



**ZIONSVILLE TOWN COUNCIL
MEETING MINUTES
FOR
FEBRUARY 3, 2025
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; Tim McElderry, Craig Melton, Evan Norris, Sarah Esterline Sampson, and Joe Stein

Also Present: Adam Steuerwald, Town Council Attorney; Mayor John Stehr; Deputy Mayor Justin Hage; Chief James VanGorder; Cindy Poore, Director of Finance & Records; Lance Lantz, Director of DPW; Jon Oberlander, Town Attorney; Amy Lacy, Municipal Relations Coordinator and other Town staff

OPENING

A. Call meeting to order

B. Pledge of Allegiance

Plunkett All right, good evening. I will now call to order the Monday, February 3, 2025 regular Town Council meeting. If you would please, stand and join me for the Pledge of Allegiance.

All Pledge of Allegiance.

SWEARING IN OF TAD HENDERSON, EMS DIVISION CHIEF

Plunkett All right, we have made a slight change to the agenda. We're going to start off with the swearing in of Tad Henderson, EMS Division Chief and we have Chief VanGorder and Mayor Stehr with us.

VanGorder Good evening. Thank you Mr. President and members of the Council. If I could ask Tad Henderson and his family to please come forward. Tad Henderson started at the Zionsville Fire Department on March 20, 2017. Prior to that, he came to us with four years of career firefighting experience and over 10 years of emergency medical service experience. He's served in many roles with the

Zionsville Fire Department in addition to being a firefighter/paramedic on shift but not excluding other items such as he is a member of our awards committee, our SOG committee, a recruitment team member, a mentor for new recruits and probationary firefighters and most recently served on a short stint as our shift training coordinator. Joining Tad for the ceremony this evening is his wife, Hannah, and their children. His mother, Sally, is in attendance, his sister and brother-in-law are here as well. His father is unable to be with us this evening as he is in Nicaragua on a mission trip. I am super appreciative of Mayor Stehr and the Council for allowing us this opportunity to swear Tad Henderson in as the Fire Chief's appointment to the position of Division Chief of EMS. Mr. Mayor –

Stehr It's always nice to see so many people dressed in blue in the room. If you looked out in our parking lot you would think there's an emergency but there's no emergency. It's all good tonight and this is a pleasure to have this opportunity to swear you in. So why don't you step over here with your family and raise your right hand and please repeat after me. I, Tad Henderson –

Henderson I, Tad Henderson –

Stehr Do solemnly swear –

Henderson Do solemnly swear –

Stehr That I will support –

Henderson That I will support –

Stehr The Constitution of the United States of America –

Henderson The Constitution of the United States of America –

Stehr The Constitution of the State of Indiana –

Henderson The Constitution of the State of Indiana –

Stehr And the Ordinances of the Town of Zionsville, Indiana –

Henderson And the Ordinances of the Town of Zionsville, Indiana –

Stehr That I will faithfully –

Henderson That I will faithfully –

Stehr Honestly –

Henderson Honestly –

Stehr And impartially –

Henderson And impartially –

Zionsville Town Council
February 3, 2025

Stehr Discharge all my official duties –

Henderson Discharge all my official duties –

Stehr In the position of Division Chief of EMS –

Henderson In the position of Division Chief of EMS –

Stehr For the Town of Zionsville –

Henderson For the Town of Zionsville –

Stehr Regardless of the race –

Henderson Regardless of the race –

Stehr Creed –

Henderson Creed –

Stehr Color –

Henderson Color –

Stehr Religion –

Henderson Religion –

Stehr Sex –

Henderson Sex –

Stehr Or national origin –

Henderson Or national origin –

Stehr Of the persons I serve –

Henderson Of the persons I serve –

Stehr So help me God.

Henderson So help me God.

Stehr Congratulations.

Henderson Thank you.

Plunkett We'll give everybody associated with the Fire Department an opportunity to skip out of here if you don't want to stick around for the rest of the meeting. Riveting stuff but, you know –

APPROVAL OF THE MEMORANDUM OF THE JANUARY 6, 2025 REGULAR MEETING

Plunkett All right, we'll move on to the next item of business is the Approval of the January 6, 2025 Town Council Meeting Memoranda. A copy has been posted. Are there any questions from Councilors? Having none, I would move to approve.

Sampson Second.

Plunkett Second from Councilor Sampson. 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 2024 CORRECTED CLAIMS

Plunkett Up next is the approval of 2024 corrected claims. Are there any questions from Councilors? If there are none –

Sampson I have some questions – hi Cindy.

Poore Good evening.

Sampson I do appreciate your corrections memorandum. I had a few questions though anyway.

Poore Okay.

Sampson I did try and follow when the PO number was listed and assumed that was my signal that that was why it was being re-claimed.

Poore Right.

Sampson And I saw at the, I saw the corrections that you explained for Funds 2300 and 2301 –

Poore Yes –

Sampson Totally followed that line of thinking. I remember splitting that account for Fire and Police. How was the ADP error found or how does that happen? The larger?

Poore That, it actually wasn't a large error.

Sampson I meant the larger entries.

Poore Yes –

Sampson Yes, yes.

Poore That was actually found when we were reconciling at month end. I'm not sure – it, it was actually on the ADP side. One of our tax line items with the reports that were pulled from ADP that we used to enter into our financial system when we were reconciling what came out of the bank was less than what we had entered and so when our Payroll Department reached out to ADP, it just so happened they had something different on that one line item and it ended up being a little bit less than what we had in our system so the correction was made at the time of reconciliation.

Sampson Okay, so I was trying to figure out where the error happens. Is it in our input? Is it in a calculation? You said it was ADP's error but theirs, theirs was less so we owed more?

Poore No, no. We, in our system we input more than what was actually necessary so the line item was less than what we had input.

Sampson So that would be our –

Poore No.

Sampson Error.

Poore No, it was, it was on the ADP side. Their report and our report what was pulled was, was two different. They're not sure if, I mean they couldn't explain it. It wasn't on anything that we did on our end or in, or in our payroll area. It was definitely, it's the first time it's ever happened.

Sampson Okay.

Poore I just, all, all I can is it must've been a glitch on their side.

Sampson It just struck me –

Poore Yes.

Sampson As an odd error –

Poore Yes.

Sampson Because I would think this is a calculation that you guys make, they make, based on taxes and Medicare and –

Poore Right.

Sampson Like all the Social Security –

Poore Yes.

Sampson Withdrawal amounts. So that's, it just was that moment where I'm like well how did this error happen?

Poore Right. I don't know that they were able to actually explain it to Angie.

Sampson Okay.

Poore As to why it actually happened.

Sampson Okay.

Poore Yes.

Sampson It, is this a normal amount of corrections? Twenty-three (23) pages?

Poore No.

Sampson Okay.

Poore Well as you see, like at least five pages of it was just that one payroll entry –

Sampson Right.

Poore Because we had to void the whole thing and reenter it.

Sampson So is 19 a normal amount?

