

Avon Town Council Meeting Minutes
September 10, 2009
7 pm
Avon Town Hall Council Chamber
6570 E US Hwy 36, Avon, Indiana

Call to Order was given by Town Council President Greg Zusan. The invocation was given and the Pledge of Allegiance was recited.

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:

8-13-2009 Council Meeting Minutes with correction, the

8-31-2009 Check Register and the

Introduction: Ordinance 2009-22: Authorizing the Town to Issue Taxable Economic Development Revenue Bonds of 2009

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.

Public Comment

Time was allowed for public comment with no one coming forward.

Council Comment

Council member Zusan would like to have an ordinance drafted that would prohibit sex offenders in town parks.

Council member Dorton asked question about the number of roundabout accidents and the ordinance that had been previously adopted concerning roundabouts.

Resolutions

Resolution 2009-19: Regarding the Establishment of the HRH Economic Development Area

Mr. Klein presented. This resolution confirms the actions taken by the Redevelopment Commission and the Plan Commission regarding the HRH.

Motion was made by Council member Austin to approve Resolution 2009-19 Regarding the Establishment of the HRH Economic Development Area. 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.

Resolution 2009-20: Authorization to Pay Closing Costs-Gables of Avon Parcel

Mr. Klein presented. This is the next step in purchasing the land for the salt barn. Purchase agreement has been signed and now we are ready for closing. The estimated cost of purchase and closing is \$305,000. Council member Austin will attend the closing. Council member Dorton motioned to approve Resolution 2009-20 Authorization to Pay Closing Costs for the Gables of Avon Parcel. Council member Rogers 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.

Ordinances

Ordinance 2009-19: An Ordinance to Change the Zoning for Real Estate Known as 762 and 820

N CR 800 East Mr. Salzman explained to Council that a request had been received by the petitioner's attorney to table Ordinance 2009-19 due to a family emergency. The ordinance will be presented to Council at the October 8th Town Council meeting. Council member Austin made

a motion to table Ordinance 2009-19 until the October 8th Town Council meeting. Council member Gordy seconded. With no further discussion, 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.

Ordinance 2009-20: An Ordinance to Change the Zoning for Real Estate Formerly Known as Prime Ministry Mr. Salzman presented. Rezoning the site R-2 would zone the site to the same district as it was prior to being zoned a PUD. Council member Gordy made the motion to approve Ordinance 2009-20 changing the zoning for real estate formerly known as Prime Ministry. Motion seconded by Council member Dorton. Roll call vote:
C. Dorton-for, N. Gordy-for, B. Austin-for, G. Zusan-for, M. Rogers-for
5-for 0-against Motion carried.

Ordinance 2009-21: An Ordinance to Change the Zoning for Real Estate Formerly Known as Settlement West Mr. Salzman presented. Property is 44 acres of real estate near the intersection of CR 800 E and CR 300 S formerly known as Settlement West. This ordinance rezones the area from a PUD to R-1. Council member Dorton motioned to approve Ordinance 2009-21: An Ordinance to Change the Zoning for Real Estate Formerly Known as Settlement West. Council member Rogers seconded the motion. With no further discussion, there was a roll call vote:
C. Dorton-for, N. Gordy-for, B. Austin-for, G. Zusan-for, M. Rogers-for
5-for, 0-against Motion carried.

New Business

Selection of Construction Engineer for ARRA Projects Council member Gordy presented. Public Works contacted engineering firms to submit Statement of Qualifications for the 2009 ARRA (American Recovery and Reimbursement Act) Construction Inspection. ARRA construction projects include:

- Resurfacing approximately 4 miles of Dan Jones Road
- CR 200 N/Ronald Reagan Parkway – installation of fully actuated traffic signal, street lights, and signage
- CR 100 N – Resurfacing approximately 1.33 miles of CR 100 N – This is a reserve project and will only proceed if funded.

Twelve firms submitted Statements of Qualifications. Selection Committee recommended Crossroad Engineers for the 2009 ARRA Construction Inspection. Discussion was held on the scores received by the various firms and how they were determined.

Council member Austin made motion to approve the selection of Crossroad Engineers for ARRA projects as presented. 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.

