



ZIONSVILLE
FOR ALL THE RIGHT REASONS

**ZIONSVILLE TOWN COUNCIL
MEETING MINUTES
FOR
MONDAY, MARCH 7, 2022
AT 7:00 P.M. EST
ONSITE MEETING
1100 West Oak Street**

This meeting was conducted onsite. All Councilors participated in person.

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

Absent: Alex Choi

Also Present: Heather Harris, Town Council Attorney; Jarod Logsdon, Superintendent of Parks and Recreation; Wayne DeLong, Director of Community and Economic Development; Jo Kiel, Director of Human Resources; Cindy Poore, Deputy Chief Financial Officer; Amy Lacy, Municipal Relations Coordinator and other Town Department Staff.

OPENING

A. Call meeting to order

B. Pledge of Allegiance

Plunkett It's 7:00. We'll go ahead and call the meeting and start with the Pledge of Allegiance.

All Pledge of Allegiance.

**APPROVAL OF THE MEMORANDUM OF THE FEBRUARY 7, 2021
REGULAR MEETING (copy posted)**

Plunkett All right. First up on the agenda is the approval of the memorandum of the February 7, 2022 regular meeting. A copy has been posted. Councilors are there any questions for that? I do have a couple of changes, Amy, just to note, but any questions from Councilors? There was just on the consideration for the appropriation on the roundabout – there's just some, some wording that says additional appropriate resolution and obviously that should say appropriation.

- Lacy Okay.
- Plunkett And then, when we went through the public hearing, there was a comment where I said “This is a public hearing and I approve publication” as opposed to I have proof of publication. So just –
- Lacy Okay. I can make those changes.
- Plunkett Other than that I’ll make a motion to approve the memorandum.
- Garrett Second.
- Plunkett All those in favor say aye.
- All Aye.
- Plunkett All those opposed same sign.
[No response.]
- Plunkett Motion passes 6-0.

REQUEST TO SPEAK ON AGENDA ITEM

- Plunkett Up next is a request to speak on agenda items. I have two cards. I only see one here, so Allyson, if you would like to come up and you get 3 minutes and I will give you a warning at 2. How is that?
- Gutwein Perfect, thank you. I’m Allyson Gutwein, Executive Director of the Zionsville Chamber of Commerce, 112 North 9th Street. The Zionsville Chamber Advocacy Committee and Zionsville Chamber of Commerce would like to express, express support for the use of a portion of ARPA funds to assist businesses that were adversely affected by the COVID pandemic. The economic response of businesses in our community was widely varied and many of our businesses suffered prolonged hardships due to the inability to access funding. Recently it was announced that the Restaurant Relief Fund had exhausted funding before all of those that had applied had received payments. Many of the businesses that we represent, those with 15 or fewer employees, make up the microbusiness community that often have less access to available funding options because of limited capacity with regards to time, access to assistance or bandwidth to administer potentially complicated grants. It is imperative that we consider the impact of a financial infusion into the business community. Supply chain woes and the cost of sharply rising goods incongruous with the cost of the wage increases still plague the businesses. The inability to find, train, educate and employ long-term workers is a difficulty across many industries. In order to retain our businesses, it would be wise to use a portion of the ARPA funds to assist the still ailing business community. As the voice of the business community, we look forward to offering any guidance or support as these funds are distributed. Our business community is a vital source of income for the tourism and sense of place for those that live in the area. We want to support and

retain those businesses that make Zionsville the community that it is and act as a beacon for other communities to follow our lead and support the business community when the opportunity arises. Thank you.

Plunkett Thank you. You still have a minute left.

Gutwein [inaudible]

Plunkett All right, Amy, is that the only one we have then?

Lacy Yes, that's all we have.

Plunkett Very good.

MAYOR/ADMINISTRATION UPDATE

Plunkett Next on the agenda is the Mayor/administration update. Amy, do we have an administration or Mayor update?

Lacy No we do not.

Garrett President Plunkett, can I just point out this is now our third year on Council. This is the third year of the Styron administration and this Council still does not have financial information for the Town. Like any CEO that didn't provide that to their Board in three months would be a problem. We're on year three. I'd like to know, like gas prices are skyrocketing. What does that do to our budget? I'd like to understand where revenues are. I'd like to see anything. And every month we have an opportunity here for the Mayor to present that information to us and she chooses not to do it. So, I'm going to bring this up every single time because I am flying blind here and we're supposed to be the financial fiscal body of this Town and we have no information, we have no CFO, we have no update when we're going to get a CFO, like –

Traylor No update on why we lost our last CFO.

Garrett Nothing. Like this is crazy. This is crazy and I just wanted to point that out for the public so that they're aware that this body does not have any financial information about your tax dollars and that's a problem. That's it.

OLD BUSINESS

Plunkett Moving on to Old Business. Before we do move into Old and New Business, I just real briefly want to point out as a procedural step, you know, we'll have discussion and Q&A with petitioners as they come up and once that's complete I'll certainly call for a motion and once we have that motion and that motion is seconded then we'll have additional dialogue with Council, and then we'll call for a vote. So, I just think it's important too for the public to understand the process and, and obviously for Council, you know, to, to just be aware of that stuff too.

A. Consideration of an Ordinance to Establish an Equitable Impact Fee for the Purpose of Planning and Financing Park and Recreational Infrastructure to Serve New Developments in the Town of Zionsville, Indiana **Ordinance 2022-02 (Final Reading)**

- Plunkett So – up first on Old Business is a consideration of an ordinance to establish an equitable impact fee for the purpose of planning and financing park and recreational infrastructure to serve new developments in the Town of Zionsville, Indiana. This is Ordinance 2022-02. This is a final reading and Jarod if you want to come up and share anything?
- Logsdon Good evening Councilors. Jarod Logsdon, Superintendent of Parks and Rec here in Zionsville. This ordinance before you is an update to the 2012 Impact Fee establishing a new fee based on census data that we will in turn utilize these collected fees to develop new park amenities. So, allowing growth to pay for growth so we can always have a pristine park system that expands as our community continues to grow. So we kind of went over that in detail at the last meeting and I'm happy to answer any follow-up questions.
- Plunkett Any questions for Jarod?
- Melton No but I watched the last meeting since I wasn't here just so everybody is aware, so. Great presentation and, yes, it all makes sense for the Park Impact Fees.
- Plunkett Assuming no additional conversation I would certainly entertain a motion.
- Burk Motion to adopt.
- Plunkett First by Vice President Burk.
- Garrett Second.
- Plunkett Second by Councilor Garrett. All those in favor signify by saying aye.
- All Aye.
- Plunkett All those opposed same sign. [No Response]
- Plunkett Motion passes 6 in favor, 0 opposed. Thank you.

