

**AVON TOWN COUNCIL MEETING**  
**December 17, 2009**  
**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 Sam Leiter of New Hope Baptist Church.

**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.

**Consent Agenda**

Motion was made by Council member Austin to approve the consent agenda of:

November 5, 2009 Council Meeting Minutes

November 17, 2009 Council Meeting Minutes

December 3, 2009 Council Meeting Minutes

December 17, 2009 Check Register

Introduction: Ordinance 2009-36: Authorizing Transfers and Repeals

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

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**

Tracey Purcell of Key Bank commented on new branch banking center soon to be completed in Avon.

James Todd commented on rezoning of 69 acres near the Settlement. He expressed his concerns for residents of the Settlement and does not want rezoning of the area from I-4 to I-2. He also commented about the lack of notice to homeowners in regards to rezoning.

**Council Comment**

Council member Rogers commented on the Settlement and rezoning.

Council member Austin requested a yard waste site for Avon.

Council member Rogers commented that it has been a pleasure to serve with the other Council members this year.

**New Business**

**Eagle Ridge Contract Amendment**

Council has previously approved a contract with Eagle Ridge Engineering to complete design, survey and ROW acquisition for sidewalks along CR 100 N from Harvest Ridge to Oaks of Avon. Staff would like to construct a paved trail on the south side of CR 100 N from Harvest Ridge to Kingsway Christian Church and build the sidewalk on the north side of CR 100 N. Motion was made by Council member Austin to approve the amendment for additional engineering services for Eagle Ridge for not to exceed an additional \$13,000 to design a trail on the south side of CR 100 N from Harvest Ridge to the existing sidewalk at Kingsway Christian Church and School. Motion was seconded by Council member Gordy. 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.

**Awarding Storm Sewer Cleaning Quote**

Public works requested approval to proceed with the 2009 Storm Sewer Cleaning. The project would include jetting an estimated 16,100 lineal feet of storm structures and disposal of debris in Park Place and Harvest Ridge Subdivision. Request for proposals was made. Fluid Waste Services was the only vendor that submitted. Council member

Dorton made a motion to approve Fluid Waste Services in the amount of \$13,154.00 pending the approval by legal counsel. 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.

#### Awarding Phone System Quote

Mr. Klein presented. The Town received five quotes for a business telephone system. Of the five quotes Axiom Communications was the lowest at \$14,450.56. Axiom's quote meets the quote specifications. Motion to approve Axiom Communications for the business telephone system in the amount of \$14,450.56 was made by Council member Austin. Council member Gordy 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 Motion carried 5-0.

#### Health Insurance

Lori Howe was present to review the Town's health insurance options. A summary of benefits was provided to Council with plan cost comparisons. Decision was made previously to not increase the employee's share of health insurance contributions. Vision insurance (VSP) would become an option for employees. Lumenos H.S.A #2 and Buy Up Blue Access #5 would replace current plans. Current plan is no longer available at renewal. Change would be made from Anthem Blue Cross Blue Shield to MetLife for group term life insurance and short/long term disability insurance and dental. Council member Dorton made a motion to approve the recommendation of L.S. Howe and Associates for health insurance plans; the Lumenos H.S.A #2 and Buy Up Blue Access #5 for 2010. Motion seconded by Council member Gordy. 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.

#### Ordinances

##### Final Adoption: Ordinance 2009-29: An Ordinance Amending Various Provisions of the Town Code Regarding the Operation of Town Parks and Prohibiting Certain Persons From Town Parks

This ordinance amends Chapter 2 of the Avon Town Code in order to promote public health, safety, and welfare; it prohibits certain persons from the Town's Parks.

Motion was made by Council member Austin to approve Ordinance 2009-29 as titled. Motion was seconded by Council member Rogers. Roll call vote:

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

##### Final Adoption: Ordinance 2009-30: An Ordinance Prohibiting Certain Activity In and Around Roadways and Regulating Panhandling

This ordinance adds additional language to Chapter 6. It defines panhandling and prohibitions related to panhandling.

Council member Gordy made a motion to approve Ordinance 2009-30 as titled. Council member Dorton seconded 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.

Motion was made by Council member Rogers to suspend the rules for consideration and vote on Ordinance 2009-36. Council member Austin 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, Motion carried.

##### Final Adoption Ordinance 2009-36: Authorizing Transfers and Repeals

Council member Rogers made a motion to approve Ordinance 2009-36. Motion was seconded by Council member Austin. 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**

Mr. Taylor will have information to present in January.

**Public Comment**

No one came forward for public comment.

**Adjournment**