



**THIS PUBLIC MEETING WILL BE CONDUCTED ON-SITE AT ZIONSVILLE TOWN HALL AS WELL AS ELECTRONICALLY 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 OCTOBER 5, 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.

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/156545305>

Or iPhone one-tap :

US: +16465588656,,156545305# or +13017158592,,156545305#

Or Telephone:

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

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

Webinar ID: 156 545 305

International numbers available: <https://us02web.zoom.us/j/kc1V86c260>

Due to social distancing requirements, no more than twenty-seven (27) attendees, (with two (2) of those seats reserved for media), will be allowed in the on-site public meeting. Chairs must remain six feet apart. Face masks are required at all times while in the building. Social distancing must be followed while in the building. A health screening must be completed before admittance to the Council meeting room will be allowed.

ZIONSVILLE TOWN COUNCIL

MEETING AGENDA

FOR

MONDAY, OCTOBER 5, 2020 AT 7:00 PM

ELECTRONIC & ONSITE MEETING

1100 West Oak Street

1. OPENING

- A. Call Meeting To Order
- B. Pledge Of Allegiance
- C. Attendance

2. APPROVAL OF THE MEMORANDUM OF THE SEPTEMBER 21, 2020 REGULAR MEETING (Copy Posted)

Documents:

[TOWN COUNCIL MEMORANDA FOR SEPTEMBER 21 2020 \(FINAL DRAFT\).PDF](#)

3. REQUEST TO SPEAK

4. PRESENTATION – ZIONSVILLE YOUTH SOCCER ASSOCIATION

5. OLD BUSINESS

- A. CONSIDERATION OF AN ORDINANCE ESTABLISHING A DEPARTMENT OF PUBLIC WORKS AND CREATING THE POSITIONS OF DIRECTOR OF PUBLIC WORKS AND DIVISION SUPERVISORS (SECOND READING) Ordinance 2020-09

Documents:

[ORDINANCE 2020-09 - ESTABLISHING A DEPARTMENT OF PUBLIC WORKS AND CREATING POSITIONS OF DIRECTOR OF PUBLIC WORKS AND DIVISION SUPERVISORS.PDF](#)

- B. CONSIDERATION OF AN ORDINANCE VACATING A PORTION OF A PUBLIC RIGHT-

OF-WAY (TOWN OF HAMILTON – HOLLIDAY FARMS - HENKE) (SECOND READING)  
Ordinance 2020-10

Documents:

[ORDINANCE 2020-10 - VACATING PORTIONS OF PUBLIC RIGHTS-OF-WAY  
WITHIN THE ZIONSVILLE CORPORATE BOUNDARIES PURSUANT TO  
INDIANA CODE 36-7-3-12.PDF](#)

C. CONSIDERATION OF AN ORDINANCE VACATING A DRAINAGE EASEMENT  
(TOWRISS) (SECOND READING) Ordinance 2020-11

Documents:

[ORDINANCE 2020-11 VACATING TWO DRAINAGE EASEMENTS.PDF](#)

D. CONSIDERATION OF AN ORDINANCE REESTABLISHING THE SAFETY BOARD FOR  
FIRE DEPARTMENT MATTERS (SECOND READING) Ordinance 2020-12

Documents:

[ORDINANCE 2020-12 REESTABLISHING THE SAFETY BOARD FOR FIRE  
DEPARTMENT MATTERS\(FINAL.1\).PDF](#)

E. CONSIDERATION OF AN ORDINANCE REESTABLISHING THE BOARD OF  
METROPOLITAN POLICE COMMISSIONERS AS THE SAFETY BOARD FOR POLICE  
MATTERS Ordinance 2020-13

Documents:

[ORDINANCE 2020-13 - RERESTABLISHING THE BOARD OF  
METROPOLITAN POLICE COMMISSIONERS AS THE SAFETY BOARD FOR  
POLICE MATTERS.PDF](#)

6. NEW BUSINESS

A. HUSSEY-MAYFIELD LIBRARY BOARD – DECLARATION OF FISCAL BODY

Documents:

[HUSSEY MAYFIELD DECLARATION OF FISCAL BODY.PDF](#)

B. NOMINATION OF NEW PATHWAYS COMMITTEE MEMBER

C. CONSIDERATION OF A CONFIRMATORY RESOLUTION FOR THE DESIGNATION OF  
AN ECONOMIC DEVELOPMENT AREA AND APPROVAL OF PERSONAL  
PROPERTY TAX ABATEMENT APPLICATION (MWI ANIMAL HEALTH) (PUBLIC  
HEARING) Resolution 2020-13

Documents:

[RESOLUTION 2020-13 CONFIRMATORY RESOLUTION- MWI ANIMAL  
HEALTH AND ATTACHMENTS.PDF](#)

D. CONSIDERATION OF AN ORDINANCE TO AMEND THE TOWN OF ZIONSVILLE  
ZONING ORDINANCE (Petition No. 2020-29-Z, Zionsville Community Schools)  
Ordinance 2020-15

Documents:

[ORDINANCE 2020-15 AND ATTACHMENTS.PDF](#)

- E. CONSIDERATION OF AN ORDINANCE TO AMEND THE TOWN OF ZIONSVILLE ZONING ORDINANCE (Petition No. 2020-24-Z, Russell Oaks) Ordinance 2020-16

Documents:

[ORDINANCE 2020-16 ZONING AMENDMENT RUSSELL OAKS AND ATTACHMENTS.PDF](#)

- F. BID OPENING FOR DEMOLITION OF RESIDENTAL IMPROVEMENTS AT 4075 S CR 875 EAST
- G. CONSIDERATION OF AN ADDITIONAL APPROPRIATION RESOLUTION FROM PARK IMPACT FEE FUND AND PARK CAPITAL NON-REVERTING FUND (Heritage Trail Dog Park & Purchase Of Land At 45 Elm Street) Resolution 2020-14

Documents:

[RESOLUTION 2020-14 ADDITIONAL APPROPRIATION FROM PARK IMPACT FEE AND CAPITAL NON-REVERTING FUND.PDF](#)

- H. ZPD – TASER - SINGLE SOURCE SPECIAL PURCHASE

Documents:

[ZPD SPECIAL PURCHASES FORM TASER.PDF](#)

- I. ZPD – FLOCK SAFETY – LICENSE PLATE READER – SINGLE SOURCE SPECIAL PURCHASE

Documents:

[ZPD SPECIAL PURCHASES FORM FLOCK.PDF](#)

- J. OPEN GOV NEW FINANCIAL MANAGEMENT SYSTEM – SINGLE SOURCE SPECIAL PURCHASE

Documents:

[SPECIAL PURCHASES FORM OPENGOV.PDF](#)

- K. ZFD – KNOX EMERGENCY MANAGEMENT SYSTEM – SINGLE SOURCE SPECIAL PURCHASE

Documents:

[ZFD SPECIAL PURCHASES FORM - KNOX KS6.PDF](#)

7. OTHER MATTERS

8. APPROVAL OF CLAIMS

9. ADJOURN The Next Regular Town Council Meeting Is Scheduled For Monday, October 19, 2020 At 7:30 A.m. Determination Of The Need For A Solely Electronic Meeting Will Be

Evaluated Prior To The Meeting And Final Notice Will Be Posted In Compliance With The Indiana Open Door Law.



**ZIONSVILLE TOWN COUNCIL  
MEETING MEMORANDA  
FOR  
MONDAY, SEPTEMBER 21, 2020 AT 7:30 A.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**

**1. OPENING**

**A. Call meeting to order**

President Garrett called the meeting to order at 7:31 a.m.

**B. Pledge of Allegiance**

**C. Attendance**

Municipal Relations Coordinator Amy Lacy took Council attendance.

Council Members Present: Josh Garrett, President; Bryan Traylor, Vice-President; Brad Burk, Alex Choi, Joseph Culp, Craig Melton and Jason Plunkett

Also present: Emily Styron, Mayor; Julie Johns-Cole, Deputy Mayor; Heather Willey, Town Attorney; Amy Lacy, Municipal Relations Coordinator and Town Department Staff.

**2. APPROVAL OF THE MEMORANDUM OF THE SEPTEMBER 8, 2020 REGULAR MEETING (copy posted)**

**COUNCIL ACTION:** President Garrett moved to approve the Memoranda of the September 8, 2020 Town Council Meeting.

Councilor Culp seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

The Memoranda of the September 8, 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 of the ongoing VanTrust project, stating that as of September 21, 2020 VanTrust had failed to run eight-inch water lines into Saratoga Springs as promised and was still in violation of the commitment letter. Mr. Triscari stated that the Council needs to review construction Ordinances, saying they were designed for short term building projects. He said his neighborhood has problems with construction noise at 5:00 am in the morning and early Saturday mornings. He also referenced a problem with dust from construction. Mr. Triscari

said that VanTrust needed to adhere to commitments regarding berms, fences, tree height and types of trees and that Zionsville needed to enforce these.

He also again expressed displeasure at what he felt to be the absence of value added in services or funding provided by the Town of Zionsville in Perry Township and the rural community. Mr. Triscari also said that homeowners should reduce their property taxes due to what he felt were the lack of services, and lack of adherence to a comprehensive plan by the Town of Zionsville.

Mayor Emily Styron shared her concerns regarding two items on the agenda, Ordinance 2020-12 Reestablishing the Fire Safety Board for Fire Department Matters and Ordinance 2020-13 Reestablishing the Board of Metropolitan Police Commissioners as the Safety Board for Police Matters. She explained that she had not had an opportunity to thoroughly review them and requested that the Council table both items to allow her the time to carefully review and prepare a response to go along with Council's discussion of the Ordinances at a future meeting.

#### 4. OLD BUSINESS

##### A. CONSIDERATION OF AN ORDINANCE ESTABLISHING A DEPARTMENT OF PUBLIC WORKS AND CREATING THE POSITIONS OF DIRECTOR OF PUBLIC WORKS AND DIVISION SUPERVISORS (FIRST READING) (CONTINUED FROM SEPTEMBER 8, 2020)

###### **Ordinance 2020-09**

President Garrett pointed out a revision made to the Ordinance in keeping with the spirit of the Reorganization Resolution to allow for Council oversight on termination matters for what would become the Division Supervisor of Wastewater rather than its current Department Head ranking.

Street and Stormwater Superintendent Lance Lantz addressed questions from the Council regarding the structure of the Department of Public Works, new positions, cost savings and efficiencies. Superintendent Lantz confirmed that even if new positions were not funded in the 2021 budget, the efficiencies would still be increased with the structure of the Department of Public Works. He discussed and answered questions regarding the addition of an engineering division, as well as explaining that the formulation of the DPW did not in any way alter the reporting and approval process with the Town Council. He confirmed to President Garrett that the revisions to the Ordinance would not have an effect on reporting structure of the DPW.

Councilor Plunkett expressed concerns that it was not clear from where the funds for the proposed DPW were coming and that he would like to know that before passing the Ordinance.

Superintendent Lantz emphasized that most communities of similar size have a Department of Public Works and that it was a growth step as the Town of Zionsville advances and expands.

In response to Councilor Melton's question regarding a new facility for the DPW, Superintendent Lantz and Mayor Styron confirmed that a new facility would not be necessary, and that staff would use existing facilities and space would be provided in Town Hall.

In response to President Garrett's inquiry regarding Wastewater funds, Superintendent Lantz confirmed that the creation of the DPW would in no way alter current revenue streams or expense streams.

**COUNCIL ACTION:** President Garrett moved to introduce Ordinance #2020-10 on first reading. Councilor Burk seconded the motion.

Ms. Lacy took a roll call vote:

###### **ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

Ordinance 2020-09 was introduced on first reading with a vote of seven in favor, zero opposed. (7/0) No further action was taken at this meeting.

## 5. NEW BUSINESS

### A. BUDGET INTRODUCTION

Attorney Heather Willey began by explaining the State statutory deadline obligations pertaining to budget adoption.

Chief Financial Officer Tammy Havard presented the 2021 budget, beginning with the budget timeline. She shared an overall funds comparison, overall revenue and expense estimates for the proposed 2021 budget and comparisons with the 2020 adopted budget. She also shared expense estimates and comparisons per department and fund, highlighting changes made since the Budget Workshop and the difference in amounts over 2020.

She explained that some funds that had been separate in 2020 and prior would now fall under the General fund, to include Fire and Parks.

In detailing the Food and Beverage budget, she said that \$115,000 of the proposed \$495,000 appropriation would go to the Town Hall payment and the rest would be available for community grants. She explained that the Mayor is proposing a fair system of awarding grants to applicants and is working toward that end for 2020 and 2021 and confirmed that there would no longer be individual line appropriations for each grant.

Discussion followed. Questions were raised regarding the grant award process for 2020 and 2021, budget deficient, cash balances and reserves, the budget process and Council inclusion in the process, the combining of funds under the General fund, moving funds between departments and funds, the Gateway project, impact of future revenue reductions and sustainability, among others.

Attorney Willey, CFO Havard, Tim Berry of Crowe LLC and Mayor Styron shared information and answered questions from the Council.

Mayor Styron explained that the budget Council was receiving was the Mayor's Administration budget submitted for approval, just as it was last year in the prior administration. She went on to emphasize that it is historically normal for a new Mayor to take a step back and look at the priorities of the prior administration and reevaluate and line it up with her priorities and the current needs of the community.

CFO Havard explained that if the Fire and Parks funds were to be separated out from the General fund, it would need to be done before the budget hearing publication on September 25th. Vice-President Traylor and Councilor Plunkett stated that they wanted the funds separated.

President Garrett asked that CFO Havard plan on separating the funds for the September 25<sup>th</sup> publication or delay publication.

There was discussion regarding a holding a special meeting or budget workshop to further discuss the budget. It was determined that Attorney Willey and CFO Havard would discuss and determine a date and time for the meeting.

No further action was taken at this meeting.

At this time President Garrett called for a five-minute break.

B. CONSIDERATION OF AN ORDINANCE VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY (TOWN OF HAMILTON – HOLLIDAY FARMS - HENKE)  
**(PUBLIC HEARING)**

**Ordinance 2020-10**

Roger Kilmer, Planner for the Planning and Economic Development Department explained the process for vacating public right of ways and easements and the roles of Town Council and the Plan Commission in the process in general and specifically relating to Ordinance 2020-10.

With Proof of Publication noted and displayed on his screen, President Garrett opened the Public Hearing.

With no public comment, President Garrett closed the Public Hearing and called for any further questions from Council.

Mr. Kilmer answered questions from the Council.

**COUNCIL ACTION:** President Garrett moved to introduce Ordinance #2020-10 on first reading. Councilor Choi seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

Ordinance 2020-10 was introduced on first reading with a vote of seven in favor, zero opposed. (7/0) No further action was taken at this meeting.

C. CONSIDERATION OF AN ORDINANCE VACATING A DRAINAGE EASEMENT (TOWRISS)  
**(PUBLIC HEARING)**

**Ordinance 2020-11**

Roger Kilmer presented Ordinance 2020-11 and explained the easement vacation requested in detail. He answered questions from the Council.

With Proof of Publication noted and displayed on his screen, President Garrett opened the Public Hearing.

With no public comment, President Garrett closed the Public Hearing and called for any further questions from Council.

**COUNCIL ACTION:** Councilor Melton moved to introduce Ordinance #2020-11 on first reading. Councilor Burk seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

Ordinance 2020-11 was introduced on first reading with a vote of seven in favor, zero opposed. (7/0) No further action was taken at this meeting.

D. CONSIDERATION OF AN ORDINANCE REESTABLISHING THE SAFETY BOARD FOR FIRE DEPARTMENT MATTERS

**Ordinance 2020-12**

Attorney Willey gave background on Ordinance 2020-12 and Ordinance 2012-13. In response to President Garrett's question regarding Mayor Styron's request to delay consideration of Ordinance 2020-12 and 2020-13 and if the Mayor had the opportunity to be aware of and review the Ordinances, Attorney Willey said that they had been discussing the topics with the Administration's legal counsel for about a month to create the Ordinances to Reestablish the Safety and Board of Metropolitan Police Commissioners. She went on to explain the Ordinances were created to tighten up the scope to align with statute and to be consistent with the Reorganization Resolution, while delineating the proper role of the Safety Board.

Attorney Willey stated that she was concerned about delaying the process as there was currently a pending employment matter within the Fire Department which needed to be addressed by the Safety Board. She answered further questions from the Council.

Vice-President Traylor stated that he would like to go on record as saying that he did not want it to appear that Town Council was insensitive to the Mayor's request for a delay. Citing the recent budget presentation and issues regarding the Safety Board, he said he felt Council had given more notice on anything to Administration than Council had been given from Administration.

**COUNCIL ACTION:** Councilor Burk moved to introduce Ordinance #2020-12 on first reading. President Garrett seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

Ordinance 2020-12 was introduced on first reading with a vote of seven in favor, zero opposed. (7/0) No further action was taken at this meeting.

E. CONSIDERATION OF AN ORDINANCE REESTABLISHING THE BOARD OF METROPOLITAN POLICE COMMISSIONERS AS THE SAFETY BOARD FOR POLICE MATTERS

**Ordinance 2020-13**

Attorney Willey gave background on Ordinance 2020-13, saying that the prior Ordinance passed in 2008 did not reflect the Reorganization. She explained that the key changes in Ordinance 2020-13 over the prior ordinance is that it reflects the language of the Reorganization and language allowing the Mayor to appoint the Police Chief and employees, and have employees under her supervision. She said it also tightened up and clarified Police Commissioner roles and responsibilities.

Attorney Willey answered questions from the Council.

**COUNCIL ACTION:** President Garrett moved to introduce Ordinance #2020-13 on first reading. Vice-President Traylor seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>

**COUNCILOR MELTON**                      **Yea**  
**COUNCILOR PLUNKETT**                      **Yea**

Ordinance 2020-13 was introduced on first reading with a vote of seven in favor, zero opposed. (7/0) No further action was taken at this meeting.

6. OTHER MATTERS

There were no other matters to discuss.

7. APPROVAL OF CLAIMS

President Garrett asked for discussion or a motion.

Councilor Plunkett pointed out that in addition to increasing legal fees for the next budget we are rapidly approaching exceeding our surplus legal fees for this year.

**COUNCIL ACTION:** President Garrett moved to approve claims as presented. Councilor Burk seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

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

8. ADJOURN

**COUNCIL ACTION:** President Garrett moved to adjourn the meeting. Councilor Choi seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

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, October 5, 2020 at 7:00 p.m. Determination of the need for a solely electronic meeting will be evaluated prior to the meeting and final notice will be posted in compliance with the Indiana Open Door Law.

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator  
Town of Zionsville

**ORDINANCE 2020- 09 \_\_\_\_\_**  
**OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA**

**AN ORDINANCE ESTABLISHING A DEPARTMENT OF PUBLIC WORKS  
AND CREATING THE POSITIONS OF DIRECTOR OF PUBLIC WORKS  
AND DIVISION SUPERVISORS**

**WHEREAS**, the Town of Zionsville (“Town”) currently has separate departments which provide support and services to the Town residents and businesses relating to street and road maintenance and improvements, wastewater and stormwater services, and facilities management; and

**WHEREAS**, pursuant to Town Resolution 2014-11, commonly referred to as Reorganization 2.0, Section ZR2A23, the Zionsville Town Council (“Town Council”) may, upon recommendation from the Mayor, eliminate Town departments, combine Town departments and create new Town departments; and

**WHEREAS**, pursuant to Town Resolution 2014-11, Section ZR2A22, the Mayor shall appoint the head of each department of the Town; and

**WHEREAS**, pursuant to Town Resolution 2014-11, Section ZR2A24, the Mayor must have the approval of a majority of the Town Council before the Mayor may discharge a department head; and

**WHEREAS**, in order to promote internal and external project coordination, operational efficiencies and best utilize the Town’s resources of employees, equipment and materials, the Mayor and the Town Council have determined it to be in the best interest of the Town that the currently existing Street, Stormwater, and Wastewater departments be combined into a single new Department of Public Works along with new divisions of Facilities Management, Environmental Stewardship, and Engineering; and

**WHEREAS**, such a consolidation will provide the most wholistic, efficient and effective way to manage and deliver services to the Town’s residents and businesses and will provide economic benefit to the Town by reducing the need to outsource services related to public works and therefore reduce expenses; and

**WHEREAS**, a new position of Director of Public Works shall be created to manage the new Department of Public Works and such Director shall serve under the jurisdiction of the Mayor, pursuant to Town of Zionsville Resolution 2014-11, Reorganization 2.0 Section ZR2A23; and

**WHEREAS**, the Director of Public Works shall be a Department Head as that term is referred to in Resolution 2014-11 and specifically ZR2A24; and

**WHEREAS**, the Department of Public Works shall encompass services currently provided by the Town relating to public works and shall be divided into six (6) divisions including a Wastewater Division, Facilities Management Division, Environmental Stewardship Division, Street Division, Stormwater Management Division and Engineering Division; and

**WHEREAS**, each Division within the Department of Public Works shall be managed by a Division Supervisor, who shall each serve under the jurisdiction of the Mayor, although the day-to-day operations of each Division Supervisor will be supervised and managed by the Director of Public Works; and

**WHEREAS**, this Ordinance organizes the Wastewater Department as the Wastewater Division of the Department of Public Works; and

**WHEREAS**, the Superintendent of the Wastewater Department shall remain a Department Head as that term is referenced in the Town Resolution 2014-11 and specifically, Section ZR2A22, ZR2A23, and ZR2A24; and

**WHEREAS**, pursuant to the Town Resolution 2014-11, Section ZR2A24, the Mayor must have the approval of a majority of the Town Council before discharging a Department Head including the Division Supervisor for the Wastewater Division of the Department of Public Works; and

**WHEREAS**, the Director of Public Works may also serve as a Division Supervisor of any Division where the Mayor and the Director deem appropriate; and

**WHEREAS**, any and all new positions created under this Ordinance shall be incorporated into a future Town of Zionsville Salary Ordinance, subject to approval of the Town Council, to reflect the creation of the positions of Director of Department of Public Works and Division Supervisors and the correlating salary amendments.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Town Council of the Town of Zionsville, Boone County:

Section One. Creation of Department of Public Works. There is hereby created in the Town a Department of Public Works.

Section Two. Director of Public Works. The Department of Public Works shall be managed by a Director of Public Works and such position of Director of Public Works is hereby created.