B. Consideration of an Ordinance to Amend the Town of Zionsville Zoning Ordinance **Ordinance 2022-03 (Continued from February 7, 2022 meeting)**

- Plunkett Up next is consideration of an ordinance to amend the Town of Zionsville Zoning Ordinance. This is Ordinance 2022-03. As a brief reminder, this is continued from the February 7, 2022 meeting. Mr. DeLong.
- DeLong Good evening and thank you. No new information to provide you from the continuance from, from last month. Certainly, again, the recommendations in front of you from the Plan Commission. I'm certainly happy to answer any questions you may have.
- Melton Mr. DeLong I have a question. Based on your expertise, on this particular piece of property, what is your opinion of the highest and best use of the piece of property that's surrounded by a Fire Department, an apartment building, whatever the use is for the land for the Boys & Girls Club and then the storage facility across the street? I'm not naming the houses that are residential that are catty corner at this, at this moment, but there's also Stonegate to the east. Is it your expert opinion that R-2 is the best designation for the highest and best use for this real estate?
- DeLong I recommend the higher designation of residential for this real estate, but the comprehensive plan does not, the comprehensive plan does not support such a recommendation. This site is ideal for infield development, which would be a higher level residential than, than just what an R-2 could yield. Certainly that's a conversation for a different day if an in buyer were to seek that but certainly a comprehensive plan amendment to support a higher density is certainly something that would be advantageous.
- Melton Thank you.
- DeLong Certainly.
- Plunkett Any other questions for Mr. DeLong?
- Traylor Yes, I do have one. Are, are you the petitioner?
- DeLong The administration is, yes.
- Traylor Okay.
- DeLong Yes, the Town of Zionsville filed this petition, yes.
- Burk And I don't suppose you would know because I had asked really for kind of a legal opinion. Heather presented at the last meeting and she was almost all but confident that ARPA funds could be used for groups like Habitat in the future to purchase land to put up low income housing or do the work that they do and that was very exciting to me and it felt like it was an alternative to this where we

could keep this land adjacent to the Fire Department where they can use this for future planning. Did you guys talk about that? Do you have any, anything to add to what Heather had suggested that that might be an opportunity?

DeLong No. I have no additional information to add to that concept. Certainly this action of re-zoning the property does not facilitate any sort of donation, any sort of other action other than changing the zoning. Any sort of future transaction would be with the Town Council itself as the property is titled with the Town Council.

Burk Yes, I understand. I didn't think you would but, it would've been helpful to have an answer to that.

Traylor Yes, yes and I'm, I'm struggling with that too because I, after our last meeting, you know, I voted for the re-zone saying, hey we could stop it there before we move on to the next step, you know, I had vocalized in the public meeting, I'm looking at you Wayne but, this is, I'm just saying this for the public record for the most part. But, in, in our meeting I, I said hey, I, I think we can move forward on this. We can pause before making the next step of the donation, because we don't have any sort of financial data, don't have anything to really go by to make sure that this is a good idea. Nor have we really had anybody present to us on what the purpose of the re-zone is other than just to re-zone it because we're told hey, if this is a two-step thing, it doesn't have anything to do with the donation to Habitat but it does have something to do with it, so I also after our meeting, I, which I did vote favorably for the, the re-zone, I reached out directly to the Mayor and suggested to her, said hey I'm for this, I want this to get passed, you know, we need to see financial data and you really need to come tell us and, and put out there why this needs to happen and neither of those things have been done to date. I guess so my next question for Council would be if we don't make a decision on this tonight, if we were to continue it, I know there's a timeline for the Plan Commission – where are we on that timeline?

Harris It's a 90-day timeline from the date that the Plan Commission recommended it to the Council, so consideration at your next meeting so I think we'd have one more meeting. I'm just trying to do math in my head which is not my strong suit.

Traylor I'm, I'm just, I mean I think this is such a good cause and a worthy cause and I think the, the location I actually think it's an ideal location because, you know, the, the information put out to, you know, people in the, in the Town about, you know, doing Habitat, a Habitat home, a lot of people misunderstood us as, you know, putting in some huge development of low income housing and I think they greatly misunderstood what was going on. I think this is an ideal location for, you know, a family that would be suitable for Habitat, especially being across from the Boys & Girls Club. I think that's, you know, for a family like that, you know, in that situation, I think that'd be ideal. I think it is a real shame that the Mayor who started this ball rolling has not felt compelled enough by this case to come forward even when requested to because I'm, I was on her side. I wanted her to come here and convince the rest of the Council to, to do this and she opted not to so. I'm just voicing my frustration.

Harris Wayne, did I get a head nod from you on 90 days because I'm just tracking it and want to be sure it's right.

- DeLong Correct. The, the statute does read 90 days and certainly –
- Harris I thought I was looking at you but I –
- DeLong Yes, correct.
- Harris I just wanted to make sure I’m like looking at you.
- Burk Wayne, if it was voted on and voted down, what’s the timeline on when something could come back before this body?
- DeLong Well certainly an adverse decision by the, on a, a re-zoning request would require a, a one-year delay in any future filings. Certainly a party could go to the Plan Commission and indicate and request a waiver from that rule, attempting to demonstrate that a substantial change has happened from the time of the initial filing and the denial to the, to the re-filing and so it, it would up to the Plan Commission to determine if that, if the substantial change had happened to allow for a, a decrease in that one year filing delay rule.
- Burk And is that the case even if there were to be a different “petitioner?” Or is it, or is that rule just limited to the same petitioner?
- DeLong That rule is tied to the ground and so it would, you would work to demonstrate what has changed with the petition, to allow it for the Plan Commission to be convinced that it should be re-filed and reheard within that one-year window.
- Burk Right. Thank you for clarifying that.
- Harris So I was able to confirm with Amy that January 18, 2022 is the date that the referral to the Town Council came so, we’re closing in on, you, know, a month-ish, a month and a half, so we’ve got at least one more meeting that you could consider it. If you take no action, then the proposal will stand as approved. So we do need to take an action probably in the next meeting or so. We can walk that back.
- Burk If we weren’t taking action today would we need to still vote to, for a continuance?
- Harris You would. You’d have a motion and a second and a vote on a continuance.
- Garrett It is unfortunate, I think, Bryan, your points are spot on, that a group like Habitat is fought or in between a Mayor that refuses to provide or cannot provide or will not provide financial information to this Council. I am not voting for anything that has financial implications including giving away known assets until I have financial information. And that is a shame for Habitat and that is not an indictment on Habitat. It is unfortunate for Habitat. We’ve been asking for this information for a long time. If perhaps these things getting voted down forces the Mayor to finally spend some time on getting us financial information so we can make decisions with all the information, then that might be something good that

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comes out of that but, I'm voting no for this strictly out of wanting financial information.

Traylor I –

Garret I think Habitat is a great cause and, and I hope this works out for them eventually but until I get financial information.

Traylor I, I'm with you. I'm just –

Garrett I don't know what else to do.

Traylor Yes, I'm with you. I'm just voicing that it's, it's extremely sad to me.

Garrett Yes, me too.

Traylor Yes.

Garrett Me too.

Plunkett Any other questions for Mr. DeLong? Thanks Wayne.

DeLong Thank you.

Plunkett I would certainly entertain a motion at this time.

Traylor I make a motion to continue.

Plunkett Motion to continue by Councilor Traylor. Is there a second?

Culp I'll second that.

Plunkett Second by Councilor Culp. I think, so, you know, again, in Council dialogue and, you know my, my frustration with this process is there certainly has been a path forward that's been laid out. I mean at the last Council meeting we said that we need financial data and we need a training facility for the Fire Department. I mean those, those were two very, very simple exercises that could move this forward and it really surprises me to sit here two weeks later knowing that if there's a project or if there's something that someone wants and a path forward has been laid out that that path forward just doesn't happen. It really surprises me. So, I mean, I, I stand with you guys in that I can't, I can't certainly support a, any, any financial recommendations without having any financial data. I mean we don't have 2021 information. It's March 7th. That's hard, that's a hard, in my line of work, you, you don't get away with that. I don't think you do with anybody's line of work. Any other Council discussion? So the motion on the table is to continue to the March 21st Town Council meeting. All those in favor signify by saying aye.

