



ZIONSVILLE

FOR ALL THE RIGHT REASONS

**ZIONSVILLE TOWN COUNCIL
MEETING AGENDA
FOR**

March 6, 2016 at 7:00 PM
Zionsville Town Hall – Beverly Harves Meeting Room
1100 West Oak Street

1. OPENING
 - A. CALL MEETING TO ORDER
 - B. PLEDGE OF ALLEGIANCE
2. APPROVAL OF THE MEMORANDUM OF THE February 21, 2017 REGULAR MEETING (Copy Posted).

Documents:

[FEBRUARY 21 2017 MEMORANDA TOWN COUNCIL MEETING .PDF](#)

3. DEPARTMENTAL MONTHLY REPORTS
Monthly Reports submitted by the Town management staff for Council review and posted on the Town's website (WWW.ZIONSVILLE-IN.GOV).
4. REQUEST TO SPEAK
5. OLD BUSINESS
6. NEW BUSINESS
 - A. Consideration Of An Ordinance Creating A Promotional Fund (First Reading).

Documents:

[PROMOTIONAL FUND ORDINANCE.PDF](#)

- B. Consideration Of An Ordinance To Amend The Town Of Zionsville Code Of Ordinances (Traffic Code) To Prohibit On-Street Parking On A Portion Of Clarkston Road In The Coventry Ridge Subdivision (First Reading).

Documents:

[ZIONSVILLE ORDINANCE AMENDING TITLE VII CHAPTER 75 SCHEDULE II](#)

[PROHIBITE....PDF](#)

- C. Consideration Of A Resolution Authorizing The Purchase Of Real Estate (Woods Property On CR 700 East).

Documents:

[RESOLUTION TO APPROVE WOODS LAND PURCHASE AGREEMENT_LANTZ COMMENTS.PDF](#)

- D. Consideration Of A Resolution Authorizing The Purchase Of Real Estate (Rail Trail Gardens Property).

Documents:

[RESOLUTION TO APPROVE RAILS TO TRAILS LAND PURCHASE AGREEMENT.PDF](#)

- E. Consideration Of A Resolution Transferring \$1,000,000.00 From The Special LOIT (LIT) Fund Into The Local Road And Bridge Matching Grant Fund.

Documents:

[TRANSFER RESOLUTION - LOIT SPECIAL DISTRIBUTION.PDF](#)

- F. Consideration Of An Additional Appropriation Resolution Appropriating \$2,000,000.00 From The Local Road And Bridge Matching Grant Fund To Allow The Funds To Be Spent On Approved Projects (PUBLIC HEARING).

Documents:

[ADDITIONAL APPROPRIATIONS - MARCH.PDF](#)

7. OTHER MATTERS

8. APPROVAL OF CLAIMS

9. ADJOURN

The next regular Town Council meeting is scheduled for Monday March 20, 2017 @ 7:30 AM in the Zionsville Town Hall Community Room.



**ZIONSVILLE TOWN COUNCIL
MEETING MEMORANDA
FOR**

Tuesday, February 21, 2017 at 7:30 AM
Zionsville Town Hall Community Room
1100 West Oak Street

Date of Preparation: February 21, 2017

Members Present: Elizabeth Hopper, President; Josh Garrett, Vice-President; Bryan Traylor, Jeff Papa, Kevin Spees

Also Present: Ed Mitro, Deputy Mayor; Adam Steuerwald, Town Attorney; Amy Lacy, Director of Finance & Records and Town Department Staff.

1. OPENING

- A. Call meeting to order
- B. Pledge of Allegiance

2. APPROVAL OF THE MEMORANDUM OF THE February 6, 2017 REGULAR MEETING (copy posted).

COUNCIL ACTION: Councilor Spees moved to approve the Memoranda of the February 6, 2017 Town Council Meeting. Vice President Garrett seconded the motion.

The Memoranda of the February 6, 2017 meeting was approved by a vote of five in favor, zero opposed.

3. PRESENTATION – Girl Scout Cadette Troop 899 regarding street lighting in Zionsville.

Members of Girl Scout Cadette Troop 899 gave a presentation regarding responsible, efficient lighting for the streets of Zionsville. They explained how light pollution from unshielded outdoor fixtures and unnecessary indoor lighting in empty buildings at night interferes with birds' migratory cycles and has a negative impact on insects and amphibians as well. They shared corrective suggestions and provided Councilors with examples of acceptable and unacceptable lighting fixtures.

4. REQUEST TO SPEAK

There being no Request to Speak cards submitted, President Hopper asked if anyone in the audience wishing to speak on any matter would please come forward. There was no response from the audience.

