



ZIONSVILLE
FOR ALL THE RIGHT REASONS

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

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

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

Also Present: Heather Harris, Town Council Attorney; Kellie Adams, Chief Financial Officer; Jarod Logsdon, Parks and Recreation Superintendent; Chief James VanGorder; Captain Drake Sterling; Amy Lacy, Municipal Relations Coordinator; and other Town Department Staff

OPENING

A. Call meeting to order

B. Pledge of Allegiance

Plunkett Good evening. I will now call to order the Monday, November 7, 2022 Town Council meeting. If you would please, stand and join me for the Pledge of Allegiance.

All Pledge of Allegiance.

APPROVAL OF THE MEMORANDUM OF THE OCTOBER 17, 2022 REGULAR MEETING

Plunkett Up first on the agenda is the approval of the memorandum of the October 17, 2022 regular Town Council meeting. A copy has been posted. Are there any questions from Councilors?

Garrett I'll make a motion to approve.

Plunkett First by Councilor Garrett.

Culp Second.

Plunkett Second by Councilor Culp. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed.

APPROVAL OF THE MEMORANDUM OF THE OCTOBER 27, 2022 SPECIAL MEETING

Plunkett Up next is the approval of the memorandum of the October 27, 2022 special meeting. A copy has been posted as well. Are there any questions from Councilors?

Garrett I'll make a motion to approve.

Plunkett First by Councilor Garrett.

Burk Second.

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

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed.

REQUEST TO SPEAK ON AGENDA ITEM

Plunkett Up next would be a Request to Speak on Agenda Item. Amy, did you have a request?

Lacy No, we do not.

MAYOR/ADMINISTRATION UPDATE

Plunkett Very good. I did not get anything from the Mayor or the Administration regarding their update.

TOWN COUNCIL UPDATE

Plunkett So up next would be the Town Council Update. Are there any updates from Councilors?

[No response]

Very good.

NEW BUSINESS

A. Consideration of an Ordinance Amending the 2022 Salary Ordinance Ordinance 2022-23 (First Reading)

Plunkett Moving along – there are no Old Business items so the first item up for New Business is a Consideration of an Ordinance Amending the 2022 Salary Ordinance. This is Ordinance 2022-23. This is a first reading and we have Jo Kiel.

Kiel And my friends.

Plunkett And Chief VanGorder and Chief Spears and anyone else who would like to come up.

Kiel I am presenting a request to update the existing 2022 Salary Ordinance. The proposed ordinance includes several changes. 1) Promoting the existing Fire Department Executive Admin Assistant to the position of Administrative Manager; 2) Update the pay grade of Fleet Manager position from 28 to 30 which was previously misstated; 3) Remove the inapplicable language regarding probationary period for police which is no longer accurate, not accurate; and finally an updated annual base salary minimum, midpoint and maximum associated with five pay grades to represent the reporting relationships in tiered positions within the same pay grade in Police and Fire.

To give you a little bit of history, in late '21/early 2022 we began working with individual departments to create performance evaluations and when we sort of conceptualized how that might work with a performance system, we realized that there were several positions that included either tiered positions like firefighter 1 and 2 in the same bucket and those with reporting relationships like sergeant and corporal in the same position or in the same pay grade. So at our request, our vendor helped us split those out, provide a little bit more information to provide additional detail to the select pay grades. They have never been memorialized in the ordinance and now that we're moving people to the 2022 salary midpoint, it's important that we make sure that information is publicized appropriately, both to the world, to the world, to the community as well as our staff. I do know that, and we all realize that the 2023 ordinance is going to look different but this is, again, just updating the 2022 ordinance and we are available for questions.

Plunkett Jo, in, in, in layman's terms this is simply just fixing, as you, as you, you referenced reporting. So we have, we have two people who maybe are at different ranks but they're in that same band and we're separating that so that we can move forward into the 2023 Salary Ordinance?

Kiel Correct.

Plunkett Okay. Thank you.

Melton Jo, has everybody within the town moved up to midpoint at this point? Is that –

Kiel They are going to be January 1.

Melton On January 1 –

Kiel Yes.

Melton That's when that transition happens?

Kiel Assuming you approve the 2023 Salary Ordinance at the next Town Council meeting.

Melton Okay.

Burk So this is –

Kiel This is cleanup for 2022.

Burk You, you want to do this so that if we do bump it up, everyone's in the right band?

Kiel Correct.

Burk All right. That's a, kind of a precursor to the switch in January?

Melton Okay.

Burk And it impacts just really one position, let's see.

Kiel Five.

Burk Oh, five.

Melton And I have another question – this is just for Heather – as we read through this, we've had a couple of these kind of come through and this one says on Section 2 says new employees, all new full-time employees starting employment with the town in 2022 shall be paid compensation according to this ordinance and attached to the 2022 Town of Zionsville pay grade and salary administration guidelines. Unless otherwise mandated by statute, all employment within the town is at-will and subject to employment performance being satisfactory to the

Mayor. I just want to, my understanding is the head of departments are still protected, I guess if you will, by statute to be brought in front of the Council –

Harris Yes.

Melton If there's a change of that employment. Is –

Harris Yes.

