



**ZIONSVILLE TOWN COUNCIL
MEETING AGENDA
FOR**

Monday June 6, 2016 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)

1. OPENING

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

2. APPROVAL OF THE MEMORANDA OF THE MAY 2, 2016 REGULAR MEETING (COPY POSTED)

Documents: [2016-06-06_TC_MEETING_MEMORANDA_MAY_2_2016_TOWN_COUNCIL_MEETING.PDF](#)

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

5. OLD BUSINESS

- A. Consideration Of An Additional Appropriation Resolution (\$186,901.72), For The Creation Of A Planner II Position In The Department Of Planning And Economic Development And A Director Of Community Relations Position In The Administration Department (PUBLIC HEARING)

Documents: [2016-06-06_TC_MEETING_RESOLUTION_ADDITIONAL_APPROPRIATIONS_GEN_FUND.PDF](#)

- B. Consideration Of An Amendment To The Town Of Zionsville's 2016 Salary Ordinance To:

Documents: [2016-06-06_TC_MEETING_ORDINANCE_SALARY_ORDINANCE_AMENDMENT.PDF](#)

- I. Change A Position's Title And Rating And Add A Position And Rating To The Department Of Planning And Economic Development; And
- II. Add The Position And Rating To The Administration Department.

6. NEW BUSINESS

- A. Consideration Of An Additional Appropriation Resolution From The General Fund (\$17,000.00) For Pass-Through Engineering Fund Reimbursement. (PUBLIC HEARING)

Documents: [2016-06-](#)

- B. Consideration Of An Additional Appropriation Resolution From The Motor Vehicle Highway Fund (\$575,000.00) To Provide Additional Funds For Street Repairs And Paving In 2016 And For The Purchase Of Milling Equipment For The Street And Stormwater Department. (PUBLIC HEARING)

Documents: [2016-06-06_TC_MEETING_RESOLUTION_ADDITIONAL_APPROPRIATIONS_MVH_FUND.PDF](#)

- C. Consideration Of A Technical Amendment To Council Resolution #2016-08 (PERF Enlargement)

Documents: [2016-06-06_TC_MEETING_RESOLUTION_PERF_RESOLUTION_AMENDMENT.PDF](#)

- D. Consideration Of A Resolution Authorizing An Investment Policy For The Town Of Zionsville

Documents: [2016-06-06_TC_MEETING_RESOLUTION_INVESTMENT_POLICY.PDF](#)

- E. Consideration Of An Ordinance To Amend Section 70.99 Of The Zionsville Code Of Ordinances Regarding Traffic Code Penalties (Collection Agency Fee)

Documents: [2016-06-06_TC_MEETING_ORDINANCE_AMEND_SECTION_70-99_TRAFFIC_CODE_PENALTIES.PDF](#)

- F. Consideration Of An Ordinance To Reestablish The Cumulative Capital Development Fund. (PUBLIC HEARING)

Documents: [2016-06-06_TC_MEETING_ORDINANCE_CUMULATIVE_CAPITAL_DEVELOPMENT_FUND.PDF](#)

- G. Consideration Of An Ordinance To Reestablish The Fire Equipment Replacement Fund. (PUBLIC HEARING)

Documents: [2016-06-06_TC_MEETING_ORDINANCE_CUMULATIVE_FIREFIGHTING_BUILDING_EQUIPMENT_FUND.PDF](#)

- H. Consideration Of A Zone Map Change Ordinance To Rezone 0.275 Acre From The SU-2 (Urban Special Use Zoning District) To The R-V (Urban Residential Village) Zoning Classification

Documents: [2016-06-06_TC_MEETING_MAP_ZONING_AMENDMENT_LOCATION.PDF](#), [2016-06-06_TC_MEETING_ORDINANCE_AMEND_THE_ZONING_ORDINANCE.PDF](#)

- I. Consideration Of An Ordinance To Establish A Fund For LOIT Special Distributions

Documents: [2016-06-06_TC_MEETING_ORDINANCE_LOIT_SPECIAL_DISTRIBUTIONS_FUND.PDF](#)

7. APPROVAL OF CLAIMS

8. ADJOURN

- A. The Next Regular Town Council Meeting Is Scheduled For Tuesday July 5, 2016 @ 7:00 PM (Please Note Change In Date Due To The Independence Day Holiday)



**ZIONSVILLE TOWN COUNCIL
MEETING MEMORANDA
FOR**

Monday May 2, 2016 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: May 4, 2016

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

Also Present: Tim Haak, Mayor; Ed Mitro, Town Manager; Attorney, Rich Starkey, Barnes & Thornburg; 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 MEMORANDA OF THE APRIL 4, 2016 REGULAR MEETING (COPY POSTED).