Poore Umm, well for one, this is a newer report –

Sampson Yes –

Poore And so, and here again even though it says corrections, probably wasn't the best word to use. They weren't all errors. They weren't – it, it could've been a department that said you know what, I paid that bill out of this line and I really should've taken it out of this this line so we fixed that. If the, if the change made sense, then we made that change but then that comes up as a correction.

Sampson Well it, it lends to my brain that this affects our budgeting process as well if we're, if we're able to put through a claim that seemingly went through in a line item and we're watching the appropriations balances for 12 months and we, you've been sending them to us which is great.

Poore Right.

Sampson And I've been watching the percentages as we go and I did see some accounts get higher. Why do we wait until now to fix things? Because like something that jumped out at me was that one claim back in March where I said hey wait, I remember a double claim. It was (inaudible)

Poore They weren't corrected now. So this report is pulled and is, we're able to generate it at the end of the year. So this is –

Sampson It's from all year long?

Poore It's from all year long so that correction in March happened in March.

Sampson Okay.

Poore So, so with that correction then when that change took place, the next appropriation report it would've been reflected in that.

Sampson Okay.

Poore So not everything was just now corrected, it's just the report is now generated.

Sampson It still seems like a lot of corrections for the year. Just kind of a, do we have a process that needs to be tweaked?

Poore Well, actually, I was talking to Councilor Melton about this earlier. This is something, here again, it's a newer report –

Sampson Right.

Poore And like I said, the majority of it, there's a very small amount that was actually errors. The majority of it is hey, I want to change this line item, etc. or like the payroll issue or the donation issue. This is something, there are a few processes that I'm working on that's going to be going out to the department heads and to the admins –

Sampson Okay.

Poore And this is one of them.

Sampson Well that would be my suggestion –

Poore Yes.

Sampson Based on my review.

Poore Yes.

Sampson Just \$5 million dollars of changing line items, grant it, some of it was a larger payroll amount but it, it's, it's \$5 million dollars that we have made errors at some point along the year so it's just something is, and I think it might just be not getting to the right line item, but –

Poore Right and it's –

Sampson That does affect our budgeting because if we're asking for budgets and we're looking at what we spent but things aren't corrected in August, we're looking at numbers that –

Poore Well when –

Sampson Maybe some line items.

Poore Generally when somebody wants to change a line item and stuff it, it happens pretty quickly and so here again now the payroll was towards the end of the year because it was the December 20th payroll.

Sampson Right, right.

Poore But a lot of that, even though that report has that dollar amount, that does not mean that everything that makes up that dollar amount was a correction because if you've got an accounts payable voucher that has 20 line items and you have to change a vendor or an amount or something like that, you have to void the entire thing –

Sampson Okay.

Poore Make the one change and so it's going to put all those 20 line items on there.

Sampson Okay.

Poore So I wouldn't –

Sampson Well it makes me feel better that you're telling me it's an entire year summary.

Poore Yes, it is.

Sampson When I was, when I'm getting this I'm reading here's the corrections report that is of the 3rd day of February so I'm like what am I looking at? This is a lot.

Poore No, they would've, right. They would've been, they would've been made closer to the time when it happened.

Sampson And so have we prorated amounts to, between 2023 and 2024? Like I saw one of the line items, not a very large amount, but it says like it's the 2023/24 lease so that was the correction that was made then or?

Poore I'm not sure which one you're talking about so I'm not sure I can –

Sampson I was picking on the very first one.

Poore Oh, okay. If it says 23/24 lease then I would say it's something that didn't actually hit the books until '24 –

Sampson Okay.

Poore Possibly and then and so then the correction would've been in '24.

Sampson Okay so a lot of the ones I circled I saw the PO number had popped on –

Poore Yes.

Sampson So I was going with that was the explanation.

Poore And you also, if you notice that a few of those with the PO number, sometimes when an encumbrance is done the department may not have enough in the line item to cover the entire invoice so we encumber what they do have. So if you look at the APV number, if it's the same then that means here again there were multiple line items within that entry but the PO is only showing up against one of them but we had to void the entire thing and re-input it to tie that one PO to it.

Sampson Okay, we'll I'd seen a few of the Barnes & Thornburg –

Poore Yes.

Sampson Back in here and I was like come on, haven't we been talking about that? So have we –

Poore Right.

Sampson Just for kicks, have we set a new way to get their bill so that it's paid timely because I saw in the other claims form that you paid January and February, and I was excited about that.

Norris Paying legal fees is, I mean it's, it's something that I can't even begin to explain.

Sampson Well there's a lot (inaudible)

Poore And there were a few in there that you're probably looking at that were paid out of the Council legal line –

Sampson Yes –

Poore But they were corrected to the Admin legal line –

Sampson Okay.

Poore Because it was prior to Jon Oberlander starting –

Sampson Right.

Poore And so they got miscoded and so those were corrected.

Sampson Okay. The last thing I have a question on and I'm sorry guys that I'm asking so many questions, but I felt that this was important since this was called corrections. There's a number on page 11 that is like \$200 and – I don't have glasses on –

Poore Bank reconciliation adjustment?

Sampson Yes and I feel like –

Poore Yes.

Sampson This is the reconciliation we asked about in March, am I wrong? And then it was, or is it a new one?

Poore No but yes, no. It was already taken care of back then and as far as – hang on, you said page 11?

Sampson Page 11. It's like the third line from the bottom. It says general obligation bond 2018 and I asked in March about a general obligation bond. I don't know if it was the 2018 and it was a \$200,000 something amount –

Poore Right –

Sampson And Mia told me that oh, that's for the parks and that was a mistake. And I feel like this is the same number. Am I wrong?

Poore I believe because what happened is the appropriation number just needed to be adjusted. It was still 2018 general obligation that's street and not parks so but just the appropriation number needed to be changed probably to like from a consulting to contractual services –

Sampson Okay.

Poore Or something like that.

Sampson That's where they're similar.

Poore Yes. So none, none of these things on this report that you're looking at – they've all been paid, they've –

Sampson Right.

Poore All been taken care of. These are just, this is more for transparency –

Sampson Yes.

Poore And year-end cleanup –

Sampson No, that's good.

Poore Than anything.

Sampson Well it's just hard as we come to the close –

Poore Sure.

Sampson Of business to see another \$200,000, \$286,000 oopsie so I just want to make sure it's not anything more than just going from contractual to consulting.

Poore No.

Sampson Okay.

Poore Because, because we wouldn't have been able to do anything more without bringing it before Council.

Sampson Okay.

Poore Right.

Sampson Well, no, that the same thing happened in March where that same-ish amount of number was –

Poore Yes –

Sampson Attached to a bond and we were told wait, that's not even supposed to be on your paperwork.

Poore I –

Sampson Yes.

Poore That's too many –

Sampson Sorry.

Poore Months ago for me to remember.

Sampson I'm sorry. Okay, all right.

Melton Cindy, Cindy you mentioned that you were going to work on a process –

Poore Right.

Melton Or some kind of system to try and prevent some of this. Is there some, are, are some of these mistakes or are these changes, are they predominantly within a certain department?

