



**ZIONSVILLE TOWN COUNCIL  
MEETING MINUTES  
FOR  
MONDAY, MARCH 21, 2022  
AT 7:30 A.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, and Craig Melton

Absent: Bryan Traylor

Also Present: Heather Harris, Town Council Attorney; Mayor Emily Styron, Deputy Mayor Julie Johns-Cole, Lance Lantz, Director of Department of Public Works; 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 All right. We'll go, we'll go ahead and get started. I think we're – Traylor is not going to be here anyway, right?

Burk Right.

Plunkett Yes. We'll call to order the meeting of the March 21<sup>st</sup> Council meeting. Please join me with the Pledge of Allegiance.

All Pledge of Allegiance.

**APPROVAL OF THE MEMORANDUM OF THE MARCH 7, 2022  
REGULAR MEETING (copy posted)**

Plunkett First up is the approval of the memorandum of the March 7, 2022 regular meeting. A copy has been posted. Are there any questions from Councilors? Otherwise, I'd entertain a motion.

Choi Motion to approve.

Garrett Second.

Plunkett First by Councilor Garrett. Second by Councilor – I’m sorry. First by Councilor Choi. 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.

**REQUEST TO SPEAK ON AGENDA ITEM**

Plunkett Up next is requests to speak. Amy, do we have any requests?

Lacy No. We have no requests to speak this time.

Plunkett Very good.

**MAYOR/ADMINISTRATION UPDATE**

Plunkett Up next would be the Mayor/administration update. Amy, do we have an administration or Mayor update?

Lacy No we have no update.

Garrett President Plunkett?

Plunkett Yes.

Garrett Since the Mayor shows once again not to update us, could I kind of go over again what my concerns are?

Plunkett Sure.

Garrett If you don’t mind me having the floor.

Plunkett Sure.

Garrett So, we keep talking about access to financial information and, and the lack that this Council and really this community is seeing and I sort of wanted to clarify, I guess, or talk through what it is we’re concerned about and what is it we’re not concerned about. So, we’re not concerned about the budget, right? The budget is set every year. The Department Heads and the Mayor go through and provide the information to the Council, and the Council may make adjustments and then we go through a process of approving it and submitting it to the State Board of Accounts. The problem here is really the access to that information that

correlates to that budget. So I kind of want to go through a timeline here if you'll give me a couple of minutes to just sort of go through how we got to where we are today.

So on April 6 of 2020, going back this far, there was Ordinance No. 2020-03 which was to create a position of CFO here at the Town of Zionsville and that was at the Mayor's request and her direct words were we need to "grow the skills and capacity in the area so we're not relying on external consultants to help us with our financial operation." we agreed with that concept. We approved that concept and subsequently a CFO, Tammy Havard, was hired. She then later came to us on October 29, 2020 in a special meeting for an additional appropriation – this was Resolution 2020-15, for an appropriation of \$284,160 and this was for in her words and this is Tammy Havard's words the purpose – I'm sorry. This is in the actual resolution. "The purpose of the additional appropriation is to pay for a payroll/human resources information system and a cloud-based ERP system which includes financials, budgeting planning, reporting transparency and permitting, licensing and code enforcement modules." Ms. Havard in the meeting directly says and you can go back and watch this on YouTube "A reporting and transparency portal is also a part of the project so that I'm excited to bring before it to Council and the public as well." So transparency was one of the key elements of this. So, the system – sorry, the appropriation was approved and the system that we selected was called OpenGov and at some point, I don't know the exact date, our longtime financial partner, Crowe, was replaced by the administration with a group called Financial Solutions Group. That wasn't anything that the Council had any action on and it wasn't required to have action on but part of that responsibility was to help with the implementation of OpenGov.

Following the approval of funds for OpenGov, the old financial system was taken down before the new one was brought up online. So, that is what I would call a worst practice. I don't know why that happened. When we pressed the administration on the matter, we were told that that was done because there was no financial information – not financial resources to run parallel systems, although there was never an ask of this Council for financials to run parallel systems. And then in October of 2021 the Mayor created what she called her finance committee to review, update and create financial policies. I know Councilor Traylor who is not here today was appointed as a member. To my knowledge that committee has met once just to introduce each other and has had four of the subsequent meetings all cancelled and then in December 2021 the Mayor removed the CFO from her position. So, in the last 17 or 18 months this Council has received limited financials only three times when we should be getting them monthly and I don't think they're being hidden from us, I just don't think that they have that information because of, well I don't know why. I'm assuming it's because of this new system.

So, I really want four questions answered and, and these aren't hard questions and quite frankly I'd even take I don't know as an answer to these questions but some dialogue would be appreciated. 1) What happened to put us in this situation? I don't need an entire root cause analysis yet but I just want to know what happened? Why are we not getting financials? 2) Where we – where are we today? How are we running the Town right now with incomplete financial

systems and an understaffed financial team? 3) What is it going to take to get us to a steady state and working? So, what people are needed – is that hires, is that consulting, what is the cost of that and more importantly what is the timeline of that? And 4) When is a new CFO going to be hired? It's now been four months. I don't know where that is in the process, what I don't want is the Mayor giving us another Facebook statement after this meeting or another press release. I would like for her to come here and have a dialogue with this Council about what I think is a major problem for this community and what does it matter to you? Why does this matter to the public? Well one is imagine trying to run a \$30 million dollar business with no access to financials. That's – just blows my mind that that is even happening. We can't make solid decisions in these Council meetings if we don't have financials whether it's the tactical decisions or whether it's strategic decisions but, two is I think we are at a real risk as the State may get involved in this of having our debt downgraded because we don't have accurate financial information and if we get our debt downgraded that is going to be more expensive to us, that limits our bonding capacity and that is something that we have always maintained for years and years and years as a community that you can rely on if Zionsville is issuing debt.

So, I think this is a big deal. I think the Mayor needs to address the Council. Her – the Mayor's own campaign materials one of her guiding principles was "we are transparent and accountable regarding the business of the Town." That is a direct quote. She needs to be transparent. She needs to be accountable as to where we are. If these meeting times don't work then I would like her to submit another meeting time that works for her schedule, we can call a special meeting but, again, it needs to be open to the public not some closed door discussion about what's happening. I think the public should have a right to hear what is going on. I'm not going to vote on any claims until I hear this information because I don't feel confident doing that and I know that is draconian and I know may hurt our vendors but I don't think I'm asking hard questions and so that is where I'm at right now and I would like some answers and I appreciate the time, President Plunkett.