COUNCIL ACTION: Councilor Traylor moved to approve the Memoranda of the April 4, 2016 Town Council Meeting. Councilor Garrett seconded the motion. The Memoranda of the April 4, 2016 meeting was 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 – There being no Request to Speak cards submitted, President Suarez requested that anyone wishing to speak please step forward at this time. No response was given from the audience.

5. OLD BUSINESS

- A. Consideration of a Resolution regarding the enlargement of PERF enrollment. **RESOLUTION #2016-08**

Town Manager Ed Mitro briefly reviewed Resolution 2016-08 regarding the addition of positions to the PERF enrollment to include new or changed position titles.

COUNCIL ACTION: Councilor Garrett moved to approve Resolution #2016-08 and Councilor Hopper seconded the motion. Resolution #2016-08 was approved by a vote of seven in favor, zero opposed.

- B. Consideration of a request for a waiver of Chapter 50 of the Town of Zionsville Code of Ordinances/Drainage Code (DeRossi property project).

Matt Price, Attorney for the DeRossi property project, reviewed the project and the need for the requested waiver. He provided a letter from Ken Hedge, Boone County Surveyor.

COUNCIL ACTION: Councilor Traylor made a motion to approve the request for the waiver and Councilor Hopper seconded the motion. The waiver request was granted by a vote of seven in favor, zero opposed.

6. NEW BUSINESS

- A. Consideration of an Additional Appropriation Resolution (\$250,000.00 LIDS grant from the IEDC). **(PUBLIC HEARING) RESOLUTION #2016-09**

After a review of Resolution #2016-09 by Wayne Delong, Director of Planning and Economic Development regarding the need for the Additional Appropriation to allow funds to be transferred from the general TIF fund to a specific line item, President Suarez, with Proof of Publication for a Public Hearing, opened the Public Hearing for comment. With no public comment, President Suarez closed the Public Hearing and called for discussion or a motion on Resolution #2016-08.

COUNCIL ACTION: Councilor Garrett moved to approve Resolution #2016-08 and Councilor Traylor seconded the motion. Resolution #2016-08 was approved by a vote of seven in favor, zero opposed.

- B. Consideration of an Additional Appropriation Resolution (\$186,901.72 for the creation of a Planner II position in the Department of Planning and Economic Development and a Director of Communications and Community Relations position in the Administration Department) **(PUBLIC HEARING) RESOLUTION #2016-10**

- C. Consideration of an Amendment to the Town of Zionsville's 2016 Salary Ordinance to:

1. change a position's title and rating and add a position and rating to the Department of Planning and Economic Development; and
2. add the position and rating to the Administration Department. **ORDINANCE #2016-05**

Town Manager Ed Mitro reviewed Item 6B, Additional Appropriation Resolution #2016-10 and Item 6C, Consideration of an Amendment to the Town of Zionsville's 2016 Salary Ordinance #2016-05 and requested that item 6B be continued to the June 6, 2016 Town Council Meeting and item 6C be tabled until the June 6 Meeting as well.

President Suarez called for a motion to continue Consideration of an Additional Appropriation Resolution #2016-10 and table Consideration of an Amendment to the 2016 Zionsville Salary Ordinance #2016-05 to the June 6, 2016 Town Council meeting.

COUNCIL ACTION: Councilor Spees moved to continue the Consideration of An Additional Appropriation Resolution # 2016-10 and table the Consideration of an Amendment to the Town of Zionsville's 2016 Salary Ordinance #2016-05 to the June 6, 2016 Town Council meeting. Councilor Papa seconded the motion. The motion was approved by a vote of 7 in favor, zero opposed.

- D. Consideration of a Declaratory Resolution regarding an amendment to the 334/700 Economic Development Area / approval of the Economic Development Plan (EDP) supplement. **RESOLUTION #2016-11**

Wayne Delong, Director of Planning and Development reviewed Resolution #2016-11.

COUNCIL ACTION: Councilor Garrett moved to approve Resolution #2016-11 and Councilor Traylor seconded the motion. Resolution #2016-11 was approved with a vote of seven in favor, zero opposed.

- E. Consideration of a Cash Change Fund Ordinance for the Town of Zionsville. **ORDINANCE #2016-06**

Amy Lacy, Director of Finance and Records reviewed Ordinance #2016-06 and stated it would improve accountability and strengthen internal controls.

COUNCIL ACTION: Councilor Hopper moved to adopt Ordinance #2016-06 on first reading and Councilor Garrett seconded the motion. The motion passed with a vote of seven in favor, zero opposed.

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

Councilor Schuler moved to adopt Ordinance #2016-06 on final reading and Councilor Garrett seconded the motion. Ordinance #2016-06 was adopted by a vote of seven in favor, zero opposed.

