 while redevelopment of the Grand Junction is happening.

Parks Director Melody Jones explained that there has not been a revision since 2006. She explained that there have been several changes in the alternative transportation system making this amendment necessary.

The Council agreed to send this on to the Advisory Plan Commission for a public hearing June 7, 2010.

*Kalorama Park PUD:
Introduction – May 10, 2010*

Planner Kevin Todd presented the Council with the proposed PUD. He sited the rezone area and explained that this site is in the process of being annexed. This will be done in two phases. He introduced Jim Anderson, Managing member of Westfield Enterprises, LLC., the proposed developer.

No public utilities currently serve this area but they are available. Mr. Anderson described the topography of the area and believes this will add to the social connection of downtown. He described this development as being of quality no quantity. This development is about preservation and about being green. This will be designed around people and nature.

The Council agreed to move this forward to Advisory Plan Commission.

CITY COUNCIL COMMENTS:

Bob Smith asked if the Street Department will be restriping the downtown streets. Bruce Hauk confirmed that it is an annual process.

Tom Smith mentioned that the Grand Junction Derby is coming up in August.

MAYOR COMMENTS:

Mayor Cook introduced resident Jim Ake. Mr. Ake introduced a young gentleman working on his Eagle Merit Badge, Aaron Smith.

The 2011 budget / finance committee have been meeting.

The South Union construction is well under way.

The last piece of land was purchased to finish the Midland Trail from South Union Street to Cherry Street. There will be an entrance at Martha Doan memorial.

The Grand Junction Task Force is working with INDOT on the US 31 corridor.

INDOT will be acquiring a right of way at 161st Street and US 31 for reconstruction for better east and west traffic flow.

This September the bridge on 156th Street will be replaced.

Deputy Mayor Bruce Hauk gave a financial update on improvements since 2004.

President Smith introduced long time friend and retired FBI Agent, Brian Smith.

Bob Smith made the motion to adjourn the meeting. John Dippel seconded. Vote: Yes-6; No-0. Motion carried.

With no further business the meeting was adjourned.


Clerk-Treasurer


President