



THIS PUBLIC MEETING WILL BE CONDUCTED PURSUANT TO GOVERNOR ERIC J. HOLCOMB'S EXECUTIVE ORDERS 20-02, 20-04 AND 20-08 AND GOVERNOR HOLCOMB'S EXERCISE OF HIS POWERS UNDER INDIANA'S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, *et seq.* ADDITIONAL INFORMATION REGARDING THE MEETING IS PROVIDED IN THE ANNEX PUBLISHED WITH THIS NOTICE.

ANNEX TO PUBLIC NOTICE FOR THE SEPTEMBER 8, 2020

REGULAR MEETING OF THE ZIONSVILLE TOWN COUNCIL

In his Executive Orders 20-02, 20-04 AND 20-08 (collectively, the "**Executive Orders**"), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention's and the Indiana State Department of Health's recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Town Council must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. According, all public meetings of the Town Council shall be conducted in the following manner until the end of the COVID-19 Public Health Emergency:

1. Members of the public shall have the right to attend Town Council Public Meetings via the following forms of electronic communication:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/156545305>

Or iPhone one-tap :

US: +16465588656,,156545305# or +13017158592,,156545305#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1
253 215 8782 or +1 346 248 7799

Webinar ID: 156 545 305 International numbers available:

<https://us02web.zoom.us/j/kc1V86c260>

ZIONSVILLE TOWN COUNCIL

MEETING AGENDA

FOR

TUESDAY, SEPTEMBER 8, 2020 AT 7:00 P.M.

ELECTRONIC MEETING

1. OPENING
 - A. CALL MEETING TO ORDER
 - B. PLEDGE OF ALLEGIANCE
 - C. ATTENDANCE
2. APPROVAL OF THE MEMORANDA OF THE AUGUST 24, 2020 EXECUTIVE SESSION MEETING (Copy Posted)

Documents:

[AUGUST 24 2020 TOWN COUNCIL MEMORANDA - EXECUTIVE SESSION \(FINAL\).PDF](#)

3. REQUEST TO SPEAK
4. OLD BUSINESS
5. NEW BUSINESS
 - A. ORDER OF DEMOLITION FOR ALL STRUCTURES/ CONTINUOUS ORDER OF ENFORCEMENT - 4075 SOUTH 875 EAST (PUBLIC HEARING)

Documents:

[RECORD OF HEARING AND CONTINUOUS ENFORCEMENT ORDER.PDF](#)
[TOWN COUNCIL UNSAFE BUILDING ORDER PUBLISHERS AFFIDAVIT.PDF](#)

- B. AN ORDINANCE ESTABLISHING A DEPARTMENT OF PUBLIC WORKS AND CREATING THE POSITIONS OF DIRECTOR OF PUBLIC WORKS AND DIVISION SUPERVISORS (FIRST READING) Ordinance 2020-09

Documents:

ORDINANCE 2020-09 ESTABLISHING THE DEPARTMENT OF PUBLIC
WORKS AND CREATING THE POSITIONS OF DIRECTOR OF PUBLIC
WORKS AND DIVISION SUPERVISORS.PDF

- C. A RESOLUTION DECLARING AN ECONOMIC DEVELOPMENT AREA AND
APPROVING AN APPLICATION FOR PERSONAL PROPERTY TAX ABATEMENT
(MWI ANIMAL HEALTH) Resolution 2020-12

Documents:

RESOLUTION 2020-12 - MWI ANIMAL HEALTH-DECLARATORY
RESOLUTION.PDF
MWI ANIMAL HEALTH - MAP OF ERA-EXHIBIT A.PDF
MWI ANIMAL HEALTH - LOCAL INCENTIVE APPLICATION FINAL TO
ZIONSVILLE 06.26.2020 EXHIBIT B.PDF
STATEMENT OF BENEFITS - SIGNED 08312020 - EXHIBIT B.PDF
MWI PRESENTATION TO ZIONSVILLE TOWN COUNCIL FINAL
09022020.PDF

6. OTHER MATTERS
7. APPROVAL OF CLAIMS
8. ADJOURN

The next regular Town Council meeting is scheduled for Monday, September 21, 2020 at 7:30 a.m. This will be an electronic meeting. Notice will be posted in compliance with the Indiana Open Door Law. In his Executive Orders 20-02, 20-04 AND 20-08 (collectively, the "**Executive Orders**"), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention's and the Indiana State Department of Health's recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Town Council must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. Members of the public shall have the right to attend Town Council Public Meetings via the following form of electronic communication. A Zoom link will be provided in the meeting notice.



**ZIONSVILLE TOWN COUNCIL
MEETING MEMORANDA
FOR
MONDAY, AUGUST 24, 2020 AT 4:00 P.M.**

EXECUTIVE SESSION

ELECTRONIC MEETING

This meeting was conducted pursuant to Governor Eric J. Holcomb's Executive Orders 20-02, 20-04 and 20-08 and Governor Holcomb's Exercise of his powers under Indiana's Emergency Management and Disaster Law, Ind. Code 10-14-3, *et seq.*

Additional information about this meeting was provided in the annex published with the notice.

Date of Preparation: August 26, 2020

Members Present: Josh Garrett, Bryan Traylor, Jason Plunkett, Alex Choi, Brad Burk, Joe Culp, Craig Melton

Absent: None.