F. Consideration of an Ordinance to establish the position of Deputy Mayor for the Town of Zionsville. **ORDINANCE #2016-07**

Mayor Tim Haak reviewed Ordinance #2016-07 and discussed the need for the position of Deputy Mayor which would replace the current title job title of Town Manager.

COUNCIL ACTION: Councilor Papa moved to adopt Ordinance #2016-07 on first reading and Councilor Hopper seconded the motion. The motion passed with a vote of in seven favor, zero opposed.

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

Councilor Papa moved to adopt Ordinance #2016-07 on final reading and Councilor Hopper seconded the motion.

Ordinance #2016-07 was adopted by a vote of seven in favor, zero opposed.

G. Consideration of a Zoning Ordinance amendment to modify both text and graphics of an existing Planned Unit Development (PUD) document (Creekside Corporate Park PUD). **ORDINANCE #2016-08**

Wayne Delong, Director of Planning and Economic Development reviewed Ordinance #2016-08.

COUNCIL ACTION: Councilor Traylor moved to adopt Ordinance #2016-08 on first reading and Councilor Spees seconded the motion. The motion passed with a vote of seven in favor, zero opposed.

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

Councilor Traylor moved to adopt Ordinance #2016-08 on final reading and Councilor Garrett seconded the motion.

Ordinance #2016-08 was adopted by a vote of seven in favor, zero opposed.

H. Consideration of a commitment amendment to provide for modification of Commitments made in relation to Ordinance #2009-05 in the Rural General (GB) Business District.

Wayne Delong, Director of Planning and Zoning reviewed the commitment amendment and stated that the certification was presented with a unanimous unfavorable recommendation from the Plan Commission. He also stated that it was part of a two part process for the Plan Commission, with the Consideration of the commitment modifications already being heard and the development plan still pending.

Questions and discussion from Council followed.

Matt Price, Attorney for the Get Go project and Pat Avolio, Director of Real Estate Development for the project answered questions and reviewed the project.

At President Suarez's request, Councilor Papa reviewed the history of the issues regarding the area in question.

President Suarez called for a motion to approve the change in commitments as described in the commitment amendment in relation to Ordinance #2009-05.

COUNCIL ACTION: Councilor Garrett moved to approve the commitment amendment to provide for modification of Commitments made in relation to Ordinance #2009-05 in the Rural General (GB) Business District. Councilor Hopper seconded the motion. The commitment amendment was approved by a vote of seven in favor, zero opposed.

6. APPROVAL OF CLAIMS

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

7. ADJOURN

COUNCIL ACTION: Councilor Hopper moved to adjourn and Councilor Garrett seconded the motion. The motion was approved by a vote of seven in favor, zero opposed.

The next regular Town Council meeting is scheduled for Monday June 6, 2016 @ 7:00 PM.

Respectfully submitted,

Amelia Anne Lacy, Director Finance and Records

DRAFT

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)	Planner II (Line item #101001131)	\$59,837.10	\$59,837.10
	Director of Communications And Community Relations (Line item #101001124)	\$64,400.00	\$64,400.00
	Admin. FICA/Medicare (Line item #101001120)	\$ 9,504.14	\$ 9,504.14
	Admin. PERF (Line item #101001121)	\$17,641.68	\$17,641.68
	Admin. Health Insurance (Line item #101001122)	\$35,518.80	\$35,518.80
<u>Total General Fund</u>		<u>\$186,901.72</u>	<u>\$186,901.72</u>

Total Amount Appropriated - \$186,901.72

Funds noted above are available for additional appropriation via a February 2016 balance in the General Fund of \$511,215.91

The purpose of these additional appropriations is to fund two new positions for the Town of Zionsville: 1. Planner II; and, Director of Communications and Community Relations.

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 AMENDING THE SALARY ORDINANCE
OF THE TOWN OF ZIONSVILLE, INDIANA
FOR THE CALENDAR YEAR 2016
PURSUANT TO INDIANA CODE §36-5-3-2(b).

WHEREAS, §I.C. 36-5-3-2(b) confers upon the Zionsville Town Council (“Town Council”), the power to provide reasonable compensation for Town of Zionsville (“Town”) employees; and

WHEREAS, the Town Council adopted Ordinance No. 2015-18 on October 26, 2015 providing for compensation to be paid to officials and employees of the Town for calendar year 2016; and

WHEREAS, the Department of Planning & Economic Development is being reorganized by renaming the current Assistant Planner position as Planner I and creating a new position of Planner II; and

WHEREAS, the Department of Administration is creating a new position of Director of Communications and Community Relations; and

WHEREAS, the salary ordinance must be amended to reflect the three positions’ titles, ratings and salaries.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Zionsville, Indiana that the following exhibit of Ordinance 2015-18 is hereby amended.

