



**ZIONSVILLE TOWN COUNCIL
MEETING AGENDA
FOR
Monday, February 1, 2016 at 7:00PM
Zionsville Town Hall – Beverly Harves Meeting Room
1100 West Oak Street**

(Note: Meeting preceded by the Council pre-meeting at 6:30 p.m. in the Town Hall Conference Center)

1. OPENING

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

2. APPROVAL OF THE MEMORANDA OF THE DECEMBER 7, 2015 REGULAR MEETING AND JANUARY 21, 2016 SPECIAL MEETING (COPIES POSTED).

Documents: [2015-12-07_TC_MEETING_MEMORANDA_DRAFT.PDF](#), [2016-01-21_TC_MEETING-MEMORANDA - DRAFT.PDF](#)

3. DEPARTMENTAL MONTHLY REPORTS

- A. Monthly Reports And 2015 Year-End Reports Submitted By The Town Management Staff For Council Review And Posted On The Town's Website (www.zionsville-in.gov).

4. PRESENTATION TO OUTGOING TOWN OFFICIALS

5. PRESENTATION OF DEPARTMENTAL YEAR-END REPORTS

6. REQUEST TO SPEAK

7. OLD BUSINESS

- A. Consideration Of A Declaratory Resolution Establishing The Whitestown 334/700 East Development Area And Approving The Economic Development Plan.

Documents: [2016-02-01_TC_MEETING_RESOLUTION_334-700_ECONOMIC_DEVELOPMENT_AREA.PDF](#)

- B. Consideration Of Appointments To Various Boards, Commissions, And Committees

Documents: [2016-02-01_TC_MEETING_TOWN_COUNCIL_2016_BOARDS_AND_COMMISSIONS_APPOINTMENT_RECOMMENDATIONS.PDF](#)

8. NEW BUSINESS

- A. Consideration Of An Additional Appropriation Resolution Of \$25,000.00 From The General Fund (Plan Commission Pass-Through Engineering Fees) (PUBLIC HEARING)

Documents: [2016-02-01_TC_MEETING_ADDITIONAL_APPROPRIATION_JAN.PDF](#)

- B. Consideration Of An Ordinance Amending The Town Of Zionsville Zoning Ordinance To Include An Amendment To Section 9.6 (Fee Schedule Requirements Related To Building Permits Associated With Class II Structures And Inspections Of Class II Structures).

Documents: [2016-02-01_TC_MEETING_CERTIFICATION_AND_ORDINANCE_DOCKET_2016-01-OA.PDF](#)

- C. Consideration Of A Resolution Of The Town Council Of The Town Of Zionsville, Indiana Approving Installment Purchase

Financing For The New Town Hall Project.

Documents: [2016-02-01_TC_MEETING_RESOLUTION_TOWN_HALL_PROJECT.PDF](#)

9. APPROVAL OF CLAIMS
10. ADJOURN
 - A. The Next Regular Town Council Meeting Is Scheduled For Monday March 7, 2016 @ 7:00 PM



ZIONSVILLE TOWN COUNCIL
MEETING MEMORANDA
FOR

Monday December 7, 2015 at 7:00 PM
Zionsville Town Hall – Beverly Harves Meeting Room
1100 West Oak Street

(Note: Meeting preceded by the Council pre-meeting at 6:30 p.m. in the Town Hall Conference Center)

Date of Preparation: 12-08-2015

Members Present: Mary Alice (Sam) Baldwin, Tim Haak, Steve Mundy, Susana Suarez, Elizabeth Hopper, Tom Schuler, Candace Ulmer

Also Present: Heather Willey, Town Attorney, Ed Mitro, Town Manager and all Town Department Management Staff

1. OPENING

- A. Call meeting to order. President Mundy called the meeting to order at 7:00PM
- B. Pledge of Allegiance.

2. APPROVAL OF THE MEMORANDUM OF THE OCTOBER 26, 2015 TOWN COUNCIL SPECIAL MEETING AND NOVEMBER 2, 2015 TOWN COUNCIL MEETING (copies posted).

COUNCIL ACTION: Councilor Hopper moved to approve the Memorandum of the October 26th Special Meeting and the November 2nd Regularly Scheduled meeting of the Town Council and Councilor Suarez seconded the motion. The Memorandum of both meetings were approved by a vote of seven in favor, zero opposed.

3. DEPARTMENTAL MONTHLY REPORTS

Monthly Reports submitted by the Town management staff for Council review and posted on the Town's website (www.zionsville-in.gov).

4. REQUEST TO SPEAK-Ralph Stacy asked if there were plans for the celebration of the 150th Anniversary of the Town of Zionsville next year as the anniversary date is September 4, 1866.

Mr. Stacy asked questions regarding the new town hall project and requested information regarding Town debt.

5. OLD BUSINESS - None

6. NEW BUSINESS

A. Consideration of an Additional Appropriation Resolution – General Fund to cover legal fees and accountant fees for the balance of 2015 (**PUBLIC HEARING**). (Res. #2015-28)

Mr. Mitro reviewed Resolution #2015-28 and a brief discussion followed regarding budgeting for future legal and accountant expenses.

With proof of publication of a Public Hearing, President Mundy opened the Public Hearing for comment and with no comment received, closed the Public Hearing and called for additional discussion by the Council or a motion to consider.

COUNCIL ACTION: Councilor Suarez moved to approve Resolution #2015-28 and Councilor Baldwin seconded the motion. Resolution #2015-28 was approved by a vote of seven in favor, zero opposed.

- B. Consideration of an Additional Appropriation Resolution from the Debt Service Fund to align bond payments to pay dates rather than receipt of tax funds (**PUBLIC HEARING**). (Res. #2015-29)

Mr. Yeo reviewed Resolution #2015-29 and explained a timing issue between actual bond payment dates and receipt of tax funds.

With proof of publication of a Public Hearing, President Mundy opened the Public Hearing for comment and with no comment received, closed the Public Hearing and called for additional discussion by the Council or a motion to consider.

COUNCIL ACTION: Councilor Hopper moved to approve Resolution #2015-29 and Councilor Suarez seconded the motion. Resolution #2015-29 was approved by a vote of seven in favor, zero opposed.

- C. Consideration of an Additional Appropriation Resolution from the Perry Township Fire Loan Fund (December 2015 Perry Township Fire Loan payment) (**PUBLIC HEARING**). (Res. #2015-30)

Chief VanGorder reviewed Resolution #2015-30 and stated that Perry Township took out an annual loan to pay bills for Fire Service and paid the loan off with tax receipts. With the consolidation of Perry Township with the Town of Zionsville, Perry Township receipts will be deposited as Town of Zionsville funds and the additional appropriation makes the funds available to pay off the Perry Township Fire Loan.

With proof of publication of a Public Hearing, President Mundy opened the Public Hearing for comment and with no comment received, closed the Public Hearing and called for additional discussion by the Council or a motion to consider.

COUNCIL ACTION: Councilor Suarez moved to approve Resolution #2015-30 and Councilor Baldwin seconded the motion. Resolution #2015-30 was approved by a vote of seven in favor, zero opposed.

- D. Consideration of an Additional Appropriation Resolution from the General Fund (Engineering pass through reimbursement) (**PUBLIC HEARING**). (Res. #2015-31)

Mr. DeLong reviewed Resolution #2015-31 and stated that the additional appropriation was to appropriate funds received from town customers who received town engineering services and reimbursed the Town for. He concluded stating that the funds needed to be appropriated to pay for those services.

With proof of publication of a Public Hearing, President Mundy opened the Public Hearing for comment and with no comment received, closed the Public Hearing and called for additional discussion by the Council or a motion to consider.

COUNCIL ACTION: Councilor Haak moved to approve Resolution #2015-31 and Councilor Hopper seconded the motion. Resolution #2015-31 was approved by a vote of seven in favor, zero opposed.

- E. Consideration of a Re-Appropriation Resolution (year-end rectification). (Res. #2015-32)

Mr. Mitro reviewed Resolution #2015-32 and stated that approval of the resolution would allow the movement of already budgeted funds from one line item to another as adjustments for overages and underages on those line items.