Section Three. Divisions of the Department of Public Works. The Department of Public Works shall encompass the following Divisions which are hereby created:

1. Wastewater Division
2. Facilities Management Division
3. Environmental Stewardship Division
4. Street Division

5. Stormwater Management Division
6. Engineering Division

Section Four. Division Supervisors. Each Division within the Department of Public Works shall be managed by a Division Supervisor and such Division Supervisor positions are hereby created. The Director of Public Works may serve as Division Supervisor of any Division within the Department of Public Works where deemed by the Mayor and Director to be appropriate. Each Division Supervisor serves under the jurisdiction of the Mayor, although the day-to-day operations of each Division Supervisor will be supervised and managed by the Director of Public Works. The Division Supervisor of the Wastewater Division shall be a Department Head as that term is used in Resolution 2014-11 and specifically Section ZR2A22, ZR2A23 and ZR2A24.

Section Five. 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 Six. 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 Seven. 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 Eight. Duration and Effective Date. The provisions of this Ordinance shall become and remain in full force and effect following the date of its passage and adoption and upon its signature by the Mayor in the manner prescribed by Indiana Code § 36-5-2-10(a) and until its repeal by ordinance.

Introduced and filed on the \_\_\_\_ day of September, 2020. A motion to consider on First Reading was sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed, pursuant to Ind. Code § 36-5-2-9.8.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of September, 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**

	<b>YEA</b> Signature	<b>NAY</b> Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

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

ATTEST: \_\_\_\_\_  
Amelia Anne Lacy,  
Municipal Relations Coordinator

**MAYOR’S APPROVAL**

Emily Styron, Mayor \_\_\_\_\_

Date:

**MAYOR’S VETO**

Emily Styron, Mayor

Date:

**ORDINANCE NO. 2020- 10**  
**OF THE TOWN OF ZIONSVILLE, INDIANA**

**AN ORDINANCE VACATING PORTIONS OF PUBLIC RIGHTS-OF-WAY  
WITHIN THE ZIONSVILLE CORPORATE BOUNDARIES  
PURSUANT TO INDIANA CODE §36-7-3-12**

**WHEREAS**, Indiana Code § 36-7-3-12 provides for the process by which public ways may be vacated; and,

**WHEREAS**, on August 18, 2020, Henke Development Group, LLC (“Petitioner”), petitioned the Town of Zionsville (“Town”) to vacate a portions of public rights-of-way (streets and alleys) located within a portion of the platted Town of Hamilton (formerly Clarkstown) pursuant to Indiana Code § 36-7-3-12; and,

**WHEREAS**, the Town caused to be published notice of the petition and the time and place of the public hearing in the September 10, 2020 issue of the Lebanon Reporter, a copy of which proof of publication was submitted to the Town Council of Zionsville, Indiana (“Town Council”) and the Petitioner notified by certified mail each owner of land abutting the portions of the public alley right-of-way proposed to be vacated; and,

**WHEREAS**, on September 21, 2020, the Town Council held a public hearing on the petition to vacate the portion of the right-of-way, with proper notice under Indiana Law to all interested and potentially aggrieved parties; and,

**WHEREAS**, no potentially aggrieved individual has objected under the statutory grounds provided under Indiana Code § 36-7-3-13; and,

**WHEREAS**, the Town Council, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be served is such as to warrant vacation of the portion of the public alley right-of-way described herein.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Town Council of the Town of Zionsville, Indiana, that:

Section 1: Description of the Rights-of-way. The Rights-of-way legally described within the area legally described below and schematically illustrated on Exhibit A attached hereto, under the terms set forth herein, is hereby vacated;

Part of the Plat of Clarkstown (now Hamilton) recorded in Deed Record 3, Page 364 and re-recorded in Plat Book 1, Page 41 in the Office of the Recorder of Boone County, Indiana and being a part of the Northwest and Southwest Quarters of Section 25, Township 18 North, Range 2 East more particularly described as follows:

Beginning at the Southeast corner of Lot 8 in Block 2 of said Plat; thence along the southern boundary of Lot 8 and Lot 7 of said Block 2 South 69 degrees 12 minutes 03 seconds West 264.00 feet to the Southwest corner of said Lot 7; thence along the western boundary of Blocks 2, 14, and 15 of said Plat North 20 degrees 47 minutes 57 seconds West 750.00 feet to the Northwest corner of Lot 2 in said Block 15; thence along the northern boundary of Lot 2 and Lot 1 of said block 15 North 69 degrees 12 minutes 03 seconds East 264.00 feet to the Northeast corner of said Lot 1; thence along the eastern boundary of said Blocks 15, 14, and 2 South 20 degrees 47 minutes 57 seconds East 750.00 feet to the Point of Beginning containing 4.545 acres, more or less. (See survey attached as Exhibit A.)

Section 2: Utilities. The Town retains the right to maintain, operate, repair and replace, by itself or by any licensee or holder of a franchise from the Town, any poles, wires, pipes, conduits, sewer mains, water mains, or any other facility or equipment for the maintenance or operations of any utility now located in the portion of the public alley rights-of-way vacated by this Ordinance.

Section 3: Costs. Petitioner for this public street and alley right-of-way vacation shall, within 90 days after the passage of this Ordinance, pay to the Town of Zionsville the amount necessary to defray all costs of removing any items from the Rights-of-way, including paving and curb returns abutting the vacated Rights-of-way, if any.

Section 4: Recording. The Director of Finance and Records of the Town of Zionsville, Indiana shall provide a copy of this Ordinance to the Boone County Recorder for recording and shall file the same with the Boone County Auditor.

Section 5: 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 of intent of the clause to which the appertain.

Section 6: Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions herein, if any, are of no further force or effect and are hereby repealed.

Section 7: Severability. If any part of the Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 8: Duration and Effective Date. The provisions of this Ordinance shall become and remains in full force and effect upon passage and until its repeal by ordinance.

Introduced and filed on the \_\_\_\_ day of September, 2020. A motion to consider on First Reading was sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed, pursuant to Ind. Code § 36-5-2-9.8.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of September, 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		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

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

ATTEST: \_\_\_\_\_

Amelia Anne Lacy,

Municipal Relations Coordinator

**MAYOR'S APPROVAL**

Emily Styron, Mayor \_\_\_\_\_

Date:

**MAYOR'S VETO**

Emily Styron, Mayor

Date:

**ORDINANCE NO. 2020- 11**  
**OF THE TOWN OF ZIONSVILLE, INDIANA**

**AN ORDINANCE VACATING TWO DRAINAGE EASEMENTS, CLASSIFIED AS  
A PUBLIC WAY, WITHIN THE ZIONSVILLE CORPORATE BOUNDARIES  
PURSUANT TO INDIANA CODE §36-7-3-12**

**WHEREAS**, Indiana Code § 36-7-3-12 provides for the process by which public ways may be vacated; and,

**WHEREAS**, on August 18, 2020, Daniel Towriss (“Petitioner”), petitioned the Town of Zionsville (“Town”) to vacate two 7.5 feet wide drainage easements located on each side of the shared lot line between Lots 19 & 20 in Lost Run Farm Subdivision pursuant to Indiana Code § 36-7-3-12; and,

**WHEREAS**, the Town caused to be published notice of the petition and the time and place of the public hearing in the September 10, 2020, issue of the Lebanon Reporter, a copy of which proof of publication was submitted to the Town Council of Zionsville, Indiana (“Town Council”) and the Petitioner notified by certified mail each owner of land abutting the portions of the public alley right-of-way proposed to be vacated; and,

**WHEREAS**, on September 21, 2020, the Town Council held a public hearing on the petition to vacate said drainage easements, with proper notice under Indiana Law to all interested and potentially aggrieved parties; and,

**WHEREAS**, no potentially aggrieved individual has objected under the statutory grounds provided under Indiana Code § 36-7-3-13; and,

**WHEREAS**, the Town Council, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be served is such as to warrant vacation of the portion of the public alley right-of-way described herein.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Town Council of the Town of Zionsville, Indiana, that:

Section 1: Description of the Drainage Easements. The two 7.5 feet wide drainage easements legally described herein and schematically illustrated on Exhibit A attached hereto, under the terms set forth herein, is hereby vacated;

Drainage Easements, each being 7.5 feet in width, laying on each side of the shared Lot Line between Lots 19 and 20 in Lost Run Farm, a subdivision in the Town of Zionsville, Boone County, Indiana, as per plat thereof recorded on July 26, 2004, in Plat Book 15, Page 8, as Instrument No. 0409452 and Certificate of Correction

recorded November 23, 2004, as Instrument No. 0414448, in the Office of the Recorder of Boone County, Indiana (See survey attached as Exhibit A.)

Section 2: Utilities. The Town retains the right to maintain, operate, repair and replace, by itself or by any licensee or holder of a franchise from the Town, any poles, wires, pipes, conduits, sewer mains, water mains, or any other facility or equipment for the maintenance or operations of any utility now located in the portion of the public alley right-of-way vacated by this Ordinance.

Section 3: Costs. Petitioner for this drainage easement vacation shall, within 90 days after the passage of this Ordinance, pay to the Town of Zionsville the amount necessary to defray all costs of removing any items from the drainage easements, if any.

Section 4: Recording. The Director of Finance and Records of the Town of Zionsville, Indiana shall provide a copy of this Ordinance to the Boone County Recorder for recording and shall file the same with the Boone County Auditor.

Section 5: 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 of intent of the clause to which the appertain.

Section 6: Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions herein, if any, are of no further force or effect and are hereby repealed.

Section 7: Severability. If any part of the Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 8: Duration and Effective Date. The provisions of this Ordinance shall become and remains in full force and effect upon passage and until its repeal by ordinance.

Introduced and filed on the \_\_\_\_ day of September, 2020. A motion to consider on First Reading was sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed, pursuant to Ind. Code § 36-5-2-9.8.

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**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of September, 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		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

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

ATTEST: \_\_\_\_\_

Amelia Anne Lacy,

Municipal Relations Coordinator

**MAYOR'S APPROVAL**

Emily Styron, Mayor

Date:

**MAYOR'S VETO**

Emily Styron, Mayor

Date:

**ORDINANCE 2020- 12\_  
OF THE TOWN OF ZIONSVILLE**

**AN ORDINANCE REESTABLISHING THE SAFETY BOARD FOR  
FIRE DEPARTMENT MATTERS**

**WHEREAS**, Ind. Code § 36-8-3 *et seq.* confers upon the Town Council of the Town of Zionsville, Indiana (the “Town Council”) the authority to establish a Safety Board (“Board”); and

**WHEREAS**, for many years the Town Council has appointed three (3) members of the Town Council to serve as the Safety Board for the Town for Fire Department matters; and

**WHEREAS**, in 2014, the Town Council adopted Resolution 2014-11, commonly referred to as Reorganization 2.0, to further reorganize the Town of Zionsville (“Town”); and

**WHEREAS**, the Town Council desires to reestablish the Board as part of an on-going process to update the Code of Ordinances and ensure compliance with Resolution 2014-11 and state law; and

**WHEREAS**, pursuant to Ind. Code 36-8-3 *et seq.* the Board will be considered the Safety Board of the Town for fire department purposes; and

**WHEREAS**, the current appointed members of the Board shall continue to serve their current terms unless otherwise removed pursuant to this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY**, by the Town Council of the Town of Zionsville, Boone County, that:

1. Establishment of Safety Board. The Council hereby establishes the Board, pursuant to Ind. Code § 36-8-3 *et seq.*, with the powers and duties provided under state law.
  - a. Number of Members. The Board shall consist of three (3) members.
  - b. Term. The term of each Board member shall be one (1) year, expiring on December 31<sup>st</sup> of the member’s appointment.
  - c. Appointment to the Board. The Town Council shall appoint the members of the Board.
  - d. Composition of Board. The Board shall be comprised of not more than three (3) members of the Town Council. Any Town Council member that serves on the Board shall vacate the member’s position on the Board when the member is no longer a member of the Town Council.

2. Powers and Duties of Board.

- a. Pursuant to Reorganization 2014-11, ZR2A22, the Mayor shall appoint the Chief of the Fire Department. Further, as provided in Reorganization 2014-22, ZR2A23, the Chief of the Fire Department and the employees of the Zionsville Fire Department are under the jurisdiction of the Mayor. Notwithstanding, per Reorganization 2014-11, ZR2A24, the Mayor must have the approval of a majority of the Town Council before the Mayor may discharge the Chief of the Fire Department.
  - b. The Board shall constitute the Safety Board of the Town for purposes of the suspension, demotion, or dismissal of any member of the Fire Department. Proceedings for the suspension, demotion, or dismissal of any member of the Fire Department shall be conducted in the manner prescribed by Ind. Code § 36-8-3-4. The disciplinary provisions of Ind. Code § 36-8-3-4.1 shall apply to the Safety Board and the Chief of the Fire Department.
  - c. The Board may make general and special rules for the governing and discipline of the Zionsville Fire Department and may make special and general orders to the Zionsville Fire Department through the Chief of the Fire Department, who shall be executive head of the Zionsville Fire Department.
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.
  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.
  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.
  6. Duration and Effective Date. The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repeal by ordinance.

Introduced and filed on the \_\_\_\_ day of September, 2020. A motion to consider on First Reading was sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed, pursuant to Ind. Code § 36-5-2-9.8.

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

	<b>YEA</b> Signature	<b>NAY</b> Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

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

ATTEST: \_\_\_\_\_  
Amelia Anne Lacy,  
Municipal Relations Coordinator

**MAYOR'S APPROVAL**

Emily Styron, Mayor \_\_\_\_\_

Date

**MAYOR'S VETO**

Emily Styron, Mayor

Date:

**ORDINANCE 2020- 13\_\_**  
**OF THE TOWN OF ZIONSVILLE**

**AN ORDINANCE REESTABLISHING THE BOARD OF  
METROPOLITAN POLICE COMMISSIONERS AS THE SAFETY BOARD  
FOR POLICE MATTERS**

**WHEREAS**, Ind. Code § 36-8-9 *et seq.* confers upon the Town Council of the Town of Zionsville, Indiana (the “Town Council”) the authority to establish a Board of Metropolitan Police Commissioners (“Board”); and

**WHEREAS**, in 2008 and pursuant to Ind Code § 36-8-9-2, the Town Council adopted Ordinance 2008-21 that abolished the office of Town Marshall and created the Board; and

**WHEREAS**, in 2014, the Town Council adopted Resolution 2014-11, commonly referred to as Reorganization 2.0, to further reorganize the Town of Zionsville (“Town”); and

**WHEREAS**, the Town Council desires to reestablish the Board as part of an on-going process to update the Code of Ordinances and ensure compliance with Resolution 2014-11 and state law; and

**WHEREAS**, pursuant to Ind. Code 36-8-3-4 the Board will be considered the Safety Board of the Town for police department purposes; and

**WHEREAS**, the current appointed members of the Board shall continue to serve their current terms unless otherwise removed pursuant to this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY**, by the Town Council of the Town of Zionsville, Boone County, that:

1. Establishment of Board of Metropolitan Police Commissioners. The Council hereby reestablishes the Board, pursuant to Ind. Code § 36-8-9 *et seq.*, with the powers and duties provided under state law.

a. Number of Members. The Board shall consist of five (5) members.

b. Qualification of Members. Not more than three (3) Board members may be members of the same political party if individuals who satisfy this requirement can be found to serve on the Board. The members must be residents of the Town

b. Term. The term of each Board member shall be three (3) years, expiring on January 1 of the third year after the member’s appointment. The Board members shall have staggered terms, with the term of not more than two (2) board members expiring each year.

- c. Appointment to the Board. The Town Council shall appoint the members of the Board.
  - d. Composition of Board. The Board shall be comprised of not more than three (3) members of the Town Council and two (2) lay members. Any Town Council member that serves on the Board shall vacate the member's position on the board when the member is no longer a member of the Town Council. The Town Council shall not appoint a police officer employed by the Town to serve on the Board.
  - e. Oath and Bond of Members. A Board members shall take and subscribe an oath before the Boone County Circuit Court Clerk. This subsection does not apply to Board members who also serve as members of the Town Council.
  - f. Posting Bond. A Board member shall give bond in the penal sum of five thousand dollars (\$5,000), payable to the state and conditioned upon the faithful and honest discharge of the member's duties. The bond must be approved by the Town Council. This subsection does not apply to Board members who also serve as members of the Town Council.
  - c. Removal. The Town Council may remove a Board member for any cause the Town Council considers sufficient.
2. Powers and Duties of Board.
- a. Pursuant to Reorganization 2014-22, ZR2A11, the Mayor shall appoint the Chief of Police. Further, as provided in Reorganization 2014-22, ZR2A23, the Chief of Police and the employees of the Zionsville Police Department are under the jurisdiction of the Mayor. Notwithstanding, per Reorganization 2014-11, ZR2A24, the Mayor must have the approval of a majority of the Town Council before the Mayor may discharge the Chief of Police.
  - b. The Board shall consistute the Safety Board of the Town for purposes of the suspension, demotion, or dismissal of any member of the police department. Proceedings for the suspension, demotion, or dismissal of any member of the police department shall be conducted in the manner prescribed by Ind. Code § 36-8-3-4. The disciplinary provisions of Ind. Code § 36-8-3-4.1 shall apply to the Board and the Police Chief.
  - c. The Board may make general and special rules for the governing and discipline of the Zionsville Police Department and may make special and general orders to the Zionsville Police Department through the Zionsville Police Chief, who shall be executive head of the Zionsville Police Department.
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.
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.

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.
6. Duration and Effective Date. The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repeal by ordinance.

Introduced and filed on the \_\_\_\_ day of September, 2020. A motion to consider on First Reading was sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed, pursuant to Ind. Code § 36-5-2-9.8.

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

	<b>YEA</b> Signature	<b>NAY</b> Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

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

ATTEST: \_\_\_\_\_  
Amelia Anne Lacy,  
Municipal Relations Coordinator

**MAYOR'S APPROVAL**

Emily Styron, Mayor \_\_\_\_\_

Date

**MAYOR'S VETO**

Emily Styron, Mayor

Date:

# Declaration of Fiscal Body

## Hussey-Mayfield Memorial Public Library (“the library”)

**INSTRUCTIONS:** (1) This report must be completed, adopted by the library board and board of the designated fiscal body, and signed by the library board president and president of the designated fiscal body. No later than October 1, 2020, a copy of this completed report must be e-mailed to [StatewideServices@library.IN.gov](mailto:StatewideServices@library.IN.gov) or physically mailed to: Indiana State Library, 140 N. Senate Ave., Indianapolis, IN 46204-2296, Attn: Statewide Services. The library should keep a copy of the report on file.

(2) In the event the library’s taxing territory is modified (ex – expansion/annexation/merger, etc.), a new report must be completed and submitted by the next October 1<sup>st</sup> following that modification if the modification results in a change to the library’s adopting fiscal body.

**WHEREAS,** library officials typically submit the library’s annual budget for nonbinding review by a separate fiscal body pursuant to the provisions of IC 6-1.1-17; and

**WHEREAS,** under certain conditions designated in IC 6-1.1-17-20.3 and 20.4, the library’s budget is subject to binding review and adoption by a separate fiscal body; and

**THEREFORE,** this report identifies the fiscal body that would do any binding budget adoption in the event such binding adoption is required under the provisions of IC 6-1.1-17-20.3 or 20.4.

In the case of a triggering event under IC 6-1.1-17-20.3 or 20.4 which requires the library to submit its budget to a separate fiscal body for binding budget adoption, the fiscal body that is responsible for that binding adoption is Zionsville Town Council.

I hereby certify this report was adopted by the library board on \_\_\_\_\_.

\_\_\_\_\_  
Library Board President Name Printed

\_\_\_\_\_  
Library Board President Signature

\_\_\_\_\_  
Date

---

### Fiscal Body Acknowledgement

Pursuant to the requirements of IC 6-1.1-17-20.6, the Zionsville Town Council

acknowledges it is the fiscal body responsible for binding review and approval of the library’s budget under IC 6-1.1-17-20.3 and 20.4 when the conditions exist that require such binding review.

I hereby certify this report was adopted by the Zionsville Town Council on \_\_\_\_\_.

\_\_\_\_\_  
Fiscal Body President Name Printed

\_\_\_\_\_  
Fiscal Body President Signature

\_\_\_\_\_  
Date

**RESOLUTION NO. 2020-\_\_13\_\_**

**A CONFIRMATORY RESOLUTION OF THE TOWN OF ZIONSVILLE, INDIANA  
FOR THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA  
AND APPROVAL OF PERSONAL PROPERTY TAX ABATEMENT APPLICATION**

**MWI ANIMAL HEALTH INDUSTRIAL LLC**

WHEREAS, the Town of Zionsville, Indiana (respectively, the "Town") has been advised by MWI Animal Health ("MWI Animal Health") of a proposed revitalization program which includes the installation of new logistical distribution equipment and information technology equipment in the Town (the "Project"); and

WHEREAS, on September 8, the Town Council adopted its Resolution No. 2020-\_\_ attached hereto as Exhibit A and incorporated herein by reference (the "Declaratory Resolution") which (i) confirmed the designation of the location of the Project at 5190 South State Road 267 in the Town, as reflected in Exhibit A of the Declaratory Resolution (the "Area"), as an economic revitalization area pursuant to Indiana Code 6-1.1-12.1, as amended (the "Act") and (ii) approved a ten (10) year traditional personal property tax abatement for MWI Animal Health in connection with its proposed Project, all as more particularly described in the MWI Animal Health Application (as defined in and attached to the Declaratory Resolution); and

WHEREAS, the Town Council, following the adoption of the Declaratory Resolution, set a public hearing on the Declaratory Resolution for October 5 at **[insert time]**, at the Zionsville Town Hall - Council Chamber, Zionsville, Indiana; and

WHEREAS, notice of the adoption and substance of the Declaratory Resolution and public hearing thereon was published pursuant to the Act and Indiana Code 5-3-1, such publication being at least ten (10) days prior to the date set for the public hearing on such Declaratory Resolution; and

WHEREAS, notice of the public hearing and information required by the Act concerning the MWI Animal Health Application and the Declaratory Resolution was filed with the appropriate taxing units at least ten (10) days prior to the public hearing; and

WHEREAS, the application for designation, a description of the Area as an ERA, a map of the Area, and all pertinent supporting data were available for public inspection in the offices of the Director of the Department of Finance and Records of the Town and the Boone County Assessor; and

WHEREAS, at the public hearing, the Town Council afforded an opportunity to all persons and organizations, including representatives of organizations, to express their views with respect to the confirmation of the designation of the Area as an economic revitalization area in accordance with the Act and the approval of the MWI Animal Health Application; and

WHEREAS, no remonstrances, written or oral, have been filed with regard to the Declaratory Resolution stating opposition, of any type or character, to said Declaratory Resolution, the confirmation of the designation of the Area as an economic revitalization area or the approval of the MWI Animal Health Application; and

WHEREAS, the Town Council, after conducting the public hearing, and giving careful consideration to all comments and views expressed and any evidence presented regarding the confirmation of the designation of the Area as an economic revitalization area and the approval of the MWI Animal Health Application, has determined that it is in the best interests of the Town to confirm the designation of the Area as an economic revitalization area for the purpose of both real and personal property tax abatement pursuant to the Act and to confirm the approval of the MWI Animal Health Application for a ten (10) year traditional personal property tax abatement as herein provided;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, INDIANA AS FOLLOWS:

1. After legally required public notice, and after a public hearing pursuant to such notice, the Town Council has considered the evidence presented and hereby takes "final action," as that phrase is defined in the Act with regard to the adoption of the Declaratory Resolution and confirming the establishment of the Area as an economic revitalization area, as defined in the Act.