Others Present: Heather H. Willey, Legal Counsel to the Town Council

Pursuant to Ind. Code § 5-14-1.5-5(a) and notice provided on August 20, 2020 members of the Town Council met in an Executive Session of the Zionsville Town Council. The Executive Session took place via zoom on Monday, August 24, 2020 at 4:00 p.m. Present Garrett called the meeting to order at 4:00 p.m.

The Executive Session was held to discuss matters concerning alleged employee misconduct in accordance with Ind. Code § 5-14-1.5-6.1(b)(6)(A) and job performance evaluations in accordance with Ind. Code § 5-14-1.5-6.1(b)(9).

No subject matters were discussed other than the subject matters specified in the public notice.
President Garrett adjourned the meeting at 5:00 p.m.

Respectfully Submitted,

Josh Garrett, President
Zionsville Town Council

ATTEST:

Amelia Anne Lacy, Municipal Relations Coordinator
Town of Zionsville

RECORD OF HEARING
AND CONTINUOUS ENFORCEMENT ORDER

Action taken by the Town of Zionsville Town Council, the Hearing Authority, at a hearing held relative to an Order to Demolish and Remove issued by the Town's Enforcement Authority, the Department of Planning and Economic Development for the Town of Zionsville, pursuant to the provisions of Indiana Code 36-7-9.

Second Hearing Date: September 8, 2020, 7:00 p.m.

Issue Date of Order: January 10, 2020

First Hearing Date: February 18, 2020

Property Owner: Jack Norton, 12405 McCord Lane, Indianapolis IN 46236;
Gary A. & Colleen Wagner, 600 East 8th Street, Sheridan IN 46069; Gary A. & Colleen Wagner, 4075 South 875 East, Zionsville IN 46077

Property Address: 4075 South 875 East, Zionsville IN 46077

Legal Description:

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN BOONE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT 210.0 FEET NORTH OF THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION AT THE NORTH LINE OF THE RIGHT-OF-WAY OF THE INDIANAPOLIS AND NORTHWESTERN TRACTION COMPANY, RUN THENCE NORTH 282.0 FEET X 166.98 FEET X 265.16 FEET X 185.79 FEET, CONTAINING 1.50 ACRE, MORE OR LESS.

EXCEPTING THEREFROM, PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST, EAGLE TOWNSHIP, BOONE COUNTY, INDIANA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE ALONG THE APPROXIMATE CENTER LINE OF COUNTY ROAD 875 EAST AND THE QUARTER QUARTER SECTION LINE, NORTH 00 DEGREES 37 MINUTES 04 SECONDS EAST 103.96 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID APPROXIMATE CENTER LINE OF COUNTY ROAD

875 EAST, THE QUARTER QUARTER SECTION LINE AND PART OF THE WEST DESCRIBED LINE OF THE JACK NORTON PROPERTY RECORDED IN DEED RECORD 243, PAGES 310-312, BOONE COUNTY RECORDER'S OFFICE, NORTH 00 DEGREES 37 MINUTES 04 SECONDS EAST 55.00 FEET; THENCE SOUTH 63 DEGREES 17 MINUTES 17 SECONDS EAST 185.93 FEET; THENCE ALONG PART OF THE EAST DESCRIBED LINE OF SAID NORTON PROPERTY AND THE WEST LINE OF BLOCK "J" IN THE PRESERVE AT SPRING KNOLL, SECTION FOUR B, RECORDED AS INSTRUMENT #0320298 IN PLAT BOOK 14, PAGES 24-26, SOUTH 00 DEGREES 37 MINUTES 04 SECONDS WEST 55.00 FEET; THENCE ALONG THE NORTH DESCRIBED LINE OF THE TURLEY PROPERTY RECORDED IN DEED RECORD 243, PAGES 189-191, NORTH 63 DEGREES 17 MINUTES 17 SECONDS WEST 185.93 FEET TO THE POINT OF BEGINNING, CONTAINING 0.2108 ACRE, MORE OR LESS.

Order Being Reviewed: Order to Demolish and Remove, specifically:

1. All junk, trash, debris, fire hazardous material and public health hazards in and about the unsafe premises be removed and;
2. That all buildings on the premises be demolished and removed.

Findings of Fact:

1. The Town Council of the Town of Zionsville, Indiana, as Hearing Authority, held a prior hearing on this Order on February 18, 2020. Property Owner Jack Norton appeared at that hearing and gave testimony. At the conclusion of that hearing, the Town Council approved the Order of Demolition of all structures at 4075 South 875 East, Zionsville, Indiana 46077.

2. The Enforcement Authority caused an updated inspection to be completed on August 19, 2020, which has shown that the property remains in an unsafe condition as it was described in the original Order to Demolish and Remove dated January 10, 2020.

3. Proper notice of the Order and this hearing relative to the Order was given to all persons with a substantial property interest in the real estate affected as evidenced by the Publisher's Affidavit filed with the Hearing Authority and the Affidavit of Service from the Enforcement Authority.

4. The following persons with a substantial property interest in the real estate affected were present at the hearing: _____

_____.

5. Evidence was presented by all persons present who wished to be heard.

6. The premises and all structures continue to be unsafe as alleged in the Order being reviewed, and said Order is incorporated herein by reference.