COUNCIL ACTION: Councilor Suarez moved to approve Resolution #2015-32 and Councilor Baldwin seconded the motion. Resolution #2015-32 was approved by a vote of seven in favor, zero opposed.

- F. Consideration of the 2016 Zionsville Wastewater Utility and Department Budget. (Ord. #2015-12)

Mr. Cook reviewed the 2016 Zionsville Wastewater Utility budget and stated that while the budget was up 2.9% from 2015, it did not contemplate a need of any kind for increased rates.

COUNCIL ACTION: Councilor Suarez moved to approve the 2016 Wastewater Budget and Councilor Hopper seconded the motion. The 2016 Wastewater Budget was approved by a vote of seven in favor, zero opposed.

- G. Consideration of an Ordinance rezoning 2.01 acres from the I-3 (Urban) Heavy Industrial District to the I-2 (Urban) General Industrial Zoning District. (Ord. #2015-22)

Mr. DeLong reviewed Ordinance #2015-22 and stated that this was the fourth economic development rezone request and was presented with a favorable recommendation of the Plan Commission.

COUNCIL ACTION: Councilor Hopper moved to adopt Ordinance #2015-22 on first reading and Councilor Schuler seconded the motion. The motion passed with a vote of seven in favor, zero opposed.

Councilor Suarez moved to suspend the rules and Councilor Schuler seconded the motion. The motion passed with a vote of seven in favor, zero opposed.

Councilor Hopper moved to adopt Ordinance #2015-22 on final reading and Councilor Suarez seconded the motion. Ordinance #2015-22 was adopted by a vote of seven in favor, zero opposed.

- H. Consideration of an Ordinance rezoning 6.85 acres from the SU-8 (Urban) Special Use District to the DP (Planned Unit Development District to provide for a mixed use development including a new Town Hall. (Ord #2015-23)

Mr. DeLong reviewed Ordinance #2015-23 and stated that the rezone included the current Town Hall property and was presented with a favorable recommendation from the Plan Commission.

COUNCIL ACTION: Councilor Suarez moved to adopt Ordinance #2015-23 on first reading and Councilor Hopper seconded the motion. The motion passed with a vote of seven in favor, zero opposed.

Councilor Suarez moved to suspend the rules and Councilor Hopper seconded the motion. The motion passed with a vote of seven in favor, zero opposed.

Councilor Suarez moved to adopt Ordinance #2015-23 on final reading and Councilor Baldwin seconded the motion. Ordinance #2015-23 was adopted by a vote of seven in favor, zero opposed.

- I. Consideration of an Arbor Week Proclamation for the Town of Zionsville in 2016.

Mr. Mitro reviewed the Arbor Week Proclamation and stated that it was a requirement of the Tree City designation which the Town of Zionsville has been designated since 2002.

COUNCIL ACTION: Councilor Suarez moved to approve the proclamation and Councilor Schuler seconded the motion. The Arbor Week Proclamation was approved by a vote of seven in favor, zero opposed.

- J. Consideration of an amendment to the 2016 Salary Ordinance for the Town of Zionsville (correction to Exhibit C). (Ord. #2015-24)

Council President Mundy reviewed the Salary Ordinance amendment and stated that the amendment allowed changes to Exhibit C of the existing ordinance that equaled pennies.

COUNCIL ACTION: Councilor Hopper moved to adopt Ordinance #2015-24 on first reading and Councilor Haak seconded the motion. The motion passed with a vote of seven in favor, zero opposed.

Councilor Suarez moved to suspend the rules and Councilor Baldwin seconded the motion. The motion passed with a vote of seven in favor, zero opposed.

Councilor Suarez moved to adopt Ordinance #2015-24 on final reading and Councilor Schuler seconded the motion. Ordinance #2015-24 was adopted by a vote of seven in favor, zero opposed.

- K. Adoption of the 2016 Schedule of Meetings for the Town of Zionsville.

Mr. Mitro reviewed the 2016 Schedule of Meeting for the Town of Zionsville and noted changes made to accommodate holidays and school Spring break.

COUNCIL ACTION: Councilor Suarez moved to approve the 2016 Schedule of Meetings and Councilor Hopper seconded the motion. The 2016 Schedule of Meeting was approved by a vote of seven in favor, zero opposed.

- L. Consideration of a Declaratory Resolution establishing the Creekside Corporate Park Development Area and approving the Economic Development Plan. (Res. #2015-33)

Mr. Bruce Donaldson, Attorney, Barnes & Thornburg presented Resolution #2015-33 on behalf of the Redevelopment Commission and stated that approval of the resolution would allow a portion of the current TIF to be separated from the older existing TIF and allow it to generate revenue that could be used to develop Creekside Corporate Park. Mr. Donaldson concluded stating that the Plan Commission and Redevelopment Commission support the resolution.

COUNCIL ACTION: Councilor Suarez moved to approve Resolution #2015-33 and Councilor Haak seconded the motion. Resolution #2015-33 was approved by a vote of seven in favor, zero opposed.

- M. Consideration of a Declaratory Resolution establishing the Whitestown 334/700 East Development Area and approving the Economic Development Plan. (Res. #2015-34)

Mr. Donaldson reviewed Resolution #2015-34 and stated that approval of the resolution would allow for the re-establishment of a TIF area that was inherited from Whitestown through an agreement several years ago. Mr. Donaldson concluded stating that revenue generated from the area would be used for already established projects in the area as well as other projects to include a possible additional funding source for the New Town Hall project.

After several questions and discussion, the Council decided to table the resolution until the January 4, 2016 meeting of the Town Council.

COUNCIL ACTION: Councilor Suarez moved to table Resolution #2015-34 until the January 4 meeting of the Town Council and Councilor Schuler seconded the motion. Resolution #2015-34 was tabled until the January 4th meeting by a vote of seven in favor, zero opposed.

- N. Discussion on the Town Hall Project and its financing.

Chief VanGorder presented an update on the Town Hall Project, Mr. Donaldson discussed potential financing and Angie Steeno of financial advisor, Crowe-Horwath presented various revenue streams that could be used to pay for the project.

COUNCIL ACTION: No action was taken by the Council.

7. APPROVAL OF CLAIMS

COUNCIL ACTION: Councilor Suarez moved to approve claims as presented and Councilor Schuler seconded the motion. Claims were approved by a vote of seven in favor, zero opposed.

8. ADJOURN - The next regular Town Council meeting is scheduled for Monday January 4, 2016 @ 7:00 PM.

Respectfully submitted,

John J. Yeo, Director-Finance & Records
Town of Zionsville



**ZIONSVILLE TOWN COUNCIL
SPECIAL MEETING MEMORANDA
FOR**

Thursday, January 21, 2016 at 7:00 PM
Zionsville Town Hall – Community Room
1100 West Oak Street

Date of Preparation: 01-22-2016

Members Present: Susana Suarez, Elizabeth Hopper, Jeff Papa, Tom Schuler, Bryan Traylor, Josh Garrett

Members Absent: Kevin Spees

Also Present: Angie Steeno and Mark Adam, Crowe-Horwath; Bruce Donaldson, Attorney, Barnes & Thornburg; Ed Mitro, Town Manager; Tim Haak, Mayor and Town Department Management Staff

1. OPENING

- A. Call meeting to order. President Suarez called the meeting to order at 7:00 pm
- B. Pledge of Allegiance

2. DISCUSSION OF FINANCING FOR THE ZIONSVILLE TOWN HALL PROJECT.

Town Manager Ed Mitro presented an overview and brief history of the proposed New Town Hall Project.

Bruce Donaldson, Attorney, Barnes & Thornburg gave a brief presentation concerning the proposed Installment Purchase Financing under consideration to fund the project.

Angie Steeno, Financial Advisor, Crowe-Horwath presented financial information regarding the proposed Town Hall Project, including the estimated cost of the project, estimated total loan amount, financing terms and payment schedule. She also provided the estimated project cash flow, detailing the revenue streams from which the project would potentially be funded.

President Suarez called for questions or comments from the Council. A discussion followed regarding the timing of the project, its necessity, and funding options and challenges of the project.

President Suarez thanked all for their input and thanked Chief Van Gorder and all involved for their years of hard work on the Town Hall Project.

