



ZIONSVILLE

FOR ALL THE RIGHT REASONS

**ZIONSVILLE TOWN COUNCIL
MEETING AGENDA
FOR
Monday, April 8, 2019 at 7:00 PM**
Zionsville Town Hall Council Chamber
1100 West Oak Street

1. OPENING
 - A. CALL MEETING TO ORDER
 - B. PLEDGE OF ALLEGIANCE
2. APPROVAL OF THE MEMORANDUM OF THE March 18, 2019 REGULAR MEETING (Copy Posted).

Documents:

[MARCH 18 2019 TOWN COUNCIL MEETING MEMORANDA-SIGNED.PDF](#)

3. DEPARTMENTAL MONTHLY REPORTS
Reports are submitted by the Town management staff for Council review and posted on the Town's website (WWW.ZIONSVILLE-IN.GOV).
4. PRESENTATION BY ZIONSVILLE COMMUNITY SCHOOLS – Dr. Scott Robison
5. SWEARING IN OF NEW POLICE OFFICERS – Chief Robert Knox And Mayor Haak
6. REQUEST TO SPEAK
7. OLD BUSINESS
8. NEW BUSINESS
 - A. Consideration Of An Ordinance Regulating The Firing Or Discharge Of Weapons (FIRST READING).

Documents:

[ORDINANCE - DISCHARGE OF WEAPONS.PDF](#)

- B. Consideration Of An Ordinance To Amend The Traffic Code Of The Town Of Zionsville Code Of Ordinances – Loading Zone On South First Street (FIRST READING).

Documents:

[ORDINANCE - LOADING ZONES.PDF](#)

9. OTHER MATTERS
10. APPROVAL OF CLAIMS
11. ADJOURN

The next regular Town Council meeting is scheduled for Monday April 15, 2019 @ 7:30 AM in the Zionsville Town Hall Council Chamber.



**ZIONSVILLE TOWN COUNCIL
MEETING MEMORANDA
FOR**

Monday, March 18, 2019 at 7:30 AM
Zionsville Town Hall Council Chamber
1100 West Oak Street

Date of Preparation, March 18, 2019

Members Present: Bryan Traylor, Vice-President; Elizabeth Hopper, Jason Plunkett, Kevin Spees and Susanna Suarez

Members Absent: Josh Garrett, President and Tom Schuler

Also Present: Tim Haak, Mayor; Ed Mitro, Deputy Mayor; Adam Steuerwald, Town Attorney; Amy Lacy, Director of Finance & Records; and Town Department Staff.

1. OPENING

- A. Call meeting to order
- B. Pledge of Allegiance

2. APPROVAL OF THE MEMORANDUM OF THE March 04, 2019 REGULAR MEETING (copy posted).

COUNCIL ACTION: Councilor Hopper moved to approve the Memoranda of the March 4, 2019 Town Council Meeting. Councilor Spees seconded the motion.

The Memoranda of the March 4, 2019 Town Council Meeting was approved by a vote of five in favor, zero opposed.

3. REQUEST TO SPEAK

There were no requests to speak.

4. OLD BUSINESS

- A. Consideration of an Ordinance to Re-Establish the Cumulative Capital Development Fund (**SECOND READING, PUBLIC HEARING, AND VOTE**). **ORDINANCE #2019-04**
Deputy Mayor Mitro reviewed the ordinance. He answered questions from the Council.
With Proof of Publication for a Public Hearing noted, Vice-President Traylor opened the Public Hearing for comment.
With no public comment, Vice-President Traylor closed the Public Hearing and called for discussion or a motion.
COUNCIL ACTION: Councilor Spees moved to adopt Ordinance #2019-04. Councilor Plunkett seconded the motion.
Ordinance #2019-04 was adopted on final reading by a vote of five in favor, zero opposed.
- B. Consideration of an Ordinance to Re-Establish the Cumulative Firefighting Building Equipment Fund (**SECOND READING, PUBLIC HEARING, AND VOTE**). **ORDINANCE #2019-05**
Deputy Mayor Mitro reviewed the ordinance.
With Proof of Publication for a Public Hearing noted, Vice-President Traylor opened the Public Hearing for comment.
With no public comment, Vice-President Traylor closed the Public Hearing and called for discussion or a motion.
COUNCIL ACTION: Councilor Hopper moved to adopt Ordinance #2019-05. Councilor Spees seconded the motion.
Ordinance #2019-05 was adopted on final reading by a vote of five in favor, zero opposed.
- C. Consideration of an Ordinance Amending and Restating Title I of the Town of Zionsville Code of Ordinances – Chapter 10 (**SECOND READING AND VOTE**). **ORDINANCE #2019-06**
Deputy Mayor Mitro reviewed the ordinance.
COUNCIL ACTION: Vice-President Traylor moved to adopt Ordinance #2019-06. Councilor Spees seconded the motion.
Ordinance #2019-06 was adopted on final reading by a vote of five in favor, zero opposed.