7. The persons with a substantial property interest in the real estate affected have not commenced work in an effort to comply with the Order to Demolish and Remove.

8. The premises has a negative effect on property values and the quality of life of the surrounding area.

Decision of the Hearing Authority:

1. The Hearing Authority again affirms the Order to Demolish and Remove.

2. At this time, no civil penalties are assessed due to a willful failure to comply with the Order.

3. The property owners shall have an additional ten (10) days from today's date to bring the real estate into full compliance with the Order to Demolish and Remove of January 10, 2020. Absent complete compliance, the Enforcement Authority shall solicit quotes for performance of the work required by the Order and shall cause such abatement work to be completed.

4. The Enforcement Authority is directed to solicit quotes from contractors licensed and qualified under law for performance of the work required by the Order and to provide the required notice to persons with a substantial property interest in the real estate affected.

5. The Town Council of the Town of Zionsville, as Hearing Authority, hereby issues this Continuous Enforcement Order for compliance with the Order to Demolish and Remove and for abatement of the unsafe premises, such that:

a. the Order remains in full force and effect on the property without further requirements to seek additional compliance or abatement authority or orders for the same or similar violation;

b. this Continuous Enforcement Order authorizes ongoing compliance and enforcement activities if the unsafe premises requires re-inspection or additional periodic abatements;

c. this Continuous Enforcement Order can be enforced, including assessment of fees and costs, without the need for additional notice or hearing; and

d. this Continuous Enforcement Order authorizes the Enforcement Authority to assess and collect ongoing costs for Continuous Enforcement Order activities from any party that is subject to the Enforcement Authority's Order.

6. The Enforcement Authority may be contacted at the following address, telephone number or email address:

Department of Planning & Economic Development
for the Town of Zionsville, Indiana
Attn: William Peeples, AICP
1100 West Oak Street
Zionsville IN 46077
(317) 344-1163
wpeeples@zionsville.in.gov

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

	YEA Signature	NAY Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

Before me, a Notary Public, in and for said County and State, personally appeared

_____ ,

_____,
_____,
_____,
_____,
_____,

who acknowledged the execution of the foregoing document.

WITNESS my hand and Notarial Seal this ____ day of _____, 20____.

Notary Public – Signature

Notary Public – Printed

My Commission Expires:_____

County of Residence:_____

EXECUTED AND DELIVERED in my presence:

Signature

Printed Name

STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

Before me, a Notary Public in and for said County and State, personally appeared _____, being known to me to be the person whose name is subscribed as a witness to the foregoing instrument, who, being duly sworn by me, deposes and says that the foregoing instrument was executed and delivered by _____,

_____,
_____,
_____,
_____.

in the above-named subscribing witness's presence, and that the above-named subscribing witness is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

Witness my hand and Notarial Seal this _____ day of _____, 2020.

Notary Signature

Notary Printed Name

The Indianapolis Star

130 South Meridian Street
Indianapolis, IN 46225
Marion County, Indiana

Federal Id: 06-1032273

TOWN OF ZIONSVILLE

Account #:INI-2529
Order #:0004347735
of Affidavits: 2
Total Amount of Claim:\$150.13
This is not an invoice

TOWN OF ZIONSVILLE
ATTN Roger A. Kilmer
1100 W OAK ST
ZIONSVILLE, IN 46077

PUBLISHER'S AFFIDAVIT

STATE OF WISCONSIN, }
County Of Brown } **SS:**

Personally appeared before me, a notary public in and for said county and state, the undersigned

I, being duly sworn, say that I am a clerk for THE INDIANAPOLIS NEWSPAPERS a DAILY STAR newspaper of general circulation printed and published in the English language in the city of INDIANAPOLIS in the state of INDIANA and county of MARION, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 times., the dates of publication being as follows:

The insertion being on the 08/28/2020

Newspaper has a website and this public notice was posted in the same day as it was published in the newspaper.

Pursuant to the provisions and penalties of Ch. 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

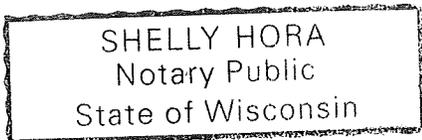
[Signature]

Date: 8-28, 2020 Title: Clerk

Subscribed and sworn to before me this 28 day of August, 2020

[Signature]
Notary Public

Notary Expires: 8-25-23



To: INDIANAPOLIS

STAR

(Governmental Unit)

County, Indiana

Indianapolis, IN

119 lines, 2 columns wide equals 238 equivalent lines at \$0.63 per line @ 1 days, \$150.13

Website Publication \$0

Acct #:INI-2529
Ad #: 0004347735

Charge for proof(s) of publication \$0.00

DATA FOR COMPUTING COST

Width of single column 9.5 ems

Number of insertions 1

Size of type 7 point

TOTAL AMOUNT OF CLAIM

\$150.13

Claim No. _____ Warrant No. _____

IN FAVOR OF

The Indianapolis Star

Indianapolis, IN

Marion County

130 S. Meridian St. Indianapolis, IN 46225

I have examined the within claim and hereby certify as follows:

That it is in proper form.

This it is duly authenticated as required by law.

That it is based upon statutory authority.