Plunkett Fair enough. I will say that, obviously due to open door laws, we were limited as it relates to the number of Councilors that could participate in a call regarding finance last week but we did have a brief call and I think the reality is we're just in a spot where currently the vendor can't provide on the finance end what we're asking. To your point I'm hopeful that the Mayor would come and, and talk a little bit more in detail about that to the public and without getting into all the details I do feel like Tim Berry is confident that between Crowe and Cindy they can prepare that and have that information for us by the next Council meeting – the month, a monthly report by the next Council meeting.

Garrett Great.

Plunkett I'm sorry?

Garrett I said great.

Plunkett Yes, Yes. So there, there's quite a bit going on and I think that as we continue to dig deep into the, the finance question, we're going to continue to have more

details relayed to us that I think should be relayed publicly because, again, this is – these are questions that we’ve had for quite some time – for 17 months.

Garrett Well and these are the questions that start leading to more questions like why did we pick a financial system that cannot create financial reports? Like you had one job and you weren’t able to do that one job – like I, we paid a lot of money for that. I mean we paid \$284,000 for the system let alone the implementation. So, is the system we picked bad? Does the implementation we paid for go wrong – I mean, and I realize these systems aren’t always perfect but, this is – we have no backup. So this is incredibly concerning to me that we are sort of running blind right now. We could be running into a wall and have no idea.

Plunkett Yes, Fair enough.

### **OLD BUSINESS**

#### **A. Consideration of an Ordinance Approving an American Rescue Plan Act Plan Ordinance 2022-04 (Final Reading)**

Plunkett Up next is Old Business of consideration of an ordinance approving the American Rescue Plan Act. This is Ordinance 2022-04. This is a final reading. Heather, I believe you’re going to present on this?

Harris I will. Thank you, Mr. President. This is a final reading of the American Rescue Plan Act Ordinance. This is basically setting our initial plan for the Town so that we can be able to start to spend the resources that we’ve been given by the federal government for this purpose. As you all may recall, what we are currently doing is sweeping the majority of the funds that we received into a bucket called, basically recovery, lost income/recovery of income and that’s a pretty flexible bucket and will allow us to go back and work with members of the public as well as the administration kind of prioritizing what projects and programs we want to spend those resources on. The other part of this Ordinance is we’re setting up a premium pay bucket, if you will, which will allow us to provide premium pay stipends to, first responders, those individuals who were really, you know, on the front lines in our police and fire departments during COVID-19, when the rest of us were at home shut down due to the pandemic. So at this time we’re focusing on those employees. Just as a side note, we had talked at the last meeting unrelated to this particular, Ordinance, but two corresponding pieces that will need to be done before we can pay the premium pay stipends to our first responders. One, we’ll need to do an additional appropriation. We were hoping to do that at this meeting, and have the public hearing. There was an error in the numbers. Two employees were inadvertently missed, that fell into that same category so we do need to go back and republish and that’s something that we’re already, you know, working on, and we’ll get that done and it’ll be available for the April 11<sup>th</sup> meeting. The second change we need to make after the additional appropriation has been considered is a change to the Salary Ordinance, and that will also be at our April 11<sup>th</sup> meeting. We were hoping for both of those pieces today but, because they are sort of hand in glove, we will just hold off on both until the next meeting. So today we’re only voting on the initial plan and the second reading of the Ordinance.

Plunkett Heather, the verbiage omitted two members from the fire department and the numbers that we had had one that was missing which is why the numbers were off, correct? So when we move forward with this we need to approve this with an amendment to this?

Harris I don't think so. Both Jo and I looked at it and I don't think we need to change the underlying Ordinance, as I understand it, Jo, right?

Kiel Correct.

Harris Yes.

Plunkett Okay.

Harris So we didn't have any of the numbers actually embedded here, we just put the framework, the guidelines for the premium pay stipend itself. So you may recall, we had up to \$5,000. There's a very challenging, you know, kind of back end math that you have to do according to the State Board of Accounts for each employee – so not every single employee is going to see that full amount just based on the number of days worked and the number of days that were in the eligible category but with respect to what we have, we don't need to change anything in this particular document.

Burk So what we passed before on first reading didn't have a dollar amount at all listed?

Harris It had a dollar amount, for the total amount that we've received –

Burk Yes.

Harris But not for the specific –

Burk Allocation.

Harris Allocation.

Garrett It had an estimated amount but not a –

Harris Yes.

Garrett Definitive amount.

Burk Okay.

Harris Yes, I mean, we have the premium pay to eligible workers amount, but I think we can go back and, you know, amend that. I don't know that we need to change it at this time.

Burk Okay. That's what I was worried about.

- Harris Yes. If we do, we'll go back and look at it. If we do, we can bring that amendment back but – Jo, I mean, do you think we need to, maybe Jo could come up and – I, I'm basing it off of the information that I was received but, I mean, we could amend the number here. There's one reference of the estimated cost, Jo, in the document itself – the \$623,162. So do you think we should go ahead and verbally amend that up to the new amount?
- Kiel From a legal perspective, I, I would leave that to you. The Ordinance does not need the – when I say Ordinance I'm talking about the Salary Ordinance – it's general enough that it does not need to be updated.
- Harris Okay. I think I'm just going to go with my gut and say, as we're talking this through, I'm thinking we can go ahead and just – if the Council is open to it, amend the two references to the total amount of the premium pay stipend and, Jo, do you have the final amount? I can look it up here real quick.
- Kiel I was not, I did not believe I was going to speak today so I don't have that number with me.
- Harris Okay, no worries. Let me, let me find it.
- Burk So, so Jo, we had a conversation last week where one of your concerns was that the, the specific dollar amount was too low to include what we wanted –
- Kiel Correct.
- Burk And so that's why I'm overly cautious. Now that you've talked to Heather since then and you guys have determined that, that's not a concern so I'm just kind of coming back to –
- Kiel Yes.
- Burk Your initial concern to me.
- Harris I'm going to – we talked about this and we've had a lot of back and forth because the numbers, you know, have changed a little bit. I think what we are going to publish our additional appropriation at is \$700,000. That gives us some flexibility.
- Burk Yes.
- Harris So that if the amount were to change between now and the next meeting. So there are three places that that is referenced in the current document, replacing the number \$600,023 -- \$623,162. If I could have a motion just to move that to \$700,000 in all references in the document then we'll go back and make sure that's changed to match the additional appropriation that way we won't have any concerns as we move forward. Would that that work for you?
- Plunkett Yes.