2. The approval of the MWI Animal Health Application pursuant to the Declaratory Resolution is ratified and confirmed in all respects. MWI Animal Health shall be entitled to a personal property tax deduction for the Project to be provided pursuant to Sections 2.5 and 4.5 of the Act for a period of ten (10) years with respect to the new logistical distribution equipment and information technology equipment as filed with the Town Council, with such abatement to be in accordance with the following schedule:

*Personal Property*

<u>Year</u>	<u>% of Assessed Value Exempt from Personal Property Taxes</u>
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

3. The Declaratory Resolution, adopted on September 8, is hereby ratified and confirmed as set forth herein, and it is hereby stated that the qualifications for an economic revitalization area have been met as to the Area.

4. MWI Animal Health shall (i) annually file the required Form CF-1/Personal Property demonstrating its substantial compliance with the investment, wage, and employment estimates set forth in the Form SB-1/Personal Property, as presented to and approved by the Town Council in the Declaratory Resolution, hereby ratified and confirmed, and (ii) provide the Town Council, upon written request, with an update regarding the timing of the proposed Project.

5. The provisions of Indiana Code 6-1.1-12.1-12 are expressly incorporated into this Resolution with respect to the ratification and confirmation of the Declaratory Resolution and the approval of the MWI Animal Health Application.

6. This Resolution shall be effective immediately upon its adoption.

**DULY PASSED AND ADOPTED** this 5<sup>th</sup> day of October, 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**

	<b>YEA</b> Signature	<b>NAY</b> Signature
Josh Garrett, President		
Bryan Taylor, Vice-President		
Alexander Choi, Member		
Brad Burk, Member		
Jason Plunkett, Member		
Craig Melton, Member		
Joe Culp, Member		

I hereby certify that the forming Ordinance was delivered to Town of Zionsville Mayor Emily Styron on the \_\_\_\_ day of October, 2020, at \_\_\_\_\_ a.m.

ATTEST: \_\_\_\_\_  
 Amelia Anne Lacy  
 Municipal Relations Coordinator

**MAYOR'S APPROVAL**

\_\_\_\_\_  
 Emily Styron, Mayor

Date: \_\_\_\_\_

**MAYOR'S VETO**

\_\_\_\_\_  
 Emily Styron, Mayor

Date: \_\_\_\_\_

**EXHIBIT A**

*Declaratory Resolution*

**EXHIBIT B**

*MWI Animal Health Application  
(including Statement of Benefits Personal Property*



September 25, 2020

Dear Sir or Madam:

This correspondence is to provide notice pursuant to Ind. Code § 6-1.1-12.1-2.5 that the Town Council of the Town of Zionsville has approved a Declaratory Resolution confirming the establishment of an economic revitalization area at approximately 5190 South State Road 267.

A public hearing has been scheduled to receive and hear remonstrance and objections with respect to the Declaratory Resolution on October 5, 2020, at 7:00 p.m. Copies of both the Declaratory Resolution as well as the public notice regarding the public hearing are enclosed with this correspondence. Additionally, the Statement of Benefits for MWI Animal Health, which as detailed in the Declaratory Resolution is being considered for a ten-year personal property tax abatement, is also included with this correspondence.

Please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Wayne DeLong". The signature is written in a cursive style with a large, looping "W" and "D".

Wayne DeLong  
Director of Planning and  
Economic Development

**NOTICE TO TAXPAYERS AND ALL OTHER PERSONS  
AFFECTED OF ADOPTION AND CONTENT OF A RESOLUTION  
OF THE TOWN OF ZIONSVILLE, INDIANA AND  
NOTICE OF PUBLIC HEARING ON RESOLUTIONS**

Taxpayers of the Town of Zionsville, Indiana (“Town”) and all other persons affected hereby are notified that the Town Council of the Town (“Council”), at a meeting held on September 8, 2020, adopted a Declaratory Resolution (“Resolution”) confirming MWI Animal Health’s proposed revitalization program located at 5190 South State Road 267 as a location as an economic revitalization area designated as the “Economic Revitalization Area” (the “Area”).

A description of the Area and the Resolution are available and can be inspected in the Offices of the Director of Finance and Records of the Town and the Boone County Assessor. The Area consists of certain property located in the Town at approximately 5190 South State Road 267.

The Resolution establishes the Area as an “economic revitalization area” for personal property tax abatement pursuant to Indiana Code 6-1.1-12.1, as amended.

**THE COUNCIL WILL CONDUCT A PUBLIC HEARING TO RECEIVE AND HEAR REMONSTRANCES AND OBJECTIONS TO THE ACTION TAKEN IN THE RESOLUTION AT A HEARING TO BE HELD ON OCTOBER 5, 2020 AT 7:00 P.M. AND SCHEDULED FOR THE ZIONSVILLE TOWN HALL, 1100 WEST OAK STREET, ZIONSVILLE, INDIANA.**

**THIS PUBLIC MEETING MAY BE CONDUCTED ELECTRONICLY, VIA VIDEO CONFERENCING, 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 WILL BE POSTED ON THE TOWN OF ZIONSVILLE WEBSITE.**

Written remonstrances to the Resolution should be filed with the Council on or before October 5, 2020. Interested persons must file a written remonstrance with the Council in order to have a right to appeal the Council’s determination regarding designating the Area as an economic revitalization area.

Dated this 25<sup>th</sup> day of September, 2020.

TOWN COUNCIL, TOWN OF ZIONSVILLE, INDIANA  
/s/ Amelia Lacy, Municipal Relations Coordinator

**RESOLUTION NO. 2020-12\_\_**  
**OF ZIONSVILLE, INDIANA**

**A RESOLUTION DECLARING AN ECONOMIC REVITALIZATION AREA  
AND APPROVING APPLICATIONS FOR TAX ABATEMENT**

**MWI ANIMAL HEALTH**

**WHEREAS**, the Town of Zionsville, Indiana (the "Town") has been advised of a proposed revitalization program which includes the installation of new logistical distribution equipment and information technology equipment located in the Town at 5190 South State Road 267, as more particularly described in the map and including the parcel identified in Exhibit A attached hereto (the "Area"); and

**WHEREAS**, the Town has thoroughly studied and been advised by MWI Animal Health ("MWI Animal Health") of a new project which includes to relocation of MWI Animal Health to the Area and installation of new logistical distribution equipment and information technology equipment of approximately \$5,800,000 (the "Project"), as more particularly described in and hereinafter defined as the MWI Animal Health Application; and

**WHEREAS**, the Town has received from MWI Animal Health for (i) an Application for Personal Property Tax Abatement, including a Statement of Benefits Personal Property, attached hereto as Exhibit B and incorporated herein by reference (the "MWI Animal Health Application") and (ii) a request that the Town confirm the designation of the Area as an economic revitalization area pursuant to Indiana Code § 6-1.1-12.1, as amended (the "Act"); and

**WHEREAS**, the Act has been enacted to allow for the creation of "economic revitalization areas" and to provide all of the rights, powers, privileges and immunities that may be exercised by this Town in an economic revitalization area, subject to the conditions set forth in the Act; and

**WHEREAS**, MWI Animal Health anticipates a significant investment of new logistical distribution equipment and information technology equipment tangible in the Area, and has submitted the MWI Animal Health Application to the Town Council in connection therewith; and

**WHEREAS**, the Town previously determined in 2019 and hereby confirms that it continues to find that the Area is an area that has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values and prevented normal development and use of the property and that the continued designation of the Area as an economic revitalization area would enhance the opportunity for the creation of new jobs and the protection of the current employment; and

**WHEREAS**, the Town has reviewed the information brought to its attention, including the MWI Animal Health Application, and hereby determines that it is in the best interest of the Town to continue to designate the Area as an economic revitalization area pursuant to the Act; and

**WHEREAS**, the Town Council finds that the purposes of the Act are served by allowing MWI Animal Health a personal property tax deduction for the Project for a period of ten (10) years pursuant to the Act;

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

1. The Area was previously declared and is hereby confirmed an "economic revitalization area" under Section 2.5 of the Act, subject to a public hearing, the adoption of a confirmatory resolution by the Town Council and other requirements of the Act.

2. In accordance with Sections 2.5 and 4.5 of the Act, the Town Council hereby determines that MWI Animal Health shall be entitled to a personal property tax deduction for the Project, to be provided pursuant to Section 4.5 of the Act, for a period of ten (10) years with respect to qualify the new logistical distribution equipment and information technology equipment as contemplated by and reflected in the MWI Animal Health Application as filed with the Town Council, with such abatement to be in accordance with the following schedule:

<u>Year</u>	<u>% of Assessed Value Exempt from Real Property Taxes</u>
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

3. The Director of the Department of Finance and Records of the Town is hereby authorized and directed to make all filings necessary or desirable with the Boone County Assessor, to publish all notices required by the Act, and to take all other necessary actions to carry out the purposes and intent of this Declaratory Resolution and to ensure that the Area continues to be classified as an economic revitalization area.

4. The Director of the Department of Finance and Records of the Town is further authorized and directed to file this Declaratory Resolution, together with any supporting data, to each of the officers of each taxing unit that has authority to levy property taxes in the geographic area where the Area, including the Project site, is located, as provided in the Act.

5. This Declaratory Resolution shall be submitted to a public hearing to be convened by the Town Council, where the Town Council will receive and hear all remonstrances and objections as provided by the Act.

6. As previously determined, the Area shall cease to be designated an economic revitalization area on January 1, 2038, but until such time, the Area will be designated an economic revitalization area for all purposes under the Act, including without limitation Sections 3, 4.5 and 4.8 of the Act.

7. The Town Council hereby makes the following affirmative findings pursuant to Section 4.5 of the Act in regards to the MWI Animal Health Application:

- a. the estimate of the value of the new logistical distribution equipment and information technology equipment is reasonable for projects of that nature;
- b. the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected from the installation of the new logistical distribution equipment and information technology equipment;
- c. the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected from the installation of the new logistical distribution equipment and information technology equipment is reasonable; and
- d. the totality of benefits is sufficient to justify the deduction.

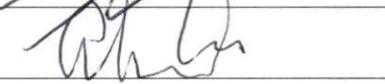
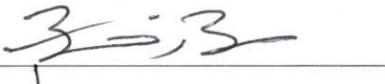
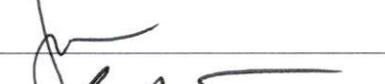
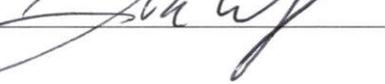
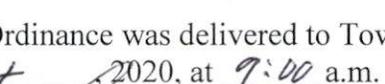
8. As an inducement for MWI Animal Health to invest in the Area, the MWI Animal Health Application is hereby approved effective upon confirmation of this Declaratory Resolution as required by the Act.

9. The provisions of this Declaratory Resolution shall be subject in all respects to the Act and any amendments thereto.

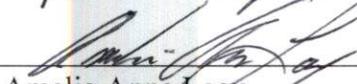
10. This Declaratory Resolution shall take effect upon its adoption.

DULY PASSED AND ADOPTED this 8th day of September, 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana; having been passed by a vote of 7 in favor and 0 opposed.

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

	YEA Signature	NAY Signature
Josh Garrett, President		
Bryan Taylor, Vice-President		
Alexander Choi, Member		
Brad Burk, Member		
Jason Plunkett, Member		
Craig Melton, Member		
Joe Culp, Member		

I hereby certify that the forming Ordinance was delivered to Town of Zionsville Mayor Emily Styron on the 10 day of Sept, 2020, at 9:00 a.m.

ATTEST:   
 Amelia Anne Laey  
 Municipal Relations Coordinator

**MAYOR'S APPROVAL**

  
 Emily Styron, Mayor

Date: 9/10/2020

**MAYOR'S VETO**

\_\_\_\_\_  
 Emily Styron, Mayor

Date: \_\_\_\_\_

**EXHIBIT A**

*Map of the Area and Parcel in the Area\**



**EXHIBIT B**

*MWI Animal Health Application  
(including Statement of Benefits Personal Property)*

**Location (Site identifier)**

Lot Number / Address (if site is identified): 5025 S SR 267, Lebanon, IN 46052

Acreage needed / preferred location (if site is not identified): N/A - Would lease building at this location.

Unique infrastructure needs (does operation use/need access to a significant amount of water, electric, gas, fiber, .....):

No unique needs identified at this time.

**Investment**

Intended initial investment (at opening), real property: \_\_\_\_\_

Intended initial investment (at opening), personal property: \$5,800,000

Real property, additional investment over 10 years (from open): \_\_\_\_\_

Personal property, additional investment over 10 years (from open): To Be Determined

**Building / improvement details**

Size of building (gross): 146,000 SF Height of building: 36'

Number of floors: 1 + Mezzanine Number of loading docks: 16

Size of warehouse component: (if applicable): 134,000 SF

Size of office component: (if applicable): 12,000 SF

Size of showroom/ retail component (if applicable): N/A

**Operation**

Is this a start-up of a new operation? No

Is this a relocation of an existing operation? Yes

If relocation, what is current location? 3890 Perry Blvd., Whitestown, IN 46075

If consolidating, what are the additional locations? N/A

Number of employees, at opening: 125

Anticipated average wages: \$17.90

Number of new employees anticipated on 10 year horizon: 51

Anticipated customers / visitor trips to the building, per week: 5-10 Per Week

Intended occupancy date: Q4 2020 for equipment with personnel in January 2021



**STATEMENT OF BENEFITS  
PERSONAL PROPERTY**

State Form 51764 (R4 / 11-15)  
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

**PRIVACY NOTICE**

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

**INSTRUCTIONS**

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
- To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
- Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
- For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1		TAXPAYER INFORMATION						
Name of taxpayer <b>Midwest Animal Health</b>		Name of contact person <b>Tom Wakefield</b>						
Address of taxpayer (number and street, city, state, and ZIP code) <b>5025 SR 267 Lebanon, IN 46052</b>			Telephone number <b>( 317 ) 769.7771</b>					
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT						
Name of designating body <b>Zionsville Town Council</b>		Resolution number (s)						
Location of property <b>5025 SR 267 Whitestown, IN 46075</b>		County <b>Boone County</b>		DLGF taxing district number <b>008 Perry/Zionsville Rural</b>				
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.)  <b>Machinery &amp; equipment associated with warehouse distribution logistics and associated IT/Computer equipment to support operations.</b>		ESTIMATED						
				START DATE	COMPLETION DATE			
		Manufacturing Equipment						
		R & D Equipment						
		Logist Dist Equipment		<b>10/01/2020</b>	<b>12/31/2021</b>			
IT Equipment		<b>10/01/2020</b>	<b>12/31/2021</b>					
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT						
Current number	Salaries	Number retained	Salaries	Number additional	Salaries			
		<b>125 new to Zionsville</b>	<b>\$4,651,400</b>	<b>51</b>	<b>\$2,054,769</b>			
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT						
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values								
Plus estimated values of proposed project					<b>4,500,000</b>		<b>1,300,000</b>	
Less values of any property being replaced								
Net estimated values upon completion of project								
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER						
Estimated solid waste converted (pounds) <b>0</b>		Estimated hazardous waste converted (pounds) <b>0</b>						
Other benefits: Adds a well known company to the community, known for being a good corporate citizen								
SECTION 6		TAXPAYER CERTIFICATION						
I hereby certify that the representations in this statement are true.								
Signature of authorized representative <i>Thomas Wakefield</i>				Date signed (month, day, year) <b>8-31-2020</b>				
Printed name of authorized representative <b>Thomas Wakefield</b>			Title <b>Director, Operations</b>					

**FOR USE OF THE DESIGNATING BODY**

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed \_\_\_\_\_ calendar years \* (see below). The date this designation expires is \_\_\_\_\_. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18
2. Installation of new research and development equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Check box if an enhanced abatement was approved for one or more of these types.</i>
3. Installation of new logistical distribution equipment.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
4. Installation of new information technology equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

C. The amount of deduction applicable to new manufacturing equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. *(One or both lines may be filled out to establish a limit, if desired.)*

D. The amount of deduction applicable to new research and development equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. *(One or both lines may be filled out to establish a limit, if desired.)*

E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. *(One or both lines may be filled out to establish a limit, if desired.)*

F. The amount of deduction applicable to new information technology equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. *(One or both lines may be filled out to establish a limit, if desired.)*

G. Other limitations or conditions *(specify)* \_\_\_\_\_

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

<input type="checkbox"/> Year 1	<input type="checkbox"/> Year 2	<input type="checkbox"/> Year 3	<input type="checkbox"/> Year 4	<input type="checkbox"/> Year 5	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18
<input type="checkbox"/> Year 6	<input type="checkbox"/> Year 7	<input type="checkbox"/> Year 8	<input type="checkbox"/> Year 9	<input type="checkbox"/> Year 10	Number of years approved: _____
					<i>(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)</i>

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?  Yes  No  
 If yes, attach a copy of the abatement schedule to this form.  
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: <i>(signature and title of authorized member of designating body)</i>	Telephone number ( )	Date signed <i>(month, day, year)</i>
Printed name of authorized member of designating body	Name of designating body	
Attested by: <i>(signature and title of attester)</i>	Printed name of attester	

\* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

**IC 6-1.1-12.1-17**

**Abatement schedules**

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

**CONFIRMATION**



Star Media  
130 S. Meridian Street  
Indianapolis, In 46225

TOWN OF ZIONSVILLE  
1100 W OAK ST  
ZIONSVILLE IN 46077-

<u>Account</u>	<u>AD#</u>	<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
INI-2529	0004388196	\$85.79	\$0.00	\$85.79	Invoice	\$0.00	\$85.79

Sales Rep: CLandry

Order Taker: CLandry

Order Created 09/22/2020

<u>Product</u>	<u>Placement</u>	<u>Classification</u>	<u># Ins</u>	<u>Start Date</u>	<u>End Date</u>
INI-Indianapolis Star	INI-Public Notices	Legal Notices	1	09/25/2020	09/25/2020
INI-indystar.com	INIW-Public Notices	Legal Notices	1	09/25/2020	09/25/2020

\* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

**Text of Ad:** 09/22/2020

**NOTICE TO TAXPAYERS AND ALL OTHER PERSONS  
AFFECTED OF ADOPTION AND CONTENT OF A RESOLUTION  
OF THE TOWN OF ZIONSVILLE, INDIANA AND  
NOTICE OF PUBLIC HEARING ON RESOLUTIONS**

Taxpayers of the Town of Zionsville, Indiana ("Town") and all other persons affected hereby are notified that the Town Council of the Town ("Council"), at a meeting held on September 8, 2020, adopted a Declaratory Resolution ("Resolution") confirming MWI Animal Health's proposed revitalization program located at 5190 South State Road 267 as a location as an economic revitalization area designated as the "Economic Revitalization Area" (the "Area").

A description of the Area and the Resolution are available and can be inspected in the Offices of the Director of Finance and Records of the Town and the Boone County Assessor. The Area consists of certain property located in the Town at approximately 5190 South State Road 267.

The Resolution establishes the Area as an "economic revitalization area" for personal property tax abatement pursuant to Indiana Code 6-1.1-12.1, as amended.

**THE COUNCIL WILL CONDUCT A PUBLIC HEARING TO RECEIVE AND HEAR REMONSTRANCES AND OBJECTIONS TO THE ACTION TAKEN IN THE RESOLUTION AT A HEARING TO BE HELD ON OCTOBER 5, 2020 AT 7:00 P.M. AND SCHEDULED FOR THE ZIONSVILLE TOWN HALL, 1100 WEST OAK STREET, ZIONSVILLE, INDIANA.**

**THIS PUBLIC MEETING MAY BE CONDUCTED ELECTRONICLY, VIA VIDEO CONFERENCING, 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 WILL BE POSTED ON THE TOWN OF ZIONSVILLE WEBSITE.**

Written remonstrances to the Resolution should be filed with the Council on or before October 5, 2020. Interested persons must file a written remonstrance with the Council in order to have a right to appeal the Council's determination regarding designating the Area as an economic revitalization area.

Dated this 22nd day of September, 2020.

TOWN COUNCIL, TOWN OF ZIONSVILLE, INDIANA  
/s/ Amelia Lacy, Municipal Relations Coordinator

(S - 9/25/20 - 0004388196)

hspaxlp



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 \_\_\_\_\_ day of \_\_\_\_\_, 2020. A motion to consider on First Reading was sustained by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ 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**

	<b>YEA Signature</b>	<b>NAY Signature</b>
Josh Garrett, President		
Bryan Traylor, Vice-President		
Alexander Choi, Member		
Joe Culp, Member		
Brad Burk, Member		
Craig Melton, Member		
Jason Plunkett, 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



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

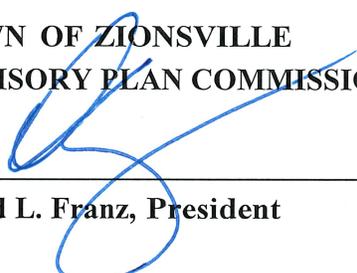
September 22, 2020

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

Be it advised that, pursuant to Indiana Code 36-7-4, on September 21, 2020 the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of 7 in favor and 0 opposed, gave a ***Favorable Recommendation*** to proposal 2020-29-Z to amend the Zoning Map (the "Map") of the Town of Zionsville (Legal Description attached, "Exhibit A"). Proposal 2020-29-Z recommends that 44.368 ± be rezoned from the Urban (R-SF-2) Residential Zoning District to a (SU-1) Special Use Zoning District.