That it is apparently (correct)
(incorrect)

\$ _____
On Account of Appropriation For

FED. ID

#06-1032273

Allowed _____, 20____

In the sum of \$ _____

I certify that the within claim is true and correct; that the services there-in itemized and for which charge is made were ordered by me and were necessary to the public business.

**TOWN COUNCIL, TOWN OF ZIONSVILLE, INDIANA
NOTICE OF ORDER TO DEMOLISH AND REMOVE AN UNSAFE
BUILDING AND NOTICE OF A PUBLIC HEARING PURSUANT TO
INDIANA CODE § 36-7-9-7
PROPERTY – 4075 SOUTH 875 EAST, ZIONSVILLE, IN 46077**

To: Mr. Jack Norton, Mr. Gary Wagner and Mrs. Colleen Wagner and any other person or corporate entity with a substantial interest in the premises located at 4075 South 875 East, Zionsville, Indiana 46077. You are hereby provided notice that the premises located at 4075 South 875 East, Zionsville, Indiana 46077 (the "Property"), in which you have a substantial interest constitutes a safety hazard and nuisance under the Indiana Code § 36-7-9 et seq. ("State Law") and the Code of Ordinances of the Town of Zionsville, Indiana ("Unsafe Building Ordinance"). Pursuant to the authority granted under the Unsafe Building Ordinance and State Law, and per the notices provided to you by the Town of Zionsville (the "Town") you are being notified of a public hearing regarding the ORDER OF DEMOLITION FOR ALL STRUCTURES LOCATED ON THE PROPERTY and issuance of a CONTINUOUS ENFORCEMENT ORDER. You are also notified of a public hearing regarding this Order. In accordance with the Unsafe Building Ordinance and the requirements of state law, a hearing has been set for TUESDAY, SEPTEMBER 8, 2020, AT 7:00 P.M. (local time) via Electronic Meeting (details below). At that hearing, you, and any other person with a substantial interest in the Property which is the subject of this Order, may appear in person or by counsel. Each such person appearing at the hearing is entitled to present evidence, cross-examine opposing witnesses, and present argument. At this hearing, the Town Council, acting as hearing authority will take action to affirm, rescind or modify this Order and pursue any civil penalties afforded under state law and/or the Unsafe Building Ordinance.

THE COUNCIL WILL CONDUCT A PUBLIC HEARING TO RECEIVE AND HEAR REMONSTRANCE AND OBJECTIONS TO THE ACTION TAKEN IN THE ORDER AT A PUBLIC HEARING TO BE HELD ON TUESDAY, SEPTEMBER 8, 2020 AT 7:00 P.M. THIS PUBLIC MEETING WILL BE CONDUCTED PURSUANT TO GOVERNOR ERIC J. HOLCOMB'S EXECUTIVE ORDERS 20-02, 20-04 AND 20-08 AND GOVERNOR HOLCOMB'S EXERCISE OF HIS POWERS UNDER INDIANA'S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, et seq. ADDITIONAL INFORMATION REGARDING THE MEETING IS PROVIDED IN THE ANNEX PUBLISHED WITH THIS NOTICE.

Dated this 25th day of August, 2020.

TOWN COUNCIL, TOWN OF ZIONSVILLE, INDIANA
/s/ Amelia Lacy, Municipal Relations Coordinator

**ANNEX TO PUBLIC NOTICE FOR THE SEPTEMBER 8, 2020
REGULAR MEETING OF THE ZIONSVILLE TOWN COUNCIL**

In his Executive Orders 20-02, 20-04 AND 20-08 (collectively, the "Executive Orders"), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention's and the Indiana State Department of Health's recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Town Council must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. According, all public meetings of the Town Council shall be conducted in the following manner until the end of the COVID-19 Public Health Emergency:

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Or iPhone one-tap :

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Webinar ID: 156 545 305

International numbers available: <https://us02web.zoom.us/j/156545305>

V86c260

(S - 8/28/20 - 0004347735)

hspaxlp

ORDINANCE 2020- 09
OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA

**AN ORDINANCE ESTABLISHING A DEPARTMENT OF PUBLIC WORKS
AND CREATING THE POSITIONS OF DIRECTOR OF PUBLIC WORKS
AND DIVISION SUPERVISORS**

WHEREAS, the Town of Zionsville (“Town”) currently has separate departments which provide support and services to the Town residents and businesses relating to street and road maintenance and improvements, wastewater and stormwater services, and facilities management; and

WHEREAS, pursuant to Town Resolution 2014-11, Reorganization 2.0 Section ZR2A23, the Zionsville Town Council (“Town Council”) may, upon recommendation from the Mayor, eliminate Town departments, combine Town departments and create new Town departments; and

WHEREAS, in order to promote internal and external project coordination, operational efficiencies and best utilize the Town’s resources of employees, equipment and materials, the Mayor and the Town Council have determined it to be in the best interest of the Town that the currently existing Street, Stormwater, and Wastewater departments be combined into a single new Department of Public Works along with new divisions of Facilities Management, Environmental Stewardship, and Engineering; and

WHEREAS, such a consolidation will provide the most wholistic, efficient and effective way to manage and deliver services to the Town’s residents and businesses and will provide economic benefit to the Town by reducing the need to outsource services related to public works and therefore reduce expenses; and

