

AVON TOWN COUNCIL MEETING

May 11, 2017

7:00pm

Avon Town Hall

6570 E US Hwy 36, Avon, Indiana

Call to Order was made by Council President Aaron Tevebaugh.

Roll Call was taken by Clerk Treasurer, Sharon Howell. Council members present were Marcus Turner, Steve Eisenbarth, Aaron Tevebaugh, Beverley Austin and Greg Zusan. Tom Klein, Town Manager and Dan Taylor, Town Attorney, was also present.

Proclamation

National Public Works Week

Tom Klein presented the proclamation that designates May 21st through May 27th as National Public Works Week.

Poppy Month and National Poppy Day

Tom Klein presented the proclamation proclaiming the month of May as Poppy Month and May 26th as National Poppy Day in the Town of Avon.

Eva Yackey with the American Legion Auxiliary was present and spoke about Poppy Month. The red poppy has been designated as a symbol of sacrifice of lives in all wars. The American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower.

Consent Agenda

4/13/17 Town Council Meeting Minutes

4/30/17- Check Register

Council member Austin made a motion to accept the consent agenda as presented. Council member Eisenbarth seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Austin-for, G. Zusan-for
5-for, 0-against, Motion carried 5-0.

Public Comment

Paul Guckenberger of 6696 Royal Lane came forward to comment. He discussed Avon Landing and voiced his opposition to the recommendation that is being presented from the Avon Plan Commission. He believes this was not the vision for Ronald Reagan Corridor. It also brings in multi-family housing where we are looking for light industrial. He asked that the Town Council reject the positive recommendation brought forward by the Plan Commission.

Council Comment/Liaison Reports

Council member Turner commented that the joint work session with the Township was held on May 2nd regarding consolidation. Council member Turner was glad to see a full room and believes it was a healthy discussion. The Council received a resolution from the Township indicating that discussion to date did not provide how services would be provided and funded for the incorporated areas in the event of consolidation. He is very disappointed in the conclusion of the Township Board on this issue.

Dedication and retirement for Lieutenant Ritorto was May 5th. This was an incredible event. Thanked those involved.

A meeting was held on May 8th of the Hendricks County Economic Development Partnership. They have hired Kaitlyn Herr as the Development Business Manager. They will also have a new summer

intern starting soon. There were changes made to by-laws that the executive committee approved. Changes were: the executive committee has the ability to add to the board of directors, president and vice president have a 2- year term of office, voting members are now silver status and above, executive committee will meet at least 4 times a year, and all standing committees were eliminated.

Danville is actively annexing Gordon Graham field.

Planned bus service between the RRP that would go between Brownsburg and Plainfield will continue. There will be a couple of stops in Avon.

Council member Eisenbarth believes the township is not listening to the public. The Citizen's Survey indicated our citizens wanted to proceed and hear more about consolidation. He would like to find ways to work with the township.

The Avon Police Department Dedication and Retirement meant a lot honoring the Lather family and Jeff Ritorto.

Council member Austin was also disappointed in the township response.

Council member Zusan commented on the meeting with township. It was disheartening and there is a need to find the answers by working together.

Mr. Hodson indicated there would be a reduction in revenue by two million. Council member Zusan questioned this and is waiting on a response from Mr. Hodson.

APD has the right people in leadership and are doing a commendable job.

Officer Elder is in field training.

Officer Boggess will be attending the academy in June.

Officer Stobaugh and Officer Spicer will start employment in May.

Council President Tevebaugh thanked everyone for the work on the May 2nd event.

Congratulated the Parks Department on the article in the Avon magazine.

Council President Tevebaugh was also disappointed by the Township meeting. He felt like this was an opportunity to take charge of an issue and see what it was about. He believed there were several failures that night on behalf of the Trustee and Town Board. He apologized to Ms. Austin because he failed to engage her voice that night. In the future, he would like to make sure everyone on the team is heard. He addressed the Kernan and Shephard Report (Indiana Commission on Local Government Reform- Streamlining Local Government) and discussed recommendation #9. He did not feel that anyone at the meeting was willing to collaborate.

New Business

Approval of Contract for Trail Design

Sam Paledino, presented the contract for trail design on Ronald Reagan Parkway. Trail design would be from US 36 to CR 100 S.

