

AVON TOWN COUNCIL MEETING

August 23, 2018

7:00pm

Avon Town Hall

6570 E US Hwy 36, Avon, Indiana

Call to Order was made by Council President Aaron Tevebaugh.

Roll Call was taken by Clerk-Treasurer, Sharon Howell. Council members present were Marcus Turner, Steve Eisenbarth, Aaron Tevebaugh, and Greg Zusan. Tom Klein, Town Manager and Dan Taylor, Town Attorney, were also present.

Consent Agenda

8/23/18 Check Register

7/26/18 Town Council Meeting Minutes

8/09/18 Town Council Meeting Minutes

Council member Turner made a motion to approve the Consent Agenda as presented. Council member Eisenbarth seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Stafford-absent, G. Zusan-for
4-for, 0-against, Motion carried 4-0.

Council member Turner made a motion to suspend the rules and move Resolution 2018-17 to first on the agenda under New Business. Council member Eisenbarth seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Stafford-absent, G. Zusan-for
4-for, 0-against, Motion carried 4-0.

Public Comment

Lowell Jackson, 7557 Foxtail Circle in Pines of Avon, stated the Avon Town Council needs more transparency in the minutes. He believes it is more than posting agendas and minutes to the Town's website after the meeting. People want to know more than final decisions and added they also want to know the process of how decisions are made, who made them and who may have influenced them. He does not consider the Town's minutes transparent. He added that he sent a press release out today.

Council Comment/Liaison Reports

Council members provided information on meetings each had attended since the last Town Council meeting and noted upcoming events. Council members thanked everyone for coming out for the informational meeting.

Council President Tevebaugh stated that going forward he would like any community complaints, requests or investigations be forwarded to the Town Manager to start the due diligence process. If he sees fit, it will be forwarded to Dan Taylor. He read some of the complaints:

- Prior approval of PUD by Town Council is in violation of Avon Ordinance and Indiana Code. Response from Town Attorney: False, there is no evidence to support this allegation.
- Council's actions in approving PUD is in conflict with the training given by Town Attorney. Response from Town Attorney: False, training focused on factors to be considered and best practices.
- Town Council member asking the Town Planner to prepare talking points in support of the Settlement West PUD was inappropriate. Response from Council President Tevebaugh: He

stated that he had asked for the reasons why our Plan Commission gave a positive recommendation to that project.

- Settlement West was not a mixed-use development and therefore cannot be approved as a PUD. Response: False, a mixed-use PUD is only one type of PUD. The other types are residential, commercial and industrial. Of these four types three of them are not mixed use. The Council may approve three types of PUDS that are not mixed use.
- It is inappropriate that a planner's talking points provided to a Council member were not in the record for the project. Response: False, the Town Council member could have made talking points a matter of record or could have used them as a resource in preparation for the decision-making process.
- It is inappropriate for the Town Planner to refer to citizens lot sizes in comparison to the lot sizes for proposed Settlement West. Response: False, this reference was merely to provide context to Council to help understand how the proposed lot sizes compared to lot sizes that are already approved in current developments.
- The Town Planner's comment regarding the Town of Plainfield vacating the connecting stub as previously requested shows that the planner is not objective. Response: False, the comment does show frustration with the Town of Plainfield refusing to follow its own policies for political reasons. This reversal of a long-standing policy makes it more difficult for the Town of Avon to responsibly review the streets impact and development and it is also frustrating on many levels. The conclusion that this frustration shows bias is simply not true. It shows a lack of understanding of the issue. Furthermore, the allegation wrongly assumes that the Plan Commission and the Town Council cannot completely review PUDS that come before each body.
- There has been questioning of the parkland that was approved as a part of the Settlement West PUD that was approved in May. It has been stated publicly that it has not been on any agenda for a public meeting. False, in June, the Parks Recreation Beautification Council heard it in their public meeting and made a positive recommendation which has been in the due diligence process since June and will be on the first meeting of September agenda.