Poore Not necessarily, I mean –

Melton Are you seeing –

Poore You have to, and I know it seems like a lot but you have to also understand the volume of what comes through and so it, it could be easily maybe an, an admin coding something to one place and then the department head decides you know what, I needed to pay it from here instead of there or –

Melton Because they're in charge of their budget and they're watching their budget –

Poore Right and –

Melton And maybe the admin's not.

Poore And when something comes through, as long as it makes sense, we're not going to question it because they know their budget better than we know their budget so –

Melton Okay.

Poore As long as it makes sense and here again, same with the change, as long as it makes sense, we'll make the change for them. There's been times when we've said nope, sorry, can't do that but this report being a newer report was definitely an eye opener and it's something that, that is going to be addressed, just whether that is and here again I'm just talking off the top of my head because no process, I'm working on a process but if that means that admins and department heads take a closer look to make sure they're paying it from where they need to pay it, whatever that process may be, that's what we're going to put in place.

Melton Fantastic. Well thank you for –

Poore You're welcome.

Melton Explaining all of that.

Poore Sure.

Sampson But I think that just jumps right back to my point of the budgeting process being affected by this because when I looked at the budget, when we reviewed it back in August and September I remember seeing like certain departments did have contractual and consulting. Those are the best two examples you –

Poore Yes –

Sampson Could give and I paid attention to so as I watched the appropriations report and I would see something going down, down, down knowing that there was – I don't like that feeling of a slush fund of, so it's in the budgeting process. I would like people to look more line by line item of what they have and make sure they're not just putting this cushion in as we try to find money to pay for more firefighters and –

Poore Yes, I don't think it's so much of a, of a cushion as sometimes, sometimes here again the volume of what comes through the departments and my department as a whole, sometimes you just grab the wrong number.

Norris Thank you Cindy.

Poore You're welcome.

Sampson Thanks Cindy.

Norris I know this is a big report. Thank you so much.

Poore Yes, you're welcome.

Plunkett Any other questions for Cindy? Otherwise I would entertain a motion.

Norris I make a motion to approve the 2024 corrected claims.

Burk Second.

Plunkett First from Councilor Norris, a second from 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.

Poore Thank you.

APPROVAL OF THE 2024 YEAR-END CLAIMS

Plunkett Up next is the approval of the 2024 year-end claims. Are there any questions from Councilors?

Melton Just a comment – for the public transparency, my small business was supported by an invitation by the Town of Zionsville to cater the Christmas dinner and that is in this claims and I just want to recuse myself from that vote.

Plunkett Any other questions or comments from Councilors?

McElderry It was a great meal, by the way.

Plunkett I'll make a motion to approve.

Norris Second.

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

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 6 in favor, 0 opposed with Councilor Melton recusing himself.

APPROVAL OF THE JANUARY 2025 PAYROLL CLAIMS

Plunkett Up next is the approval of the January 25 payroll claims. Are there any questions from Councilors? I would make a motion to approve.

Norris Second.

Plunkett Second from Councilor Norris. 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 FEBRUARY 3, 2025 CLAIMS

Plunkett Up next is the approval of the February 3, 2025 claims. Are there any questions from Councilors? I will make a motion to approve.

Melton Second.

Plunkett Second from –

Sampson Can I ask one question?

Plunkett Hold on a second. Second from Councilor Melton and we will entertain comment, yes.

Sampson Okay, my comment would just be that when I reviewed the, the February 3rd – that's the one we're on? February 3rd claims there are a lot of December entries and I was just wondering is, is this something that will kick in some of corrections or adjustments between 2024 and 2025? Like how is that or when they come in here and it says like December expenses is it just because we're cash basis that we're, when we paid it or do we have any sort of responsibility for –

Poore Some of them may actually be encumbrances –

Sampson Okay.

Poore And they just don't have the PO number with them yet because here again we haven't closed out 2024.

Sampson Okay, that's, okay.

Poore Yes.

Sampson Great. Then I'm fine.

Plunkett All right, so we have a first from President Plunkett, a second from 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.

REQUEST TO SPEAK

Plunkett Up next is Request to Speak. I have one request to speak from Sean Hainer. Amy, do you have any other ones?

Lacy No, we do not.

Plunkett All right, Mr. Hainer, if you would please, when you come up here you'll have three minutes. I'll give you a one-minute warning as you dial that down and if you would just state your name and address for the record and I'll start the timer when you're done.

Hainer So my name is Sean Hainer. I'm at 11553 Indian Hill Way in Zionsville. I'm the treasurer of my community's HOA and I'm speaking in opposition to the Subdivision Control Ordinance Amendment regarding the streetlights. I want to first talk a little bit about the public streets because for our HOA about a third of our assessments go towards taking care of some of the costs of public streets. So there's four issues, there's four parts of that that I want to talk about. The street resurfacing of the streets – Zionsville's taken care of that, government takes care of that. We got no problem with that. That's working very, very well. Snow removal, as you know, when we moved to the urban district, Zionsville took over snow removal. We don't have to pay for that anymore, wonderful. Saves us a lot of money and it's way better now. Lance's crew takes a great, takes great care of us. The third area is street signs. Street signs in the ordinance are an optional thing. If we want to get decorative street signs, we can pay for them with HOA money; otherwise, Zionsville will take care of our street signs. The last area is streetlights. So there's two components of streetlights. There's the maintenance and there's the electrical. So currently under ordinance we have to pay for the maintenance of those streetlights. That's about \$119 per homeowner every year that our homeowners are paying for the maintenance of those streetlights on the public street, not in an area that, that we own. The part we're talking about tonight is the electrical usage. The electrical usage amounts to \$21 per homeowner every year. With this ordinance, that reimbursement is going to go away. So our HOA dues will go up by \$21 per homeowner. So I'm less concerned about \$20, to be honest. What I, what I want to point out is the, the tactic of taking the cost of, of public services and moving that over to an HOA when an HOA exists. If an HOA doesn't exist, you can't do it. So what I'm asking is it fair to shift the cost of public services only to those who live in an

HOA as a measure to decrease the costs of residential growth? I have great confidence in you guys. I've been watching for, watching for five years. I know you guys make great decisions. All I want to do is, is put that on the table. Is it the right thing to shift cost to HOAs when, when, when you can because if the HOA doesn't exist you can't so it's some pay, some don't. So that was, that's the only point I want to make. Thank you very much.

MAYOR/ADMINISTRATION UPDATE

Plunkett Thank you. All right, up next on the agenda is the Mayor/Administration Update and we have Mayor Stehr with us this evening.

Stehr Thank you President Plunkett and good evening Councilors. I know you have a full agenda so I'll be brief as I go through this. The new year has given us an opportunity to take a new look at economic development and economic redevelopment so we will be making a few changes. We're going to realign how we work with the Redevelopment Commission. Deputy Mayor, Justin Hage, will take on the additional title of Redevelopment Commission Executive Director and to streamline our efforts, the RDC will report to him which will clear up any confusion over the chain of command. And as part of this realignment, the Associate Planner, Zach Lutz, will focus on his economic development responsibilities and move out of the Planning Department structure. He will report directly to Justin and we do have a Salary Ordinance Amendment on the agenda tonight to affect his new role and title. It will not be an impact on the budget, it's just changing his title and changing his role.