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2020-29-Z to amend the Zoning Map (a copy of which is attached to this Certification and incorporated here by this reference, "(Exhibit B)", and its Commitments ("Exhibit C"), 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**

## **ZIONSVILLE PLAN COMMISSION**

### **DOCKET NO. 2020-29-Z**

## **COMMITMENTS CONCERNING THE USE AND DEVELOPMENT OF REAL ESTATE**

In accordance with I.C. 36-7-4-1015, Zionsville Community Schools Building Corporation (the “Owner”), seeks to make certain commitments in connection with a Rezone petition for (the “Real Estate”), which real estate is legally described in Exhibit A, as attached hereto and incorporated herein by reference, which Real Estate is commonly known as parcels 0197178000, 0197179000, 0197182000 and 0197181001 and having a property address of 8602 East 500 South, Zionsville, IN 46077.

Owner represents and warrants that the Real Estate is now located within the Town of Zionsville, Indiana, (the “Town”) and that as the owner of said Real Estate, the Owner has authority to and hereby does voluntarily make the following COMMITMENTS concerning the use and development of the Real Estate.

### **STATEMENT OF COMMITMENTS**

Owner, upon approval of Docket No. 2020-29-Z by the Zionsville Plan Commission (the “Rezone petition”), voluntarily agrees and commits that said Development Plan Approval shall be conditioned upon the following Commitments:

1. Subject to existing easements and right of ways, Owner commits to dedicating a right-of-way adjacent to E 500 South and along the southern portion of the Real Estate to provide a 55 feet of right-of-way from centerline of E 500 South concurrent with any future plat approvals or development plan approvals.

These COMMITMENTS shall be executed and recorded by the Owner in the Office of the Boone County Recorder, Boone County, Indiana, and shall be considered a covenant running with the land described herein as the Real Estate.

These COMMITMENTS shall be binding on the Owner, subsequent owners of the Real Estate, and other persons or entities acquiring an interest therein (hereinafter collectively the “Owners”). The Owner shall have an affirmative duty to inform any third parties with whom the Owner negotiates for a possible sale, lease, assignment, mortgage, or transfer of the Real Estate of the existence of these COMMITMENTS. In the event any sale, lease, assignment, mortgage, or transfer occurs, the Owner shall ensure that a copy of these COMMITMENTS is incorporated into any such written agreement with the third party. If the Owner fails to comply with the terms of this paragraph and the third party fails to perform and/or comply with these COMMITMENTS, the Town of Zionsville shall be entitled to receive from the Owner and from each entity and/or third party identified above as Owners, jointly and/or severally, any and all

damages which arise from this failure and shall be entitled to injunctive relief to terminate any non-compliances herewith.

These COMMITMENTS may be modified or terminated by a decision of the Town of Zionsville Plan Commission made after a public hearing for which proper notice is given, including hearings for other land use or zoning approvals involving the Real Estate or any portion thereof.

These COMMITMENTS shall be effective upon approval of the relief requested in Plan Commission Docket Number 2020-32-DP by the Zionsville Plan Commission and shall continue in effect until modified or terminated as specified above and/or as prescribed by statute.

These COMMITMENTS may be enforced jointly and/or severally by the Town of Zionsville Plan Commission, the Director of Planning and Economic Development for the Town of Zionsville, the Town and/or owners of any parcel of ground adjoining the Real Estate. Owner and all future owners shall be obligated hereunder to indemnify the Town of Zionsville Plan Commission, the Town (including a successor city or municipality), and hold said entities and their respective authorized representatives, including the Director of Planning and Economic Development for the Town, harmless from any liability, expense (including reasonable attorney fees and court costs), costs, or damages which result from the failure to perform Owner's and/or future owner's obligations under the terms and conditions of these COMMITMENTS. Throughout these COMMITMENTS and reference to "Town" or "Town of Zionsville" shall also include any successor city, municipality, or other governmental body having land use, planning, and zoning jurisdiction over the Real Estate.

In the event it becomes necessary to enforce these COMMITMENTS in a court of competent jurisdiction and the Owner and/or any of the Owners, jointly and/or severally, are found to be in violation of these COMMITMENTS, such violators shall pay all reasonable costs and expenses the Town and the Town's Plan Commission and other authorized representative(s) incur in the enforcement of these COMMITMENTS, including reasonable attorney fees, expert witness fees, and court costs.

Owner and all subsequent owners of all or a portion of the Real Estate shall be obligated hereunder, jointly and/or severally, to indemnify the Town of Zionsville Plan Commission and/or the Town and hold said entities and their respective authorized representative(s), including the Director of Planning and Economic Development for the Town, harmless from any liability, expense (including reasonable attorney fees and court costs), costs or damages which result from failure to perform Owner's and/or Owners' obligations hereunder and/or to comply with the terms and conditions of these COMMITMENTS.

Owner shall be responsible, at its expense, for recording this Statement of Commitments in the Office of the Recorder of Boone County, Indiana, and shall promptly provide the Planning and Economic Development Department of the Town of Zionsville with a copy of such recording as a condition precedent to commencing any work with the Development Plan. These

COMMITMENTS shall be considered a covenant running with the Real Estate, including any portion thereof.

By executing these COMMITMENTS, the Owner represents and warrants that at the time of such execution, owner is the sole owner of all the Real Estate, that execution of these COMMITMENTS shall be binding upon the Owner as to all the particulars herein, and shall be considered a COVENANT running with the land described herein as the Real Estate, including any portion thereof. By the signature affixed below to these COMMITMENTS, Zionsville Community Schools Building Corporation further represents and warrants that the undersigned has full corporate authority to execute these COMMITMENTS on behalf of said corporation and bind owner hereto.

IN WITNESS WHEREOF, Owner has executed this instrument this 17<sup>th</sup> day of September, 2020.

“OWNER”

Zionsville Community Schools Building Corporation

By: TE Lingafelter  
Tom E. Lingafelter, President

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Boone )

Before me, a Notary Public in and for said County and State, personally appeared Tom E. Lingafelter, President of Zionsville Community Schools Building Corporation, who acknowledged the execution of the foregoing instrument in such capacity and who, having been duly sworn, stated that any and all representations therein contained are true.

Witness my hand and Notarial Seal this 17<sup>th</sup> day of September, 2020.

Signature: Jane Patricia Johnson

Printed: Jane Patricia Johnson

County of Residence: Marion

My Commission expires: 10/30/2027



EXECUTED AND DELIVERED in my presence:

Courtney M Elefante  
Witness Signature

Courtney M Elefante  
Witness Printed Name

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF BOONE        )

Before me, a Notary Public in and for said County and State, personally appeared Courtney Elefante, being known to me to be the person whose name is subscribed as a witness to the foregoing instrument, who, being duly sworn by me, deposes and says that the foregoing instrument was executed and delivered by Tom E. Lingafelter, President of Zionsville Community Schools Building Corporation in the above-named subscribing witness's presence, and that the above-named subscribing witness is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

Witness my hand and Notarial Seal this 17th day of September, 2020.

Jane Patricia Johnson  
Notary Public's Signature

Commission Expires: 10/30/2027

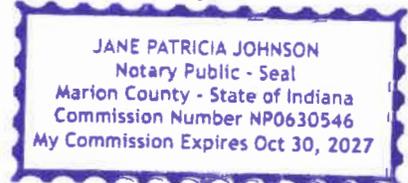
County of Residence: Marion

Jane Patricia Johnson  
Notary Public Printed Name

Prepared by Jon Becker, Church Church Hittle + Antrim, Two North Ninth Street, Noblesville, Indiana 46060.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law, /s/ Jon Becker.

Return Deed: Zionsville Community Schools Building Corporation, 900 Mulberry Street, Zionsville, IN 46077



## EXHIBIT A

**Parcels 0197178000 & 0197178002:** PART OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST IN BOONE COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE ON THE EAST LINE OF SAID NORTHWEST QUARTER SOUTH 00 DEGREES 24 MINUTES 27 SECONDS EAST 161.02 FEET (ASSUMED BEARING) TO THE CENTERLINE OF ZIONSVILLE ROAD; THENCE ON SAID CENTERLINE NORTH 69 DEGREES 11 MINUTES 58 SECONDS WEST 721.24 FEET TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE ON SAID WEST LINE NORTH 00 DEGREES 10 MINUTES 29 SECONDS WEST 2039.04 FEET TO THE SOUTH LINE OF THE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT NO. 200800001926; THENCE ON SAID SOUTH LINE THE FOLLOWING 11 COURSES:

- 1) THENCE SOUTH 36 DEGREES 19 MINUTES 06 SECONDS EAST 153.02 FEET;
- 2) THENCE SOUTH 35 DEGREES 47 MINUTES 38 SECONDS EAST 103.01 FEET;
- 3) THENCE SOUTH 36 DEGREES 27 MINUTES 40 SECONDS EAST 98.26 FEET;
- 4) THENCE SOUTH 36 DEGREES 45 MINUTES 34 SECONDS EAST 106.73 FEET;
- 5) THENCE SOUTH 35 DEGREES 27 MINUTES 49 SECONDS EAST 111.51 FEET;
- 6) THENCE SOUTH 36 DEGREES 27 MINUTES 43 SECONDS EAST 103.56 FEET;
- 7) THENCE SOUTH 36 DEGREES 26 MINUTES 53 SECONDS EAST 110.28 FEET;
- 8) THENCE SOUTH 36 DEGREES 14 MINUTES 27 SECONDS EAST 87.38 FEET;
- 9) THENCE SOUTH 35 DEGREES 51 MINUTES 20 SECONDS EAST 100.96 FEET;
- 10) THENCE SOUTH 35 DEGREES 49 MINUTES 50 SECONDS EAST 96.64 FEET;
- 11) THENCE SOUTH 36 DEGREES 45 MINUTES 13 SECONDS EAST 73.33 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE ON SAID EAST LINE SOUTH 00 DEGREES 09 MINUTES 04 SECONDS EAST 1210.57 FEET TO THE POINT OF BEGINNING, CONTAINING 26.35 ACRES MORE OR LESS.

ALSO:

PART OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST IN BOONE COUNTY, INDIANA BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE ON SOUTH LINE OF SAID SOUTHEAST QUARTER SOUTH 88 DEGREES 56 MINUTES 56 SECONDS WEST (ASSUMED BEARING) 403.30 FEET TO THE CENTERLINE OF ZIONSVILLE ROAD AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE ON SAID CENTERLINE NORTH 69 DEGREES 11 MINUTES 58 SECONDS WEST 288.67 FEET TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE ON SAID WEST LINE SOUTH 00 DEGREES 10 MINUTES 29 SECONDS EAST 107.46 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER NORTH 88 DEGREES 56 MINUTES 56 SECONDS EAST 269.57 FEET TO THE POINT OF BEGINNING, CONTAINING 0.33 ACRES, MORE OR LESS.

*EXCEPTING THEREFROM* THAT PART CONVEYED TO THE TOWN OF ZIONSVILLE, INDIANA BY WARRANTY DEED RECORDED MARCH 6, 2020 AS INSTRUMENT NO. 2020002511, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHWESTERLY 40 FEET OF THE FOLLOWING DESCRIBED REAL ESTATE: PART OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST IN BOONE COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE ON THE EAST LINE OF SAID NORTHWEST QUARTER SOUTH 00 DEGREES 24 MINUTES 27 SECONDS EAST 161.02 FEET (ASSUMED BEARING) TO THE CENTERLINE OF ZIONSVILLE ROAD; THENCE ON SAID CENTERLINE NORTH 69 DEGREES 11 MINUTES 58 SECONDS WEST 721.24 FEET TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE ON SAID WEST LINE NORTH 00 DEGREES 10 MINUTES 29 SECONDS WEST 2039.04 FEET TO THE SOUTH LINE OF THE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT NO. 200800001926; THENCE ON SAID SOUTH LINE THE FOLLOWING 11 COURSES:

- 1) THENCE SOUTH 36 DEGREES 19 MINUTES 06 SECONDS EAST 153.02 FEET;
- 2) THENCE SOUTH 35 DEGREES 47 MINUTES 38 SECONDS EAST 103.01 FEET;
- 3) THENCE SOUTH 36 DEGREES 27 MINUTES 40 SECONDS EAST 98.26 FEET;
- 4) THENCE SOUTH 36 DEGREES 45 MINUTES 34 SECONDS EAST 106.73 FEET;
- 5) THENCE SOUTH 35 DEGREES 27 MINUTES 49 SECONDS EAST 111.51 FEET;
- 6) THENCE SOUTH 36 DEGREES 27 MINUTES 43 SECONDS EAST 103.56 FEET;
- 7) THENCE SOUTH 36 DEGREES 26 MINUTES 53 SECONDS EAST 110.28 FEET;
- 8) THENCE SOUTH 36 DEGREES 14 MINUTES 27 SECONDS EAST 87.38 FEET;
- 9) THENCE SOUTH 35 DEGREES 51 MINUTES 20 SECONDS EAST 100.96 FEET;
- 10) THENCE SOUTH 35 DEGREES 49 MINUTES 50 SECONDS EAST 96.64 FEET;
- 11) THENCE SOUTH 36 DEGREES 45 MINUTES 13 SECONDS EAST 73.33 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE ON SAID EAST LINE SOUTH 00 DEGREES 09 MINUTES 04 SECONDS EAST 1210.57 FEET TO THE POINT OF BEGINNING. SAID SOUTHWESTERLY 40 FEET CONTAINS 0.662 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY, WHICH CONTAINS 0.132 ACRES, MORE OR LESS.

Containing after said exception, 26.018 acres, more or less.

**Parcel 0197179000:** COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST, AND RUN THENCE EAST 42 RODS; THENCE NORTH 23 13/14 RODS; THENCE WEST 42 RODS; THENCE SOUTH 23 13/14 RODS TO THE PLACE OF BEGINNING.

Containing 6.28 acres, more or less.

**Parcel 0197182000:** A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST, LOCATED IN BOONE COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE SOUTH 88 DEGREES 44 MINUTES 43 SECONDS WEST (ASSUMED BEARING) 652.59 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING, SAID 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING BEING NORTH 88 DEGREES 44 MINUTES 43 SECONDS EAST 693.00 FEET FROM THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 09 MINUTES 04 SECONDS WEST 345.20 FEET PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE NORTH 88 DEGREES 44 MINUTES 43 SECONDS EAST 652.91 FEET TO A MAG NAIL; THENCE SOUTH 00 DEGREES 05 MINUTES 55 SECONDS EAST 345.20 FEET ALONG THE EAST LINE OF THE WEST HALF OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING, CONTAINING 5.17 ACRES, MORE OR LESS.

*EXCEPTING THEREFROM* THAT PART CONVEYED TO THE TOWN OF ZIONSVILLE, INDIANA BY WARRANTY DEED RECORDED OCTOBER 23, 2019 AS INSTRUMENT NO. 2019010776, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST, BOONE COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER-QUARTER SECTION; THENCE SOUTH 88 DEGREES 17 MINUTES 08 SECONDS WEST 55.00 FEET ALONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH 0 DEGREES 59 MINUTES 06 SECONDS WEST 0.88 FEET TO POINT "561" DESIGNATED ON SAID PLAT; THENCE NORTH 0 DEGREES 36 MINUTES 54 SECONDS WEST 344.32 FEET TO POINT "565" DESIGNATED ON SAID PLAT, WHICH POINT IS ON THE NORTH LINE OF THE 5/17-ACRE TRACT DESCRIBED IN INSTRUMENT #201400000511; THENCE NORTH 88 DEGREES 17 MINUTES 08 SECONDS EAST 55.01 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID QUARTER-QUARTER SECTION; THENCE SOUTH 0 DEGREES 36 MINUTES 54 SECONDS EAST 345.20 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 0.436 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY, WHICH CONTAINS 0.087 ACRES, MORE OR LESS.

Containing after said exception, 4.734 acres, more or less.

**Parcel 0197181001:** A PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST IN BOONE COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE NORTH 88 DEGREES 44 MINUTES 43 SECONDS EAST (ASSUMED BEARING) 693.00 FEET ALONG THE NORTH LINE OF SAID NORTHEAST

QUARTER TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 88 DEGREES 44 MINUTES 43 SECONDS EAST 652.59 FEET TO A MAG NAIL AT THE NORTHEAST CORNER OF THE WEST HALF OF SAID NORTHEAST CORNER OF THE WEST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 31 MINUTES 36 SECONDS EAST 703.56 FEET ALONG THE EAST LINE OF THE WEST HALF OF SAID NORTHEAST QUARTER TO A MAG NAIL ON THE CENTERLINE OF ZIONSVILLE ROAD; THENCE NORTH 69 DEGREES 11 MINUTES 58 SECONDS WEST 701.49 FEET ALONG THE CENTERLINE OF ZIONSVILLE ROAD TO A MAG NAIL; THENCE NORTH 00 DEGREES 24 MINUTES 27 SECONDS WEST 440.14 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING, CONTAINING 8.57 ACRES, MORE OR LESS.

*EXCEPTING THEREFROM* THAT PART CONVEYED TO THE TOWN OF ZIONSVILLE, INDIANA BY WARRANTY DEED RECORDED OCTOBER 23, 2019 AS INSTRUMENT NO. 2019010776, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST, BOONE COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION NORTH 88 DEGREES 17 MINUTES 08 SECONDS EAST 1,290.59 FEET FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION, SAID NORTHWEST CORNER BEING DESIGNATED AS POINT "201" ON SAID PLAT; THENCE NORTH 88 DEGREES 17 MINUTES 08 SECONDS EAST 55.00 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID HALF QUARTER SECTION; THENCE SOUTH 0 DEGREES 59 MINUTES 06 SECONDS EAST 703.55 FEET ALONG THE EAST LINE OF SAID HALF QUARTER SECTION TO THE CENTERLINE OF WHITESTOWN ROAD (ZIONSVILLE ROAD); THENCE NORTH 69 DEGREES 39 MINUTES 33 SECONDS WEST 600.15 FEET ALONG SAID CENTERLINE; THENCE NORTH 20 DEGREES 25 MINUTES 43 SECONDS EAST 35.31 FEET TO POINT "429" DESIGNATED ON SAID PLAT; THENCE SOUTH 69 DEGREES 34 MINUTES 17 SECONDS EAST 150.25 FEET TO POINT "428" DESIGNATED ON SAID PLAT; THENCE SOUTHEASTERLY 144.65 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 805.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 64 DEGREES 25 MINUTES 26 SECONDS EAST AND A LENGTH OF 144.45 FEET TO POINT "427" DESIGNATED ON SAID PLAT; THENCE SOUTH 59 DEGREES 16 MINUTES 34 SECONDS EAST 3.55 FEET TO POINT "426" DESIGNATED ON SAID PLAT; THENCE SOUTHEASTERLY 103.06 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 725.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 63 DEGREES 20 MINUTES 54 SECONDS EAST AND A LENGTH OF 102.97 FEET TO POINT "425" DESIGNATED ON SAID PLAT; THENCE SOUTH 86 DEGREES 07 MINUTES 57 SECONDS EAST 96.64 FEET TO POINT "424" DESIGNATED ON SAID PLAT; THENCE NORTH 44 DEGREES 07 MINUTES 53 SECONDS EAST 44.53 FEET TO POINT "423" DESIGNATED ON SAID PLAT; THENCE NORTH 0 DEGREES 59 MINUTES 06 SECONDS WEST 597.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.234 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY, WHICH CONTAINS 0.245 ACRES, MORE OR LESS.

Containing after said exception, 7.336 acres, more or less.

# TOWN OF ZIONSVILLE

## ZONING MAP

JANUARY 1, 2015

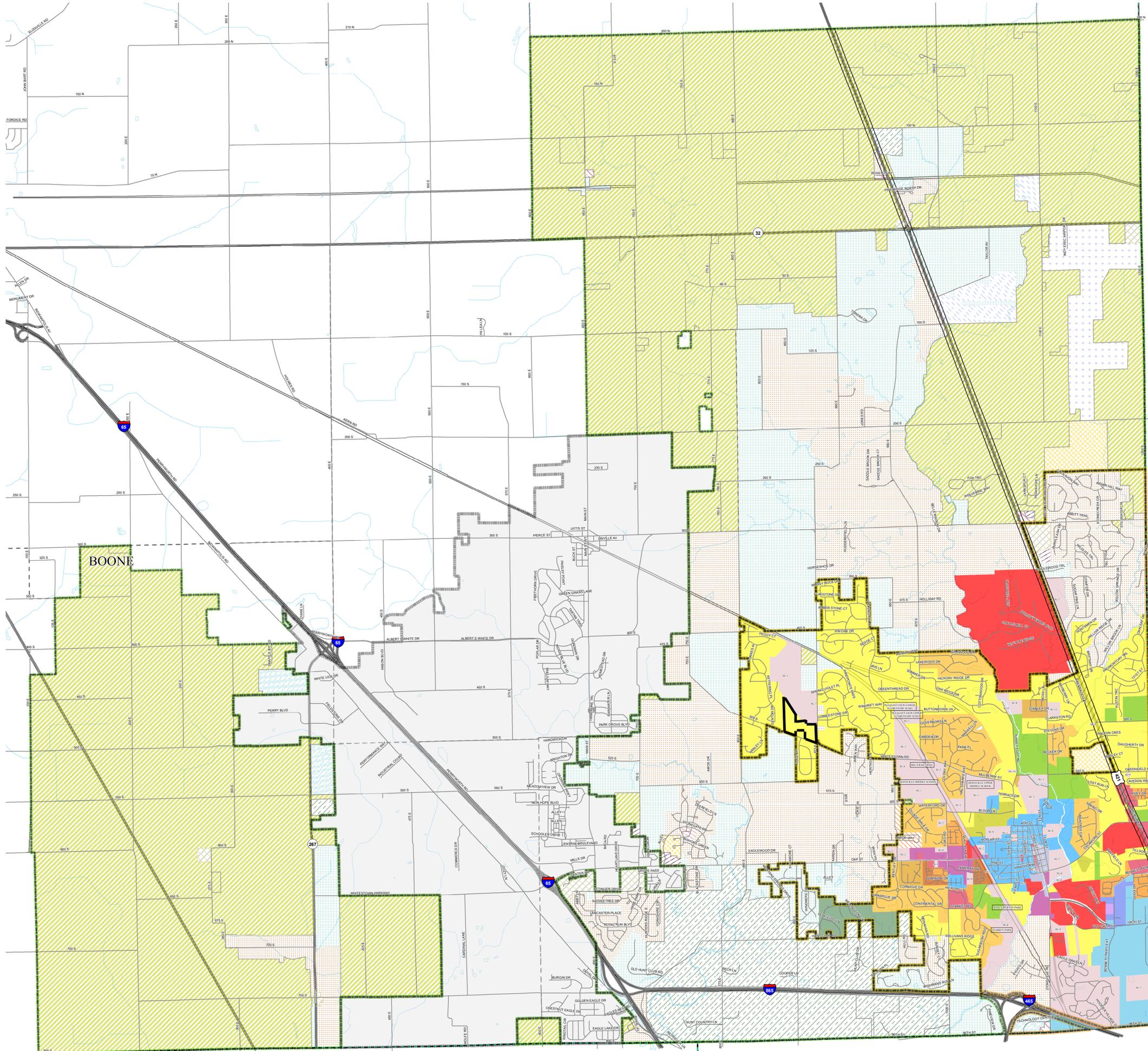


**ZIONSVILLE**  
FOR ALL THE RIGHT REASONS



Not to Scale

LEGEND	
<b>Urban Zoning Districts</b>	<b>Rural Zoning Districts</b>
RE	AG
R-SF-1	RE
R-SF-2	R1
R-SF-3	R2
R-SF-4	R3
R-MF-1	R4
R-MF-2	LB
B-0	PB
B-1	UB
B-2	GB
B-3	I-1
VBD	I-2
I-ORT	AZ
I-1	Zionsville Town Service District
I-2	Zionsville Rural Service District
I-3	Lebanon
SPECIAL USE ZONING	Michigan Road Overlay
OPEN LAND	Whitestown
R-V	Parcels
PUD	County Line
	Township Line
	Water Features
	Highways
	Streets



HAMILTON

HENDRICKS

MARION

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

- JEFF PAPA, PRESIDENT
- TIM HAAK
- ELIZABETH HOPPER
- STEVE MUNDY
- TOM SCHULER
- SUSANA SUAREZ
- 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 Zone Map which, together with all explanatory matter, is incorporated by reference and declared to be a part of this Ordinance.