3. ADJOURN

The next regular Town Council meeting is scheduled for Monday February 1, 2016 @ 7:00 PM.

Respectfully submitted,

Amelia Anne Lacy, Director - Finance and Records
Town of Zionsville

RESOLUTION _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
INDIANA APPROVING CERTAIN MATTERS IN CONNECTION WITH THE
WHITESTOWN 334/700 ECONOMIC DEVELOPMENT AREA**

WHEREAS, the Zionsville Redevelopment Commission (the “Redevelopment Commission”), as the governing body for the Zionsville Redevelopment Department, pursuant to Indiana Code 36-7-14, as amended (the “Act), adopted a Resolution on October 26, 2015 (the “Amending Resolution”), which made certain amendments to the previously declared Whitestown 334/700 Economic Development Area (the “Economic Development Area”) and the Economic Development Plan (the “Plan”) for the Economic Development Area (such Plan amendments, the “Plan Supplement”); and

WHEREAS, the Zionsville Plan Commission, on November 16, 2015, approved and adopted a resolution (the “Plan Commission Order”) determining that the Amending Resolution and Plan Supplement conform to the plan of development for the Town of Zionsville, Indiana (the “Town”) and approving the Amending Resolution and the Plan Supplement; and

WHEREAS, pursuant to Sections 16(b) of the Act, the Redevelopment Commission has submitted the Amending Resolution and the Plan Supplement to the Town Council of the Town (the “Town Council”)

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Zionsville, Indiana, as follows:

1. Pursuant to Section 16(b) of the Act, the Town Council of the Town determines that the Amending Resolution and the Plan Supplement, in all respects, conform to the plan of development for the Town, and approves in all respects, the Amending Resolution, the Plan Supplement, and the Plan Commission Order.

2. This Resolution shall be in full force and effect from and after its passage by the Town Council and upon compliance with the procedures required by law.

DULY PASSED AND ADOPTED this _____ day of _____ 2016,
 by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a
 vote of _____ in favor and _____ opposed.

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

| | YAY Signature | NAY Signature |
|------------------|------------------|------------------|
| Jeff Papa | | |
| Susana Suarez | | |
| Bryan Traylor | | |
| Elizabeth Hopper | | |
| Thomas Schuler | | |
| Kevin Spees | | |
| Josh Garrett | | |

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

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

MAYOR'S APPROVAL

 Timothy R. Haak, Mayor

 DATE

MAYOR'S VETO

 Timothy R. Haak, Mayor

 DATE

RESOLUTION NO. 2015-02

**RESOLUTION OF THE ZIONSVILLE PLAN COMMISSION
APPROVING AMENDMENTS TO THE DECLARATORY RESOLUTION
AND DEVELOPMENT PLAN FOR THE WHITESTOWN 334/700 ECONOMIC
DEVELOPMENT AREA**

WHEREAS, the Zionsville Redevelopment Commission (the "Redevelopment Commission") on October 26, 2015, approved and adopted its Resolution No. 2015-05 (the "Resolution") approving certain amendments to the declaratory resolution and development plan for the Whitestown 334/700 Economic Development Area (the "Plan Supplement"); and

WHEREAS, the Redevelopment Commission has submitted the Resolution and the Plan Supplement to this Plan Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE ZIONSVILLE PLAN COMMISSION, as follows:

1. The Resolution and the Plan Supplement conform to the plan of development for the Town of Zionsville, Indiana.
2. This Plan Commission hereby approves the Resolution and the Plan Supplement. This resolution hereby constitutes the written order of the Plan Commission approving the Resolution and the Plan Supplement pursuant to I.C. § 36-7-14-16.
3. The Secretary of this Plan Commission is hereby directed to file a copy of the Resolution and the Plan Supplement with the minutes of this meeting.

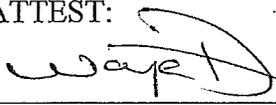
SO RESOLVED BY THE ZIONSVILLE PLAN COMMISSION this 16th day of November, 2015.

ZIONSVILLE PLAN COMMISSION



President

ATTEST:



Secretary

RESOLUTION NO. 2015-05

RESOLUTION OF THE ZIONSVILLE REDEVELOPMENT COMMISSION
AMENDING THE DECLARATORY RESOLUTION AND THE
DEVELOPMENT PLAN FOR THE WHITESTOWN 334/700
ECONOMIC DEVELOPMENT AREA

WHEREAS, the Zionsville Redevelopment Commission (the "Commission") pursuant to IC 36-7-14 (the "Act") serves as the governing body of the Town of Zionsville Redevelopment District (the "District"); and

WHEREAS, the Whitestown Redevelopment Commission has previously adopted and confirmed resolutions (collectively, the "Declaratory Resolution") which established an economic development area known as the "Whitestown 334/700 Economic Development Area #1" (the "Economic Development Area"), designated the entire Economic Development Area as an allocation area pursuant to Section 39 of the Act (the "Allocation Area"), and approved a development plan for the Economic Development Area (the "Plan") pursuant to the Act; and

WHEREAS, the Commission assumed jurisdiction over the Economic Development Area pursuant to an Interlocal Cooperation Agreement Concerning Annexation between the Town of Whitestown and the Town of Zionsville dated March 12, 2015, and IC 36-7-14-3.7; and

WHEREAS, the Commission now desires to amend the Declaratory Resolution and Plan (i) to terminate and dissolve the entire existing Allocation Area, (ii) to designate the entire Economic Development Area as a new allocation area pursuant to Section 39 of the Act to be known as the "2015 334/700 Allocation Area," and (iii) to adopt a supplement to the Plan attached hereto as Exhibit A (the "2015 Plan Supplement") (clauses (i) and (ii), collectively, the "2015 Amendments"); and

WHEREAS, the 2015 Amendments and supporting data were reviewed and considered at this meeting; and

WHEREAS, Sections 41 and 43 of the Act permit the creation of "economic development areas" and provide that all of the rights, powers, privileges and immunities that may be exercised by this Commission in a redevelopment area or urban renewal area may be exercised in an economic development area, subject to the conditions set forth in the Act; and

WHEREAS, this Commission deems it advisable to apply the provisions of said Sections 41 and 43 of the Act to the 2015 Amendments; and

WHEREAS, the Commission now desires to approve the 2015 Amendments; and

NOW, THEREFORE, BE IT RESOLVED by the Zionsville Redevelopment Commission, governing body of the Town of Zionsville Redevelopment District, as follows:

1. It will be of public utility and benefit to amend the Declaratory Resolution and the Plan for the Economic Development Area as provided in the 2015 Amendments and to continue to develop the Economic Development Area, including the 2015 334/700 Allocation Area, under the Act.

2. The Declaratory Resolution and the Plan, as amended by this Resolution and the 2015 Plan Supplement, conform to the comprehensive plan of development for the Town of Zionsville, Indiana (the "Town").

3. The 2015 Amendments are reasonable and appropriate when considered in relation to the Declaratory Resolution and Plan and the purposes of the Act.

4. The findings and determinations set forth in the Declaratory Resolution and the Plan are hereby reaffirmed.

5. In support of the findings and determinations set forth in Sections 1 through 4 above, the Commission hereby adopts the specific findings set forth in the 2015 Plan Supplement.

6. The Commission does not at this time propose to acquire any specific parcel of land or interests in land within the boundaries of the 2015 334/700 Allocation Area. If at any time the Commission proposes to acquire specific parcels of land, the required procedures for amending the Plan, as amended by the 2015 Plan Supplement, under the Act will be followed, including notice by publication to affected property owners and a public hearing.

7. The Commission finds that no residents of the Economic Development Area will be displaced by any project resulting from the 2015 Plan Supplement, and therefore finds that it does not need to give consideration to transitional and permanent provision for adequate housing for the residents.

8. The 2015 Amendments are hereby in all respects approved.

9. The existing Allocation Area is hereby terminated and dissolved, and the entire Economic Development Area is hereby designated as a new separate "allocation area" pursuant to Section 39 of the Act to be known as the "2015 334/700 Allocation Area," for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the

redevelopment district and when collected paid into an allocation fund for the 2015 334/700 Allocation Area hereby designated as the "334/700 Allocation Fund" and may be used by the redevelopment district to do one or more of the things specified in Section 39(b)(3) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before July 1 of each year, the Commission shall take the actions set forth in Section 39(b)(4) of the Act.