NOTE: Council member Gordy left meeting after vote on selection of construction engineers. Update was given on status of current construction projects.

Authorization to Purchase Police Vehicles Chief Miller requested that several police vehicles be rotated out of the fleet. He requested three patrol vehicles (Chargers), one detective vehicle (Impala), and one K-9 vehicle (SUV purchased by Centex). Discussion was held on the cost of replacement equipment for vehicles, amount of mileage on police vehicles, and the timeframe used for the rotation of vehicles out of the fleet. Council member Dorton made a motion to approve the purchase of the replacement vehicles for the police department of three patrol vehicles, one detective vehicle, and one K-9 vehicle total leasing cost of \$85,807.65 (3 year lease at 3.4% and a total cost for equipment and installation of \$17,302.00 for all five vehicles.

Motion was seconded by Council member Rogers. Roll call vote was taken:
C. Dorton-for, N. Gordy-absent, B. Austin-for, G. Zusan-for, M. Rogers-for
4-for, 0-against, 1-absent Motion carried.

Authorization to Apply for Grant to Purchase Police Officer Vests Chief Miller requested authorization to apply for vest replacement grant. Grant application would pay for half of the total cost for replacement vests. Council member Austin made motion to authorize staff to apply for the grant for half of the purchase price to replace 13 vests for the police department. Council member Rogers seconded. Roll call vote:

C. Dorton-for, N. Gordy-absent, B. Austin-for, G. Zusan-for, M. Rogers-for
4-for, 0-against, 1-absent. Motion carried.

Approval of Scope of Services and Fee for Utility Study Council member Rogers made a motion to table the scope of services and fee for utility study. Motion seconded by Council member Dorton. Roll call vote was taken:

C. Dorton-for, N. Gordy-absent, B. Austin-for, G. Zusan-for, M. Rogers-for
4-for, 0-against, 1-absent. Motion carried 4-0.

Selection of Consultant for Fire Territory Analysis-Orville Powell Mr. Klein presented resume for Orville Powell to assist with fire territory study. Mr. Klein reviewed the professional experience and education on Mr. Powell. Questions were asked about public safety territories, whether the Town needed someone local, or if there was a benefit of looking at more than one thing at the same time. Council also asked whether there would be a financial impact to having a fire territory. Mr. Austin, the Washington Township Trustee spoke but his comments could not be heard. Mr. Taylor commented that studying the fire territory would take some time; possibly two years or more. Mr. Klein would outline a scope of services for Mr. Powell which would include the financial impact, legal issues and processes for a fire territory. Also discussed were Larry Deboer and a summary of the fiscal impact of house enrolled act 101 and the fiscal impact of the Plainfield Fire Territory.

NOTE: Council member Gordy returned before vote on the selection of consultant for fire territory analysis.

Council member Austin made motion to approve hiring Mr. Powell, of IU to do a study on the fire territory with Washington Township and the Town of Avon. Council member Rogers 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.

Approval of LPA Agreement for Signal Installation at 200 N/Ronald Reagan Parkway Mr. Klein presented. This is a standard LPA Agreement and if approved tonight can move forward and be put out to bid.

Council member Austin made motion to approve the LPA agreement for the signal installation at 200 N and Ronald Reagan Parkway with the INDOT standard contract. Council member Gordy seconded. 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.

Legal Counsel Report Mr. Taylor commented on depositions that have been held in the water utility cases, also commented on staff reports that give updates on a couple of code enforcement cases. Counsel is looking into the Plainfield ordinance on parks, as well as looking at the panhandler's ordinance that Indianapolis has. Currently, ordinances are in the process of codification.

Public Comment was held with no one coming forward.

Council Calendar

9/16 Avon Government Academy 6-8:00pm

9/18 Avon Football Game w/Brownsburg honoring Veterans

9/19 Celebrate Avon at the Library

9/19 Concert in the Park

9/21 Avon Plan Commission

9/22 Redevelopment Commission Meeting

9/24 Work Session for Council on Budget

9/24 Town Council Meeting

9/26 Avon Community Heritage Festival

Adjournment