Allen Rochles *Allen Rochles* Wayne DeLong *Wayne DeLong*  
Plan Commission President Plan Commission Secretary

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

01/01/2015  
Date of Adoption



Exhibit B



**LEGAL DESCRIPTION – ZIONSVILLE COMMUNITY SCHOOLS**

**Proposed SU-1 zoning petition, northwest corner**

**Zionsville Road and County Road 875 East**

**Parcels 0197178000 & 0197178002:** PART OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST IN BOONE COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE ON THE EAST LINE OF SAID NORTHWEST QUARTER SOUTH 00 DEGREES 24 MINUTES 27 SECONDS EAST 161.02 FEET (ASSUMED BEARING) TO THE CENTERLINE OF ZIONSVILLE ROAD; THENCE ON SAID CENTERLINE NORTH 69 DEGREES 11 MINUTES 58 SECONDS WEST 721.24 FEET TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE ON SAID WEST LINE NORTH 00 DEGREES 10 MINUTES 29 SECONDS WEST 2039.04 FEET TO THE SOUTH LINE OF THE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT NO. 200800001926; THENCE ON SAID SOUTH LINE THE FOLLOWING 11 COURSES:

- 1) THENCE SOUTH 36 DEGREES 19 MINUTES 06 SECONDS EAST 153.02 FEET;
- 2) THENCE SOUTH 35 DEGREES 47 MINUTES 38 SECONDS EAST 103.01 FEET;
- 3) THENCE SOUTH 36 DEGREES 27 MINUTES 40 SECONDS EAST 98.26 FEET;
- 4) THENCE SOUTH 36 DEGREES 45 MINUTES 34 SECONDS EAST 106.73 FEET;
- 5) THENCE SOUTH 35 DEGREES 27 MINUTES 49 SECONDS EAST 111.51 FEET;
- 6) THENCE SOUTH 36 DEGREES 27 MINUTES 43 SECONDS EAST 103.56 FEET;
- 7) THENCE SOUTH 36 DEGREES 26 MINUTES 53 SECONDS EAST 110.28 FEET;
- 8) THENCE SOUTH 36 DEGREES 14 MINUTES 27 SECONDS EAST 87.38 FEET;
- 9) THENCE SOUTH 35 DEGREES 51 MINUTES 20 SECONDS EAST 100.96 FEET;
- 10) THENCE SOUTH 35 DEGREES 49 MINUTES 50 SECONDS EAST 96.64 FEET;
- 11) THENCE SOUTH 36 DEGREES 45 MINUTES 13 SECONDS EAST 73.33 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE ON SAID EAST LINE SOUTH 00 DEGREES 09 MINUTES 04 SECONDS EAST 1210.57 FEET TO THE POINT OF BEGINNING, CONTAINING 26.35 ACRES MORE OR LESS.

ALSO:

PART OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST IN BOONE COUNTY, INDIANA BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE ON SOUTH LINE OF SAID SOUTHEAST QUARTER SOUTH 88 DEGREES 56 MINUTES 56 SECONDS WEST (ASSUMED BEARING) 403.30 FEET TO THE CENTERLINE OF ZIONSVILLE ROAD AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE ON SAID CENTERLINE NORTH 69 DEGREES 11 MINUTES 58 SECONDS WEST 288.67 FEET TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE ON SAID WEST LINE SOUTH 00 DEGREES 10 MINUTES 29 SECONDS EAST 107.46 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER NORTH 88 DEGREES 56 MINUTES 56 SECONDS EAST 269.57 FEET TO THE POINT OF BEGINNING, CONTAINING 0.33 ACRES, MORE OR LESS.

*EXCEPTING THEREFROM* THAT PART CONVEYED TO THE TOWN OF ZIONSVILLE, INDIANA BY WARRANTY DEED RECORDED MARCH 6, 2020 AS INSTRUMENT NO. 2020002511, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHWESTERLY 40 FEET OF THE FOLLOWING DESCRIBED REAL ESTATE: PART OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST IN BOONE COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE ON THE EAST LINE OF SAID NORTHWEST QUARTER SOUTH 00 DEGREES 24 MINUTES 27 SECONDS EAST 161.02 FEET (ASSUMED BEARING) TO THE CENTERLINE OF ZIONSVILLE ROAD; THENCE ON SAID CENTERLINE NORTH 69 DEGREES 11 MINUTES 58 SECONDS WEST 721.24 FEET TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE ON SAID WEST LINE NORTH 00 DEGREES 10 MINUTES 29 SECONDS WEST 2039.04 FEET TO THE SOUTH LINE OF THE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT NO. 200800001926; THENCE ON SAID SOUTH LINE THE FOLLOWING 11 COURSES:

- 1) THENCE SOUTH 36 DEGREES 19 MINUTES 06 SECONDS EAST 153.02 FEET;
- 2) THENCE SOUTH 35 DEGREES 47 MINUTES 38 SECONDS EAST 103.01 FEET;
- 3) THENCE SOUTH 36 DEGREES 27 MINUTES 40 SECONDS EAST 98.26 FEET;
- 4) THENCE SOUTH 36 DEGREES 45 MINUTES 34 SECONDS EAST 106.73 FEET;
- 5) THENCE SOUTH 35 DEGREES 27 MINUTES 49 SECONDS EAST 111.51 FEET;
- 6) THENCE SOUTH 36 DEGREES 27 MINUTES 43 SECONDS EAST 103.56 FEET;
- 7) THENCE SOUTH 36 DEGREES 26 MINUTES 53 SECONDS EAST 110.28 FEET;
- 8) THENCE SOUTH 36 DEGREES 14 MINUTES 27 SECONDS EAST 87.38 FEET;
- 9) THENCE SOUTH 35 DEGREES 51 MINUTES 20 SECONDS EAST 100.96 FEET;
- 10) THENCE SOUTH 35 DEGREES 49 MINUTES 50 SECONDS EAST 96.64 FEET;
- 11) THENCE SOUTH 36 DEGREES 45 MINUTES 13 SECONDS EAST 73.33 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE ON SAID EAST LINE SOUTH 00 DEGREES 09 MINUTES 04 SECONDS EAST 1210.57 FEET TO THE POINT OF BEGINNING. SAID SOUTHWESTERLY 40 FEET CONTAINS 0.662 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY, WHICH CONTAINS 0.132 ACRES, MORE OR LESS.

Containing after said exception, 26.018 acres, more or less.

**Parcel 0197179000:** COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST, AND RUN THENCE EAST 42 RODS; THENCE NORTH 23 13/14 RODS; THENCE WEST 42 RODS; THENCE SOUTH 23 13/14 RODS TO THE PLACE OF BEGINNING.

Containing 6.28 acres, more or less.

**Parcel 0197182000:** A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST, LOCATED IN BOONE COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE SOUTH 88 DEGREES 44 MINUTES 43 SECONDS WEST (ASSUMED BEARING) 652.59 FEET ALONG THE SOUTH LINE OF

SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING, SAID 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING BEING NORTH 88 DEGREES 44 MINUTES 43 SECONDS EAST 693.00 FEET FROM THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 09 MINUTES 04 SECONDS WEST 345.20 FEET PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE NORTH 88 DEGREES 44 MINUTES 43 SECONDS EAST 652.91 FEET TO A MAG NAIL; THENCE SOUTH 00 DEGREES 05 MINUTES 55 SECONDS EAST 345.20 FEET ALONG THE EAST LINE OF THE WEST HALF OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING, CONTAINING 5.17 ACRES, MORE OR LESS.

*EXCEPTING THEREFROM* THAT PART CONVEYED TO THE TOWN OF ZIONSVILLE, INDIANA BY WARRANTY DEED RECORDED OCTOBER 23, 2019 AS INSTRUMENT NO. 2019010776, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST, BOONE COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER-QUARTER SECTION; THENCE SOUTH 88 DEGREES 17 MINUTES 08 SECONDS WEST 55.00 FEET ALONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH 0 DEGREES 59 MINUTES 06 SECONDS WEST 0.88 FEET TO POINT "561" DESIGNATED ON SAID PLAT; THENCE NORTH 0 DEGREES 36 MINUTES 54 SECONDS WEST 344.32 FEET TO POINT "565" DESIGNATED ON SAID PLAT, WHICH POINT IS ON THE NORTH LINE OF THE 5/17-ACRE TRACT DESCRIBED IN INSTRUMENT #201400000511; THENCE NORTH 88 DEGREES 17 MINUTES 08 SECONDS EAST 55.01 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID QUARTER-QUARTER SECTION; THENCE SOUTH 0 DEGREES 36 MINUTES 54 SECONDS EAST 345.20 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 0.436 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY, WHICH CONTAINS 0.087 ACRES, MORE OR LESS.

Containing after said exception, 4.734 acres, more or less.

**Parcel 0197181001:** A PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST IN BOONE COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST; THENCE NORTH 88 DEGREES 44 MINUTES 43 SECONDS EAST (ASSUMED BEARING) 693.00 FEET ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 88 DEGREES 44 MINUTES 43 SECONDS EAST 652.59 FEET TO A MAG NAIL AT THE NORTHEAST CORNER OF THE WEST HALF OF SAID NORTHEAST CORNER OF THE WEST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 31 MINUTES 36 SECONDS EAST 703.56 FEET ALONG THE EAST LINE OF THE WEST HALF OF SAID NORTHEAST QUARTER TO A MAG NAIL ON THE CENTERLINE OF ZIONSVILLE ROAD; THENCE NORTH 69 DEGREES 11 MINUTES 58 SECONDS WEST 701.49 FEET ALONG THE CENTERLINE OF ZIONSVILLE ROAD TO A MAG NAIL; THENCE NORTH 00 DEGREES 24 MINUTES 27 SECONDS WEST 440.14 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING, CONTAINING 8.57 ACRES, MORE OR LESS.

*EXCEPTING THEREFROM* THAT PART CONVEYED TO THE TOWN OF ZIONSVILLE, INDIANA BY WARRANTY DEED RECORDED OCTOBER 23, 2019 AS INSTRUMENT NO. 2019010776, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST, BOONE COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION NORTH 88 DEGREES 17 MINUTES 08 SECONDS EAST 1,290.59 FEET FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION, SAID NORTHWEST CORNER BEING DESIGNATED AS POINT "201" ON SAID PLAT; THENCE NORTH 88 DEGREES 17 MINUTES 08 SECONDS EAST 55.00 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID HALF QUARTER SECTION; THENCE SOUTH 0 DEGREES 59 MINUTES 06 SECONDS EAST 703.55 FEET ALONG THE EAST LINE OF SAID HALF QUARTER SECTION TO THE CENTERLINE OF WHITESTOWN ROAD (ZIONSVILLE ROAD); THENCE NORTH 69 DEGREES 39 MINUTES 33 SECONDS WEST 600.15 FEET ALONG SAID CENTERLINE; THENCE NORTH 20 DEGREES 25 MINUTES 43 SECONDS EAST 35.31 FEET TO POINT "429" DESIGNATED ON SAID PLAT; THENCE SOUTH 69 DEGREES 34 MINUTES 17 SECONDS EAST 150.25 FEET TO POINT "428" DESIGNATED ON SAID PLAT; THENCE SOUTHEASTERLY 144.65 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 805.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 64 DEGREES 25 MINUTES 26 SECONDS EAST AND A LENGTH OF 144.45 FEET TO POINT "427" DESIGNATED ON SAID PLAT; THENCE SOUTH 59 DEGREES 16 MINUTES 34 SECONDS EAST 3.55 FEET TO POINT "426" DESIGNATED ON SAID PLAT; THENCE SOUTHEASTERLY 103.06 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 725.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 63 DEGREES 20 MINUTES 54 SECONDS EAST AND A LENGTH OF 102.97 FEET TO POINT "425" DESIGNATED ON SAID PLAT; THENCE SOUTH 86 DEGREES 07 MINUTES 57 SECONDS EAST 96.64 FEET TO POINT "424" DESIGNATED ON SAID PLAT; THENCE NORTH 44 DEGREES 07 MINUTES 53 SECONDS EAST 44.53 FEET TO POINT "423" DESIGNATED ON SAID PLAT; THENCE NORTH 0 DEGREES 59 MINUTES 06 SECONDS WEST 597.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.234 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY, WHICH CONTAINS 0.245 ACRES, MORE OR LESS.

Containing after said exception, 7.336 acres, more or less.



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

September 22, 2020

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

Be it advised that, pursuant to Indiana Code 36-7-4, on September 21, 2020 the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of 6 in favor and 1 opposed, gave a **Favorable Recommendation** to proposal 2020-24-Z to amend the Zoning Map (the "Map") of the Town of Zionsville (Legal Description attached, "Exhibit A"). Proposal 2020-24-Z recommends that 31.671 ± acres described in the Petition be rezoned from the Rural (R1) Residential Zoning District to a Rural (R2) Residential Zoning District

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2020-24-Z to amend the Zoning Map (a copy of which is attached to this Certification and incorporated here by this reference, "(Exhibit B)") and its Commitments ("Exhibit C"), to the Town Council of Zionsville, Indiana, with a **Favorable Recommendation**.

**TOWN OF ZIONSVILLE  
ADVISORY PLAN COMMISSION**

\_\_\_\_\_  
**David L. Franz, President**

Attest: \_\_\_\_\_

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

## Exhibit A

### Rezone Legal Description

All that part of Section 4 Township 17 North, Range 2 East, Eagle Township, Boone County, Indiana, lying within the following described real estate, to-wit:

702 feet of even width off of the entire western boundary of the below described tract of ground consisting of 31.671 acres, more or less, as part of the following legal description:

Part of the West Half of Section 3 and part of the East Half of Section 4, all in Township 17 North, Range 2 East, Eagle Township, Boone County, Indiana, more fully described as follows: Beginning at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 3; thence along the approximate center line of State Road 334 and the Quarter Quarter Section line, North 89 degrees 32 minutes 16 seconds East 1334.99 feet; thence along the West described line of Spring Hills Subdivision, the plat of which is recorded in Plat Book 3, page 140, Boone County Recorder's Office, South 00 degrees 37 minutes 59 seconds West 1331.42 feet; thence along the West described line of Thornhill, Section I, the plat of which is recorded in Plat Book 6, page 102, the West described line of Thornhill, Section 3A, the plat of which is recorded in Plat Book 7, pages 32-33, and the West described line of Thornhill, Section 3B, the plat of which is recorded in Plat Book 7, pages 46-47, South 00 degrees 07 minutes 43 sections East 880.65 feet; thence along the North described line of the Westwood Associates, L.P. Property recorded as Instrument #0304347, South 89 degrees 43 minutes 28 seconds West 1331.20 feet; thence along the North described line of said Westwood Associates, L.P. Property, North 89 degrees 29 minutes 51 seconds West 664.08 feet; thence along part of an East described line of the Robert J. LaViolette and Sondra LaViolette Property recorded as Instrument #0319354, and the East described line of the Kevin R. Overly Property recorded as Instrument #0108110, North 00 degrees 06 minutes 40 seconds East 877.03 feet; thence along the East described line of Linda L. Gray Property recorded as Instrument #9812047, North 00 degrees 29 minutes 32 seconds West 227.97 feet; thence along the South described line of the Mark Wood and Susan Wood Property recorded in Deed Record 231, page 444, North 89 degrees 2S minutes 10 seconds East 48.42 feet; thence along the East described line of said Wood Property and the East described line of Russell Lake, Section One, the plat of which is recorded in Plat Book 4, pages 150 and 151, North 00 degrees 02 minutes 09 seconds West 1090.00 feet; thence along the approximate center line of State Road 334 and the Quarter Quarter Section line, North 89 degrees 25 minutes 10 seconds East 625.58 feet to the POINT OF BEGINNING, containing 100.0127 acres, more or less.

#### EXCEPTING THEREFROM:

A part of the West Half of Section 3, and a part of the East Half of Section 4, Township 17 North, Range 2 East, Eagle Township, Boone County, Indiana, described as follows:

Beginning at the northwest corner of the southwest quarter of the northwest quarter of the aforesaid Section 3; thence North 89 degrees 25 minutes 45 seconds East 1,335.29 feet along the quarter-quarter line of said section; thence South 0 degrees 26 minutes 09 seconds West 77.47 feet; thence South 78 degrees 03 minutes 24 seconds West 4.89 feet; thence South 89 degrees 22

minutes 00 seconds West 125.00 feet; thence North 75 degrees 42 minutes 07 seconds West 77.62 feet; thence South 89 degrees 22 minutes 00 seconds West 1,400.00 feet; thence North 68 degrees 49 minutes 55 seconds West 53.85 feet, which point is on the south boundary of S.R. 334; thence South 89 degrees 22 minutes 00 seconds West 50.00 feet along said south boundary; thence North 0 degrees 38 minutes 00 seconds West 40.28 feet to the north line of the southeast quarter of the northeast quarter of Section 4, Township 17 North, Range 2 East; thence North 89 degrees 25 minutes 45 seconds East 370.95 feet along the quarter-quarter line of said section to the point of beginning and containing 2.366 acres, more or less.

# TOWN OF ZIONSVILLE

## ZONING MAP

JANUARY 1, 2015

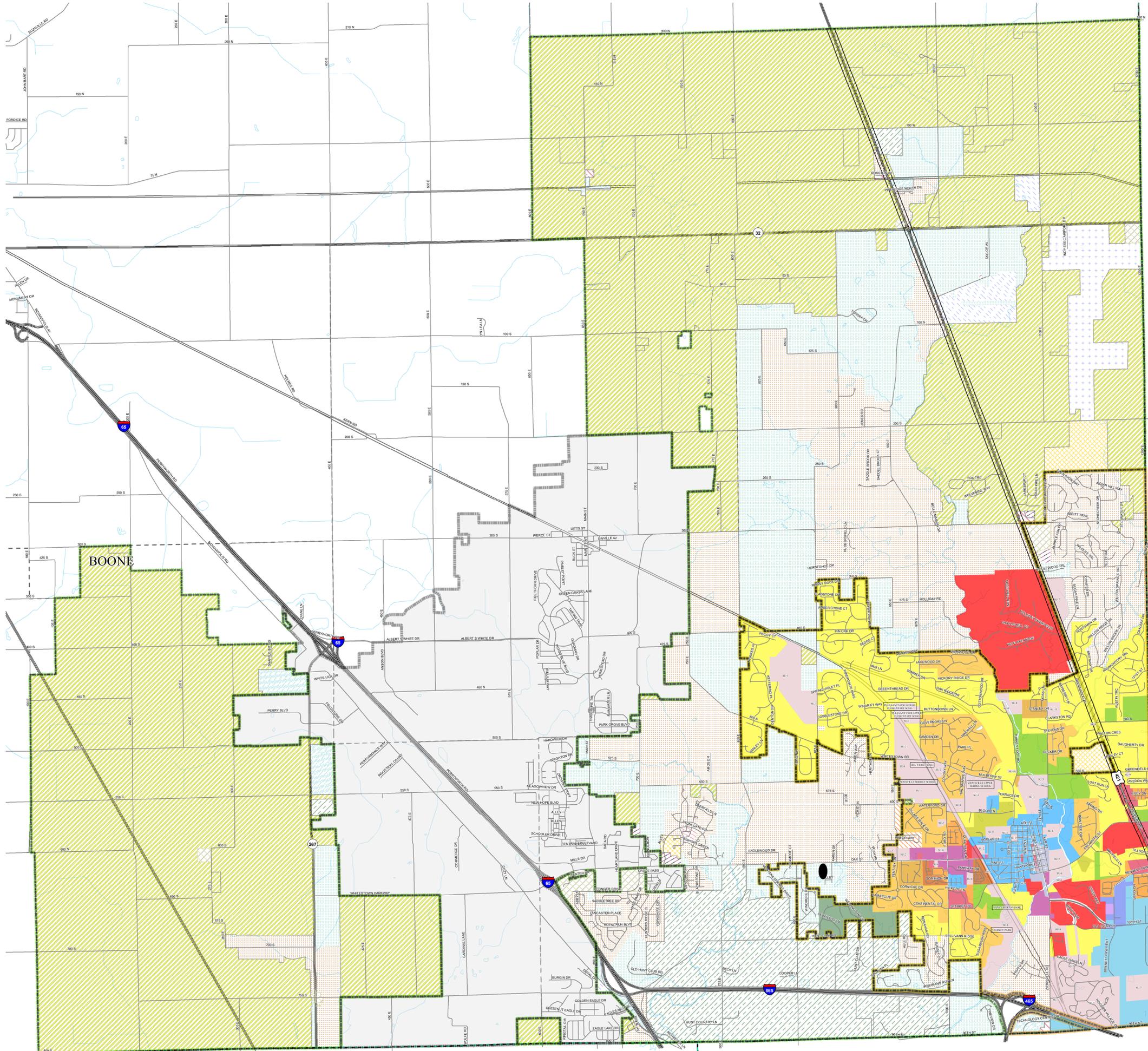


**ZIONSVILLE**  
FOR ALL THE RIGHT REASONS



Not to Scale

LEGEND	
<b>Urban Zoning Districts</b>	<b>Rural Zoning Districts</b>
RE	AG
R-SF-1	RE
R-SF-2	R1
R-SF-3	R2
R-SF-4	R3
R-MF-1	R4
R-MF-2	LB
B-0	PB
B-1	UB
B-2	GB
B-3	I-1
VBD	I-2
I-ORT	AZ
I-1	Zionsville Town Service District
I-2	Zionsville Rural Service District
I-3	Lebanon
SPECIAL USE ZONING	Michigan Road Overlay
OPEN LAND	Whitestown
R-V	Parcels
PUD	County Line
	Township Line
	Water Features
	Highways
	Streets



HAMILTON

HENDRICKS

MARION

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

- JEFF PAPA, PRESIDENT
- TIM HAAK
- ELIZABETH HOPPER
- STEVE MUNDY
- TOM SCHULER
- SUSANA SUAREZ
- 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 Zone Map which, together with all explanatory matter, is incorporated by reference and declared to be a part of this Ordinance.