10. The foregoing allocation provision shall apply to all of the 2015 334/700 Allocation Area. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the 2015 334/700 Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit A hereto. The base assessment date for the 2015 334/700 Allocation Area is March 1, 2015.

11. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto, and the allocation provisions herein relating to the 2015 334/700 Allocation Area shall expire on the date that is twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived from the 2015 334/700 Allocation Area.

12. The officers of the Commission are hereby directed to make any and all required filings with the Indiana Department of Local Government Finance and the Boone County Auditor in connection with the creation of the 2015 334/700 Allocation Area.

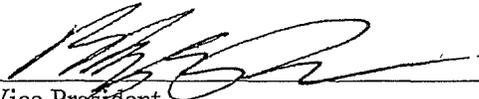
13. This Resolution, together with any supporting data, shall be submitted to the Zionsville Plan Commission (the "Plan Commission") and the Town Council of the Town (the "Council") as provided in the Act, and if approved by the Plan Commission and the Council, shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

Adopted the 26th day of October, 2015.

ZIONSVILLE REDEVELOPMENT
COMMISSION



President



Vice President



Secretary



Member



Member

EXHIBIT A

2015 Plan Supplement

The Plan is hereby supplemented by adding the following projects to the Plan:

1. The redevelopment of the Zionsville Town Hall site for the purpose of building a new town hall at an estimated cost of \$7,500,000 or extensive renovation to the current town hall at an estimated cost of \$3,500,000 as the current structure is not sustainable and is in need of major repairs, which will directly serve and benefit the 2015 334/700 Allocation Area. This project is also expected to stimulate commercial growth along the Oak Street corridor which also will directly serve and benefit the 2015 334/700 Allocation Area.
2. Public safety projects and assets that will directly serve and benefit the 2015 334/700 Allocation Area including, without limitation, fire safety facilities, vehicles and equipment, and if the Town assumes police jurisdiction over the 2015 334/700 Allocation Area, police facilities, vehicles and equipment.

ZIONSVILLE TOWN APPOINTMENTS -2016

**COUNCIL RECOMMENDATIONS
AND MAYORAL APPOINTMENTS**

Open Membership (Town Council appointment – Council member)

| Plan Commission | Party | 4 Year Term after Initial Term | Re-Appt. |
|--|--------------|--|-----------------|
| (Positions to be appointed per I.C. 36-7-4-207b) | | | |
| David Franz (Town) | | Coterminous with Municipal Appointment | 2020 |
| Larry Jones (Town) | | Coterminous with Municipal Appointment | 2020 |
| Open Position (Rural) | | Coterminous with Municipal Appointment | 2020 |
| *Open Position (Town) | Democrat | 4 Year Term | 2018 |

* = Mayoral Citizen Appointment

Board of Zoning Appeals **4 Year Term after Initial Term** **Re-Appt.**

| | | |
|--|-------------|------|
| (Positions to be appointed per I.C. 36-7-4-902a) | | |
| *Open Position (rural) | 4 Year Term | 2018 |

* = Mayoral Appointment

Park Board **Party** **4 Year Term after Initial Term** **Re-Appt.**

| | | | |
|-----------------|--------------|-----------------------------------|------|
| Manda Clevenger | Independent | 4 Year Term | 2017 |
| Jeff Edmondson | | 1 Year Term (Mayoral appointment) | 2017 |
| Open Position | School Board | (annual appointment) | 2017 |

Redevelopment Commission **1 Year Term** **Re-Appt.**

| | | |
|---|-----------------------------|------|
| Serve at will. All positions appointed (5 voting) per I.C. 36-7-14-6.1 | | |
| Two positions to be appointed by full Town Council; three appointed by T.C. President | | |
| Wade Achenbach | | 2017 |
| *Bradley Johnson | | 2017 |
| Katie Culp | | 2017 |
| *Luke Phenicie | | 2017 |
| *Mark Plassman | | 2017 |
| Open Position (School Board appointment) | (School Board must appoint) | 2017 |

* = The Mayor has re-appointed these people

Economic Development Commission **Re-Appt.**

3 members: One member selected by the President of the Town Council, one member nominated by the Common Council of Boone County, Indiana, and one member shall be nominated by the Town Council. Length of terms are as set by IC 36-7-12.

The recommendation is to sunset this Commission.

Redevelopment Authority **3 Year Term Non-Staggered** **Re-Appt.**

| | |
|--------------------------------|------|
| *David Grebe (re-appointed) | 2017 |
| *Rob Thomas (appointed) | 2017 |
| *Chris Carriere (re-appointed) | 2017 |

* = The Mayor has appointed these people

| Safety Board | 1 Year Term | Re-Appt. |
|---|--------------------|-----------------|
| (3 positions to be appointed from the Town Council Positions appointed by full Town Council) | | |
| Susana Suarez | | 2017 |
| Elizabeth Hopper | | 2017 |
| Bryan Traylor | | 2017 |

| Board of Police Commissioners | Party | 3 Year Term after Initial Term | Re-Appt. |
|--|--------------|---------------------------------------|-----------------|
| <u>3 positions to be appointed from Town Council.</u> Positions appointed by full Town Council. | | | |
| Susana Suarez | Republican | 3 Year Term | 2019 |
| Madison Carney | Democrat | 3 Year Term | 2019 |
| Jeff Papa | Republican | 3 Year Term | 2017 |
| Josh Garrett | Republican | 3 Year Term | 2019 |

| Zionsville Municipal Building Corporation | 1 Year Term | Re-Appt. |
|--|--------------------|-----------------|
| (Positions appointed by full Town Council) | | |
| Stephen Tarr | | 2017 |
| Larry Jones | | 2017 |
| Paul Watson | | 2017 |

| Zionsville-Eagle Township Municipal Building Corporation | 1 Year Term | Re-Appt. |
|---|--------------------|-----------------|
| (Positions appointed by full Town Council) | | |
| Kent Abernathy | | 2017 |
| Larry Jones | | 2017 |
| Larry Mitchell | | 2017 |

| Pathway Committee | 1 Year Term | Re-Appt. |
|---|--------------------|-----------------|
| (Positions appointed by full Town Council) | | |
| Jeff Edmondson | | 2017 |
| Tim Cassidy – Park Board ex-officio (Park Board appoints) | | 2017 |
| Open position | | 2017 |
| Bill Spitz | | 2017 |
| Paul Watson | | 2017 |
| Evan Williams | | 2017 |
| Town Council ex-officio – Tom Schuler | | 2017 |
| Art Small | | 2017 |
| Open position | | 2017 |

| Zionsville Town Hall Building Corporation | 1 Year Term | Re-Appt. |
|--|--------------------|-----------------|
| (Positions to be appointed by full Town Council) | | |
| Steven Lonn | | 2017 |
| Rob French | | 2017 |
| Geroge Tikijian | | 2017 |

| <u>PZAZ</u> | <u>1 Year Term</u> | <u>Re-Appt.</u> | <u>Resp.</u> |
|--|---------------------------|------------------------|---------------------|
| (Positions appointed by full Town Council) | | | |
| Jean Apple | | 2017 | |
| Charles Ewing | | 2017 | |
| Lana Funkhouser | | 2017 | |
| Nancy Tikijian | | 2017 | |
| Town Council ex-officio – Elizabeth Hopper | | 2017 | |
| <u>Town Prosecutor</u> | | | |
| | <u>1 Year Term</u> | <u>Re-Appt.</u> | |
| (Position appointed by full Town Council) | | | |
| Lori Schein | | 2017 | |
| <u>MPO Policy Committee</u> | | | |
| | <u>1 Year Term</u> | <u>Re-Appt.</u> | |
| (Position appointed by full Town Council) | | | |
| Tim Haak | | 2017 | |
| <u>MPO Technical Committee</u> | | | |
| Lance Lantz | | | |
| <u>Water Advisory Board</u> | | | |
| | <u>1 Year Term</u> | <u>Re-Appt.</u> | |
| (Position appointed by full Town Council) | | | |
| Open position | | 2017 | |
| <u>Boone County Solid Waste Management District Board</u> | | | |
| | <u>1 Year Term</u> | <u>Re-Appt.</u> | |
| (Position appointed by full Town Council) | | | |
| Open Position | | 2017 | |
| <u>Architectural Review Committee</u> | | | |
| | <u>1 Year Term</u> | <u>Re-Appt.</u> | |
| (Positions appointed by full Town Council) | | | |
| Michael Billig | | 2017 | |
| Eileen Davis | | 2017 | |
| Elizabeth Casselman | | 2017 | |
| Tom Casalini | | 2017 | |
| Bradley Johnson | | 2017 | |
| David Rausch | | 2017 | |
| Todd Rottmann | | 2017 | |
| <u>Union Township Building Corporation</u> | | | |
| | <u>1 Year Term</u> | <u>Re-Appt.</u> | |
| (Positions appointed by full Town Council) | | | |
| Charles Naber, Jr. | | 2017 | |
| Christopher Henry | | 2017 | |
| Christopher Maher | | 2017 | |

