

AVON TOWN COUNCIL MEETING
May 28, 2009
Avon Town Council Chamber

Call to Order was given by Council President Greg Zusan.

Invocation was led by Reverend Cline.

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

Consent Agenda included the March 23, 2009 Minutes, May 28, 2009 Check Register and Introduction: Ordinance 2009-13: Amending Permit Collection Timing.

Mr. Salzman has worked with Mrs. Howell to reorganize the permit collection process to ensure accountability for payments. Ordinance changes permit collection time to be at the time of picking up the permit. Council member Austin made motion to approve March 23, 2009 Minutes with correction, the May 28, 2009 Check Register and the Introduction: Ordinance 2009-13: Amending Permit Collection Timing. Motion seconded by Council member Rogers. Roll call vote was taken.

C. Dorton-for, N. Gordy-for, B. Austin-for, G. Zusan-for, M. Rogers-for
Motion passed 5-0.

Public Comment

Chris Petiteva, Woodland Heights Drive-impressed by commitment by Town Board regarding establishment of WWII Memorial Plaza and would ask that recognition be made for all veterans to include all wars and conflicts up to the present day.

Council Comment

Special recognition was given for Michael Roger's retirement from Allison's and Charlie Dorton's birthday.

Old Business

Town Hall Park Barn-Tom Klein distributed copy of survey results-a total of 298 votes were cast-169 for restoring the barn and 129 for not restoring the barn-votes are being rechecked due to some duplicate voting. The votes will be validated and will be presented at the next council meeting. Council member Dorton raised the question as to whether any other funding mechanisms have been researched in lieu of using taxpayer dollars. Grants and other means of funding will be researched and presented at the next council meeting.

New Business

Express Bus Service Presentation, CIRTA – Ehren Bingaman- CIRTA was given the task of developing a regional transit system for central Indiana. An overview of Hendricks County Express Bus is as follows. A two (2) year pilot program is proposed for Commuter Express Bus connecting a park and ride lot at Beechwood Centre Drive in Avon to a loop in downtown Indianapolis.

- Bus route begins at Beechwood Centre Rd. in Avon at Delaware St. via US 36-Rockville Rd/Washington St.
- Weekday service only-6:00-9:00 a.m. and 4:15-7:15 p.m.
- 30-minute headways (no stops between Park and Ride and downtown)
- Three (3) “over the road” commuter coaches with seating for 55 passengers
- Contracted service secured through federally prescribed procurement processes for demonstration period.
- \$3.00 per one way trip
- Federal Congestion Mitigation Air Quality (CMAQ) grant covers 80% or \$409,060* of annual operating cost inclusive of contracted service, use of park and ride lot, marketing, passenger amenities and/or future service improvements
- 20% local match or \$81.812*
- 2 year demonstration period
- IndyGo and CIRTA will handle overall marketing and promotional activities

Danville and Hendricks County have already adopted resolutions indicating that they would provide a portion of the local match. A resolution will be introduced at a future meeting.

*Costs are based on a prior study from May 2008 based on Plainfield origin via I-70.

Selection of Construction Engineer for 200 South/Dan Jones Project-

The review committee recommends that American Structurepoint be selected to perform construction inspection of this project. Staff will work with American Structurepoint on a contract and bring it before the Town Council at a later date. Motion made by Council member Austin to approve selection of American Structurepoint to perform construction inspection services for the roundabout at County Road 200S and Dan Jones Road. Motion seconded by Council member Gordy. Roll call vote.

C. Dorton-for, N. Gordy-for, B. Austin-for, G. Zusan-for, M. Rogers-for
Motion passed 5-0.

Change Order-Avon Heights Drainage Improvements Design- Staff proposes to use drain engineering funds to pay for design. Motion was made by Council member Gordy to approve the contract modification 1 for GRW Engineers Inc. for not to exceed \$3,350 to complete the design plans for Phase 1 construction. Motion was seconded by Council member Dorton. Roll call vote was taken.

C. Dorton-for, N. Gordy-for, B. Austin-for, G. Zusan-for, M. Rogers-for
Motion passed 5-0.

Design Contract for CR 100 North Resurfacing-ARRA Reserve Project

The Town submitted a request for resurfacing of CR 100N from Park Square Manor to Ian's Point just east of Dan Jones Road. This project is on the reserve list. If programmed projects slip or if additional funds are provided then engineering needs to have been completed. If additional funds are not awarded plans would be prepared and project would be shelf ready.