Culp, Burk,
Traylor Aye.

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Plunkett All those opposed same sign.

Melton, Nay.

Plunkett Aye.

Garrett Nay or aye, so.

Plunkett 3 to 3.

Harris Wait, I don't think that's right.

Culp Let's do one at a time.

Harris Let's just do, let's a roll call so we have that.

Lacy President Plunkett?

Plunkett No.

Lacy Vice President Burk?

Harris Wait, wait, wait – hold on. So you're voting no on the continuance? We're only voting on the continuance.

Plunkett Correct, yes.

Harris So, you, you want to take a vote tonight?

Plunkett Yes.

Harris Okay, I just wanted to be clear.

Plunkett Yes.

Harris Got it. Sorry.

Lacy Vice President Burk?

Burk Yes.

Lacy Councilor Culp?

Culp Yes.

Lacy Councilor Garrett?

Garrett No.

Lacy Councilor Melton?

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Melton No.

Lacy And Councilor Traylor?

Traylor Yes.

Lacy So, yes, we're tied.

Harris Okay. Any other options on the table?

Plunkett You tell us, can we –

Harris Well, we have a tie vote so we don't have a continuance motion that stands. So, we could take a vote on the petition itself if you're prepared to do that. I'm not sure you are with a 3-3 vote, or we take no action.

Culp No rock, paper, scissors, or?

Harris It doesn't, it doesn't fail, we'd still re-calendar it because we don't have the, we, we, we don't have agreement on continuing it, so.

Plunkett Well my, my only point with this, is there's no reason for me to assume we're going to get what we want to make the decision that the administration wants.

Traylor And I want to give her as much rope to hang herself with as she can get. Yes, so, give her every bit of time that we've got available to us and if she doesn't provide us with the information we've been ask, asking for we've done everything we can possibly do in good faith.

Garrett Heather, do we need a motion and I will, I will make a motion to deny but I assume it's going to end up with the same vote?

Garrett Is that cleaner or there's just no action taken?

Harris We can just take no action and then it's at the President's discretion to re-calendar.

Plunkett Well, listen, I mean, we're going to have to, if it goes 3-3 on a no vote, we got to re-calendar it anyway. I mean I don't know if anybody would be willing to change their vote but I would entertain a motion.

Culp Well, plus we would have Alex next time.

Garrett Well –

Traylor Maybe. I mean there's seven of us. There's a high likelihood one of us won't be here next, next month or next meeting.

Garrett Yes, I mean, I'll make a motion to deny one more time.

Melton I'll second.

Plunkett First by Councilor Garrett. Second by Councilor Melton. Amy, can we do a roll call here?

Lacy Yes.

Plunkett So this is a, this is a motion to deny. If you vote in favor, you're voting in favor of denying the petition.

Harris Correct.

Lacy President Plunkett?

Plunkett Yes.

Lacy Vice President Burk?

Burk Yes.

Lacy Councilor Culp?

Culp No.

Lacy Councilor Garrett?

Garrett Yes.

Lacy Councilor Melton?

Melton Yes.

Lacy Councilor Traylor?

Traylor No.

Plunkett So the motion to deny the re-zone passes 4 in favor, 2 opposed.

NEW BUSINESS

A. Consideration of Appointments to the People of Zionsville for the Aesthetics of Zionsville (PZAZ) Committee

Plunkett Up next is New Business. Consideration of appointments to the People of Zionsville for the Aesthetics of Zionsville, the PZAZ committee. This was, Heather, as we had talked about before, a request from PZAZ and we had expanded the committee by an additional four folks and these are the individuals that they've recommended for appointment, correct?

- Harris Correct. I think we had a couple of vacancies and we expanded it by two additional members.
- Plunkett So we just need to vote to approve the four one-year terms to the PZAZ?
- Harris Correct, yes. And, I'm, it's just to pause there because I can see Councilor Culp's look on his face. So since you were, a yes you'll sign in the yes approve and everyone who voted yes actually goes in the nay.
- Culp Yes, I understand. There's just three different documents. I just want to make sure.
- Harris Just three copies, same document.
- Culp Yes, yes. I just want to make sure.
- Plunkett So if you, if you –
- Harris Clear as mud.
- Plunkett If you voted to deny the re-zone, then you sign as nay?
- Harris Actually, you'll sign as a yes.
- Culp So basically at the end of the day –
- Harris You flip flopped, flip flop.
- Culp Both myself and Councilor Traylor will put nay. The rest of you will put yea.
- Plunkett Okay.
- Culp You told me to go right there. Okay.
- Harris Yes, opposite. Just do the opposite of what Joe's doing.
- Culp Currently doing or by last doing?
- Harris The current, the current.
- Plunkett Does anybody have any questions on the PZAZ appointments?
- Garrett I appreciate everyone serving.
- Plunkett Yes.
- Garrett It's, it's a good group.
- Burk Happy to do it.
- Plunkett I'll make a motion to approve the PZAZ committee 2022 appointments.

Burk Second.

Plunkett Second by Vice President Burk. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 6 in favor, 0 opposed.

B. Winterfest Presentation

Plunkett Up next on the agenda is a Winterfest presentation. Jarod, I believe you're going to take care of this?

Logsdon All right. Good evening and thank you. I apologize for the delay in this. It took a while to get the final bills for the Winterfest wrap up. So the rink has been taken back to, Austin, Texas and we are removing the platform from the parking lot, returning Mulberry Fields to its regular scheduled programming. So tonight I want to talk about the Winterfest events that occurred from December 11th through January 2nd out at Mulberry Fields. This was an inaugural event in Zionsville and an opportunity to create a new tradition here in the winter months. I want to discuss first kind of the path that led to Winterfest. So, in 2020 the Zionsville Parks Department surveyed the community and asked specifically what do you want to see from your Parks Department? We historically have a long tradition of nature education as well as exceptional facilities but we wanted to find out what our residents were seeking most and most often going to other communities to get. So among those top results and the top priorities for our investment in future programs were outdoor events, fitness and wellness programs and outdoor recreation. So with this in mind, in January 2021 we began to kind of formulate what Zionsville Parks first large community event would look like. So we landed on a wintertime activity because that is our time of year when there's the least amount to do outside because of Indiana winters. So we began to develop an ice skating event and do a little market research to determine what our wintertime event was going to look like. In May 2021, I was before you all at a Town Council meeting to request an additional appropriation of \$160,000 and 200, \$162. I'm sorry – 14-hour day. \$160,250, \$145,000 of which was from fund 211 which is a fee-based recreational fund, created with user fees designed to be self-sustaining for our programming and \$20,250 from the general fund for the services to accompany Winterfest. With that we discussed kind of what the anticipated revenue was for this event and in that stage we were anticipating anywhere from \$123,000 up to \$259,000 for the operation of the ice rink. So with that approved, that additional appropriation, we completed a contract with Ice America for \$207,000, \$207,469 for both the ice rink rental and the operations of the ice rink. So from there we got to work and began to imagine what this event would look like in Zionsville. Our program staff began to create additional programming and community opportunities around the ice rink and we began to contact food vendors and other partners in the community to make this large event happen. Our maintenance team got to work and began building the

platform for the ice rink which is a huge task, utilizing \$3,000 or \$36,000 in lumber to create a mobile platform that not only will serve future Zionsville Winterfest activities, but also be utilized throughout the year as a stage as we expand our programming in parks.