WHEREAS, a new position of Director of Public Works shall be created to manage the new Department of Public Works and such Director shall serve under the jurisdiction of the Mayor, pursuant to Town of Zionsville Resolution 2014-11, Reorganization 2.0 Section ZR2A23; and

WHEREAS, the Director of Public Works shall be a Department Head as that term is referred to in Resolution 2014-11 and specifically ZR2A24; and

WHEREAS, the Department of Public Works shall encompass services currently provided by the Town relating to public works and shall be divided into several divisions including a Wastewater Division, Facilities Management Division, Environmental Stewardship Division, Street Division, Stormwater Management Division and Engineering Division; and

WHEREAS, each Division within the Department of Public Works shall be managed by a Division Supervisor, who shall each serve under the jurisdiction of the Mayor, although the

day-to-day operations of each Division Supervisor will be supervised and managed by the Director of Public Works; and

WHEREAS, the Director of Public Works may also serve as a Division Supervisor of any Division where the Mayor and the Director deem appropriate; and

WHEREAS, any and all new positions created under this Ordinance shall be incorporated into a future Town of Zionsville Salary Ordinance to reflect the creation of the positions of Director of Department of Public Works and Division Supervisors and the correlating salary amendments.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Zionsville, Boone County:

Section One. Creation of Department of Public Works. There is hereby created in the Town a Department of Public Works.

Section Two. Director of Public Works. The Department of Public Works shall be managed by a Director of Public Works and such position of Director of Public Works is hereby created.

Section Three. Divisions of the Department of Public Works. The Department of Public Works shall encompass the following Divisions which are hereby created:

1. Wastewater Division
2. Facilities Management Division
3. Environmental Stewardship Division
4. Street Division
5. Stormwater Management Division
6. Engineering Division

Section Four. Division Supervisors. Each Division within the Department of Public Works shall be managed by a Division Supervisor and such Division Supervisor positions are hereby created. The Director of Public Works may serve as Division Supervisor of any Division within the Department of Public Works where deemed by the Mayor and Director to be appropriate. Each Division Supervisor serves under the jurisdiction of the Mayor, although the day-to-day operations of each Division Supervisor will be supervised and managed by the Director of Public Works.

Section Five. 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 Six. 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 Seven. 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 Eight. Duration and Effective Date. The provisions of this Ordinance shall become and remain in full force and effect following the date of its passage and adoption and upon its signature by the Mayor in the manner prescribed by Indiana Code § 36-5-2-10(a) and until its repeal by ordinance.

DULY PASSED AND ADOPTED this _____ day of September, 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

	YEA Signature	NAY Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Emily Styron on the _____ day of _____ 2020, at _____ m.

ATTEST: _____
Amelia Anne Lacy,
Municipal Relations Coordinator

MAYOR'S APPROVAL

Emily Styron, Mayor _____

Date:

MAYOR'S VETO

Emily Styron, Mayor

Date:

RESOLUTION NO. 2020-12__
OF ZIONSVILLE, INDIANA

**A RESOLUTION DECLARING AN ECONOMIC REVITALIZATION AREA
AND APPROVING APPLICATIONS FOR REAL TAX ABATEMENT**

MWI ANIMAL HEALTH

WHEREAS, the Town of Zionsville, Indiana (the "Town") has been advised of a proposed revitalization program which includes the installation of new logistical distribution equipment and information technology equipment located in the Town at 5190 South State Road 267, as more particularly described in the map and including the parcel identified in Exhibit A attached hereto (the "Area"); and

WHEREAS, the Town has thoroughly studied and been advised by MWI Animal Health ("MWI Animal Health") of a new project which includes to relocation of MWI Animal Health to the Area and installation of new logistical distribution equipment and information technology equipment of approximately \$5,800,000 (the "Project"), as more particularly described in and hereinafter defined as the MWI Animal Health Application; and

WHEREAS, the Town has received from MWI Animal Health for (i) an Application for Personal Property Tax Abatement, including a Statement of Benefits Personal Property, attached hereto as Exhibit B and incorporated herein by reference (the "MWI Animal Health Application") and (ii) a request that the Town confirm the designation of the Area as an economic revitalization area pursuant to Indiana Code § 6-1.1-12.1, as amended (the "Act"); and

WHEREAS, the Act has been enacted to allow for the creation of "economic revitalization areas" and to provide all of the rights, powers, privileges and immunities that may be exercised by this Town in an economic revitalization area, subject to the conditions set forth in the Act; and

WHEREAS, MWI Animal Health anticipates a significant investment of new logistical distribution equipment and information technology equipment tangible in the Area, and has submitted the MWI Animal Health Application to the Town Council in connection therewith; and

WHEREAS, the Town previously determined in 2019 and hereby confirms that it continues to find that the Area is an area that has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values and prevented normal development and use of the property and that the continued designation of the Area as an economic revitalization area would enhance the opportunity for the creation of new jobs and the protection of the current employment; and

WHEREAS, the Town has reviewed the information brought to its attention, including the MWI Animal Health Application, and hereby determines that it is in the best interest of the Town to continue to designate the Area as an economic revitalization area pursuant to the Act; and

WHEREAS, the Town Council finds that the purposes of the Act are served by allowing MWI Animal Health a personal property tax deduction for the Project for a period of ten (10) years pursuant to the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, INDIANA, as follows:

1. The Area was previously declared and is hereby confirmed an "economic revitalization area" under Section 2.5 of the Act, subject to a public hearing, the adoption of a confirmatory resolution by the Town Council and other requirements of the Act.