And then we've also been working with several key stakeholders to create an Indiana Main Street organization through the State Office of Community and Rural Affairs or OCRA. The application is moving forward. We should have approval this spring and we will have a member of that committee come and report to you on that this spring. Main Street organizations focus on promoting the downtown commercial district as the center of life in a community and to me, this is in the category of economic development so as this process moves forward, I would anticipate coming to the Council to ask for an appropriation from the Food and Beverage Fund so the town can support this the way I think it needs to be supported. And that is all I have tonight. If no one has any questions, I'll move on down the road.

Plunkett Thank you very much.

Stehr Thank you.

Norris Thank you.

OLD BUSINESS – None

Plunkett All right, we do not have any Old Business items.

NEW BUSINESS

Consideration of Appointments to the Zionsville Advisory Committee on Disability

Plunkett We do have first item up on New Business is a Consideration of Appointments to the Zionsville Advisory Committee on Disability. We have three appointments: Dave Ellison, Andy Slack and Sarah Sampson. I just want to point out or publicly acknowledge I appreciate Councilor Sampson's involvement here. She provided both of the citizen names and, obviously, volunteered to be a part of it as well so thank you very much for that. Are there any questions or comments on the advisory committee appointments?

McElderry I would just add that we now know that there are some people lining up that are interested in joining which is great that that interest is there within the town and we have taken people's names that have written letters and called in and, obviously, will be considering them for future appointments.

Plunkett Certainly. Any other questions or comments? Otherwise I would entertain a motion to approve.

Melton Motion to approve.

Plunkett I have a first –

Burk Second.

Plunkett First from Councilor Melton, second from 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.

Conflict of Interest/Anti-Nepotism Compliance

Plunkett Up next on the agenda is a Conflict of Interest/Anti-Nepotism and Compliance. Amy, I know there's no vote on this formally but if you wouldn't mind just saying a couple words on this.

Lacy Okay. Well to comply with state regulations as well as the Town of Zionsville Ordinance 2024-46 regarding conflict of interest and nepotism, that was included in your packet, and you also have, you all need to complete the compliance with the town's nepotism policy involving direct line supervision and the compliance with the contracting with the town by a relative policy. Both of those you have in

front of you now. Those have to be completed and submitted before the end of the year. They go to the Town Council President so if you would just turn them into me, I will scan them and share them with President Plunkett, and I'll keep a copy on file. There's also the Uniform Conflict of Interest Disclosure Statement. That's a state form. It only needs to be completed if you do have a conflict of financial interest and it has to be completed at the time that happens. Cindy can offer more information on that if you have questions. And those would be submitted to Cindy. So that's it.

Plunkett Great. Thank you Amy. Those are, those are all, as Amy mentioned, those are up here. So if you would please, make sure you sign those before you leave.

Cancellation of Warrants

Plunkett Up next is the Cancellation of Warrants. I'm going to – maybe I can give this a run, Cindy so you don't have to come up here if you don't want to. Every year we get cancellation of warrants if there's an outstanding check that hasn't been cashed over a two-year period, we cancel the check. So that's what these are. There's no vote. It's, it's a done deal. See, saved ya a trip.

McElderry Is every effort made to contact these people?

Plunkett Oh yes, yes. I mean I think from our perspective just to, to get people paid and try to get it off the books they certainly do a good job of that but.

McElderry These, these are legitimate businesses still –

Plunkett Yes.

McElderry In operation.

Plunkett Yes.

McElderry In our town. Okay.

Consideration of an Ordinance Amending the Zionsville Code of Ordinances (Streetlights)

Ordinance 2025-01

Plunkett Yep. All right, up next on the agenda is the Consideration of an Ordinance Amending the Zionsville Code of Ordinances. This is Ordinance 2025-01 and we have Lance Lantz, the Director of DPW. As Director Lantz is on his way up here, I would remind the Council this has already been heard and approved by the Plan Commission so we will only read this one time and vote tonight.

Lantz Thank you. Good evening. You have before you a staff-initiated ordinance amending Section 193.060(A) of the Subdivision Control Ordinance which guides and informs developers on certain standards when it comes to new developments. This section appropriately includes broad direction on new streetlighting by way of general locations and spacing. However, for several

years, it has also included provisions that could commit the town to added expenses such as paying electricity bills for interior subdivision streetlights as well as potentially bind the town pay for new or future replacement lighting when facilities reach the end of their useful life or become damaged and this does include decorative lighting, not just standard wooden utility pole lighting. This ordinance amendment removes the town's, excuse me, the (inaudible) of potential burdens to the town. I'm going to start that sentence again if I may please. This ordinance amendment removes the, I still screwed it up – this ordinance amendment removes the above potential financial burdens to the town thus restoring this Council and future Councils' abilities to have the latitude to consider uniquely and with discretion what you want to pay for in the future. A public hearing, as your Council President stated, was held by the Plan Commission. I did attend that meeting. There was no public comment at the hearing and the Plan Commission had very few questions of Mike Dale. So I'm happy to answer any questions you may have.

Plunkett Yes Lance I appreciate you bringing this up. I was looking through and reviewing this when it came to the docket. I just want, as a point of clarification, Mr. Hainer said that they would now be responsible for those expenses. My understanding is this is not –

Lantz That's correct.

Plunkett That's incorrect.

Lantz There's nothing retroactive to this ordinance amendment.

Plunkett This is moving forward.

Lantz This forecloses any future, I'm going to say abuses of this exposure of the town. So if you are in a development or subdivision that through past circumstances currently has the town pay your bills, that will remain as is.

Plunkett Yes.

Burk Lance, adding to that and I appreciate Mr. Hainer's testimony. Thank you for coming. When this was first brought to my attention, I mean, I wasn't aware this happened and even in, in the questioning, line of questions I had I got the impression that really no HOA was even taking the town up on this. And so I was surprised to hear that there were folks who were saying that they're currently being reimbursed by the town. How many HOAs are you aware of in Zionsville who are, would be impacted by this change?

Lantz No one would currently, no one would be impacted by this change because this freezes things as they are today. I am –

Plunkett Maybe, maybe Lance even to take that a step further –

Lantz Yes –

Plunkett No one is impacted by this change. Everyone who is currently having their electric bill paid for –

Lantz Paid by the town.

Plunkett By the town will, will continue to have that happen.

Lantz Correct.

McElderry Unless they're grandfathered.

Plunkett Correct.

Burk Okay.

Plunkett If somebody goes and builds a new neighborhood tomorrow and we don't pass this, then we open ourselves up to the possibility of that neighborhood saying wait a minute, you guys have to pay this and that's where I think, I appreciate town staff bringing this to, to our attention to kind of clean this up and I appreciate that it's certainly not something that's going to affect anybody who is currently receiving benefits from this, from this ordinance.

Burk That's great, thank you for clarifying that.

Plunkett Yes.

Burk I would still I guess be curious how many HOAs or how many neighborhoods are being reimbursed because I don't believe they all are.