Melton Is that what this still does?

Harris Yes, that's correct. So in this particular update, none of that is being changed –

Melton Okay.

Harris So that was our original language from the salary ordinance that was passed last December for, in 2021 for 2022 and then at the bottom you'll see the changes but yes, it does not impact the language in the reorg which would take precedent –

Melton Takes precedent still.

Harris Over.

Melton Still? Okay.

Harris Yes –

Melton Fantastic.

Harris For department heads.

Melton Thank you.

Plunkett Any other questions from Councilors? I would make a motion to introduce Ordinance 2022-23 on first reading.

Melton Second.

Plunkett Second by Councilor Melton. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed.

Thank you, Jo.

Kiel Thank you, sir.

B. Consideration of a Zionsville Fire Department Special Purchase (Stryker Medical)

Plunkett Up next is a Consideration of a Zionsville Fire Department Special Purchase. This is Stryker Medical. Chief VanGorder –

VanGorder Good evening, Mr. President and members of the Council. I'm honored to have with me this evening is Kerry O'Haver our EMS Manager, for this request before you. Part of the purchasing process for the Town of Zionsville requires us to go out and get multiple bids unless there is a unique circumstance and that's why we're here before you this morning to request a special purchase consideration under Indiana Code 5-22-10-8 and that basically is a single-source vendor. Kerry and our EMS Manager, acting as our EMS Manager, has worked very hard to identify avenues for the Fire Department to save funds long-term as we continue to expand our well-known equipment replacement schedule. He has worked with a vendor to look at a 10-year equipment maintenance and replacement plan which covers eight Lifepak, 15 cardiac monitors, 4 electric motorized cots for our ambulances and auto loaders that go in the back of the ambulance and 13 AEDs. This is a 10-year project that would allow the Fire Department to potentially save \$378,000 by fixing the costs of this medical equipment over the next 10 years. We would receive new equipment on day one once this agreement would be accepted and approved and then we would have the opportunity over that 10-year period to receive a second round of replacement equipment somewhere during that 10-year period of time. Before you this evening is just the approval to use the single-source vendor which is Stryker Medical Group and the, we are working with Administration, the Mayor's office and the attorney regarding the specific language so we have some work to be done there and we have until the 14th of the month for this project to be considered. I'd be happy to answer any questions and Kerry's here to answer any technical questions you may have.

Plunkett Chief, you said you'd be eligible for equipment immediately once it's approved or once the agreement is put in place. You said you have until the 14th. Is this literally something that could be within the next few weeks where you would have some of this equipment?

VanGorder Probably, hopefully before the end of the year and we were, we had planned to phase that in. This is upgraded equipment so we would need to go through some training with our staff as well but we'd hope to, before the end of the year or shortly after the first, beginning of the year begin to receive that equipment. Again, we have some work to do with Administration. We've got a meeting this Wednesday with Kerry, myself, Assistant Chief Frost and Deputy Mayor Julie Johns-Cole and Amy Nooning to review the agreement from Stryker Medical Group but this evening it's just to acknowledge on the public record that this is a sole-source purchase, there's not another vendor out there that is able to group our cots that we use to transport patients or load patients, taking our cardiac equipment as well as stair chairs, things that we put individuals on to take patients up and down stairs and kind of combine those and fix our costs over the next 10 years.

Plunkett So that's the significance of this is, is this is the only provider we have available?

VanGorder That's correct.

Burk Yes, that was my question too. Certainly I want you to have what you need to get the job done and it sounds like there's some savings but also, I mean, if there's only one vendor, it's hard to know if you're getting the best ROI on a deal but if it's the only provider or vendor that can provide that for you then I guess there's, there's not many other options. Is it, is it just – they're an, is that an Indiana company right, Stryker?

VanGorder It's a national company.

VanGorder Dr. Choi may have some experience with them. They do a lot of hospital –

Choi Yes, I don't remember where they're based out of but they may very well be based out of here.

Traylor Kalamazoo, Michigan.

Burk Yes.

Choi Kalamazoo, Michigan? Okay.

Burk But it'd be nice if they were an Indiana-based company but –

Plunkett Any other questions from Councilors?

Melton Yes, I have a couple of questions. I know Stryker pretty well and they, they make great equipment and I've actually sat on one of those cots during the – exactly, the fireman's –

Plunkett Fire Ops.

Melton Well I did, I didn't do it at Fire but I did it at –

VanGorder Citizens Academy.

Melton Citizens Academy. Thank you. Just a quick question – so, we haven't decided on structuring of payments or anything like that. I guess I just want to make sure that we do what we can to protect ourselves for that 10-year layout. Is it a payment?

VanGorder It is an annual payment. It's a fixed annual payment.

Melton Fixed annual – just in case anything happens to this company I just want to make sure that we're not on the hook, we'd frontloading cash to them or something like that, so.

VanGorder No, it's, it's spread out over the term of the loan. Basically it's \$136,000 a year for a 10-year period of time.

Melton Okay.

