



THIS PUBLIC MEETING WILL BE CONDUCTED PURSUANT TO GOVERNOR ERIC J. HOLCOMB'S EXECUTIVE ORDERS 20-02, 20-04 AND 20-08 AND GOVERNOR HOLCOMB'S EXERCISE OF HIS POWERS UNDER INDIANA'S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, *et seq.* ADDITIONAL INFORMATION REGARDING THE MEETING IS PROVIDED IN THE ANNEX PUBLISHED WITH THIS NOTICE.

**ANNEX TO PUBLIC NOTICE FOR THE JULY 20, 2020
REGULAR MEETING OF THE ZIONSVILLE TOWN COUNCIL**

In his Executive Orders 20-02, 20-04 AND 20-08 (collectively, the "**Executive Orders**"), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention's and the Indiana State Department of Health's recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Town Council must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. According, all public meetings of the Town Council shall be conducted in the following manner until the end of the COVID-19 Public Health Emergency:

1. Members of the public shall have the right to attend Town Council Public Meetings via the following forms of electronic communication:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/977619752>

Or iPhone one-tap :
US: +13126266799,,977619752# or
+16465588656,,977619752#

Or Telephone:
Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or
+1 646 558 8656 or
+1 301 715 8592 or
+1 346 248 7799 or
+1 669 900 9128 or
+1 253 215 8782

Webinar ID: 977 619 752

International numbers available: <https://us02web.zoom.us/j/977619752>

**ZIONSVILLE TOWN COUNCIL
MEETING AGENDA
FOR
MONDAY, JULY 20, 2020 AT 7:30 A.M.
ELECTRONIC MEETING
1100 West Oak Street**

1. OPENING
 - A. CALL MEETING TO ORDER
 - B. PLEDGE OF ALLEGIANCE
2. APPROVAL OF THE MEMORANDUM OF THE JULY 6, 2020 REGULAR MEETING (Copy Posted)

Documents:

[TOWN COUNCIL MEMORANDA FOR JULY 6,2020.PDF](#)

3. REQUEST TO SPEAK
4. OLD BUSINESS
5. NEW BUSINESS
 - A. CONSIDERATION OF AN ORDINANCE TO AMEND THE TOWN OF ZIONSVILLE ZONING MAP PLAN COMMISSION PETITION NO. 2020-08-Z

Documents:

[ORDINANCE 2020-06 PROLOGIS.PDF](#)

6. OTHER MATTERS
7. APPROVAL OF CLAIMS
8. ADJOURN

The next regular Town Council meeting is scheduled for Monday, August 3, 2020 at 7:00 p.m. Determination of the need for an electronic meeting will be evaluated prior to the meeting and final notice will be posted in compliance with the Indiana Open Door Law. In his Executive Orders 20-02, 20-04 AND 20-08 (collectively, the

“Executive Orders”), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention’s and the Indiana State Department of Health’s recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Town Council must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. If an electronic meeting format is selected, members of the public shall have the right to attend Town Council Public Meetings via the following forms of electronic communication. A zoom link will be provided in the meeting notice.



**ZIONSVILLE TOWN COUNCIL
MEETING MEMORANDA
FOR
MONDAY, JULY 6, 2020 AT 7:00 P.M.
ELECTRONIC MEETING**

This meeting was conducted pursuant to Governor Eric J. Holcomb’s Executive Orders 20-02, 20-04 and 20-08 and Governor Holcomb’s Exercise of his powers under Indiana’s Emergency Management and Disaster Law, Ind. Code 10-14-3, *et seq.*

Additional information about this meeting was provided in the annex published with the Agenda

Date of Preparation: July 8, 2020

1. OPENING

- A. Call meeting to order
- B. Pledge of Allegiance
- C. Municipal Relations Coordinator Amy Lacy took Council attendance.
Council Members Present: Josh Garrett, President; Bryan Traylor, Vice-President; Brad Burk, Alex Choi, Joe Culp, Craig Melton and Jason Plunkett
Also present: Heather Willey, Town Council Attorney; Amy Lacy, Municipal Relations Coordinator and Town Department Staff.