Non-Discriminatory Practices Review Committee 1 Year Term

Re-Appt.

The NDPRC is comprised of 5 members. Three members of the town council, and two Zionsville resident or Zionsville business owner members who are not council members. One resident or business owner member shall be selected by the town council and one shall be selected by the town executive. The town council shall select three of its members to serve as members of the NDPRC. The committee members shall select a committee chairperson from among their membership at their first meeting in each calendar year. All appointments to the NDPRC expire at midnight on December 31 of each year. NDPRC Committee members may be reappointed for an unlimited number of terms at the discretion of the appointing authority.

| | |
|--|------|
| *Robert Goodman (Mayoral appointment – resident or business owner member) | 2017 |
| Paula Taylor Whitfield (Council appointment – resident or business owner member) | 2017 |
| Tom Schuler (Town Council appointment – Council member) | 2017 |
| Susana Suarez (Town Council appointment – Council member) | 2017 |
| Open position (Town Council appointment – Council member) | 2017 |

*The Mayor has appointed Robert Goodman

RESOLUTION NO. 2016-_____
OF THE TOWN OF ZIONSVILLE

A RESOLUTION REGARDING
THE APPROPRIATION OF
ADDITIONAL FUNDS

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

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

| <u>Fund Name</u> | <u>Budget Classification</u> | <u>Amount</u> | <u>Amount Approved by Fiscal Body</u> |
|--|---|--------------------|---------------------------------------|
| General Fund (Fund #101) | Plan Commission Engineering (Line item #101001312) | \$25,000.00 | \$25,000.00 |
| <u>Total General Fund</u> | | <u>\$25,000.00</u> | <u>\$25,000.00</u> |
| <u>Total Amount Appropriated - \$25,000.00</u> | | | |

Funds noted above are available for additional appropriation via a December 2015 balance in the General Fund of \$739,266.09.

The purpose of the additional appropriation is to reimburse the Plan Commission Engineering line item with “pass-through” funds received from developers for engineering work done on behalf of the Town/Planning Department.

DULY PASSED AND ADOPTED this _____ day of _____ 2016,
 by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by
 a vote of _____ in favor and _____ opposed.

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

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

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

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

MAYOR'S APPROVAL

Timothy R. Haak, Mayor

DATE

MAYOR'S VETO

Timothy R. Haak, Mayor

DATE

ORDINANCE NO. 2016-___
OF THE
TOWN OF ZIONSVILLE, INDIANA

AN ORDINANCE TO AMEND
THE TOWN OF ZIONSVILLE
ZONING ORDINANCE
FOR THE
TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA
AND FIXING A TIME WHEN
THE SAME SHALL TAKE
EFFECT

Plan Commission Petition No.
2016-01-OA

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

WHEREAS, in accordance with I.C. 36-7-4-600 et seq., the Town of Zionsville Advisory Plan Commission, Boone County, Indiana conducted a public hearing on January 19, 2016, to consider a proposal to amend the Town of Zionsville Zoning Ordinance for the Town of Zionsville, Boone County, Indiana, (the "Ordinance"); filed as petition 2016-01-OA; and,

WHEREAS, the Town of Zionsville Advisory Plan Commission certified the proposal to amend the Ordinance to the Town Council of the Town of Zionsville, Boone County, Indiana, with a favorable recommendation on January 19, 2016 (Exhibit A); and,

WHEREAS, the Town Council of the Town of Zionsville, Boone County, Indiana, considered the Proposal to amend the Ordinance at its regular meeting on January 19, 2016

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

Section 1. The Zoning Ordinance for the Town of Zionsville Boone County, Indiana, is amended as follows:

Section 9.6 (Fee Schedule), is amended to include requirements related to building permits associated with Class II Structures and inspections of Class II Structures

See Exhibit B

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

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

Section 4. Repeal of Conflicting Ordinances: The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

Section 5. Severability: If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

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

Introduced and filed on the _____ day of _____, 2016. A motion to consider on First Reading was sustained by a vote of _____ in favor and _____ opposed, pursuant to Indiana Code 36-5-2-9.8.

DULY PASSED AND ADOPTED this _____ day of _____ 2016,
 by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote
 of _____ in favor and _____ opposed.

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

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

I hereby certify that the foregoing Resolution was delivered to the Town of Zionsville Mayor Jeff Papa on the ___
 ___ day of _____ 2016, at _____ m.

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

**MAYOR'S
 APPROVAL**

Tim Haak, Mayor

DATE

**MAYOR'S
 VETO**

Tim Haak, Mayor

DATE



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

January 19, 2016

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

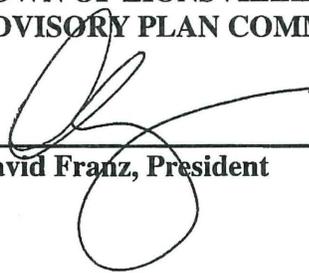
Be it advised that, pursuant to Indiana Code 36-7-4, on January 19, 2016, the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of 6 in favor and 0 opposed, gave a ***Favorable Recommendation*** to proposal 2016-01-OA to amend the text of the Town of Zionsville Zoning Ordinance, applicable to all real property located in the Town of Zionsville, Boone County Indiana.

The proposal amends:

Section 9.6 (Fee Schedule), of the Town of Zionsville Zoning Ordinance to include requirements related to building permits associated with Class II Structures and inspections of Class II Structures

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2016-01-OA to amend the Town of Zionsville Zoning Ordinance (a copy of which is attached to this Certification and incorporated here by this reference) to the Town Council of Zionsville, Indiana, with a Favorable Recommendation.

**TOWN OF ZIONSVILLE
ADVISORY PLAN COMMISSION**



David Franz, President

Attest: _____

**Wayne DeLong, AICP
Secretary, Town of Zionsville Advisory Plan Commission**

Exhibit A

Article 9: Development Review Procedures

ARTICLE 9: DEVELOPMENT REVIEW PROCEDURES

Section 9.1 Required Permits and Approvals

Intent -The Development Review Procedures for the Town of Zionsville are intended to provide for the protection of the public health, safety, morals and general welfare of the residential and business citizens of the Town of Zionsville by providing for the thorough review of all permit applications and development petitions so that informed decisions regarding such permit applications and development petitions may be rendered while balancing the needs of the development community for the timely review of those permit applications and development petitions.

Section 9.2 Improvement Location Permits

A. Improvement Location Permit Required.

1. In order to ensure that the provisions of this Ordinance relative to:
2. how real property is developed, maintained, and used;
3. the requirements for site conditions, such as ponds, fills, landscaping and utilities;
4. provisions for the treatment of uses, structures or conditions that are in existence; and
5. restrictions on development in areas prone to flooding,

No Building, Structure, Improvement, Sign, use of land, or clearance of land may be altered, changed, placed, erected, located, or allowed unless the Building, Structure, Improvement, Sign, use of land, or clearance of land and its location conform to the provisions of this Ordinance and an Improvement Location Permit for the alteration, change, placement, erection or location of such Building, Structure, Improvement, Sign, use of land, or clearance of land has been issued. An Improvement Location Permit for the clearance of land shall not be issued until Primary Plat Approval (for land located in the R-SF-I, R-SF-2,

Article 9: Development Review Procedures

R-SF-3 and R-V Districts), or Development Plan Approval (for land located in any District except the 0-1 District), has been obtained from the Plan Commission for the applicable land.