VanGorder And if we were to try and do these separate purchases, another, another reason for the timeliness of this is we have AEDs or the smaller monitors that we've used for defibrillation. We have 13 of those and I think 50% or so of those are already out of date and we need to replace those. That was the rush to this and Kerry started looking at those things and saying well we also need to next year update our cardiac monitors, how can we group these things together and look at some cost savings and that's where if we were to go out and buy these units individually and stuff like that, by going the route which Kerry has worked with a vendor to do, it has a proposed potential cost savings of \$378,000 over the market which we would pay over the next 10 years.

Melton Thank you for saving us money Kerry.

Plunkett Any other questions from Councilors? Otherwise, I'd entertain a motion.

Choi Move to approve.

Plunkett First from Councilor Choi.

Burk Second.

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

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed. Thank you very much.

C. Consideration of a Resolution Regarding the Appropriation of Additional Funds (Redistricting Project) Resolution 2022-17 (Public Hearing)

Plunkett Up next, up next is a Consideration of a Resolution Regarding the Appropriation of Additional Funds. This is for the redistricting project. This will be Resolution 2022-17. Councilors, you'll recall I mentioned at the last meeting and we've talked about it at a couple different meetings that the, we have a redistricting requirement to complete between now and the end of the year and the Mayor made a recommendation for us to use Brian Bosma and his team for this process and Heather and I had conversations with Mr. Bosma and agreed that we think it would be a good move and, obviously, we've got to be able to pay it. It wasn't in the budget so that's what this, that's what this particular resolution is so I'm happy to answer any questions. Heather can maybe chime in too if there are any.

Melton Are there any concerns about the timing of how long this is going to take and so forth?

- Plunkett Yes, that's a great question. So we're going to be kind of up against it, likely require at least one special meeting between now and the end of the year. There will be a public hearing so we'll certainly have our work cut out for us but that's something that their team is prepared for and, and the nice part about our schedule is we do have morning meetings also so we can, we can move that along a little bit faster.
- Melton Great.
- Harris We, we probably are going to need one additional meeting to be able to accomplish all the work that will be required and so we're get, we're working to confirm that and we'll get that on your calendars hopefully yet this week so we wanted to make sure the contract gets in place and then, obviously, Mr. Bosma's team will put that in place and we'll have a public hearing so we've got to kind of time these out according to statute but there may be one additional meeting required.
- Burk What's the amount of the appropriation?
- Choi \$60,000.
- Culp \$60,000?
- Harris It's \$60,000 total, \$50,000 would go to Kroger Gardis & Regas which is the firm it's up to so they'll still be billing their hourly rate but we did want to advertise since this is an additional appropriation what would be the maximum so they've agreed to a maximum amount that they will not bill us over \$50,000. So they'll still be –
- Culp Okay.
- Harris Their hourly rate, we'll still get those invoices and then the additional \$10,000 is for a mapping consultant. They basically take the decennial census information and kind of heat map it across the current districts to make sure there's good proportionality and that we've got an even number of citizens in each district so that's really their role. Just as part of the process, Mr. Bosma's firm actually pays that person so it just comes as kind of one bill but there is two separate components to that.
- Melton Is each district supposed to be separated by, to the number or what's the delta that is acceptable for different sections or different districts?
- Harris Yes, I'm sure they'll come and give kind of an overview presentation –
- Melton Present?
- Harris Once we get started and they're much more familiar, but generally, you want to have sort of even populations represented in all of the districts so that each Council member is representing a proportional number of citizens in their individual districts and they have to be district maps that are contiguous and make sense right for people to review but he'll, I think the plan is that he'll come

as part of that initial meeting and do a broad, kind of a big picture overview of what the process is, what the timelines are, what's required in terms of the actual mapping itself and sharing that information –

Melton Great.

Harris Back. And then, again, there'll be a public hearing that will be noticed so that members of the public can come in, they can see the proposed map, they can react to it, etc.

Melton Awesome.

Plunkett This is a public hearing and I have proof of publication of the notice of the public hearing. At this point I will open the hearing. If there are any members from the public who would like to comment, now's your chance. I will then close the public hearing. If there are no other questions from Councilors, I would entertain a motion.

Melton Motion to approve Resolution 2022-17.

Plunkett First by Councilor Melton.

Traylor Second.

Plunkett Second by Councilor Traylor. All those in favor, all those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed.

D. Consideration of a Resolution Regarding the Appropriation of Additional Funds and Authorizing the Transfer of Funds (Parks)
Resolution 2022- 18 (Public Hearing)

Plunkett Up next is a Consideration of a Resolution of the Appropriation of Additional Funds and Authorizing to Transfer Funds from the Parks Department. This is Resolution 2022-18 and this is also a public hearing. Kellie – Kellie Adams. Good evening.

Adams Good evening. I believe this transfer of funds should have happened towards the beginning of the year and we've got the code cited in the resolution. Gosh, I'm trying to refresh my memory – whatever money is leftover out of the Parks Capital Fund – look at Jarod – gets transferred over. Sorry – I am not prepared for this. I thought I was. I'll let, I'll bring Jarod up here so I don't mix up the funds.