2. In accordance with Sections and 2.5 and 4.5 of the Act, the Town Council hereby determines that MWI Animal Health shall be entitled to a personal property tax deduction for the Project, to be provided pursuant to Section 4.5 of the Act, for a period of ten (10) years with respect to qualify the new logistical distribution equipment and information technology equipment as contemplated by and reflected in the MWI Animal Health Application as filed with the Town Council, with such abatement to be in accordance with the following schedule:

<u>Year</u>	<u>% of Assessed Value Exempt from Real Property Taxes</u>
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

3. The Director of the Department of Finance and Records of the Town is hereby authorized and directed to make all filings necessary or desirable with the Boone County Assessor, to publish all notices required by the Act, and to take all other necessary actions to carry out the purposes and intent of this Declaratory Resolution and to ensure that the Area continues to be classified as an economic revitalization area.

4. The Director of the Department of Finance and Records of the Town is further authorized and directed to file this Declaratory Resolution, together with any supporting data, to each of the officers of each taxing unit that has authority to levy property taxes in the geographic area where the Area, including the Project site, is located, as provided in the Act.

5. This Declaratory Resolution shall be submitted to a public hearing to be convened by the Town Council, where the Town Council will receive and hear all remonstrances and objections as provided by the Act.

6. As previously determined, the Area shall cease to be designated an economic revitalization area on January 1, 2038, but until such time, the Area will be designated an economic revitalization area for all purposes under the Act, including without limitation Sections 3, 4.5 and 4.8 of the Act.

7. The Town Council hereby makes the following affirmative findings pursuant to Section 4.5 of the Act in regards to the MWI Animal Health Application:

- a. the estimate of the value of the new logistical distribution equipment and information technology equipment is reasonable for projects of that nature;
- b. the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected from the installation of the new logistical distribution equipment and information technology equipment;
- c. the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected from the installation of the new logistical distribution equipment and information technology equipment is reasonable; and
- d. the totality of benefits is sufficient to justify the deduction.

8. As an inducement for MWI Animal Health to invest in the Area, the MWI Animal Health Application is hereby approved effective upon confirmation of this Declaratory Resolution as required by the Act.

9. The provisions of this Declaratory Resolution shall be subject in all respects to the Act and any amendments thereto.

10. This Declaratory Resolution shall take effect upon its adoption.

DULY PASSED AND ADOPTED this ____ day of _____, 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana; having been passed by a vote of ____ in favor and ____ opposed.

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

	YEA Signature	NAY Signature
Josh Garrett, President		
Bryan Taylor, Vice-President		
Alexander Choi, Member		
Brad Burk, Member		
Jason Plunkett, Member		
Craig Melton, Member		
Joe Culp, Member		

I hereby certify that the forming Ordinance was delivered to Town of Zionsville Mayor Emily Styron on the ____ day of _____, 2020, at ____ a.m.