- Burk I mean, like it's probably safer just to do it now that way you don't have to back track later and we don't have to delay any of the payments.
- Harris Agree. Agree. And that gives us flexibility. We don't anticipate that to be the final amount, but what we'll do is just hold it there. We can always then – once we decide to amend the plan spend down other categories we can always shift it back, this is a living, breathing document, so –
- Kiel Heather, there was – adding those two additional positions needed to be specified but I don't think that's what you're approving today.
- Harris No, right. Yes, we'll do that in the –
- Kiel Just to clarify.
- Harris Salary Ordinance. Right.
- Kiel Clarify the clarification.
- Harris Yes, exactly.
- Plunkett Okay, well that, that was my question. That's what I was asking about –
- Harris Yes.
- Plunkett The two employees if we needed to include that in this Ordinance or if it's in the next one.
- Harris Yes. We don't have any of the employees listed specifically. We had that as background information for the Council, I believe, just as one of the documents that was in your packet. So this today we're just amend – what this Ordinance is doing is just basically saying how we're going to start to allocate the money we are receiving from the federal government. So, really, the only amendment I would ask for is just amending that amount to \$700,000 knowing we're not going to go up that high but that gives us flexibility as we make sure the math is, you know, correct and ready to go for the next meeting. So that way when we vote on April 11<sup>th</sup> that will allow our first responders to see those stipends by the end of April in their payroll.
- Melton Why are you asking us to go \$78,000 above our initial request?
- Harris Yes, so there were two employees –
- Melton For two employees?
- Harris That were missing and I think what we decided in the additional appropriation, just because this math, you know, is just to make sure we have everyone included and the, the math is correct. We could put the specific dollar amount which I can find for you but just to give flexibility. My concern was something would slightly shift between now and the April 11<sup>th</sup> meeting and I just didn't want to be in a position where we'd have to start the process again because the additional

appropriation process is you have to publish it for the notice, you have to have a 10-day, at least 10 days advance notice and then you have to have a public hearing. So you never have to spend by law the full amount of what you publish but you can't go above that amount. So that was sort of where we were today. The law doesn't allow to go above where we publish the additional appropriation notice but it does allow us to go below it. So what we can do at the next meeting is –

Melton Okay.

Harris Just approve the amount that's correct –

Melton That's fine.

Harris And we won't approve the whole amount. That'll leave it in, in the fund.

Burk Mr. President do you want to wait until New Business for a motion or we can entertain one now?

Garrett Can, can we keep asking questions before we do motions? Is that all right?

Plunkett Yes.

Garrett Our reserve ZPD officers are volunteers. Therefore, I assume they are not eligible for a bonus like our reserve fire?

Kiel They were not included.

Garrett Not included but I assume they're also not eligible because they're not paid anything, correct?

Harris Correct. Right.

Garrett Okay. I am interested in increasing the part-time bonus for ZFD as I've learned what, well really we only have one part timer but as I've learned how that part timer has been able to fill in for shifts and kind of have to rearrange their own life much like some of the ZFD and ZPD has had to do – is that something we're able to do if I wanted to increase that, this is my own personal preference from like \$1,500 to say, \$3,000 for the part-time role?

Harris Yes. Just to be clear – I'm just, I'm looking to Jo because is it only one employee that would be impacted?

Kiel Correct.

Harris If we go to the \$700,000 is that going to be enough?

Kiel Perfect example. Yes.

Garrett Yes.

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- Harris Okay. And that would – should be enough to cover that person? Okay. Yes, okay.
- Burk We don't need to spell that out in any way?
- Garrett would make a motion to spell out both of those.
- Harris Yes, so we would, we would have to make a motion because we've got a part time -
- Garrett Up to \$3,000 instead of up to \$1,500 as well as the increasing the estimated cost to \$700,000.
- Harris Yes and we have, let me see –
- Garrett Unless there's any objection to that.
- Plunkett And I think Heather's already touched on this, but Councilor Melton, that was partially why I shared with her like listen let's just bump this up because we can't, once we published a number –
- Melton Gotcha.
- Plunkett We can always spend under but we can't publish over and, and that's the situation where we would have had –
- Melton I just, I just didn't want there to be free rein on the rest of that money –
- Plunkett Yes, no that's right.
- Melton By the administration or anybody else.
- Plunkett Yes.
- Melton So that's my concern.
- Plunkett Yes. And, and that money – the unspent money, we'll wait until Heather's done but, I believe that unspent money, just sits in the lost revenue account.
- Choi It's specifically earmarked for this purpose so it can't go into anywhere else.
- Plunkett Yes.
- Garrett I'm assuming it'd be unearmarked once it's spent, correct?
- Plunkett I believe so, yes.
- Garrett Yes.
- Plunkett Yes.
- Melton The remainder?

- Garrett Yes. Once the balance – we’re done with this and the balance is there I’m assuming that we can then just take that amount –
- Melton Shoot it back over to the lost revenue?
- Garrett And move it back, shift it back over – correct and then we can then reallocate it as plans are developed.
- Plunkett Heather, we’ve had a little bit of a sidebar here.
- Harris It’s all right. We were too.
- Plunkett That’s all right. we just want to make sure – so we go up to \$700,000 and let’s say the number comes out to \$645,000, that remaining money does that go into the lost revenue fund or does that just stay earmarked for this or will we need –
- Harris It’ll stay in the premium pay bucket but we can always go back when we decide what projects we want to spend on and move it to something else.
- Plunkett Or, or can it be used for maybe another round of premium pay if we decide to do that?
- Harris Yes, it definitely could.
- Plunkett Okay.
- Harris Yes. So, so we’ve got two amendments. So Jo was just sharing with me that because the two individuals who were missing, one was the public educator in the fire department? Police? Fire department. And then the EMS manager in the fire department. So, in – if you look at our categories if you’re in the Ordinance under No. 1 it says premium pay for essential workers and it says one-time payments to members of the Zionsville Fire Department required to respond to calls and emergencies in the following amounts – we do need to add a fourth bullet there that will say up to \$5,000 to a public educator or EMS manager or we could split it into two, whichever your preference is, so we could do one up to \$5,000 for the public educator, up to \$5,000 for the EMS manager. So, I’ve now got three total amendments, I think.
- Plunkett Yes.
- Garrett I think I can make this motion when we’re ready.
- Plunkett Yes, go ahead.
- Garrett Are we good? Okay. I would make the motion to approve Ordinance 2022-04 on final reading with the following amendments: Modifying the, up to \$1,500 for part-time fire fighters not to exceed \$13.00 an hour of work performed to up to \$3,000 for part-time fire fighters not to exceed \$13.00 an hour of work performed, in addition, adding a bullet of up to \$5,000 for public educator, EMS

manager, not to exceed \$13.00 an hour of work performed and also modifying the estimated cost from \$623,162 to \$700,000.