- Logsdon No worries. Thank you, Kellie. Every year within the General Fund there's \$314,000 allocated within the Parks Operating Fund. Those funds that are underspent then are transferred to our Non-Reverting Capital Reserve so that's what this transaction is from 2021.
- Adams So it was inadvertently left out. It was a little confusing with them having their own fund then being in the General Fund now going back to their own fund but.
- Garrett So when I think of additional appropriations, they're typically spending that needs to happen and wasn't budgeted and, and I do, I'll get back to what this is – I do want to sort of ask but this Council asked for these additional appropriations to spend money now if it was prudent to spend it now instead of next year's budget. I am expecting though in that conversation when I asked that question a couple of meetings ago that appropriations that are happening now are going to be, and I forget the technical term, but de-appropriated from the 2023 budget. So, when I think of this as an appropriation, is this really I mean Jarod explained it – is this really extra spending or this is just really transferring a fund so is it really an appropriation or is it just a transfer?
- Adams It's a transfer of funds –
- Garrett Okay.
- Adams From one fund to another fund.
- Garrett Got it.
- Adams Which has to go before you but no, it is not an additional.
- Garrett Yes, okay.
- Adams Yes.
- Garrett I just want to be, because we, the other additional appropriations are additional spending, which I'm okay with, as long as we sort of back it out of the 2023 budget because it does add to a 2022 deficit but now it's the same because we're saving money.
- Adams Right, correct. No, this is something the legislature put in place many years ago and it is not a true additional appropriation, it is just a transfer of funds.
- Garrett Got it. Thank you.
- Plunkett Kellie, does it matter that those numbers are different? It says the amount approved by the fiscal body it's got an extra digit on there.
- Adams Umm –
- Plunkett Is that just a maximum?
- Adams Yes, we heard about that as well. I believe that's just a, it was just an error.

- Harris Yes, I had corrected it in a different version but it should be the same so it needs to be the \$54,436.92 – chop off the 5 so we should probably entertain an amendment to that to make sure it’s correct.
- Plunkett Would, would we do that before or after the public hearing?
- Harris Umm –
- Plunkett Or in the public hearing?
- Harris I think you could go ahead and open the public hearing, close the public hearing and then in making the motion to approve, I would make that request for that amendment.
- Plunkett Okay.
- Burk In, in the motion to approve?
- Harris Uh huh.
- Plunkett Okay. If there are no other questions from Councilors, I’ll go ahead and – this is a public hearing and I have proof of the publication and notice of public hearing. At this point I’ll open the public hearing. If there are members of the public who would like to speak – having none I will close the public hearing. Any further discussion or questions from Councilors? Do you have a question or are you –
- Burk No. I was just going to confirm, unless someone else is going make that motion – I was going to do it but I needed to get from Heather exactly the dollar amount so I could –
- Melton Just take the point the –
- Garrett So right here.
- Harris Yes, so you –
- Burk You make the motion.
- Garrett All right. I’ll make a motion to approve Resolution 2022-18 with the amendment that the amount approved by the fiscal body should read \$54,436.92.
- Burk Second.
- Plunkett First by Councilor Garrett, second by Vice President Burk. All those in favor signify by saying aye.
- All Aye.
- Plunkett All those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed. Thank you very much Kellie and Jarod.

E. Consideration of a Resolution Regarding the Appropriation of Additional Funds (Fire) Resolution 2022-19 (Public Hearing)

Plunkett Up next is a Consideration of a Resolution Regarding the Appropriation of Additional Funds. This is for the Fire Department. This will be Resolution 2022-19. Chief VanGorder –

VanGorder Good evening and thank you Mr. President and members of the Council. I come before you for an additional appropriation consideration this evening in four different areas. The first area is probably the easiest to explain. That is an additional funds for the Fire Department for the operating budget for an amount of \$35,000. Those funds are coming out of the General Fund that has a fund balance of \$7., a little over \$7.3 million dollars currently in it. Our fuel costs have been a little bit higher than projected this year and our fuel budgets were spent in the end of August going into September. So that's the explanation on the first one.

The next three are out of our Equipment Fund. Our Equipment Fund balance as of this consideration is nearly \$3 million or about \$2.99 million dollars of existing funds. The first item is for a fire engine. This is a vehicle that we have under lease. This lease is set to expire at the end of the year. The lease was structured with an option to purchase the fire truck. We didn't know at the time that the market was going to do what it was going to do and the fire truck is worth significantly more amount of money and I can tell you that our lease terms will not be as beneficial to us as they are now so we plan to, we would like to with approval of these funds, move forward with the purchase of that vehicle and move it in as an owned item. The vehicle total purchase price is \$295,000. We have just short of \$159,000 remaining on that and we think the vehicle market value right now is about the tune of about \$400,000 approximately. So, we just think that would be a good fiscal move knowing that at the end of the year either the vehicle will be taken back by the owner and re-marketed and sold if we don't move forward on this opportunity. Again, that's \$160,000 coming out of the Fire Equipment Fund with a \$2.99 balance.

