

The Westfield Town Council met in regular session Monday, January 12, 2004 at the Westfield Town Hall. Members present were Jack Hart, Teresa Otis Skelton, Bob Smith, David Mikesell and Ron Thomas. Also present were Clerk-Treasurer Cindy Gossard, Town Manager Jerry Rosenberger and Legal Council Brian Zaiger. President Hart called the meeting to order at 7:00 p.m.

***SWEARING IN OF COUNCIL MEMBERS AND CLERK-TREASURER:***

Brian Zaiger swore in Bob Smith, Jack Hart and Cindy Gossard. Senator Drozda swore in Ron Thomas.

***ELECTION OF TOWN COUNCIL OFFICERS:***

Bob Smith made a motion to elect Teresa Otis Skelton as President. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

Teresa Otis Skelton made a motion to elect Jack Hart as Vice President. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

***APPROVAL OF MINUTES:***

Dave Mikesell made a motion to approve December 8, 2003 Town Council minutes. Jack Hart seconded. Vote: Yes-3; No-0; Abstain-2 (Bob Smith, Ron Thomas).

***GUESTS:***

Linda Nass congratulated the new members of the council. Ms. Nass inquired as to the appropriate procedures for the advisory plan commission and public hearings.

Duane Lutz read a letter from the Westfield-Washington Chamber of Commerce, thanking the council, the town manager and the planning director for their assistance during the past year.

***OLD BUSINESS:***

None

***NEW BUSINESS:***

***2004 SUPERVISORY APPOINTMENTS:***

Dave Mikesell made a motion to appoint Jerry Rosenberger as Town Manager. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

Jack Hart made a motion to appoint Denny White as Public Safety Director. Ron Thomas seconded. Vote; Yes-4; No-1 (Dave Mikesell). Motion carried.

Bob Smith Smith made a motion to appoint Keith Smith as Fire Chief. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

Jack Hart made a motion to appoint Bryan Foster as Police Chief. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

Bob Smith made a motion to appoint Bruce Hauk as Public Works Director. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

Jack Hart made a motion to appoint Kevin Buchheit as Director of Community Development. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

Dave Mikesell made a motion to appoint Jack White as Building Commissioner. Ron Thomas seconded. Vote: Yes-5; No-0. Motion carried.

***2004 FINANCIAL CONSULTANT APPOINTMENT:***

Jack Hart made a motion to appoint O.W. Krohn & Associates as 2004 Financial Consultant. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

***2004 ENGINEERING CONSULTANT APPOINTMENT:***

Bob Smith made a motion to appoint HNTB as 2004 Engineering Consultant. Jack Hart seconded. Vote: Yes-5; No-0. Motion carried.

***2004 TOWN ATTORNEY APPOINTMENT:***

Jack Hart made a motion to appoint Church, Church, Hittle & Antrim as 2004 Town Attorney. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

***2004 PLAN COMMISSION AND BZA APPOINTMENTS:***

This item was tabled to executive session.

***APPOINTMENT OF TWO COUNCIL MEMEBERS TO PLAN COMMISSION:***

Jack Hart made a motion to appoint Bob Smith to Plan Commission. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

Bob Smith made a motion to appoint Dave Mikesell to Plan Commission. Jack Hart seconded. Vote: Yes-5; No-0. Motion carried.

***HAMILTON COUNTY EMERGENCY MANAGEMENT ADVISORY COUNSEL APPOINTMENT:***

Bob Smith made a motion to appoint Denny White as Emergency Management Advisory Counsel. Jack Hart seconded. Vote: Yes-5; No-0. Motion carried.

***CONTRACT-TOWN OF WESTFIELD AND WASHINGTON TOWNSHIP FIRE DEPARTMENT:***

Jack Hart made a motion to approve the contract and to have the Council President sign. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

***CONTRACT-TOWN OF WESTFIELD AND WASHINGTON TOWNSHIP FOR PSB LEASE PAYMENTS:***

Dave Mikesell made a motion to approve the contract and to have the Council President to sign. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

***RESOLUTION 04-01: PUBLIC NOTICE ADVERTISING FOR 2004:***

Dave Mikesell made a motion to utilize the Noblesville Ledger as the “qualified” newspaper for legal advertising. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

***RESOLUTION 04-02: APPROPRIATION FO FUNDS FOR FIRE OPERATING BUDGET:***

Jack Hart made a motion to approve the appropriation of funds for the 2004 Fire Operating Budget. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

***ORDINANCE 03-42: ANNEXATION-BAINBRIDGE SUBDIVISION (PUBLIC HEARING REQUIRED):***

Jerry Rosenberger presented information concerning this item. Jerry outlined the property for the council and explained the new procedure concerning annexations made by the City of Carmel.

The Public Hearing opened at 7:34pm.

No one spoke regarding this item.

The Public Hearing closed at 7:35pm.

Jerry noted this item would return to the council in February for a second reading and a vote.

***ORDINANCE 04-01: REZONE REQUEST FOR WESTOAK INDUSTRIAL PARK PUD. FIRST READING:***

Kevin Buchheit presented this item. Kevin outlined the property for the council, described the development concept, and noted that a public hearing was held on this petition at the November 24, 03 Plan Commission meeting.

Larry Kemper, representing the petitioner, introduced Wayne Beverage and summarized the development project.

***ORDINANCE 04-02: REZONE REQUEST FOR MAPLE KNOLL PUD. FIRST READING:***

Kevin Buchheit presented this item. Kevin outlined the property for council members and described the over all development concept. A Public Hearing on this item was held at the April 21, 03 Plan Commission meeting.

Paul Rioux, owner for Platinum Properties, briefly spoke on this item. Mr. Rioux detailed some for the proposed uses, different districts, parks and open space plans.

***AWARD CONSTRUCTION CONTRACT: SETTERS RUN LIFT STATION:***

Jerry Rosenberger presented information on this item.

Jack Hart made a motion to award the contract to Culy Construction in an amount not to exceed \$68,125.00, and to have the Town Manager sign. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

***STORM WATER COMMITTEE: AUTHORIZE STORM WATER COMMITTEE CREATION AND STRUCTURE:***

Jerry Rosenberger explained that this committee is in response to federal requirements. Jerry also stated that the council will simply be creating the committee and the structure and that the appointments will be made at a later time.

Bob Smith made a motion to approve the Storm Water Committee Creation. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

***PROPOSED ZONING ORDINANCE CHANGES:***

Kevin Buchheit presented the proposed changes. Kevin also presented a new ordinance for consideration concerning lots recorded prior to the date of zoning enacted for the town/township. Kevin stated he believed by making these changes would reduce the caseload of the BZA, which typically approves such appeals.

Kevin also requested Steve Riley be reappointed to the Board of Zoning Appeals.

Jack Hart made a motion to appoint Steve Riley to the BZA. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

***TOWN MANAGER REPORT:***

Jerry Rosenberger noted that the date of the council retreat would be January 24<sup>th</sup>, starting at 8:00 am.

Jerry also noted that the town is beginning to work with the school board on property adjoining Washington Woods Elementary School to become a town park.

Jerry reminded the council that appoints to the redevelopment Commission still needed to be made.

***COUNCIL COMMENTS:***

Teresa Otis Skelton congratulated Clerk-Treasurer Cindy Gossard on her recent CPFA certification, and her acceptance into the MMC Academy. Teresa also welcomed Bob Smith and Ron Thomas to the council.

***CLAIMS:***

Dave Mikesell made the motion to approve the claims as submitted. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

With no further business the meeting was adjourned at 8:30 PM. An Executive Session followed.

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Clerk-Treasurer

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Council President