

AVON TOWN COUNCIL MEETING

March 10, 2011

7:00pm

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

Call to Order was given by Council President Michael Rogers.

Roll Call was taken by Sharon Howell, Clerk-Treasurer. Council members present were Dave Jackson, Greg Zusan, Beverley Austin, Nikki Gordy and Michael Rogers. Tom Klein, Town Manager, and Darren Chadd, Town Attorney was also present.

Invocation was given by Pastor John Lilly of Harmony Baptist Church.

Police Officer Award Chief Miller presented commendation to Sgt. Dave Margason for a criminal investigation.

Consent Agenda

Council member Austin made a motion to adopt the consent agenda as presented. The consent agenda included the following:

01-27-11 Council Meeting Minutes

02-28-11 Check Register

Contract for Schneider Corporation Guardrail Design and Sign Installation

Change Order #1: 200 North/900 E Roundabout Project

Council member Gordy seconded the motion. Roll call vote was taken.

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

Public Comment

Stephanie Scott came forward and commented on use of roundabouts in Avon.

Council Comment

Council member Jackson commented on the police merit board, IWC new rate proposal/study, and had no report from the park.

Council member Zusan commented on the airport brochure.

Council member Austin stated there was no report from Hendricks County Solid Waste District.

Council member Rogers stated HCEDP is looking at goals, and the police department is making their merit board appointments.

Ordinances

Final Adoption: Ordinance 2011- 06: Modify the Commitments of the Wynne Farms PUD

District Planning Director, Al Salzman presented. The Council was presented the petitioner's revised "Exhibit A," Certification of Hearing Memorandum, Proposed "Denial" Ordinance for Town Council signature, "Proposed" Approval Ordinance for Town Council signature with the petitioner's proposed commitment text, and the original Avon Planning and Building Staff report from February 28, 2011 Plan Commission hearing. In attendance were a number of residents from the Wynne Farms subdivision. The Plan Commission recommended a denial of the modification of commitments for the Wynne Farms PUD.

Motion was made by Council member Jackson to adopt Ordinance 2011-06: Modify the Commitments of the Wynne Farms PUD proposed in petition PUD (A) 11-02 shall be denied.

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

D. Jackson-for, G. Zusan-for, B. Austin-for, N. Gordy-for, M. Rogers-for

5-for, 0-against. Motion carried.

Public Hearing: Ordinance 2011-01: Annex Properties Known Northwest Farms Phase III
Public hearing was opened. With no one coming forward on Ordinance 2011-01 the public hearing was closed.

Final Adoption: Ordinance: 2011-04: Amending Section 2, Article 5 of the Town Code Establishing the Membership of the Board of Zoning Appeals (BZA Alternate)

Motion was made by Council member Austin to have Ordinance 2011-04 sent back to legal to change Section 2-45. Motion was seconded by Council member Zusan. Roll call vote: D. Jackson-for, G. Zusan-for, B. Austin-for, N. Gordy, M. Rogers-for
5-for, 0-against. Motion carried.

Resolutions

Resolution 2011-07: HRH-YMCA Agreement

Motion was made by Council member Austin to table Resolution 2011-07 until the next meeting. Council member Gordy seconded. Roll call vote:
D. Jackson-for, G. Zusan-for, B. Austin-for, N. Gordy, M. Rogers-for
5-for, 0-against. Motion carried.

Resolution 2011-08: Expressing Interest to Obtain an Option to purchase Property and Authorization to Seek Appraisals

Tom Klein presented. This resolution establishes an option to purchase the Crawford property adjacent to the Town Hall Park. The option is for \$1000 and is for 90 days.

Motion was made by Council member Jackson to adopt Resolution 2011-08. Council member Austin seconded the motion. Roll call vote:

D. Jackson-for, G. Zusan-for, N. Gordy-for, N. Gordy-for, M. Rogers-for
5-for, 0-against. Motion carried.

Addition to Agenda

Ryan Cannon, Public Works Director requested Right of Way 200 North/Dan Jones Acquisition be added to the Agenda.

Motion to add agenda item was made by Council member Austin. Seconded by Council member Gordy. Roll call vote was taken.

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

New Business

Police Merit Board Appointment

Council Member Jackson nominated Amy Lauth.

D. Jackson-for, G. Zusan-against, B. Austin-for, N. Gordy-against, M. Rogers-against
2-for, 3-against. Nomination failed.

Council member Zusan nominated Dale Lewis.

D. Jackson-against, G. Zusan-for, B. Austin-for, N. Gordy-for, M. Rogers-for
4-for, 1-against. Nomination carried.

ROW 200 North/Dan Jones Road Acquisition

Right of way is needed for the 200 North and Dan Jones roundabout.

Motion was made by Council member Gordy to approve ROW acquisition as presented. (Parcel 1 and 1a 118,500.00 and Parcel 3 112,475.00). Motion seconded by Council member Jackson.

Roll call vote:

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

Public Comment Paul Rioux, of Platinum Properties commented on the infrastructure improvement at 200 North and Dan Jones Road.

Adjournment at 8:03pm.