

AVON TOWN COUNCIL MEETING

May 27, 2010

7:00pm

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 Pastor John Lilly of Harmony Baptist Church.

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

Consent Agenda

Motion was made by Council member Rogers to approve the consent agenda which included:

3-25-10 Town Council Meeting Minutes

4-08-10 Council Meeting Minutes

5-27-10 Check Register

Approving Change Orders for County Road 100 North Resurfacing Project-ARRA

Approving Change Orders for Dan Jones Road Resurfacing Project-ARRA

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.

Public Comment

There was no one coming forward from the public to comment.

Council Comment

Council member Rogers received the West Central Conservancy District Newsletter and commented on its content.

New Business

Appointment to Avon/Washington Township Library Board

An appointment needs to be made to replace Dave Sinclair on the Library Board. Mr. Sinclair has served for 16 years. Council member Dorton made the motion to appoint Lynn Stuard to the Avon/Washington Township Library Board. Motion was seconded by Council member Austin. 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.

Contract for Information Technology Services: Proactive Networks

Chief Miller presented. The Town is currently using Proactive Networks for computer services. This contract establishes an hourly rate that is ten dollars less per hour, for sixty hours of service. Discussion was held and council requested quarterly progress on payments to vendor. Council member Rogers made a motion to approve the contract with Proactive Networks. Council member Gordy 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.

Awarding Quote for Park Utility Vehicle

A replacement is needed for the 1994 Deere Gator. Three quotes were obtained. Lowest quote was for initial price of \$9800 with the trade in value of \$2500. Final price would be \$7300 through Reynolds Equipment in Fishers. Motion was made by Council Member Austin to approve the purchase of the John Deere Gator XUV model from

Reynolds Equipment for \$7300 with the trade in of the 1994 Gator. 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.

Contract for Sara Hubbard

Tom Klein presented. This contract allows for the services of Sara Hubbard for special projects including the Celebrating Avon Concert. Council held discussion. Motion was made by Council member Dorton to approve the contract for Sara Hubbard with a not to exceed amount of \$1500. Motion was seconded by Council member Austin. Roll call vote:

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

Awarding Bid for Crack Sealing

Ryan Cannon presented. Crack sealing is an approved product application to cracked surface areas of pavement. The product application is meant to seal large or severely cracked areas of surface pavement to prevent damage to the base of the street. Crack sealing is scheduled to be applied in Avon Commerce Park, Ronald Reagan Parkway, Avon Woods, Harvest Ridge, Glenfield, Oriole Point, The Settlement, Ian's Point, Waterford Lakes, Woodland Heights, CR 900 East and Vista Parkway. Three companies submitted bids. The engineer's estimate was \$55,025. Motion was made by Council member Gordy to award the 2010 Crack Sealing Project to FE Harding in the amount of \$45,151.96. 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.

Rejecting Bid for Preservative Seal

The engineer's estimate for the 2010 HMA Seal Project was \$149,782.00. Avon Public Works recommended to Council that the 2010 HMA Seal project be rejected due to receiving only one bid exceeding \$150,000.

Council member Austin moved that the 2010 HMA Seal Bid be rejected. Council member Dorton 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.

Authorization to Pay Local Match for 200 South/Dan Jones Roundabout Project

In order for this project to proceed the Town will need to pay the 20% local match. This project has been timed so that the intersection will close after school gets out for the summer and will reopen prior to the first day of school in August. Council member Austin moved that the authorization be given to allow the Clerk-Treasurer to make payment of the Town's local match for the CR 200 South and Dan Jones Roundabout 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.

Resolutions

Public Hearing for Resolution 2010-12: Confirmatory Resolution for Designation of Economic Revitalization Area

Council President Zusan opened the public hearing on Resolution 2010-12. With no one coming forward the public hearing was closed.

Resolution 2010-12: Confirmatory Resolution for Designation of Economic Revitalization Area

This is the final step in the Tax Abatement Process. This resolution confirms the Declaratory Resolution that was adopted in April. Council member Austin made a

motion to adopt Resolution 2010-12: Confirmatory Resolution Regarding the Application of LBG-2, LLC. Motion 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.

Resolution 2010-13: Safety Manual

Erin Mulryan presented. The safety manual encompasses OSHA regulations as well as general and specific safety rules for Avon employees. It includes training requirements and protective gear for various pieces of Town owned equipment. Council member Gordy motioned to approve the Employee Safety Manual for 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.

Resolution 2010-14: Release and Assignment of Claim for Asphalt Surface-Oriole Pointe Staff in cooperation with the Town Attorney filed a claim for Oriole Pointe Section 2 and Section 1B for the replacement of the asphalt surface. These two sections were developed by Davis Homes. Staff met with the bonding company to discuss options for getting the asphalt surface installed. The bond company has decided to release the money to the Town and have the Town pave the streets. Council member Gordy made a motion to approve Resolution 2010-14: Release and Assignment of Claim for Asphalt Surface for Oriole Pointe Section 2 and 1B. Council member Rogers seconded the motion. Roll call vote:

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

Resolution 2010-15: Authorizing Temporary Inter-fund Transfer

The Redevelopment Commission authorized the transfer of \$600,000 from TIF to the General Fund to cover expenses until property tax revenue is received. Motion to approve Resolution 2010-15 was made by Council member Austin. Motioned seconded by Council member Gordy. 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

Dan Taylor updated council on legal matters including the delivery of the final agreement with Ivy Tech, and the proposed lease with the YMCA.

Public Comment

There were no comments from the public.

Adjournment