

June 23, 2011

These are the minutes of the regular meeting of the Town Council for the Town of Brownsburg, Indiana, held at Town Hall on June 23, 2011 at 7:00 p.m.

Members present: Matt Bowles, Bill Guarnery, Gary Hood, Dwayne Sawyer and Dave Richardson.

Also present: Jeanette Brickler, Clerk-Treasurer; Tricia Leminger, Town Attorney, Dale Cheatham, Town Manager; Angie Petre, Executive Assistant; Grant Kleinhenz, Assistant Town Manager; Todd Barker, Planning Director; John Depinet and Joe Grimes, Police Majors; Tom Garrison, Park Board; Ray Kotarski and Stan Comer, Police Commission.

The meeting opened with the Pledge of Allegiance to the Flag and a moment of silence. Immediately following was the roll call which showed all members in attendance.

Nobody was present to speak under Citizens Comments on the agenda.

Under Consent Items, Dwayne Sawyer moved to approve the minutes of the Special Joint Meeting, the Regular Meeting Minutes and the Memorandum of Executive Session for June 9, 2011 along with the Accounts Payable Docket Claims Vouchers for the period of June 10, 2011 through June 23, 2011 in the amount of \$1,011,693.40. The motion was seconded by Bill Guarnery and discussion held. The Clerk-Treasurer stated that a credit memo in the amount of \$5,818.25 was received late but was added to the vendor's payment after the docket was created. The amount was corrected in the official docket. Upon call of the question, the motion was unanimously carried.

Ordinance #2011-11, To Vacate a Utility Easement Located on Lot 128 in Northridge Subdivision, Section 9, known as 17 Carnaby Drive, Brownsburg was on the agenda for second reading. Todd Barker reviewed the matter for the Council and to answer any questions. Matt Bowles asked if both 2nd and 3rd reading with final adoption could be done at this time and was informed that the approval process could be completed at this meeting. Bill Guarnery then moved for 2nd and 3rd reading and final approval of Ordinance #2011-11. The motion was seconded by Dwayne Sawyer and unanimously carried.

Ordinance #2011-12 to Vacate a Utility Easement Located on Lot 127 in Northridge Subdivision, Section 9 known as 9 Carnaby Drive, Brownsburg was also on the agenda for 2nd reading. Bill Guarnery moved for 2nd and 3rd reading with final adoption of Ordinance #2011-12. The motion was seconded by Dwayne Sawyer and unanimously carried.

Ordinance #2011-13 Approving a Proposed Economic Development Loan to Nuke Med, Inc. was on the agenda for 2nd & 3rd readings and final approval. Dale Cheatham briefly explained the company and terms and conditions of the loan of up to \$225,000.00. Discussion of the evaluation process was held. Gary Hood moved for 2nd & 3rd reading and final adoption of Ordinance #2011-13. The motion was seconded by Bill Guarnery and unanimously carried.

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Also on the agenda for approval of 2nd and 3rd readings and final adoption was Ordinance #2011-14 Approving a Proposed Economic Development Loan to CMC, LLC in an amount not to exceed \$100,000.00 to finance a portion of acquisition, construction and installation of Eligible Improvements to be repaid over five (5) years. The EDC gave a favorable recommendation for the loan. Gary Hood moved for 2nd and 3rd reading and final adoption of Ordinance #2011-14. The motion was seconded by Dwayne Sawyer and unanimously carried.

The next subject for discussion was the Hendricks County Communication Center and questions voiced by Dave Richardson from a prior meeting. Mr. Richardson feels that the balance due from the Brownsburg Police Department may be higher than it should be and would like to have more review of the system and procedures. Matt Bowles asked Dale Cheatham to see that the subject is placed on the schedule. Fire Chief Oran True came forward and stated they are pleased with the service received and the response time from the call coming in to vehicles leaving the station. Although there are still some issues, they are being handled by the operations board with documenting their findings and actions taken. The meetings are held on the third Tuesday in July. Discussion of enhanced and basic service was held. The County Council is speaking with units that did not pay. Also fire communications are less often but are longer in length so it is difficult to compare the very difference runs of Police and Fire.

Majors John Depinet and Joe Grimes were present and commented they were not as happy with the communication center as fire. Major Depinet feels that 90% of the enhanced dispatch are things the P.D. already does such as reporting runs and creating detailed reports. The department does need the IDACS amber alerts for missing kids or missing silvers. He commented they have received no new accessories in four (4) years, except batteries. Dwayne Sawyer asked if Brownsburg benefits from enhanced services or is basic service more beneficial. Dave Richardson also asked if basic service along with what the department currently does is sufficient and was told it does cover their needs. They have not discussed this with Plainfield.

Ordinance #2011-07 Annexing Certain Territory into the Town of Brownsburg, Hendricks County, Indiana was on the agenda for second reading. Todd Barker addressed the matter stating that there have been two (2) public hearings regarding the annexation of approximately 2,276 acres, one on May 31 and again on June 21. Tricia Leminger informed Council that there needs to be a slight amendment to the ordinance because the advertised public hearing of May 31 was recessed and reconvened on June 21. There being no questions, Gary Hood moved for 2nd reading of Ordinance #2011-07, which motion was seconded by Bill Guarnerly. Gary Hood then moved to amend the ordinance to indicate that the public hearing was held on two separate times. The motion was seconded by Bill Guarnerly and unanimously carried. The motion for 2nd reading was also unanimously carried.

Under New for Consideration, approval of an Interlocal Cooperation Agreement with the Town of Pittsboro for the purchase of fuel from the Town of Brownsburg was on the agenda for approval. The agreement calls for an additional \$.09 per gallon surcharge be added to cover administrative costs. Gary Hood stated it is not clear in the agreement that there is sufficient protection against damages. Tricia Leminger pointed out that there is an indemnity clause in the contract, but that an additional line can be added for more protection against damages. Gary Hood commented that he saw no problem and moved to approve the agreement, subject to the additional language. The motion was seconded by Dave Richardson who asked if it is self-service. He was advised that special keys are used to keep track of use. Upon call of the question, the motion was unanimously carried.

Under reports from Commissions and Boards, Oran True stated that he will have the Fire Territory reports after the next Executive Board meeting. He further added that the Brownsburg area has lost four (4) of its citizens over the past two years in fires; the department applied for and was awarded a \$47,000 smoke detector grant. He also commented that a new site for the 911 memorial is being considered at Station 1, if the Building Corporation approves.

Police Major John Depinet presented his report along with reports from Chief Dove and Joe Grimes. He added that on Friday the interdiction unit stopped a vehicle and confiscated 1,000 lbs of marijuana with a street value of approximately \$2 million. They also served a search warrant at a massage parlor at the east shopping center which resulted in an arrest.

Dale Cheatham reported that construction on SR 267 will close one lane of traffic and added that construction on Grant Street has begun and is open only to local traffic.

Under Town Council items, Dave Richardson commented that the Police Department states it could operate on basic dispatch services, but he is bothered by that the Town pays for enhances service resulting in \$1.5 million being spent.

There being no Citizens Comments and nothing further on the agenda, by motion made by Bill Guarnery, seconded by Dwayne Sawyer and unanimously carried, the meeting was adjourned.

Matthew S. Bowles, President

ATTEST:

Jeanette M. Brickler, Clerk-Treasurer

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