Burk So Jarod we own that and you're storing that now?

Logsdon That is ours out at the Perkins storage facility.

Burk Okay.

Logsdon So we already are planning to use that in the spring and then again in the summer with our Arts in the Parks event. So, now we have a very large mobile stage that we can use pieces as needed and create the sizes we need. We also partnered with the Zionsville Parks Foundation who assisted us with donated décor and really growing out the event and creating a presence in the park. So I can't thank enough the staff of the Zionsville Parks Department. We are small but we are mighty and they were able to transform that parking lot at Mulberry Fields from just an empty lot into a true winter festival out there. So I can't thank our programming and maintenance team enough. So Winterfest was designed so that everyone gets to play. We created 39 programs throughout the month for all ages, on top of just the ice rink which was kind of the capstone. We had community celebrations, reindeer visited the park, Santa stopped by a couple of times and truly just creating something for all ages and all abilities. Coming out of COVID, we wanted to also introduce an activity that could be done safely outside so this was also equally as important about outdoor recreation as it was reconnecting our community. So we developed the showcase area that we had local performers in groups perform all month long and the audience and the community began to gather around them. So quick overview of the numbers – the Winterfest ice rink saw 5,608 skaters hit the ice, some probably literally. Over 2,070 participants attended 39 Zionsville Parks programs throughout the month. We were quite the buzz in the Town with over 19,000 webpage visits to our Town website which was the most visited page on the website throughout the year and over 11,000 impressions on social media. So every time we posted about Winterfest we got quite the engagement which was fantastic to see. Now breaking it down to the numbers of the events – our all-in cost for this first year was \$287,718.80. That is every lightbulb, every tablecloth including the large platform that we built and the electrical upgrades required for the site. So as we pull out those first year costs which were approximately \$81,000, we're right around that budget we anticipated for operations which is about \$207,000. Of that \$207,000, we were able to generate \$104,000 in revenue and \$19,000, or \$19,000 in sponsorships, \$14,000 of which was cash and \$5,000 in kind. So you can take a look at the breakdown and while this is slightly lower than we were anticipating, the weather was definitely not on our side throughout this Winterfest event, so much so that we actually had to move the ribbon cutting to the following Saturday to officially commence the event. So, unfortunately, we could not control the weather, especially as it impacted our weekends during school break, which most certainly were our best days throughout the event. So kind of looking at this as a, a worst case scenario for what we could bring in each year. So I'm very proud of the fact that we were able to secure \$19,000 in sponsorships and we've already begun a robust process of trying to recruit more sponsorships in the community and we're

also already seeing that welcomed with some of our smaller events throughout the year. So, again, while this was less than anticipated, Winterfest doesn't operate inside of a vacuum and our goal with the fund 211 is to create a sustainable program that we were able to offer recreational opportunities to the community throughout the year in, in a sustainable manner. So this fund is to operate outside of the general fund and it be self-supported. So, when we're thinking about Winterfest and the revenue it can bring in, we also need to talk about garden plots, shelter reservations and other programs that we, and services we offer to the community that are fee-based and which go into this fund and helps support other free programming. So we are moving towards that cost recovery philosophy where the more beneficial a program is to the community, the higher the subsidy rate for that event. So this summer as we're looking to add the Life of Lincoln and Arts in the Park, we're looking at offering those to the community, completely subsidized and doing that within our allocated budget. So as we move up the pyramid, you know, as something becomes more specialized or to benefiting just one individual or a small group, there is a greater cost recovery to that and then as those proceeds exceed the actual costs, that surplus revenue is re-invested to subsidize the other programs. So it is a work in progress and we're continually moving towards that but we were able to finance all of the first year of Winterfest within our general fund allocations while still completing all of the priorities for the year; so much so that we're still able to transfer approximately \$300,000 into the Parks non-reverting capital fund which every year that we don't spend our entire Parks improvement fund that money is then piggy banked for later for emergencies or future park planning. So I'm very proud that we were able to work within our means and find new ways to support our continuing growing portfolio of things we offer the community. So with that in mind as we begin to take a look at what the next year of Winterfest might look like, we did want to check with the community and see how we did this first year. So we did have a post-event survey and we were able to reach approximately 561 of our participants which, ironically, is approximately 10% of those that skated at the Winterfest event. So a couple of numbers from the survey – 72% gave the event a 4 or 5 star rating, 1/5, 93% were in favor of the location being at Mulberry Fields, 84% said that they would tell a friend and 96% said they would attend future Winterfest programming. So from there we actually dialed in a little bit further and asked specifically what they enjoyed most about Winterfest. Again, 59%, the majority, said that they enjoyed having the ice rink here in town. Beyond that, 16% said that they appreciated the community and the, the feeling that the event was able to spur in the community and an opportunity to gather and reconnect. Again, the location at Mulberry Fields was the next and then 7% were just extremely happy to have something to do in December. Drilling down even further, we asked the question of what we could do next year to improve and overwhelmingly, we saw trends emerge – a larger ice rink, more food vendors. So as we plan for the following years, we look to incorporate that and ensure we're satisfying those kind of requests. So from there I'm happy to answer any questions and I just want to thank Zionsville for coming out to Winterfest and supporting this new program.

Garrett

So, Jarod, and, and I asked you to come today. Normally something like this would have been the purview of the Parks Board and, and they do a good job with their money. I think the reason why I was interested in this was to ask from this Council for additional funds to get this kick started and, and I'm not

necessarily, you know, as you sort of talk about your, your triangle there, right, of community benefit versus individual benefit it makes sense. I don't necessarily look at these events as having to make money like a private enterprise as long as they are benefitting the community, the memories made, etc. but we also want to be good stewards of the Town's money. I think the only concern that I had was that there was a, my understanding, a, a professional management company involved at one point and, and a decision was made by the administration to remove that, and I just worry or wonder if the event could have gone better from a vendor's standpoint, sponsor standpoint, whatnot, had they stayed engaged allowing Parks and, and your dedicated team to, to continue to focus on what they do best. So there's kind of an opportunity cost there of removing professionals, putting your guys in and them not being about to do that. So it's not much of a question, more of a statement, I guess. I kind of want them to lay the groundwork that if, if you came back to this Council, I'm not saying you would because you may have gotten over the hump with the one-time cost, if you came back for more money for this type of programming, I would probably insist on some type of professional oversight for those programming, again, this is not negating the hard work that your team did, but I just think mistakes that may have been made, they may have, guided us through them and, could've made the, the program even better. So, just something to lay the groundwork there for. You may not come back to us because it may now be within your, your Parks operating budget and if it is, great, and if it's sustainable even better but, if you came back to the well that would be my ask and I just wanted to lay that groundwork.

Logsdon All right. Thank you.