Burk Second.

Garrett Whew. Got someone to second it.

Plunkett First by Councilor Garrett. Second by Councilor Burk. Any questions for Councilors? 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. Thank you very much.

Moving on to New Business.

Garrett Councilor Plunkett one quick question –

Plunkett Yes.

Garrett I know we had talked about, I know in the past this was not an issue but – where are we at having some sort of third party help us, or Heather's, is your firm helping us, like, again, I'm just going back to my statement earlier about financials, this is a lot of money – I want to make sure that we are, once it's implemented, doing everything from a reporting structure so that when the federal government audits us they don't say that this money was misappropriated. I know we have suggested Barnes & Thornburg as a very viable option to help us with that and I am in favor of that. Do, do we know where we're at with that because I'm nervous as we start spending this money that it doesn't just disappear into the ether and three years from now we're asked to give it back and it puts a dent in our budgets.

Plunkett Well I think, I think until we start doing anything beyond this there's not a significant need for that. Is that correct, Heather?

Harris Yes. So, we've done the initial plan so that was something we needed to get done, right away at least to have something down on paper. I know there's discussions about hiring some sort of, you know, legal counsel to work through the legal issues related to ARPA globally. I mean, I'm obviously going to advise the Council on anything coming before the Council or if there's questions that you all may have. Crowe is also engaged from a spending compliance perspective so as part of the agreement, that the Town is engaging Crowe for, that will cover advice related to ARPA so Tim and his team is going to be looking at that as well. And then I also know – is Cindy in the back? So Cindy also went to a training last week sharing some additional compliance information and talking about the initial report that's due in April. So I think, you know, for now we're, we're moving forward. I think the next big piece is just getting all of the parties to really start talking about the spending priorities, engaging, you

know, the community and determining, you know, what that is, and there's a number of great opportunities, especially with this recovery, of this bucket – this of lost recovery, you can even use it, for example, for community crossings grant money and you can use it as a match to draw down additional grant money from the State, so – looking at it a lot of opportunities that you all will be able to discuss and engage and it's a much more flexible way than we previously had anticipated with the interim role.

Garrett Okay. And, and I don't even want to have that discussion until we have financials, there's stabilized financials – like this, this is a pecking order of understanding where our financials are and understanding where those holes are. This will be a long process but, I, I want to get those financials first before we start figuring out how to spend additional monies. Just my, my two cents.

Melton Councilor Garrett, is there anybody beyond the fire department and police department that you would be willing to have that conversation with with the remainder of that \$700,000, potentially for them of getting some kind of rescue money? You know, I mentioned this last time – I just feel like there's people that are missed, missed in this, this large police and fire, first responders, thing. Ordinance. And it's really important to me to note that because we have people, specifically again, IT, that functions and makes all the police and firemen's laptops function and makes sure that we're live streamed to the public so publicly everybody does see what we do on a daily basis and I just, I just am frustrated because we didn't include that in that Ordinance and I didn't make that motion to try and include that there but I just wanted to hopefully, you know, get you continuing to think about potentially if there is a remainder balance on this and we are allowed to spend that on, specifically the IT Department, in the future. So, I understand you want to get financials for the Town but I think there are people that really were working very diligently and hard, specifically, the IT Department, that should have been included, in my opinion, in that last Ordinance but I think I'd be willing to wait as long as hopefully you can have that conversation with us later.

Garrett Yes. We'll have – certainly have a conversation.

Melton Thank you.

Plunkett And, I think from the beginning we've been on the side of listening, you know, to people who are eligible and should certainly be considered. This was just something that when we initiated this discussion about first responders those were the only folks that were eligible because it was seven months ago – eight months ago. So that's what kind of put this in motion, right now that we got through this hopefully we can certainly look at some of those other areas.

Melton Thank you.

## **NEW BUSINESS**

### **A. Right of Way Encroachment Appeal (Andrews – Basketball Goal)**

- Plunkett        So – All right. Up next New Business. We have a Right of Way Encroachment Appeal, and I've got two folks to present here, Mr. and Mrs. Andrews and Lance Lantz.
- D. Andrews     Thank you for having us. I'm Darren Andrews and this is my wife, Shelly, and, we're here to discuss the appeal for the encroachment of a basketball goal we put up at 900 Tillson Drive. We believe that the concerns that were raised in the appeal, of being somewhat mitigated, namely, the snow removal issue. We believe when we put the goal up, we took measures to offset and mitigate those when the goal was installed. We set it back 6 feet from the side of the curb. Our cul-de-sac is extremely large. We only have four driveways in the cul-de-sac, and it's 13-home neighborhood, so it's not a busy neighborhood. We also have no sidewalks, so we believe it's a safe neighborhood in that regard. We also believe a precedent has been set with the number of inground goals, excuse me, that there are in other neighborhoods in Zionsville and before we installed the hoop we drove around and looked at that, including consulting with the immediate neighbor next to us that was most impacted by the installation of the goal.
- M. Andrews     I do have some photos if needed of the pictures of the large snowfall we had and like there was no issues with the snow impacting, anyone else. There's plenty of space to put the snow so we have the snow was all packed where the hoop was or is and it's set back. We also in our appeal noted that we can do several things like remove it when we move, we could remove it during certain times of the year if necessary – it is something that lifts out, we're willing to put – there's, a lot of our neighbors have the children at play signs. Our cul-de-sac one of the concerns was that, you know, if, if we don't – the Town doesn't want or the Street Department, specifically, doesn't want kids, you know, playing there. Like Zionsville's saying it's okay if there's a hoop there, again, there's a lot of hoops in Zionsville. This is not something that's apparently new but our neighborhood is very old and the kids do play in our cul-de-sac all the time. There's tennis games, there's kickball games, we have a large number of kids and we don't have a park and we don't have sidewalks as my husband said so it just kind of becomes like a playground just because there's not a lot of traffic – it's a very small neighborhood, again, had we not seen other goals around we probably wouldn't have made that decision. We don't have a HOA. I also think the risk of like, you know, if Zionsville was concerned about our hoop remaining in place and everyone is going to put a hoop up I don't think that's likely because most new neighborhoods seem to have HOAs. They're, they're the new, but, you know, ours is just super old, and our neighbors we had, all neighbors but one, write a letter in support. They actually want the hoop. They're planning like tournaments and it's a really, you know, important part of community in our neighborhood so – but I do think we addressed a lot of the issues in terms of concerns about the street – or the snow removal and, you know, the kids playing. We also have a recently paved street so the chance of injury is pretty small