Council President Tevebaugh stated he hopes this clears up some things and hopes everyone understands that it is a simple process to come to them and ask questions. We are happy to be transparent and provide those details. He added these issues are complex and that is why we have processes in place and that is why they are heard two times at the Advisory Plan Commission level and at the Council level. In addition, he has received a lot of emails and complaints about streets. The newsletter that just went out lists all the street initiatives and major projects that are in play or planned for the close future.

New Business

Resolution

Resolution 2018-17: Approving Harlan Tax Abatement Annual Filing

Jeff Pipken presented the annual filing required every year. He provided employee counts and salary amounts along with estimated new personnel property investments. Council member Zusan made a motion to approve Resolution 2018-17. Council member Eisenbarth seconded the motion. Discussion was held. Hugh Harlan stated they have growth coming later this year. He added it is difficult to fill the late shift positions. They have 60 positions that will need to be filled and finding employees is the biggest challenge for the company.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Stafford-absent, G. Zusan-for
4-for, 0-against, Motion carried 4-0.

Awarding Quote for Parks Equipment

Staff acquired 3 quotes to replace mowers. Staff recommended the Town Council approve the low quote from MacAllister Machinery Company for not to exceed \$13,318.00 to purchase 2 new Exmark Mowers and authorize staff to trade in an old Kubota and Exmark Mower. Council member Turner made a motion to award the quote to MacAllister Machinery Company for not to exceed \$13,318.00 and authorized staff to trade in old equipment and authorized the Clerk Treasurer to make payment. Council member Zusan seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Stafford-absent, G. Zusan-for
4-for, 0-against, Motion carried 4-0.

Awarding Bid for 2018 Paving Project

Public Works is seeking approval for the HMA & Milling Project. Project includes full depth patching, mill and fill, and resurfacing operations. Full depth patching is at various locations including Dan Jones Road, CR 100 N, Raintree Dr. (Harvest Ridge Subdivision) and Avon Avenue. Mill and fill locations are primarily on CR 100 S.

Resurfacing locations are scheduled for:

CR 100 - Richfield Lane to Ian's Pointe Subdivision

CR 1050 - CR 200 N to south limits of Persimmon Grove Subdivision

Raintree Drive (Harvest Ridge Subdivision)

Glendale and Glensford Drive (Park Place Subdivision)

CR 475 E - Gibbs Road to south town limits

Council member Eisenbarth made a motion to award the quote to Milestone as stated not to exceed \$954,000. Council member Turner seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Stafford-absent, G. Zusan-for
4-for, 0-against, Motion carried 4-0.

2019 Budget Presentations

- 12.8% increase for 2019 health insurance
- Economic development budget set at 1,000,000 an increase of 200,000. Some of the increases include 50,000 professional services, 40,000 street improvements, 73,352 other capital. (EDIT Fund)
- Planning and building total budget 651,475 an increase of 184,485. Some of the increases include 92,519 senior planner salary and benefits, 30,000 long range planning, 30,000 document storage. (General Fund)
- Police total budget 3,381,526 an increase of 427,475. Some areas of increase include 183,693 salaries and benefits increase, 20,000 in travel training, 91,463 increase in professional services. (General Fund)
- Parks total budget for 2019 is set at 1,000,000 and has a decrease of 150,000 from 2018 budget. Some of the changes include a decrease in professional services of 75,000 and a decrease of 132,132 in capital outlays. Budget includes the addition of a part time park employee. (Food & Beverage Fund)
- Public Works Programs total budget of 10,874,601. Some of the major programs and increases include 50,000 ADA sidewalk and repair, 350,000 sidewalk connections, 300,000 paving (TIF), 500,00 Dan Jones Road beautification, miscellaneous capital outlays (TIF), 743,848 stormwater capital.

Legal Counsel Report

An agreement has been reached on the last property condemnation case. An easement document was received and signed today on the Britton case.

Public Comment

None

Council Calendar

9/13 Council Meeting

Adjournment

Meeting adjourned at 9:30 p.m.