2. APPROVAL OF THE MEMORANDUM OF THE JUNE 15, 2020 REGULAR MEETING (copy posted)
COUNCIL ACTION: Councilor Plunkett moved to approve the Memoranda of the June 15, 2020 Town Council Meeting.

Councilor Choi seconded the motion.

Ms. Lacy took a roll call vote:

ROLL CALL VOTE:

PRESIDENT GARRETT	Yea
VICE-PRESIDENT TRAYLOR	Yea
COUNCILOR BURK	Yea
COUNCILOR CHOI	Yea
COUNCILOR CULP	Yea
COUNCILOR MELTON	Yea
COUNCILOR PLUNKETT	Yea

The Memoranda of the June 15, 2020 meeting was approved by a vote of seven in favor, zero opposed. (7-0)

3. REQUEST TO SPEAK

Zionsville resident Craig Triscari spoke in opposition to the Van Trust project, stating that Van Trust had failed to run eight-inch water lines into Saratoga Springs as promised and was still in violation of its commitment letter. Mr. Triscari again read a portion of Resolution 2020-07, a resolution declaring an economic revitalization area and approving an application for property tax abatement, aloud. He expressed his disagreement and concerns with it. He also expressed his disagreement of the terms of the Tax Abatement Agreement.

4. OLD BUSINESS

There was no old business to discuss.

5. NEW BUSINESS

A. A RESOLUTION TO CALL FOR SOCIAL JUSTICE

Resolution 2020-08

Councilor Choi presented Resolution 2020-08, stating that the resolution was in response to the police brutality incident in Minnesota resulting in the death of George Floyd in May. He said that there are still issues and prejudices present in how we address our Black community and other minorities.

Councilor Choi stressed that the Zionsville community and the Town Council have a responsibility to ensure Black residents and neighbors feel welcome and protected in Zionsville and that with this resolution we take steps to be a community that is inclusive and welcoming to all.

President Garrett gave a further explanation of the resolution and its support of the Black Lives Matter movement. He gave further information about the motives in creating the resolution and expressed his support. Discussion in support of the resolution among the Councilors followed. The positive diversity initiatives of Zionsville Police Chief Michael Spears were also noted.

COUNCIL ACTION: Councilor Choi moved to approve Resolution 2020-08. Councilor Culp seconded the motion.

Ms. Lacy took a roll call vote:

ROLL CALL VOTE:

PRESIDENT GARRETT	Yea
VICE-PRESIDENT TRAYLOR	Yea
COUNCILOR BURK	Yea
COUNCILOR CHOI	Yea
COUNCILOR CULP	Yea
COUNCILOR MELTON	Yea
COUNCILOR PLUNKETT	Yea

Resolution #2020-08 was approved by a vote of seven in favor, zero opposed. (7-0)

B. A CONFIRMATORY RESOLUTION OF THE TOWN OF ZIONSVILLE, INDIANA FOR THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA AND APPROVAL OF REAL PROPERTY TAX ABATEMENT APPLICATION AND A TAX ABATEMENT AGREEMENT (VANTRUST REAL ESTATE, LLC)

PUBLIC HEARING

Resolution 2020-09

Attorney Matt Price, representing developer Van Trust, presented Resolution 2020-09 and the Tax Abatement Application and Agreement. He gave an overview of the proposed Economic Revitalization Area and the developer's plans and their commitments. He noted that the project represented an investment of approximately 48 million dollars, stating that with the abatement they were requesting, the property would generate over 3.2 million dollars in taxes over the next ten years.

He stated that the Tax Abatement Agreement was a typical and standard agreement and it that it did not affect any residential area but only the revitalization area.

With Proof of Publication for a Public Hearing noted, President Garrett opened the Public Hearing for comment.

Craig Triscari spoke in opposition to the structure of the Tax Abatement Agreement, stating that it was not favorable to Zionsville. He also expressed disapproval of the Van Trust project. President Garrett cautioned Mr. Triscari to limit his comments to the subject of the Public Hearing, the Tax Abatement. Mr. Triscari offered further comments regarding the abatement structure, saying Zionsville would be leaving money on the table.

With no further public comment, President Garrett closed the Public Hearing.

