



**ZIONSVILLE TOWN COUNCIL
MEETING MINUTES
FOR
MONDAY, SEPTEMBER 7, 2021
AT 7:00 P.M.
ONSITE MEETING
1100 West Oak Street**

This meeting was conducted onsite and electronically via Zoom. All Councilors participated in person. The public attended via Zoom and in person.

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

Also Present: Heather Willey, Town Council Attorney; Amy Lacy, Municipal Relations Coordinator, and Town Department Staff.

1.OPENING

The meeting was called to order at 7:00 p.m.

Garrett This meeting is called to order. Please join me in the Pledge of Allegiance.

All Pledge of Allegiance.

2.APPROVAL OF THE MEMORANDUM OF THE AUGUST 16, 2021 REGULAR MEETING

Garrett We've got the approval of the memorandum of the August 16, 2021 regular meeting. A copy has been posted. Any questions? I'll make a motion to approve then.

Choi Second.

Garrett All in favor?

All Aye.

Garrett All opposed?

[No response.]

Garrett The memorandum of the August 16, 2021 regular Town Council meeting is approved by a vote of 7 in favor, 0 opposed. We've got requests to speak on agenda items. I've got one request to speak. Ms. Gutwein, do you want to approach the podium? You can give your name and address for the record and you've got three minutes.

3. REQUEST TO SPEAK ON AGENDA ITEM

Gutwein Thank you. Good evening. My name is Allyson Gutwein and I am the executive director of the Zionsville Chamber of Commerce. We're at 112 N. 9th Street. The Zionsville Chamber of Commerce Advocacy Committee and Board of Directors strongly support the proposed appropriation by the Town of Zionsville to pave the former PNC lot on Main Street. Although the empty lot was not intended to be utilized for parking and therefore not properly prepared for parking, people have used the space to park regardless of the condition of the empty lot. This presents safety hazards for cars and pedestrians and if not paved will eventually have to be barricaded for liability and safety reasons. Even though this solution will be temporary, we see the pavement and improvement of the lot as a win-win for our town making the space a more inviting entrance to the town and providing parking for diners, customers and visitors to Zionsville. Adding pavement along with some temporary movable landscaping to the space would certainly improve the look of our town's gateway while providing a parking solution as well. We hear consistently from our membership that scarcity of parking is a source of concern during peak business times. Allowing this space to be utilized while further development plans are being finalized would be a smart temporary solution. We hope you will consider this proposed appropriation as a great temporary solution and vote in favor of paving the old PNC lot. Sincerely, The Zionsville Chamber Advocacy Committee as well as the Zionsville Chamber of Commerce Board of Directors. Thank you.

Garrett Thanks, Allyson, appreciate your time here today. All right, any other requests to speak, Amy?

Lacy No. That was it.

4. MAYOR/ADMINISTRATION UPDATE

Garrett Mayor administration update. There may actually be an update here today.

Lacy We do not have an update from the Mayor but we do have an update from Chief Spears.

Garrett Pretty good. Thanks for joining us tonight, Chief.

Spears Thank you for having me. Good evening. I was asked to present some information about a traffic situation in the 300 block of West Cedar Street.

Specifically, there was a request to install a stop sign, I believe. We installed the police department's traffic control trailer, camera, recorder device from a period of, uh, from a period from July 25 to August 11. So, for 14 days, I'm sorry, 18 days, that trailer recorded the vehicles that traveled through there. And, during that 18-day period, 10,431 vehicles were counted in that location. The posted speed limit is 25 miles an hour. The average speed of those 10 thousand some vehicles was 20.5 miles an hour. The percentage of vehicles traveling in excess of 30 miles an hour was 2.68%. So, I hope that information provides you with the background you need to further consider this issue. And, while I'm not a traffic engineer, you know, those stop signs are placed strategically in order to help maintain a flow of traffic and safety. But, from this period of time, those 18 days, speed does not seem to be an issue. Any questions?

Garrett Chief, were they, was that traffic box, I know what you're talking about, it says, "Your speed is," was it placed going both directions so that people going west or east would see it at different times?

Spears I don't believe we changed the location and, to be honest with you, I can't recall which direction it faced. But, I think that's a good point because as you travel one direction or another, it's likely you may see that and it may influence the way you drive. I think, though, however, the range of that device is far enough that it would detect your vehicle before you would realize that you're being observed by it.

Garrett Is there a maximum speed that you recall? I know there was a concern about excessive speeding.

Spears Uh, I don't have the maximum speed.

Garrett Okay.

Spears Just the average.

Garrett Is the, you sort of already made that statement I guess but just to clarify, is the, is the results you've seen sort of what you were expect—or what we would see if you placed around any sort of neighborhood with a similar speed limit in it? In other words, if you went to my neighborhood that's also 25 miles an hour, would you expect a 20.1 mile per hour average in essence?

Spears Well, I would hope that's what we'd find is that there's compliance with the traffic, the posted speed limits and other control signs. But, the beautiful thing about this device and the Town is that we can move that thing very quickly from one location to another and we do use that in response to complaints. And, it gives us a great tool to better direct enforcement and report back to the public about what's actually occurred in that, at that location rather just be speculative about something somebody saw once or twice. It gives us really a more accurate idea of what the, what the problem or lack of problems is in an area.

Garrett Great. Councilors, any other questions for Chief Spears? Thank you for bringing this information. That was helpful.

5. OLD BUSINESS

A. Consideration of an Additional Appropriation Resolution (MVH/Parking Lot and Parks & Rec/Carpenter Nature Preserve Master Planning)

Resolution 2021-15

Garrett We have one old business item. Ms. Gutwein was talking about this. This is a consideration of an additional appropriation resolution—there’s actually two different resolutions on here, two different, I should say, appropriation requests on here. One is for the parking lot and the other is for the Carpenter Nature Reserve master planning. So, we’ll just start with the parking lot. Lance is here if we want and then we can move on to the Nature Center. Jarod is here for that as well. Lance, anything you want to talk about before we just start firing questions at you? You look like you have stuff.

Lantz I do just have some brief findings but we can jump into questions if you like—

Garrett No, no. If you’ve got information to share, let’s start there and then we can ask—

Lantz First, I’d like to introduce to you this evening, D. J. O’Toole. You’ve met our new Town Engineer, George Lewis. Well, D. J. is the second half of our dynamic duo that is now our engineering division as well as cost estimating so he is here not only to meet you for the first time and get some familiarity but be here for support if there are any questions. I will jump through and truncate my notes, then, based on the tacit guidance that you have provided here. Originally, we had a construction estimate of 113,000 dollars roughly for a paved parking lot that would bring our total up to 80 spaces in a joint parking lot configuration. You had asked us to look at a lower cost alternative such as a gravel parking lot. We followed the same configuration that we used for the paving option which actually eliminates two drive-cuts on Main Street and one on First Street. It really eliminates some points of conflicts and operates at a higher level of efficiency for the traffic. The configuration is the same under both scenarios. I had already provided to you an 87,231 dollar estimate. I have even better news, I guess. That was a cost estimate for gravel including contingency. Our current cost estimate is a little over 79,000 dollars for a gravel option. So, that’s roughly 33,000, 33,009 less to go with the gravel.

Just some things to point out about gravel. It will generate dust during dry spells. There is tracking of dust and debris, especially when it’s raining, it will track, vehicles will track stone and sediment off the site. It’s less aesthetic. We cannot plow it. We decided that the best way to manage parking spaces under a gravel scenario would be to only provide parking bumpers. So people will have to, we will have to have faith that bumpers will guide people accurately enough to park in front of each and every bumper. It will probably require frequent maintenance either through adding gravel because gravel parking lots break down. As cars turn, you’ll get potholes. It is, as we mentioned, not an ADA accessible surface. And, not just for those who have alternate mobility needs but also, it’s footwear sensitive. So, whether you or anyone happens to wear high heels or dress shoes,

they're not really that great in gravel. And, of course, strollers and anything with wheels will be difficult to manage. We obviously cannot street sweep it as dirt and debris accumulates on the surface. And, one thing that we did discover that is not compliant with our own zoning code, zoning ordinance is that you are only allowed to have a gravel parking lot for six months in a temporary condition.

I'll leave everything aside for that and happy to answer any questions you may have.

Garrett Questions, Councilors? Thank you for doing that research.

Lantz Certainly.

Traylor Yeah, I've got one question. Is there any update on—I know one of the big issues we are all having was the timing. Like, if we put this parking lot there, any minimum amount of time we forecast it being there?

Lantz Yes, I'm sorry. That was on my list and in my haste to expedite matters, I jumped right over that. You had asked about that. Based on internal discussions and some peer discussions in the development community while we're all very eager to see the gateway be marketed and bring some fantastic projects to town, we felt a conservative estimate would be three years by the time a deal was found, brokered, designed, approved, bid, that's the best that we can do and, you know, I think maybe kudos to us if we get a fantastic project in 18 months but I think that's the reasonable expectation. Thank you.

Burk Lance, I'm inclined to support it in terms of comparing the two budgets and, you may not know this off the top of your head other than guestimate, tearing it up then would be more problematic and more expensive than if it were gravel?

Lantz We actually had that discussion, um, and I don't believe so because depending on the method of removal, the asphalt is recyclable and so, in contractors' and everyone's efforts to keep costs down and remain competitive, most of that asphalt could be recycled through a grinding process. Same with the stone, possibly if the stone is a thick enough section, perhaps some of it could be reused, so I think it's a wash either way.

Burk Thank you.

Culp I'm also in support of this as well. My question to you and I think I asked it last time but I don't know if I asked it the right way, so will you repave the other side, too, so it's all flush?

Lantz Yes. Now, that's, the lot itself has been paved, I think, in the last five or six years but there will be a transition period but, yes, we will be bringing the old PNC site up and then we will get into the old parking lot, basically kind of the drive lane that goes through where the locksmith was and, of course, we have to work around the locksmith where that is because we're recapturing that space so, yes, this will be a flush and level paved parking lot.