The next two items were items that the Council gave department heads an opportunity to come forth and present budgetary items from 2023. Both of these last two items are budgetary items from 2023 and, Councilor Garrett, as you mentioned, I am making note and also put on the record that these will also, the last two items, would be items that would be up for the 2023 de-appropriation in January or thereafter whenever you would schedule that and we are taking advantage of the recommendation from Council President and fellow Councilors who had suggested if we can save funds and move these forward, let's move them forward. So the first two items I have are the purchase of a SCBA compressor. This is a, a compressor not much different than what you use at home for an air compressor but this is what we compress as the air for us to breathe. The one we have at Fire Station 91 is 20+ years old. It is running on its last leg and it needs to be replaced. It was budgeted, it was included. It is in next year's budget but we'd ask to move forward. If we're able to move forward, it'll

save us \$8,769 worth of immediate cost increases come January 1. The last item, similarly, is the purchase of tornado sirens. If you may recall, the Fire Department and through our fire prevention office and Fire Marshal Lipps, reviews all of the development area we have to make sure that we have tornado siren coverage. We need to improve some of those tornado sirens. Likewise, this \$65,000 was included in our '23 budget request. It was approved but if we were able to move forward and purchase those items tonight, it'll save us \$6,433. The total savings by these last two items would be a little over \$15,000 if we're able to act before the end of the year. I'd be happy to answer any questions if you have them.

Burk Chief, I guess the ques – I mean, I support, support you in this. It, with the tornado sirens, I feel like I've had some conversations with folks in the community and I should've brought some notes that I could've tried to dig up from different conversations. The tornado siren software or the technology that we use for that, in, instead of buying new sirens, is there not kind of more modernized technology with the sirens that also tie to say phone text messages and – I feel like there's new technology that people have talked about maybe the town wanting to invest in and if we spend the money on the sirens, it seems like we're adding to kind of the technology we already have. Is it out of date? Are there, are there new innovations that we might, should be thinking about to take advantage of and I don't remember them again –

VanGorder Sure.

Burk I wish I would've remembered all those conversations but I know enough to be dangerous and the, I feel like there's some new technologies that folks have asked us to look into.

VanGorder There are some new technologies that are out there. I would say that this technology is designed to make, get the attention of individuals who don't have access to phones or other sources of media to let you know that there's severe weather that's coming into the area. One other thing that this system does allow us to do is it begins to integrate them into a sole source. You'll also see us come back next month because the actual purchase or spending of these dollars, this is just making the funds available to do it. We have to come back but it is a sole source purchase because we're making sure all the sirens are also the same brand so that we can monitor them and make sure for their effectiveness. We have current sirens that are not working right now and that's what this addresses but through our fire prevention and community risk reduction effort, they are looking at to see what other applications could we add to this but right now our recommendation is not to stop what we currently have but continue to explore what some of those new options may be.

Burk Okay.

Plunkett Are there any other questions for Chief VanGorder?

Melton I just had a question on the fire truck. The fire truck, the I guess line item number 1 or no, I'm sorry, number 2, is, is that vehicle – what's the lifespan of that vehicle? You say it's probably worth \$400,000 –

VanGorder That's correct.

Melton I mean, is it –

VanGorder It's a speciality vehicle. We'd anticipate to get another 5+ years out that and there'd still be a resale market at the end of that for a used vehicle.

Melton End of the 5?

VanGorder Pardon me?

Melton At the end of the 5 years?

VanGorder Additional 5 years, yes.

Melton There's a resale after that too?

VanGorder Yes.

Melton Fantastic. Okay. Thank you. It sounds like a great idea.

Plunkett This is also a public hearing and I have proof of publication of the notice of the public hearing. At this point I will open the open hearing. If there's any members from the general public who would like to comment. Having none, I will close the public hearing. Are there any other questions or comments from Councilors? Otherwise, I would entertain a motion.

Melton Motion to approve Resolution 2022-19.

Choi Second.

Plunkett First by Councilor Melton, second by Councilor Choi. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed. Thank you.

F. Consideration of a Resolution Regarding the Appropriation of Additional Funds (Police)
Resolution 2022-20 (Public Hearing)

- Plunkett Up next is a Consideration for a Resolution Regarding the Appropriation of Additional Funds. This is for the Police Department and this is Resolution 2022-20 and we have Drake Sterling.
- Sterling Good evening.
- Plunkett Good evening.
- Sterling In front of you is very similar to Chief VanGorder's presentation. This, all these 9 items are eligible for 2023 de-appropriation. They have all been previously approved by you all with our 2023 budget. They come from 9 different categories. The first 7 come from CCD Funds and the last 2 come from the General Police Fund. We have \$35,000 from the vehicle equipment designated for new officers, we have \$65,698 from vehicle equipment baseline, we have \$10,100 for AEDs, we have \$15,500 for computers, laptops and docking stations, we have \$20,077 for radios and those are our portable radios, we have \$13,545 for firearms and ammo designated for new officers, we have \$8,514 for tasers for new officers. In total, it's \$168,434. This will allow us to begin ordering the equipment for the 5 new positions that you all approved in the 2023 budget.
- Burk Is it really about expediency so you have and you're ready to go or is there actually a, a cost savings to, to order now as opposed to waiting three or four months?
- Sterling Yes, so I did speak with some of these vendors. Specifically, the vehicle equipment does go up significantly in the month of November because they start coming out with the 2023 figures so there is a savings there, I don't know the exact amount, and then some of the items are expediency. For example, the AEDs – I ordered 4 or 5 AEDs in May of this year and I still have not received them. I'm expecting them right around the first of the year so we can expect that to be a 6 to 7-month order, so ordering them now would actually line up pretty well with when we're going to hire. Same with some of the other items, you know, expediency and, and maybe a price savings as well.
- Garrett If you're ordering those now, are you paying for them now or?
- Sterling We will not pay for them now –
- Garrett You have to have the budget to order them, right?
- Sterling Correct and if we have a contract, we can encumber those funds for 2023, we can hold onto those.
- Garrett Okay.
- Melton Are, are those AEDs the same as what the Fire Department's using? Are you using the same vendor, different vendor? Is there a savings if we combine that?
- Sterling So, Yes, we actually do use the same vendor as the Fire Department and we started, we developed a program earlier this year with the help of Kerry where we're carrying the exact same AEDs and it's actually really helpful for us