Section 1. Amendment. The 2016 Salary Ordinance, Ordinance No. 2015-18, is hereby amended by deleting “Exhibit A” adopted as a part of Ordinance 2015-18 and replacing it with an amended “Exhibit A” attached as a part of this Ordinance amendment.

Section 2. 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 3. 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 4. 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 the Ordinance.

Section 5. Duration and Effective Date. The provisions of this Ordinance shall become and remain in full force and effect on December 7, 2015, following the date of its passage and adoption upon its signature by the Town’s executive in the manner prescribed by I.C. §36-5-2-10(a) and until its repeal by ordinance.

Introduced and filed on the 4th day of January 2016. A motion to consider of 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

NAY

	Signature	Signature
Susana Suarez, President		
Elizabeth Hopper, Vice President		
Bryan Traylor		
Jeff Papa		
Thomas Schuler		
Keven 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

EXHIBIT A

**Town of Zionsville Wage Schedule - 2016
and Salary Administration Guidelines - October 26, 2015
as amended May 2, 2016**

DEPARTMENT/POSITION	Rating	pay from GEN'L FUND	pay from SEWER FUND	pay from MVH FUND	pay from PARK FUND	pay from FIRE FUND	BASE SALARY*	<u>Maximum</u> Performance Increase (to base salary)
Administration								
		100%					\$480.00	
		100%					\$240.00	
		100%					\$5,000.00	
		100%					\$10,000.00	
X	mayor	100%					\$120,000.00	
X	director of finance & Rec.	66.8	100%				\$75,498.00	3.15%
	dir. Of Communication	56.9	100%				\$64,400.00	3.00%
	chief deputy director	43.3	100%				<u>\$53,723.00</u>	3.00%
	sewer deputy director	31.9		100%			\$46,682.00	3.00%
	court deputy director	31.9	100%				\$46,682.00	3.00%
X	town manager	86.5	100%				\$92,197.00	3.15%
X	Dir. Of Plan. & Ec. Dev.	69	100%				\$78,380.00	3.15%
	Planner I	41.7	100%				\$53,723.00	3.00%
	Planner II	51.7	100%				\$59,837.10	3.00%
X	IT director	61	100%				\$66,856.00	3.15%
	Building Tech. Coordinator	34.7	100%				\$46,867.00	3.00%
	sr. inspector/p.a.	51.9	100%				\$62,723.00	3.00%
	building inspector	50	100%				\$61,073.00	3.00%
	compliance inspector	40.8	100%				\$53,607.00	3.00%
	twm mgr admin assist	40.8	100%				\$53,785.00	3.00%
	plan admin assistant	31.9	100%				\$46,682.00	3.00%
	judge		100%				\$6,000.00	
	prosecutor		100%		per court session		\$220.00	
	maintenance - 30 hrs/wk		100%				\$18,735.00	
	Safety board member		100%				\$360.00	
	Safety board president		100%				\$540.00	
Police								
X	chief of police	77.7	100%				\$84,109.43	3.15%
X	captain - operations	60	100%				\$69,675.00	3.15%
X	captain - admin.	60	100%				\$69,675.00	3.15%
	lieutenant	54.4	100%				\$64,295.81	3.00%
	sergeant	47.9	100%				\$59,121.25	3.00%
	detective/specialist	46.2	100%				\$55,815.54	3.00%
	patrolman II	43.3	100%				\$55,498.46	3.00%
	patrolman I	38.8	100%				\$51,192.22	3.00%
	admin assistant	31.9	100%				\$46,811.71	3.00%
	patrolman pension base						\$56,885.92	
	part time		100%			max per hour	\$11.00	
	police commissioner		100%	(non T.C. member)		per meeting	\$25.00	

