

AVON TOWN COUNCIL MEETING

February 26, 2009

Avon Town Hall Council Chamber

Call to Order was given by Greg Zusan, Council President.

Invocation was led by Pastor Mark from Light and Life Church.

Pledge of Allegiance was led by Council President, Greg Zusan.

Roll Call was taken by Clerk-Treasurer, Sharon Howell. Council members present were Charlie Dorton, Nikki Gordy, Greg Zusan, and Michael Rogers. Town Manager, Tom Klein and Dan Taylor, Town Attorney, were also present.

Police Department Awards – Length of Service

Chief Miller presented. Sergeant Dave Margason received an award for 10 years of service with the Avon Police Department, Patrolman Mike Wittle received an award for 5 years of service with the Avon Police Department, and Detective Brian Nugent received an award for 5 years of service with the Avon Police Department.

Consent Agenda

1. December 4, 2008 Minutes – page 2 under New Business, middle of first paragraph states that Gordy recommends “full payout” should be “carryover”.
2. December 12, 2008 Minutes
3. December 18, 2008 Minutes – page 5 under Andy Mohr it says “Executive Session” should be “Mediation Session”.
4. February 26, 2009 Check Register
5. Introduction – Ordinance 2009-03: Unsightly Property
6. Introduction – Ordinance 2009-04: General Nuisance
7. Introduction – Ordinance 2009-05: Weeds and Grass

Council member Dorton made a motion to approve the Consent Agenda items December 4, 2008 Minutes, December 12, 2008 Minutes, December 18, 2008 Minutes, February 26, 2009 Check Register, Introduction – Ordinance 2009-03: Unsightly Property, Introduction – Ordinance 2009-04: General Nuisance, and Introduction – Ordinance 2009-05: Weeds and Grass with the amendments mentioned for December 4 and December 18, 2008 Minutes. Council member Gordy seconded the motion. Roll call vote was taken.

C. Dorton-for, N. Gordy-for, B. Austin-absent, G. Zusan-for, M. Rogers-for
4-for, 0-against. Motion carried 4-0

Public Comment

None.

Council Comment

Council member Dorton would like to thank the staff for Chamber presentation to the business leaders of Avon.

Council member Rogers is aware of the economic situation and loss of jobs; he is greatly concerned for local government. He wants to let the people of Avon know that the Council is on top of it and aware of the situation.

Old Business

None

New Business

Sheltering Wings Presentation

Maria Larrison, Executive Director with Sheltering Wings presented this evening. She gave a brief overview of Sheltering Wings and shared what programs they offer. Success rate – 73% of their clients do not return to their abusers.

Public Works Consulting – Schneider Contract Approval

Ryan Cannon presented. The consulting services were selected and the Town's contract with Schneider is outdated; therefore a new contract needs to be executed.

Council member Gordy made a motion to approve the attached contract with The Schneider Corporation to provide on-call Public Works Consulting services subject to approval by the Town Attorney. Rogers seconded the motion. Roll call vote was taken.

C. Dorton-for, N. Gordy-for, B. Austin-absent, G. Zusan-for, M. Rogers-for
4-for, 0-against. Motion carried 4-0

LPA Agreement with INDOT – White Lick Creek Trail

Ryan Cannon presented. The federal aid process requires that and Town of Avon approve this agreement. Staff has reviewed the contract and finds it to be acceptable.

Council member Rogers asked; the last presentation about the trail showed what the Town is doing, do we have anything showing what the Township is doing? Mr. Cannon stated that they have not seen anything since November. Council member Rogers stated they need to know.

Council member Dorton made a motion to approve the Local Public Agency Project Coordination Contract between the Indiana Department of Transportation and Town of Avon, subject to Town Attorney's approval. Council member Rogers seconded the motion. Roll call vote was taken.

C. Dorton-for, N. Gordy-for, B. Austin-absent, G. Zusan-for, M. Rogers-for
4-for, 0-against. Motion carried 4-0

Discussion on Establishing a Utility Study Committee

Tom Klein presented. These committees would study issues to figure out how to proceed. Suggestions how to set the committees up were given. Council member Dorton feels that we are in need of this being done. We need to aggressively pursue this to protect the Town of Avon in case any emergencies arise. This would allow us more control than what we have now. Before we start a committees maybe we should sit down with the proper people to brainstorm. Council member Rogers feels we need to figure out who is going to get this done. Mr. Taylor said an engineering firm would be needed to help. A financial study will need to be done. Key is to have a good consultant to help with this. Communication with other towns and cities would be useful. Zusan feels that water, sewer, and storm water could take different amounts of time; once we get to a certain point we come back and figure out which way to go. The following Council members will work with the committees:

- Water – Charlie Dorton– Indianapolis Water - DLZ
- Sewer – Greg Zusan – Sanitary Board
- Storm water – Nikki Gordy – Process Study

Mr. Taylor feels that it will be more cost efficient for him to help where he can and if he can't help with certain situations he will go get the help that is needed. Council member Rogers would like to see this move along quickly but doesn't want it to move so quickly that things are left out. He feels that it is necessary to go back and see who the main stakeholders are. Mr. Taylor agrees that would be the way to go. It was suggested that someone talk with Mr. Turner from the Plan Commission to get his insight. Council member Dorton asked if the conservation ordinance is going to be put on the agenda for a different meeting. Tom Klein will meet with Ryan Cannon and get back within 30 days as to how they are going to proceed. They will also get some key stakeholders.

Legal Counsel Report

Dan Taylor presented.

WCCD / Washington Township this case has been consolidated. Both parties are claiming that the ordinances are invalid. Judge Mark Smith will hear the case. We filed a motion disputing. A motion to dismiss will be filed on March 5, 2009. Judge will hear at 10:00 a.m. Washington Township shouldn't be able to question our ordinances. A decision will not be made that day but should have a decision within 30 days.

Mediation dates for Pyramid should be in the second half of April. Mr. Taylor will advise the dates when he has them.

Public Comment

None

Council Calendar

03/03/09 – Greg's Birthday

03/05/09 – CONA (Council of Neighborhoods) @ 7:00 p.m. at Town Hall

03/10/09 – Economic Development / Redevelopment @ 7:00 p.m.

03/11/09 – US 36 / Dan Jones Info Meeting

03/14/09 – 8:30 Blanton House – Legislative Meeting

03/14/09 – Chamber Auction

03/17/09 – Avon Government Academy

03/18/09 – Redevelopment Meeting

Adjournment

A motion was made to adjourn.