Discussion followed, including discussion on the structure of the Tax Abatement Agreement. Councilor Choi stated that the ten year traditional abatement schedule proposed in the Tax Abatement Agreement offered by Van Trust resulted in a 49 ½% discount when abatements were added up over the course of

the ten year period, as opposed to 55% with the ten year even declining abatement referred to by Mr. Triscari. Attorney Jeff Jacob, representing residents of Saratoga Springs, and Van Trust attorney Matt Price answered questions from the Council.

COUNCIL ACTION: President Garrett moved to approve both Resolution #2020-09 and the Tax Abatement Agreement in a single vote.

Councilor Melton seconded the motion.

Ms. Lacy took a roll call vote:

ROLL CALL VOTE:

PRESIDENT GARRETT	Yea
VICE-PRESIDENT TRAYLOR	Yea
COUNCILOR BURK	Yea
COUNCILOR CHOI	Yea
COUNCILOR CULP	Yea
COUNCILOR MELTON	Yea
COUNCILOR PLUNKETT	Yea

Resolution #2020-09 and the Tax Abatement Agreement were approved by a vote of seven in favor, zero opposed. (7/0)

6. OTHER MATTERS

There were no other matters to discuss.

7. APPROVAL OF CLAIMS

COUNCIL ACTION: President Garrett moved to approve claims as presented. Vice-President Traylor seconded the motion.

Ms. Lacy took a roll call vote:

ROLL CALL VOTE:

PRESIDENT GARRETT	Yea
VICE-PRESIDENT TRAYLOR	Yea
COUNCILOR BURK	Yea
COUNCILOR CHOI	Yea
COUNCILOR CULP	Yea
COUNCILOR MELTON	Yea
COUNCILOR PLUNKETT	Yea

Claims were approved by a vote of seven in favor, zero opposed. (7-0)

8. ADJOURN

COUNCIL ACTION: Councilor Plunkett moved to adjourn the meeting. Councilor Choi seconded the motion.

Director Lacy took a roll call vote:

ROLL CALL VOTE:

PRESIDENT GARRETT	Yea
VICE-PRESIDENT TRAYLOR	Yea
COUNCILOR BURK	Yea
COUNCILOR CHOI	Yea
COUNCILOR CULP	Yea
COUNCILOR MELTON	Yea
COUNCILOR PLUNKETT	Yea

The motion was approved by a vote of seven in favor, zero opposed. (7-0)

The next regular Town Council meeting is scheduled for Monday, July 20, 2020 at 7:30 a.m. The meeting will be conducted electronically. Members of the public shall have the right to attend Town Council Public Meetings via electronic communication. A Zoom link will be provided in the meeting notice.

Respectfully Submitted,

Amelia Lacy, Municipal Relations Coordinator
Town of Zionsville



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

June 17, 2020

To the Town Council of the Town of Zionsville, Indiana:

Be it advised that, pursuant to Indiana Code 36-7-4, on June 15, 2020 the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of 6 in favor and 0 opposed, gave a **Favorable Recommendation** to proposal 2020-08-Z to amend the Zoning Map (the "Map") of the Town of Zionsville (Legal Description attached, "Exhibit A"). Proposal 2020-08-Z recommends that 76± acres described in the Petition be rezoned from the Rural (AG) Agricultural Zoning District to the Rural (I1) Industry Zoning District

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2020-08-Z to amend the Zoning Map (a copy of which is attached to this Certification and incorporated here by this reference, "Exhibit B") to the Town Council of Zionsville, Indiana, with a **Favorable Recommendation.**

**TOWN OF ZIONSVILLE
ADVISORY PLAN COMMISSION**



David L. Franz, President

Attest: 

**Wayne DeLong, AICP, CPM
Director of Planning and Economic Development
Secretary, Town of Zionsville Advisory Plan Commission**

Exhibit A

Estate of Ruth Everett – Ray Keith Everett, Jr.