B. Duration of Improvement Location Permit.

An Improvement Location Permit shall be valid for the longer of:

1. one (1) year after date of issuance; or
2. the length of any required Building Permit, if such Building Permit is obtained for the Building, Structure, Improvement or Sign covered by the Improvement Location Permit within one (1) year after the date of issuance of the Improvement Location Permit.

The Building Commissioner shall have the power to extend the period of validity of any Improvement Location Permit one (1) or more times, provided, however, the total time period of all extension(s) shall not exceed six (6) months.

C. Review of Improvement Location Permit Application.

1. Improvement Location Permits for Single Family and Two Family Dwellings and Related Accessory Buildings or Structures

The Staff may take up to five (5) business days to study an application for an Improvement Location Permit. During such five (5) business day period, the Staff may consult with other appropriate technical consultants. If, after such five (5) day period, the Staff has not requested any additional information or stated any objections in writing to the applicant, and the proposed Building, Structure or Improvement, and the proposed use conform in all respects to the provisions of this Ordinance, the Staff shall issue the Improvement Location Permit. Improvement Location Permits for All: Multifamily, Commercial, Industrial or Special Exception Buildings, Structures, Improvements or Uses; Signs; and Accessory Buildings, Structures or Improvements Related to Multifamily, Commercial, Industrial or Special Exception Uses. The Staff may take an additional ten (10) business days, beyond the review period specified

Article 9: Development Review Procedures

above, in which to study the application, during which time the Staff may consult with other appropriate technical consultants. If, after such additional ten (10) day period, the Staff has not requested any additional information or stated any objections in writing to the applicant, and the proposed Building, Structure, Improvement or Sign, and the proposed use conform in all respects to the provisions of this Ordinance, the Staff shall issue the Improvement Location Permit.

2. Improvement Location Permit for All Multifamily, Commercial, Industrial or Special Exception Buildings, Structures, Improvements or Uses.

An application for an Improvement Location Permit for any multifamily, commercial, industrial or special exception Building, Structure, Improvement or use required to obtain a Construction Design Release from the State of Indiana, shall be certified by a registered professional engineer or architect verifying that the Building, Structure, Improvement or use intended will be in compliance with all applicable use regulations, Development Standards and performance standards of the District in which the Building, Structure, Improvement or use is to be located.

3. Improvement Location Permits for Buildings, Structures, Improvements, Signs or Uses Authorized by Special Exception or Variance.

In addition to the requirements above, an Improvement Location Permit for a Building, Structure,

Improvement, Sign or use authorized by Special Exception or Variance shall not be issued until:

- i). receipt by the Staff of written notice from the Board that the application therefore has been approved by the Board; and, a determination by the Staff that said Improvement Location Permit application is in full compliance with the terms of any conditions which may have been imposed by the Board and commitments which may have been made by the owner.

Article 9: Development Review Procedures

D. Public or Semi-Public Sanitary Sewer Required.

An application for an Improvement Location Permit for any Building, Structure, Improvement or use shall not be approved until it has been ascertained by the Staff that:

1. the proposed Building, Structure, Improvement or use will be served by a public or semi-public sanitary sewer system; or
2. the proposed Building, Structure, Improvement or use will be served by a septic system or other method of sanitary waste disposal approved by the Zionsville Fire and Building Department.

E. Appeal of Determination.

Any determination by the Staff concerning the issuance of an Improvement Location Permit may be appealed to the Board of Zoning Appeals by any party claiming to be adversely affected by that decision.

F. Record of Permits.

A record of all Improvement Location Permits shall be kept on file in the Office of the Director of Planning and Economic Development and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the Building or land affected and shall be available for public inspection and copying as provided by applicable State law.

G. Amended Improvement Location Permit.

When a builder, developer or owner of any Building, Structure, Improvement or Sign for which an Improvement Location Permit has been obtained, for any reason, proposes that the construction of said Building, Structure, Improvement or Sign deviate from the plans filed with the Improvement Location Permit application and approved by the Staff, the builder, developer or owner shall make application for an Amended Improvement Location Permit. The Staff shall review the application for the Amended Improvement Location Permit in accordance with the procedures set forth above to determine compliance of the Amended

Article 9: Development Review Procedures

Improvement Location Permit application with the provisions of this Ordinance and any other applicable conditions, covenants or restrictions. If such Amended Improvement Location Permit application is found to be in compliance, the Staff shall issue an Amended Improvement Location Permit. Any determination by the Staff with respect to an Amended Improvement Location Permit shall be subject to the same appeal rights and procedures as set forth above for an initial application for an Improvement Location Permit.

H. General Exemptions.

Notwithstanding anything contained in this Article to the contrary, no Improvement Location Permit shall be required for minor repairs or alterations to Buildings, Structures, Improvements or Signs where:

1. the cost of such repairs or alterations does not exceed \$500.00; and,
2. there is no increase in Finished Floor Area, useable space, or any dimension of any portion of a Sign.

I. Revocation in Event of Violation.

(If the Staff determines that construction or development is proceeding or has proceeded in violation of any applicable law, ordinance, rule, regulation, site plan, zoning Commitment, or Condition of approval, or that the Improvement location Permit has been issued in violation of any applicable law, ordinance, rule, regulation, site plan, zoning commitment, or condition of approval, the Staff may revoke said Improvement location Permit. In the event that an Improvement Location Permit is revoked, the Staff shall send written notice of the revocation to the permit applicant.

Section 9.3 Compliance With Other Laws, Ordinances, Rules or Regulations.

The issuance of an Improvement Location Permit does not substitute for or supersede the requirement to obtain approvals specified in other laws, ordinances, rules and

Article 9: Development Review Procedures

regulations, as the same may be amended from time to time, before the construction of any Building, Structure, Improvement or Sign, including, but not limited to:

- J. Zionsville Building Code;
- K. Zionsville Subdivision Control Ordinance;
- L. Any other applicable federal, state or local law, ordinance, rule or regulation, including, but not limited to:
 - 1. Erosion Control Regulations of the Boone County Soil and Water Conservation District; and,
 - 2. State or Federal Environmental Permits.

Section 9.4 Application and Approval

- M. Application and Site Plan Requirements.

When an Improvement Location Permit is required by this Ordinance, an application for an Improvement Location Permit shall be filed with the Building Commissioner. Said application shall be on a form prescribed by the Plan Commission and accompanied by a site plan consistent with the requirements set forth below.

- 1. A site plan for a Single Family Dwelling or a Two-Family Dwelling on a platted Lot shall be drawn to scale of not more than 1"=100' showing:
 - i). North arrow;
 - ii). Address of the Lot;
 - iii). Legal description of the Lot;

Article 9: Development Review Procedures

- iv). Names, center-lines and Right-of-Way widths of all Streets, Alleys, thoroughfares, public ways, water ways, or railroad Right-of-Ways abutting or within the Lot;
 - v). The location and dimensions of all Buildings, Structures or Improvements currently existing on the Lot;
 - vi). Structures proposed for demolition should be indicated as such;
 - vii). The location and dimensions of all proposed Buildings, Structures or Improvements, including fences, sheds, paved areas, storage areas, Parking Areas (indicate if parking is hardsurfaced. Cross-hatch or shade lightly all proposed Buildings;
 - viii). Location of any proposed or existing Driveway and its width at the property line. (Any connection to an alley must also be indicated);
 - ix). The distance from Lot lines for all existing and proposed Buildings, Structures, Improvements or Signs (This distance is measured as a line from the point where the Building, Structure, Improvement or Sign is closest to the property line. This measurement is taken perpendicular to the property line.);
 - x). The height of the existing and proposed Buildings, Structures or Improvements; and,
 - xi). All other information required by the Staff for the proper administration of this Ordinance.
2. A site plan for any Commercial, Industrial or Special Exception Use shall be drawn to scale of not more than 1"= 100' showing:
- i). North arrow;
 - ii). Address of the site;
 - iii). The actual shape, size and dimensions of the Lot;

