

AVON TOWN COUNCIL MEETING
December 3, 2009
Avon Town Hall Council Chamber
6570 E US Hwy 36, Avon, Indiana

Call to Order was given by Council Vice President Beverley Austin.

Invocation was given by Mark Dowler of West Pines Baptist Church.

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

Consent Agenda

Motion was made by Council member Dorton to approve the consent agenda of:
November 30, 2009 Check Register

Introduction: Ordinance 2009-29: Regarding Operations of Town Parks and the

Introduction: Ordinance 2009-30: Regarding Solicitation In or Near Roadways

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

C. Dorton-for, N. Gordy-for, B. Austin-for, M. Rogers-for

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

Public Comment

Craig Sullivan addressed the Council with comments on signage used on business vehicles and how signage on vehicles relates to local business and the current zoning ordinance.

Council Comment

Council member Rogers commented on the YMCA groundbreaking and thanked Council member Dorton for all of his work with the YMCA project.

New Business

Change Orders

Janssen and Spaans - Ryan Cannon presented. Janssen and Spaans (JSE) are completing the design and the right of way engineering for the CR 200 N and CR 900 E roundabout. Beam Longest and Neff (BLN) are completing the right of way acquisition and right of way management. This project originally started as a County project and then was taken over by the Town. Change order is for ROW staking for property owners, utility relocations and title/permanent reports. Motion was made by Council member Gordy to approve the change order request for \$4,608.00 for Janssen and Spaan Engineering to complete ROW staking and title/permanent reports for the CR 200N and CR 900 E roundabout project.

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

C. Dorton-for, N. Gordy-for, B. Austin-for, M. Rogers-for

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

Rieth Riley: 100 North Roundabout - Ryan Cannon presented. Crossroads Engineers has received the final change order requests from Rieth Riley. Change orders are as follows:

#1 structural modifications \$4,589

#2 pipe removal and repair of 12' field tile \$16,128.91

#3 temporary striping \$5,948.59

#4 erosion control blanket and mulch \$2,986.

With the four change orders the project will end being over an estimated \$746.77 over the original bid.

Motion was made by Council member Gordy to approve change orders #1 through #4 for \$29,691.07 and \$17,248.20 for the construction of the Sycamore Elementary School entrance as reviewed and approved by Crossroad Engineers for the CR100 N and Dan

Jones Road Roundabout project. Motion was seconded by Council member Dorton. Roll call vote was taken.

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

Dotlich: Avon Heights Drainage

During construction of the Avon Heights drainage project Dotlich encountered unexpected issues. Several property owners had extended their driveways since the survey had been completed. The other issue was at the south west corner of Avondale and Avon Parkway. This location still had an area that was going to hold water and cause issues. Change order is for additional pipe and additional structures to address the problems. Council member Dorton made a motion to approve the staff recommendation for change order #1 for \$8,182 and change order #2 for \$2046 for work completed by Dotlich Contractors for the Avon Heights drainage project. Council member Gordy seconded the motion. Roll call vote was taken.

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

Authorization to Purchase Sand

The Town is now providing sand and salt for snow removal. Staff has spoken to several vendors and they will not provide bids for salt. The staff would like to order sand as needed and has identified 3-5 sources to purchase sand. It is estimated that sand will cost around \$8 a ton. Motion was made by Council member Gordy to authorize the purchase of between 800 and 1200 tons of sand for snow removal operations for a cost not to exceed \$10,000. Motion was seconded by Council member Rogers. Roll call vote:

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

Recommendation to Select Consultant for Parks Master Plan & Impact Fee Analysis

Staff sent out an RFQ for this service. Proposals were received from 6 firms. Selection committee consisted of three PRBC (Parks, Recreation & Beautification Council) members, Ryan Cannon, Erin Mulryan, and Beverley Austin. The top two firms were CBA and Lehman & Lehman and they each were interviewed. Selection committee recommends Lehman & Lehman since they have the most experience. The scope and fee will be negotiated with the first firm. If scope and fee can not be agreed upon with the first firm then staff would move on to the second firm.

Motion was made by Council member Rogers to approve the selection of Lehman and Lehman as the first choice and CBA as the second choice to complete the update to the five year master plan and impact fee analysis. Motion was seconded by Council member Gordy. Roll call vote was taken.

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

Resolutions

Resolution 2009-22: Fiscal Plan for Annexation of Property Known as Casco Drive

Motion to approve Resolution 2009-22: the Fiscal Plan for Annexation of Property Known as Casco Drive was made by Council member Rogers. Council member Gordy seconded. Roll call vote was taken.

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

Resolution 2009-23: Fiscal Plan for Annexation of Property known as Town Hall Extension

Council member Rogers made motion to approve Resolution 2009-23: Fiscal Plan for Annexation of Property Known as Town Hall Extension. Motion was seconded by Council member Gordy. Roll call vote:

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

Resolution 2009-24: Fiscal Plan for Annexation of Property Known as Ronald Reagan Parkway Corridor Motion was made by Council member Rogers to approve Resolution 2009-24: Fiscal Plan for Annexation of Property Known as Ronald Reagan Corridor. Motion was seconded by Council member Gordy. Roll call vote was taken.

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

Resolution 2009-26: Senior Housing Tax Credit Letter of Support

Mr. Klein presented. The NRP Group, as Avon Senior LLC, is proposing a 110 unit development for senior housing at Reagan Park on 100 North, west of Ronald Reagan Parkway. They are applying for state tax credits which would enable them to provide affordable senior housing. They are asking for the Town's support for their tax credit application.

Council member Dorton made a motion to approve Resolution 2009-26: Senior Housing Tax Credit Letter of Support. Council member Gordy seconded. Roll call vote:

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

Ordinances

Final Adoption: Ordinance 2009-08: Annexing Property Known as Casco Drive

Council member Dorton made motion to approve Ordinance 2009-08: Annexing Property Known as Casco Drive. Council member Gordy seconded. Roll call vote:

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

Final Adoption: Ordinance 2009-24: Annexing Property Known as Town Hall Park Extension

Council member Dorton made motion to approve Ordinance 2009-24: Annexing Property Known as Town Hall Park Extension. Council member Gordy seconded the motion. Roll call vote was taken.

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

Final Adoption: Ordinance 2009-25: Annexing Properties Known as Ronald Reagan Corridor

Motion was made by Council member Rogers to approve Ordinance 2009-25: Annexing Properties Known as Ronald Reagan Corridor. Council member Gordy seconded the motion. Roll call vote was taken.

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

Ordinance 2009-35: Amending Chapter 17 of the Zoning Ordinance

Al Salzman presented. The proposed text Amendment will amend Chapter 17: Flood Plain, of the Avon Zoning Ordinance. The amendment represents an effort to remain compliant with state-wide floodplain management regulations, which were recently updated in response to the flooding experienced in Columbus, Indiana in June 2008. Council members agreed that residents of Avon who live in flood plain should be notified by the planning and building department.

Motion was made by Council member Dorton to approve Ordinance 2009-35: An Ordinance to Amend Chapter 17 of the Avon Zoning Ordinance. Council member Rogers seconded the motion. Roll call vote:

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

Legal Counsel Report

Update was given on Hendricks Regional permit.

Public Comment

No one came forward for public comment.

Adjournment