5. OLD BUSINESS - None

6. NEW BUSINESS

- A. Consideration of a Resolution to close dormant funds and to transfer dormant fund balances. **RESOLUTION #2017-05**
Director of Finance and Records Amy Lacy reviewed the need for Resolution #2017-05, stating that these funds are no longer in use and will not be needed in the future.

COUNCIL ACTION: Vice President Garrett moved to approve Resolution #2017-05. Councilor Spees seconded the motion. Resolution #2017-05 was approved by a vote of five in favor, zero opposed.

7. OTHER MATTERS

Director of Finance and Records Amy Lacy provided the Council with a list of Cancellation of Warrants for old outstanding checks. She explained that according to IC 5-11-10.5 all checks outstanding and unpaid for a period of two years as of December 31 each year shall be declared cancelled and receipted back in to the funds from which they were originally drawn. The list being informational only, no action was required on the part of the Council.

8. ADJOURN

COUNCIL ACTION: Vice President Garrett moved to adjourn the meeting and Councilor Traylor seconded the motion. The motion was approved by a vote of five in favor, zero opposed.

The next regular Town Council meeting is scheduled for Monday March 6, 2017 @ 7:00 PM in the Zionsville Town Hall Beverly Harves Meeting Room.

Respectfully Submitted,

Amelia Lacy, Director of Finance and Records
Town of Zionsville

DRAFT

ORDINANCE NO. 2017-

AN ORDINANCE ESTABLISHING A PROMOTIONAL FUND

WHEREAS, The Indiana General Assembly has adopted a policy to grant local units of government all the powers they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2 *et seq.*; and

WHEREAS, expenditures of a promotional nature are necessary for promoting, marketing and for the economic development efforts of the Town; and

WHEREAS, the Town Council wishes to establish a separate and distinct fund for the purposes stated above;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Zionsville, Boone County, Indiana:

Section 1. Fund Established.

A Zionsville Promotion of Business Fund (“Fund”) is hereby established. The Zionsville Town Council is hereby authorized to budget and appropriate funds from the General Fund or from other funds to pay the expenses incurred in promoting, marketing and for the economic development efforts of the Town.

Section 2. Fund Expenditures.

Expenditures from this fund may be made by the appropriate department of the Town with approval by the with the Mayor to include, but are not necessarily limited to the following:

- (A) Expenses incurred in the promotion of economic or industrial development for the Town.
- (B) Commemorative plaques, certificates, ribbon cutting supplies or objects such as commemorative bricks.
- (C) Promotional items bearing the Town logo to be sold or given away in order to promote the Town of Zionsville.
- (D) Other purposes which are deemed to directly relate to the promotion, marking or economic development efforts of the Town of Zionsville.

Section 3. Individual Expenses From Fund.

No individual expenses shall be allowed from this fund without following the standard claims approval process.

Section 4. Remitting Taxes on Promotional Items.

The Town shall establish a process by which to remit sales tax to the State of Indiana for all promotional items sold for a profit.

Section 5. Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are no further in force or effect and are hereby repealed.

Section 6. Severability. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 7. Duration and Effective Date. The provisions of this Ordinance shall become and remain in full force and effect and until its repeal by ordinance.

DULY PASSED AND ADOPTED this _____ day of _____ 2017,
by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a
vote of _____ in favor and _____ opposed.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

	YEA Signature	NAY Signature
Elizabeth Hopper, President		
Josh Garrett, Vice President		
Kevin Spees, Member		
Bryan Traylor, Member		
Thomas Schuler, Member		
Jeff Papa, Member		
Member, Susana Suarez		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Timothy R. Haak on the _____ day of _____ 2017, at _____ m.

ATTEST: _____
Amelia Anne Lacy, Director,
Department of Finance and Records

MAYOR'S APPROVAL

Timothy R. Haak, Mayor

Date

MAYOR'S VETO

Timothy R. Haak, Mayor

Date

ORDINANCE NO. 2017-_____

**ORDINANCE FOR AMENDING TITLE VII, CHAPTER 75, SCHEDULE II OF THE
TRAFFIC CODE OF THE TOWN OF ZIONSVILLE
CODE OF ORDINANCES
PURSUANT TO INDIANA CODE §9-21-1-3**

WHEREAS, Indiana Code §9-21-1-3 confers upon the Town Council of the Town of Zionsville, Indiana (“Town Council”) the power to identify stop intersections, establish speed limits and adopt any other traffic regulations specifically authorized by Indiana Code § 9-21 *et seq.* with respect to streets and highways under the Town of Zionsville’s (“Town”) jurisdiction;

WHEREAS, on February 21, 2017, the Zionsville Safety Board considered a request from representatives of the Coventry Ridge subdivision within the Town of Zionsville to restrict parking on certain portions of Clarkston Road and took testimony to the adverse conditions encountered when parking in said areas had been encountered;

WHEREAS, the Town Council now desires to amend Schedule II of the Traffic Code, Title VII, Chapter 75;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, INDIANA, as follows:

Section 1. Schedule II. Prohibited Parking. The Town Council hereby amends Schedule II by deleting the stricken language and adding the underscored provisions, as follows:

<i>Street</i>	<i>Side(s)</i>	<i>Location</i>	<i>Special Provisions</i>
Clarkston Road	South	From its intersection with US 421 to a point 120 feet east its intersection with the centerline of Brentwood Avenue.	
Clarkston Road	North	From its intersection with US 421 to its intersection with Brentwood Avenue.	