Sampson Aren't they in our claims?

Lantz Pardon me?

Sampson When we look at claims and it has the addresses.

Lantz You would never be able to tease these out of claims because the two utility providers, two electric utility providers are Duke and Boone REMC, and you typically see a lump sum. I don't know what invoices you may see with those but there are a couple of dozen accounts the town has –

Sampson (Inaudible)

Lantz But if you've looked through those then and if you can pick out what Town of Zionsville means or various location means then you're, you're a lot more intuitive than I. It would take a little, a very big, deep dive to go through the dozens of accounts to identify exactly which specific account or charge goes with a neighborhood. I am aware of about 10 to 12 subdivisions for which we currently pay their utility bill and this goes back really, the stage was set in the '90s for this so this has been going on a long time. There's been some past stabs to try and make this better but the ordinance, as it stands now, does not fit the

current building structures of utilities nor does it fit their models for providing decorative lights at developments.

Burk Thank you Lance.

McElderry I guess I have a quick question. I just want to clear up a little nomenclature. When Mr. Hainer came up and spoke he talked about public streets. You called them interior streetlights.

Lantz Correct.

McElderry Could you just kind of clear up exactly what lights we're talking about here?

Lantz The use the term interior to mean internal to kind of a unique development. I absolutely believe the town has an obligation to provide streetlighting to an appropriate degree on those collector streets, those higher streets leading to developments but the levels of lighting that are, are desired varies across developments. Some people like dark skies, they don't want lights. We have many subdivisions out there who will never realize any benefit from this because they simply don't have streetlights and they choose to remain that way. So when I say interior, I don't mean on a road that we might travel to and from the store. By course of nature, I mean internal to a development.

McElderry Thank you. I appreciate that.

Plunkett Thanks Lance. Are there any other questions from Councilors? Having none, I will make a motion to approve.

Norris Second.

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

All Aye.

Plunkett Those opposed same sign.
[No response]

Motion passes 7 in favor, 0 opposed.

Consideration of an Ordinance to Create a Department of Economic Development Ordinance 2025-02 (First Reading)

Plunkett Up next is a Consideration of an Ordinance to Create a Department of Economic Development. This is Ordinance 2025-02 and we have Deputy Mayor, Justin Hage, to present.

Hage Thank you President Plunkett. As the Mayor alluded to in his update, this Administration has found that it is going to be in the best interest of the town and our citizens to have a Department of Economic Development which is separate from the previous department which was now Planning and Building and that it is a new department that I will lead and that there'll be a member who was

previously part of our Planning and Building Department that will come and serve as the Deputy Director of that department. So in order for that person to come over, we are required to have an ordinance to create that new department. So it's relatively straightforward but happy to answer any questions.

Plunkett Are there any questions from Councilors?

Melton Yes I just, I just have a little bit of a, I wanted some clarity. So we're creating a new department –

Hage Correct.

Melton And the Deputy Mayor is going to be the head of that department?

Hage Yes sir.

Melton So, essentially, essentially the Deputy Mayor's position will be the head of the department for Economic Development and I guess with regards to removal of, say something happens where the head of the department wants to be removed, needs to be removed either by the Mayor or by the Council, I just see a conflict with that and I didn't know – in the past we have a head of a department over a department and the Mayor has the ability to come to the Council and ask to remove some, somebody from that position and I just feel like – I went back and looked at the reorganization for the town and through reading the reorganization for the town it talks about the Mayor and the Deputy Mayor and their roles and it mentioned that the Deputy Mayor's role is to be subordinate and not be "more powerful" than the Mayor and I just worry about this as we move forward if the Council doesn't agree with your economic development prerogative, there's nothing that we can do to remove the head of the department because the head of the department is working underneath the Mayor of Zionsville as an appointed position.

So I'm just putting that out there. I don't know that I have an answer. We're going to still probably vote on this and I just think it's important that we understand that these things, we have a very unique system here in Zionsville and every time I have a question I kind of go back to what's the, what's the "Constitution" for the Town of Zionsville and when I go back and read that and I read the hierarchy between the Mayor and the Deputy Mayor and then now you're becoming a head of a department, that just makes me a little – nothing against you Justin, Deputy Mayor, nothing against the current Mayor but it is just one of those things that as I look at that does that remove authority from this Council or the future Councils because we can't do anything if we don't like the way the economic development prerogative is going. So, that being said, I don't have any motion or anything to, to stop or promote this, I just have concern and, again, it's not from the perspective of you sir or your agenda but it is a something, I want to do the best I can for the next person that's going to sit in my seat.

McElderry Right.

Melton And we know that people want my seat so. That's just a, that's just my thought.

- Sampson I think that the words are used as Director of the Economic Development Department but there's no actual department head. We have an Assistant Department Head, is that what Zach is being called?
- Hage He would be the Deputy Director and then I would serve as the department head.
- Sampson So you will definitely be a department head?
- Hage Yes. And just, I think, whether the Council or the counsel for the Council or Chief Legal Counsel can perhaps correct me but I think to actually discharge duties of a department head, it has to be initiated by the Mayor and then approved by the Council as was discussed and litigated at length. So I think any department head that would be removed would, the Mayor would still start that process and then this Council has the power to approve that action but it still gets started by the Mayor. I don't think there's an independent process by which the Council can discharge a department head.
- Norris I don't think there is.
- Melton That gives me comfort.
- Burk No but he raised a great point and just as a clarifier as well so, as was well litigated right, any, to, to the process you mentioned, the Mayor can begin that process, the Council has to approve the removal of any department head. It's been my understanding until now that the Deputy Mayor is not a department head and serves at the pleasure of the Mayor and is chosen by the Mayor and would be relieved by the Mayor. If, in fact, you become a department head as well then it would, heaven for bid this ever happens –
- Hage Right.
- Burk But if the, if there were removal, then that would require also because you're Deputy Mayor and a department head, it would require Council approval and that could, to some degree, tie the hands of the Mayor. I don't know if that's, that's just how I'm reading it. It doesn't change anything and I'm happy to support this but it is a change in terms of that relationship.
- Hage It could and I want to say as well is that I think the plan potentially or the possible path is that this becomes a somewhat temporary arrangement and that this department becomes more fully fleshed out and has its own director and that in the spirit of looking at our budget as we discussed a moment ago by Councilor Sampson that this is a way to create this department and staff this department in the interim because we're doing this in the middle of a budget year, obviously, and whether that's a year from now, two years from now, three years from now that if we think there is a will from this Administration and approval from this Council that we would build out this department further.
- Burk I have full faith in your ability to do the job, just, it just made me think that that would be a potential shift.