because if we arrive first, we can hook up, start working on the patient and then when they show up they can actually use the same pads and link in and it's just a very seamless transition so. And then there may be savings to, to piggyback onto Kerry's order as well, I'm not sure. I know we've kind of discussed it in passing but we'll do that if we can.

Melton Thank you.

Plunkett Are there any other questions for Captain Sterling? This is a public hearing and I have proof of publication of notice of the public hearing. At this point I will open the public hearing if there are any members of the public who would like to comment. Having seen none, I will close the public hearing. Are there any other questions or comments for Captain Sterling? Otherwise, I would entertain a motion.

Traylor I make a motion to approve Resolution 2022-20.

Garrett Second.

Plunkett First by Councilor Traylor, second by Councilor Garrett. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed.

Sterling Thank you.

Plunkett Thank you.

APPROVAL OF THE NOVEMBER 7, 2022 CLAIMS

Plunkett Up next is the approval of Claims. Are there any questions from Councilors regarding claims?

Melton Yes I have a couple of questions regarding claims. There's just a couple items on the claims. One of them is 210 Fire, 426 Replacement – it says it's a spend of \$31,916 for a drone? Is there somebody from one of the departments that could speak on that? So I just, so my question – hey Chief – thank you for coming up. My question is, if you would do me a favor and explain the usage of this device as well as are we adding this or are we replacing and how old is the old one if we're replacing?

VanGorder The easiest way to explain this is we have had a drone. We have used them for 4 or 5+ years. They carry FLIR thermal cameras on them. We use them at fires, rescue scenes, emergency planning situations and the such. What you don't see in

this report is the insurance payment. That drone was crashed on a deployment and was totaled so that was an insurance payment that reimbursed us for the purchase of a new drone so we're not adding one, we're simply replacing one that was damaged in an accident.

Melton Fantastic and then does that, does that pull an emergency person, personnel away from like a crash so they're, so you have some – who operates it, how's that work I guess. I mean, now's not really the best time to talk about that but I'm just interested for the public's purpose.

VanGorder You bet. We have an individual who is a trained drone pilot and a certified pilot. That is Division Chief of Planning, Jason Potts. He responds to that drone. We've also been out assisting the Police Department. So it's a single individual that's assigned to that task. We don't lose a firefighter on the fire ground from their operations but he responds on numerous emergency incidents throughout the year in addition to his other roles and responsibilities and performs that service.

Melton So I could imagine like one of those big warehouse fires – that be a good example of where you would want to drone over the top so we could find a hot spot? Is that?

VanGorder Pretty much. So we use those on, just about on a daily routine when the firefighters may go on a smoke in an attic or something like that. It's just about deployed when he's available to just about every incident that we go on.

Melton Awesome.

Culp What do you do if he's sick? Do you have a backup?

VanGorder We do have a few individuals, most – it's also a very specialized piece of equipment so actually the back of his car. If you guys are interested to take a look at it's set up specifically for this. It's not the normal pocket drones. It's a rather large drone to put your arms around so we do have a couple individuals who are trained on that and we are dependent upon primarily a single individual but there are two other backup pilots.

Garrett Are we going to get him a thermometer?

VanGorder A thermometer is not quite part of the replacement plan from the insurance company but.

Garrett Just another cold weather – what is the minimum temperature?

VanGorder I don't, I can't recite it off the top of my head but there is a temperature which you can fly at and I think it was a random conversion that came in and knocked the drone out of the sky.

Burk Just last month I saw drone in action in my neighborhood.