Section 2. Severability. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 3. Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

Section 4. Effectiveness. This Ordinance shall be in full force and effect from and after its adoption by the Town Council and upon compliance with the procedures required by law.

DULY PASSED AND ADOPTED this _____ day of _____ 2017, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

	YEA Signature	NAY Signature
Elizabeth Hopper, President		
Josh Garrett, Member		
Thomas Schuler, Member		
Susana Suarez, Member		
Jeff Papa, Member		
Kevin Spees, Member		
Bryan Traylor, Member		

I hereby certify that the foregoing Ordinance was delivered to Town of Zionsville Mayor Timothy R. Haak on the _____ day of _____ 2017, at _____ m.

ATTEST: _____
Amelia Lacy, Director, Department of
Finance and Records

MAYOR'S APPROVAL

Timothy R. Haak, Mayor

DATE

MAYOR'S VETO

Timothy R. Haak, Mayor

DATE

RESOLUTION NO. 2017-

**TOWN COUNCIL
TOWN OF ZIONSVILLE**

A RESOLUTION TO APPROVE THE PURCHASE OF LAND

WHEREAS, the Town Council of the Town of Zionsville, Boone County, State of Indiana, has determined it is the best interest of the Town to enter into a purchase agreement for real property commonly known as 5929 South CR 700 East, Zionsville, Indiana (“Real Estate”); and

WHEREAS, pursuant to Indiana Code § 36-1-10.5-5, the Town has obtained two (2) appraisals to determine the fair market value of the land; and

WHEREAS, each separate appraisal has been returned to the Town; and

WHEREAS, the Town shall negotiate and offer a purchase price per Indiana Code § 36-1-10.5-6 which does not exceed the average of the two (2) appraisals received;

NOW, THEREFORE, BE IT RESOLVED:

The Mayor of the Town (the “Mayor”) or his designee, is hereby authorized to negotiate, finalize, execute and deliver, on behalf of the Town, a purchase agreement and settlement terms for the Real Estate for use by the Town. The Mayor or his designee, are further authorized and directed, for and on behalf of the Town, to execute and deliver any certificate, instrument or other document and to take any action as such person determines to be necessary or appropriate to accomplish the purposes of this Resolution, such determination to be conclusively evidenced by such person’s execution of such certificate, instrument or other document or such person’s taking of such action.

Adopted this 6th day of March 2017.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

YEA

Signature

NAY

Signature

Elizabeth Hopper President		
Josh Garrett, Vice President		
Kevin Spees, Member		

Bryan Traylor, Member		
Thomas Schuler, Member		
Jeff Papa, Member		
Susana Suarez, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Timothy R. Haak on the _____ day of _____ 2016, at _____ m.

ATTEST: _____
 Amelia Anne Lacy, Director,
 Department of Finance and Records

MAYOR'S APPROVAL

Timothy R. Haak, Mayor

Date

MAYOR'S VETO

Timothy R. Haak, Mayor

Date

RESOLUTION NO. 2017-

**TOWN COUNCIL
TOWN OF ZIONSVILLE**

A RESOLUTION TO APPROVE THE PURCHASE OF LAND

WHEREAS, the Town Council of the Town of Zionsville, Boone County, State of Indiana, has determined it is the best interest of the Town to enter into a purchase agreement for real property commonly known as 4102 and 4140 South 875 East, Zionsville, Indiana (“Real Estate”); and

WHEREAS, pursuant to Indiana Code §36-1-10.5-5, the Town has appointed two (2) appraisers to appraise the fair market value of the land; and

WHEREAS, each appraiser returned a separate appraisal to the Town; and

WHEREAS, the Town shall negotiate and offer a purchase price per Indiana Code §36-1-10.5-6 which does not exceed the average of the two (2) appraisals received;

NOW, THEREFORE, BE IT RESOLVED:

The Town is authorized to negotiate and finalize a purchase agreement for the Real Estate for use by the Town.