Traylor And, what's the lifespan of a parking lot before you have to repave it? I know, we're at a minimum of three years, but I'm just curious how long it would last.

Lantz I think in my 20 years we've repaved that lot once. So, I would say every bit of 15 to 20 years.

Traylor Okay.

Garrett Lance, you mentioned 113,000. The request is for 125,000. What's the difference?

Lantz Contingency. Any time you're excavating, we have not done any geotechnical, any soils investigation. We're taking our best guess at where we think the soft spots will be with our estimate but if we encounter anything that's unexpected, we would like to have that cushion and then we could also use some of that for landscaping if it's appropriate. But, certainly, one thing that was brought up also to me was signage to make sure it's well posted as public parking so we can, but those are nominal costs, so it's basically a contingency for unforeseen construction activities.

Garrett So, when I think about decisions like that, it's this. It is the merit of the decision and the data we use to make that decision. I, and I want to say by extension, this Town Council, does not have any budget information for what our revenue has been this year, what our expenses have been this year, what our balances are this year. We're just being asked to write checks and I think this is a good project but it would be helpful, do you have that information, Tammy, or are you just coming here to give us that info because that would certainly be appreciated?

Havard So, based on the approved budget, by approving this additional appropriation for 125,000 dollars, then the expected cash balance at the end of the year will be about 2.4 million dollars.

Garrett Which account?

Havard In the MVH account, the Motor Vehicle Highway accounts. Revenue projections for MVH and LRS are expected to increase next year. So, if you recall, our revenue projections for 2021 based on 2020 spend was less and so we are expecting an increase next year.

Garrett So, do we know what the revenue is actually compared to what the estimate was for the 2021 budget?

Havard Um, I believe it is on track, if not a little bit higher.

Garrett How do we find that out? Or, how is that—

Havard I can email you on specific accounts.

Garrett Okay.

Havard Yep.

Garrett Do you have a sense from a, or do you have an idea of when the town-wide numbers will be available to the Council?

Havard Before September 20. We have new software and are working through the software.

Garrett When did that software implementation start?

Havard Sure. So, the Council approved the Open Gov Financial Suite on October 29, 2020. So, we are less than a year into the implementation and we started in April, started having checks out of the new system and then we moved our revenue side over in June. And, so, now we are just making sure that everything is in line and all the imports came over correctly because we do want a full year of information in the new system. And, so we are going forward from there.

Garrett Are there any modules to go?

Havard Yes, so we have modules. As you know, in January, we implemented, the customer facing outward portal for the dog park memberships. So, that was one of the first pieces that was activated, if you will. Now, there are multiple stages in that software so the Parks Department was one of the first ones. So, we saw the dog park memberships. There are now the shelter reservations. We have the summer camps went through, that module as well. And, we are working on the GIS aspect of it to pull in the permits which will allow all of the building inspections, the fire inspections and all of that to go live so that has not gone live yet.

Traylor The September, the numbers that we'll get in September, will that have, that will have, my assumption and tell me if I'm wrong, will have our budgeted amounts our—

Havard Absolutely.

Traylor Year-to-date amount and the forecasted through the end of the year?

Havard Um, the forecasted, I would need to work with the departments and everything. We're working on the 2022 budget but you'll be able to see the remaining balances in the accounts. So, you'll have the budget, actual and remaining.

Traylor Okay.

Garrett Do you have a sense of how, overall, so if it's, let's call it eight months done, so that's two-thirds of the year, how our overall spending compares to budgets. I guess, my biggest fear is that if we've spent 80% of our dollars and we've got a third of the year left and we're doing new appropriations, that's a problem. If we're on track or even a little ahead of schedule, that's sort of a different story. I'm less nervous to write that check that's being asked for here.

Havard Sure, and Lance can speak specifically to the motor vehicle highway fund and how those expenses are. Especially, with the funds like motor vehicle highway,

they are a mix of operational expenses which are more predictable as well as capital expenses. And so, during the year, you budget for certain projects but due to circumstances, you know, outside of control, some projects may get moved up, some might get pushed back and so the departments manage that within the year and within the budget that they're allocated.

Garrett I'm not sure that really answered my question though. Town-wise, macro level, DPW micro level, do you have a general sense of revenue expenses to budget. What I'm trying to avoid, I guess, is doing appropriations and then come November, we realize we have front spent the budget and we've not got gaps to provide different services and then have to do additional appropriations to cover that as well. Do you have any sense of that? I think maybe the September 20 data will help but I don't know how, like a sneak preview or anything to kind of give some comfort to that.

Havard So, again, each, each department and each fund is different. And, some of the departments we might have a line item and we might have a contract that's paid annually but it's paid annually in December so when you're looking at that year-to-date information, then it might be a little bit misleading if you don't have a conversation with the department head, for instance.

Traylor That was why I was wanting the forecasted information. That way, if you know there's an expense coming up in December, that would show up in the forecasted expenses. Yeah, I, I don't want to, you know, beat up on you. That's not the intent. But, just for future reference, for any department head, in my—in the business I work in, if you've got a new piece of software that you're putting on, and you know it's not going to work for a year, you run the old software parallel to it at the same time, so you can still give the reporting that you need, still give the information that's needed. I mean, we're sitting here, September 7 and have not gone any monthly financials this year.

Havard And, I appreciate that and, honestly, we don't have the staff to do that. We're running the office with basically three people, um, working on the finance pieces of it. And, that's myself, my chief deputy and accounting specialist. So, we're doing all that we can to get the claims to you while still having multiple meetings a month, or a week with the software implementation team so I talked about one of the modules where also we are getting utility billing up and running. We have the finance, we have the reporting and transparency portal. There's the budgeting as well. And, so, there are a lot of moving parts and there's only so many hours in the day.

Traylor The first half of the year you were fully staffed.

Havard Yes, and we were also going through the software implementation.

Traylor That's what I was saying. You just, you can't, you can't be unaccountable just because you're putting new software in place. I, um, all right.

Garrett It is, to be candid, frustrating that you can now pick for your dog park fee but we can't get budget information. It's just my personal opinion. It makes it harder to have these decisions. So, let me re-ask a question, I guess, and Councilor Traylor

sort of talked about that. Given the trends you may be able to see, do you have a sense today predictably of where we'll end up at the end of the year? In other words, should this Council be expected additional appropriations at the end of the year for unknown expenses or do you feel confident that the money that we budgeted for 2021 will be spent within a reasonable amount? I guess that's the question.

Havard Yes, yes. The departments know that they are to work within their budgets. The additional appropriations are for projects that were contemplated in the budget process. We are not expecting a decrease in revenues that would not be within the estimates. Our cash balances that we were expecting at the end of the year, we are expecting at the end of the year. That's why when I'm giving you numbers, I'm giving it to you based off the budget. So, this is what we anticipated in revenues and expenses for the year and we plan to maintain that.

Garrett Okay, that's kind of what I wanted to find out was there was not an expectation of a bunch of additional appropriations from department heads—

Havard No. Absolutely not.

Garrett --for op-ex stuff that has been spent and I don't want to say not spent wisely but just things come up and they sort of were pre-spent. If you're saying that's not the case, I feel more confident in this being a cap-ex project that's kind of a one-off thing.

Havard Correct.

Garrett That we've got the balance to do it. I mean, the worse we ever want is to run out of money or come November, you're like, oh, we've got to pay the police in December – we've got to do an appropriate to do it.

Havard No.

Garrett So, if you're saying that's not the case, that was kind of what I was trying to get at, so thank you, Tammy.

Culp I guess I have a question for Lance. Tammy just said when things come up like this, you sometimes have to push other projects onto 2022. Have you looked at that to justify the 113,000?

Lantz I can tell you that within the Motor Vehicle Highway fund, we do not anticipate any cost overruns. It would be within budget and the revenues have been tracking consistently with what we were forecast at this time last year. This is just an icing-on-the-cake project. We are pushing the end of the year as far as construction projects go. We believe that our paving contractor will have adequate time yet this season to complete the contractual items under that contract. So, I don't see this putting off, certainly, it is not competing dollar-wise with any other project. The only competition would be time and I don't see that currently as an issue.

Culp Okay.

Garrett Lance, outside of prudent stewardship of the money and having a capital reserve, is the Motor Vehicle Highway fund being used right now to accrue dollars for a major project three or four years down the road, a major roundabout, an I-pass, anything like that? And, sort of, what Councilor Culp was getting at, is this, it's not that much money in relative terms, but is this 125,000 dollars we're saving for something else that we're now spending forward.

Lantz At this point, we've exhausted most of the major projects in our current transportation plan and you will see a transportation plan update funding request for next year. So, I appreciate it if you'd ask me that next time because we are going to go through that capital exercise or exercise in identifying the capital projects and putting together both revenue and expenditure timelines in a prioritization of projects.

Garrett Got it. Do we know, Tammy, maybe this is a question for you, do we know if the RDC has money available to do this?

Havard I believe their funds are obligated and held for their special projects.

Garrett Right and not to, not to counter that. I think I was told that they do but it would still have to go through the RDC approval process so that's not any guarantee and I know Lance has talked about a timing concern with the paving season running out. And, you may be right, Tammy, but that was just information that I was given. I'm trying to find it but –

Plunkett I think from my perspective, I'm certainly in favor of it. I just don't like it coming out of the Motor Vehicle Highway fund. I'd rather it come out of the RDC if that's available.

Garrett Is there a recommendation there?

Choi No, I'm fine with this coming out of the Motor Vehicle Highway fund at this point. I mean, I'd like to, whether it comes out, it comes out of accounts regardless. I mean, whether we line item out of the RDC or out of the Motor Vehicle Highway fund, it still comes out of the Town, so.

Burk I would move to adopt the appropriate request.

Melton Second.

Garrett Before we vote on that, are there any other questions or comments? If not, then there's a motion from Councilor Burk to approve. Second from Councilor Melton. All in favor?

Aye.

Garrett All opposed?

Plunkett Aye.