Allen Rochles *Allen Rochles* Wayne DeLong *Wayne DeLong*  
Plan Commission President Plan Commission Secretary

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

01/01/2015  
Date of Adoption



Exhibit B



**ZIONSVILLE PLAN COMMISSION  
FILE 2020-24-Z**

**COMMITMENTS CONCERNING THE USE OR DEVELOPMENT  
OF REAL PROPERTY MADE IN CONNECTION  
WITH A ZONE MAP CHANGE (REZONE)**

In accordance with IND. CODE § 36-7-4-1015, **Kendalwood Realty, LLC**, (hereinafter collectively “**Owner**”) represents and warrants that Owner owns certain real estate located in Boone County, Indiana, which real estate is described in Exhibit “A” attached hereto (the “**Real Estate**”), and is commonly known as 8901 and 9085 E. Oak St., Zionsville, Indiana 46077. Owner further represents and warrants that Owner has the authority to, and does hereby voluntarily make the following **COMMITMENTS** concerning the use and development of the Real Estate, including any portion thereof.

**STATEMENT OF COMMITMENTS**

Owner voluntarily agrees and commits that a favorable recommendation by the Zionsville Plan Commission (“**Commission**”) of Docket No. 2020-24-Z requesting a Zone Map Change of 31.671 acres (+/-), Exhibit “B” (“**Rezone Parcel**”), from a Rural R-1 to a Rural R-2 Zoning Classification is subject to the following Commitments:

- 1) Owner agrees to substantial compliance with the Site and Master Plans of the Real Estate as submitted as part of the Rezone Application process showing a maximum of 150 lots. Further, subject to the limitations in the following paragraph 2, no two-family dwellings shall be permitted on the Real Estate.
- 2) In the event Owner cannot or does not secure platting and development plan approval for the Master Plan as currently submitted, these Commitments are null and void as to the Real Estate, specifically the current R-2 Zoning Classification property consisting of 65.975 acres (+/-).
- 3) In the event Owner cannot or does not secure platting and development approval pursuant to substantial compliance with the Master Plan (see attached annexed Exhibit “C”) submitted to the Town of Zionsville September 16, 2020 for the September 21, 2020 Plan Commission agenda, the Rezone Parcel property consisting of 31.671 acres (+/-) to a Rural R-2 Zoning Classification, Owner agrees and commits that the Rezone Parcel property consisting of 31.671 acres (+/-) shall be developed consistent with the Town of Zionsville’s Zoning Ordinance Rural R-1 zoning classification, as may be amended from time to time.

The **COMMITMENTS** contained herein shall be effective upon a favorable recommendation by the Zionsville Plan Commission and the adoption of an Ordinance by the Zionsville Town Counsel rezoning the 31.671 acres, (Rezone Parcel), from a Rural R-1 Zoning Classification to a Rural R-2 Zoning Classification.

These **COMMITMENTS** shall be promptly recorded in the Office of the Boone County Recorder, Boone County, Indiana, and shall be considered a covenant running with the land described herein as the Real Estate, including any portion thereof.

These **COMMITMENTS** shall be binding on Owner, subsequent owners of the Real Estate or any portion thereof, and any and all other person or entities acquiring an interest in any portion of the Real Estate (hereinafter collectively the "Owners"). Owner shall have an affirmative duty to inform any third parties with whom Owner negotiates for a possible sale, lease, assignment, mortgage, or transfer of the Real Estate, or any portion thereof, of the existence of these **COMMITMENTS**. In the event any sale, lease, assignment, mortgage or transfer occurs, Owner shall ensure that a copy of these **COMMITMENTS** is incorporated into any such written agreement with the third party. In the event Owner fails to comply with the terms of this paragraph and the third party fails to perform and/or comply with these **COMMITMENTS**, the Town of Zionsville shall be entitled to recover from Owner and from each third party, jointly and/or severally, any and all damages which arise from this failure and shall be entitled to injunctive relief to terminate any non-compliance herewith.

These **COMMITMENTS** may be modified or terminated by decision of the Zionsville Town Counsel made after a Public Hearing for which proper notice is given, and upon recommendation as required by the Zionsville Plan Commission.

These **COMMITMENTS** may be enforced jointly and/or severally by the Town of Zionsville, Zionsville Plan Commission, the Director of Planning for the Town of Zionsville (or a position created for the Town of Zionsville which is analogous thereto), the Town (including any successor city or municipality), and/or owners of any parcel of ground adjoining or adjacent to the Real Estate. Owner and all Owners shall be obligated hereunder to indemnify the Town of Zionsville Plan Commission and the Town (including a successor city or municipality), and to hold said entities and their respective authorized representatives, including the Director of Planning for the Town, harmless from any liability, expense (including reasonable attorney fees and court costs), costs or damages which result from the failure to perform Owner's and/or Owners' obligations under the terms and conditions of these **COMMITMENTS**. Throughout these **COMMITMENTS** any reference to "Town" or "Town of Zionsville" shall also include any successor city, municipality, or other governmental body having land use, planning, and/or zoning jurisdiction over the Real Estate.

In the event it becomes necessary to enforce these **COMMITMENTS** in a court of competent jurisdiction and Owner and/or any subsequent Owners are found to be in violation of these **COMMITMENTS**, such Owner and/or Owners shall pay all reasonable costs and expenses the Town and the Zionsville Plan Commission and other authorized representative(s) incur in the enforcement of these **COMMITMENTS**, including reasonable attorney fees, expert witness fees, and court costs.

Owner and all subsequent Owners of all or a portion of the Real Estate shall be obligated hereunder, jointly and/or severally, to indemnify the Town of Zionsville Plan Commission and/or the Town and hold said entities and their respective authorized representative(s), including the Director of Planning for the Town, harmless from any and all liability, expense (including reasonable attorney fees and court costs), costs, or damages which result from the failure to perform Owner's and/or Owners' obligations hereunder and/or to comply with the terms and conditions of these **COMMITMENTS**.

Any controversy arising under or in relation to these **COMMITMENTS** shall be litigated exclusively in the applicable state courts of Indiana without regard to conflicts of law principles. Owner irrevocably consents, for him and herself and all subsequent Owners, to service, jurisdiction, and venue in such state courts for any and all such litigation and hereby waives any other venue to which Owner or subsequent Owners might be entitled by virtue of domicile, habitual residence, or otherwise.

Owner shall be responsible, at owner's expense, for recording these **COMMITMENTS** in the Office of the Recorder of Boone County, Indiana, within thirty (30) days after recommendation by the Plan Commission of Docket No. 2020-24-Z and adoption of an Ordinance rezoning the property of 31.671 acres (+/-) from Rural R-1 to Rural R-2 Zoning Classification and shall promptly provide the Planning Department of the Town of Zionsville with a copy of such recording as a condition precedent for the Development Plan and Platting approval, together with any Improvement Location Permit and/or Building Permit for the Real Estate.

The undersigned, by executing these **COMMITMENTS**, represents and warrants that at the time of executing this document, Kendalwood Realty, LLC, is the sole owner of the Real Estate, that execution of these **COMMITMENTS** is being voluntarily undertaken and requires no authorization of a third party, and that these **COMMITMENTS** shall be binding upon the undersigned as to all the particulars herein and shall be considered a **COVENANT** running with the land described herein as the Real Estate, including any portion thereof. By affirming his or her signature below to these **COMMITMENTS**, the undersigned each further represents and warrants that he/she has full capacity and authority to execute these **COMMITMENTS**.

IN WITNESS WHEREOF, Kendalwood Realty, LLC as the sole owner of the Real Estate, has executed these **COMMITMENTS** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**OWNER:**

**Kendalwood Realty, LLC, by:**

\_\_\_\_\_  
**Joe Zheng,**  
**Member/Manager**

STATE OF INDIANA        )  
  ) **SS:**  
COUNTY OF BOONE        )

Before me, a Notary Public, in and for said County and State, personally appeared **Joe Zheng, Member/Manager of Kendalwood Realty, LLC**, as the owner of the Real Estate described above, who acknowledged voluntarily executing the foregoing instrument and who, having been duly sworn, stated that any and all representations therein contained are true.

Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Barri Andreoli, Notary Public

Commission Number:  
560217

My Commission Expires: January 14, 2023  
County of Residence: Boone

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. Michel J. Andreoli

**This instrument prepared by Michael J. Andreoli, Attorney at Law,  
1393 West Oak Street, Zionsville, Indiana 46077, (317) 873-6266.**

## Exhibit "A"

Part of the West Half of Section 3 and part of the East Half of Section 4, all in Township 17 North, Range 2 East, Eagle Township, Boone County, Indiana, more fully described as follows: Beginning at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 3; thence along the approximate center line of State Road 334 and the Quarter Quarter Section line, North 89 degrees 32 minutes 16 seconds East 1334.99 feet; thence along the West described line of Spring Hills Subdivision, the plat of which is recorded in Plat Book 3, page 140, Boone County Recorder's Office, South 00 degrees 37 minutes 59 seconds West 1331.42 feet; thence along the West described line of Thornhill, Section I, the plat of which is recorded in Plat Book 6, page 102, the West described line of Thornhill, Section 3A, the plat of which is recorded in Plat Book 7, pages 32-33, and the West described line of Thornhill, Section 3B, the plat of which is recorded in Plat Book 7, pages 46-47, South 00 degrees 07 minutes 43 sections East 880.65 feet; thence along the North described line of the Westwood Associates, L.P. Property recorded as Instrument #0304347, South 89 degrees 43 minutes 28 seconds West 1331.20 feet; thence along the North described line of said Westwood Associates, LP. Property, North 89 degrees 29 minutes 51 seconds West 664.08 feet; thence along part of an East described line of the Robert J. LaViolette and Sondra LaViolette Property recorded as Instrument #0319354, and the East described line of the Kevin R. Overly Property recorded as Instrument #0108110, North 00 degrees 06 minutes 40 seconds East 877.03 feet; thence along the East described line of Linda L. Gray Property recorded as Instrument #9812047, North 00 degrees 29 minutes 32 seconds West 227.97 feet; thence along the South described line of the Mark Wood and Susan Wood Property recorded in Deed Record 231, page 444, North 89 degrees 2S minutes 10 seconds East 48.42 feet; thence along the East described line of said Wood Property and the East described line of Russell Lake, Section One, the plat of which is recorded in Plat Book 4, pages 150 and 151, North 00 degrees 02 minutes 09 seconds West 1090.00 feet; thence along the approximate center line of State Road 334 and the Quarter Quarter Section line, North 89 degrees 25 minutes 10 seconds East 625.58 feet to the POINT OF BEGINNING, containing 100.0127 acres, more or less.

### EXCEPTING THEREFROM:

A part of the West Half of Section 3, and a part of the East Half of Section 4, Township 17 North, Range 2 East, Eagle Township, Boone County, Indiana, described as follows:

Beginning at the northwest corner of the southwest quarter of the northwest quarter of the aforesaid Section 3; thence North 89 degrees 25 minutes 45 seconds East 1,335.29 feet along the quarter-quarter line of said section; thence South 0 degrees 26 minutes 09 seconds West 77.47 feet; thence South 78 degrees 03 minutes 24 seconds West 4.89 feet; thence South 89 degrees 22 minutes 00 seconds West 125.00 feet; thence North 75 degrees 42 minutes 07 seconds West 77.62 feet; thence South 89 degrees 22 minutes 00 seconds West 1,400.00 feet; thence North 68 degrees 49 minutes 55 seconds West 53.85 feet, which point is on the south boundary of S.R. 334; thence South 89 degrees 22 minutes 00 seconds West 50.00 feet along said south boundary; thence North 0 degrees 38 minutes 00 seconds West 40.28 feet to the north line of the southeast quarter of the northeast quarter of Section 4, Township 17 North, Range 2 East; thence North 89 degrees 25 minutes 45 seconds East 370.95 feet along the quarter-quarter line of said section to the point of beginning and containing 2.366 acres, more or less.

## Exhibit "B"

All that part of Section 4 Township 17 North, Range 2 East, Eagle Township, Boone County, Indiana, lying within the following described real estate, to-wit:

702 feet of even width off of the entire western boundary of the below described tract of ground consisting of 31.671 acres, more or less, as part of the following legal description:

Part of the West Half of Section 3 and part of the East Half of Section 4, all in Township 17 North, Range 2 East, Eagle Township, Boone County, Indiana, more fully described as follows: Beginning at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 3; thence along the approximate center line of State Road 334 and the Quarter Quarter Section line, North 89 degrees 32 minutes 16 seconds East 1334.99 feet; thence along the West described line of Spring Hills Subdivision, the plat of which is recorded in Plat Book 3, page 140, Boone County Recorder's Office, South 00 degrees 37 minutes 59 seconds West 1331.42 feet; thence along the West described line of Thornhill, Section I, the plat of which is recorded in Plat Book 6, page 102, the West described line of Thornhill, Section 3A, the plat of which is recorded in Plat Book 7, pages 32-33, and the West described line of Thornhill, Section 3B, the plat of which is recorded in Plat Book 7, pages 46-47, South 00 degrees 07 minutes 43 sections East 880.65 feet; thence along the North described line of the Westwood Associates, L.P. Property recorded as Instrument #0304347, South 89 degrees 43 minutes 28 seconds West 1331.20 feet; thence along the North described line of said Westwood Associates, LP. Property, North 89 degrees 29 minutes 51 seconds West 664.08 feet; thence along part of an East described line of the Robert J. LaViolette and Sondra LaViolette Property recorded as Instrument #0319354, and the East described line of the Kevin R. Overly Property recorded as Instrument #0108110, North 00 degrees 06 minutes 40 seconds East 877.03 feet; thence along the East described line of Linda L. Gray Property recorded as Instrument #9812047, North 00 degrees 29 minutes 32 seconds West 227.97 feet; thence along the South described line of the Mark Wood and Susan Wood Property recorded in Deed Record 231, page 444, North 89 degrees 2S minutes 10 seconds East 48.42 feet; thence along the East described line of said Wood Property and the East described line of Russell Lake, Section One, the plat of which is recorded in Plat Book 4, pages 150 and 151, North 00 degrees 02 minutes 09 seconds West 1090.00 feet; thence along the approximate center line of State Road 334 and the Quarter Quarter Section line, North 89 degrees 25 minutes 10 seconds East 625.58 feet to the POINT OF BEGINNING, containing 100.0127 acres, more or less.

### EXCEPTING THEREFROM:

A part of the West Half of Section 3, and a part of the East Half of Section 4, Township 17 North, Range 2 East, Eagle Township, Boone County, Indiana, described as follows:

Beginning at the northwest corner of the southwest quarter of the northwest quarter of the aforesaid Section 3; thence North 89 degrees 25 minutes 45 seconds East 1,335.29 feet along the quarter-quarter line of said section; thence South 0 degrees 26 minutes 09 seconds West 77.47 feet; thence South 78 degrees 03 minutes 24 seconds West 4.89 feet; thence South 89 degrees 22 minutes 00 seconds West 125.00 feet; thence North 75 degrees 42 minutes 07 seconds West

77.62 feet; thence South 89 degrees 22 minutes 00 seconds West 1,400.00 feet; thence North 68 degrees 49 minutes 55 seconds West 53.85 feet, which point is on the south boundary of S.R. 334; thence South 89 degrees 22 minutes 00 seconds West 50.00 feet along said south boundary; thence North 0 degrees 38 minutes 00 seconds West 40.28 feet to the north line of the southeast quarter of the northeast quarter of Section 4, Township 17 North, Range 2 East; thence North 89 degrees 25 minutes 45 seconds East 370.95 feet along the quarter-quarter line of said section to the point of beginning and containing 2.366 acres, more or less.





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 \_\_\_\_\_ day of \_\_\_\_\_, 2020. A motion to consider on First Reading was sustained by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ 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**

	<b>YEA Signature</b>	<b>NAY Signature</b>
Josh Garrett, President		
Bryan Traylor, Vice-President		
Alexander Choi, Member		
Joe Culp, Member		
Brad Burk, Member		
Craig Melton, Member		
Jason Plunkett, 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

# TOWN OF ZIONSVILLE

## ZONING MAP

JANUARY 1, 2015

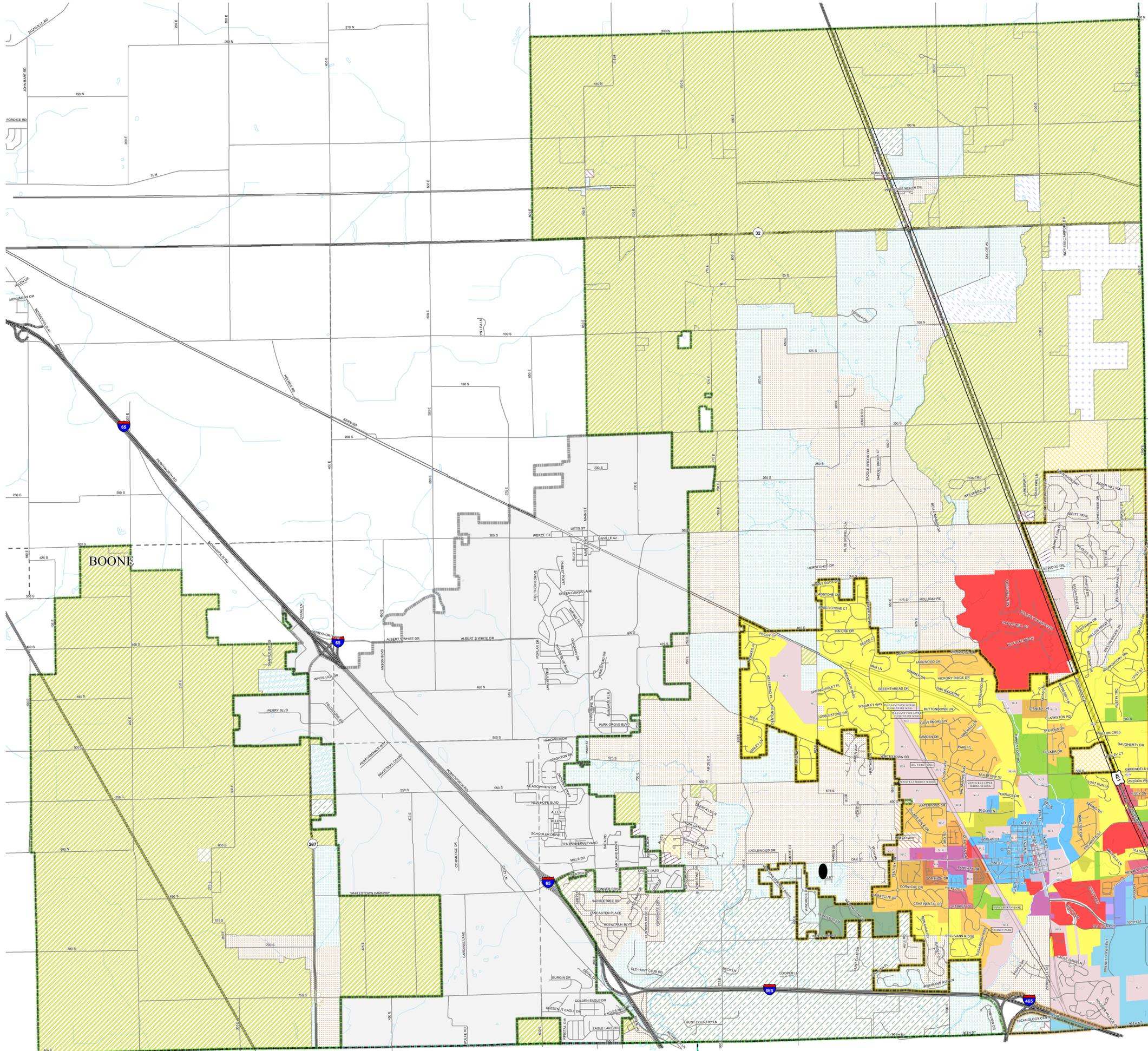


**ZIONSVILLE**  
FOR ALL THE RIGHT REASONS



Not to Scale

LEGEND	
<b>Urban Zoning Districts</b>	<b>Rural Zoning Districts</b>
RE	AG
R-SF-1	RE
R-SF-2	R1
R-SF-3	R2
R-SF-4	R3
R-MF-1	R4
R-MF-2	LB
B-0	PB
B-1	UB
B-2	GB
B-3	I-1
VBD	I-2
I-ORT	AZ
I-1	Zionsville Town Service District
I-2	Zionsville Rural Service District
I-3	Lebanon
SPECIAL USE ZONING	Michigan Road Overlay
OPEN LAND	Whitestown
R-V	Parcels
PUD	County Line
	Township Line
	Water Features
	Highways
	Streets



HAMILTON

HENDRICKS

MARION

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

- JEFF PAPA, PRESIDENT
- TIM HAAK
- ELIZABETH HOPPER
- STEVE MUNDY
- TOM SCHULER
- SUSANA SUAREZ
- 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 Zone Map which, together with all explanatory matter, is incorporated by reference and declared to be a part of this Ordinance.