VanGorder Hmm –

- Burk So, I'm very familiar with, with the, the value of it.
- Melton Thank you very much. I appreciate it. Second topic might be Kellie – I'm not really sure. I think you may have had a conversation with Councilor Traylor about this. This is 101 General 170 Planning. McKenna Associates, Incorporated – form-based code. Is there an update on this? It looks like this one is for \$13,500. Do you have an idea if or when we're going to get an update? I don't see a member of the Plan here, Planning Department here and, if so, when do we expect a presentation on this and do you have a budget, a year-to-date spend on this? I was, I didn't get an email about that so. And I didn't ask for it either until now.
- Adams I can get you a year-to-date spend. I sent Councilor Traylor what we've spent on consulting but that doesn't necessarily say that was all for McKenna so I'm happy to get you a year-to-date spend for that. And I can't give you an update. I don't have an update on where we are in the project but I'm sure I can get with, I can get with Planning tomorrow and we can, we can certainly send something to you.
- Melton Please and thank you.
- Adams Mmm huh.
- Melton You might stay for this one too, this is 402 Cumulative Capital CCD. This is also kind of an IT question which I see that the head of the department is not here for IT because it says IT 150 but this is equipment for Security Pros LLC for a number of \$1,260 for Bloor and Ford traffic circle and an additional \$4,379.93 for a total of over \$5,700 – \$5,7 – I'm sorry – \$5,579. It says surveillance invoice and I guess I have a couple of questions about this and, again, this may not be you exactly but do we have any other surveillance cameras around town? Who's responsible for these, these cameras and using these cameras around town? Is there a commission or a board that determined that we needed a camera at this intersection and I'm not sure if this goes back to a DT, DPW question or if this is – I just want to know what board or commission decided to put that camera on that, on that intersection and that's my question. Do you have that answer?
- Adams I absolutely do not have that answer but I, once again, I'm happy to find out that answer for you. I know there's a number of cameras. I know Parks utilizes cameras. I guess DPW utilizes cameras. I'm sure that the Police, Fire utilize cameras but I am not aware of like the process of how one decides where to put the cameras but I am happy to find out the answers for you.
- Melton It's, it's a fairly new roundabout. I think they've had some issues with somebody wrecking into the center of it and maybe that's what spurred this. I just, I'm just curious about what board or what, what group makes that determination. I don't know if any of you Councilors were involved in making that decision or not.
- Burk No.
- Melton Again, it's, it's only about \$5,500 but it's just one of those things. I was just curious for, for the public's information of who's making these decisions to add

these cameras. I know as a Councilor, I voted to approve Flock and I see Flock all around Indianapolis and all around Whitestown and at first I was a little anxious to vote for that. I see the value in it. I see the privacy that that carries. The camera situation I'm just kind of frustrated with that because I'm not sure who's approving the funding for that. Now this is in CCD, therefore, we approved it in the 2022 budget but, again, I just am curious on that if you could send me an email on that I also would like that.

And then there's one other thing I have and then you can answer this one too probably. This is a claims fund General 101 Administration 100 is the fund. Whitsitt & Nooning \$15,000 November retainer OpenGov is what it states and I want to know if that's true. Is that \$15,000 for an OpenGov situation or is that the retainer for that attorney for the town? Because there's a second one of \$1,380 and that's under a different line item and that's, also says November retainer OpenGov.

Adams I'm, I'm going go out on a limb and say that, that's due to we have new staff and so I found, I believe that this kind of came up with President Plunkett recently where there's been some copying and pasting so that's just kind of education on that, on that particular staff person part but also me looking over the claims more closely because Whitsitt & Nooning's retainer is \$15,000 a month so it would've been the –

Melton And what's that for? Retainer for what?

Adams To be the town's attorney.

Melton The Town of Zionsville?

Adams Yes.

Melton Okay. So it might be, it needs that, that OpenGov should be the legal.

Adams OpenGov should not be in that line.

Melton It could be on the second one but maybe not the \$15,000 one?

Adams Yes, that, that –

Melton Because that –

Adams Again misstates what they're doing so. I'm happy to, to take a better look and to make sure that we are not misstating what's on there.

Melton I would appreciate that. Thank you. That's all I have.

Plunkett Any other questions from Councilors?

Culp Should we approve it if there's some things we need to fix?

- Plunkett Well I think the, I think this is just a scenario here where the smaller claim for \$1,380 was likely OpenGov and the larger claim for \$15,000 is just simply the November retainer.
- Traylor Wouldn't that show up?
- Garrett Could we not pay the OpenGov? Actually, I'm going to make a motion to approve claims except for the OpenGov payment because we have an executive session coming up which I would like to learn more about what's going on with OpenGov but I would like to exclude paying them until I know what's going on with OpenGov. Is, you –
- Adams I was saying that's for Whitsitt & Noonung. It's not for –
- Garrett It's not for OpenGov?
- Adams Yes, it's not a payment to OpenGov.
- Plunkett It's due to Whitsitt & Noonung.
- Garrett It just says OpenGov. All right then I withdraw the motion.
- Adams Okay. I have not paid them.
- Burk It's probably for services tied to her work for that issue.
- Adams Yes.
- Plunkett Like, likely for prep for the executive session, I would imagine.
- Garrett How much was it?
- Melton \$1,500.
- Garrett I got it.
- Melton So one of them is \$1,380 and one of them is \$15,000.
- Culp \$15,000.
- Plunkett \$15,000 is the monthly retainer.
- Melton Just to be clear, I'm okay with approving the numbers, the dollar amounts, the claims – I just want the first one to be clear that it is a retainer for the Town of Zionsville, not for the OpenGov –
- Adams Sure. Yes. No but and I should've, I should've caught that and as we, as we move forward in the next year, we're hoping to move to a system where we have all of the actual invoices for everybody to view so that that'll help give the public more transparency. We're just not quite there yet.