- Garrett Let's see. The MVH fund additional appropriate resolution 2021-15 passes with a vote of 6 in favor, one opposed. TJ, welcome to the team. Glad to have you. Thanks, Tammy. Next we've got the Parks and Rec Carpenter Nature Preserve master planning. Jarod, it's your time to shine.
- Logsdon Happy to see you all again. And, I'm happy we can talk more about the Carpenter Nature Reserve now that you all have had a chance to visit the site. So, I think I'd open it up. This is an opportunity to begin master planning that site to not only address and assess the facilities and structures on the site but also look at the 215 acres that join it and what restoration plans could be implemented to turn that into both a park for the community and also our largest ecological restoration project in Zionsville, so with that, open it up to any questions you may still have.
- Traylor I don't have any questions but I've got a comment. Um, this and this is for the benefit of the rest of the Council. I think that this is such a unique opportunity that we need to move forward on it. We've got an opportunity where a very generous couple has purchased property, is ready to, you know, make, you know, not only a financial contribution as well as, you know, help with the planning. They started to set up the foundation to help fund it. Um, you know, this is an opportunity that really, a year ago, a year and a half ago, we don't know was even going to exist to I can appreciate that this is an additional appropriation because we didn't see it coming. I would, I am extremely in favor of this. One thing to point out, you know, people may ask, why, why in favor of this and not in favor of the planning for the community center, I think one big reason, this is such a unique opportunity. This, you know, people have sent a couple of emails saying, you know, about community centers, you know, Westfield has one, Carmel has one, this place has it—I don't want to be like any of those places. None of those places have what we have the opportunity to build here with this nature center so I am fully on board and very supportive, thank you.
- Logsdon Thank you. And, next year will also mark the 20th year of our nature center so it's timely that we begin looking on to the next 20 years, next 30 years with this project.
- Choi I'd like to echo Councilor Traylor's comment. Um, one of the things that I talk about as far as our discussion on the community center goes is that I did have comments on a community center when I was on the campaign trail back when I was running for this office. Um, and parts of it is going to be met with the opening of the new library branch. And, I think that's, that's going to address some of those concerns. And, there are other questions around the community center that are going to be left unanswered obviously. But, more than anything to do with the community center were the large number of people who commented on the Zionsville's, on Zionsville's parks. Starkey and Overley Worman coming in and Elm Street Green and it's just, how many people loved Zionsville's park and the fact that it made, how unique it made Zionsville. So, I would say that more so, to echo your point, Councilor Traylor, um, I think that that's an opportunity for Zionsville above and beyond the other communities around us and I think that's what we take advantage of. So, you came in at a wonderful point to see all these projects go forward.
- Logsdon Very fortunate, very excited.

- Burk Jarod, I had a chance to meet with you and some of the park's board members and Tammy, um, after the last meeting and had a good, had a little bit of an insight into kind of what you're going to be looking for next year, some of the things that are coming, five-year plan that you're going to be conducting. I guess the only question that I have—and we're all excited about this and we're going to have to do a study to figure out what next steps there are, what opportunities the Town has. I know there may be some very large outlay of the Town's resources to help purchase this property. But, why, why, why is this not an item that could be put into the 2022 budget and hit the ground running in January? Why does it have to be a 2021 addendum?
- Logsdon That's a great question. So, the advantages to doing this now. As of September 3, the parks foundation was brought online with their 501c3 status so we can actually begin fundraising for these park projects for Carpenter Nature Preserve specifically now at this point. So the sooner we can develop what that concept is going to look like and present that to the community, the sooner we can grab the attention of those investors and those donors and unite everyone behind a single vision. So, the advantage of doing this now and being able to incorporate it not only for publicity of the project but also into the planning of next year's five-year master plan and to be able to prioritize this project among our other capital projects that will be identified, seems extremely advantageous, not only from a fundraising aspect but also for the Town's prioritization of funds.
- Burk If we were to approve this tonight, how quickly would you be spending the dollars knowing it's already almost mid-September?
- Logsdon Our timeline would start tomorrow and end mid-January. That would involve a charrette with the Carpenters, the town and other stakeholders and then kind of that refined plan would be presented to the community for the larger buy-in and final revisions of that plan. So, we would hit the ground running tomorrow literally.
- Burk Thank you, Jarod.
- Garrett Jarod and Tammy, stand by for this. Do you have a sense of what the balance of the fund that this is coming out of, is this, you know, probably a good idea, is this considered a capital project from that money that was moved into the general fund and then appropriated for that purpose?
- Havard It is part of that fund. The cash balance with the approval, if it is approved tonight, would 2.1 million dollars at the end of 2021 that would still be available for parks capital.
- Garrett Great, okay. Um, is there, Jarod, do you have any sense, it makes sense to me that you're creating a sort of sales sheet to make it too simplistic but to present to donors and as a generous community, I can see that being successful. Do you have any sense of what percent you think will come from private donation versus what percent will potentially come from the town to purchase the land before we even start on the physical plant associated with this?

Logsdon Um, the fact that the original nature center was brought about by a grass roots effort from citizens that wanted to see nature education in Zionsville and then, that foundation has built over the last 20 years to impact countless families, teachers and community members, I think there's going to be a strong sense of identity with this project. I think we're going to attract a lot of donors.

Garrett Very good, thank you. Councilors, any question? Councilor Traylor, any motions?

Traylor I make a motion to approve.

Garrett The first from Councilor Traylor.

Choi Second.

Garrett Second from, that was, oh, Councilor Choi. All in favor?

All Aye.

Garrett All opposed?

[No response.]

Garrett Heather, do we need a notate anything because the original request was really for three different things. It was 150,000 dollars for this one, 125,000 for the community center and 10,000 for the golf course. But, this is purely just for the Carpenter Nature Preserve master plan.

Willey So, what Amy did last time is we pulled out a vote sheet for each of those individual appropriations, so you'll see handwritten at the bottom, Nature Preserve, so this is just for that single appropriation.

Garrett Okay, you're on it as usual, Amy. Thank you. Ah, okay. Onto new business. First we've got outreach representative for the office of Attorney General Todd Rokita, Scott Zarazee. You want to come up and give your name and address for the record, please. The floor is yours.

6. NEW BUSINESS

A. Outreach Representative for the Office of Attorney General Todd Rokita - Scott Zarazee

Zarazee Good evening everyone. My name is Scott Zarazee. I'm the outreach representative for Todd Rokita, our attorney general. I live at, in Pike Township in Marion County. It's 5364 Holly Springs Drive West. And, I appreciate you allowing me to speak tonight. Thank you, Amy, for working with me and getting me on the schedule. Todd wanted to open up an outreach division when he took over at the beginning of the year in order to be able to have some more interactions between his office and the town councils, county councils and ordinary citizens to go over what the attorney general's office does. A lot of people consider, when they consider the attorney general, it represents a day in

court but there are many programs and things that are available that are valuable to town councils such as yourself. We do have an advisory program. So, if you, as new laws come into effect—as I’m sure you know, in Jan—or July, it’s been two months now, since laws came into effect, if something was passed that you wanted an opinion on as to how or what its implementation would look like, you can work with your state rep and state senator to request an opinion from the attorney general on how that implementation should go forth. We’re always happen to, to do things like that. One of the biggest things that we do outside of court is the unclaimed property division. For those of you who may not know, we do give back to Hoosiers about a million dollars a week through our unclaimed property division. As we collect that money, we work to try and find the recipient or the owner of that money and give it back to them. In fact, we had a booth at the state fair last month and we returned over 113,000 dollars from people who attended. We had iPads out there and we were able to find them quite a bit of money as they were going about their day so that bought a lot more cotton candy for them.

Garrett Where do they go for that? Quick plug.

Zarazee I’m sorry?

Garrett Where do they go for that? Quick plug.

Zarazee Uh, Indiana Unclaimed dot org.

Garrett There you go.

Zarazee I’m sorry dot gov. I said org.

Garrett Dot gov.

Zarazee Unclaimed property dot gov.

Garrett Unclaimed property dot gov.

Zarazee So, we also have consumer protection division that helps people, certainly you’re all familiar with bad actors that are out there and businesses that are doing the correct thing and we do have a consumer protection division that is out there to try and protect people. We, we do—try to protect people from phone scams and other email solicitations. So, we had someone that I met a few weeks ago, her sister who has some development disabilities but is able to live on her own—she actually had someone call her and over the phone basically berate her into giving her Social Security Number. So, there’s these types of things and her sister asked me what we can do and I connected her with our, with our division to see what we could do to make sure that her sister was protected. So, we do things like that. We also do Medicaid fraud. I’m sure, as you know, as stewards of the town’s money, it’s always important to try and make sure that that money is being used wisely. So, we do have the Medicaid fraud division that investigates those. So, that’s just a few of the things that we do. And, I wanted to come out here and hopefully, this is a two-way street so that you’re letting me know what is going on and what your concerns are in the, in the community so I can take that back to

the Attorney General and also grateful to be able to come out here and talk about what we're doing.

Garrett And, the Attorney General is going to be in the Fall Festival parade, right?

Zarazee The parade on Saturday? Yes.

Garrett All right, great. Appreciate him coming for that as well. All right. Any questions?

Burk Yeah, just a quick question and you may not know this but I feel like, you know, years ago, when everyone began getting cell phones, there was kind of a moratorium, people aren't allowed to really solicit your phone and it's kind of like a no-call list. I feel like now on an almost daily basis, someone's calling my cell phone. Has something changed? Or is this just a beast to try to regulate or why are, why are?

Garrett Just answer my call, right.

Burk Sorry. So, I don't know. It just seems like that's been a change over the last few years. All of a sudden, there's a lot of people violating that old rule that kind of used to be hands-off.

Zarazee From what I understand, a couple of things can be kinda of in the meta world of phone scams has happened. One, uh, most of the phone scams are now coming in from other countries. And, for some reason, they do not honor Indiana's laws concerning that. The other thing is just the leapfrog in technology. I mean, it used to be you couldn't call a cell phone at all with those things but now they're able to. So, it's always, you know, we try to catch, you know, they, they move ahead. We try to catch up to them in order to block it. So, it's a constant game of cat and mouse. Those are probably the two biggest things that are affecting that.

