Westfield City Council September 10, 2012

The Westfield City Council met in regular session Monday September 10, 2012 at the Westfield City Hall. Members present were Jim Ake, John Dippel, Steve Hoover, Bob Horkay, Bob Smith, Cindy Spoljaric and Rob Stokes. Also present were Clerk-Treasurer Cindy Gossard, Mayor Andy Cook and Attorney Brian Zaiger with Krieg, DeVault, LLP.

Mayor Cook called the meeting to order at 7:00 P.M.

Approval of Minutes:

Steve Hoover moved to approve the August 13, 2012 minutes as presented and this was seconded by Jim Ake. Vote: Yes-7; No-0. Motion carried.

Guests:

Resident of Beechwood Drive, Lisa Wilken expressed concerns with the communication between the City and residents of Beechwood Drive. She had concerns with the contracted construction company being used (3D). In particular the drainage project and plans where tree removal took place. She had conversations with the City inspector in regard to mature trees in her yard being saved and that the original conversations with the City were much different than the end result.

Council Response:

Bob Smith will coordinate with the Director of Public Works to inspect the concerns of Ms. Wilken.

Claims:

Bob Smith moved to approve the Claims as presented and this was seconded by John Dippel. Vote: Yes-7; No-0. Motion carried.

Miscellaneous Business/Special Presentation:

Proclamation: Youth Soccer Month

Mayor Cook announced that September is proclaimed the Youth Soccer Month for 2012.

Miscellaneous Business: Request for development plan review fee waiver for MacGregor Park

Washington Township Deputy Trustee Becky McCanna spoke on behalf of the Washington Township Parks Department. She is requesting a waiver for MacGregor Park plan review which is consistant with other agreements with fellow Government agencies.

Bob Smith moved to waive the fee for plan review for Washington Township and this was seconded by Jim Ake. Vote: Yes-7; No-0. Motion carried.

Old Business:

Ordinance 12-17: Additional Appropriation-General
Council Introduction-June 11, 2012
Second Reading-June 25, 2012
Adoption Consideration-June 25, 2012
Public Hearing-August 13, 2012
Second Adoption Consideration-September 10, 2012

Attorney Brian Zaiger Introduced Ordinance 12-17 to the Council. He described the reason that this is before the Council again.

John Dippel moved to approve Ordinance 12-17 and this was seconded by Rob Stokes. Vote: Yes-7; No-0. Motion carried.

Resolution 12-108: Springmill Trails Voluntary Annexation Fiscal Plan
Council Introduction – August 13, 2012
Adoption Consideration – September 10, 2012

Director of Community and Economic Development Matt Skelton described the Resolution and that this is the fiscal plan supporting Ordinance 12-27 also being considered this evening.

Jim Ake moved to approve Resolution 12-108 as presented and this was seconded by Steve Hoover. Vote: Yes-7; No-0. Motion carried.

Ordinance 12-27: Springmill Trails Voluntary Annexation
Council Introduction – August 13, 2012
Public Hearing – August 13, 2012
Second Reading – September 10, 2012
Adoption Consideration – September 10, 2012

Steve Hoover moved to approve Ordinance 12-27 as presented and this was seconded by John Dippel. Vote: Yes-7; No-0. Motion carried.

NEW BUSINESS:

Resolution 12-110: Water & Wastewater Utilities Appraisal Authorization
Adoption Consideration – September 10, 2012

Chief of Staff Todd Burtron introduced Regina Sharrow with Faegre, Baker and Daniels, LLP. Mr. Burtron explained the statutory process.

After some clarification from the City Attorney Brian Zaiger , John Dippel moved to approve Resolution 12-110 as presented and this motion was seconded by Rob Stokes. Vote: Yes-7; No-0. Motion carried.

Resolution 12-109: 146th Street Recommendations
Adoption Consideration – September 10, 2012

Mayor Cook described Resolution 12-109 and how 146th Street is a County Road historically planned as a cross county thoroughfare. Through the City of Westfield there would be limited access to 146th Street. He is asking the Council what might be a compromise to discuss with the County on their proposed plan.

Matt Skelton explained that the City was not part of these County discussions on 146th Street. It is a primary arterial which is not conducive to the City of Westfield from an Economic Development, Public Works and Safety stand point. This resolution would recommend to the County that there would be ample accesses for movement along 146th Street. This could provide an opportunity for Mass Transit planning. The recommendation is to have a dialogue with the County.

Bob Smith moved to approve Resolution 12-109 as presented and this was seconded by Jim Ake. Vote: Yes-7; No-0. Motion carried.

Parks Zone Improvement Plan
Council Introduction – September 10, 2012
APC Public Hearing – September 17, 2012
APC Recommendation – October 1, 2012
Adoption Consideration – October 8, 2012

Assistant Director of Economic and Community Development Jennifer Miller introduced the Parks Zone Improvement Plan.

Consultant Ken Kingshill described the statutory required process. Director of Parks Department Melody Jones described the impact fees and unit fee schedule and that this is a requirement by State Statute to evaluate every five years.

After a brief discussion it was the Council's consensus to send this to the APC for a public hearing and recommendation.

Keeneland Park PUD
Council Introduction – September 10, 2012
APC Public Hearing – September 17, 2012
APC Recommendation – October 1, 2012

Adoption Consideration – October 8, 2012

Planner Ryan Clark introduced Keeneland Park PUD . Rick Lawrence with Nelson and Frankenberger was available on Jon Dobosiewicz behalf who had a medical emergency.

John Dippel had concerns with any residential on the west side of Westfield. Steve Hoover wants to see this as an attractive product.

Jim Ake has concerns with the impact on schools.

This Council would like a unique product before considering.

It was the Council's consensus to send this on to the APC for a public hearing and recommendation.

Ordinance 12-28: Fireworks Use
Council Introduction – September 10, 2012
Second Reading – September 24, 2012
Adoption Consideration – September 24, 3012

Brian Zaiger introduced Ordinance 12-28 and described the restrictions.

Bob Smith explained some of the comments and concerns he had received from the residents in Westfield. He would like to see certain restrictions through the week to make this ordinance family friendly. Brian Zaiger explained that this is the most restrictive that State Statute allows.

Bob Smith would like to see this ordinance go before "We Can" for input.

After some discussion it was determined that some of the language should be reviewed before the next Council meeting.

2013 Dispatch Service Agreement
Council Introduction – September 10, 2012

Todd Burtron introduced the 2013 Dispatch Service Agreement.

Cindy Spoljaric moved to approve the 2013 Dispatch Service Agreement as presented and this was seconded by Bob Smith. Vote: Yes-7; No-0. Motion carried.

2013 Animal Control Agreement
Council Introduction – September 10, 2012

Todd Burtron introduced the 2013 Animal Control Agreement.

Jim Ake moved to approved 2013 Animal Control Agreement as presented and this was seconded by Rob Stokes. Vote: Yes-7; No-0. Motion carried.

2013 Budget
Council Introduction – September 10, 2012

Todd Burtron introduced the 2013 Budget to the Council.

This will come back to the Council at the next Council meeting for consideration.

City Council Comments:

- Steve Hoover announced that APC is very busy responding to petitions

Mayor Comments:

- Phase II of Grand Park came in under budget
- ISO (insurance rating) has improved on the Public Safety side. This is due to response time and decreasing in accidents
- Acknowledging the appraisal on the authorization of MOU in regard to Utility purchase
- Economic Development update was given by Matt Skelton upon the Mayor's request

With no further business the meeting was adjourned at 9:13 P.M.

Deputy Clerk-Treasurer

President