Westfield City Council July 9, 2012

The Westfield City Council met in regular session Monday July 9, 2012 at the Westfield City Hall. Members present were Jim Ake, John Dippel, Steve Hoover, Bob Horkay, Bob Smith and Rob Stokes. Also present were Clerk-Treasurer Cindy Gossard, Mayor Andy Cook and Westfield City Attorney Brian Zaiger with Krieg DeVault, LLC.

President Horkay called the meeting to order at 7:00 P.M.

Approval of Minutes:

Steve Hoover moved to approve the July 3, 2012 and July 9, 2012 meeting minutes as presented. Rob Stokes seconded. Vote: Yes-6; No-0. Motion carried.

Claims:

Jim Ake moved to approve the claims as stated. Bob Smith seconded. Vote: Yes-6; No-0. Motion carried.

Old Business:

Ordinance 12-21: Bond & Bond Anticipation Notes Ordinance (COIT)
Introduction – June 25, 2012
Second Reading – July 9, 2012
Adoption Consideration – July 9, 2012

Attorney Jim Crawford with Krieg DeVault, LLC. presented this ordinance to the Council for consideration. This is for Phase II of Grand Park placing the bonds with a local bank.

John Dippel moved to approve Ordinance 12-21 as presented. Steve Hoover seconded. Vote: Yes-6; No-0. Motion carried.

Ordinance 12-22: Authorizing Additional Appropriation for Bond & Bond Anticipation Notes (COIT)
Introduction – June 25, 2012
Public Hearing – July 9, 2012
Second Reading – July 9, 2012
Adoption Consideration – July 9, 2012

Jim Crawford presented this ordinance to the Council for consideration. He also announced that this would require a public hearing.

President Horkay opened the public hearing at 7:07 P.M. Hearing no one the Public Hearing was closed at 7:08 P.M.

Jim Ake moved to approve Ordinance 12-22 as presented. Rob Stokes seconded. Vote: Yes-6; No-0. Motion carried.

Ordinance 12-13: Road Impact Fee
Introduction – April 9, 2012
APC Public Hearing – April 16, 2012
APC Recommendation – May 7, 2012
Adoption Consideration – July 9, 2012

Assistant Director of Community/Economic Development Jennifer Miller was available to answer any questions the Council might have.

Steve Hoover feels that this is a reasonable solution to meet the needs.

Steve Hoover moved to approve Ordinance 12-13 as presented. Jim Ake seconded. Vote: Yes-5; No-1 (Rob Stokes). Motion carried.

Ordinance 12-19: Amendment to Façade Improvement Grant Ordinance
Introduction – June 25, 2012
Second Reading – July 9, 2012
Adoption Consideration – July 9, 2012

Matt Skelton presented this ordinance to the Council for consideration.

Bob Smith moved to approve Ordinance 12-19 as presented. John Dippel seconded. Vote: Yes-6; No-0. Motion carried.

Ordinance 12-20: Amendment to Tall Weed Ordinance:
Introduction – June 25, 2012
Second Reading – July 9, 2012
Adoption Consideration – July 9, 2012

Matt Skelton presented this ordinance to the Council for consideration.

Rob Stokes requested to see the changes from the second reading. Matt Skelton displayed a redlined copy for the Council and Public.

Steve Hoover announced that the "committee" has not met to review where some changes may be made. John Dippel respectfully disagreed with waiting. Mr. Dippel made some comparisons with the City of Carmel's weed and vegetation ordinance and the need for a separate ordinance to address natural habitat. He feels that we have to be able to address our immediate violations with tall weeds

and that this ordinance needs to be considered this evening. The other ordinance can be introduced after "committee" works through the detail.

Rob Stokes questioned the removal of platted subdivisions in this proposed ordinance. Matt Skelton described the exceptions in the original ordinance and explained that this ordinance does remove those exceptions.

There was much discussion on the two separate concerns. One being the tall weeds, before the Council this evening, and the other is the natural habitat that will be addressed throughout upcoming "committee" meetings.

John Dippel moved to approve Ordinance 12-20 as presented. Jim Ake seconded. Vote: Yes-5: No-1 (Rob Stokes). Motion carried.

Ordinance 12-25: Hall and House PUD
Introduction – May 14, 2012
APC Public Hearing – June 4, 2012
APC Recommendation – July 2, 2012
Adoption Consideration – July 9, 2012

Planner Ryan Clark presented this ordinance to the Council for consideration. This does come before the Council with a favorable recommendation from the APC.

Steve Hoover had concerns about partial C and the State Road 32 overlay. This was confirmed.

Rob Stoke moved to approve Ordinance 12-25 as presented. Steve Hoover seconded. Vote: Yes-6; No-0. Motion carried.

New Business:
Rick Aton PUD
Introduction - July 9, 2012
APC Public Hearing – August 6, 2012
APC Recommendation – August 20, 2012
Introduction Adoption Consideration – September 10, 2011

Senior Planner Kevin Todd introduced this PUD to the Council and described the process and initial conversations with adjacent property owners.

The Council is pleased that this is a business that will be retained in the City of Westfield if approved.

Petitioner Rick Aton described his timeline.

It was the Council's concensus to forward this to the APC for a public hearing.

Ordinance 12-26: Emergency Open Burning Extension
Introduction – July 9, 2012
Second Reading – August 13, 2012
Adoption Consideration – July 9, 2012

Attorney Brian Zaiger presented this ordinance to the Council for consideration.

Fire Chief and Chief of Staff Todd Burtron also gave a brief explanation and the necessesity of such an ordinance. This would still be at the Fire Chief's discretion. Special precautions will take place to protect the Public Safety of our Community in the event of a special request for fireworks display.

This is a 60 day ordinance and would need to come before the Council before extending that timeline.

There was additional text that will be added. Attorney Brian Zaiger will make the changes.

Jim Ake moved to suspend the rules and consider Ordinance 12-26 on the first reading. Steve Hoover seconded. Vote: Yes-6; No-0. Motion carried.

Bob Smith moved to approve Ordinance 12-16 with added text. Rob Stokes seconded. Vote: Yes-6; No-0. Motion carried.

City Council Comments:

- Steve Hoover commented on Westfield Rocks the 4th's success in spite of the severe heat.
- Bob Smith announced that there are four more Façade Improvement recipients

With no further business the meeting was adjourned at 8:02 P.M.

Deputy Clerk-Treasurer

President