

**AVON TOWN COUNCIL MEETING**  
**November 5, 2009**  
**Avon Town Hall Council Chamber**  
**6570 E US Hwy 36, Avon, Indiana**

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

**Invocation** was given by Don Cline of Barlett Chapel United Methodist.

**Roll Call** was taken by Clerk-Treasurer Sharon Howell. Council members present were Michael Rogers, Greg Zusan, Beverley Austin, and Charlie Dorton. 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:

September 10, 2009 Council Meeting Minutes

September 24, 2009 Council Meeting Minutes

October 31, 2009 Check Register

Introduction: Ordinance 2009-32: 2010 Salary Ordinance

Introduction: Ordinance 2009-33: 2010 Holiday Schedule

Motion was seconded by Council member Dorton. Roll call vote:

C. Dorton-for, B. Austin-for, G. Zusan-for, M. Rogers-for

4-for, 0-against, 1-absent. Motion carried.

**Public Comment**

No one came forward for comment.

**Old Business**

**Ordinance 2009-34: Amending Chapter 19 of the Zoning Ordinance** Al Salzman presented. The proposed text amendment amends Chapter 19: Enforcement, of the Avon Zoning Ordinance. The Plan Commission held a hearing for the text amendment at their regular meeting on Monday, October 26<sup>th</sup>. The Plan Commission's recommendation to the Avon Town Council is favorable. Council member Dorton made motion to approve Ordinance 2009-34: An Ordinance of the Town of Avon to Amend Chapter 19 of the Avon Zoning Ordinance. Council member Rogers seconded. Roll call vote was taken. C. Dorton-for, B. Austin-for, G. Zusan-for, M. Rogers-for 4-for, 0-against, 1 absent Motion carried.

**New Business**

**Resolution 2009-21: Memorandum of Understanding – YMCA, HRH**

Tom Klein presented. The MOU outlines the leasing agreement between the YMCA, HRH, and the Town of Avon to provide additional park land. The MOU is the first step. An agreement between the YMCA, HRH, and the Town will need to be developed and approved. Some of the MOU highlights are a 15 year park lease at 133,000 a year. YMCA and HRH will be responsible for park maintenance. The restrooms at the HRH-YMCA will be open to park users during hours of operation of the HRH-YMCA, and the YMCA will have public meeting space. Council member Dorton made a motion to approve the Memorandum of Understanding between the Town of Avon, the YMCA, and Hendricks Regional Health. Motion was seconded by Council member Rogers. Roll call vote was taken.

C. Dorton-for, B. Austin-for, G. Zusan-for, M. Rogers-for

4-for, 0-against, 1-absent. Motion carried 4-0.

**Avon Bicycle and Pedestrian Master Plan: Presentation of 1<sup>st</sup> Draft** Ryan Cannon presented. RW Armstrong is the consultant on this project. Goals outlined in the previous Trails and Masterplan were modified to provide the framework for the development of this plan's recommendations. The goals include economic benefits by

promoting the bicycle and pedestrian system as an exceptional feature of the Town to attract and retain quality residents and commerce. Health benefits & quality of life goal by marketing the bicycle and pedestrian system as a tool to address public health concerns and to encourage active lifestyles. The connectivity goal by establishing convenient, safe, and well designed bicycle and pedestrian facilities that link all local and regional systems and community destinations. Other goals included safety, environmental, educational opportunities, and community involvement. Included in the plan was a draft of an Avon Bicycle and Pedestrian Network Map and a Master Plan. Some of the next steps include adoption of the plan, developing an implementation committee, increase the linear park budget, and submitting grant applications.

Snow Removal Contract Extension-Fox Contractors Ryan Cannon presented. In 2004 the Town signed a 5 year contract with Fox Contractors with a provision for a 2 year extension. The Town is currently in the first year of the extension. Staff believes that the charges for vehicles and the hourly rates are reasonable and comparable to other contractors for snow removal. Contract extension provides long term stability to the Town for snow removal services. Motion was made by Council member Austin to approve the extension of the Fox Contractors to provide snow removal services for an additional 5 years with the option of a 2 year extension subject to approval by the Town attorney. Roll call vote was taken.

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

Change Order: Paving Contract This change order is for the 2009 HMA and Milling project and was due to additional full depth patching on CR 100 N, Ronald Reagan Parkway, CR 625 E, and the Avon Town Hall Park Trails. Council member Austin made a motion to approve the change order in the amount of \$29,092.40 for additional full depth patching.

Motion was seconded by Council member Rogers. Roll call vote was taken.

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

Proposal for 2009 and 2010 Traffic Count Program

Mr. Cannon presented. The Town has had a traffic counting program for the last three years. Traffic counts help to evaluate traffic growth and they assist with transportation planning. In 2009, \$ 9,000 was budgeted for traffic counts and that has not been spent. In 2010, \$10,000 is budgeted. Motion was made by Council member Dorton to approve the proposal from the Schneider Corporation to complete traffic counts and speed evaluations for 2009 and 2010 for not to exceed \$15,800 subject to the Town attorney's approval. Roll call vote was taken.

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

Approval of LPA Agreement for Dan Jones Road Resurfacing This is the Indiana Department of Transportation – Local Public Agency contract with American Recovery and Reinvestment Act Funding (ARRA) for the Dan Jones Road resurfacing from CR 2500 N to CR 3000 S. Council member Austin made a motion to approve the Indiana Department of Transportation Project Coordination Contract ARRA for Dan Jones Road Resurfacing. Motion was seconded by Council member Rogers. Roll call vote was taken.

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

**Legal Counsel Report**

Counsel commented that work is being done on summary judgments in water cases. There are three code enforcement cases-landowners have agreed to clean up two of the properties and the other case has been continued for 30 days.

**Public Comment**

No one came forward for public comment.

**Council Calendar**

Council meetings December have been moved to the first and third Thursdays due to the holidays.

12/01 Town Open House 6-8pm

12/12 Employee Christmas Party 6:30-8:30pm

**Adjournment**