

# AVON TOWN COUNCIL MEETING

October 14, 2010

7:00pm

Avon Town Council Chamber  
6570 E US Hwy 36, Avon, Indiana

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

**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.

## **Proclamation**

Council President Greg Zusan read a proclamation designating October as Community Planning Month in the Town of Avon.

## **Consent Agenda**

Council member Rogers made a motion to approve the consent agenda as presented. The consent agenda included:

8-26-10 Executive Session Meeting Minutes

8-26-10 Council Meeting Minutes

9-08-10 Work Session

9-30-10 Check Register

Release of Bonds for Whispering Pines

Awarding of Street Sweeping Quote

Introduction: Ordinance 2010-11: Amending Parking Regulations

Introduction: Ordinance 2010-12: Annexation of Properties Owned by Ascension Properties

Introduction: Ordinance 2010-13: Annexation of Properties in Northeast Quadrant Phase I

Introduction: Ordinance 2010-14: Annexation of Properties near Ronald Reagan Parkway

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 5-0.

## **Public Comment**

There were no comments from the public.

## **Council Comment**

Council member Rogers complimented part time employee Chuck McGee for his monthly report.

## **New Business**

### **2011 Budget Adoption**

Tom Klein presented the 2011 Budget highlights.

- Total property tax circuit breaker impact \$284,162
- General Fund Net Reduction \$100,000
- Unfunded Capital Improvement Plan \$800,000
- No new positions
- Eliminated administrative assistant position in Town Manager's budget
- Maintain current health insurance premium payment
- Utilize EDIT for one time expenditures; 1% compensation adjustment, and election expense
- Utilize EDIT for Road Debt payment due to circuit breaker \$40,000

- Utilize EDIT for additional payment to Hendricks County dispatch \$20,000
- Reduce EDIT capital expenditures \$113,596
- Emphasize trail development in parks budget \$432,000
- Focus on maintenance of infrastructure in public works budget \$877,000

Discussion was held on drainage improvements, the capital improvement plan, the advertised budgeted amount for the Rainy Day fund and TIF fund, health insurance, and dispatch.

Motion was made by Council member Dorton to approve the 2011 Budget as presented with the following amendments \$50,000 to be budgeted in the Rainy Day fund, other services account line and the TIF fund budgeted at \$3,000,000 going into other capital line. Motion was seconded by Council member Austin.

Council member Rogers expressed concern about drainage improvement needs.

Roll call vote.

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

Indy Connect Study

The Indy-Connect Study was commissioned by the Mayor of Indianapolis to look at regional transit routes and the cost and benefits of transit improvements including bus express, light rail, commuter rail, expanded roadways, and pedestrian improvements. They are at the point now where they are receiving comments on the routes that are to be considered as part of the plan. They are going to be asking the IRTC (Indianapolis Regional Transportation Council) to vote on the plan in the next month or so. The other Towns in Hendricks County are trying to meet to discuss other improvements that should be made or other issues that are part of this plan. Mr. Klein's understanding is that they are asking for a vote on the concept of the map which shows different kinds of bus and rail routes and not a vote on funding. If it is passed by the IRTC then the MPO staff will probably go to the state legislature to seek authorization to have a referendum in each county. Each county would decide whether or not they wanted to participate in a regional transit plan or project. The referendum would probably include a funding source. In the Avon area they are proposing, an express bus route along US 36 and also a new bus route along new 267. One of the first improvements might be a light rail, or commuter rail along Washington Street to the airport.

Discussion was held on assurances of continuing transit service after funding, taxing of residents, identified bus routes, and if there is a benefit for Avon residents.

Council member Dorton made a motion that we do not support the Indy-Connect Study as presented. 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.

Authorizing Contribution to County for Improvements to Cox Drain

The construction of the CR 200N and CR 900E Roundabout will discharge into the county's Cox drain. The legal drain wasn't sufficient to handle existing water discharging into it. Additional water would be discharged into the drain from the roundabout. The County has agreed to replace the 10" pipe but has asked the Town to pay the cost for upgrade from a 10" pipe to an 18" pipe which is what will be needed to accommodate drainage from the roundabout. The cost to install an 18" pipe is estimated to cost \$96,000. The cost to install a 10" pipe would be approximately \$66,000. The County has requested that the Town agree to pay \$30,000 for upsizing the pipe to outlet the drainage from the roundabout.

Council member Rogers made a motion to approve an expenditure of not to exceed \$30,000 for upsizing of the pipe for this road project. 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.

Authorizing Audit RFQ for Phone and Cell Phone Bills

Tom Klein presented and is seeking authorization to receive proposals for an audit to ensure that the Town is not paying more money than it should for phone and cell phone bills due to errors in billing.

Motion was made by Council member Dorton to authorizing staff to get an RFQ for phone and cell phone bills. Motion was 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

Authorizing Town Manager to Approve Contracts

Council member Rogers made a motion to table this item until all Council members have had a chance to communicate with the Town Attorney and the Town Manager regarding this subject. Council member Gordy seconded.

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

This item will be on the next agenda.

**Ordinances**

Ordinance 2010-19: Zoning Ordinance Chapter 20 Definitions

Al Salzman presented. This ordinance provides an updated definitions list reflecting the addition of Chapter 26, Institutional Use District as well as existing terms not defined within the current version of Chapter 20.

Council member Dorton made a motion to adopt Ordinance 2010-19: Zoning Ordinance Chapter 20 Definitions. 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.

Ordinance 2010-20: Consolidating the Permitted Use Table of the Zoning Ordinance

Al Salzman presented. This ordinance provides for the creation of a single permitted use table to consolidate the multiple permitted use tables that are currently in the Avon Zoning Ordinance into a single Chapter 27.

Motion was made by Council member Gordy to approve Ordinance 2010-20: An Ordinance Amending the Avon Zoning Ordinance to Consolidate the Permitted Use Table. 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.

This ordinance will be posted on the Town of Avon website.

Ordinance 2010-21: Changing the Zoning for Real Estate Located at the Southwest Corner of Meijer Park Along Raceway Road

Al Salzman presented. This ordinance would allow for a rezoning of 2.47 acres from a SC (Shopping Center) district to a C-2 district. The proposed use of the site would be for Goodyear Tire Retail and Service Center. The SC designation does not allow for an auto service facility. Discussion was held on benefit of C-2 district, location of parcel, noise, location of trash dumpster, and landscaping requirements.

Motion was made by Council member Gordy to approve Ordinance 2010-21: An Ordinance of the Town of Avon to Change the Zoning for Real Estate Located at the SW Corner of Meijer Park Along Raceway Road with the additional restriction of no kennel and no recycling center. 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.

**Legal Counsel Report**

Dan Taylor had nothing new to report.

**Public Comment**

No one came forward from the public to comment.

**Adjournment**

Motion was made to adjourn.