**Town of Zionsville Wage Schedule - 2016
and Salary Administration Guidelines - October 26, 2015**

DEPARTMENT/POSITION	Rating	pay from GEN'L FUND	pay from SEWER FUND	pay from MVH FUND	pay from PARK FUND	pay from FIRE FUND	BASE SALARY*	<u>Maximum</u> Performance Increase (to base salary)
Fire								
X	fire chief	79.6				100%	\$86,624.00	3.15%
X	deputy chief	69.8				100%	\$79,421.00	3.15%
X	division chief	63.1				100%	\$72,933.00	3.15%
	captain	55.2				100%	\$69,382.00	3.00%
	lieutenant	48.5				100%	\$59,844.00	3.00%
	engineer	46.7				100%	\$57,544.00	3.00%
	firefighter II	44.7				100%	\$56,816.00	3.00%
	firefighter I	41				100%	\$53,854.00	3.00%
	part time			max per hour		100%	\$22.00	
	admin assistant	31.9				100%	\$46,562.00	3.00%
	firefighter pension base						\$58,520.00	
	** paramedic					100%	\$4,000.00	
	Engineer-Lieutenant Ride-out Pay			per 12 hour shift		100%	\$8.00	
	FF-Lieutenant Ride-out Pay			per 12 hour shift		100%	\$12.50	
	FF-Engineer Ride-out Pay			per 12 hour shift		100%	\$4.00	
** Annual stipend is based upon semi-annual performance reviews completed by the Fire Chief or designee.								
Amounts shall be compensated in arrears one half on July 1, 2016 and one half on December 15, 2016.								
Wastewater								
X	superintendent	73.3	100%				\$73,634.00	3.15%
	chief operator	52.7	100%				\$62,300.00	3.00%
	plant operator II	33.5	100%				\$48,860.00	3.00%
	plant operator I	27.3	100%				\$42,313.00	3.00%
	labor - part time		100%		max per hour		\$12.00	
Street & Stormwater								
X	superintendent	71.5		100%			\$79,338.00	3.15%
X	assistant superintendent	55.6		100%			\$64,884.00	3.00%
	stormwater coordinator	48.3		100%			\$55,355.00	3.00%
	team leader	38.3	8%	92%			\$51,521.00	3.00%
	street technician II	31.3	8%	92%			\$45,948.00	3.00%
	street technician I	25.8	8%	92%			\$41,575.00	3.00%
	labor - part time			100%	max per hour		\$11.00	
	admin assistant	31.9		100%			\$45,920.00	3.00%
Parks & Recreation								
	park board member				100%		\$480.00	
X	superintendent	65.2			100%		\$71,985.12	3.15%
X	ass't. superintendent	45			100%		\$55,100.64	3.00%
	park technician II	27.1			100%		\$43,418.88	3.00%
	park technician I	21.7			100%		\$38,255.04	3.00%
X	naturalist	39			100%		\$48,663.60	3.00%
	labor - part time		max per hour		100%		\$12.00	

*Salary for time worked in calendar year 2016.

X = exempt status per FLSA

See "Zionsville Salary Administration" for guidelines to be used for administering salary increases for 2016 - attached.

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)	\$17,000.00	\$17,000.00
<u>Total General Fund</u>		<u>\$17,000.00</u>	<u>\$17,000.00</u>

Total Amount Appropriated - \$17,000.00

Funds noted above are available for additional appropriation via a March 2016 balance in the General Fund of \$413,596.29

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

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>
Motor Vehicle Highway Fund (Fund #201)	Street Repairs (Line item #201002364)	\$500,000.00	\$500,000.00
	Equipment (Line item #201002441)	\$ 75,000.00	\$ 75,000.00
<u>Total Motor Vehicle Highway Fund</u>		<u>\$575,000.00</u>	<u>\$575,000.00</u>

Total Amount Appropriated - \$575,000.00

Funds noted above are available for additional appropriation via a March 2016 balance in the Motor Vehicle Highway Fund of \$1,863,921.02

The purpose of the additional appropriation is to provide additional funds for street repairs and paving in 2016 and for the purchase of milling equipment for the Street and Stormwater 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

RESOLUTION NO. 2016-_____

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
INDIANA, AMENDING ELECTION TO JOIN THE PUBLIC EMPLOYEE'S
RETIREMENT FUND AS ADMINISTERED BY
THE INDIANA PUBLIC RETIREMENT SYSTEM**

WHEREAS, the Town Council adopted Resolution No. 2016-08 on May 4, 2016 to enlarge the Town's participation in the Public Employees Retirement Fund (PERF) as administered by the Indiana Public Retirement System; and

WHEREAS, the Mayor signed the Resolution on May 5, 2016; and

WHEREAS, the Town has been notified by PERF of a clerical error in the previously adopted Resolution that requires correction; and

WHEREAS, in Section Four of the Resolution (page 3) the percentage of 11.2% needs to be corrected to state 3%; and

WHEREAS, the Town wishes to correct the error to allow for enlargement in PERF effective July 1, 2016.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Town Council of the Town of Zionsville, Boone County, Indiana:

Section 1. Amend Section Four, Page 3 as follows: "That, effective as of the 1st day of July, 2016, this participating political subdivision or miscellaneous participating entity shall pick up all or 3% of the mandatory contribution for all employees who are members of PERF. Said employees shall not be entitled to choose to receive the contributed amounts directly instead of having them paid by the employer to the specified pension fund."

Section 2. Effective date.

This Resolution shall be in full force and effect from and after its adoption by the Town Council and approval by the Mayor. This amendment shall supersede the relevant section in Resolution 2016-08.