actually on the pavement so – but there’ve been – I did see, you know, hoops through a Zionsville neighborhood similar to ours that have been there for decades, so unless there is, you know, a big influx of, you know, injuries that have occurred over the past several decades, I’m not sure that there’s a huge concern there.

Choi The concessions that you all were willing to make in the document that you provided to us, how is that enforceable?

M. Andrews I have no idea.

Choi Do you know, Heather?

D. Andrews You’re referring to --

M. Andrews Like removing it –

Choi Like removing it once your kids graduate, all those kinds of things –

M. Andrews Oh.

D. Andrews Yes, it’s actually bolted down so it’s on a platform so –

Choi No I mean, sorry – I mean –

M. Andrews In terms of –

Choi In terms of like how do we enforce it later?

D. Andrews Oh.

M. Andrews Yes.

Harris I was going to ask Lance were those items included in your appeal documents as well?

M. Andrews Yes. We didn’t – I didn’t send the snow pictures because I didn’t – but I do have them here and I can send them separately if you need me to. We also have a large area in front of the next door neighbor’s that like - you can set the snow. There’s a lot of room for snow in our neighborhood.

Choi So I guess that’s my question tonight. Can those things then be placed into the appeal and then enforceable later on?

Lantz Good morning. Lance Lantz, killer of dreams once again. I appreciate the efforts by the, the petitioners to mitigate some of the concerns operationally. You will not find me changing my position on these because we do think globally throughout the breadth and width of our community on all the implications. You raise a very good point. If we start making these matters of follow-up and enforcement those things can fall through the cracks. Is it two years, is it three years – what have you? Addressing the operational points, is one issue but the

bigger issue actually with me and I would hope that your attorney may have had some conversations or could have some conversations about this is the general exposure to liability. It's our role to protect the Town from any unnecessary or frivolous lawsuits and I think that these do present the opportunity for those so I just have to maintain a consistent approach to the management of the rights of way that these are not play areas, that they are for other purposes so I'm happy to answer any specific questions and I gave a rather, succinct summary and we could go on and on about, you know, eventualities and what ifs but that's kind of – it is where I stand so.

Garrett So Mr. Lantz you're concerned about approving this and that if there's a child that does get struck in the road because we've approved a basketball goal?

Lantz I don't debate that there are goals around town, but when people come and ask what the rules are, we have to state what the rules are. So these older maverick situations, that have been around for a long time – I, I don't debate that they're out there but this is the first time ever that I can recall where this has been expressly asked of the Council to allow us to play in the street and allow our kids to play in the street. So that changes the narrative a little bit.

Burk But Lance in terms of just getting us to this point today, was this something that the petitioners have come to you to say I would like to make sure this is okay that we do this or was this a complaint that you went to them to say you need to remove the goal and, therefore, they're responding to that and, and if it was how did that come to your attention and these other ones that may be out there is it just that they haven't come to your attention and so you're not seeking to go drive around looking for goals –

Lantz That is correct.

Burk Someone brought it to your attention?

Lantz Yes. This was brought to the attention of our Code Enforcement Division in the Planning Department, Yes, Economic Development Department, who manages the code enforcement. They did an investigation and found that it was placed within the right-of-way and then followed the standard protocols in an after the fact application to send out to all of the Town Departments to get opinions on this matter. So it was complaint driven.

Burk Was it initially because it was, I mean obviously, there is the safety issue that you mentioned and, and I get codifying that we're allowing something that could be a liability even though kids play in the street everywhere. They always have. Was it really kind of a – was, was it someone who was trying to remove snow and they were like hey this is really in the way is that what, what – is the snow, was the snow removal the initial –

Lantz The simplest term is a person reported the situation and said are they allowed to do this and, of course, the answer is no. It is on public property. Not without due process.

Burk So it was really that – not snow. It wasn't in the way of snow removal?

- Lantz No, no.
- Burk It's really a public safety issue?
- Lantz But, you know, since you've kind of went down that, that operational rabbit hole, these things are adjustable, they can be lowered and yes they may be set 3 feet back from the curb but you've probably all mostly seen our leaf vacs and our truck systems which need to really hug those curbs. So if those are down our trucks are over 10 feet tall, particularly with the smoke stacks up there, so – as they're making an outer turn on the radius to provide services, trash trucks as well and anything that might need to utilize the whole turnaround, again, I think, globally and you think about these appearing at other places on other cul-de-sacs and that's my concern about operations.
- Choi So that aside, the biggest concern is the liability to the Town?
- Lantz I couldn't in good conscience advise you to tell people to play in the streets but that's, you know, a legal question that you might want to vet with your attorney if you want to defer a decision on this.
- Garrett Is there – or does anyone know if there's, how other communities may handle this? I mean I, I hear where you're coming from Lance because I don't want then, if this is approved, 50 more basketball courts in cul-de-sacs. At the same time, you know, I'm sympathetic towards what was done – I'm trying to wonder like – is there something we can come up with that would allow the homeowner to assume the liability whether it's to their own goal, equipment that may hit the goal or people hurt playing on the goal that absolves the Town of that liability and, therefore, if it's important to them they can take that on. Does that concept exist, Heather?
- Harris Well, so the homeowner would have, you know, liability for any sort of action related to the actual goal and we were just talking, I mean, can you get sued on a public street? Yes. If a pedestrian gets struck, you know, walking across the street does it necessarily mean we're going to get sued? No. But we, you know, it just depends on the litigant's frame of mind. There's always a possibility. I think the Town's always open to lawsuit, you can't sort of solely mitigate. We were talking about some of the comments that the Andrews family made. You know, you could put those into an agreement between the parties, you know, to say this is what we're allowing you to do, you know, you are accepting the liability for any injury, but, that's only one party – there's, you know, other people, obviously, who live in that neighborhood, other children who may play there so you never know what a family is going to do. But to kind of go back to Councilor Choi's earlier comment – I mean I think you could have an agreement between the Town to say we're approving it on, you know, under these circumstances – you'll remove it for snow removal, you know, all of those things, and I think we, I don't know if we've ever done it on an encroachment appeal because I can't recall any that have ever been approved. Lance looking at you –
- Lantz Correct.