Burk Yeah, appreciate your hard work.

Zarazee Thank you.

Garrett Thanks, Scott. Appreciate it. Next we've got Watch Us Farm presentation. I know, Councilor Choi, I know you brought this to us. Maybe if you give a little background.

Choi Yeah, um, Janice and David Agarwal are two good friends of my wife and I [sic] and we were introduced. We've known them for a while now. My wife has worked with David Agarwal for a number of years and, as often happens in the past, you're kind of brought into supporting efforts because you're personally affected by them and this is no different. I'm going to introduce these two wonderful people and what they've created because of challenges faced by their own loved one and what they've created is nothing short of incredible. And, they've got this effort that they will introduce and a gala coming up soon that is going to kick off an even a larger effort in the community. And, this is in our hometown of Zionsville. And I think it's important for us to highlight that we have great community leaders within, within Zionsville that are bringing forth these special projects that really help people individually. So, go for it.

B. Watch Us Farm Presentation – Janice Agarwal

J. Agarwal Thank you for inviting me. My name is Janice Agarwal. I'm a pediatric physical therapist. I've been a pediatric physical therapist for about 35 years, Boston and New York, part of the neurodevelopmental team going all over the country looking at babies and assessing them and teaching parents how to love their babies. My super power is that I'm a sensory integration specialist and I am capable of working all over the world with housing and different companies and different organizations to change an environment so that adults who have special needs, a lot of them have sensory processing issues, are able to work. We currently know that one out of six people born right now will have some kind of special needs. Having spoken with Lynn Munley and her 2nd grade class right now, there are five classes 18-19 kids in each classroom, 3-4 of those kids in every single classroom has an IUP. We are behind. I'm working on this project. So, I'd like to talk to you about something we've been doing. I'm not going to tell you my age. Many years ago, I was given the opportunity to go work in England. As a pediatric specialist, we are constantly working on goals and a long-term goal for most of us is get our kids through high school. But, what happens after high school? When I was in England, they were not looking at how to finish high school. What they were looking at is jobs and housing and a community because after high school most of our kids don't have any transportation. A lot of the parents, especially in Indiana, they stay in their houses because there is no transportation to get to jobs but most of these kids fail in the jobs that they're in because the environment hasn't been set or we haven't been equipped. We haven't been equipped because we often don't know what we don't know. And, when it comes to working with these kids, again, that's one of my super powers. So, my husband is originally from Germany. I've been working with the Germans for the past 15 years. In Germany, these organizations are three and four generations old. And, what happens is a parent has a child with special needs and they know that the more independent that they can get their child, that there's a place that they will be placed where they can have jobs. There's a park, there's a place to walk, there's housing. So, let me just give you a picture.

This is 100 acres of property, in Germany, in Bavaria, Germany. And there are beautiful walking paths that the community can enjoy. They can go walk around. There are farm-to-table restaurants. There's usually a farm. There's beautiful housing and then there's a fac—corporations will come in, foundations will come in and they will build chapels, and they'll build industrial kitchens and then they'll build a place where the towns can meet. By the way, this is all taxed. This not being taxed by our town. These are people that are donating this. This is a privately owned thing. So, our community would be able to benefit from this without having to pay taxes for something like this. Every single one of the places throughout Europe always has a farm. It's an organic farm. But, what has happened and which is kind of exciting is they have preserved farms for people to see. Currently, we have had over 120 young students come to our farm to learn where their food come from. Most of these kids think tomatoes come in a container. But, the other exciting part about that is that when they're coming to our farm, they're seeing our adults with special needs and our adults with special

needs are teaching them where their food comes from. So, they're starting to see value in our kids.

An interesting thing. When Munley was talking to me the other day, they were watching Paralympics. Do you know most kids in her classrooms didn't even know people could run without a leg? What are we doing with our kids today if we're not teaching them that people that are a little bit different have value? My son has a syndrome called Prader-Willi syndrome. In the United States today, most kids with this syndrome are immediately put into group homes after high school if there are group homes or they stay in their parents' houses. That is a gut-wrenching thing. Think about this. All of my friends, their kids, they've become empty nesters. My kid's going to stay in my house forever because we don't have group homes that will accommodate him. In Germany, in this facility, there are 70 kids of out 200 with this syndrome. And when I was walking through with the gentleman who heads it up, we had been working with him for years—it was really fun to go visit—I'd said what is that syndrome and he would say, that's Prader-Willi syndrome. These are some of the highest functioning adults they have in the facility. Audi and Volkswagen have come in and brought in big machines and these are the kids working on the machines and they tell me they don't need quality control because their OCD is so great, that these kids, everything they do is perfect. Everything they do is perfect. Why are we are we not doing that in our country? Why do we put these kids to the curbside? These are some of the pictures of what happens there. I love Mila came in and gave washers, dryers and pressers. So, they have this big place. It's a beautiful place. Everything there is stunningly beautiful. The adults take care of everything. There are orchards and farms and buildings and beautiful housing. Mila came in. There's washers, dryers and pressers. So, one kid just sits in front of a washer. One sits in front of a dryer. Those are jobs. Those are real jobs that these kids are doing as opposed to doing absolutely nothing. The list for the guest houses and hotels is five years to get on it. And, one of the things they do, which we can do. Purdue and Rose-Hulman are excited about this project is they can adapt any piece of equipment. So, if I have something that needs to be adapted so I can make an adult successful, Purdue has offered to do that for free. They take four engineers and they come out and they figure out exactly what needs done, needs to be done for free and they adapt it. What they've done in Europe, they have these little scans on everything so you see where everything is going. It can be a fun and exciting environment and this is something we need for our town.

I love the idea that—this is my son, Alex. Alex has been—we've been here 21 years in July. I want you to know he's gone through the Zionsville School District. He is Mr. Congeniality. He's the greatest kid ever. And anybody pretty much could tell you that. Except for, again, these are the kids that can't get jobs because of the environment. These are some of the kids, stuff my adults have woven. We currently have a farm and what we're doing—that's one of my babies—we originally started eight years ago. Eight years ago, we picked a lane and the lane that we picked are high-functioning adults with special needs. And why have we done that? Because I can do that privately. We are private at this point. So, we do not get any government funding. This is all privately done. Everyone gets at least minimum wage. It's kind of like hiring a farm worker. We brought them out on our farm and we have been teaching them a lot of different jobs. This is a bunch of them by the way having friends. The moms saw this and

starting sobbing. Sobbing. Because most of these kids have a hard time having friends. Many of you don't know. All of the yellow curbs in this town were painted by my adults before COVID. We used to do all the rails. These are things our adults can do. In Europe, these are the kids that do all the street cleaning, do all the trail cleaning and stuff like that. And, people look down upon that, but that's a job. That's a job that they can do and it gives value to these adults.

But, my adults are actually pretty amazing. You may know Laura Campbell who is actually on the City Council at Carmel. This is her daughter, Emily. You know, the funny thing about Emily is Emily learned how to weave at Carmel High School. I want you to see some of the things these kids can do. These are some of the most beautiful things you will ever see. The OCD on these kids and the ability to use floor looms is absolutely amazing. I started with one loom. Every single facility in German has them. And, why is that? Because we want to exploit what kids can do. Because people think they can't do very much. But, yet, when you see the stuff coming out of my house, you are going to be blown away because it is so incredibly extravagant and beautiful. We just received a grant out of New Zealand and in New Zealand, the grant, what they were trying to do was they wanted to change an environment. All we said was I cannot change the socioeconomic, I mean, we can change the socioeconomic situations all over the world. I cannot special needs. But, I can change how people see them. Our goal right now is to be a pilot program. A pilot program allows us a little bit of a buffer so that we can adapt an environment to make these adults successful. This guy has had six jobs before he came to me. Can you imagine what that does to the self-esteem of someone? He has a photographic memory. Shame on us. That this kid got pushed from job to job to job and no one took the time to figure out the environment that would make him successful. These kids are all over our community. One in six kids have special needs. If we had more room, we would get bigger. These is some of the stuff my adults are doing and it's amazing.

The other thing we're doing is gardening. Now, you ask the age of my adults. My adults go all the way to this guy who is 65 who was at Lilly, went to New Zealand, had a heart attack, had brain injury. I knew Tom in college. Tom is there every single day. He has nothing else to do. He is the hardest working guy I have. Brain injury is a reality so you think you kind of, you got through the little whole birth thing. Well, that's not true. There are so many different things that can happen as we try to keep these kids alive. They, they, they, they're little savages sometimes. They just want to hurt themselves, these boys. We've got a friend right now, her son was playing soccer. He's been playing it forever and ever and ever. He has frontal lobe damage. What is she going to do with her son if he can't get back into society the right way? This is someone who could be productive in our society. We need to figure out a way to make this work. So, some of the things we do. We garden. We're a completely organic garden. Gardens, we make sauces. Many of you remember in September last year, we had a bunch of our legislators. Donna Schaibley wants us to do it again. She wants us do it again pretty soon to have all our legislators out so that they can see what's going on. We do have Scottish Highland cows. So we were donated on 146th and Michigan, the hoop house. That is what a hoop house looks like normally. A hoop house doesn't actually need a permit on ag land because you're just going produce. We did just discuss with the town how it's going to be. We're having a couple issues with that but we'll fix it. This is the hoop houses that

you'll see at Perennial Plus. I went to Beck's. We've been working with AgrAbility, Breck's, Jones, Perennial Plus, Heartland Growers. We went to Breck's and the gentleman, 83 years old, he has built almost all the major botanical gardens in the country. He came out and he helped us. He has a grandson with autism.

What he decided to tell us was that it's going to be too noisy because the environment is going to be everything. A lot of my kids can't even handle the outside, they think they're going to be attacked. So what he did, we put polycarbonate, it's the exact hoop house, exact same. It is bolted to the ground; it is not a permanent structure. It's got polycarbonate. We're going to be working with fans that are completely silent. My adults laid every one of the pavers that had been in that facility before so that it is nice and level. They've laid every one of those pavers which is pretty impressive all by itself. We have people come out, some of the most incredible engineers or people that have a child or a grandson or a neighbor who has someone with special needs and they come out and they say, "I want to donate my time for free. I want to help you guys out for free because this is the right thing."