Traylor So I'm, I'm just curious – I know the weather was awful but in looking at your good days versus your bad days, were you able to get a sense of, if, you know, if the weather had been more cooperative, you know, what the – I, I agree with you. This year was like worst case scenario, in my mind, for revenue on this. I'm curious if you were able to kind of estimate or calculate a best case scenario by, and looking, by looking at our actual numbers. Like how many skaters you had on the best day?

Logsdon Yep. So our, our, our best day was most definitely between the winter break when school was out, absolutely. So we were averaging 6,000-8,000 a day which kind of tells you, you know, what we were able to generate with good numbers and that, and, you know, I've heard stories that we actually maxed out the ice where people were waiting to get on at that rate with those numbers. So I, I believe the community was there. They were excited to come out when they had the time to but, again, January 1st would've been a fantastic Saturday to be out there and that was where we had to delay several hours before we could even open. So, severely impacted by the weather this first year.

Melton Jarod, you made mention of people waiting and I saw one of the requests or one of the comments was it would be nice if it was expanded. Is that something that this, that what you guys created or built could be added on to and could be bigger in the future?

Logsdon Absolutely. Yep. So that platform we built is modular and goes together like Lego blocks piece by piece. So with additional lumber which we haven't utilized, we could build more platforms as needed. So these ice rinks they come in 5-foot sections and then they go in 10 meters the other direction, so –

Melton Okay.

Logsdon Adding another row extending, that's all very possible. So right now we're, we're crunching the numbers and looking at how can we make this more sustainable? What can we do in-house on a maintenance aspect to reduce costs with that load in/load out and then also how can we support it with more sponsorships and programs?

Melton You mean utilizing some kind of scheduling where like you'd get online and schedule your time that you want to go to the ice skating rink to try and keep the same size skating rink but control the crowd in the future?

Logsdon Yes. Absolutely. That was about a 50/50 decision and we decided to go with this first year of just as you show up. But time slots, absolutely, would, would potentially benefit our, our sales and our, our peak hours in distributing that better.

Burk I just want to thank you guys. I mean I thought it was fantastic. I agree and that's a question I was going to ask that Bryan asked about. I'm sure you sliced the data by day to see, you know, if had the weather was more cooperative what could you look at. Obviously you had, you had some fixed costs this year that you won't have moving forward so that'll save you \$90k, so, you know, we were out there quite a bit. My family really enjoyed it –

Logsdon Well good.

Burk My neighbors, everybody I heard. I thought it was really cool and appreciate your vision for bringing it to the Town.

Logsdon Thank you.

Plunkett Any other questions for Jarod?

Garrett Thanks Jarod.

Logsdon All right. Thank you all.

Plunkett Appreciate it.

Traylor Thank you.

**C. Consideration of an Ordinance Approving an American Rescue Plan Act Plan
Ordinance 2022-04 (First Reading)**

Plunkett Up next is consideration of an ordinance approving an American Rescue Plan Act Plan. This is Ordinance 2022-04. This is a first reading and, I believe, Heather, you're going to –

Harris I am.

Plunkett Introduce this?

Harris Yep. So you have before you, an ordinance that would establish our very first, American Rescue Plan Act. This is something that we have been talking with the Mayor's team about and it's something that the Council's been, talking about now for several months – at least in this first step that we're considering this evening which is a premium pay stipend for our frontline responders, particularly our police officers and fire fighters who were working with the public while the rest of us were at home and shut down during COVID. This is really the start of the plan. You may recall that the, the Town is getting \$6,402,231.80 in a total appropriation and we've received to date \$3,201 –

Plunkett 3 million.

Harris 3 million – I, I – Jarod is catching on. Where'd he go? But, \$3,201,115.90 which we currently have in the Town, in the Town in our ARPA fund. So, one of the things that we're considering as part of this first action to be able to expend any money from the ARPA fund, we need to have adopted a plan. We've been given a lot of flexibility. We talked about that a couple of meetings ago, with the final rule which allows us to kind of sweep, some of our dollars into a general bucket for lost revenue, which is something that wasn't present in the interim rule that was originally discussed. So what we are contemplating here is we'll allocate a portion of the plan dollars for this initial premium pay stipend for frontline police and fire, and then we will have the rest sort of deposited or budgeted in this other, more general, category. We actually have a report that's coming up. Cindy and I were talking about it prior to the meeting, at the end of April where we'll do our first report to the government and we'll need to identify for them that we're using this lost revenue item as part of our plan because that's a one-time opportunity for us to use that bucket for spending. We can always come back and amend the plan and I think that's the goal of Council leadership is to make sure that we have put something on paper so we can start to move with the pieces that we know the Council supports including the premium pay stipend we're talking about this evening and then we'll come back and amend the plan as we have projects on the table like, that were discussed tonight, ideas from the community or other things that we ultimately want to spend, you know, the remainder of the dollars on. So we have before you tonight an ordinance that really sets up our premium pay stipend. It's a one-time payment to members of the Zionsville Fire Department, and to members of the Zionsville Police Department. Again, this is, we've had conversation, I know there's been additional conversation about, you know, the scope of a premium pay stipend, what employees we want to include in or out and this is certainly just a first step to match really what our other communities are doing to kind of give back to those first responders. So you'll see in the proposal that this would provide up to \$5,000 for full-time fire fighters. There is a requirement in ARPA that it can't

exceed more than \$13.00 an hour, so I want to thank Jo Kiel who had to do a lot of math, to kind of figure out who could be in or out and she did that and we really appreciate it. And then up to \$1,500 for part-time fire fighters, again, not to exceed the \$13.00 an hour of work performed and then up to \$5,000 to the Fire Inspector and Fire Marshall not to exceed 13 hours -- \$13.00 an hour of work performed and then also one-time payments of up to \$5,000 for the police department. So, this will be the first vote, we'll have another, this is the introduction on first reading. We will have to come back to you, we were not able to get a couple of pieces of information that we need to fully implement the program, we will need to have an Amended Salary Ordinance so the State Board of Accounts will require us to take all of those employees who are eligible under this agreement and actually amend the Salary Ordinance for 2022 since we'll be providing the additional compensation to those individuals in 2022. So we will need to have the Salary Ordinance and that will be something that the Council will need to vote on. The second thing we need is an Additional Appropriations Resolution, before we can expend any money from the fund the Council has to do an Additional Appropriations Resolution to make the public aware that we're spending these dollars. That requires a publication and proof of publication which we normally do in a public hearing. So we have got that in the works and we'll have that ready for your second March meeting, so that you will be able to, do your second reading, you'll be able to vote on the additional appropriation which will allow us to expend money and provide those stipends out to our police and fire members and then we will have the Amended Salary Ordinance as well.

- Garrett Heather, assuming this passes tonight and assuming we pass the pieces you talked about on the 21st, when would those individuals who qualify see those funds? Do you know?
- Harris Yes. So, as soon as it's enacted and as soon as the Mayor signs the ordinance, um, we'll have a valid ordinance, obviously then, then it's immediately available to be distributed. We already have the money in the fund, um, so really it's just, you know, getting that distributed as part of the payroll and then having it as part of the approval of claims process. So it should be, I don't know, at the, at the most it should take no more than 30 days but, I, I can imagine it could go quicker than that.
- Garrett Okay. Is payroll in claims?
- Harris Well, I think we have – we, we are able to pay salary and benefits because you've already approved them –
- Garrett Got it. I just-
- Harris I just said claims because--
- Garrett I don't want it to be held up further by a claims request.
- Harris Yes, you've already – once you approve the Salary Ordinance, you've actually already given the administration the authority to pay salary and benefits to those individuals.