ATTEST: _____
 Amelia Anne Lacy
 Municipal Relations Coordinator

MAYOR'S APPROVAL

 Emily Styron, Mayor

Date: _____

MAYOR'S VETO

 Emily Styron, Mayor

Date: _____

EXHIBIT A

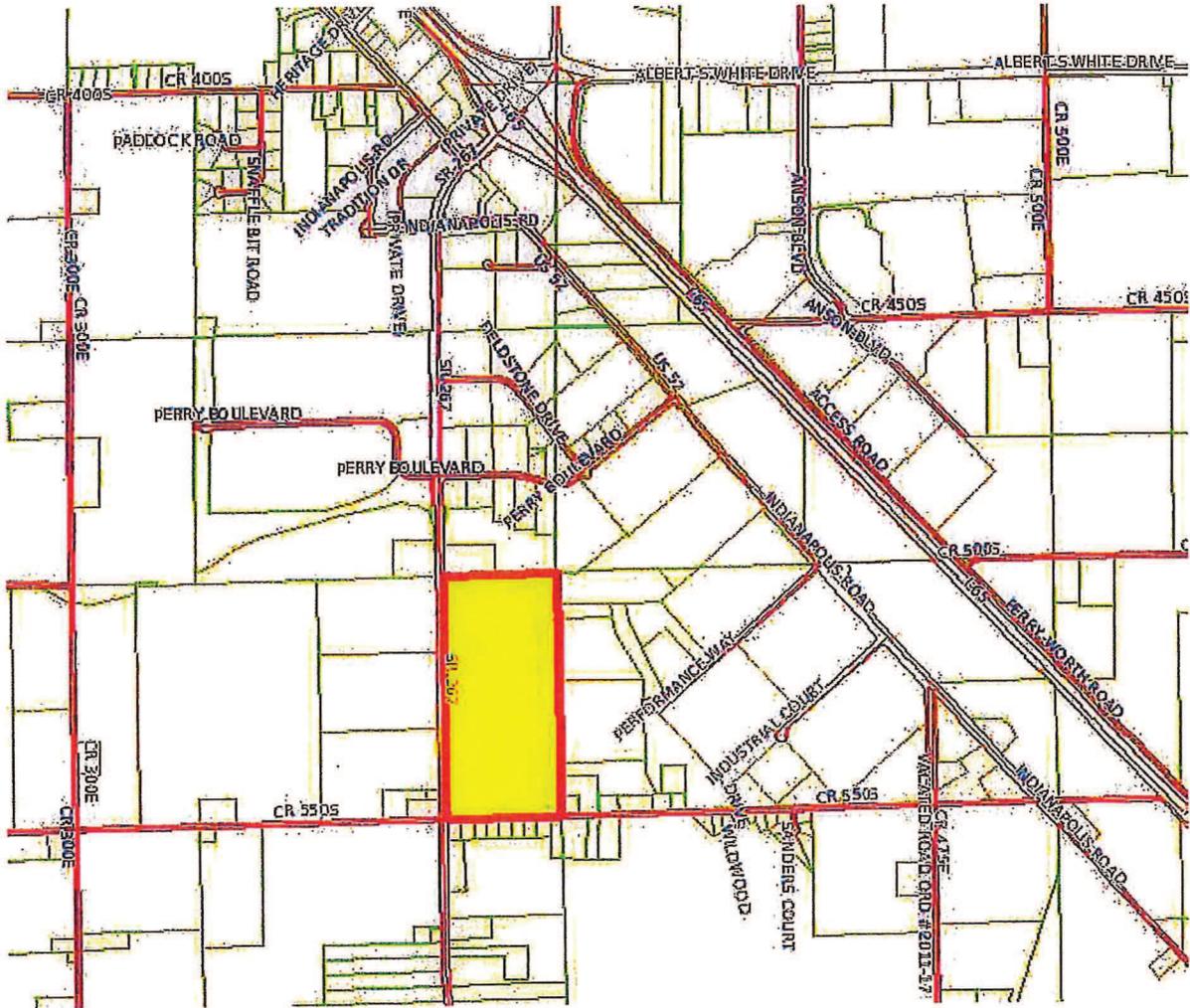
*Map of the Area and Parcel in the Area**

EXHIBIT B

*MWI Animal Health Application
(including Statement of Benefits Personal Property)*

EXHIBIT A

*Map of the Area and Parcel in the Area**



* The Area is shaded in yellow on the above map.

The Area includes the following parcel number: 008-01830-01

Location (Site identifier)

Lot Number / Address (if site is identified): 5025 S SR 267, Lebanon, IN 46052

Acres needed / preferred location (if site is not identified): N/A - Would lease building at this location.

Unique infrastructure needs (does operation use/need access to a significant amount of water, electric, gas, fiber,):

No unique needs identified at this time.

Investment

Intended initial investment (at opening), real property: _____

Intended initial investment (at opening), personal property: \$5,800,000

Real property, additional investment over 10 years (from open): _____

Personal property, additional investment over 10 years (from open): To Be Determined

Building / improvement details

Size of building (gross): 146,000 SF Height of building: 36'

Number of floors: 1 + Mezzanine Number of loading docks: 16

Size of warehouse component: (if applicable): 134,000 SF

Size of office component: (if applicable): 12,000 SF

Size of showroom/ retail component (if applicable): N/A

Operation

Is this a start-up of a new operation? No

Is this a relocation of an existing operation? Yes

If relocation, what is current location? 3890 Perry Blvd., Whitestown, IN 46075

If consolidating, what are the additional locations? N/A

Number of employees, at opening: 125

Anticipated average wages: \$17.90

Number of new employees anticipated on 10 year horizon: 51

Anticipated customers / visitor trips to the building, per week: 5-10 Per Week

Intended occupancy date: Q4 2020 for equipment with personnel in January 2021



**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State Form 51764 (R4 / 11-15)

Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
3. To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1 TAXPAYER INFORMATION

Name of taxpayer Midwest Animal Health	Name of contact person Tom Wakefield
Address of taxpayer (number and street, city, state, and ZIP code) 5025 SR 267 Lebanon, IN 46052	Telephone number (317) 769.7771

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body Zionsville Town Council	Resolution number (s)	
Location of property 5025 SR 267 Whitestown, IN 46075	County Boone County	
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.) Machinery & equipment associated with warehouse distribution logistics and associated IT/Computer equipment to support operations.	DLGF taxing district number 008 Perry/Zionsville Rural	
	ESTIMATED	
	START DATE	COMPLETION DATE
	Manufacturing Equipment	
	R & D Equipment	
Logist Dist Equipment	10/01/2020 12/31/2021	
IT Equipment	10/01/2020 12/31/2021	

SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
		125 new to Zionsville	\$4,651,400	51	\$2,054,769

SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values								
Plus estimated values of proposed project					4,500,000		1,300,000	
Less values of any property being replaced								
Net estimated values upon completion of project								

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) 0	Estimated hazardous waste converted (pounds) 0
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Other benefits:
Adds a well known company to the community, known for being a good corporate citizen

SECTION 6 TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative <i>Thomas Wakefield</i>	Date signed (month, day, year) 8-31-2020
Printed name of authorized representative Thomas Wakefield	Title Director, Operations