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

RESOLUTION NO. 2016-_____

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
INDIANA, AUTHORIZING INVESTMENTS**

WHEREAS, Ind. Code § 5-13-9 *et seq.* authorizes the Town Council, as the fiscal body of the Town, to approve and authorize the investment of public funds; and

WHEREAS, state statute requires the fiscal body to approve and authorize the investment of public funds; and

WHEREAS, the Town, from time to time, reviews its investment policies and procedures to ensure the best possible stewardship and oversight of taxpayer funds; and

WHEREAS, the Town wishes to establish policies and procedures for authorized investments of public funds.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Town Council of the Town of Zionsville, Boone County, Indiana:

Section 1. Purpose. The purpose of this Resolution is to establish an Investment Policy (“Policy”) for the Town. The Policy is to provide investment objectives and guidelines for the management of public funds, to safeguard public funds on behalf of the Town, to assure the availability of funds when needed, to encourage investments that earn a competitive rate of return, and at all times, invest according to and consistent with state law, Ind. Code § 5-13-9 *et seq.* as amended.

Section 2. Investing Officer. The Director of the Department of Finance and Records is hereby designated, for the limited purposes of this Resolution, as the Town’s investing officer (“Investing Officer”) and is hereby authorized to invest Town funds in authorized funds or any fund that state statutes, as amended, may deem or consider an authorized fund prior to the expiration of this Policy.

Section 3. Minimum Rating. Authorized funds in which the Investing Officer invests Town funds shall have attained as least the minimum rating required by state statutes, as amended.

Section 4. State Statutes. All investments made by the Investing Officer shall be made in accordance with Ind. Code § 5-13 *et seq.*

Section 5. Types of Investments. The Investing Officer is authorized to invest in certificates of deposit of depositories that have not been designated by the local board of finance but have been designated by the state board of finance as a depository for state deposits under Ind. Code § 5-13-9.5. In accordance with Ind. Code § 5-13-9-5(a), this section shall expire two (2) years from the date this Resolution is adopted.

no limitation of the total investment per institution. Total investment with a non-rated institution is limited to the lesser of ten percent (10%) of the institution's capital and ninety (90) days maximum maturity.

Section 12. Diversification of Investments. The Town's investment portfolio shall be diversified by institution, investment instruments and maturity schedule to the extent practical and prudent. Maturities shall be time diversified over a schedule determined by known liability to achieve target duration or weighted average maturity for the portfolio based on the judgment of the Investing Officer.

Section 13. Limitation on the Amount Invested. The Town's total investments outstanding shall be limited to not more than twenty-five (25%) of the total portfolio of public funds invested by the Town, including balances in transaction accounts, in accordance with Ind. Code § 5-13-9-5.7(a).

Section 14. Ethics and Conflicts of Interest. The Investing Officer and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or which could impair their ability to make impartial decisions. The Investing Officer and employees involved in the investment process shall complete a Conflict of Interest form provided by the Town Attorney affirming that the Investing Officer or employee does not have a pecuniary interest in the Town's investments.

Section 15. Reporting. The Investing Officer shall maintain an inventory of all obligations and securities and shall provide quarterly investment reports to the Mayor detailing the following types of information: types of investments, depository institutions, principal balances, maturity dates, rates of return, purchases and sales.

The Investing Officer shall also make an annual written report to the Town Council summarizing the Town's investments during the previous calendar year. The report must contain the name of each financial institution, government agency or instrumentality, or other person with whom the Town invested money during the previous calendar year. The Town Council shall review and the report and review the Town's overall investment policy.

The Investing Officer shall review this Policy at least annually and propose such changes to safeguard funds on behalf of the Town, to assure the availability of funds when needed, and to provide a competitive investment return.

Section 16. Effective date.

This Resolution shall be in full force and effect from and after its adoption by the Town Council and approval by the Mayor and shall expire three (3) years after the adoption date. This Resolution shall supersede and replace any previous Resolution or resolution authorizing investments.

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

**AN ORDINANCE TO AMEND SECTION 70.99 OF THE ZIONSVILLE CODE OF
ORDINANCES REGARDING TRAFFIC CODE PENALTIES**

WHEREAS, Indiana Code § 5-22-6.5 et seq. allows the Town to enter into a contracts for Collection Services; and

WHEREAS, Indiana law also allows the Collection Agency to collect from the debtor a collection fee; and

WHEREAS, the Town of Zionsville has entered into a contract for Collection Services on behalf of the Zionsville Town Court to collect unpaid fines due and owing to the Court; and

WHEREAS, it is now necessary to amend the Zionsville Code of Ordinances regarding Traffic Code Penalties to allow for the collection fee;

Now, therefore, be it ordained by the Zionsville Town Council of the Town of Zionsville, Boone County, Indiana it is hereby ordered as follows:

1. **Amendment to Penalty.** Section 70.99 is amended to read as follows: “The schedule of violations, adopted by order of the Town Court ~~on 11-5-2005~~, is incorporated into this traffic code in its entirety. Each violator of any provision of this traffic code shall pay a fine and penalty to the town in the amount set forth in such schedule of violations or as determined by the Town Court in any of its proceedings. **Such fine and penalty may include an additional collection fee of thirty percent (30%) of the unpaid balance of the fine and penalty if such fine and penalty is not timely paid by the violator.**”
2. **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.
3. **Repeal of Conflicting Ordinances.** The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are no further force or effect and are hereby repealed.
4. **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.
5. **Duration and Effective Date.** The provisions of this Ordinance shall become and remain in full force and effect and until its repeal by ordinance.