Garrett Great, great.

Plunkett Thanks Heather.

Plunkett This is a lot, right? I mean, we've – last meeting and different, different conversations and stuff, I mean, as we've talked about before, I mean, this is kind of the first in a long, you know a number of steps. I mean, we first met with, Heather and I met with the administration on February 17th to kind of outline these first steps and we've got a meeting on the 8th of March to figure out the next steps, right? And things have changed obviously when we first started talking about this. The only folks that were eligible were police and fire.

Garrett Correct.

Plunkett I mean that was six months ago, right? So – obviously hearing Allyson talk about opportunities for businesses and understanding that, you know, it may open up to other folks in town, that, that – with the Town, I should say, that could be eligible, I mean, certainly those are all steps that we want to take and you know, listen and gather input on even, I think, Vice President Burk even made reference to having some type of a, even a, session where we could, public session and get input from the community. I mean, these dollars certainly, in my opinion, should be used to, to benefit the community and, you know, impact those that suffered, suffered the worst. So –

Garrett You know – and I appreciate taking that time. This I wish we'd done six months ago but I realize it's been taking time. This is kind of, this is an easy one, but I think the rest of that money is a once in a generational opportunity for our Town. We just need to make sure that we're using that to the highest and best use.

Plunkett Sure.

Garrett And that will take some time so we'll have to be patient, but we'll get to it.

Plunkett Yes, I agree.

Melton Mr. President, I just, I just would ask that we also remember that along with the police and fire, there were many people within the administration, within the Town that did additional functioning work to help us continue to be televised out there. I know our IT Department is somebody that I really want to focus on personally, but, as we move forward with these, these conversations, businesses are very important – I do agree with that solely 100% -- but I do also want to make sure that it's not just Chamber of Commerce businesses. There's so many businesses that suffered during this, the last two years, and, you know, I just wanted to make that comment publicly, I mean, the teachers – we love our teachers, my wife's a teacher, they went from teaching in class to IT people themselves and, I know that has nothing to do with necessarily the ARPA, but if it does, I'd entertain that conversation and I'd love to be a part of that in the future as well. So thank you for letting me make those statements.

Plunkett Absolutely. Any other comments?

- Culp General or? Any comments?
- Plunkett General comments?
- Culp Okay. So tomorrow night is the –
- Garrett No – wait –
- Culp I just said, you said anything –
- Plunkett Yes – general comments regarding the ordinance.
- Culp No, no, no – I’m okay with that.
- Burk Right, right.
- Culp I agree with that. That’s great.
- Plunkett All right. Having none I would entertain a motion.
- Garrett I would like to make a motion to approve Ordinance 2022-04.
- Culp Second.
- Plunkett First by Councilor Garrett. Second by Councilor Culp. All those in favor signify by saying aye.
- All Aye.
- Plunkett All those opposed same sign.
[No response]
- Motion passes 6 in favor, 0 opposed. Heather, can I ask a question about whether or not it would even make sense to suspend the rules given we have two other steps that have to take place?
- Harris Normally, I would say yes so that we could get the dollars out the door as quickly as possible but since we need those other two pieces before we can do that, I would recommend just waiting until the next meeting that way we can package it all together and it won’t confuse any members of the public or our first responders on the timing.
- Plunkett Because even, even if we did suspend the rules, it would just simply pass the ordinance –
- Harris Correct.
- Plunkett Assuming it went through, it would not fund –
- Harris Correct.

- Plunkett Any of it. It's just one step out of three steps –
- Harris Right.
- Plunkett That has to take place.
- Harris We've prepared, with the help of Jo, the Additional Appropriation Resolution and it's been noticed already. The piece that I can't prepare for you is the Salary Ordinances because it's very specific information to each individual who is eligible. So once we get that piece, and in fairness, Jo was on vacation this last week, so I think we, have lots of moving parts there, but, um, we should have both of those next meeting.
- Plunkett Yes. Well I certainly appreciate your work on this. I know it's been quite a bit, so, thank you.
- Garrett And I think it's important that we keep having that kind of professional engagement as we spend these dollars to make sure that we do it properly and the government –
- Plunkett Right.
- Garrett Doesn't come back in two years and say you owe that money back because you forgot this "I" or crossed this "T", so that's something to keep going on as well.
- Plunkett Yep.
- Harris Well, I, I will just note for the Council we do have a deadline kind of looming as a first deadline related to ARPA just so you can kind of mark your calendars. I know I've talked to Cindy about that a little bit. We have a project and expenditure report that's due by the end of April. There's a couple critical things related to that report. One is it makes us eligible to get the rest of our money and two, the other thing that's important about that report, it's the one-time opportunity if we want to use this lost revenue category. That flexibility is a really tremendous opportunity for the Town because once we can credit the dollars in the bucket of lost revenue, then we're really able to spend them pretty much on anything that you are able to spend your government funds on which gives a wide array of flexibility, especially Councilor Melton, to your point, to really look at sort of the community as a whole and figure out what is the highest and best use of those resources. So, that's just, we want to make sure, um, we're working towards that goal.
- Garrett What was that date again Heather?
- Harris You have to have it turned in no later than April 30, 2022 and given that it's a federal government website, I would start much earlier than that, in my experience.
- Plunkett So who is responsible ultimately for that submission?

Harris Yes. The administration will need to do that report and that report will – I’m certain, I’m looking at Cindy, be coming down to Cindy’s office.

Plunkett Okay.

Harris Cindy did share she’s going to training next week to get some additional information on that as well as other compliance and reporting requirements.

Plunkett Okay.

Harris That’s a big date for us as our initial kind of, thing to check off.

OTHER MATTERS

Plunkett Okay. All right. Next up on the agenda is Other Matters, Councilor Culp.

Culp Thanks. Just a reminder tomorrow’s Town Hall meeting at 6:00, in here. We’ll have, this will be our second meeting on the preservation commission, the recommendations. A couple of things that I would like to say just in case folks can’t make it tomorrow night and I know a lot of you showed up to my last one so I appreciate that. I want to clear up a couple of things – not nearly as many emails this time as we, we did last time – I think it’s like three or four, but, two pretty glaring things that keep coming back is, this is not an ordinance to create a historical district anywhere in Zionsville tomorrow or, or when we vote. This is just to create the commission. So, nothing on there anybody’s going to be held accountable for until a proposed ordinance for specific district become conservation or historical. So, I know that’s a little confusing. I’ve got a nice little video in there that explains it, you’re more than welcome to watch that, and the second one was interesting because I didn’t even, it didn’t even dawn on me that there was going to be an issue but almost every one of those folks want to know why the Mayor is the only one that gets to appoint the folks on the commission. So, I’ll explain that really quickly. It’s according to the statute. We don’t have a choice on that. That’s, that’s what, you know, that’s the rules that we have to follow. But, just like tonight, we had to approve the PZAZ committee members that were recommended. Those would still have to come across us to recommend as well or to approve or not approve. So even though the Mayor appoints, if that was an issue with anybody, I’m not sure why but, it still has to come across to us, to approve those members. So those are the two big questions that if you’re not able to make it tomorrow night I just want to make sure it’s on record and they have it recorded. Hopefully a lot of people show up tomorrow. I’d be more than happy. Heather, I’m not sure if you’re going to be there tomorrow night.