These are some of my adults. You'll notice, almost everyone of them is from Zionsville. These guys, they have, they have so much fun and they want to come to work because they have friends. Think about this. Every day or every week, you get to go out with some friends for lunch. My adults don't get to go out for lunch at all but every day they come to my facility, we have lunch. And why do we do that? We have lunch because that's community. Because that's when they get to actually have friends. And, if they go talk to people, they're like, "Oh, yeah, I had lunch with my friends on Monday." They had lunch at Watch's Farm. So, in October, we will have our Oktoberfest again. Oktoberfest is completely free to any family who has a child with special needs or their siblings. Siblings are really important. Because the siblings often don't get to do things that the other kids get to do. But, this going to be an environment that has a low sensory attenuation so that these kids can come out and be successful but they have so much, they have games and we have planted a pumpkin patch. Everything is free. They get to pick pumpkins, decorate pumpkins, pet some animals, do whatever and just have a great time.

So, what is our vision? I want to be a pilot program here. We've been doing this for eight years. We've been a 5013c for three years and it's working. It's working in a lot of ways. Our biggest problem is space. So, we want to be able to create the environment. One out of six kids has special needs. Just keep remembering those numbers, guys. Because that is huge. Oh, I didn't go back to that one. I want to increase some job training opportunities as we get this out. We were shut down by COVID two years ago which at that point we were working with the parks districts and stuff like that. We've had to reimagine everything. We want to partner with more local industry, start seeing if we can get bigger buildings. We can't do that on my property. So, one of the things we need is more land. So, as you hear about things that are coming up, maybe someone can donate a farm that will be a farm forever, not just one generation. When we're trying to build this, we're trying to build this to be two, three, four generations old. So that when a parent has a child with special needs, there is hope. There is hope that there is something out there for that child. Um, what we need? We need to partner with

industry. We need greenhouse development resources. We have just applied for a USDA grant for aquaponics. Aquaponics is fish, um, and working with the lettuce and whatever we're growing the greens. I have the Department of Ag coming out on Thursday. I've been working with the Department of Education as we try to increase awareness for kids with, again, with food, but also working with our adults with special needs. We start to see that symbiotic relationship, that is something that is necessary in our community.

And then, again, we need land, we need land, we need buildings and that can only come if you guys hear about things or as things become more available. Because we're limited. So, what's our ask? I'd like to partner with you guys. I'd like to be a pilot program. I'd like to work with our town. I know we're going to make a lot of mistakes. I will tell you that anything I put together that looks like, has a picture on the box, everything I do makes it look different. I adapt. It never looks the same. But, our kids aren't the same. And, if we want everything to look like it normally should, if we want our planners to constantly get on us to say, "This is not the way it looks," we will always fail. We will always fail. Because these kids fail in normal. They fail in normal. We have to rethink everything that they do. We have to change the environment. We have to think about a different little world where they can be successful and beautiful.

So, we're not breaking rules. We're not breaking rules. What we're trying to do is create. I get a little wrapped up in things but that's okay. We want to find a farm or land that can go for the generations. We have a small little place we thought was, you know, we're right next to a preserve, Eagle Creek, it's a beautiful place. You should come out. It's actually quite stunning. But, it's not going to be big enough. My husband and I bought it eight years ago. We've been here for 21 years. We bought it eight years ago with this in mind, so we could start to decide if this is something that could work here. It works in New York. It works in Massachusetts. It works in Montana. It works in Texas. It works throughout Germany. It works throughout England. Anyplace that it is tried, it works. One of the great things is when it works, the town councils, the city councils, the community, that's a really important part because as families die off we have to start thinking of generations. It's a community that gets together and says, "We need to make sure that these guys have winter clothes." We need to work on, you know, building another building and making sure the housing is just set up right. This is something that a community can do and a community wants to do. Think about the volunteer hours that this is going to increase. Every person that works at my facility I think the workers get more from it than the actual adults. Turn on our electricity. Right now, we're having a little bit of time but I've already spoken to you, Alexander, about you need electricity, we're going to have on September 25, a gala. And the gala, all the money that's raised is going to be for the hydroponics and aquaponics. United Way has given us a small grant to start the hydroponics. Um, again working with the gentleman for the greenhouse itself. It is the most amazing kind of a thing inside when you look at it although it's just a hoop house, what we've done is we've created an environment that's going to be safe, that these adults can work in the greenhouse.

In our back room, we need a bigger place for our weaving. There are places up in Maine and there are places up in Michigan called Ability Weavers. They are 13 and 14 adults on these big looms weaving some of the most amazing stuff.

Everyone makes at least minimum wage. At least minimal wage. Um, we have started car detailing, kind of, some of our adults are going away right now as we go into the winter and, until we can get my greenhouse working, we have to slow down a little bit. We do cards. You know, when people are looking for custom cards or you'll see that at Akard's on Back to the Bricks, My Sugar Pie or in the chocolate place, our cards are there. Our kids make those cards. They're beautiful cards. We don't charge a lot for them and the reason we do that is because it's a big market. But I want our community to be able to use this kind of stuff. I want our community to be proud. When we in Bavaria visiting my husband's family and I was going to this place called Vegan's Farm, this one you saw here, his cousin said to him, "Why don't you come look at ours?" We didn't even know they had one near them. Dietersheim. It had been there for two and a half generations. And, everyone goes there. They use all the facilities. They walk around. It's a beautiful place to be. It's better than a park because it's completely maintained by adults with special needs. And, the community knows who these people are because we all know at least one person. And, if we don't know someone with special needs, shame on you. Because it's probably your neighbor or someone you're looking through. You've made them invisible. Because they're there. They're all out there.

We went to this place and it was beautiful and people go and they buy the wares, they buy the stuff. Why do they do that besides the fact that it's beautiful? They buy it because they want to support their community. Back to the New Zealand. When they asked us, what makes our stuff different than everybody else's, I said, "Well, I can educate but what's going to make our stuff different is we have beautiful colors and beautiful textures." Most of my kids can't do really, really exotic patterns. But, we can use all these beautiful colors and we can use all these beautiful textures and our stuff is incredibly extravagant. And, this is something our community can do. This is beautiful whether it's made by someone with special needs or not but this is something I'd like our community to work on.

So, what I'd like. I'd like to be the pilot program and start working with our town to get this place bigger because we're going to need it. And, if we don't do this, we're going to regret it in 10 years. We're going to regret it in 15 years. We never going to catch up. Zionsville doesn't have anything currently. There's nothing like this around here. We would be one of the first organizations doing this in this general. I think it would be exciting. I can do the whole sell. Wouldn't it be cool, Zionsville and Carmel, these are two communities that can aff- that can do this. Would that not be awesome? If we created one of the most beautiful places that people can go and they can have a wonderful time. Kids can do day camps there all with our adults with special needs. You can enjoy the restaurants. You can enjoy the organic produce. Um, 50% of our organic produce will be going to the food banks. That is one way of us giving back to our community. So, this is just who we are and we would like to work with you. Questions?

Garrett Thank you, Janice. Appreciate your passion. Any questions councilors?

Plunkett Thank you very much.

Garrett Appreciate it.

Choi Just to let you know, the gala is September 25th, right, David? So, you guys still have tickets available?

D. Agarwal We do. We have a website. WatchUsFarm dot com. And, there you can—

J. Agarwal I think we have one table left.

D. Agarwal We have 15 or 16 tables total.

J. Agarwal And, it's pretty much all local. Actually, it's all local.

Garrett No, thank you, though. Any of the councilors—what's that?

Choi I have two seats left at my table.

C. Zionsville Town Court – Judge Samantha Spencer

Garrett Next, we've got a special guest from the Zionsville Town Court. We've got Judge Samantha Spencer.

Spencer Good evening. I'm here tonight just to give you a status update on the court and to let you know of our current need for a court administrator. But, before I go into that, I've never had the opportunity to speak to all of you and to the public and I've learned that a lot of people don't understand that we have a Town Court and they don't really know what it does. So, I thought I would take this opportunity very briefly, just to share with the public, you know, what is our Town Court, what's its purpose and what's its role in our community.

Um, the town and city courts are established by statute initially to relieve the burden from the county court system. So, generally, city and town courts handle traffic infractions, ordinance violations, parking violations and sometimes misdemeanors. Many of our surrounding cities and towns also have their own town courts. But, as you know, the Zionsville Town Court is a court of limited jurisdiction. So, what that means is that we handle traffic infractions and ordinance violations. We also handle our parking violations. These are some legal terms. Let me explain it. It's relevant for the court.

So, traffic infractions are alleged violations of the Indiana statute. These are handled by the Boone County prosecutor's office. Boone County hires a prosecutor to represent the state of Indiana and this is the vast majority of cases that are before the court. We also have ordinance violations which are violations of the Zionsville Town Ordinance. They are prosecuted by town prosecutor, Mr. Olsinski and he represents the Town of Zionsville. So, to date, just to give you some numbers, we've had 166 infractions filed before our court and we've had only six ordinance violations. I'll go to 2019 because 2020 was a strange year in the world of courts and everything else. We had 467 infractions filed in our court and we had 51 ordinance violations. So, truly, the primary type of case that's filed before us is an infraction. Currently, we hold court once a month. Anyone who wants an opportunity to appear before me has an opportunity to come to court without an appointment. So, we hold court in the evening to be convenient

for people who work. They also have an opportunity to speak to the prosecutor without an appointment if they want to try to get their case resolved. Um, although we're bound by the various rules governing Indiana courts, our court is very informal. My seat is right there. And, the hope is that people can come in and they do have a touch point with the judicial system. It's unlike any county court system that feels large and feels overwhelming. But, they feel that they truly have an opportunity to have their case heard, that they walk in and they feel that Zionsville is treating them with fairness and respect. They have an opportunity to question the police officer should they choose to deny their traffic ticket. And, um, truly it's an accessible system. It's convenient for the residents of Zionsville.