Sampson Yes. Craig and I had talked about this and we both, it's hard because I feel great at what you're doing. I'm very happy that we're getting an Economic Department. That was something I voiced last year so I really like that the direction of the RDC is being given alongside the Administration but there is that, that one caveat that in a small way he becomes more powerful than you because you can't get rid of him now. So it's a technicality but we might need to change your name then as not department head and operate a department without a department head. I don't even know if that's possible but once you become a department head, by definition of not being able to be let go by the Mayor, you're, he's not all, all powerful over your position. So it was just a technicality that Craig and I were discussing but we all, I think, I'm, I'm speaking for you guys, correct me if I'm wrong, we're all like we trust you, we think you're going to do a great job. You could be hit by a car tomorrow, we have someone here that isn't you but we just said that that person is now equal not overruled by the Mayor because he needs us to agree to get rid of you and you're supposed to be at his pleasure. So there is the small, and I'm not a lawyer but there's got to be some legal way, Jon O. or Adam, I don't know, there's got to be some way that we tie in that you are forgiving your department head right of being removed by the Mayor, right? Is that a way around it that he could sign off on that? I don't know. Is that going against our reorg? Like how does that?

Plunkett So this ordinance and I don't want to get down too many rabbit holes here but, but this, this ordinance reads the Deputy Mayor will supervise and manage the Department of Economic Development.

Sampson Right, I was trying to get away from department head.

Plunkett I haven't seen, I mean unless the Mayor intends to designate you a department head tomorrow when this thing or whenever this thing is approved, my, I mean all, all of the dialogue has been that you're going to, you're going to supervise, you're going to manage just like the language that's in here. I guess this is the first time I've heard designation of a department head in this, within this ordinance and my concerns are less what they're talking about, more so the, I mean we certainly hope you and John are Mayor and Deputy Mayor for however long you want to be but if for whatever reason next term he's not, you're still a department head and I guess I didn't, I was, again, I was under the impression and supportive by the way, under the impression and supportive of supervise and manage under the umbrella. I just assumed we were just carving this out under the umbrella of the Deputy Mayor.

Steuerwald Yes, I think we want to confer with Heather and Jon to make sure that we're all on the same page. I did not draft this ordinance but reading over it makes it sound like the Deputy Mayor has these additional responsibilities now.

Plunkett Right.

Steuerwald It is not that they are now also a department head that requires extra removal, they are just responsibilities that (inaudible)

Plunkett And that's what I read too, yes.

Sampson I was reading that too but they both just said yep, he's the department head and that's where I'm like time out, we got to define this.

Steuerwald We might want to clarify in the ordinance that they are or are not a department head.

Plunkett Yes.

Sampson I think that's all Craig and I were talking about last night was just this might need to be spelled out.

Stein I guess I would add this really worked for me because it's you.

Sampson Right.

Stein You. And so thinking kind of to Craig's point, down the road does this place a burden on the next Mayor assuming you're not going to be Mayor from now until eternity, the next Mayor to have to find somebody with that skillset –

Sampson Right.

Stein To be the Deputy Mayor and so I like it because it's you but then I guess there's a bigger question to be asked and it's what next?

Norris We just amend the ordinance, right?

Plunkett Well so I think there's a couple things to think through here. This is a first reading, right –

Norris Oh, okay.

Plunkett So we've got a month to work it out. I know that the intent, the hope was that we would pass it, maybe suspend the rules and pass it tonight but I think it's fair to say there's at least some questions around definitions – supervising and managing department as opposed to department head and I think that those, I think that's something I would like additional clarity on. I mean I'm happy to move it forward so we can vote on it again in March, but I don't know that I'm necessarily comfortable suspending the rules until we get finality of that.

Burk Jon may offer some insight. He's up.

Sampson Yes, Jon's here.

Burk That'd be helpful.

Sampson What do you think Jon O.?

Oberlander Good evening everyone. Jon Oberlander, Chief Legal Counsel. I think the intent was as President Plunkett had said was to have Justin retain the title as Deputy Mayor and just oversee and manage the department, not necessarily to make him

a “director.” Obviously he’d exercise some of those responsibilities but not necessarily take that title under the Reorganization Resolution.

Melton So, I’m onboard with that if we can talk about it, get it approved tonight. I would rather not suspend the rules, however, I guess my angst is still that we’re creating a department that essentially doesn’t have a head of department to have a chain of command even though there is the management of this and I wonder if the deputy would take that role – not you, not you, the Deputy of Economic Development though, would take the head of the department role and I think the issue is that we don’t have a funding mechanism right now because we’re in the middle of the year or we’ve already hit the budget cycle so I guess the money’s there for the Deputy of Economic Development. Do we change the title and still have him answer to the Deputy Mayor? Does that make sense? And maybe we can’t do that because of the department head scenario but are you, do you understand my ask Jon?

Oberlander I do. I think that with the Salary Ordinance Amendment what’s going in there is the Deputy Director position so I think that would have to be amended as well if there were going to be further changes but I think with what this states is that for the chain of command purposes that anybody within the Department of Re – I’m sorry, the Department of Economic Development would report to the Deputy Mayor, not necessarily as a department head but they would report to the Deputy Mayor.

Sampson I mean for me I feel like we could vote this through to have the month-long changes and maybe just find a way that we define that Justin is actually not a department head and he is an advisor chain of command to the Mayor more than to Justin. Is that possible that the ultimate department head is actually you John until we grow our budget for the department? Is that?

Plunkett You could just change the job duties of the Deputy Mayor to include oversight of the Economic Development.

Norris No different than the Lieutenant Governor being –

Plunkett Right.

Norris The head of the –

Plunkett Right.

Norris Agricultural –

Stein Ag, yep.

Norris Committees and whatnot.

Sampson Yes and not be called a department head, not have this ordinance say – I mean it says direct but or supervise and manage. Maybe it should just be have oversight or, there’s got to be some better –

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Plunkett Well I'm good with supervise and manage. I think it's just, we've just got a month to figure out the department head question, the department head situation.

Norris Right.

Plunkett I would clean that up.

Norris Because without the reorg sitting right here I can't –

Plunkett Yes.

Sampson Right.

Norris Say one way or another.

Burk I think we owe it to take a good look at is just to make sure. I think we're all on the same page what we want it to be –

Norris Yes.

Sampson Yes.

Burk So I say we take a month to make sure.

Plunkett Yes, again, it is a first reading so I think, do you have something you were getting ready to say?

Norris No.

Plunkett I mean I think that if you guys are okay with it, I think we move it to March, let Heather, Jon, Justin, Mayor Stehr all, all of us take a look at it and figure out what the right next step is but so –

Norris So do you want us to introduce it then tonight?

Plunkett Yes, I would entertain a motion.

Melton May I introduce the motion Ordinance Number 2025-03.

Norris Second.

Plunkett We have a first from Councilor Melton, a second from Councilor Norris. All those in favor signify by saying aye.

Aye Aye.

Plunkett All those opposed same sign.
[No response]

Norris Oh, clarifica – I think you said 03. This is 02.

Melton Oh –

Norris I apologize. I shouldn't have seconded that.

Sampson I literally looked down like wow we're flying –

Plunkett All right, Adam, what do we do? How do we unring that bell?

Steuerwald He just corrected.

Plunkett Okay, perfect.

Sampson With corrections.

Melton With the correction.

Plunkett Motion passes 7 in favor, 0 opposed.