Adopted this 6th day of March 2017.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

YEA

NAY

Signature

Signature

Elizabeth Hopper President		
Josh Garrett, Vice President		
Kevin Spees, Member		
Bryan Traylor, Member		
Thomas Schuler, Member		
Jeff Papa, Member		

Susana Suarez, Member		
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I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Timothy R. Haak on the _____ day of _____ 2016, at _____ m.

ATTEST: _____
 Amelia Anne Lacy, Director,
 Department of Finance and Records

MAYOR'S APPROVAL

Timothy R. Haak, Mayor

Date

MAYOR'S VETO

Timothy R. Haak, Mayor

Date

RESOLUTION NO. 2017-_____
OF THE TOWN COUNCIL OF
THE TOWN OF ZIONSVILLE, INDIANA

A RESOLUTION TO TRANSFER FUNDS
FROM THE LOIT SPECIAL DISTRIBUTION FUND (FUND 257)
TO THE LOCAL ROAD AND BRIDGE MATCHING GRANT FUND (FUND 258)

WHEREAS, the Town of Zionsville received a \$1,000,000.00 Community Crossroads Matching Grant from the State of Indiana for the specific purpose of funding approved matching grant infrastructure projects in the Town; and

WHEREAS, the Town of Zionsville must match the grant amount with an equal share of funds in order to be able to expend the grant funds on approved matching grant infrastructure projects; and,

WHEREAS, the Town of Zionsville received a one-time LOIT Special Distribution of funds from the State of Indiana totaling \$3,535,930.84 of which 75% must be spent on infrastructure projects/improvements; and,

WHEREAS, the Town of Zionsville desires to use a portion of the LOIT Special Distribution to leverage the Community Crossroads Matching Grant with a \$1,000,000.00 equal match.

NOW BE IT RESOLVED, by the Zionsville Town Council of the Town of Zionsville, Boone County, Indiana that the Town Council does hereby transfer \$1,000,000.00 from the Town of Zionsville LOIT Special Distribution Fund to the Town of Zionsville Local Road and Bridge Matching Grant Fund for the purpose of allowing the Community Crossings matching grant funds, (along with the Town's equal match from LOIT Special Distribution), to be used to fund approved matching grant projects.

DULY PASSED AND ADOPTED this 6th day of March, 2017, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
 BOONE COUNTY, INDIANA**

	YEA <small>Signature</small>	NAY <small>Signature</small>
Elizabeth Hopper, President		
Josh Garrett, Vice President		
Kevin Spees, Member		
Bryan Traylor, Member		
Thomas Schuler, Member		
Jeff Papa, Member		
Susana Suarez, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Timothy R. Haak on the _____ day of _____ 2017, at _____ m.

ATTEST: _____ Amelia Anne Lacy, Director,
 Department of Finance and Records

**MAYOR'S
 APPROVAL**

Timothy R. Haak, Mayor	DATE
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**MAYOR'S
 VETO**

Timothy R. Haak, Mayor	DATE
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RESOLUTION NO. 2017-_____
OF THE TOWN OF ZIONSVILLE

A RESOLUTION REGARDING
THE APPROPRIATION OF
ADDITIONAL FUNDS

Whereas, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual Town of Zionsville budget.

Now, therefore, be it resolved by the Zionsville Town Council of the Town of Zionsville, Boone County, Indiana that for the expenses of the Town of Zionsville, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

<u>Fund Name</u>	<u>Budget Classification</u>	<u>Amount</u>	<u>Amount Approved by Fiscal Body</u>
Local Road and Bridge			
Matching Grant Fund (Fund #258)	Matching Grant Projects (Line item #258001441)	\$2,000,000.00	\$2,000,000.00
<u>Total Local Road and Bridge Matching Grant Fund</u>		<u>\$2,000,000.00</u>	<u>\$2,000,000.00</u>

Total Amount Appropriated - \$2,000,000.00

Funds noted above are available for additional appropriation via a March 2017 balance in the Local Road and Bridge Matching Grant Fund of \$2,000,000.00.

The purpose of the additional appropriation is to allow the Community Crossings matching grant funds, (along with the Town's equal match), to be used to fund approved matching grant projects.

DULY PASSED AND ADOPTED this _____ day of _____ 2017,
by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by
a vote of _____ in favor and _____ opposed.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

	YEA Signature	NAY Signature
Elizabeth Hopper, President		
Josh Garrett, Vice President		
Kevin Spees, Member		
Bryan Traylor, Member		
Thomas Schuler, Member		
Jeff Papa, Member		
Susana Suarez, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Timothy R. Haak on the _____ day of _____ 2017, at _____ m.

ATTEST: _____ Amelia Anne Lacy, Director,
Department of Finance and Records

MAYOR'S APPROVAL

Timothy R. Haak, Mayor

DATE

MAYOR'S VETO

Timothy R. Haak, Mayor

DATE