So, additionally, um, one of our greatest assets is that we're efficient because we we're only handling traffic infractions and ordinance violations, we can get people from ticket to trial in 60 days. That has traditionally always been true. Amy Lacy used to handle the court and then we had a deputy clerk who took over for Amy and she resigned unexpectedly in July which is why I'm here today. Let me explain her role. So, the deputy clerk was in charge of administering the court. What she does is she would process every ticket that's filed with the Zionsville court. She would process any motion, order, any joint agreement, anything that's e-filed with the court she would get to me for a timely review so I could go ahead and review an order on it if I needed to. She would facilitate all of our court sessions. She answered phone calls. She would also accept and process payments. This position is also responsible in part for preparing reports that are due to the county and state every month, every quarter, semi-annual and annual reports. So, filling this position is really an urgent need for the court because we're bound. We have statutory obligations to meet. So, we are about eight weeks out on having a court, a dedicated court staff. So, Tammy and her department have stepped in and they have provided different staff to do as much as they can for the court.

I know Amy Lacy has stepped in and helped out as well. But, there are many tasks to be completed and to learn how to run a court is not necessarily an intuitive thing. It takes some time just even to learn the lingo let alone how to process payments or certainly tickets that are filed with our court. So, even though our town court is small and we have a low volume of cases, it is my position that until the Town Council votes to abolish the town court we have to have an appropriate court administrator. So, we have a constitutional responsibility to provide access to the court to each and every person that's issued a ticket in Zionsville. Additionally, we have an obligation to our residents, to be responsible and to meet our statutory guidelines. Um, so I'm happy to tell you today that as of this evening a position has been posted for a part-time court administrator. Whether this position is part-time or full-time probably with some other responsibilities, it makes no difference to me just so long as we have someone that's dedicated to working on court administration so we can serve the people that are coming before our court. And, I'm happy to answer any questions that you may have.

Garrett

Judge Spencer, you're an elected official, correct? You were on the ballot, the people elected you to that role, is that a correct statement?

Spencer Yes.

Garrett If one of Chief Spears' fine officers pulls me over after this meeting today, it's my understanding that I'm not now being written a ticket into your court, I'm being written a ticket into the Boone County Court? Is that a correct statement?

Spencer Yes, I learned a few weeks ago that tickets that are written by the Zionsville Police Department are currently being directed to the Boone County Courthouse.

Garrett Heather, I'm going to ask you to comment on this. I don't think that's allowed.

Willey So, I think it's—there's a slight distinction with the traffic infractions that Judge Spencer noted. However, I think it undermines what we historically have done. Um, and I talked with the Bonne County attorney as well and I understand, there's no formal in our local agreement between the County and the Town to sort of direct that work. But, I think the purpose, so, maybe to step back, so we created our Town Court by ordinance. It's been around since 2005. Since 2005, the court has had jurisdiction over every ordinance violation which by statute gives the town court exclusive jurisdiction meaning it cannot go anywhere else. When the court is administering an infraction that is a state infraction, so for the state of Indiana, like Judge Spencer mentioned, there is some flexibility on where to send, but what that does to the residents of Zionsville, it requires them to now go to the Boone County Court in Lebanon to have that, you know, adjudicated. Part of the reason that communities have town courts is to provide one, you know, accessibility for the residents of the town but it's also to ensure that the court docket for the county courts is not, you know, taxed if you will, by all of these smaller infractions that can be handled at a more local level when the courts themselves already have, you know, a backed-up docket. Many of them are pushing cases out because they have to see criminal cases. They have, um, other matters that come before the court. Typically, those other matters will take precedent as well over the infractions. So, just, for someone who is, you know, in the process of having to have their claim adjudicated, one, it takes away the convenience of being seen in Boone County or in Zionsville, makes them drive to Boone County and then it slows down the process in its entirety. So, if it, in the town, as I understand the facts, the town has a traffic code and in that traffic code, um, there is specific language that talks about the penalty for any ordinance violation contained in the traffic code. That takes you to a section of the Zionsville code of ordinances that basically again gives the court, the town court exclusive jurisdiction over, um, one, the scale that is set for the fines that would be associated with each of those different infractions if one is not stated in the code and then, secondly, it gives the court the jurisdiction to adjudicate those claims. So, there is some, I think, evidence and some history that it's all been directed to the Zionsville Court for a variety of reasons. And, only the Town Council can make a decision whether to abolish the court or establish the court. So, it's really in the Town Council's purview to set that, you know, to set that structure in place. If that makes sense. It's a long-winded answer but there's a lot of complicated pieces of this that I think kind of dovetail into one another.

Garrett So, Judge Spencer or Heather, I guess I'll throw it to both of you. If I speed down Main Street and I get caught doing 35 and it's 25, is that a state infraction or is that a town infraction? Because it's a town road. I guess I'm trying to understand

why we're now sending if ZPD pulls over a visitor or a resident, why are they now being sent to Boone County and should Town Council have been a part of that discussion versus just a unilateral decision to do that?

Wiley Yeah, so I'm just going to answer based on what I understand from the Zionsville Code of Ordinances. So, in Section 71.01, it talks about speed regulations and there's two different provisions. One talks about state speed laws and the other talks about speed limits on designated streets. Um, when you look at those sections, it says "the state traffic laws regulating the speed of vehicles shall be applicable on all streets within the town except as this traffic code as authorized by state law hereby declares and determines on the basis of engineering and traffic investigations that certain speed regulations can be changed." So, we talk about some with Lance and his team about the speed on certain streets. And, then, it basically gives us a sort of maximum speed based on state statute that people can drive. So, there are some state statutory obligations. But, if you look at that section in our code of ordinances and you see what the penalty is, the penalty takes you to Section 70.99 and that penalty section says, "A schedule of violations adopted by the town court on 11/15/2005 is incorporated into the traffic code in its entirety. Any violator of any provision of this traffic code shall pay a fine and penalty to the town in the amount set forth in such scheduled or violations as determined by the town court in any of its proceedings." So, that, to me, tells me that the ordinance has taken the state statute and has determined that the process that will be used for the Town of Zionsville is through the town court to be adjudicated. So, in my opinion, the town court has jurisdiction over those based on our ordinances that's been adopted in the allowable state statute that would allow us to adopt this process.

Garrett Got it.

Traylor Why did they stop going to you?

Spencer It is my understanding that the administration made this decision because just to essentially stop tickets from being processed in our court because we had no court administrator and I believe this decision was made mid-July. I was recently informed of it just a couple of weeks ago. I had no idea until our August court session that tickets were no longer being written into our court. So, as to whether or not tickets are being written into court is beyond my role as judge.

Garrett Sure.

Spencer I just handle the files as what is within our court.

Garrett I am concerned about that, though. The purpose of the court is not to make money, though, correct?

Spencer Right.

Garrett I mean, you gave I thought a good summary of what the court does which is to relieve the burden from the county courts but also to provide a service so that if I do challenge that ticket, I don't have to go up to Lebanon, the police officer

doesn't have to go up to Lebanon. So, but, it is not here to make money even if the revenue can help to offset some of the court costs. Is that a—

Spencer Yeah, that's fair. That's been clearly directed by the Indiana Supreme Court. In fact, we would never want our courts to be, um, to be intentional revenue generators, right? That would only undermine people's belief in an impartial judicial system. So, courts are a service to the people. County courts are much more expensive to operate than our town court is. Um, but yes, courts cost money. Every community pays to have their courts. Some courts may generate more revenue, um, than their expenditures, but, um, it's my understanding that that's, that's rare.

Garrett If, if, I was going to say—

Spencer So,

Garrett One quick note, if a speeding ticket then is written into the Boone County Court, the fees offset their expenses. It does not trickle down to the Zionsville Town Court, correct?

Spencer That's correct.

Garrett Okay.

Choi So, if Josh gets pulled over and has a ticket written and is told to go to Boone County Court to pay the fine, what if he were to say that court system has no jurisdiction over this ticket having been written? Is that allowed, for him to say that?

Spencer Well, I'll answer that question. It's my understanding—

Garrett Don't look at me.

Spencer state infractions. That's why because it's, because we're handling two different types of violations. Only state infractions right now are going to Boone County. I do not believe that ordinance violations have been sent to Boone County although I don't know. But, yes, if ordinance violations have been sent to Boone County, then, hypothetically, somebody could make an argument that they do not have jurisdiction to hear that matter.

Traylor And, we don't know if that's happened or not?

Spencer We don't know. Again, that's outside of my scope of responsibilities as judge.

Willey The only thing I would say to Councilor Choi's question specifically is there is state statute that talks about town courts and their jurisdiction and there is some language that basically says, you know, let's say we did not have a town court. It would obviously be appropriate for the prosecutor to prosecute those cases that come before him. I don't think the prosecutor here, you know, is doing anything wrong by prosecuting cases that come before him. However, there is state statute that says, you know, you can establish a town court, you can set up the

parameters for what, you know, what you will have within the court's purview and so I would contest that it is a violation of the town's ordinance, the way it is currently established. The state legislature in 2019 actually revised the law with respect to town courts and they're looking at a process now where cities and towns starting in 2022 will start affirmatively adopting or abolishing a court every four years so you can look at, sort of the need of a town court. But, you know, at this time, we've set up a structure within the ordinance that gives the town court the jurisdiction over those infractions from state law as well as state statutes as exclusive jurisdiction of any ordinance violations as we've also set up in our own code of ordinance. So, it's very, very clear to me on ordinance violations and I think it's also, you know, the intent of what was passed in the town's court ordinance to have control and jurisdiction over those infractions as well as always historically has been the case as well.