- Harris Over the last many years but, we've done it for other types of planning/development things that we've done in the past so it's, it's a possibility. And I don't know, unfortunately, what other communities do related to this.
- Lantz Anecdotally county highways are notorious for doing sweeps of these because you do tend to get a little – you try and be a little bit reasonable and they kind of crop up here and there and if nobody's complaining or nobody's asked am I allowed to do this they are sort of allowed to perpetuate, but there are at least two counties that I am aware of in the, in our vicinity that finally said, you know, enough is enough and they just went around with trucks and yanked everything out, so – that's the only anecdotal story I have on how other communities have addressed these. As far as municipalities, I don't know.
- Garrett Do we – are there lawsuits that exist where towns/communities are sued for kids playing in the streets and – does that exist? Do we know? I mean, it, it's good to understand the risks but I also want to understand what is the – what is the possibility of that risk?
- Lantz Well I think that we all understand that this is the end of a cul-de-sac, right? So it is relatively low volume compared to other streets but when you consider potentially allowing these – what is the tipping point or the threshold when there's too much traffic? I think it's kind of reasonable to expect I want to put this on Oak Street – oh my gosh, heavens, no – but what is the point where it's okay? When there are only five houses beyond the goal? When there are six houses? So there are a lot of things, again, I always try and preach consistency in the application of the Ordinance so if you want to start – it's fine with me, I – there are other people out there – I'm sure public safety agencies may want to weigh in, I don't know why I always draw the short stick to, to address these things, probably because I'm always the one that says no but also consider that if you're going to look at policies and opening these types of opportunities to our community – think about what would be the thresholds, you know, what is too much traffic? You know, it could be on a cul-de-sac bulb those will be approved – well the next one that comes in is I'm only one house away from the end of cul-de-sac can I have mine too? Just things to think about, I don't like to bog down meetings with all these things, but whatever you want to decide as the regulators of the right-of-way, we're here to implement.
- Garrett If, if this basketball goal was of the movable variety that has sand or water or whatever in the base, because that's not installed does that become a non-issue or is it still an issue?
- Lantz It is still technically an encroachment and you still have the liability question which I am not, you know – it is my concern that I raise but I am not going to opine on the ultimate amount of liability the Town would face.
- Garrett One other question and this is for the Andrews – looking at the picture of the front of your house, there's a basketball goal in the backyard too – is that – am I looking at that correctly or not?
- D. Andrews Yes. That's an old broken down one.

Garrett Got it.

D. Andrews That we had and there's not, not really enough space back there, so –

Garrett Okay.

D. Andrews We had a couple of broken windows and –

Garrett Got it. Okay.

Melton Just to comment from experience of a right-a-way situation as a contract – it's not just the snow removal people, I, myself as a contractor with a ladder rack on our vehicles have had, an example of where I was driving down a street and I caught a basketball goal that was over my "air space" is what I was told it was called and I drug it down the, the street –

Garrett How far did you drag it?

Melton Probably to about the 3-point line.

Garrett Wow.

Melton My point is, is that I felt guilty because I'm the one that hit something that was stationary but the reality was, is the goal was over, over the street which is really supposed to be for cars, so through that example, I think that's something that we all need to consider as well is I know you're on a cul-de-sac and it's not likely somebody's going to swing around but, that is an example of something that's not just snow removal related or city or town related vehicles, and it definitely something that was kind of scary to me because I felt like I was the liable one but it really was the homeowner that put it – and it was a movable one, of course, like your example that you just brought up and, I think that if – I'm of the opinion that if you bring a portable basketball goal to the street side and you play in the street and then you remove it when you're done or pull it back into your property out of the easement that makes more sense to me. But I'm just one person on this up here as well. It's not exactly your case.

D. Andrews Sure, thank you. If I could just say that when we installed the, the goal it can go up to 14 feet so it has an adjustable height on it and it is set, as I said, it's set back 5-6 feet from the edge so the backboard actually does not protrude out into the cul-de-sac so we deliberately did it so it could be raised. The time it's been owned we have had snow removal with it, obviously trash removal. Pardon?

M. Andrews A lot of contractors.

D. Andrews Yes and contractors in the neighborhood so, we obviously to this point haven't had an issue but, I – the point is taken.

Melton I think the point I was making too is that you become the one that's liable –

D. Andrews Sure.

- Melton Not necessarily the contractor or the vehicle –
- D. Andrews Sure.
- Melton But, again, it still does slow things down if somebody does hit it.
- Choi And from my standpoint I know that this – we have discussed these kind of things before and in most cases they don't – the people bringing the appeal don't have a whole lot of alternatives that they bring to us and I think the Andrews have brought a lot of alternatives and, kind of solutions so I'm of the opinion that, you know, there are like Lance said – there, it's a slippery slope as to what gets approved and then what's next up and who do we approve next but this seems like as good of a choice for me to say that this is fine enough to approve an appeal but –
- Garrett I think my only concern would be, I want to approve it because this – it's not a big deal. My only concern is coming up with a framework for how these are approved or denied. Because if we just arbitrarily do it and this is an excessive example but if next meeting we then have 10 basketball goals that want to be approved, when do you say yes and when do you say no? That, that, that's the only problem I run in with. I don't have a problem with their basketball goal. I think it makes all the sense in the world where it's at but I think to Mr. Lantz's point, where's the tipping point? I think if we want to approve it before we did that we should probably come up with some sort of framework or guidelines as to what we would want or not want around that. So, I don't know if that's something you want to take up. Alex as kind of –
- Choi Not really.
- Garrett If we continue it and create – but that's just sort of I guess where I'm at. If there's a framework to say the guidelines for other people, even for Mr. Lantz to say all right well this is where the Council would say yes and where they would say no – I think that's helpful. Otherwise, we're just kind of doing the, you know, what kind of mood are we in today very arbitrary type approval.
- Choi I understand that this one seems more clearcut to me and then we can work on what those guidelines might look like but this doesn't seem to me like it falls in that gray area.
- Garrett Yes..
- Plunkett Maybe, maybe these are the, maybe this is the ground rules. Maybe you need to be able to remove it, you need to be able to raise it to 14 feet, maybe, I mean maybe this is kind of setting that, setting that in play for us. I don't know. I, I'm with, I kind of tend to agree with Alex. Typically, we see these encroachment requests and it's because they're going over a gas line or they're getting closer to some type of a sanitary sewer easement or something –
- Choi There are solutions –
- Plunkett And there's no way around it.