Article 9: Development Review Procedures

- iv). Area map or sketch to indicate the location of the Lot;
- v). Names, center-lines and right-of-way widths of all streets, alleys, thoroughfares, public ways, water ways, or railroad right-of-ways abutting or within the Lot;
- vi). The location and dimensions of all Buildings, Structures, Improvements or Signs currently existing on the Lot;
- vii). Structures proposed for demolition should be indicated as such;
- viii). The location and dimensions of all proposed Buildings, Structures, Improvements or Signs, including fences, sheds, paved areas, storage areas, Parking Areas (indicate if parking is hard surfaced). Cross-hatch or shade lightly all proposed Buildings;
- ix). Location of any proposed or existing Driveway and its width at the property line. (Any connection to an Alley must also be indicated);
- x). (If applicable) Location, dimensions, and type (e.g. ground, pole, wall) of all Signs on the site, existing and proposed. Include separate elevations of proposed Sign Structures with all dimensions drawn to scale;
- xi). The distance from Lot lines for all existing and proposed Buildings, Structures, Improvements or Signs (This distance is measured as a line from the point where the Building, Structure, Improvement or Sign is closest to the property line. This measurement is taken perpendicular to the property line.);
- xii). The height of the existing and proposed Buildings, Structures, Improvements or Signs;
- xiii). The number of dwelling units (if applicable) of existing and proposed Buildings or Structures;

Article 9: Development Review Procedures

- xiv). The current and proposed use to be made of all Buildings, Structures, Improvements or lands within the Lot (e.g. parking, residence, office, storage);
- xv). vocational Engineering information regarding all utilities to provide service to the Buildings or Structures on the Lot;
- xvi). The location and dimensions of all off-street parking and off-street loading facilities;
- xvii). The location and dimensions of all fences, walls or other screening and buffering devices;
- xviii). Location, size and species of all proposed and existing trees (six (6) inches or larger at four and one-half (4.5) feet above grade) and landscaping;
- xix). Site Data Summary (a text summary in table format describing: square footage of existing and proposed Buildings; existing, proposed and required parking; existing, proposed and required loading; proposed and permitted Maximum Building Height; accommodation of drainage, sanitary sewer, water and other utility services; legal description; lighting; and landscaping);
- xx). The seal of the registered professional engineer or architect responsible for the site plan; and,
- xxi). all other information required by the Staff for the proper administration and enforcement of this Ordinance.

The Building Commissioner may waive or relax any of the site plan requirements listed above, as circumstances dictate. The site plan shall be attached to the application for an Improvement Location Permit when such application is submitted to the Building Commissioner and shall be retained in the Office of the Department of Planning and Economic Development as a public record.

Article 9: Development Review Procedures

3. Each application for an Improvement Location Permit for a Building, Structure or Use shall include an application for a Certificate of Occupancy.
4. The Plan Commission may promulgate rules, regulations, and procedures, in addition to those listed herein, as to the form and processing of the applications, site plans, and permits required by this Ordinance.

Section 9.5 Certificate of Occupancy

N. Certificate of Occupancy Required.

No Building, Structure, Improvement (except Signs) or use for which an Improvement Location Permit is required by the provisions of this Ordinance shall be used for the purpose contemplated by the Improvement Location Permit until a Certificate of Occupancy has been issued by the Staff.

O. Issuance of Certificate of Occupancy.

Within two (2) days of notification of completion of work on the proposed Building, Structure or use, the applicant for an Improvement Location Permit shall notify the Staff of completion of work authorized by the Improvement Location Permit. The Staff, or its designee, shall, within fourteen (14) days inspect the premises for compliance with the provisions of this Ordinance and the Improvement Location Permit.

A Certificate of Occupancy pursuant to this Ordinance shall be issued only upon a finding by the Staff that the proposed Building, Structure or use has been developed, located or to be used in accordance with the provisions of:

1. This Ordinance; and
2. The Improvements Location Permit

P. Temporary Certificate of Occupancy

A Temporary Certificate of Occupancy may be issued by the Staff if the proposed Building, Structure or use complies with the provisions of Article 9.5B., above,

Article 9: Development Review Procedures

except that certain external site features (e.g., finish coat for asphalt Parking Areas or landscaping) have not been completed due to ground or weather conditions which are not immediately suitable for permanent installation. The duration of the Temporary Certificate of Occupancy shall be specified on the Temporary Certificate of Occupancy, provided however, in no case shall a Temporary Certificate of Occupancy exceed six (6) months in duration. In cases of extreme hardship or weather conditions, and for good cause shown, The Building Commissioner may grant a one (1) time extension of not to exceed three (3) months.

Section 9.6 Fees

In order to defray administrative costs associated with the processing of development petitions and Improvement Location Permits, the Plan Commission shall establish a Schedule of Fees which are to be paid by the applicant at the time of filing a development petition or application for an Improvement Location Permit. Said Schedule of Fees shall include fees for: Improvement Location Permits; petitions for zone map changes; applications for development plan approvals; petitions for variance; and other administrative matters as determined by the Plan Commission, at a public hearing. which are in the best interest of providing required services at a reasonable fee to the general public.

Article 9: Development Review Procedures

Q. Schedule of Fees

SCHEDULE OF FEES

LAND USE PETITIONS

| | | |
|---|---------|---|
| Administrative Appeal | \$300 | |
| Zone Map Change | | |
| Residential Districts | \$400 | plus \$100 for each acre or any portion thereof |
| Business or Industrial Districts | \$1,000 | plus \$25 for each acre or any portion thereof |
| All other Districts | \$1,000 | plus \$25 for each acre or any portion thereof |
| Variance | | |
| Use | | |
| Residential Use | \$300 | plus \$25 for each variance of Development Standard requested |
| Other Use | \$1,000 | |
| Development Standards | | |
| Residential Districts | \$300 | plus \$25 for each additional Development Standard requested |
| All other Districts | \$600 | plus \$50 for each additional Development Standard requested |
| Special Exception | \$600 | |
| Amendment or Termination of Commitments of a Variance or Special Exception | \$1,000 | |
| Approvals | | |
| Development Plan | \$600 | plus \$100 per acre |
| Modification or Termination of Development Plan | \$500 | plus \$100 per acre |
| Plat/Subdivision (R-SF-1, R-SF-2, R-V Districts) | | |
| Primary Plat | \$750 | plus \$30 per lot |

Town of Zionsville
Zoning Ordinance



Article 9: Development Review Procedures

| | | |
|---|---------|---------------------------------|
| Secondary Plat | \$500 | per section (plus \$20 per lot) |
| Re-Plat | \$500 | plus \$100 per additional lot |
| Minor Plat | \$150 | plus \$15 per lot |
| Plat/Subdivision (All other Districts) | | |
| Primary Plat | \$1,000 | plus \$5 per lot |
| Secondary Plat | \$400 | per section |
| Re-Plat | \$500 | plus \$100 per additional lot |

IMPROVEMENT LOCATION PERMITS (Building Permit Fee Included)

RESIDENTIAL

| | | |
|---|-------|---|
| Single or Two Family Dwellings | | |
| New Building | \$700 | plus \$0.10 per square foot (includes 5 inspections) |
| Exterior and Interior Remodeling | \$360 | plus \$0.10 per square foot if over 400 square feet of exterior remodeling (includes four inspections) |
| Addition to an Existing Single or Two Family Dwelling | \$360 | plus \$0.10 per square foot if over 400 square feet (includes four inspections) |
| Accessory Uses | | |
| Detached Accessory Buildings (Large), Garages, Carports | \$200 | plus \$0.10 per sq.ft. over 200 square feet of total floor area (includes two inspections) |
| Detached Accessory Buildings (Small) | \$100 | Structure shall be 200 square feet or less in square footage |
| Swimming Pools, Hot Tubs (above or below Grade) | \$350 | plus \$0.10 per square foot of total pool and deck, or hot tub dimension (includes 2 inspections) |
| Demolition | \$100 | base fee, plus \$50 for each additional building |
| Decks | \$75 | floor height of 0-30 inches above grade requires structural plan review and final inspection. (includes 1 inspection) |