- Burk Judge, is the position that's posted, is that considered a town employee, town payroll, do they work in this building?
- Spencer Yes. Although the position does allow the person to work some from home. It's a part-time, it's posted as a part-time position.
- Culp It's a part-time? Okay. Was the person that was in there before part-time as well?
- Spencer She was not. She was full time and she divided her responsibilities between a couple different areas in the finance department.
- Culp I don't know if this is a Tammy or Joe Kiel question, why are we just waiting now to post a position a couple hours before the meeting? I guess would be my question.
- Havard As you know, there's a lot of changes going on with our department and one of our employees has gone from full time to part time and so we've posted for Accounting Specialist position as well, public assistance. We broke up the position into the court part-time, public assistance part-time and then the person as Judge Spencer mentioned was also doing part finance work. So, we don't have anything currently contemplated to fill that gap in our office, but we're just working through all the processes and getting all that together. One of the issues that we have been having is that there's no handbook if you will for how to process the court in Odyssey, the specific court software. So, we've been working with help desk to determine which permissions are needed and what the processes are. Talking with Judge Spencer on how many hours a week, bless you, that we feel is appropriate for this position to set reasonable expectations for the person coming in. And, so, going through that whole process, we feel like we're at a good spot right now of understanding the duties that need to go on and things like that. So, we had a good meeting and have the path going forward.
- Garrett Tammy, is that system related to the new accounting system?
- Havard Not at all.
- Garrett Or is it a different system?

Havard No, it's directly connected to the state.

Garrett Got it.

Havard Yes.

Garrett Judge Spencer, thanks Tammy. If, where are we in danger of losing our court, sort of, if the state says we're not processing violations quick enough, people aren't getting their due process. Is this, it sounds like an urgent need. Is that a, is that too dramatic or is this an urgent need?

Spencer It is dramatic. We are not close to being in violation of any statute. Tammy and her team have done a good job of stepping in and making sure that the reports that must get filed are being filed although they may be filed a little late. I don't know that that's unusual. I'm still myself learning the scope of the court administrator's job. Um, but, um, it's urgent in the sense that we have pending tickets before the court. So, anything—we have pending motions before the court that I haven't reviewed. We have pending orders. Um, we have notices for trial that need to get sent out and those things are set by, they are set by rules. And, so, um, it is urgent in the sense that we need to meet those deadlines.

Garrett Got it. I know that Lebanon no longer has a town court and I spoke with Mayor Gentry about that and that was a decision that I think they regret, not having a town court anymore. So, I think court is important so I'm happy to hear that the job has been posted. I would certainly encourage the mayor to start writing tickets back into our court because she has the legal authority to do that. Um, and she's bypassing you as an elected official and us as elected officials to do that. Um, so, my hope is that this gets filled quickly and we're back up and running. I know that we as a Town Council can actually create a position if need be. I don't think we need to do that. Um, but if we do start getting close to the point of losing our court administratively, I certainly want to do all things possible to make sure that doesn't happen. I appreciate your time here. I don't want to end questions if there are other questions. But, just thank you for making us aware of that and hopefully not seeing you in court any time soon as a defendant. I want to see you in court as a judge, so.

Traylor This is not a question for her but, I guess, my question maybe to you, Josh, or to our counsel, um, how do we make without going to court, how do we make our government work the way it's structured? Like, let's say, the mayor says, "No, I'm going to instruct the police department to continue to write their tickets to Boone County" and that obviously is not the way the town government is structured, outside of another lawsuit, how do we, how do we get our government to work the way it's drawn up?

Willey Well, one, I think it would be important to have a conversation directly with the prosecutor and the Boone County Court as well. I mean, just in terms of the process. We could also talk to the state court administrator about infractions, you know, with the state and that process. Hopefully, we won't have to do that. Hopefully, it was a temporary measure. Um, you know, more communication is probably important just to make sure that everyone understands, you know, what the process is and the decision why. Um, you know, we've talked, looked into,

you know, sort of the posting of the position obligations. I mean, you know, the statute basically would allow the court to have its own administrator reporting directly to Judge Spencer if that's something the Council chose to do or wanted to include in the next budget. The statute basically would allow the judge to be their own clerk. That's not typically the case because of how busy they already are, um, in terms of how they're structured. Um, if that's not the case, they can hire their own clerk providing the funding has been made available and the position has been made available by the Town Council. Or, they could work through the CFO's office which is the other requirement and statute, you know, if they choose not to be their own clerk and if they choose not to hire their own position then it defaults to what would normally be the Town Clerk Treasurer. Since we don't have a Town Clerk Treasurer due to the reorganization, that defaults to the CFO's office. So, that's sort of how it breaks down in the statute. But, definitely would have more oversight into the workings day-to-day of that position.

Garrett I think it's a valid question. I will speak to the mayor on it directly to find out. I do, I'm a little concerned that we and the judge didn't find out about it until months after it happened. Um, to your point on communication, Heather, I think that is something we need to work on as well. So, I will report back to this body next meeting on, um, next steps on that. Any other questions on that?

D. Consideration of an Electronic Meetings Policy Resolution
Resolution 2021-16

Garrett All right, the only voting piece of new business. This is consideration of electronic meeting policy resolution. This is Resolution 2021-16, This is a familiar resolution. This body passed this resolution. It was not signed by the mayor. It was not vetoed by the mayor; it was just not signed. We then had another meeting since it was passed and not signed and because of that, um, we have to effectively pass it again. So, I don't know why it wasn't signed. Nothing was communicated to us on anything related to this. So, we have to vote on it again. Heather, do you want to give a 30-second recap just so councilors know what this is?

Willey Yes, so this is a bit unique again to the Town of Zionsville and kind of ties back to our reorg as well. We've not had this happen before so the process is just a little bit new for all of us. But, the Town Council passed the original resolution on August 2. Under the reorganization, the mayor has 10 days to take action. So, she can sign, veto and there's a provision in our reorganization document ZR2818 that basically says if the mayor takes no action within that 10-day period it is considered vetoed. What's unique about that is in state statute and really everywhere else in statute, it's the opposite. So, if an elected leader, the governor or a mayor typically does not sign, it's considered passed so that's a little bit unique to the Town of Zionsville. We, as the Council then have 10 days if the mayor were to veto something, 10 days to take action either at the next regular meeting or at a special meeting of the Town Council so we put this back on our agenda for some further conversation at the August 16 meeting but no further action was taken. Since the Council did not override the veto or consider a veto at that time, we now need to—

Garrett Or, know it was vetoed.

Willey Or, know it was vetoed—at that point we just didn’t have any communication to understand it wasn’t signed. So, Amy, I know is going to work on some processes to make sure, because of this unique provision, if that would, if that were to happen again, then on that 10th day, which is 10 business days or 10 days, 10 calendar days after the Town Council were to take a vote, that would then trigger that 10-day window that you could consider if you chose to come back and reconsider, veto, override that decision. So, based on that we now need to reconsider the original ordinances. There are no substantive changes or revisions to what the Council previously passed. This was simply procedural to start that clock again.

Garrett And, this is a resolution guiding how Council can interact remotely or in person?

Willey Correct.

Burk Just the members of this body, not the community itself?

Garrett Just the members of this body.

Willey Correct.

Garrett The members of the community were covered in the council procedures.

Willey That’s correct, yes. So, the legislature following COVID-19 just as a refresher gave communities additional flexibility to allow their elected officials to meet electronically. And, in that new statute, it basically requires the Town Council by resolution to set the parameters by which a member may meet using electronic communication and when that is appropriate, how often that member can use, meet electronically and then it requires certain procedures for voting for transparency purposes, for example, every vote would have to be a roll call if you met electronically and that the communication to be used would be able to be heard by all the members of the public. So, there are certain other transparency requirements in that but it’s solely governing how the members of this body will meet electronically and interact with one another in that forum.

Burk Was this pretty much stock language as passed by the state legislature?

Wille Yes, it is. The Accelerate Indiana Municipalities has had a number of different seminars on this. There’s a number of different types of resolutions that communities have used. Some have taken a model ordinance that was used by AIM or produced by AIM. Others have adopted it in their own way which is what we have done. I think the goal of the Council originally as we drafted this was to meet in person as much as possible, to require the members to meet in person as well so that the public could interact with the members and only in rare circumstances approved by the President of the Council can you meet electronically. But it gives that flexibility in case there is a unique circumstance.

Burk So, just a procedural question and I don't know what the intent was to not sign it, it could have been an oversight, but, if it in effect becomes a veto, is it not that a veto can be overridden by this body with a majority vote anyway?

Willey Correct.

Burk So, this is not an override of this presumed veto. We're just resetting the process again.

Willey You're correct. Yeah, exactly.

Burk But, we could if we intentionally viewed this as a veto, vote to override it?

Willey Right. If the mayor chose to not take action again, 10 days starting the clock tomorrow, then at our next meeting which would be the 20th, I believe, we would need to consider a veto override if that was the choice of this group.

Burk Okay, thank you for the clarification.

Garrett Any other questions? Well, I'll make a motion to pass Resolution 2021-16.

Plunkett Second.

Garrett Second from Vice-President Plunkett. All in favor?

All Aye.

Garrett All opposed?

[No response.]

Garrett Resolution 2021-16 passes with a vote of 7 in favor, 0 opposed.

7. OTHER MATTERS

Garrett Any other matters from any councilor?

Choi I'm going to catch a lot of flack for this but I need to just express, um, that, you know, I know that we're past part of COVID and we're getting a second resurgence here. Need the public to know, to take this second resurgence clearly seriously. At IU Health, we've canceled, inpatient elective surgeries because we're overrun in our ICUs. We've had to convert our regular patient rooms into intensive care units again and we have, um, my group has re-deployed a lot of our anesthesiologists into the intensive care units to help the intensive care doctors because they are overrun with critical patients. Most of those patients that are intubated and on death's door are unvaccinated patients. And so, it is your choice whether or not, you get the vaccine or not but--

Garrett Get the vaccine.

Choi I will tell you that most of the people that are dying right now are unvaccinated patients. Yes, you do have patients every now and then that are vaccinated who do get sick but by and large, the vast majority of the patients who we see in our intensive care units are unvaccinated patients. So, it's really making me upset right now about we're having so many people that are, um, are ending up unnecessarily in our intensive care units.

8. APPROVAL OF CLAIMS

Garrett Approval of claims. Any questions on any claims that we saw here, councilors?

