

AVON TOWN COUNCIL MEETING

September 13, 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, Bev Stafford and Greg Zusan. Tom Klein, Town Manager and Dan Taylor, Town Attorney, were also present.

Proclamations

Tom Klein presented the following Proclamations:

National Suicide Prevention Awareness Month

September is national suicide prevention awareness month and is intended to help promote awareness surrounding each of the suicide prevention resources available.

Thanking Allen and Scott Enterprises

Proclamation thanked Allen and Scott Enterprises for donating their landscaping services to maintain the Avon World War II Memorial Park.

Keith Spence

This proclamation thanked Keith Spence for donating his time to pick up trash along the sides of roads inside the Town of Avon.

Consent Agenda

8/31/18 Check Register

8/23/18 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-for, G. Zusan-for
5-for, 0-against, Motion carried 5-0.

Public Comment

None

Council Comment/Liaison Reports

Council members provided information on meetings each had attended since the last Town Council meeting and noted upcoming events.

New Business

Awarding Bid for Pavement Marking Project

Three companies were contacted with only two submitting bids. Indiana Traffic Services was the low bid. Engineer's estimate for the project was \$81,995.70. Sam Paledino, Asst. Public Works Director, stated they could reject all bids and rebid work to be completed in the spring. Discussion was held. Avon Public Works recommended the project be awarded to Indiana Traffic Services in the amount of \$165,711.76 on the condition an additional appropriation for funding is approved. Discussion was held regarding cost and options. Council member Eisenbarth made a motion to direct Public Works to award the project to Indiana Traffic Services and to negotiate an amount not to exceed the engineering estimate of \$81,995.70. Council member Zusan seconded the motion. Further discussion was held regarding unit cost. Mr. Taylor stated that if they are asked to change the scope of the project it could delay the project because they would need to rebid.

Council member Eisenbarth amended the motion to state, proceed with Indiana Traffic Services. No second was made.

Council member Turner made a motion to award the project to Indiana Traffic Services in the amount of \$165,711.76 on the condition that additional appropriation for funding is approved. Council member Stafford seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-against, B. Stafford-for, G. Zusan-against 3-for, 2-against, Motion carried 3-2.

Approving Contract for Construction Engineering for 150 S/Avon Ave Roundabout

CR 150 S and Avon Avenue is a federal aid project and requires that full time inspection is performed.

Staff recommended the Town Council approve the contract with United Consulting for not to exceed \$153,800 for construction engineering for the CR 150 S Avon Ave Roundabout. Council member Stafford made a motion to approve staff's recommendation for not to exceed \$153,800 with United Consulting. Council member Turner seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Stafford-for, G. Zusan-for 5-for, 0-against, Motion carried 5-0.

Public Hearing: 2019 Budget

The public hearing was opened and closed with no one coming forward.

Resolution

Resolution 2018-22: Acceptance of Settlement West Parkland

Ryan Cannon, Public Works Director presented. The Town Council approved rezoning of Settlement West in May. Part of the rezoning included a commitment to set aside approximately 23.5 acres of park land. The zoning allowed the Town to accept the land as a public park or if the Town did not want the land it would revert to common area maintained by the Settlement West Homeowners Association. The Parks Recreation and Beautification Council discussed the acceptance of the park land at their June meeting. The PRBC recommended the Town Council accept the park land.

It was staff's recommendation that the land be accepted as a public park for the following reasons:

- Meets the Comprehensive Plan Goal #2-expand quality of life through parks and recreation, and Objective #3-create policy for developer agreements for land or dollar donations
- Meets land acquisition strategies in the parks master plan
 - ✓ land banking
 - ✓ acquisition of water resources
- Expands on the Town's vision for the Blue Star Memorial Parkway
- Provides a park in an unserved area of the community

The Town would bank the land for future development. The property would remain preserved and protected until such time as the Town determines how to develop the land. This would require limited resources for maintenance of trees and to bush hog the grass. It was estimated that annual maintenance would be \$30,000. Council member Zusan had concerns regarding who is making the improvements and how much it will cost in the future.

Council member Stafford made a motion to approve staff's recommendation to accept the donation to the Town and bank for future development. Council member Eisenbarth seconded the motion.

Council member Zusan asked Mr. Henderson to speak. Richard Henderson, with Premier Land Group, stated that as part of the development for The Settlement West, they did not request

release of park impact fees. This is money that the Town will receive as the development proceeds forward and the lots are sold. That money could go for improvements for this piece of ground. Council member Stafford amended the motion to accept Resolution 2018-22 acceptance of Settlement West Parkland. Council member Eisenbarth seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Stafford-for, G. Zusan-against 4-for, 1-against, Motion carried 4-1.

Resolution 2018-23: Surplus Property

Asst. Chief Nugent requested authorization to auction a 2013 Tahoe with over 100,000 miles. Council member Turner made a motion to adopt Resolution 2018-23: Surplus Property. Council member Zusan seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Stafford-for, G. Zusan-for 5-for, 0-against, Motion carried 5-0.

Ordinance

Introduction: Ordinance 2018-20: Additional Appropriation for Police Radios

The Avon Police Department requested permission to purchase 24 of the Motorola APX6000 radios to ensure staff is fully prepared for the January 2019 transition into the new encrypted radio platform. They also requested authorization for the clerk-treasurer to issue payment for the radios at a full purchase price of \$97,607.52.

Council member Stafford made a motion to suspend the rules to add the police radio purchase to the agenda. Council member Turner seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Stafford-for, G. Zusan-for 5-for, 0-against, Motion carried 5-0.

Council member Stafford made a motion to approve the purchase of the police radios. Council member Eisenbarth seconded the motion.

M. Turner-for, S. Eisenbarth-for, A. Tevebaugh-for, B. Stafford-for, G. Zusan-for 5-for, 0-against, Motion carried 5-0.

Legal Counsel Report

There was a brief evidentiary hearing on the Duke case. There will be a briefing schedule over the next couple of months for the parties to make final briefs on the reasonableness of the Ordinance.

Public Comment

None

Council Calendar

9/24/18 – Portello’s – 10:00- ribbon cutting

9/25/18 – Satori Pointe – 4:30 ribbon cutting

9/27/18 - Council Meeting

Adjournment

Meeting adjourned at 8:15.