- Melton So if we were to make a motion to approve –
- Harris Yes –
- Melton Can we correct it?
- Harris I would recommend that you go ahead and amend that narrative though because the claims should match, the narrative should match what the claim is actually for. So these are the kinds of things that the State Board of Accounts will look at, that may cause us audit questions unnecessarily so I would just recommend that you take out the word OpenGov. I typically unless it's, we can talk about it Kellie, I don't typically recommend that we put what the legal work is for. It's privileged information so I wouldn't normally have an entry like that on the claims. So –
- Plunkett So, so maybe, maybe the answer –
- Harris It should just be for legal services and then we can always get that narrative with that –
- Plunkett Yes.
- Harris Detail. I just would, I, there are reasons why I wouldn't have a claim listed like that so I would just and I'll, I'll, I can talk to Kellie about it and Amy Noonung as well but I would just recommend that you just say for OpenGov or for – now you've got me saying it –
- Plunkett Yes.
- Harris For Whitsitt Noonung for legal services.
- Plunkett Well would, so my question would be –
- Harris Unless there's an actual legal matter where there's an adverse party listed –
- Plunkett Well –
- Harris Meaning we've been sued and we're responding or vice versa.
- Plunkett I mean, I'm just wondering given the communication that's been shared about OpenGov and the fact that we're having an executive session, I just wonder if it makes more sense to be cleaner, not that I have no intentions of paying this claim, maybe we just remove them both and put them on the next claims sheet and then that way –
- Burk And clean them up?
- Plunkett Yes. The State Board of Accounts at that point could, we're on this, we're on the level, everything's and then it would just say retainer and then the other one would just say other legal matters or something like that.

Harris Yes, or you could just, I mean, we know what their retainer is. I mean, I think we just need to clean the narrative up and delete the words OpenGov and then maybe hold the second one until you can confirm how it should be listed.

Plunkett So you're saying, you're saying approve the claims –

Burk Yes –

Harris Well, I know the –

Plunkett With –

Harris I know the 15 is like their normal –

Plunkett Yes.

Harris Retainer and I'd hate to have them wait to get paid for those services that they're consistently providing for the town but, I mean, I defer to you all it just, we know what that one is, it's just an incorrect narrative but.

Garrett I, that makes sense and I would like to understand why it's not just part of the retainer because the second one says retainer but it's not really the retainer it's other legal matters but I'm kind of curious why that's not part of the retainer. So, I can make that motion unless there's other questions.

Harris We can hold them. I mean, I just –

Plunkett I mean, I think, again, it's not like we have any intentions of not paying the retainer. I mean, we're going to pay it but I think just for purposes of cleaning everything up, it probably makes sense to remove the retainer until the next meeting and the other one and just have the –

Garrett Well, I'm kind of with Heather on that. I mean, they've, their retainer should get paid.

Choi Yes.

Garrett Bear with me and see if you like this. So I'd make a motion to approve claims less the \$1,380 claim to Whitsitt & Nooning that is currently listed as November retainer, OpenGov to a claim in the future where we can have more information.

Plunkett Should we simultaneously in that motion remove the words OpenGov from the retainer?

Garrett And I'll amend that motion to remove OpenGov from the \$15,000 retainer that is also to Nooning and, Whitsitt & Nooning.

Choi Second.

Plunkett Are we good there, Heather?

Harris Yep.

Plunkett We've got a first by Councilor Garrett, second by Councilor Choi. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed.

OTHER MATTERS

Plunkett Are there any other matters from Councilors?

Garrett I did and I'm hoping at the next meeting the Mayor will give us an update on the Gateway project. I'd asked for that at the last meeting – she wasn't in attendance but maybe next meeting we'll get that update. I'd like to know what's going on.

Burk Happy belated birthday Mr. President.

Plunkett Thank you. I will say, well I mentioned that last time – we've got a couple of items that we're going to try. Heather and I are meeting next week to identify about 6 or 7 things that we're going to have on the next few agendas just to kind of clean up some stuff between now and the end of the year so I don't necessarily feel like our meetings will be heavy but there will probably be a lot of stuff to review before the meeting so I just want to give everybody a head's up.

Melton Is there a big day tomorrow?

Plunkett Don't forget to vote – 6 a.m. to 6 a or 6 p.m. Town Hall. Make sure you vote!

Culp I will say that I've met with some of my constituents the last couple of weeks and I would love to have an update on the form-based code that we've been talking about for three years now and I know that when Wayne left I don't know who's doing that or where we are on that project because that's almost just as important as, if not more important, than the Gateway project.

Burk Yes.

Melton I second.

Culp I did, was set up to meet with Mike Dale about that but I wasn't able to make it but I'm going to try to reschedule with him but I assume he's the person taking that over now? I get a yes by Jarod so –

Plunkett Sounds like it. Anything else for Councilors?

ADJOURN

Zionsville Town Council
November 7, 2022

Burk Move to adjourn.

Garrett Second.

Plunkett First by Vice President Burk, second by Councilor Garrett. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed.

The next regular Town Council meeting is scheduled for Monday, November 21, 2022 at 8 a.m. in the Zionsville Town Hall Council Chambers. Final notice will be posted in compliance with the Indiana Open Door Law. Thank you.

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator
Town of Zionsville