A part of the West half of the Northeast Quarter of Section 34, Township 18 North, Range 1 East, in Perry Township, Boone County, Indiana, described as follows:

Commencing at the Southwest corner of said half quarter section marked by a railroad spike; thence North 00 degrees 39 minutes 46 seconds West (grid bearing) 1824.33 feet to a 5/8 inch rebar with red cap stamped Firm #0066 (hereafter referred to as rebar) at the point of beginning; thence North 00 degrees 39 minutes 46 seconds West, along said West line 830.00 feet to a harrison monument marking the Northwest corner of said half-quarter section; thence North 88 degrees 42 minutes 30 seconds East 1330.18 feet to the Northeast corner of said half quarter section; thence South 00 degrees 42 minutes 28 seconds East, along the East line of said half-quarter section, 830.00 feet to a point being North 88 degrees 42 minutes 30 seconds East 27.26 feet from a rebar on the West right-of-way line on State Road 267; thence South 88 degrees 42 minutes 30 minutes West 1330.84 feet to the point of beginning, containing 25.351 acres, more or less.

Address: 5190 S. SR 267, Lebanon, IN 46052
Part of Parcel no. 008-01830-00

Exhibit A.

Estate of Ruth Everett – Ramona Everett Seymour

A part of the West half of the Northeast Quarter of Section 34, Township 18 North, Range 1 East, in Perry Township, Boone County, Indiana, described as follows:

Commencing at the Southwest corner of said half quarter section marked by a railroad spike; thence North 00 degrees 39 minutes 46 seconds West (grid bearing) 994.33 feet to a 5/8-inch rebar with red cap stamped Firm #0066 (hereafter referred to as rebar); at the point of beginning; thence North 00 degrees 39 minutes 46 seconds West along said West line 830.00 feet to a rebar; thence North 88 degrees 42 minutes 30 seconds East 1330.84 feet to a point on the East line of said half-quarter section being North 88 degrees 42 minutes 30 seconds 27.26 feet from a rebar on the West right of way line of State Road 267; thence South 00 degrees 42 minutes 28 seconds East, along said East line, 830.00 feet to a point being North 88 degrees 42 minutes 30 seconds East 28.68 feet from a rebar on the West right of way line of State Road 267; thence South 88 degrees 42 minutes 30 seconds West 1331.49 feet to the point of beginning, containing 25.363 acres, more or less.

Address: 5190 S. SR 267, Lebanon, IN 46052
Part of Parcel no. 008-01830-00

Exhibit A

Estate of Ruth Everett – Aaron Walker Everett

A part of the West half of the Northeast Quarter of Section 34, Township 18 North, Range 1 East, in Perry Township, Boone County, Indiana, described as follows:

