

**Avon Town Council Meeting Minutes**  
**September 24, 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.

**Proclamation** for October 10, 2009 as Burnett Woods Day by the Avon Town Council.

**Consent Agenda** Motion was made by Council member Austin to approve the consent agenda of the 9-24-09 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.

**NOTE:** Ordinance 2009-23: Linear Park System was removed from the consent agenda and moved to New Business.

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

**Council Comment**

Council member Austin thanked the staff for all their work in putting the Concert in the Park together.

Council member Dorton commented that the water conservation ordinance needs to be in place. Council member Rogers also thanked staff and Diane Elmore from the library for the great Concert in the Park.

**Ordinance**

**Ordinance 2009-22: Authorizing the Town to Issue Taxable Economic Development Revenue Bonds of 2009** Mr. Klein presented. This ordinance authorizes the sale of bonds for the HRH infrastructure improvements. Motion was made by Council member Austin to approve Ordinance 2009-22: Authorizing the Town to Issue Taxable Economic Development Revenue Bonds of 2009. Council member Rogers 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.

**New Business**

**Economic Development Agreement-HRH** Mr. Klein presented. This is the economic development agreement between the Town and Hendricks Regional. It has been approved by the Redevelopment Commission and the Economic Development Commission.

Motion was made by Council member Austin to approve the Economic Development Agreement as presented. Council member Rogers seconded the motion. Roll call vote:

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

**Ordinance 2009-23 Linear Park Trail System**

Mr. Klein presented the introduction of Ordinance 2009-23. The ordinance establishes trails and sidewalks as areas where residents actively recreate through walking and biking. It allows food and beverage tax receipts to be used for the linear park system.

**Awarding Bids for Salt Storage Facility** Mr. Cannon presented. Bids were received for the construction of the salt storage facility. 20 bids were received for 5 bid packages. The low bids totaled \$519,213. This includes site work and the construction of the building. Of this expense,

\$13,000 is for landscaping for the parking lot at the north end of the park which will be paid for from the food and beverage fund. \$506,213 would be paid from the bond. Council was provided a copy of the projected budget, a copy of the revised budget with bid results, an updated copy of the status of all projects in the Go! Avon Road Bond including the total cost of the salt barn. Motion was made by Council member Gordy to award the bids as presented by Edwards Rigdon for not to exceed \$519,213 and subject to closing on the property. Motion was seconded by Council member Dorton. Roll call vote:

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

Authorization to Acquire Right of Way for Linear Park Along Dan Jones Road Mr. Cannon presented. Staff requested authorization from the Town Council to move forward with the right of way acquisition for the Flowers property. The Flowers property is located on the west side of Dan Jones Road between Cobblestone Springs and Beechwood Farms. The property is needed to complete a linear park between the two subdivisions. Council member Dorton made a motion to authorize staff to acquire right of way from the Flowers property for an amount not to exceed \$17,900. Council member Gordy seconded. Roll call vote:

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

Authorization to Purchase Cornerstone Software Motion was made by Council member Austin to table authorization to purchase Cornerstone Software. Motion 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.

Utility Study Agreement-Banning This is the agreement for professional services for Banning Engineering to conduct a Utility Study. Included in the agreement was a scope of services and fee schedule. Motion was made by Council member Gordy to approve the Utility Study Agreement for Banning Engineering. Council member Dorton seconded the motion. Roll call vote:

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

Fire Territory Study Agreement-Orville Powell Discussion was held on scope of services on the agreement for Mr. Powell and whether a fire territory study had been completed by the township. Council member Dorton made a motion to table the Fire Territory Agreement. Council member Austin seconded. Roll call vote:

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

Motion to add Agenda Item was made by Council member Rogers. Council discussed compensation for Mr. Munn. Motion was made by Council member Austin to approve compensation for Mr. John Munn for the work that was done on the Firkins property in the amount of \$2000 upon attorney review. Council member Gordy seconded the motion. Roll call vote:

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 updated Council on legal issues. Currently, he is working on the water conservation ordinance, water permit, parks ordinance, and is doing research on a pan handling ordinance and solicitation on public streets.

Public Comment was held with no one coming forward.

### Council Calendar

9/26 Avon Community Heritage Festival

10/5 IACT Conference

### Adjournment

