

## **AVON TOWN COUNCIL MEETING**

August 13, 2009

Avon Town Hall Council Chamber

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

**Invocation** was led by Pastor Chet Martin of Light and Life Church.

**Pledge of Allegiance** was led by Greg Zusan.

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

### **Consent Agenda**

Motion was made by Council member Austin to approve the consent agenda of:

May 14, 2009 Council Meeting Minutes with corrections,

May 28, 2009 Council Meeting Minutes with corrections,

June 23, 2009 Joint Council Work Session Minutes,

July 23, 2009 Council Executive Session Meeting Minutes, and the

July 31, 2009 Check Register.

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

5-for, 0-against. Motion carried 5-0.

### **Public Comment**

Lucinda Werling of Mapleton & Wynn Farms subdivision came forward and commented on the fence ordinance.

### **Council Comment**

Council member Dorton commented on the new roundabout at 100N and Dan Jones Road and congratulated Public Works Manager, Ryan Cannon on its opening.

Council member Rogers requested a timeline/plan on the completion of the Ronald Reagan Parkway.

Council member Zusan commented on the Avon Middle School dedication and the cooperation of the schools, community, Reith Riley, and the Town in accomplishing the roundabout opening. He also applauded Mr. Cannon on a job well done.

### **Reports**

There were no questions on the department reports.

### **Old Business**

None

### **New Business**

**Edwards Rigdon Contract & Fee**

Mr. Cannon presented information on the Salt Storage Facility including the sources and uses, project timeline, exterior elevations, and the type of exterior materials to be used. Also discussed were the architectural standards for the location.

Mr. Cannon discussed the proposal for the Salt Storage Facility. The proposal includes assisting in the design, bidding, and construction of the salt storage facility. It provides on site services during the construction and includes soil borings. The proposed fee to provide these services is \$39,000.

Council member Dorton made a motion to approve the proposal for Edwards Rigdon to serve as the construction manager for a not to exceed amount of \$39,000 for the salt storage facility. Council member Austin seconded the motion.

Roll call vote was taken.

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

#### RE Curry Contract & Fee

Mr. Cannon requested Council approve proposal and fee from RE Curry and Associates to provide the necessary architectural work for the Salt Storage Facility. The proposed fee for this service is \$17,000 and includes site lighting. RE Curry and Associates has agreed to use the Town of Avon Standard Contract.

Motion was made by Council member Gordy to approve the proposal for RE Curry and Associates to be the Architect for not to exceed amount of \$17,000. Council member Austin seconded the motion.

Roll call vote was taken.

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

#### Report on Appraisals for Salt Barn Land

Mr. Cannon reported that as required the Town obtained two appraisals for the Gables of Avon Property. Summaries of the appraisals were provided to Council members. Both appraisals exceed the agreed upon purchase price of \$300,000.

#### Authorization to Submit Transportation Enhancement Grant Applications (TE Grants)

Staff identified two projects to submit for TE Grants. TE funds are federal funds that can be used to build pedestrian facilities. Grant awards are 80% federal funds with the requirement for a 20% match. First project is to connect the sidewalk on the south side of CR 100S east of the roundabout to the sidewalk along Hollow Brook Subdivision. There is a gap in the sidewalk where Clarks Creek is located. Staff is proposing to request funding to build a pedestrian bridge over the creek. The Schneider Corporation is writing the grant for this project. The second project is to connect the Town Hall to the White Lick Creek Trail and the Washington Township Park. RW Armstrong is writing the grant for this project.

Council member Austin made motion to give staff the authorization to submit the transportation enhancement grant applications for phase 3 and the pedestrian bridge over the creek. Motion was 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  
5-for, 0-against. Motion carried 5-0.

**Resolution**

**Resolution 2009-17: Approving bid for U.S. 36 and Dan Jones Road Project**

This resolution authorizes Town staff to accept the low bid as identified by INDOT for not to exceed \$1,100,000. It also authorizes the clerk-treasurer to make payment to INDOT for the Town's 20% match.

Motion was made by council member Gordy to approve Resolution 2009-17: Approving Bid for U.S. 36 and Dan Jones Road Project. 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  
5-for, 0-against. Motion carried 5-0.

**Ordinance**

**Final Adoption Ordinance 2009-18: Amending the Avon Zoning Ordinance Restriction of Fences located within a Drainage Easement**

Planning Director Al Salzman presented. The proposed text amendment relaxes the prohibition of fences being constructed in a drainage easement. The Plan Commission held a hearing for the map amendment at their regular meeting on Monday, July 27<sup>th</sup>. The Plan Commission's recommendation to the Avon Town Council is favorable by a vote of 4-2. Discussion was held. Council member Dorton motioned to amend Ordinance 2009-18 adding that final approval be stipulated as a dual sign off by the Public Works Manager and the Planning Department Director and that the encroachment agreement includes a disclaimer. Motion was seconded by Council member Rogers. Roll call vote.

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

**2010 Budget Review**

Mr. Klein presented the 2010 Budget Work Session Documents. Highlighted areas included the Estimated Budget Levels by Fund, 2010 Budget Strategies, Total Budget for the General Fund, Public Works Funding Trends, and the Program Budget for the EDIT Fund. The capital budget includes proposed initiatives for council review.

**Legal Counsel Report**

Mr. Taylor reviewed status of legal issues.

**Public Comment**

None.

**Council Calendar**

8/19 IACT Roundtable at Danville

8/22 Marshall Tucker Band

8/25 Chamber Luncheon

9/01 Redevelopment Meeting

**Adjournment**

A motion was made to adjourn at 9:30pm.