Staff proposes to use miscellaneous funds to pay for the design. Motion was made by Council member Austin to approve the contract for the Schneider Corporation for not to exceed \$10,940 to provide design services for the resurfacing of CR 100N from Richfield to Kinross Dr and to include drainage for 267/100 North in the 2010 Budget. Motion was seconded by Council member Gordy. Roll call vote was taken.

C. Dorton-for, N. Gordy-for, B. Austin-for, G. Zusan-for, M. Rogers-for
Motion approved 5-0.

Resolution

Resolution 2009-10: Firkins Land Purchase Agreement-Mr. Firkins has agreed to sell his farmland for \$10,000/acre. The sale would exclude the homestead. Banning is surveying the property, Alt Witzig is conducting the environmental assessment, and Integra and Phil Johns are conducting the appraisals. The parcel will need to be subdivided through the County.

Proposed revised Parks budget reviewed. Current fund balance in the Food and Beverage Tax Fund is \$1,053,859. Council member Dorton made motion to approve Resolution 2009-10 Firkins Land Purchase Agreement. Motion seconded by Council member Austin. Roll call vote:

C. Dorton-for, N. Gordy-for, B. Austin-for, G. Zusan-for, M. Rogers-for
Motion passed 5-0.

Resolution 2009-11: 2010 Contribution to the MPO-The IRTC (Indianapolis Regional Transportation Council) has adopted a policy that requires each participating agency to contribute to the MPO's (Metropolitan Planning Organization) operational expenses in order to be eligible for federal road funds. They have requested that each agency indicate their willingness to provide funding for 2010. Our estimated amount is \$2,459. The IRTC has

established a committee to determine how the policy will be implemented. Mr. Klein will be serving on the committee. A motion made to adopt Resolution 2009-11: 2010 Contribution to the MPO in the budget amount of \$2,459 for the Town's contribution to the MPO for 2010 by Council member Austin. Motion seconded by Council member Dorton. Roll call vote was taken.

C. Dorton-for, N. Gordy-for, B. Austin-for, G. Zusan-for, M. Rogers-for
Motion passed 5-0.

Ordinance

Ordinance 2009-12: Authorizing the Clerk-Treasurer to Make Claim Payments for Fuel in Advance of Town Council Allowance of Such Claims

This is for final adoption of ordinance. Ordinance allows Mrs. Howell to pay vehicle gas bills in a similar manner as utility bills where the bills are paid upon receipt in order to avoid cancellation of vehicle gas cards for gas stations. If Mrs. Howell does not have authorization, she must wait for the Council meeting to approve payment and that date may be beyond the deadline for the vehicle gas card company. Motion made by Council member Gordy to approve Ordinance 2009-12 authorizing Mrs. Howell to pay gas bills upon receipt. Motion seconded by Council member Dorton. Roll call vote taken.

C. Dorton-for, N. Gordy-for, B. Austin-for, G. Zusan-for, M. Rogers-for
Motion passed 5-0.

Ordinance 2009-14: To Rezone Property at Northeast Corner of 200 North and 900 East -The Plan Commission has sent a recommendation for this property rezoning. It is the property that was considered for the YMCA but the deadline had passed for action on the original PUD, so the Plan Commission has recommended that the property be rezoned to R-1. This is the zoning prior to the PUD approval. Motion made by Council member Dorton to approve Ordinance 2009-14 to Change the Zoning for Real Estate Located at the NE Corner of CR 200 N and CR 900 E. Motion seconded by Council member Rogers. Roll call vote was taken.

C. Dorton-for, N. Gordy-for, B. Austin-for, G. Zusan-for, M. Rogers-for
Motion passed 5-0.

Legal Counsel Report

Mr. Taylor attended budget training-Circuit Breaker Credits go into effect when the county tax goes above the 1-2-3% circuit breaker-taxpayer gets a credit. Mr. Taylor will provide a write-up from this training and will include a timeline for implementation. State legislature will be meeting for a special session and you may be contacted by someone in the legislature for help. There are still several issues on the table to be pushed through.

Public Comment

None

Council Calendar

6/4/09 at 4:00 p.m. – Executive Session @ 4:00 p.m. – purchase of land for salt dome

6/1/09 – Redevelopment Meeting-update Capital Improvement Plan and Hendricks County Regional Health TIF District-PUD

6/11/09 – Town Council Meeting- Litigation Meeting?

6/25/09 – work session at 5:00 p.m. with Banning Engineering and Sanitary Board to discuss water, sewer and storm water.

6/9/09 – CONA Cookout

6/17/09 – RRP Funding Meeting

6/23/09 – RDC Meeting

Need to schedule a meeting between the Town Council, RDC and EDC.