Avon Public Works is proposing to use USI since they did the original bridge design and section of Ronald Reagan Parkway from US 36 to CR 100 S. The contract is in a not to exceed amount of \$101,800.

Council member Eisenbarth made a motion to award the contract to USI Consultants in not to exceed amount of \$101,800. Council member Zusan seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B, Austin-for, G. Zusan-for
5-for, 0-against, Motion carried 5-0.

Approval of Contract for Signal Maintenance

Avon Public Works recommends awarding the signal maintenance contract to Midwestern Electric. Basic services include on-call services for signals, preemptive signals, and street lights.

Midwestern will also conduct an annual monitoring service to ensure all signals are functioning properly. Discussion was held regarding rates. Council member Austin made a motion to award

the contract to Midwestern Electric for signal maintenance. Council member Zusan seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B, Austin-for, G. Zusan-for
5-for, 0-against, Motion carried 5-0.

Approval of Contract for IDNR Permitting and Storm Water Pollution Prevention Plan

The storm water permit from the state for the Avon Avenue Project requires us to mitigate a wetland area and perform streambank stabilization. Staff recommends that the Town Council approve the use of Williams Creek Consulting, Inc. to complete IDNR permitting and SWPPP for Avon Ave and approve their contract not to exceed \$16,000. Discussion was held. Council member Turner made a motion to approve the use of Williams Creek Consulting Inc. to complete IDNR permitting and SWPPP for the Avon Avenue and approve the contract not to exceed \$16,000. Council member Austin seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B, Austin-for, G. Zusan-for
5-for, 0-against, Motion carried 5-0.

Approval of Change Orders for Avon Avenue Project

Ryan Cannon presented six change orders for the Avon Avenue Project. Staff recommends that the Town Council Approve change orders #1-6 as presented for the Avon Ave Bridge and Roundabout project. If not completed by November 15th 2017 they will accept liquidated damages. Discussion was held. Council member Zusan made a motion to approve change order #1 in the amount of \$2,516.75, change order #2 in the amount of \$37,080, change order #3, \$21,667.29, change order #4 in the amount of \$95,036.02, change order #5 in the amount of \$143,335.18, change order #6 is for the acceleration of project in the amount of \$181,309.37. Council member Austin seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B, Austin-for, G. Zusan-for
5-for, 0-against, Motion carried 5-0.

Resolution

Resolution 2017-14: LBG 2 Tax Abatement Annual Filing

Jeff Pipkin presented his review and recommendation regarding the annual filing of the abatement for the senior living development formerly owned by LBG. The project has exceeded the estimated real estate investment. Although wages have come in lower than what was anticipated, the position numbers exceeded the estimate by 6. His recommendation is that this project is in compliance. Tom Smith was present and discussed the extension of the PUD and the abatement on the 25 original acres. Council member Turner made a motion to adopt Resolution 2017-14. Council member Austin seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B, Austin-for, G. Zusan-for
5-for, 0-against, Motion carried 5-0.

Ordinance

Final Reading: Ordinance 2017-04: Wynne Farms PUD Amendment

Jodi Dickey presented. Staff recommends that the Council approve a motion to adopt Ordinance 2017-04, amendment to the Wynne Farms PUD.

Council member Zusan made a motion to approve Ordinance 2017-04: Wynne Farms PUD Amendment. Council member Eisenbarth seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B, Austin-for, G. Zusan-for
5-for, 0-against, Motion carried 5-0.

Introduction: Ordinance 2017-09: Amending 2017 Salary Ordinance

Dan Taylor introduced the Ordinance 2017-09.

Introduction: Ordinance 2017-10: Avon Landing PUD

Jodi Dickey introduced the Ordinance for the proposed planned unit development for the northern part of Ronald Reagan corridor. It has been presented to the Plan Commission and has received a positive recommendation with the condition that the developer would pay for the road and infrastructure improvements. Discussion was held and topics included, limited cuts and limited access on Ronald Reagan, stop lights at the location, the discussion at the Plan Commission meeting on the project, complying with the Ronald Reagan overlay, and industrial development.

Legal Counsel Report

Nothing to report.

Public Comment

No one came forward.

Adjournment

Meeting adjourned at 9:02 pm.