Choi Yes.

Plunkett You know?

Burk I guess I would ask Heather I mean I, I agree with all the sentiment here, around the goal itself, but not necessarily – my bigger concern just listening to Lance is the risk of liability while playing in this court. Say someone falls and ends up with a concussion or worse, right? So it's not so much that the goal's in the way or it's going to get someone's truck. I get that. They can remove that. I'm more worried about the Town's increased exposure liability and to Josh's point kids play in the street, my kids play in the street – kids could fall anywhere and get hurt is there liability risk in anywhere where the kids are – probably. I guess someone could, could file suit but I don't think it would go anywhere. Are we adding extra exposure to ourselves by somehow allowing that this be put up – that if we're somehow justifying that this is a basketball playground? So does it expose us differently than if kids just were playing in the street anywhere and hurt themselves or crashed a bike? So, that's my concern is that somehow we're approving this and so, therefore, someone – if someone were to be hurt we would have increased liability that we, that wouldn't exist anywhere else on any other street.

Choi I think we have to be a little realistic about our fears also. I mean, I, I work in one of the most litigious kind of fields there is and, you know, kids can fall anywhere and, and hit their heads. It doesn't mean that you're going to get sued over it. Whether they fall in somebody's private driveway and get, hit their head and get a concussion versus a street, it doesn't mean that their, their parents are necessarily going to sue the Town or that homeowner over that. So we have to be realistic about what, what those fears are really going to be. So, but having said that I, I, I don't want to drag out this conversation longer than it needs to be. But I think we just need to be realistic about what those liabilities actually are and not beat a dead horse.

Burk I don't disagree. I was just wanting to clarify so that's why it's more of a question for Heather – like is there actually increased liability and then if there is, then, you know, that's something we, that I would weigh.

Harris Yes, I mean, probably no more than, you know, when we have a sidewalk, you know, that we put in downtown and someone's walking on it and trips and hits their head. I mean – it's the same kind of, you know, liability. I've not done a lot of research on this so, take this for what it was but I just did a quick Google search. Noblesville has specific language – they have an actual ordinance related to permanent encroachments that talks about basketball goals and basically, you know, it says they may not – they must be removed from and not overhang the right-of-way in any manner from October 1<sup>st</sup> through April 30<sup>th</sup> in order to avoid damage to city vehicles that must work in the right-of-way for among other things the removal of snow, leaves and branches and debris. The city allows for mobile basketball goals and other mobile recreational equipment to be permitted without an encroachment from May 1<sup>st</sup> through September 30<sup>th</sup> in each calendar year. Basketball goals are permitted year round if properly placed one foot behind the sidewalk or city right-of-way. So there are some other communities

that are, you know, in our geographic like neighborhood, if you will, that are looking at this so I mean maybe it's something to, you know, consider if you want to be more specific, from a policy perspective this is, you know, just one example. I'm sure we could research it a little bit and find, you know, several more.

Burk I'd appreciate that.

Harris It sounds like yours is further back than one foot from the sidewalk, right?

D. Andrews Yes, 5-6 feet.

Lantz Yes, Yes.

Garrett Can an encroachment be temporarily approved while we do more research? Like I don't mind, I don't mind putting in a policy if other communities are doing it to allow this sort of stuff.

Harris Well, we certainly could just hold this until the April 11<sup>th</sup> meeting and we could do some additional research to kind of get a sense of what our surrounding communities are doing.

Garrett Okay.

Harris I don't think there's any requirement that we vote on it today. Right Lance? Does it have to be, is there a time frame for approval?

Lantz No, there's no time frame and I think that since you're discussing this publicly and considering it certainly continuing it no one's going to run out and demand that this be removed or forcibly remove it, so – I don't see really any issue of taking some time if you want to consider some policy changes for the Town.

Harris All the kids will be on spring break until then anyway, so –Yes, that would be my recommendation to the Council. That would give us a good sense of what other communities are doing and then if this is a direction you wanted to go, we could, you know, obviously, consider, you know, that in either the actual how you, you know, consider it or, you know, further specify it in an ordinance.

Garrett So to do that is anyone willing to raise their hand to say they want to sort of spearhead that because I think we need to do some research but I'd also like to include Mr. Lantz in those conversations to say hey here's what we're thinking, what do you think? He always has a good fun police balance to it. Does everyone have alligator arms here for raising their hand?

Harris Well, I mean, I can, I can certainly do it for the Council and give you five or six examples and share them back in a week or so.

Garrett Okay.

Harris If that's something you guys are interested in.

- Garrett Well but I think it would be easier for someone to have a point. I mean, I think, I, I agree with that. I mean, I'd like those examples but I also want to hear the Town's perspective of it and so we aren't just sort of hearing it blindly and then there's at least some communication.
- Melton Councilor Garrett, I'll, I'll spearhead that.
- Garrett My man. Thanks.
- Plunkett So, so then we don't have to take action on this now or do we need a motion to do anything or are we –
- Harris Just, I would just, have a motion to –
- Plunkett Continue, to hold, to –
- Harris Continue, thank you. I couldn't get that word through my head.
- Culp Did you say Westfield, by the way was –
- Harris This was Noblesville but –
- Culp Yes.
- Harris Yes. I think it's always good to get a sense of what other people are doing and –
- Culp Yes I was reading the Noblesville one too.
- Harris We can do all the surrounding communities just to give a framework.
- Plunkett Well I'll make a motion to continue this to the – unless there's any other discussion or any other questions? I'll make a motion to continue this to the 4/11 meeting.
- 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]
- Motion passes 6 in favor, 0 opposed. Thank you very much.
- D. Andrews Thank you everybody.
- Garrett Appreciate it.