- D. Consideration of an Ordinance Amending and Restating Title III of the Town of Zionsville Code of Ordinances – Chapter 30 **(SECOND READING AND VOTE)**. **ORDINANCE #2019-07**
Deputy Mayor Mitro reviewed the ordinance and answered questions from the Council.
COUNCIL ACTION: Councilor Hopper moved to adopt Ordinance #2019-07. Councilor Suarez seconded the motion. Ordinance #2019-07 was adopted on final reading by a vote of five in favor, zero opposed.

5. NEW BUSINESS – NONE

6. OTHER MATTERS

There were no other matters to discuss.

7. ADJOURN

COUNCIL ACTION: Councilor Spees moved to adjourn the meeting. Councilor Suarez seconded the motion. The motion was approved by a vote of five in favor, zero opposed.

The next regular Town Council meeting is scheduled for Monday April 08, 2019 @ 7:00 PM in the Zionsville Town Hall Council Chamber (Note that the meeting is shifted to the second Monday of the month due to Spring Break).

Respectfully Submitted,

Amelia A. Lacy

Amelia Anne Lacy, Director
Department of Finance & Records
Town of Zionsville

**ORDINANCE 2019-
OF THE TOWN OF ZIONSVILLE**

**AN ORDINANCE REGULATING
THE FIRING OR DISCHARGE OF WEAPONS**

WHEREAS, the Town Council of the Town of Zionsville, Indiana (“Town”) has been informed and advised that residents of the Town are concerned with the firing and discharge of weapons on property located within the Town; and

WHEREAS, the Town has been informed and advised that property owners in the Town have reported incidents where random and unsafe, irresponsible and erratic shooting or discharge of guns has occurred, and continues to occur in the Town; and

WHEREAS, the Town agrees that such firing and discharge of weapons is inappropriate and it is necessary for residents to be safe and secure in their persons and properties; and

WHEREAS, the Town believes it is necessary to regulate the firing and discharge of weapons in the Town to avoid a significant risk of serious bodily injury, death, or damage to person or property; and

WHEREAS, the Town understands that a political subdivision is prohibited under Ind. Code §35-47-11.1 from regulating (1) firearms, ammunition, and firearm accessories; (2) the ownership, possession, carrying, transportation, registration, transfer, and storage of firearms, ammunition, and firearm accessories; and (3) commerce in and taxation of firearms, firearm ammunition, and firearm accessories; and

WHEREAS, notwithstanding the provisions of Ind. Code §36-47-11.1, the Town has the authority to prohibit the firing or discharge of weapons and/or firearms under Ind. Code §36-8-2-4 which states, “a unit may regulate conduct, or use or possession of property, that might endanger the public health, safety or welfare”; and

WHEREAS, the Town believes it is the best interest of community to regulate the firing or discharge of weapons and/or firearms.

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

Section One. Discharging Firearms. It shall be unlawful for any person to shoot, fire, or discharge any firearm within the Urban Area of the Town, as provided herein. For purposes of this Section, “firearm” shall mean any weapon that is capable of expelling, designed to expel or may readily be converted to expel a projectile by means of explosion. The term “firearm” shall include handguns, machine guns, rifles, shotguns, and all other weapons which fit the definition

of “firearm” as provided herein, as defined by Ind. Code §35-47-1, *et seq.*, or any other applicable State or Federal laws.