Harris I don’t think so.

Culp Not tomorrow? So, it’s again, I, my goal is to the first reading this month depending on, unless tomorrow just something comes out of the blue that I didn’t know about, but, man I’ve been entrenched with this for two years so I can’t –

Melton Is tomorrow going to be a presentation? Or a question and answer?

- Culp Q&A – Town Hall.
- Melton Q&A? Okay.
- Culp Yes, so I, yes, kind of like we did last time – people just came up and asked questions, great questions. So –
- Melton So it's really important for people that may be involved in this to come out tomorrow night, right? If you're going to read the first reading within a month –
- Culp Yes –
- Melton Tomorrow's the last time to get your questions and answers filled.
- Culp No that's not – I mean you can still come to the first reading. They can still come here and go to the President and say hey I'd like to speak, just like we did tonight. So, yes. In fact, we talked about that a little bit, I was actually talking to Josh about it, Councilor Garrett, but I'm guessing there might be more people at the first and second reading than there will be tomorrow night. My guess.
- Burk Yes.
- Culp But we did have a full room last time, so who knows? And it was like four hours long, so hopefully there's some people with some good questions. But thank you everybody. I appreciate everybody's time and help with that project and hopefully we can get that, that reading to you guys if not the 21st hopefully the next one but my goal is the 21st. That's all I have.
- Plunkett Very good. Anybody else?
- Traylor I've, I've got a question for Council. If, and, forgive me if you don't an answer -- I'm curious – there's a, a clause in our, our section in the reorg document that, and I can happily read it to you but I'm sure you've got this thing memorized forward, backward and sideways, but it gives the Town Council authority to investigate departments, officers, employees of the Town, I'm curious if, if that language in there would give us the authority, if we wanted to have a third party financial audit done. Because we don't have, you know, generally the Council doesn't have the authority to sign contracts but if we wanted to have a third party, financial audit done would this clause give us the ability to request that or have that done?
- Harris We can certainly request it. We get into a little bit of a trick box because only the Mayor, has the authority to obligate the Town under a contract, even though we expend the funds. And you would need to do some sort of appropriation for those funds. You could also, the other option is to, further engage the State Board of Accounts and ask them to, you know, kind of step in and, and review financial information. That's something the Town Council could petition to the State Board of Accounts to see if they want to come up with. I know it's something that, you know, we've talked to the administration about in terms of their current financial advisor, maybe we could ask if they could come and do a presentation,

which is Crowe. They've re-engaged Crowe who previously worked with the Town.

Culp Have they done the audit from 2021? I guess probably not yet but –

Harris So they, we have done the State Board of Accounts audit.

Culp Okay.

Harris And there were a couple of unresolved issues but I do think they ultimately got resolved and filed.

Plunkett For 19 and 20.

Harris Oh for 19, yes.

Plunkett 19, 20 and 21?

Harris No and 20.

Plunkett With a state and a federal audit in 21.

Harris Yes. Sorry, so we have done it for 19 and 20. I don't know that we've done anything yet for 21.

Plunkett Okay. But those were based on 19 and 20 budgets –

Culp Right.

Plunkett So those were budgets from the previous administration.

Harris Yes, yes. And another concern, there is the concern of the audit, which the audit is looking at compliance. So State Board of Accounts, for example, they're going to look at more technical things like did you put the funds in the right, did you put the money in the right fund, did you have a, a claim that was approved by the Town Council that matches this fund, so it's, for lack of a better word, a bureaucratic process to make sure that the money is moving, you know, in accordance to the rules that the State Board of Accounts set out. It's, it's, it's not always looking at what I would say the more big picture spending concerns, which I think of the Council as, you know, being able to understand and invest Town resources or knowing what money you can spend because you don't have a clear picture of the financial situation of the Town. I think that's one piece and then there's sort of a compliance piece, did we did it, did we do it the right way? And, so, we've had some conversations with their team, and legal counsel just about appropriations that didn't come back before the Council, that we've been trying to work through, and really, you know, stressing that the rules from the State Board of Accounts require that every single expenditure, whether or not it's property tax funded, has to come through this Council, that is what the law states, and there isn't a differentiation between funds that were given to us in a grant or funds that were in a special fund or funds that, you know, were appropriated for a

special purpose. It's really every dollar – it's because the Town Council is the check and balance. I mean that's the structure of why we're here, so –

Traylor So let me ask a follow-up – so we, we still can't enter into a contract. If we were, you know, as this, this section reads – if we were to investigate something and we incurred expenses to investigate, I mean, we don't have, I, I guess how do we, how do we exercise this authority if we don't have the ability to sign a contract to spend the money to do so?

Harris Yes, and we can look, I can look back at that. Because our, our – I can look at that question specifically and I'm happy to research a little further. The reason I'd say I'd look, I'd look at it a little more specifically, so, the answer I gave you is in a traditional, mayoral structural. We don't have a traditional mayoral structure, so, meaning the contractual obligation by the executives. So, we, we need to look to see, you know, the language of the Government Modernization Act which was the basis, foundational basis for our reorganization document says that anything in our reorganizational document will overrule other conflicting statutes so we may be able to look to see if that's an opportunity to, to further analyze that, in that context so I'll, I'll put that on my list to do and circle back.

Traylor All right.

Melton Heather, you, your firm as our representation, don't we have a contract with you?

Harris You do.

Melton So does that contract – that just, that covers all of our needs as we move forward, does that not?

Harris For legal services –

Melton And that's –

Harris But we don't, we don't do any, we don't have any access to any of the financial information –

Melton So an investigation –

Harris For the Town. The challenge is, we don't have any access to the financial information to the Town.

Garrett And neither do we.

Traylor That makes two of us.

Harris I mean, so even, even, even like on the Salary Ordinance, like I couldn't prepare that for you because I don't have the calculations or financial access to the Town's finance, financial documents, other than what's presented publicly or shared by the administration, so, that's, that's, that's the, that's the piece that we're missing.