**B. Consideration of a Resolution to Opt Back In To Opioids Settlement - Pursuant to Indiana Code 4-6-15-2 Resolution 2022-03**

Plunkett           Headed into the home stretch. Next up is consideration of a resolution to opt back in to the opioid settlement. , this is pursuant to Indiana Code 4-6-15-2. This is Resolution 2022-03 and, , I'm going to talk a little bit about this and then Jonathan Knoll, I believe, will also speak, speak to this. Councilors, you'll likely recall last year we opted out of an opioid settlement or lawsuit, and just recently in the last few weeks there's been some changes to that, from the state level – one of them being the specific details of potential pay outs and legal fees, what we could get as opposed to what would be left up the state completely. It also, I believe, and Jonathan can speak to this when he comes up – I believe this eliminates the restriction of potential future lawsuits. At one point we were restricted as to if we, settled with the state we could not participate in any of additional lawsuits and this kind of relieves that. So, this would be a recommendation and I would love for Jonathan to come up and talk about opting back in to the settlement.

Knoll               Thank, thank you. Good morning and it's – my name is John Knoll. I'm a partner at the law firm of Cohen & Malad and Cohen & Malad is honored to rep – be local counsel for the Town of Zionsville in its litigation against the manufacturers, defendants or distributors and dispensers of prescription opioids for the role they are causing – the opioid crisis that, that has affected so many Hoosiers, around the state including here in the Town. As President Plunkett mentioned last year the Indiana legislature passed a statute that talked about the allocation of opioid settlements when there's a settlement involving the state and political subdivisions, the town as well as the majority of local governments that had existing lawsuits opted out of that statute, for a couple of main reasons: 1) At the time the statute precluded political subdivisions from participating in future settlements and 2) at the time the majority of the money, around 85%, would've gone to either for the benefit of the state or under state control through FSSA and there was no guarantee of that state portion that the Town would receive any, any of those funds. This past legislative session the Indiana legislature passed House Bill 1193 which addresses those concerns, particularly 1) The amended statute does away with the bar on future settlements so it allows political subdivisions to participate in future settlements involving the state and political subdivisions and 2) more money going directly to political subdivisions works out to be about a 50/50 split between the state and political subdivisions and that money going directly to political subdivisions based on impact, so much more direct funds to, to political subdivisions. So, under the amended statute, it allows political subdivisions that opted out to opt back in and be able to participate in current settlements that are on the table as well as future settlements as well and I'm happy to answer any questions that the Council may have.

Burk               Is there a timeframe or a timeline, deadline that municipalities need to opt back in or they'll miss the window?

Knoll               Sure. So under the statute the deadline is July 15<sup>th</sup>, however, we would, we are encouraging political subdivisions to opt back in soon because there is the national settlement right now with some of the defendants, mainly the three

distributors. Those are Cardinal Health, McKesson and AmerisourceBergen and one of the manufacturers being the Johnson & Johnson entities and those payments could start, as early as around May, and so as to avoid any issues with receiving any payments, we have encouraged political subdivisions to opt back in sooner as well as, if political subdivisions do not opt back in, then there's some court deadlines that start to be imposed by the end of April.

Burk Thank you.

Garrett I know we had a lot of concerns as to why we opted out. I guess I'm just appreciative of the legislature for listening to those concerns – us and other communities and, in my mind, fixing it so it seems like we should opt back in and join with the rest of those, those municipalities and communities in, in, in battling this epidemic.

Plunkett Heather, does this – just procedurally –

Harris Yes –

Plunkett If we opt back in – when this money starts to come in, do we need to open up a new fund or what, where does that money, John, sorry –

Harris He will but I'm going to –

Knoll Once, once the opt back in process is complete, we'll provide and I, we've had discussions with Amy Nooning as well about, kind of the process of, more discussion about use of the funds, the settlement agreements, us as well as the Town's part as a national consortium of lawyers as well that provide additional information on that and that – specifically direction that is best for the Town needs defer to your counsel on that, but we'll provide more information about use of the funds and what's in the agreements.

Plunkett Sure.

Harris Yes and I'm certain the State Board of Accounts will provide some guidance too since many communities, you know, are participating in the litigation in terms of where to receipt it and how to, you know, what we're able to do.

Plunkett Yes.

Harris If we're able to put it in general fund or have to put it in a special fund.

Plunkett Great. Any other questions for John? I will go ahead and make a motion to opt back in to – essentially approve the Resolution 2022-03 and opt back in to the opioid settlement. So that'd be the correct motion, Heather?

Harris Yes.

Burk Yes. Second.

Plunkett Second by Councilor 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. Thank you.

John, now before you step away –

Knoll Yes.

Plunkett Do we want to go through, I know that not everybody signs everything on these other forms. What steps do we need to take on Certification of the Resolution, Opt Back In form, Agreement for Settlement and Attorney Fee Agreement – is that something you can –

Knoll Sure – that will be – I defer to Amy Nooning as to the appropriate person for the Council to sign on that, but you're right – there are certain forms that as President of Council or you or other Council members may need to sign but I'll defer to Amy on that.

Plunkett Okay. Thank you very much.

Harris Yes. And we've got here – so what you're receiving is an actual copy of the certification for the resolution. That's going to be signed by everyone. The next document I'm sending down only needs to be signed by Jason.

Plunkett Okay.

Knoll And I will add you'll need to provide us a certified copy of the Resolution and whoever the appropriate person is to certify that will need to sign that.

Plunkett Okay. Very good. Thank you very much.

Knoll Thank you.

### **OTHER MATTERS**

Plunkett Any other matters from Councilors?

Plunkett Up next is claims. Are there any questions about claims or discussion about claims? Otherwise, I would entertain a motion.

Garrett I would like to make a motion to continue claims until the next meeting until my questions about the finance systems are answered by the Mayor including what

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happened to put us in this situation, where are we today, what will it take to get us to steady state and working and when is a new CFO being hired?

Choi Josh – Councilor Garrett – the Mayor is here.

Garrett Great. Would you like to answer my questions?

Styron Nope.

Garrett Okay.

Plunkett I would second that motion. All those in favor – we have a motion to continue the claims to the next meeting 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.

### **ADJOURN**

Plunkett I'll take a motion to adjourn.

Burk So moved.

Plunkett First by Councilor 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]

Motion passes 6 in favor, 0 opposed.

The next regular Town Council Meeting is scheduled for Monday, April 11, 2022 at 7 p.m. in the Zionsville Town Hall Council Chambers. Final notice will be posted in compliance with the Indiana Open Door Law. Have a great week.

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator  
Town of Zionsville