Section Two. Exemptions. This Ordinance shall not prohibit the discharge of firearms by certain exempted persons, namely:

1. Any legally appointed local, state or federal law enforcement officer acting within the capacity of his or her authorized duty.
2. Any person, who is legally authorized and licensed to own and possess a firearm, is acting in self-defense, the defense of their dependents, or the defense of a fellow citizen(s), if the circumstances are such that a reasonable and responsible adult would determine that discharging the firearm is of absolute and immediate necessity, and that no alternative and less dangerous solution is feasible at the time, and in doing so does not violate any local, state, or federal laws.
3. Any duly licensed hunter, provided all applicable hunting laws and regulations are adhered to and the hunter has permission to discharge the weapon on the land being used for hunting.
4. Any person discharging a weapon at a lawfully operated shooting range, skeet range, or gun club.
5. Any person discharging a weapon for the purpose of defending themselves or their loved ones (including an animal) against another animal.
6. Any person discharging a weapon for the purpose of ending the life of an injured or sick animal.
7. This Ordinance shall not be construed to restrict or otherwise prohibit the legal possession, purchase, or use of firearms in accordance with applicable Indiana law, the Indiana Constitution or the United States Constitution.

Section Three. Restriction on Regulation. This Ordinance only regulates the firing or discharging of weapons within the Urban Area (see map listed as Attachment A) and shall not be construed to regulate or otherwise restrict the following:

1. Firearms, ammunitions, and firearm accessories;
2. The ownership, possession, carrying, transportation, registration, transfer, and storage of firearms, ammunition, and firearm accessories; and
3. Commerce in and taxation of firearms, firearm ammunition, and firearm accessories.

Section Four. Violations. Any violation of this Ordinance shall result in the following penalties, namely:

1. First Offense: \$250.00 fine;
2. Second Offense: \$750.00 fine;
3. Third Offense and subsequent offenses: \$2,500.00 fine.

Any second or subsequent offense shall be in the same calendar year.

Section Five. Severability. If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

Section Six. Effectiveness. This Ordinance shall take effect immediately and be in full force and effect from and after its passage and adoption by the Town Council of the Town, and publication in conformance with applicable law.

DULY PASSED AND ADOPTED this ____ day of _____, 2019, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

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

	YEA Signature	NAY Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Kevin Spees, Member		
Thomas Schuler, Member		
Jason Plunkett, Member		
Elizabeth Hopper Member		
Susana Suarez, Member		

I hereby certify that the foregoing Ordinance was delivered to Town of Zionsville Mayor Timothy R. Haak on the ____ day of _____ 2019, 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 2019-
OF THE TOWN OF ZIONSVILLE**

**AN ORDINANCE AMENDING TITLE VII, CHAPTER 75, SCHEDULE I
OF THE TOWN OF ZIONSVILLE CODE OF ORDINANCES PURSUANT
TO INDIANA CODE §9-21-1-3**

WHEREAS, Indiana Code §9-21-1-3 confers upon the Town Council of the Town of Zionsville, Indiana (“Town Council”) the power to identify stop intersections, establish speed limits and adopt any other traffic regulations specifically authorized by Indiana Code 9-21 with respect to streets and highways under the Town of Zionsville’s (“Town”) jurisdiction; and

WHEREAS, the Town Council desires to amend the “Loading Zone” schedules in Schedule I, of the Code of Ordinances, Title VII, Chapter 75.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, INDIANA, THAT:

Section One. Title VII, Chapter 75, Schedule I of the Code of Ordinances. Schedule I (Loading Zones), of Title VII, Chapter 75 of the Code of Ordinances of the Code is hereby deleted and replaced with the following:

<i>Street</i>	<i>Side</i>	<i>Location</i>	<i>Special Provisions</i>
First Street	East	From its intersection with Oak Street north to its intersection with Cedar Street	Reserved and limited as a loading zone only from 6:00 a.m. to 10:00 a.m., Monday through Friday.
First Street	East	From its intersection with Pine Street north to its intersection with Oak Street	Reserved and limited as a loading zone only from 6:00 a.m. to 4:00 p.m., Monday through Friday.

Section Two. Severability. If any section, clause, provision, or portion of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

Section Three. Effectiveness. This Ordinance shall take effect immediately and be in full force and effect from and after its passage and adoption by the Town Council of the Town, and upon conformance with applicable law.

DULY PASSED AND ADOPTED this _____ day of _____, 2019, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

	YEA Signature	NAY Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Kevin Spees, Member		
Thomas Schuler, Member		
Jason Plunkett, Member		
Elizabeth Hopper Member		
Susana Suarez, Member		

I hereby certify that the foregoing Ordinance was delivered to Town of Zionsville Mayor Timothy R. Haak on the _____ day of _____ 2019, 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