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-

**AN ORDINANCE REESTABLISHING
THE CUMULATIVE CAPITAL DEVELOPMENT FUND**

PURSUANT TO INDIANA CODE § 6-1.1-41 *et seq.* and INDIANA CODE § 36-9-15.5

WHEREAS, the Town of Zionsville has previously and maintained a Cumulative Capital Development Fund (“CCD Fund”) and imposed a tax levy for it under IC § 6-1.1-41 *et seq.* to provide money for authorized purposes for which property taxes may be imposed in accordance with IC § 36-9-15.5 *et seq.*; and

WHEREAS, the maximum property tax rate for the CCD Fund per IC § 36-9-15.5 *et seq.* is \$0.05 cents per \$100 dollars of assessed valuation; and

WHEREAS, the Town has purposes for which the funds can be spent and desires to keep the tax rate of the CCD Fund at an amount allowed by Indiana law; and

WHEREAS, the Town Council has previously established this CCD Fund and wishes to reestablish the fund effective January 1, 2017;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Zionsville, Boone County, Indiana that a need now exists for the establishment of a Cumulative Municipal Capital Development Fund for the following purposes:

Section 1. Purposes of the Fund. The Town Council hereby reestablishes the CCD Fund pursuant to IC § 6-1.1-41, to be used for the purposes allowed and set for in IC § 36-9-15.5.

Section 2. Certified Rate. The Town Council shall adhere to the provisions of Indiana Code § 36-9-15.5 *et seq.* The proposed fund will not exceed \$0.05 on each \$100 of assessed valuation. Said tax rate will be levied beginning with taxes for 2016 payable 2017.

Section 3. Proof of Publication. The Town Council shall provide proof of publication of the public hearing held on the 6th day of June, 2016, and a certified copy of this Ordinance shall be submitted to the Department of Local Government Finance of the State of Indiana as provided by law. This Municipal Cumulative Capital Development Fund is subject to the approval of the Department of Local Government Finance.

Section 4. 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 be affected thereby and shall remain in full force and effect.

Section 5. Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

Section 6. 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 7. 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 8. Duration and Effective Date. The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repealed by ordinance. Final approval of the CCD Fund shall be subject to final approval by the Department of Local Government Finance.

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 _____.

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-

**AN ORDINANCE REESTABLISHING
THE CUMULATIVE FIREFIGHTING BUILDING EQUIPMENT FUND
PURSUANT TO INDIANA CODE § 36-8-14**

WHEREAS, IC § 36-8-14 *et seq.* authorizes the Town Council to establish a Cumulative Firefighting Building Equipment Fund (“Fire Fund”); and

WHEREAS, the Town Council has previously established this Fire Fund and wishes to reestablish the fund effective January 1, 2017.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Zionsville, Boone County, Indiana that a need now exists for the establishment of a Fire Fund.

Section 1. Purposes of the Fund. The Town Council has determined a need now exists for the reestablishment of a Fire Fund for all of the purposes set out in IC § 36-8-14-2.

Section 2. Certified Rate. The Town Council shall adhere to the provisions of Indiana Code § 36-8-14 *et seq.* The proposed fund will not exceed \$0.0333 on each \$100 of assessed valuation. Said tax rate will be levied beginning with taxes for 2016 payable 2017.

Section 3. Proof of Publication. The Town Council shall provide proof of publication of the public hearing held on the 6th day of June, 2016, and a certified copy of this Ordinance shall be submitted to the Department of Local Government Finance of the State of Indiana as provided by law. This Cumulative Firefighting Building Equipment Fund is subject to the approval of the Department of Local Government Finance.

Section 4. 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 be affected thereby and shall remain in full force and effect.

Section 5. Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

Section 6. 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 7. 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 8. Duration and Effective Date. The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repealed by ordinance. Final approval of the CCD Fund shall be subject to final approval by the Department of Local Government Finance.

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 _____.

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



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

May 17, 2016

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

Be it advised that, pursuant to Indiana Code 36-7-4, on May 16, 2016, the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of 4 in favor and 0 opposed, gave a **Favorable Recommendation** to proposal 2016-28-Z to amend the Zoning Map (the "Map") of the Town of Zionsville (Legal Description attached, "Exhibit A"). Proposal 2016-28-Z recommends that 0.28 acres described in the Petition be rezoned from the (SU-2) Special Use Zoning District to the (R-V) Urban Special Residential Zoning Districts.