Consideration of an Ordinance Amending the 2025 Salary Ordinance (Deputy Director Economic Development)
Ordinance 2025-03 (First Reading)

Plunkett All right, up next is a Consideration of an Ordinance Amending the 2025 Salary Ordinance. This is for the Director of, Deputy Director, Deputy Director of Economic Development. This is also a first reading. I mean does anybody have any questions? These next couple –

Sampson This amount is already in the budget and it –

Plunkett Yes.

Sampson And it is just shifting the name.

Hage Correct.

McElderry I just have a real simple question. On the ordinance that we just moved on, one of the bullets under qualifications Deputy Mayor says must have and maintain a valid driver's license, demonstrate a safe driving record, remain insurable through the town's liability insurance – I just want to make sure in addition to the salary that we would be approving, are we also talking about providing some type of town vehicle or is that simply just so that they can get around in their own car within the town?

Hage Or in the event that they needed to drive a town vehicle. They will not be provided one.

McElderry Okay.

Hage Yes.

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McElderry So it's not going to be provided in addition to the salary?

Hage Correct.

McElderry Thank you.

Sampson Do we have like a fleet insurance that covers our cars while our employees drive it or does their personal insurance cover that?

Hage Yes.

Sampson Yes? I said a or so I'm not sure which one.

Hage The town insures –

Sampson Fleet insurance.

Hage Individuals while they're driving town-owned vehicles.

Sampson Perfect.

Plunkett Any questions for Deputy Mayor Hage? Otherwise I would entertain a motion.

Sampson I move to approve or to introduce Ordinance 2025-03.

McElderry Second.

Plunkett I have a first from Councilor Sampson and a second from Councilor McElderry. 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.

Hage Thank you.

Burk Do you want to suspend the rules on this one?

Plunkett No, I think we can, I mean there's –

Norris Now we have the question of is, is he going to be a Deputy Director and –

Burk Okay, just wait.

Consideration of an Ordinance Amending the Designated Outdoor Refreshment Area (DORA) Ordinance (RLL) **Ordinance 2025-04 (First Reading)**

- Plunkett Yes. All right, up next on the agenda is a Consideration of an Ordinance Amending the Designated Outdoor Refreshment Area. This is the DORA Ordinance, Ordinance 2025-04. This is a first reading and I'm going to go ahead and introduce this one. As we discussed last year when we established the DORA we knew there would be opportunities to modify that map and those boundaries for the businesses that would want to be in. This amendment loops the RLL Racing Team into the DORA. I would point out that this is not an approval of the existing DORA because that is already in place. This is simply making a change to include a business who wishes to be a part of a DORA moving forward so. Happy to answer any questions.
- Sampson Have we received our ATC approval for the DORA? Yes? Okay. And is this anything more than coming to the Deputy Mayor for this change? Like at what point do we have that process?
- Hage If you were to add another restaurant or entity within an existing, within the four walls of an existing DORA then that's something the town can approve but if you're changing the actual geographic boundaries of a DORA then it has to come before the Council.
- Melton Justin, what, real quick – we can change this up to seven times? Is there a – I –
- Hage You can create seven independent DORAs.
- Melton So can we alter this unlimited times?
- Hage You could incrementally grow out of this current boundary –
- Melton Because it's one DORA.
- Hage Infinitely but you can create seven separate, non-contiguous DORAs.
- Melton Thank you for that clarification. May I make a motion Jason?
- Plunkett Yes, I'll entertain a motion.
- Stein I have –
- Melton Oh, I'm sorry –
- McElderry One more question.
- Stein Tim and I were just talking – I'm looking at the boundaries. I thought we agreed to include what used to be Pizza King, I can't remember what it's called now but the gentleman that came in and said –
- Sampson Yes.

Stein He didn't want to be a part of it.

Sampson We did. This is the wrong map. Good catch.

Stein Because I thought it extended all the way down to –

Sampson It does, we added that when we –

Hage That's correct.

Sampson When we approved it, we added it.

Hage So Adam, could they approve it subject to that map being –

Melton I think it's just the wrong map.

Steuerwald Yes, subject to map replacement, yes.

Melton So I'll make a motion to approve Ordinance 2025-04 subject to the original map inclusion of the Public House area on the original map.

Plunkett Okay, so I have a motion from Councilor Melton to introduce on first or introduce on the first reading.

Sampson Second.

Plunkett And a second from Councilor Sampson. 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.

 I don't know that there's necessarily a need to suspend the rules and pass it except for it just frees up our meeting in March if you guys –

Melton Let's do it.

Sampson But it also has to be approved by ATC by the time we open April 1st for our DORA, right? So that might be a reason to suspend the rules today.

Plunkett Yes, I mean, If you guys –

Sampson Because it gives the ATC time to still fall in line with our timeline.

Plunkett Yes.

Sampson Do you guys agree?

Norris Yes.

Plunkett Yes, I mean, I think if there's –

Norris I would make a motion to suspend the rules so that we can vote on this to introduce it as a final reading.

Melton Second.

Plunkett I have a first from Councilor Norris, a second from 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.

Norris Now I will make a motion to, to –

McElderry Approve.

Norris Approve, thank you, Ordinance 2025-04 on final reading.

Stein Second.

Norris Subject to the revisions and additions –

Stein Map –

Norris Of Councilor Melton.

Plunkett Okay, I have a first from Councilor Norris, a second from Councilor Stein. 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.

Consideration of an Ordinance Amending the Smoking Ordinance (Cigar Bar)
Ordinance 2025-05 (First Reading)

Plunkett All right, up next on the agenda is Consideration of an Ordinance Amending the Smoking Ordinance. This is specific to a cigar bar, Ordinance 2025-05. This is also a first reading and I'm going to introduce this one as well. As a narrative, we currently have an ordinance that carves out specific exceptions for smoking in the

Town of Zionsville. Some of those include hotel/motel rooms that are designated for smoking, nursing home and long-term care facilities which residents may smoke in and in private residences as well. This ordinance seeks to allow an exception for a private membership paid club, Cigar Lounge, as defined in Town Code title 9, chapter 93. This ordinance requires specific enclosures and separate ventilation systems to exhaust air separately from non-smoking areas of the private club. Further, this ordinance goes on to restrict the use of any other tobacco products only allowing cigars as defined as a roll of tobacco that has a wrapper or cover consisting only of tobacco. This restricts hookah, cigarettes and vaping and continues this Council and Councils before us with a longstanding commitment to comprehensive smoking bans in the Town of Zionsville. I'd like to thank the Councilors who offered solutions on this ordinance and helped us get to this point and I'm happy to answer any questions that you guys might have.

Burk I don't have a question but I just want to say thank you to folks who were open to trying to make this as severely restricted as possible and to accomplish the aims that you want. Zionsville does have one of the strongest smoking bans in the State of Indiana and we're proud of that and I believe a lot of that gets preserved. There are negative health effects associated with all cigarette smoking including cigar smoking and we should be aware of that so. I'm cautious to approve anything like this. I'll probably be opposed to it but I appreciate that this has been narrowly defined as much as you could kind of do that to accomplish your aims.