- Melton That's the disconnect. So, so we have had the Board of Accounts involved already? The State Board of Accounts, is that correct?
- Harris Yes. So the State Board of Accounts does audits periodically of all cities and towns. So it was a routine audit function –
- Melton It was a routine that we got them, we did not get them involved or engaged?
- Harris We have chatted with the State Board of Accounts, we've shared that with the administration and been transparent about that because there was a question about, you may recall, when Tammy was CFO we had a discussion about a, we had a non-DLGF budget and we had a DLGF budget and we were asking some questions about, you know, the differentiation between these two budgets. We've always previously had one budget was all the money receipted into the Town. We do publish for the purposes of the Department of Local Government Finance our tax-supported budget which is part of the public hearing process and part of the requirements for raising taxes and allocating them back to the town but we still only had one budget historically. And so there had been some question about whether or not or a statement made that if a budget item was not supported by tax, tax dollars then it didn't have to come to the Council for appropriations. We did talk to the State Board of Accounts, Executive Director and we did confirm that all appropriations have to go through this body. So, we did circle back and share that at the time with Tammy and, and their legal counsel to ensure that we were all operating under the same foundational basis.
- Melton Thank you.
- Traylor I mean, just to be clear, I just think it's time we take some sort of action, because we have not, I mean we've, in the, you know, this is our third year we've had financials supplied to us maybe three times, maybe three times in that three years or 2+ years and then, then in December the CFO is asked to resign and at almost exactly the same time the, the contract for the financial advising firm that the administration was using was terminated –
- Garrett Switched to – from Crowe.
- Traylor Right, the one we switched to from Crowe, so no –
- Garrett They, they switched to from Crowe.
- Traylor Yes, they switched to from Crowe – so that, that financial advising firm at the same time that the CFO is being asked to resign, the contract was terminated – you couple that with not having any updated financial data and that's one, I mean in my mind, that's our biggest responsibility on Town Council is to make sure that the money of the Town is being spent wisely, being spent correctly and everything, you know, and we have, we have no transparency into that and, actually I, I credit somebody on social media that, you know, that told me to quit complaining and, and do something, you know? You know, so there's, there's ways to go about this, so I'm doing it. So yes, I think it's time to, to take some action and if we can find a way to do a full financial audit of both the money going in, money going out and making sure that's correct along with the

- procedures and guidelines, I, I think it's necessary at this point. So, however we need to do that, I'm, I'm, I'm supportive.
- Melton Is there a motion?
- Traylor I wish. I don't think I've got enough information to make a motion at this point, unless Heather tells me otherwise.
- Garrett It's interesting though, right, because you, like the way that, that Heather describes it is it's structured that we have to go to the Mayor to say we want to investigate the way you've been handling financials, sign this contract so we can investigate you. And if she says no, then we don't have the ability to do that but then why would she say no? Because what are we going to find in theory? We shouldn't find anything. What's there to hide? So, I mean, I think we should ask for that and if she says no then I'd like for her to explain to the community why we shouldn't be looking into that.
- Traylor All right, then, in, in that case and after I make this motion Heather can stop me if I'm not allowed to make this motion.
- Garrett I'll second it first.
- Traylor But, if – Heather stop me if, if you need to but, I would make a motion that Council engages Crowe, or – is it, I would, all right, you can amend it if you'd like to but I'll make the motion that Council engage Crowe for a full financial audit of both the finances and the processes and procedures of the Finance Department.
- Garrett Second.
- Plunkett That motion on the, on the table first by Councilor Traylor. Second by Councilor Garrett. Any Council dialogue beyond that otherwise? All those –
- Burk Heather does that sound okay to you?
- Harris Well, I was just going to make a note maybe with your very specific motion with a very specific company, which is fine, is that there are –
- Plunkett But, but it's a company that they're using.
- Harris That's right. They're already engaged by the Town, so I think what you're really asking is for the function to be completed by our Town and financial advisor, which may, you know, if there's an opportunity to do that and it should be a much easier process to accomplish because we're not asking for a separate contract.
- Traylor Right. And, and I want to specify Crowe because I don't want to specify whoever we're using because that could change. See what I mean?
- Garrett Yes, right. I trust the people at Crowe.

- Harris I'm sure they'll appreciate that.
- Burk I, I suppose, I mean there's no way I'm opposed to the concept of doing this. I do believe that this is probably something that the administration is wanting to do as soon as they have a new CFO anyway and they just hired Crowe but –
- Garrett I love your optimism.
- Burk I would think it happen anyway so I don't know that me voting yes is going to, you know, if it encourages that to happen then that would be fantastic but I would like to think it would happen regardless of, the action but, that may be too optimistic.
- Culp It is.
- Plunkett So there is a motion to engage our current financial advisors specific to procedures and fill me in there – what was it –
- Harris Audit. Full financial audit.
- Plunkett An overall financial audit. Again, first by Councilor Traylor. Second by Councilor Garrett. All those in favor signify by saying aye.
- All Aye.
- Plunkett All those opposed same sign.
[No response]
- Motion passes 6 in favor, 0 opposed.
- Harris Mr. President, I was just going to maybe make one note. The other opportunity you might want to think about is we did engage a vendor to do this financial transparency software for the Town. I think that was back in 2019, if I'm not mistaken – 2020? 2019? When we started changing everything over – maybe it's an opportunity to bring –
- Garrett 2020 or 2021.
- Harris That vendor in too just to talk about that process and where that conversion is.
- Traylor Is that OpenGov? Is that what we're talking about?
- Harris Yes. OpenGov.
- Garrett I think that's a separate, that's a separate issue, right? OpenGov is the platform.
- Burk Software.
- Garrett It has nothing to do with the numbers. It's like asking SAP to come in and do your financial audit. It's like, they're, they're just going to talk about the process and maybe they can explain why it's taking so long but I don't think they can

account for things like, you know, why was the Town Hall improvement fund drained to zero for the Mayor's new office – those kinds of things OpenGov is not going to be able to explain. That's where I support what Councilor Traylor is doing here on an actual audit of –

Harris Yes, no, no –

Garrett Money in. Money out. Balances. Basic financial information.

Harris Yes.

Garrett That's all we're asking for.

Harris Just a thought on an additional comprehension.

Garrett Additional is a great idea.

Harris Yes.

Burk It's my understanding that that software has all kinds of problems.

Harris We did have a contractual agreement with them and the Council did appropriate money so that might be something that we want to separately talk with the administration about and perhaps they need our support in making sure that gets corrected.

CLAIMS

Plunkett Last item on the agenda, is the approval of claims. I've had a couple of people ask me in the last few days, last few weeks, about how we can approve claims without having financial data and I think it's important to note we've got 1.9 million dollars' worth of claims on this claim sheet. 1.9 million dollars' worth of claims and not to beat a dead horse but, again, no financial data at all. So –

Garrett I, I struggle with that too because you then put our vendors at risk who perform services, it's a real, it's a real challenge. It's hard to do it every, ongoing – I mean at some point you've just gotta stop doing it but you don't want to shut the Town down either, so –

Plunkett Yes.

- Garrett I struggle with that though. You, you are approving them blindly.
- Plunkett I'm sorry?
- Garrett You're approving them blindly.
- Plunkett Yes, yes.
- Garrett And that's scary at times.
- Plunkett Well, again, it's important to note, I think we had a 34 million dollar budget. Claim sheet is 1.9 million bucks – that's a lot of money –
- Garrett Yes.
- Plunkett Without having data.
- Garrett Yes.
- Plunkett So, I would take a motion regarding claims.
- Burk Motion to adopt.
- Plunkett First by Councilor Burk.
- Melton Second.
- Plunkett Second by Councilor Melton. All those in favor of approving claims signify by saying aye.
- Culp, Melton Aye.
Traylor, Burk
- Plunkett All those opposed?
- Garrett Aye.
- Plunkett Aye. Motion passes 4-2.
- Garrett I'm just going to go on record. It's going to get harder and harder to keep saying aye to these. Just so we're aware. Like we need financial information ASAP.
- Plunkett I would agree.

ADJOURN

- Garrett I'll make a motion to adjourn unless, anything else from you?
- Plunkett Second. All those in favor?
- All Aye.

Zionsville Town Council
March 7, 2022

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator
Town of Zionsville