Article 9: Development Review Procedures

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|--------------------------|-------|---|
| Decks | \$175 | floor height greater than 30 inches above grade- Plans required for verification with Indiana Code requirements. (includes 3 inspections-footing, framing, final) |
| Other residential | \$75 | including roofing, patio and electrical permits |

COMMERCIAL

| | | |
|---|---------------|---|
| Multifamily Dwellings | | |
| Primary Buildings | \$500 | plus \$100 per unit (includes 6 inspections per unit) |
| Accessory Buildings/Structures | \$350 | per building/structure plus \$0.10 per square foot if over 400 square feet (includes 3 inspections) |
| Business, Industrial, or Special Use | | |
| New Building | \$500 | plus \$0.17 per square foot of total floor area (includes five base inspections) |
| Addition to an Existing Building | \$500 | plus \$0.17 per square foot of total floor area added (includes 4 inspections) |
| Parking Lot Construction or Remodeling (as a Primary Use or as an expansion or remodeling of an existing Parking Lot) | \$5 | per Parking Space(includes 2 inspections) |
| Accessory Buildings / Structures | \$350 | plus \$0.17 per square foot of total floor area over 100 square feet (includes 3 inspections) |
| Interior Remodel/Tenant Finish | \$350 | plus \$0.17 per square foot (includes 3 inspections) |
| Demolition | \$200 | plus \$100 per additional building |
| All Other Improvements | \$90 | includes 1 inspection |
| Amended ILP application: (Residential) | \$125 | Re-review |
| Amended ILP application: (Commercial/Industrial) | \$150 | Re-review |
| Duplicate Permit | \$25 | |
| Inspection Fees | \$150 \$75 | Commercial Residential |
| Signs | | |
| On-Premise Freestanding | | |
| Identification (Ground or Pylon) | | |

Article 9: Development Review Procedures

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| up to 24 square feet in area | \$200 | |
| over 24 square feet in area | \$200 | plus \$1 per square foot of Sign Area |
| On-Premise Building Identification (Wall, Projecting, Awning, Canopy) | \$45 | plus \$1 per square foot of Sign Area |
| On-Premise Incidental (any type) | \$50 | |
| On-Premise Suspended | \$50 | |
| Off-Premise (Advertising) | \$300 | plus \$1 per square foot of Sign Area |
| Clearance of Land/Grading Permit | \$50 | plus \$25 per acre - If applied for separately from a Primary Plat or Development Plan Approval Petition (fee included in the filing fee for a Primary Plat or Development Plan Approval Petition) |
| Any Other Improvements | \$50 | |
| <i>No ILP is required and no fees are charged for fences.</i> | | |
| <i>Square footage is considered gross area, above grade (as further clarified on the Improvement Location Permit Application form)</i> | | |

CERTIFICATE OF OCCUPANCY / TEMPORARY CERTIFICATE OF OCCUPANCY

PRIMARY USE/BUILDING/STRUCTURE

| | | |
|---|------|--------------------------------|
| Residential (single or two family) | \$50 | |
| Residential (multifamily) | \$50 | per unit |
| Business / Industrial / or Special Use | \$50 | per leased area / tenant space |
| All Other | \$25 | |

ACCESSORY USE/BUILDING/STRUCTURE IN ANY DISTRICT

| | | |
|--|------|--|
| | \$25 | |
|--|------|--|

Article 9: Development Review Procedures

ALTERNATE FEE

MUNICIPAL AND SCHOOL FEES

The fees listed in **Section 9.6** shall not be applicable to all Zionsville Community School Corporation Buildings, Structures or facilities with the exception of commercial building inspection fees, which shall be reduced by one-half. All required inspections are to be scheduled with the Town of Zionsville. The waiver of these Improvement Location Permit fees exempts neither the Zionsville Community School Corporation from compliance with all provisions of this Ordinance.

OTHER FEES

For Churches and other not-for-profit organizations, all fees listed in Section 9.6 shall be reduced by one-half, including all required building inspection fees. Documentation of charitable (501 c3) status shall be submitted with the petition or request for an Improvement Location Permit in order to verify an organization's not-for-profit status. All required inspections to be scheduled with the Town of Zionsville.

FEES FOR IMPROVEMENT LOCATION PERMIT OBTAINED AFTER COMMENCEMENT OF WORK

If work for which an Improvement Location Permit is required has commenced in violation of the provisions of this Ordinance, the Improvement Location Permit fee shall be five (5) times the applicable amount stated in Section 9.6, however, that the maximum fee incurred under this Section shall be \$5,000 plus the amount of the normal fee for the permit.

LATE FEES ON INSPECTIONS. THE FOLLOWING FEES WILL BE ASSESSED WHEN CONSTRUCTION HAS BEEN PERFORMED BEYOND A REQUIRED INSPECTION, I.E., POURING CONCRETE PRIOR TO A FOOTING INSPECTION, INSULATING PRIOR TO THE ROUGH-IN INSPECTION AND USING OR OCCUPYING NEW CONSTRUCTION PRIOR TO A CERTIFICATE OF OCCUPANCY (C/O). UPON RECEIPT OF THE LATE FEE, THE INSPECTION MUST BE SCHEDULED AND PERFORMED BEFORE WORK CAN RESUME.

Town of Zionsville
Zoning Ordinance



Article 9: Development Review Procedures

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|--|-------|--|
| Single or Two Family Dwellings New Building | \$350 | |
| Commercial New Building | \$500 | |
| Residential Other | \$150 | |
| Commercial Other | \$250 | |

Town of Zionsville
Zoning Ordinance



Article 9: Development Review Procedures

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RESOLUTION NO. _____

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
INDIANA APPROVING INSTALLMENT PURCHASE FINANCING FOR NEW TOWN
HALL PROJECT**

WHEREAS, the Town of Zionsville, Indiana (the “Town”) is considering options for financing the design, construction, equipping and furnishing of a new Town Hall building to be constructed directly adjacent to the north of the existing Town Hall building, which is located at 1100 West Oak Street, Zionsville, Indiana (the “Project”); and

WHEREAS, the Town Council of the Town (the “Council”) has been presented with an opportunity to finance the Project through an installment purchase contract with a seller who will manage the construction and financing of the Project; and

WHEREAS, the Council now desires to authorize the Mayor of the Town to proceed with the installment purchase financing option for the Project.

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

SECTION 1. The Council hereby approves an installment purchase financing method for the Project under the following terms and conditions: (a) the purchase price for the Project may not exceed the average of two appraisals of the fair market value of the Project plus financing costs (the “Purchase Price”), (b) the Town may pay interest on the Purchase Price at a rate not to exceed five percent (5.00%) per annum during the initial term of the installment purchase contract, (c) the term of the installment purchase contract may not exceed twenty-five (25) years; provided, however that the final payment date under the installment purchase contract may be less than twenty-five (25) years but based on an amortization of up to twenty-five (25) years; and (d) all payments under the installment purchase contract must be subject to annual appropriations by the Council.

SECTION 2. The Mayor of the Town is hereby authorized to execute and deliver an installment purchase contract in form and substance acceptable to the Mayor within the parameters set forth in Section 1 of this Resolution, with a seller selected by the Mayor. The Mayor, the Director, Department of Finance and Records and any other officer of the Town are authorized to execute and deliver such other documents and take such other actions as such officer deems necessary or desirable to effect the provisions of this Resolution and the transactions contemplated hereby, including without limitation procurement of the two appraisals referenced in Section 1 of this Resolution, and the granting of a license or other right of possession to the Project site to the seller in order to permit construction of the Project.

SECTION 3. This Resolution shall be in full force and effect from and after its adoption by the Council and upon compliance with the procedures required by law.

DULY PASSED AND ADOPTED this 21st day of January, 2016, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

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

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

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

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

MAYOR'S APPROVAL

Timothy R. Haak, Mayor

DATE

MAYOR'S VETO

Timothy R. Haak, Mayor

DATE