Allen Rochles *Allen Rochles* Wayne DeLong *Wayne DeLong*  
Plan Commission President Plan Commission Secretary

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

01/01/2015  
Date of Adoption



Exhibit B



**RESOLUTION NO. 2020- 14**  
**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:

**Park Impact Fee Fund (Fund #272)**

<u>Fund Name</u>	<u>Budget Classification</u>	<u>Amount</u>	<u>Amount Approved by Fiscal Body</u>
Park Impact Fee Fund (Fund #272)	Capital Outlay	40,000	40,000

**Total Park Impact Fee Fund #272 - \$40,000**

Funds noted above are available for additional appropriation via a September 25, 2020 cash balance in the Park Impact Fee Fund of \$1,964,757.

The purpose of the additional appropriation is to pay for a portion of the dog park as well as sun shelters at Heritage Trail Park.

**Park Capital Non-Reverting Fund (Fund #215)**

<u>Fund Name</u>	<u>Budget Classification</u>	<u>Amount</u>	<u>Amount Approved by Fiscal Body</u>
Park Capital Non-Reverting Fund (Fund #215)	Capital Outlay	500,000	500,000

**Total Park Capital Non-Reverting Fund #215 - \$500,000**

Funds noted above are available for additional appropriation via a September 25, 2020 cash balance in the Park Impact Fee Fund of \$1,358,664.53.

The purpose of additional appropriation is to fund the purchase of the full parcel located at 45 N. Elm St with the lower portion to be used for a trail extension connecting Elm Street Green and Lion's Park. The upper portion will be sold with reimbursing funds going back into the Non-Reverting Capital Fund.

**Total Amount Appropriated \$540,000**

**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**

	<b>YEA</b> Signature	<b>NAY</b> Signature
Josh Garrett, President		
Bryan Traylor, Vice-President		
Jason Plunkett, Member		
Alexander Choi, Member		
Brad Burk, Member		
Joe Culp, Member		
Craig Melton, Member		

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

ATTEST: \_\_\_\_\_ Amelia Anne Lacy, Director,  
Municipal Relations Coordinator

**MAYOR'S APPROVAL**

\_\_\_\_\_  
**Emily Styron, Mayor**

\_\_\_\_\_  
**DATE**

**MAYOR'S VETO**

\_\_\_\_\_  
**Emily Styron, Mayor**

\_\_\_\_\_  
**DATE**

## SPECIAL PURCHASES

The following is a special purchase to be made pursuant to Indiana Code §5-22-10 *et. seq.*

Description of item or items to be purchased and explanation of why special purchasing method shall be used:

Taser X7 (21 units)

The TASER brand “Electronic Conductive Weapon” (ECW) is the industry standard for this technology and the current provider of ECW for the Zionsville Police Department. The current model issued to most ZPD officers is the TASER X26, which technology is approximately 15 years old. Our use of force instructor has done great research and determined the TASER X7 is the best replacement, both financially and for officer/citizen safety. The options and technology found in the X7 are only found in the TASER brand. We found that only one source provided the particular product that will meet our reasonable requirements, so this qualifies as a special purchase under Indiana Code 5-22-10-8. Therefore, there was not a need to formally solicit additional bids or proposals.

Contractor selected:

TASER Axon \_\_\_\_\_

Applicable statutory section for special purchasing method:

IC §5-22-10-4: Emergency conditions; purchases by Counter-Terrorism and Security Council

IC §5-22-10-5: Savings to Governmental Body

IC §5-22-10-6: Auctions

IC §5-22-10-7: Date of processing contractor license agreements

IC §5-22-10-8: Single source for supply

IC §5-22-10-9: Purchasing method impairs functioning of agency

IC §5-22-10-10: No offer received under other purchasing method

IC §5-22-10-11: Evaluation of supplies or system containing supplies

IC §5-22-10-12: Governmental discount available

IC §5-22-10-13: Single source for supply; award of contracts

IC §5-22-10-14: Efficiency and economic advantages

IC §5-22-10-15: Purchase from person who has contract with Federal Agency

IC §5-22-10-16: Acquisition of supplies through transfer from Federal Government

IC §5-22-10-17: Acquisition of supplies through acceptance of gift

IC §5-22-10-18: Special purchase of copyrighted material

IC §5-22-10-19: Purchase from Public Utility following independent appraisal

Department requesting purchase:

Police Department \_\_\_\_\_

Approved By: \_\_\_\_\_

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Tammy Havard, CFO

Date Presented to and Approved by Town Council: \_\_\_\_\_



**Axon Enterprise, Inc.**  
 17800 N 85th St.  
 Scottsdale, Arizona 85255  
 United States  
 Phone: (800) 978-2737

**Q-265835-44063.676LY**

Issued: 08/20/2020

Quote Expiration: 09/01/2020

Account Number: 109260

Payment Terms: Net 30  
 Delivery Method: Fedex - Ground

**SHIP TO**

Brad Kiefer  
 Zionsville Police Dept - IN  
 1075 PARKWAY DR  
 ZIONSVILLE, IN 46077  
 US

**BILL TO**

Zionsville Police Dept - IN  
 1075 PARKWAY DR  
 ZIONSVILLE, IN 46077  
 US

**SALES REPRESENTATIVE**

Lily Yost  
 Phone:  
 Email: lyost@axon.com  
 Fax:

**PRIMARY CONTACT**

Brad Kiefer  
 Phone: 317-873-5967  
 Email: bkiefer@zionsville-in.gov

**Year 1**

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
<b>Axon Plans &amp; Packages</b>						
20248	TASER 7 EVIDENCE.COM ACCESS LICENSE	60	1	0.00	0.00	0.00
20248	TASER 7 EVIDENCE.COM ACCESS LICENSE	60	21	0.00	0.00	0.00
<b>Hardware</b>						
20160	TASER 7 HOLSTER - SAFARILAND, RH+CART CARRIER		21	0.00	0.00	0.00
80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7		1	0.00	0.00	0.00
20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R		21	0.00	0.00	0.00
20040	TASER 7 HANDLE WARRANTY, 4-YEAR		21	0.00	0.00	0.00
20018	TASER 7 BATTERY PACK, TACTICAL		25	0.00	0.00	0.00
20041	TASER 7 BATTERY PACK WARRANTY, 4-YEAR		25	0.00	0.00	0.00
20042	TASER 7 DOCK & CORE WARRANTY, 4-YEAR		1	0.00	0.00	0.00
70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK		1	0.00	0.00	0.00
74200	TASER 7 6-BAY DOCK AND CORE		1	0.00	0.00	0.00
<b>Other</b>						
20240	TASER 7 BASIC BUNDLE PAYMENT	12	21	480.00	360.00	7,560.00

**Year 1 (Continued)**

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
<b>Other (Continued)</b>						
20247	TASER 7 ONLINE TRAINING CONTENT ACCESS LICENSE	60	21	0.00	0.00	0.00
80087	TASER 7 TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)		1	0.00	0.00	0.00
					Subtotal	7,560.00
					Estimated Shipping	0.00
					Estimated Tax	0.00
					Total	7,560.00

**Year 2**

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
<b>Other</b>						
20240	TASER 7 BASIC BUNDLE PAYMENT	12	21	480.00	480.00	10,080.00
					Subtotal	10,080.00
					Estimated Tax	0.00
					Total	10,080.00

**Year 3**

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
<b>Other</b>						
20240	TASER 7 BASIC BUNDLE PAYMENT	12	21	480.00	480.00	10,080.00
					Subtotal	10,080.00
					Estimated Tax	0.00
					Total	10,080.00

**Year 4**

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
<b>Other</b>						
20240	TASER 7 BASIC BUNDLE PAYMENT	12	21	480.00	480.00	10,080.00
					Subtotal	10,080.00
					Estimated Tax	0.00
					Total	10,080.00

Year 5

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Other						
20240	TASER 7 BASIC BUNDLE PAYMENT	12	21	480.00	480.00	10,080.00
					Subtotal	10,080.00
					Estimated Tax	0.00
					Total	10,080.00
<b>Grand Total</b>						<b>47,880.00</b>



## Discounts (USD)

Quote Expiration: 09/01/2020

List Amount	50,400.00
Discounts	2,520.00
<b>Total</b>	<b>47,880.00</b>

*\*Total excludes applicable taxes*

## Summary of Payments

Payment	Amount (USD)
Year 1	7,560.00
Year 2	10,080.00
Year 3	10,080.00
Year 4	10,080.00
Year 5	10,080.00
<b>Grand Total</b>	<b>47,880.00</b>

Tax is subject to change at order processing with valid exemption.

### Axon's Sales Terms and Conditions

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at [www.axon.com/legal/sales-terms-and-conditions](http://www.axon.com/legal/sales-terms-and-conditions)), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature:	_____	Date:	_____
Name (Print):	_____	Title:	_____
PO# (Or write N/A):	_____		

Please sign and email to Lily Yost at [lyost@axon.com](mailto:lyost@axon.com) or fax to

Thank you for being a valued Axon customer. For your convenience on your next order, please check out our online store [buy.axon.com](http://buy.axon.com)

The trademarks referenced above are the property of their respective owners.

***Axon Internal Use Only***		
		SFDC Contract #:  Order Type: RMA #: Address Used: SO #:
Review 1	Review 2	
Comments:		



Town of Zionsville | 1100 West Oak Street | Zionsville, Indiana 46077 | www.zionsville-in.gov

To: Whom It May Concern  
Re: Purchase Request- TASER X7's

August 21<sup>st</sup>, 2020

As technology continues to evolve rapidly every day, police departments need to keep evolving with it. One of the areas in law enforcement that is rapidly evolving with the times is the use of less lethal force. One of the tools we at the Zionsville Police Department utilize is the use of the TASER or "Electronic Conductive Weapon."

ECW's have been used for some time and every officer carries a TASER daily. ECW's are a great tool to help protect the officer as well as the violator. I did a recent inventory and inspection of our ECW arsenal and as a result of this inventory, I believe the need to upgrade our ECW's to a more modern weapon is essential to officer safety and department liability. Over half of the department still carries the X26 or X26P TASER. This line of TASER has been around for at least 15years and subsequently has technology that is 15 years old with it. As these ECW's continue to age the cost to repair and replace them are not fiscally beneficial to the department. Plus, the incidence of malfunction increase drastically.

With this in mind I explored possible options to replace the X26/X26P. The best option I found that will both be fiscally responsible as well as increase officer safety is the TASER X7. The X7 is the newest TASER to be introduced to the market. TASER has a TASER-60 Program where the department would make yearly payments in order to purchase and outfit our department all at once. Below are the specifics and benefits to this program and TASER. I would be requesting the purchase of 21 X7 TASER's

- Officer Safety Increased
- Violator Safety Increased
- Docking Station to easier upload and track data
- 4 Year Warranty
- Training Material Included
- Updated Technology
- Dual Shot (2 cartridges)

---

Administration 317.344.1167	Finance & Records 317.873.5410	Police 317.873.5967	Parks & Recreation 317.733.2273	Street & Stormwater 317.873.4544
Town Council 317.873.5130	Town Court 317.873.8240	Fire 317.873.5358	Planning & Economic Development 317.873.8247	Wastewater 317.873.2332



# ZIONSVILLE

If approved, the purchase of the TASER's would take place upon approval. Attached is the TASER-60 Program and quote. I am excited to update our department technology and continue to be the leading department in the county.

Respectfully,

A handwritten signature in black ink, appearing to read "Brad Kiefer". The signature is fluid and cursive, with a large initial "B" and "K".

Sergeant Brad Kiefer  
Patrol Division  
Zionsville Police Department

## SPECIAL PURCHASES

The following is a special purchase to be made pursuant to Indiana Code §5-22-10 *et. seq.*

Description of item or items to be purchased and explanation of why special purchasing method shall be used:

Flock Safety License Plate Readers (10 units)

After a lengthy research process starting in January, it was determined that the Flock Safety license plate readers are the best fit for Zionsville, and the technology it has is not located in other programs. Therefore, no additional formal quotes were obtained, although numerous different programs/prices were explored. We considered the compatibility of the equipment proposed, and because we found that only one source provided the particular product that will meet our reasonable requirements, this qualifies as a special purchase under Indiana Code 5-22-10-8. Therefore, there was not a need to formally solicit additional bids or proposals

Contractor selected:

Flock Safety \_\_\_\_\_  
\_\_\_\_\_

Applicable statutory section for special purchasing method:

\_\_\_\_\_ IC §5-22-10-4: Emergency conditions; purchases by Counter-Terrorism and Security Council

\_\_\_\_\_ IC §5-22-10-5: Savings to Governmental Body

\_\_\_\_\_ IC §5-22-10-6: Auctions

\_\_\_\_\_ IC §5-22-10-7: Date of processing contractor license agreements

X  IC §5-22-10-8: Single source for supply

\_\_\_\_\_ IC §5-22-10-9: Purchasing method impairs functioning of agency

\_\_\_\_\_ IC §5-22-10-10: No offer received under other purchasing method

\_\_\_\_\_ IC §5-22-10-11: Evaluation of supplies or system containing supplies

\_\_\_\_\_ IC §5-22-10-12: Governmental discount available

X  IC §5-22-10-13: Single source for supply; award of contracts

\_\_\_\_\_ IC §5-22-10-14: Efficiency and economic advantages

\_\_\_\_\_ IC §5-22-10-15: Purchase from person who has contract with Federal Agency

\_\_\_\_\_ IC §5-22-10-16: Acquisition of supplies through transfer from Federal Government

\_\_\_\_\_ IC §5-22-10-17: Acquisition of supplies through acceptance of gift

\_\_\_\_\_ IC §5-22-10-18: Special purchase of copyrighted material

\_\_\_\_\_ IC §5-22-10-19: Purchase from Public Utility following independent appraisal

Department requesting purchase:

Police Department \_\_\_\_\_

Approved By: \_\_\_\_\_

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Tammy Havard, CFO

Date Presented to and Approved by Town Council: \_\_\_\_\_

# Flock Safety ALPR System - Zionsville, IN.

Flock Safety's ALPR system includes fixed license plate reading cameras and software for unlimited users to access footage and receive hotlist notifications.

## Company Overview

Flock Safety's mission is to eliminate non-violent crime. This is possible with city-wide coverage of automatic license plate readers (ALPRs) for both public safety organizations and private citizens. When a crime occurs, Flock Safety cameras deliver the actionable evidence you need to make an arrest.

Our company is headquartered in Atlanta, Georgia. Flock Safety camera systems are live in over 710 cities in 38 states and over 360 police departments. With an average of 116 Hot List notifications sent an hour with jurisdictions throughout the U.S., our team is helping agencies solve and prevent crime every hour.

## Our Team

We are a team of passionate engineers and developers focused on creating cutting-edge technology to help solve and prevent crime. We do this by building our own hardware, writing our own software, and continuously improving our systems. Ongoing customer feedback is at the core of our product. We release regular enhancements based on customer needs, so we can deliver the best technology to help eliminate non-violent crime.

## Purpose

Police departments need a scalable solution to increase clearance rates and deter crime. The Flock Safety camera sees like a detective to make actionable evidence available when needed that is easily searchable by car type, model, color, timeframe, and plate details.

In April 2019, Marietta Police Department released a study that shows they experienced a 34% reduction in calls for service by targeting crime hot spots throughout the city with Flock Safety cameras.

In October 2019, Cobb County Police Department released a study based on their installation of 13 Flock Safety cameras in March. Over the six month period, Cobb police reported a 60%

reduction in overall crime by focusing on the beat with the highest crime levels.

## Product

Flock Safety cameras do not just identify the plate seen, but all the objects within the frame. Even if the vehicle does not have a tag, the image can be captured for review.

The user interface is a simple search with unlimited user licenses. Within the software component, law enforcement can receive hotlist alerts and create custom alerts for plates under your investigation.



## Camera Performance

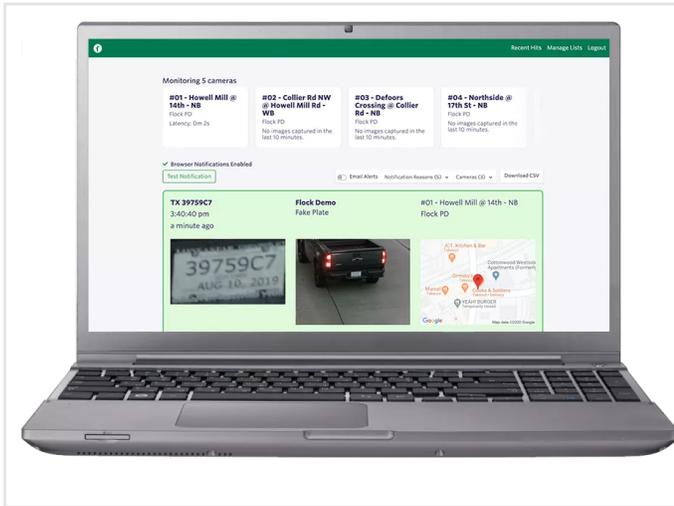
- Traffic Capacity
  - Solar: Up to 30,000 per day
  - Powered: Up to 45,000 per day
  - Two lanes of traffic (back plates)
  - NCIC Alert Notifications: Under 40 seconds
  - Hotlist alerts include state detection
  - Includes time, location, plate, and image
- Power Source
  - 100-240 VAC <1 amp
  - 60 W Solar
  - 11-14 VDC
- Processing Power
  - 1.4GHz
  - 64-bit quad-core CPU
- Image Capture
  - License plates from 30-50 ft
  - Date and time with camera location
  - Plate (state, partial, paper, and none)
  - Vehicle details (type, model and color)

## Camera Specifications

- Design
  - Size: 8.75" length x 5" height x 2.875" width
  - Weight: 3 lbs
  - IP65 Waterproof
  - Mounting: Adjustable band clamps
  - Field of View: 15' wide, 65' distance
- Power
  - 14Ah Battery
  - 30W Solar Panel (14" x 21")
- Pole: DOT Breakaway Pole - 12' installed
- Data: 16GB local storage, ~2 weeks
- Image: 5MP Image Sensor
- Motion: Passive Infrared Motion Detection
- Connectivity
  - Footage uploads via integrated LTE
  - Service depends on area (AT&T, Verizon or T Mobile)
- Production: Designed & manufactured in the US
- Night Vision: 850nm Custom IR Array
- Cloud Storage
  - 30 days storage (Amazon Web Services)
  - Accessible via secure website

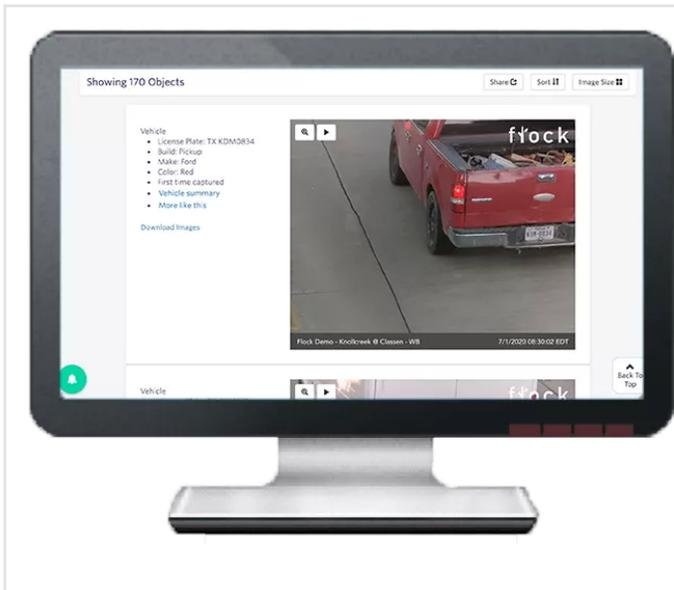
## Software User Interface

Included at no additional cost with unlimited user licenses. Receive alerts to help detect crime and search footage to access evidence — with any internet-connected device.



## Detect Crime

- Connected to the NCIC Alerts & CJIS compliant
- NCIC alert notifications (includes privately owned cameras in your jurisdiction)
- Create custom alert notifications for tags under investigation within your organization, ability to share with neighboring jurisdictions with Flock
- Filter notifications by reason codes (exclude sex offenders, include stolen plates, etc.)



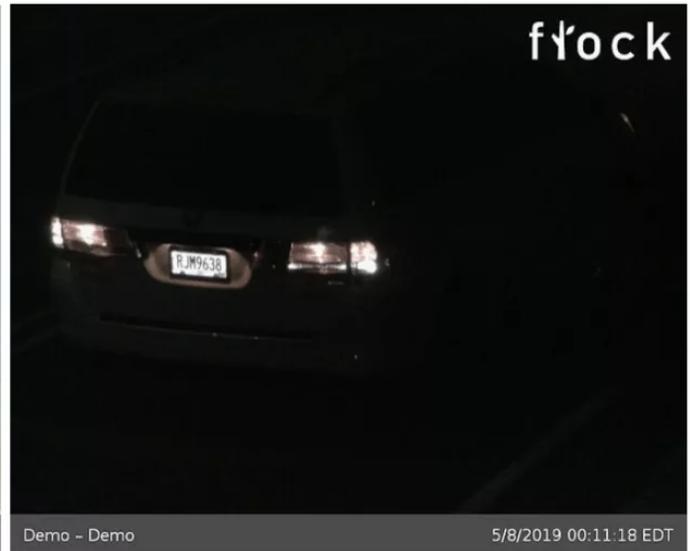
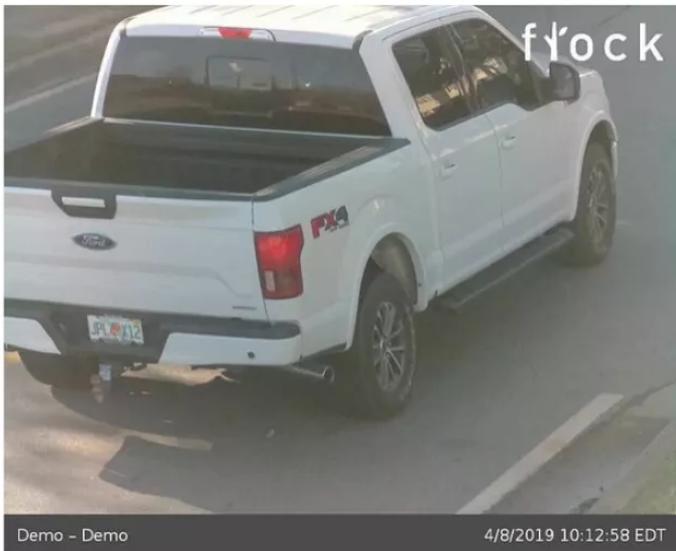
## Access Evidence

- Filter search by specific camera location
- Capture vehicles regardless of plate type (paper, no plate, etc.)
- Filter by *Vehicle Fingerprint*
  - Time Frame
  - Location
  - Vehicle Characteristics
    - Plate (partial)
    - Plate Type (in state, out of state, temporary tag)
    - Build, Make & Color
    - Resident status

## Performance

### Day Time Footage

### Night Time Footage



## Results

### Jersey Village, Texas - [A camera on every street to create a virtual gate](#)

Within one week, Flock Safety cameras notified officers of two vehicles on the NCIC Hot List. During the seizure of one of the vehicles, a wanted murderer in the state of Louisiana was arrested. Both vehicles were returned to their owners.

