



**ZIONSVILLE TOWN COUNCIL
MEETING MEMORANDA
FOR**

Monday, October 3, 2011 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: October 4, 2011

Members present: Steve Mundy, Jeff Papa, Matt Price, Art Harris, Tim Haak, Valerie Swack and Candace Ulmer

Also present: Andy Buroker, Town Attorney and John Yeo, Clerk-Treasurer

1. OPENING

- A. Call meeting to order-President Price called the meeting to order at 7:00PM.
- B. Pledge to the flag
- C. Approval of the memoranda of the September 6, 2011 Regular Meeting (Copy Posted).

President Price called for a motion to approve the memoranda of the September 6th regular meeting of the Town Council.

COUNCIL ACTION: Councilor Harris moved to approve the memoranda of the September 6th meeting of the Town Council and Councilor Papa seconded the motion. The memoranda was approved with a vote of seven in favor, zero opposed.

2. DEPARTMENTAL MONTHLY REPORTS

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

WALK ON ITEMS FOR CONSIDERATION:

- A. Consideration of a Resolution regarding a Petition to Appeal for an Increase to the Maximum Levy **(Res. #2011-20)**

After a review of Resolution of 2011-20, President Price called for a motion to adopt the resolution.

COUNCIL ACTION: Councilor Haak moved to adopt Resolution 2011-20 and Councilor Harris seconded the motion. Resolution 2011-20 was adopted by a vote of seven in favor, zero opposed.

- B. Consideration of an amendment to the Food and Beverage Ordinance. **(Ord. #2011-10)**

COUNCIL ACTION: Councilor Ulmer reviewed Ordinance 2011-10 and moved to suspend the rules and adopt the Ordinance on first reading. Councilor Papa seconded the motion and Ordinance 2011-10 was adopted by a vote of seven in favor, zero opposed.

C. Consideration of an addition to the Employee Handbook-Policies and Procedures-Ordinances

COUNCIL ACTION: Councilor Swack reviewed an addition to the Employee Handbook-Policies and Procedures regarding ordinances and moved to adopt the addition. Councilor Harris seconded the motion and the addition was approved by a vote of five in favor and Councilors Haak and Papa opposed.

3. OLD BUSINESS

A. Consideration of an Ordinance Providing for Limited Number of Terms of Office for Town Council Members in the Town of Zionsville, Indiana pursuant to Indiana Code 36-1-3. **(Ord. #2011-07)**

COUNCIL ACTION: Councilor Mundy reviewed Ordinance 2011-07 and Councilor Swack moved to suspend the rules and adopt Ordinance 2011-07 on the first reading. Councilor Harris seconded the motion and Ordinance 2011-07 was adopted by a vote of four in favor and Councilors Haak, Papa and Ulmer opposed.

4. NEW BUSINESS

A. Consideration of a provisional CTA granted to Hamilton Southeastern Utilities for sewer service to former Union Township.

Town Manager Mitro reviewed the provisional CTA grant and Councilor Haak reviewed committee work and findings.

Mr. Randy Seger, Attorney representing Hamilton Southeastern Utilities spoke in favor of continuing the provisional CTA to Hamilton Southeastern Utilities.

President Price recused himself from comment and vote and called for a motion to terminate the provisional CTA grant or continue the grant for a stated period of time.

COUNCIL ACTION: Councilor Haak moved vacate the CTA held by Hamilton Southeastern Utilities in the former Union Township and Councilor Harris seconded the motion. President Price called for a vote to approve Councilor Haak's motion to vacate the CTA. Councilor's Haak, Harris and Swack voted to vacate the CTA and Councilor's Mundy, Papa and Ulmer voted in opposition to the motion to vacate the agreement. Clerk-Treasurer Yeo voted to vacate the CTA with Hamilton Southeastern Utilities and the motion passed.

B. First Reading and public hearing on the proposed 2012 budget for the Town of Zionsville. **(PUBLIC HEARING). (Ord. #2011-11)**

Town Manager Mitro reviewed the proposed 2012 Budget for the Town of Zionsville and Paige Sansone representing financial advisor H.J. Umbaugh answered questions regarding the levy.

President Price called for a motion to introduce the 2012 Budget for the Town of Zionsville on first reading. Councilor Harris moved to introduce the 2012 Budget on first reading and Councilor Mundy seconded the motion.

President Price called for proof of publication of a public hearing and with proof presented, opened the public hearing for public comment. Having received no public comment, President Price closed the public hearing and stated that the Town Council would adopt the 2012 Budget at a Special Meeting to be held on October 31, at 7:00PM at the Zionsville Town Hall.

COUNCIL ACTION: President Price called for a vote to introduce the 2012 Budget for the Town of Zionsville on first reading and the budget was introduced with a vote of seven in favor, zero opposed.

- C. Consideration of an Additional Appropriation Resolution (\$140,500.00 from the Park & Recreation Non-Reverting Capital Fund to fund park infrastructure and amenity improvements/repairs) **(PUBLIC HEARING) (Res. #2011-19)**

Matt Dickey, Park and Recreation Superintendent reviewed Resolution 2011-19.

President Price called for a motion to adopt Resolution 2011-19.

Councilor Harris moved to adopt Resolution 2011-19 and Councilor Haak seconded the motion.

President Price called for proof of publication of a public hearing and with proof presented, opened the public hearing for public comment. With no public comment received, President Price closed the public hearing and called for a motion to adopt Resolution 2011-19.

COUNCIL ACTION: Resolution #2011-19 was adopted by a vote of seven in favor, zero opposed.

- D. Consideration of a zoning ordinance amendment – Flood Hazard Areas (Plan Commission Docket #2011-12-OA). **(Ord. #2011-09)**

COUNCIL ACTION: This agenda item was tabled pending receipt of additional information.

E. Request to Speak.-No requests were received.

5. APPROVAL OF CLAIMS

President Price called for a motion to approve claims as submitted.

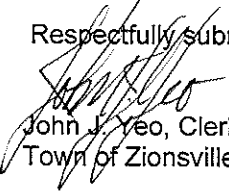
Councilor Harris questioned a claim and discussion followed.

COUNCIL ACTION: Councilor Ulmer moved to approve claims as submitted and Councilor Mundy seconded the motion. Claims were approved by a vote of six in favor and Councilor Harris opposed.

6. ADJOURN

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

Respectfully submitted,


John J. Yeo, Clerk-Treasurer
Town of Zionsville