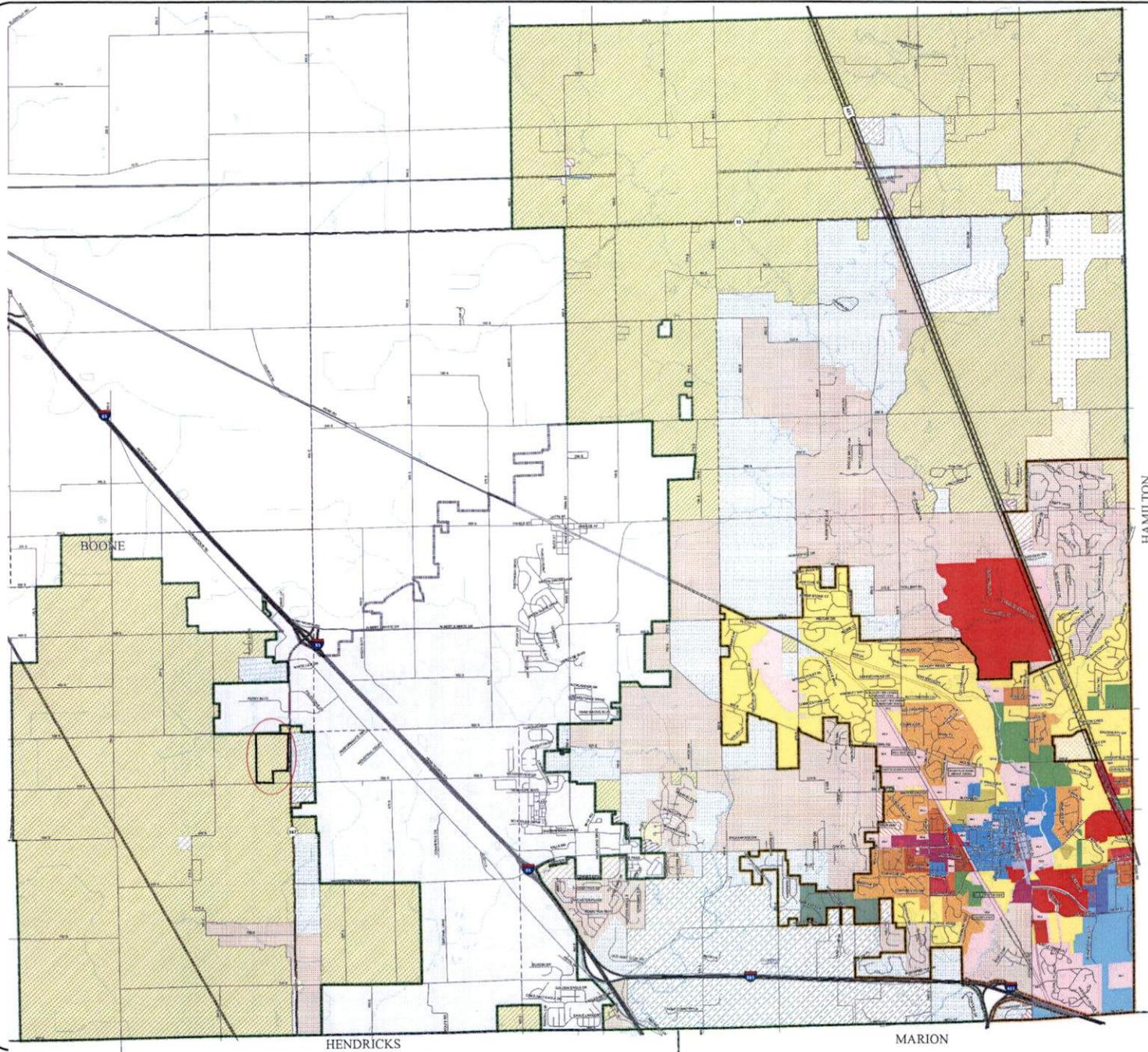
Beginning at the Southwest corner of said half quarter section marked by a railroad spike; thence North 00 degrees 39 minutes 46 seconds West (grid bearing) 994.33 feet to a 5/8 inch rebar with red cap stamped Firm #0066 (hereafter referred to as rebar); thence North 88 degrees 42 minutes 30 seconds East 1331.49 feet to the East line of said half-quarter section being North 88 degrees 42 minutes 30 seconds 28.68 feet from a rebar on the West right of way line of State Road 267; thence South 00 degrees 42 minutes 28 seconds East, along said East line to a point being 330.00 feet North of the Southeast corner of said half quarter section; thence South 88 degrees 43 minutes 27 seconds West, parallel with the South line of said half quarter section 660.00 feet; thence South 00 degrees 42 minutes 28 seconds East, parallel with said East line, 330.00 feet to a point on said South line; thence South 88 degrees 43 minutes 27 seconds West 672.25 feet to the point of beginning, containing 25.407 acres, more or less.

Address: 5190 S. SR 267, Lebanon, IN 46052
Part of Parcel no. 008-01830-00

TOWN OF ZIONSVILLE ZONING MAP JANUARY 1, 2015



LEGEND	
Urban Zoning Districts	Rural Zoning Districts
RE	AG
R-SF-1	RE
R-SF-2	R2
R-SF-3	R3
R-SF-4	R4
R-MF-1	LR
R-MF-2	PR
B-0	UR
B-1	GB
B-2	GB
B-3	L1
VBD	L2
LORT	L3
L1	AZ
L2	Zionsville Town Service District
L3	Zionsville Rural Service District
SPECIAL USE ZONING	Lebanon
OPEN LAND	Michigan Road Overlay
RV	Whitestown
PUD	Parcels
	County Line
	Township Line
	Water Features
	Highways
	Streets



RECOMMENDED BY THE PLAN COMMISSION AND APPROVED AND ORGAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE AND AS AMENDED BY ZONING ORDINANCES.