- Location: Houston suburb
- Flock Cameras: 50+
- Residents: 8,000
- Installation: Two months from purchase

### Marietta, Georgia - [34% reduction in calls for service in targeted hotspots](#)

Cameras within the county led to the arrest of a suspect who allegedly brutally attacked a woman. Officers were able to locate and arrest the suspect using Flock cameras after weeks of the suspect being on-the-run.

- Location: Atlanta suburb
- Flock Cameras: 70 and growing (30 police cameras and 40 private cameras)
- Residents: 650,000
- Installation: Two months from purchase for first hotspot

### Redlands, California - [Contain crime with custom hotlist alerts](#)

A string of commercial burglaries across two towns led officers to create a custom hotlist alert for the suspected vehicle's tag. Within three days, detectives received the notification and were able to pursue the suspect.

- Location: San Bernardino suburb

- Flock Cameras: 14
- Residents: 70,000
- Installation: Phased approach, ongoing

## Post Purchase Order

### Safety-as-a-Service

- Customer Support team to provide ongoing support
- Regular software updates at no additional cost
- Unlimited users for hotlist integration and alerts, and camera footage search
- Maintenance requests handled within 72 hours of request submission

### Installation & Camera Locations

The average installation is to 8 weeks. Camera locations and installation timing is coordinated b the Flock Safety Customer Support team.

#### City intersection

Solar & existing pole



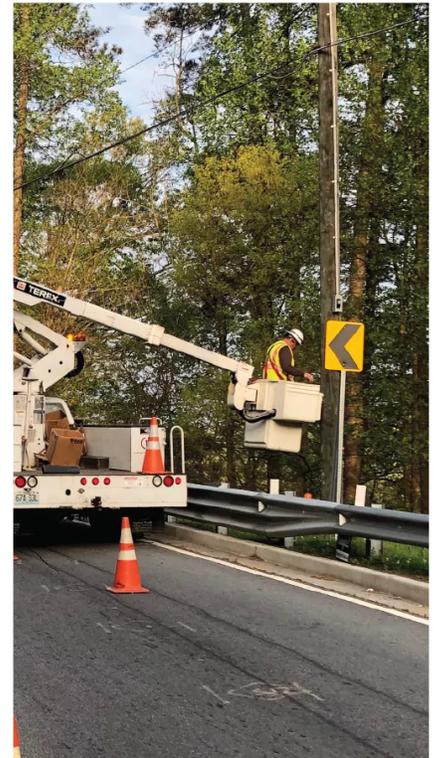
#### Entrance to Hotel

Solar & Flock 12 foot pole



#### Two Lane Traffic Street

Electric & existing pole



## Pricing & Contract Details

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Today's Date - Aug 17, 2020  
This proposal expires in 30 days.

Traditional ALPR systems have upfront costs ranging from \$10,000 to \$30,000 per camera. Additionally, due to infrastructure requirements installation can be costly and timing can vary drastically.

Flock’s ALPR camera is the only completely wireless system designed for city-wide protection. This fully infrastructure-free setup with options for solar or direct power, allows us to offer flexible and affordable pricing. Helping police across the country have more eyes on the street to help reduce crime in a matter of weeks.

Subscription Details	Price	QTY	Subtotal
<b>5 Year Warranty</b>			
Annual Subscription Price per year	\$2,500.00	10	\$25,000.00
Automatic License Plate Reader (ALPR) Solar or DC Power 5 Year Maintenance Warranty	\$0.00	10	\$0.00
Hosting & Analytics Cloud Hosting Unlimited User Licenses Hotlist Integration & Alerts Neighborhood Camera Integration Ongoing Software Enhancements	\$0.00	10	\$0.00
Installation Camera Setup Shipping & Handling	\$250.00	10	\$2,500.00
Other Cellular Mounting Equipment	\$0.00	10	\$0.00
Year 2-5 Recurring Annual Fee	\$25,000.00	4	\$100,000.00

**Total \$127,500.00**

## SPECIAL PURCHASES

The following is a special purchase to be made pursuant to Indiana Code §5-22-10 *et. seq.*

Description of item or items to be purchased and explanation of why special purchasing method shall be used:

Plan to enter into a contract with OpenGov for a cloud-based ERP system for Financials, Budgeting and Planning, Permitting, Licensing and Code Enforcement, Reporting and Transparency Platform, and Utility Billing. Due to COVID-19, implementing the cloud-based solution in a timely manner is imperative for continuity of operations while faced with the pandemic. There is only one fully integrated web-based Financial Management Suite; Permitting, Licensing, and Code Enforcement Suite, and Budgeting and Planning Suite that is purpose-built for local government. OpenGov is providing special pricing consideration by offering a bundled package as well as a discount due to COVID-19.

Contractor selected:

OpenGov

Applicable statutory section for special purchasing method:

IC §5-22-10-4: Emergency conditions; purchases by Counter-Terrorism and Security Council

IC §5-22-10-5: Savings to Governmental Body

IC §5-22-10-6: Auctions

IC §5-22-10-7: Data processing contract or license agreements

IC §5-22-10-8: Single source for supply

IC §5-22-10-9: Purchasing method impairs functioning of agency

IC §5-22-10-10: No offer received under other purchasing method

IC §5-22-10-11: Evaluation of supplies or system containing supplies

IC §5-22-10-12: Governmental discount available

IC §5-22-10-13: Single source for supply; award of contracts

IC §5-22-10-14: Efficiency and economic advantages

IC §5-22-10-15: Purchase from person who has contract with Federal Agency

IC §5-22-10-16: Acquisition of supplies through transfer from Federal Government

IC §5-22-10-17: Acquisition of supplies through acceptance of gift

IC §5-22-10-18: Special purchase of copyrighted material

IC §5-22-10-19: Purchase from Public Utility following independent appraisal

Department requesting purchase:

Finance and Records, Planning, Wastewater

Approved By: \_\_\_\_\_

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Tammy Havard, CFO

Date Presented to and Approved by Town Council: \_\_\_\_\_



955 Charter Street, Redwood City, CA 94063 | (650) 336-7167 | [www.opengov.com](http://www.opengov.com)

Tammy Havard  
Chief Financial Officer  
Town of Zionsville, IN  
1100 W Oak Street  
Zionsville, IN 46077

RE: Single Source for Supply

Dear Tammy,

By partnering with OpenGov, a leading provider of enterprise software to the public sector, the Town of Zionsville will gain access to the OpenGov ERP Cloud, the only fully integrated web-based Financial Management Suite; Permitting, Licensing, and Code Enforcement Suite, and Budgeting and Planning Suite that is purpose-built for local government. This Software-as-a-Service (“SaaS”) solution that is unique and proprietary allows internal staff to access the technology from any device and from any location, allowing employees to be more efficient in their daily duties. The OpenGov ERP Cloud also includes OpenGov’s Reporting and Transparency platform, which allows key decision-makers to make more informed decisions, resulting in increased accountability and improved performance.

OpenGov currently works with over 1,000 customers across the country. With OpenGov’s SaaS model, the Town of Zionsville will be able to quickly launch teleworking capacity, avoid costly maintenance upgrades and gain access to rapid, continual, and frequent product releases that will be available at no extra cost.

Based upon Section 10, Special Purchase Methods of the Indiana Administrative Code, the OpenGov Financials Cloud fulfills multiple requirements authorizing a special purchase:

**1. IC 5-22-10-4: Emergency conditions**

Sec. 4. (a) A purchasing agent may make a special purchase when there exists, under emergency conditions, a threat to public health, welfare, or safety. Due to COVID-19, a public health emergency has arisen and OpenGov is providing technology to enable remote workforces and continuity of operations while faced with the pandemic.

**2. IC 5-22-10-5: Savings to governmental body**

A purchasing agent may make a special purchase when there exists a unique opportunity to obtain supplies or services at substantial savings to the governmental body. OpenGov is offering special pricing considerations and discounts to the Town due to COVID-19 and offering a bundled package that provides a single, integrated solution that can be used by departments throughout the organization.



955 Charter Street, Redwood City, CA 94063 | (650) 336-7167 | [www.opengov.com](http://www.opengov.com)

**3. IC 5-22-10-7: Data processing contract or license agreements**

A purchasing agent may make a special purchase of data processing contracts or license agreements for software programs or supplies or services when only one source meets the using agency's reasonable requirements. OpenGov provides the only fully integrated web-based Financial Management Suite; Permitting, Licensing, and Code Enforcement Suite, and Budgeting and Planning Suite that is purpose-built for local government. OpenGov has received numerous patents that make the technology unique and proprietary.

**4. IC 5-22-10-8: Compatibility of equipment, accessories, or replacement parts**

A purchasing agent may make a special purchase when the compatibility of equipment, accessories, or replacement parts is a substantial consideration in the purchase and only one source meets the using agency's reasonable requirements. The Town has existing technology systems that OpenGov will uniquely connect with to ensure an enterprise data platform to connect all of the Town's data and systems into one central platform

OpenGov's mission is to Power More Effective and Accountable Government and our technology and services are built by government, for government. With over 300 years of collective government experience in our company, OpenGov is entirely concerned with providing governments with the tools and expertise they need to best serve the public. Serving government is our **sole focus** and our solutions enable governments to drive more efficiently toward their strategic goals. No other company currently offers this unique track record and set of functionality and services.

From OpenGov's patented Chart of Accounts Editor which enables dynamic and interactive exploration of each government's unique Chart of Accounts, to OpenGov's fully integrated web-based Financial Management Suite; Permitting, Licensing, and Code Enforcement Suite, and Budgeting and Planning Suite, each element of OpenGov's solutions deliver unique technical capabilities which no other company is currently replicating. And while other companies might offer products that resemble individual singular elements of OpenGov's cloud offerings, when evaluated as a complete package OpenGov's ERP Cloud is a unique and proprietary (supported by patents) software package against which no other software can reasonably consider itself a competitor.

Sincerely,

Andrew Jones  
Account Executive

Mike Mattson  
VP, NA Sales & Customer Success



OpenGov Inc. 955 Charter Street  
 Redwood City, CA 94063  
 United States

**Created On:** 9/23/2020  
**Quote Expiration:** 10/15/2020  
**Subscription Start Date:** 10/15/2020  
**Subscription End Date:** 10/14/2025

**Prepared By:** Andrew Jones  
**Email:** ajones@opengov.com  
**Contract Term:** 5 Years

Customer Information			
<b>Customer:</b>	Town of Zionsville, IN	<b>Contact Name:</b>	Tammy Havard
<b>Bill To/Ship To:</b>	1100 W Oak St Zionsville, Indiana 46077 United States	<b>Email:</b>	thavard@zionsville-in.gov
		<b>Phone:</b>	(317) 344-1170
		<b>Contact Name:</b>	Tammy Havard
		<b>Email:</b>	thavard@zionsville-in.gov
		<b>Phone:</b>	(317) 344-1170
Order Details		Description:	
<b>Billing Frequency:</b>	Annual	See Billing Table Below	
<b>Payment Terms:</b>	Net Thirty (30) Days		

**SOFTWARE SERVICES:**

Product / Service	Start Date	End Date	Annual Term	Annual Fee
OpenGov ERP Cloud Bundle <i>Core Financials, Utility Billing, Budgeting &amp; Planning, Reporting &amp; Transparency, Permitting, Licensing, &amp; Code Enforcement, Premium Support — Platinum</i>	10/15/2020	10/14/2025	5	\$69,550.00
			<b>Annual Subscription:</b>	<b>\$69,550.00</b>

**PROFESSIONAL SERVICES:**

Product / Service	Description
OpenGov Deployment — One Time Fee (Prepaid Hours)	Product configuration, setup, and training described in the attached SOW.
<b>Professional Services Total:</b>	
<b>\$148,000.00</b>	

**Software Billing Table:**

Billing Date	Amount Due
October 15, 2020	\$217,550.00 (\$69,550.00 Software Services + \$148,000.00 Professional Services)
October 15, 2021	\$69,550.00
October 15, 2022	\$69,550.00
October 15, 2023	\$69,550.00
October 15, 2024	\$69,550.00

**Order Form Legal Terms**

Welcome to OpenGov! Thanks for using our Software Services. This Order Form is entered into between OpenGov, Inc., with its principal place of business at 955 Charter Street, Redwood City, 94063 ("OpenGov"), and you, the entity identified above ("Customer"), as of the Effective Date. This Order Form includes and incorporates the OpenGov Software Services Agreement ("SSA") attached, or if no such SSA is attached, the SSA available at <https://opengov.com/terms-of-service> and the applicable Statement of Work ("SOW") incorporated herein in the event Professional Services are purchased. The Order Form, SSA and SOW shall hereafter be referred to as the "Agreement". Unless otherwise specified above, fees for the Software Services and Professional Services shall be due and payable, in advance, on the Effective Date. By signing this Agreement, Customer acknowledges that it has reviewed, and agrees to be legally bound by, the OpenGov Terms and Conditions. Each party's acceptance of this Agreement is conditional upon the other's acceptance of the terms in the Agreement to the exclusion of all other terms.

**Town of Zionsville, IN**

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**OpenGov, Inc.**

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

## SPECIAL PURCHASES

The following is a special purchase to be made pursuant to Indiana Code §5-22-10 *et. seq.*

Description of item or items to be purchased and explanation of why special purchasing method shall be used:

Per the Indiana Fire Code 675 IAC 22-2.5, emergency access key boxes are to be provided. Per the local fire protection ordinance, the Knox Company is the adopted vendor for the secure key system. The existing key vault system utilized to provide an audit trail through a passcode protected key release system is with the KeySecure 3b system by the Knox Company. The KeySecure 3 system is no longer being serviced by the company and users have been notified that the next series is slated for sun-setting, creating the need to upgrade the hardware. The Knox KS6 is the new hardware that provides the same audit trail ability and non-destructive emergency fire department access to businesses. The new system supports the existing mechanical key and the new electronic keys.

Contractor selected:

Knox Company  
1601 W. Deer Valley Road  
Phoenix, AZ 85027

Applicable statutory section for special purchasing method:

- IC §5-22-10-4: Emergency conditions; purchases by Counter-Terrorism and Security Council
- IC §5-22-10-5: Savings to Governmental Body
- IC §5-22-10-6: Auctions
- IC §5-22-10-7: Date of processing contractor license agreements
- IC §5-22-10-8: Single source for supply
- IC §5-22-10-9: Purchasing method impairs functioning of agency
- IC §5-22-10-10: No offer received under other purchasing method
- IC §5-22-10-11: Evaluation of supplies or system containing supplies
- IC §5-22-10-12: Governmental discount available
- IC §5-22-10-13: Single source for supply; award of contracts
- IC §5-22-10-14: Efficiency and economic advantages
- IC §5-22-10-15: Purchase from person who has contract with Federal Agency
- IC §5-22-10-16: Acquisition of supplies through transfer from Federal Government
- IC §5-22-10-17: Acquisition of supplies through acceptance of gift
- IC §5-22-10-18: Special purchase of copyrighted material
- IC §5-22-10-19: Purchase from Public Utility following independent appraisal

Department requesting purchase:

Fire Department

Approved By: \_\_\_\_\_

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Tammy Havard, CFO

Date Presented to and Approved by Town Council: \_\_\_\_\_



# Quotation

1601 W Deer Valley Road Phoenix, AZ 85027 • (800) 552-5669 • Fax (623) 687-2290  
Visit us at: www.knoxbox.com

Page .....: 1 of 2  
Number.....: SQT000027067-2  
Date .....: 9/10/2020  
Quotation deadline .....: 3/11/2021  
Payment Terms.....: Prepaid  
Quoted by: .....: Larry Lulich  
Phone.....: (866) 889-4181  
E-Mail .....: llulich@knoxbox.com

Zionsville Fire Dept  
ATTN: Joshua Frost  
1100 W OAK ST  
ZIONSVILLE, IN 46077-1259

Dear Joshua:

I am pleased to provide the following Knox product specification and cost proposal:

<u>Item number</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit price</u>	<u>Amount</u>
KS-6K2	KeySecure® 6, SUPPORTS 1 eKEY, 1 MSTR KEY Lock: PS-98-0019-01-75 - EKY01 Mechanical Lock: PS-98-0019-01-75	8.00	905.00	7,240.00
90034-KS5KS6	REPAIR TECH LOCK, KeySecure® 5/6 Master Lock: PS-29-0116-02-97 Repair Tech Lock: RTB01	8.00		0.00
KLS-MB-60	MOUNTING BRACKET 60° ANGLE, KeySecure® 5 & 6	8.00	59.00	472.00
KLS-8600D	KnoxDock™, 8600 KEY PROGRAMMER & RECHARGER W/USB CABLE	2.00	156.00	312.00
KLS-8700K	Knox eKey™, 8700 PROGRAMMABLE ELECTRONIC KEY	10.00	375.00	3,750.00
KSM-200AC	AC ADAPTER, WALL MOUNT, KeySecure®5 & 6	1.00	66.00	66.00
SMS-9002C3	3YR. KnoxConnect™ Cloud License 7-20 devices	1.00	1,311.00	1,311.00

**\*\*SIGNED QUOTE REQUIRED TO  
PROCESS\*\*  
KNOX CONNECT FORM REQUIRED WITH  
FIRST ORDER.\*\***

<u>Misc. charges</u>	<u>Amount</u>			<u>Total</u>
Shipping & Handling	200.00			
<u>Sales balance</u>	<u>Misc. charges</u>	<u>Sales tax</u>		
13,151.00	200.00	0.00		13,351.00 USD

All pricing is subject to change and is based on a quantity order to be shipped all at one time. Prices quoted are valid through the "Quotation deadline" date shown above. All shipping and handling fees are estimates based upon ground service to the address shown above. Knox will provide you a firm cost for shipping and handling fees when order is placed. Knox provides detailed installation instructions with each Knox product however; Knox is not responsible for actual installation.

**SALES TAX DISCLAIMER:** Knox is required to collect sales tax for purchases made in the following states: AL, AR, AZ, CA, CO, CT, FL, GA, IL, IN, IA, KY, KS, MA, ME, MD, MI, MN, NC, NE, NJ, NM, NV, NY, OH, OK, PA, RI, SC, TN, TX, UT, VI, VT, WA and WI. Where applicable, Knox will charge sales tax unless you have a valid sales tax exemption certificate on file with Knox. If you are exempt from sales tax, you must provide us with a sales tax exempt certificate at the time the order is placed.



# Quotation

1601 W Deer Valley Road □ Phoenix, AZ 85027 • (800) 552-5669 • Fax (623) 687-2290  
Visit us at.: [www.knoxbox.com](http://www.knoxbox.com)

Page .....: 2 of 2  
Number.....: SQT000027067-2  
Date .....: 9/10/2020  
Quotation deadline .....: 3/11/2021  
Payment Terms.....: Prepaid  
Quoted by: .....: Larry Lulich  
Phone.....: (866) 889-4181  
E-Mail .....: [llulich@knoxbox.com](mailto:llulich@knoxbox.com)

Zionsville Fire Dept  
ATTN: Joshua Frost  
1100 W OAK ST  
ZIONSVILLE, IN 46077-1259

If I can provide further information, please contact me at the phone number or email address listed above.

Sincerely,

Larry Lulich  
Senior Account Manager



# Quotation

1601 W Deer Valley Road Phoenix, AZ 85027 • (800) 552-5669 • Fax (623) 687-2290  
Visit us at: www.knoxbox.com

Page .....: 1 of 1  
Number.....: SQT000027068-1  
Date .....: 8/31/2020  
Quotation deadline .....: 2/27/2021  
Payment Terms.....: Prepaid  
Quoted by: .....: Larry Lulich  
Phone.....: (866) 889-4181  
E-Mail .....: llulich@knoxbox.com

Zionsville Fire Dept  
ATTN: Joshua Frost  
1100 W OAK ST  
ZIONSVILLE, IN 46077-1259

Dear Joshua:

I am pleased to provide the following Knox product specification and cost proposal:

<u>Item number</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit price</u>	<u>Amount</u>
KLS-8800L	Knox eLock Core™, ELOCK CORE RETROFIT KIT	10.00	180.00	1,800.00
<u>Misc. charges</u>		<u>Amount</u>		
Shipping & Handling		29.00		
<u>Sales balance</u>		<u>Misc. charges</u>		<u>Sales tax</u>
1,800.00		29.00		0.00
				<u>Total</u>
				1,829.00 USD

All pricing is subject to change and is based on a quantity order to be shipped all at one time. Prices quoted are valid through the "Quotation deadline" date shown above. All shipping and handling fees are estimates based upon ground service to the address shown above. Knox will provide you a firm cost for shipping and handling fees when order is placed. Knox provides detailed installation instructions with each Knox product however; Knox is not responsible for actual installation.

SALES TAX DISCLAIMER: Knox is required to collect sales tax for purchases made in the following states: AL, AR, AZ, CA, CO, CT, FL, GA, IL, IN, IA, KY, KS, MA, ME, MD, MI, MN, NC, NE, NJ, NM, NV, NY, OH, OK, PA, RI, SC, TN, TX, UT, VI, VT, WA and WI. Where applicable, Knox will charge sales tax unless you have a valid sales tax exemption certificate on file with Knox. If you are exempt from sales tax, you must provide us with a sales tax exempt certificate at the time the order is placed.

If I can provide further information, please contact me at the phone number or email address listed above.

Sincerely,

Larry Lulich  
Senior Account Manager