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2016-28-Z to amend the Zoning Map (a copy of which is attached to this Certification and incorporated here by this reference, "Exhibit B") to the Town Council of Zionsville, Indiana, with a **Favorable Recommendation**.

**TOWN OF ZIONSVILLE
ADVISORY PLAN COMMISSION**

David L. Franz, President

Attest: _____

**Wayne DeLong
Director of Planning and Economic Development
Secretary
Zionsville Advisory Plan Commission**

LEGAL DESCRIPTION OF REAL ESTATE

A PART OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 17 NORTH, RANGE 2 EAST, TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE FOUND MARKING THE NORTHWEST CORNER OF LOT 55 IN CARTER'S ADDITION AS RECORDED IN PLAT BOOK 5, PAGES 18-19, IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA; THENCE SOUTH 88 DEGREES 19 MINUTES 02 SECONDS WEST 75.00 FEET ALONG THE SOUTHERN RIGHT-OF-WAY OF POPLAR STREET TO A FOUND IRON PIPE, SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION:

THENCE SOUTH 00 DEGREES 07 MINUTES 18 SECONDS WEST 120.00 FEET TO A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP STAMPED "BENCHMARK"; THENCE SOUTH 88 DEGREES 18 MINUTES 58 SECONDS WEST 99.94 FEET TO A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP STAMPED "MILLER"; THENCE NORTH 00 DEGREES 05 MINUTES 32 SECONDS EAST 120.00 FEET TO THE SOUTHERN RIGHT-OF-WAY OF SAID POPLAR STREET AND A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP STAMPED "MILLER"; THENCE NORTH 88 DEGREES 19 MINUTES 02 SECONDS EAST 100.00 FEET ALONG THE SOUTHERN RIGHT-OF-WAY OF SAID POPLAR STREET TO THE POINT OF BEGINNING.

CONTAINING 0.28 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL LEGAL HIGHWAYS, RIGHTS-OF-WAY AND EASEMENTS RECORD.

Exhibit A

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.
2016-28-Z

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 May 16, 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 2016-28-Z; 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 May 16, 2016 (Exhibit 1); 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 February 16, 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:

1. Official Zone Map Amendment

- (a)** The Official Zone Map of the Town of Zionsville Zoning Ordinance is hereby amended to rezone the Property located in the Town of Zionsville, illustrated and listed on Exhibit B to the attached Certification, from its current (SU-2) Urban Special Use zoning classification to the (R-V) Urban Special Residential zoning classification. Such Property shall be subject to the conditions and restrictions adopted and imposed by the Zionsville Plan Commission, if any.
- (b)** The Director of Finance and Records and Staff are directed to comply with Section 7.3 of the

Zoning Ordinance by taking all actions required thereby to implement this Zone Map Amendment.

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

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

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

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

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

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

Introduced and filed on the _____ day of _____, 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		
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 the Town of Zionsville Mayor Timothy R. Haak on the ___ day of _____ 2016, at _____ m.

ATTEST: _____
Amelia 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

AN ORDINANCE TO ESTABLISH A FUND FOR LOIT SPECIAL DISTRIBUTIONS

WHEREAS, The Indiana General Assembly enacted SEA 67-2016 to allow for a special distribution of LOIT funding to the Town to be primarily allocated to road funding;

WHEREAS, Indiana's Department of Local Government Finance is requiring political subdivisions in Indiana to establish a new and separate fund to receive the special LOIT distributions; and

WHEREAS, the Town of Zionsville shall establish the fund to be eligible for the special LOIT distribution;

Now, therefore, be it ordained by the Zionsville Town Council of the Town of Zionsville, Boone County, Indiana it is hereby ordered as follows:

1. **Fund 257.** The following Fund 257 is now established to receive the LOIT special distribution.
2. **Allocation of LOIT special distribution.** The entire LOIT special distribution shall be initially receipted into the Town's Rainy Day Fund. Upon the creation and approval of the Fund 257, the Director of the Department of Finance and Records shall transfer one hundred percent (100%) of the LOIT special distribution to Fund 257. Following the transfer of one hundred percent (100%) of the LOIT special distribution to Fund 257, the Director of the Department of Finance and Records shall transfer twenty five percent (25%) of the balance in Fund 257 to the Town's General Fund.
3. **Construction of Clause Headings.** The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.
4. **Repeal of Conflicting Ordinances.** The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are no further force or effect and are hereby repealed.
5. **Severability.** If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.
6. **Duration and Effective Date.** The provisions of this Ordinance shall become and remain in full force and effect and until its repeal by ordinance.

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