McElderry I would agree. I'm glad that the definition of a cigar was clearly defined. Thank you for that amendment to what was originally proposed. I think that makes this a little bit more palatable for me as well.

Plunkett Anything else from Councilors? I would make a motion to introduce on first reading Ordinance 2025-05.

Norris Second.

Plunkett I have a second from Councilor Norris. All those in favor signify by saying aye.

Norris,
Sampson,
Plunkett,
McElderry,
Stein, Melton

Aye.

Plunkett All those opposed same sign.

Burk Aye.

Plunkett Did I have two or just one down there? Okay, so motion passes 5 in favor, 2 opposed.

Sampson No, you only have one.

Melton That was a one, excuse me.

Stein One opposed.

Plunkett Oh, I'm sorry – I thought Melton was, okay. All right so 6, 6 in favor, 1 opposed.

Burk It was very echoey.

Sampson I know it was.

Plunkett It's these new mics man, these new mics.

**Consideration of an Ordinance to Amend the Zionsville Code of Ordinances
(Creekside)**

Ordinance 2025-06

Plunkett All right up next on the agenda is a Consideration of an Ordinance to Amend the Zionsville Code of Ordinance. This is in Creekside Corporate Park. This is Ordinance 2025-06. I would point out that this has already been heard and approved by the Plan Commission, so we only have one reading that's required for this particular ordinance. I'm going to introduce this one as well. As you may recall, Creekside is in a PUD and any changes that are required, including signage, must go through the Town Council for approval. Most of the current signage on buildings, buildings in Section E is currently temporary signage in part because this amendment needed to be made and, in part, due to not knowing tenants for the specific facility. They now have tenants lined up and need to move forward with their signage. You may recall from previous Council meetings and presentations that this location is a corporate headquarters for more than 11 different companies and foundations. This change seeks to allow signage as requested by the petitioner and included in your packet. Some of these changes have been as a result of new businesses on the campus and others are simply finetuning the PUD to align with the sign standards required. All future changes to other Creekside properties will adhere to the same path as these changes which are specific only to Section E. I appreciate the work from town staff, their recommendation for approval, the petitioner and the favorable recommendation from the Plan Commission. Any questions from Councilors?

Sampson I did like seeing that the Plan Commission had given a favorable and the staff but it's something that we've talked about relying on the people that we appoint and on the staff so for me it was an easy support to give and plus some of the temporary signs actually look not so good so I think we'd be looking at improvements here.

Plunkett Yes.

McElderry I guess I would just bring up and I don't know how many of you might've received this letter. I believe it was a constituent of mine in District 1 brought up the sign that has Indianapolis on it that faces 106th Street is that correct? As to why that doesn't say Zionsville. It's obviously a miss that we didn't ask them to put Zionsville instead of Indianapolis up there. I'm sure if this facility was located in Indianapolis they wouldn't want Zionsville on the sign. I don't think it can be changed at this point but I just wanted to bring it up and the, and the fact

that my guess is that these are brands that likely are not available anywhere else in the Indianapolis metropolitan area so that's why Rahal decided to put Indianapolis on the sign but it is a relatively large sign that faces 106th Street in Zionsville that says Indianapolis on it so I just thought I'd bring it up. I don't think we can ask them to change it at this point but I got multiple correspondences on that –

Plunkett Yes.

McElderry So.

Plunkett Point taken for sure. Any other questions or comments from Councilors? Otherwise I would entertain a motion.

Sampson I'll make a motion to approve Ordinance 2025-06.

Burk Second.

Plunkett I have a first from Councilor Sampson, a second from 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.

**Consideration of a Resolution Regarding the Appropriation of Additional Funds
(Deputy Director Economic Development/Open Gov) **Resolution 2025-01** (Public
Hearing)**

Plunkett All right last item, last item of business is the Consideration of a Resolution Regarding the Appropriation of Additional Funds. We have Cindy here, potentially Jon Oberlander, maybe Deputy Mayor Hage. A little bit of everybody.

Poore Okay so for this there are a couple of items on here. The first one is for the contractual services for the Finance Department. This is, this would be to make the final settlement payment to OpenGov and then the rest would be the appropriations to the Economic Development Department and the staffing and budget for that department and as you see in the resolution that this technically isn't new money because we're doing a deappropriation from the Planning Department to move it to the Economic Development Department.

Sampson And all of this would be pending if we, this second reading would go in accordance with what we just said we wanted to have some changes to, correct?

Poore Right and this, yes, this is only one reading.

Sampson So it's an additional –

Poore Right.

Sampson Introduction?

Poore This is just one reading. It's a resolution. So if, if you want to wait on that my, my suggestion would be to approve the additional for OpenGov, strike the rest, we'll re-advertise and do a new resolution for the next meeting when you reconvene on this.

Sampson That seems more in line with what we're –

Poore Can we do that?

Sampson Doing. I think we're fine on OpenGov.

Poore Or can they table it, table that part?

Steuerwald What would you need to change in this resolution if we just clarified it?

Poore Yes, if all they're going to do is clarify –

Steuerwald Yes –

Poore How the department is going to be, none of this is going to change.

Steuerwald Well then I would recommend that you conduct the public hearing, that way we check that box off, table the adoption of the resolution. We can come back at the next meeting –

Poore Well the settlement for OpenGov needs to happen.

Steuerwald Okay, well then approving that part and then we can –

Plunkett So, so can –

Sampson You've got it.

Steuerwald Okay.

Plunkett Okay, well I'm going to open the public hearing. All right, as soon as I can find my language. All right, so this is a public hearing. I have proof of publication of the notice of the public hearing. At this point I'll open the public hearing. If there's any members of the public who would like to comment. Having none, I'll close the public hearing. All right –

Norris Would you like me to make a motion?

Sampson Yes.

Norris All right, I will make a motion to approve Resolution 2025-01 with the following amendment: that the only additional appropriation that we approve tonight be Fund 1101 General Finance and Records contractual services which is the \$69,500 payment, final settlement payment for OpenGov and that be the only settlement payment out of this.

Sampson Second.

Plunkett I have a first –

Stein \$69,550.

Sampson Oh, \$69,550.

Steuerwald And that the other items are tabled for further discussion at the next meeting.

Sampson Yes. Second. Is that not right?

Plunkett The hearing is for \$69,550 so that's good. Okay, so I have a first from Councilor Norris and a second from Councilor Sampson. 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.

Poore Thank you.

Plunkett Thank you.

Sampson Thanks Cindy.

OTHER MATTERS

Plunkett Up next are Other Matters. Are there any other matters from Councilors?

ADJOURN

Plunkett Having none, I will make a motion to adjourn.

Norris Second.

Plunkett A second from Councilor Norris. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Zionsville Town Council
February 3, 2025

Motion passes 7 in favor, 0 opposed.

The next regular Town Council meeting is scheduled for Monday, March 3, 2025 at 7 p.m. in the Zionsville Town Hall Council Chambers. Please note there will be no second meeting in February due to the Presidents Day holiday. Final notice will be posted in compliance with the Indiana Open Door Law.

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator
Town of Zionsville