Plunkett I have a question on claims. There's a claim 218-44900999 under the non-department for an electric construction for municipal action center work stations. My question is, we've previously gone through and talked about uh, just from what I've noticed on claims over 289,000 dollars for the municipal action center, 182,000 of that was contractual services so the remainder were not contractual services and we found out at the last meeting that obviously we're required to pay contractual services. My question is, at what point are the claims a circum--trying to circumvent the appropriations request from earlier this year? I mean, this specifically says MAC work stations. I'm assuming it's construction of the municipal action center. Um, I mean, is this something that we are required to pay since we declined the appropriations earlier this year?

Garrett I think we are required to pay it. I think what is interesting is what is not getting paid instead, right? You know, how we do budgets. We say we're going to do 20,000 dollars for this, this and this. If you want something different, then there's something in this original proposal that's not paid to circum—to, to, to pay this other thing. And, that's what I don't know. I don't know that that money that we would have spent on other things that were presented through the budget process have not been paid for the mayor's action center.

Burk Look at our updated financials to see.

Plunkett My question is how is this any different then they coming, the administration comes and asks for a quarter of a million dollars for a municipal action center town hall reconfiguration. We say no, they do it anyway and now we're getting claims that says for municipal action center.

Garrett So, there's 250,000 dollars in your example of things, of other things that were said will be spent on now will not be spent.

Traylor We don't know what those are.

Garrett No, I don't know what those are.

Traylor Fun shell game.

Plunkett So, what's the purpose of claims anyway? I mean, my understand was that the claims would, with the exception of fixed expenses on a monthly basis, that we're, that come before us regularly, these additional claims are to be approved and then paid. If they're not approved, then, I guess I'm confused with why we

continue to see municipal action center claims and we're being forced to pay them.

Garrett Um, because—

Plunkett And we didn't want it.

Garrett Because they weren't appropriated if that makes sense, right? So, when we did the budget there was in this example, the police operating fund, 281 fund, department 999. We would have had 2300 dollars in stuff, right? Whatever it would have been. And, that, that stuff is now not being spent and instead is being used to spend on this. So, you can circumvent it by appropriating everything. You don't want to do it down to a level that it becomes unwieldy but there were things that would have been presented to this Council and to the public in the budget that now don't have the budget left to spend because it was spent for this and then would have to be appropriated, additionally appropriated to make up that difference if it still wanted to be done.

Traylor Can I give the Cliffs Notes version?

Garrett You can.

Traylor We allowed the administration to be generic in the budgeting process last year and, because of that, they're pulling things out and inserting what they want.

Plunkett At their discretion.

Traylor At their discretion. Correct.

Plunkett Man.

Willey So, Councilor Plunkett, what number did you say again, I'm sorry?

Plunkett Yeah, it's the, it's the one that Josh just mentioned. It's um, right above the Town Hall improvement total so it's 271 police operating. I'm assuming it's moving stuff from the police department over her for the municipal action center. Adams Electric Construction data and circuits MAC work stations.

Willey Okay.

Garrett The long and short of it is I think we have to pay it. But, just be, we're aware of what's—

Traylor This coming budget that we put together will be very specific or it will not get passed.

Willey But, to Councilor Plunkett's point, the approval and claims process. No, so nothing should be paid until approved by the Council. So, that's State Board of Accounts as well as state statute. So, you know, now, the question always becomes and it's not, I don't know about this particular line item, um, but you are right. That is the purpose of the claims and approval process and why the Town

Council is the fiscal body for the town. I mean, that's the core of the check and balance of spending between two different elected bodies. Um, I think the issue becomes, did the vendor already do the work and is it fair to the vendor to not be paid for work they've already done? That I think is a different question than what you have asked Councilor Plunkett which is what is the legal process. The legal process should be a claim has to be approved before it can be paid. I know that's splitting hairs a little bit but I think that's the trick box that you, you get into.

Plunkett Well the question to your point, I've previously asked the question about are we paying claims for services that have already been rendered and, I don't understand—

Choi Are you wanting to have services approved before they are rendered?

Plunkett I'm wanting for this Council to stop ridiculous overspending. That's what I'm wanting.

Garrett So, the claims have been budgeted, right?

Plunkett Sure.

Garrett And, I think Councilor Traylor did a good summary of, there's a generic bucket for this, right, it's budgeted. The administration or the department is allowed to spend within that bucket. If the bucket is very broad, then what was promised to be spent on and what was actually spent on, has no real relevance, right? Because it's been budgeted so we're approving the claim. The service may have already happened; they just haven't got paid for it. I understand your frustration. It makes sense. It's the budget that we passed. It was a very chaotic process.

Traylor And, we're assuming that it fits within that budget. But, we haven't seen an update this year.

Garrett Well that is true.

Traylor We're making a lot of assumptions, every meeting when we pass claims.

Garrett Well, hopefully, hopefully next meeting, that's what Tammy mentioned—

Plunkett We've got 1.2 million dollars' worth of claims on here and we don't know what balances are in any of these accounts. We don't know how much money we have. We don't know how much we spent. We have no idea. As a fiscal body for the Town of Zionsville, this looks really bad.

? I agree.

Willey You know, in fairness to the process, you're almost always going to have a claim for a service that's already been provided. So, take my legal fees. I'm going to do the legal fees and then I'm going to have an invoice and that invoice is going to go to Tammy's office and Tammy is going to put that on the claims and you're going to decide whether or not to pay me for those services. I think the broader issue is the one that you've identified. It's more about setting priorities and the

spend sort of on the front end but, you know, I think just in fairness, you know, it's, you know, you're going to see those after services have been rendered. It is, I think—

- Traylor The issue on this one, I feel like we're all just a little, well not all, I'll speak for myself. I'm feeling a little stung because it was something we very specifically said no to as far as the appropriation and we're doing it anyway.
- Plunkett And, we've been nicked and dined up to 289,000 dollars over the last year for it. Every claim. Every meeting.
- Garrett So, there's a statement earlier Tammy made which I'll both believe and hold her to, which is the department heads who I believe know how to run their budget themselves. I'm not expecting any additional appropriations. Now, how much of that they're dictated to put things in to support something like the mayor's action center, that I can't speak to. Um, so, I think to your point Councilor Traylor, being more specific in the process of this is what the ask is, this is what's communicated to the public, this is what's approved by the Council, shouldn't be just big buckets of money, they should be more specific. Hey, we all agree on that, let's do it and if it changes, and it may change, then we have a public discussion about it and decide okay, yeah, we don't need to do that anymore. We should do this and there's that approval process.
- Traylor Who are you having that public discussion with?
- Garrett I think I have no comment.
- Traylor I do have, I'm sorry, that was, yeah, that, that was me being, yeah, I'm frustrated, I think a lot of us are. I think this is ridiculous. You know, I get a lot of heat but the administration works around us, not with us. Um, I did have a very specific question about the claims though. In, it was the compensation study, Tammy, is that part of, did that come from the 98,400 that we budgeted for contractual services for human resources? Is that part of that?
- Havard Yeah, within the three thousand series of services, then yes, that is part of that and you'll notice that sometimes there's like a consulting line and a contractual services line within that same series and the departments know to manage. If they go over on one of those lines, then they would go under on the other to make it within the budget. Some of it is semantics but.
- Traylor So, it is part of the 98,400 that was have budgeted for human resources' contractual services?
- Havard Yes.
- Traylor Okay. And, how much is left in, out of that line item that we budgeted? How much have we spent out of that?
- Havard I'd have to look at the series of it and see.
- Traylor Okay. I would –

Havard That's for the compensation study that was on the prior additional appropriation, the study that was put together and presented for Council.

Traylor Okay, so it was—

Havard This is the invoice as Heather was mentioning. The services are performed and then the Finance receives the invoice and then we get it on the claims for approval.

Traylor Right, but you just, so was this part of the 98,400 that we've budgeted for contractual services for human resources or was it part of an additional appropriation because you just –

Havard No, the additional appropriation was for the actual compensation associated with the compensation study, yes.

Traylor Yeah, I understand that part. I just wanted to make sure I knew, okay. All right.

Havard So, yes, there's no additional appropriate for the actual study but that is being handled within the budget.

Garrett Any other questions on claims?

Traylor I would make a motion to approve Claims minus the compensation study until we see the financials. That's a sizeable amount and I'm not confident that we haven't already spent all of that.

Garrett All right. There is a motion there for claims except for—is there a specific way to denote the fund and all that sort of stuff?

Traylor It is from fund 101, department 140, so that's human resources department, total dollar amount of that claim is 27, 250 dollars.

Garrett Got it. I see it there, too. Okay.

Traylor That was the result of the compensation study.

Garrett That was the appropriation for the salaries.

Plunkett For the actual salaries.

Traylor Yeah, we didn't, we didn't approve that study. We approved the increase in pay.

Havard So, Heather, since the service has already been rendered, don't we have an obligation to pay the vendor?

Wiley I'm trying to follow along with this, Tammy. So, it's this, the First Person, Inc.?

Havard They're the ones that presented last time.

Willey Right and so was this entire amount for the work that was done on the compensation study or—

Havard I would have to research it.

Willey Okay.

Garrett They can wait two weeks. I'll second that motion. All in favor?

All Aye.

Garrett Any opposed?

[No response.]

Garrett All right. Claims are approved with the exception noted by Councilor Traylor, the First Person, Inc. until we get an understanding of what that budget amount is left. Approve by 7 in favor, 0 opposed.

9. ADJOURN

Garrett I will make a motion to adjourn.

Traylor Second.

Garrett I hear Councilor Traylor first. All in favor?

All Aye.

Garrett All opposed?

[No response.]

Garrett We are adjourned by a vote of 7 in favor, 0 opposed. The next regular Town Council meeting is scheduled for Monday, September 20, 2021 at 7:30 a.m. in the Zionsville Town Hall Council Chambers. Final notice will be posted in compliance with the Indiana Open Door law. Thanks, everyone.

The meeting was adjourned at 8:48 p.m.

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator
Town of Zionsville