

AVON TOWN COUNCIL MEETING

June 24, 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 Brian Correll of Crossroads Church.

Roll Call was taken by Clerk-Treasurer, Sharon Howell. Council members present were Nikki Gordy, Bev 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 Austin to approve the consent agenda as presented. The consent agenda included:

5-13-10 Town Council Meeting Minutes

6-24-10 Check Register

Approval of Change Order #3 for Avon Heights Drainage Project

Motion was seconded by Council member Gordy.

Roll call vote was taken.

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

Public Comment

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

Council Comment

Council member Rogers complimented staff for all the hard work they did as a result of the recent storms.

New Business

Report on Income Tax Analysis

Greg Guerrettaz of Financial Solutions Group presented his report on the impact of the Town of Avon's income tax revenue due to the creation of the new Plainfield Fire Territory. The net impact to Avon was a loss of \$30,000, per year in CAGIT and \$25,000 per year in EDIT. The Town of Plainfield will receive an additional \$684,000 in CAGI and \$325,000 in EDIT in 2010.

Contract Amendment-Ground Rules

Al Salzman presented. Revision of the Subdivision Control Ordinance by Ground Rules has progressed as per the terms of the contract. The Town staff requested additional revisions to the proposed ordinance, an additional meeting of the Steering Committee, and additional participation by Ground Rules through additional meetings and presentations.

Motion was made by Council member Gordy to approve the Ground Rules Contract Addendum for the Subdivision Control Ordinance not to exceed \$3400.00

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

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

Award Bid for HMA Seal

HMA seal is an approved product application for street surfaces and is meant to extend the life of street surfaces by rejuvenating components affecting elasticity. HMA Seal is scheduled to be applied in Cobblestone Springs, Lexington Woods, Hollow brook, Stratford of Avon, Whispering Pines Sections 1 and 2, Sycamore Creek, and Avon

Crossing. The engineer's estimate for the project was \$143,932.00. Rejuvtec was the only company that submitted a bid. Bid amount from Rejuvtec was for \$142,561.12. Motion was made by Council member Austin to award the 2010 HMA Seal project to Rejuvtec in the amount of \$142,561.12.

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

Council member Dorton arrived at 7:40 and was present and voted on balance of agenda items.

Award Bid for 2010 Storm Sewer Cleaning Program

2010 Storm Sewer Cleaning project includes jetting an estimated 28,450 lineal feet of storm structures and disposal of debris in Avon Woods, Oak Bend, Pines West, Stonemill, Thornridge, and Woodland Heights subdivisions. Fluid Waste Services and Commercial Sewer Cleaning submitted proposals. Fluid Waste Services was the lowest bidder at \$22,475.50. Council member Rogers made a motion to award the 2010 Storm Cleaning to Fluid Waste Services for \$22,475.50. Motion 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, 0-absent. Motion carried 5-0.

Approval of Amendment to Contract to Include Sewer Relocation Design for CR 200N/Dan Jones

For the CR 200 N and Dan Jones Roundabout project WCCD (West Central Conservancy District) has a 12" and 18" sanitary sewer in the easement. The design and construction of the sanitary sewer relocation will be in accordance with INDOT and WCCD standards. CrossRoad Engineer's fee is for the additional survey, plan and specification preparation, legal description and document preparation/recordation fees.

Motion was made by Council member Gordy to approve amendment # 1 to the original contract with Crossroad Engineers for CR 200 North and Dan Jones Road to include the design of the reimbursable WCCD sanitary sewer relocation not to exceed \$8,850.

Council member Dorton 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, 0-absent. Motion carried 5-0.

Ordinances

Ordinance 2010-05: Settlement PUD Amendment

Al Salzman presented. The submitted application would modify the terms of the existing Settlement Planned Unit Development. The modified terms would provide for the development of assisted living facilities and attached housing in the area of The Settlement PUD previously anticipated to include commercial uses, and would modify development standards established in the prior version of the Settlement PUD. Staff Report was reviewed. Discussion was held.

Motion was made by Council member Dorton to deny Ordinance 2010-05: An Ordinance To Change The Zoning For Real Estate Located At The SE Corner of CR 200S And Dan Jones Road. 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 5-0.

Final Adoption: Ordinance 2010-01: Annexing Properties Known as US 36 Remaining Properties

Council member Gordy made a motion to approve Ordinance 2010-01. Council member Rogers seconded. Roll call:

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

Legal Council Report

Council was updated on legal issues in the water case.

Public Comment

There were no comments from the public.

Adjournment