- JEFF PAPA, PRESIDENT
- TIM WAIN
- ELIZABETH HOPPER
- STEVE SANDY
- TOM SCHULER
- SUSANA SLANEC
- CANDACE ULMER

All real property located within the corporate boundaries of the Town of Zionsville and under the jurisdiction of the Plan Commission as set forth in this Ordinance is hereby divided into Districts as shown on the Official Zoning Map which, together with all supplementary material, is incorporated by reference and declared to be a part of this Ordinance.

Plan Commission President: _____ Mayor: _____
 Plan Commission Secretary: _____

This is to certify that this is the Official Zoning Map of the Town of Zionsville, County of Boone, State of Indiana.

01/01/2015
 Date of Adoption: _____



**ORDINANCE NO. 2020-06_
OF THE
TOWN OF ZIONSVILLE, INDIANA**

**AN ORDINANCE TO AMEND THE
TOWN OF ZIONSVILLE
ZONING ORDINANCE
FOR THE
TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

**AND FIXING A TIME WHEN THE SAME SHALL
TAKE EFFECT**

**Plan Commission Petition No.
2020-08-Z**

WHEREAS, I.C. § 36-7-4, et seq., empowers the Town of Zionsville Advisory Plan Commission, Boone County, Indiana, to hold public hearings and make recommendations to the Town Council of the Town of Zionsville, Boone County, Indiana, concerning ordinances for the zoning and districting of all lands within the incorporated areas of the Town of Zionsville, Boone County, Indiana: and;

WHEREAS, in accordance with I.C. 36-7-4-600 et seq., the Town of Zionsville Advisory Plan Commission, Boone County, Indiana conducted a public hearing on June 15, 2020 to consider a proposal to amend the Town of Zionsville Zoning Ordinance for the Town of Zionsville, Boone County, Indiana, (the "Ordinance"); filed as petition 2020-08-Z; and,

WHEREAS, the Town of Zionsville Advisory Plan Commission certified the proposal to amend the Ordinance to the Town Council of the Town of Zionsville, Boone County, Indiana, with a favorable recommendation on June 17, 2020 (Exhibit 1); and,

WHEREAS, the Town Council of the Town of Zionsville, Boone County, Indiana, considered the Proposal to amend the Ordinance at its regular meeting on _____, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA, IN ACCORDANCE WITH I.C.36 7-4-600 et.seq., AND ALL ACTS AMENDATORY AND SUPPLEMENTAL THERETO, AS FOLLOWS:

1. Official Zone Map Amendment

The Official Zone Map of the Town of Zionsville Zoning Ordinance is hereby amended to rezone the Property located in the Town of Zionsville, illustrated and listed on Exhibit B to the attached Certification, from its Rural (AG) Agricultural Zoning District to the Rural (I1) Industry Zoning District

Such Property shall be subject to the conditions and restrictions adopted and imposed by the Zionsville Plan Commission, if any.

(a) The Director of Finance and Records and Staff are directed to comply with Section 194.182 of the Zoning Ordinance by taking all actions required thereby to implement this Zone Map Amendment.

2. Construction of Clause Heading: 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 2. Savings Clause: If any title, section, subsection, phrase, clause, sentence, or word of this Ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

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

Section 5. 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 6. Duration and Effective Date: The provisions of this Ordinance shall become and remain in full force and effect upon adoption and publication according to Indiana Law and until its repeal by ordinance.

Introduced and filed on the 15th day of JUNE, 2020. A motion to consider on First Reading was sustained by a vote of 6 in favor and 0 opposed, pursuant to Indiana Code 36-5-2-9.8.

DULY PASSED AND ADOPTED this _____ day of _____ 2020, 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
Josh Garrett, President		
Bryan Traylor, Vice-President		
Alexander Choi, Member		
Joe Culp, Member		
Brad Burk, Member		
Craig Melton, Member		
Jason Plunket, Member		

I hereby certify that the foregoing Resolution was delivered to the Town of Zionsville Mayor Emily Styron on the _____ day of _____ 2020, at _____ m.

ATTEST: _____
Amelia Lacy, Municipal Relations Coordinator

**MAYOR'S
APPROVAL**

Emily Styron, Mayor

DATE

**MAYOR'S
VETO**

Emily Styron, Mayor

DATE