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 <i>Check box if an enhanced abatement was approved for one or more of these types.</i>
2. Installation of new research and development equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
3. Installation of new logistical distribution equipment.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
4. Installation of new information technology equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

C. The amount of deduction applicable to new manufacturing equipment is limited to \$ _____ cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

D. The amount of deduction applicable to new research and development equipment is limited to \$ _____ cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ _____ cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

F. The amount of deduction applicable to new information technology equipment is limited to \$ _____ cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

G. Other limitations or conditions (specify) _____

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

<input type="checkbox"/> Year 1	<input type="checkbox"/> Year 2	<input type="checkbox"/> Year 3	<input type="checkbox"/> Year 4	<input type="checkbox"/> Year 5	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: _____ (Enter one to twenty (1-20) years; may not exceed twenty (20) years.)
<input type="checkbox"/> Year 6	<input type="checkbox"/> Year 7	<input type="checkbox"/> Year 8	<input type="checkbox"/> Year 9	<input type="checkbox"/> Year 10	

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? Yes No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by: (signature and title of attester)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

**IC 6-1.1-12.1-17
Abatement schedules**

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
 - (2) The number of new full-time equivalent jobs created.
 - (3) The average wage of the new employees compared to the state minimum wage.
 - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

MWI Animal Health PROJECT OVERVIEW

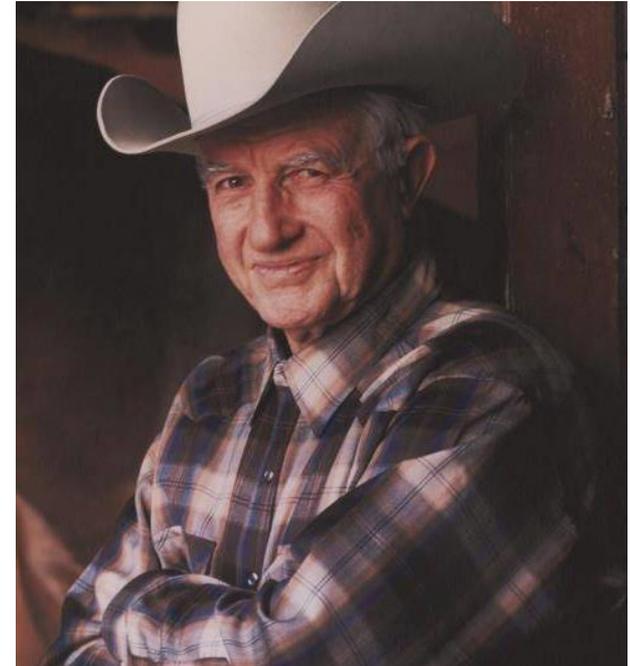
September 8, 2020

Thomas Wakefield, MWI Animal Health

HISTORY OF MWI Animal Health

The name MWI comes from the initials of Millard Wallace Ickes, a DVM and accomplished equestrian, affectionately known as Doc. In the mid 1970's, he recognized - based on a decade of running his mixed animal veterinary hospital in Idaho - that veterinarians in the northwest region were simply too isolated from manufacturers to receive quality service and too small to qualify for large discounted purchases. He converted cages in the back of his veterinary clinic into storage units, and a distribution company was born.

The MWI business today operates in the same way Doc's did. We recognize challenges in the animal health industry, and we develop practical solutions to remedy them. While much has changed since those early days, we remain deeply proud of Doc's principles, values and vision, and we use them as the foundation for our future.



Markets for MWI Animal Health



Veterinary Practices – We build lasting relationships with veterinarians through a deep understanding of clinic operations, competitive pressures and growth strategies.



Cattle, Swine and Poultry Producers – We offer expertise on animal health products, technology solutions and management systems to help maximize the long-term success of cattle, swine and poultry operations.



Ag Retailers – We offer expertise on animal health products, marketing, business management strategies and promotions to help maximize efficiency and capitalize on Ag retailers inventory investment.



Manufacturer Services – We provide national distribution and full support services to our manufacturer partners, large and small and we help manage all the important aspects of the business, from sales and marketing to logistics.

PRODUCTS AND SOLUTIONS

ALLYDVM – The most powerful and customizable client engagement platform in the veterinary industry, built to help solve the most important challenges faced by practices today — client retention and client compliance.

Capital Equipment – The MWI Equipment team is comprised of a knowledgeable group of individuals who have clinical experience and a sole focus on veterinary capital equipment and a true interest in technology and effective clinical applications of that technology.

Distinct Advantage™ Program - MWI provides the products and services needed to optimize inventory investment and help optimize investments in the other essential areas of business management.

Online Store - Built on everything we learned from customers across the country, our online store makes ordering, pulling reports and managing your inventory easier than ever.

PROPOSED PROJECT SITE

5025 S. SR 267

146,000 square feet



PROJECT PARAMETERS

Existing Jobs to be Relocated to Zionsville	125
Annual Payroll	\$4.65M
New Job Commitment by 12/2024	51
Annual Payroll	\$2.05M
Capital Investment by 12/2021	\$5.8M
<i>New Machinery & Equipment</i>	\$4.5M
<i>IT Equipment</i>	\$1.3M

THANK YOU.



QUESTIONS?

CONTACT INFORMATION

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Director of Operations

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Ginovus

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