

September 8, 2011

These are the minutes of the regular meeting of the Town Council for the Town of Brownsburg, Indiana held at Town Hall on September 8, 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; Jon Blake, Planning Tech; Frank Wise, Building Inspector; John Depinet, Police Major; Ray Kotarski, Police Commission; Phil Parnin, Park Director; Tom Garrison, Park Board; Oran True, Fire Chief; and Annisa Rainey, Grant Writer.

The meeting opened with the Pledge of Allegiance to the Flag and a moment of silence.

Roll call showed all members present. There were no citizens' comments relating to the September 8, 2011 agenda.

Dave Richardson moved to approve the minutes of the August 23, 2011 special meeting, the Memorandum of the Executive Session on August 25, 2011, the minutes of the August 25, 2011 regular meeting and the Account Payable Claims Docket for the Town and Fire Territory for the period of August 26, 2011 through September 8, 2011 in the amount of Six Hundred Ten Thousand, Four hundred Forty-two and 28/100 Dollars (\$610,442.28) as presented. The motion was seconded by Dwayne Sawyer and unanimously carried.

Under Previously Considered Items, Ordinance #2011-16 to Amend Ordinance #2010-32 Regarding the Fee Schedule for BZA, APC and the Building Department was on the agenda for third reading and final adoption. Jon Blake addressed the matter and explained that the previous ordinance did not include charges for changes. Gary Hood moved for third reading and final adoption of Ordinance #2011-16. The motion was seconded by Dwayne Sawyer and unanimously carried.

Also previously considered was Ordinance #2011-18 to Amend Section 155.032 of the Code of Ordinances as it Relates to Certain Certified Mailing Requirements. Town Attorney Tricia Leminger addressed the matter explaining that certified mailings were required in cases of annexation of property. For large area annexations, the fees for certified mail would be as much as \$3,500 to \$5,000. The Plan Commission has agreed to waive this procedure to suspend the rules relating to annexation of large areas upon adoption by the Town Council. Two publication notices in two newspapers and posting on the website will be held on or before the 16th of October. Bill Guarnery moved for second (2nd) and third (3rd) reading of Ordinance #2011-18. The motion was seconded by Dwayne Sawyer and carried on a vote of four (4) in favor, one (1) opposed.

Under New for Consideration, Ordinance #2011-19 to Amend Section 40.21 of the Brownsburg Town Code Regarding Return Check Charges for the Town of Brownsburg was on the agenda for first (1st) reading. Clerk-Treasurer Jeanette Brickler addressed the matter regarding I.C. 35-43-5-5(e) which states the fees may not exceed the greater of \$27.50 or five percent of the amount due, but no more than \$250, within 10 days after notice to the person is mailed. Discussion was held on the need for language regarding reimbursement of bank fees charged, as a result of the NSF check and the Council was informed the ordinance may need to be revised for second reading. Gary Hood moved for first reading of Ordinance #2011-19. The motion was seconded by Bill Guarnery and unanimously carried.

Under Reports from Commissions and Boards, Todd Barker presented the BZA and Plan Commission monthly reports to the Town Council and asked for any questions or comments they may have. Gary Hood asked if the Plan Commission findings of fact were approved and he was informed it was the BZA findings of fact and they were approved.

Todd Barker also spoke regarding the Vision Workshop held September 7, 2011. The meeting was attended by approximately 40 citizens to discuss the visual preference survey; the group broke into smaller groups to discuss ideas for single and multi-residential property. The survey can be found on the website and residents can contact Todd Barker with any questions they may have.

Next Cathy Bastin, HCN Executive Director with the Hendricks College Network was present with an update of its progress and discussed the many educational opportunities available and coming soon to the County. The college network will be expanding to include high school and other youth. She went on to explain that in 2002, only 23% of the Counties residents had a bachelor's degree; in 2009 the percent was 30%. The College Network is currently working with racing teams and other universities.

Town Administration Items was next on the agenda; Dale Cheatham informed the Council that the Town is eligible to participate in the SRF pooled funding program. He will be presenting an ordinance for first reading at the September 22, 2011 Council meeting but meanwhile there are necessary documents to be signed and asked that the Council authorize his signing these documents. Gary Hood moved to authorize the Town Manager to proceed to execute any and all documents necessary. The motion was seconded by Bill Guarnery and unanimously carried.

Dale Cheatham announced there will be another recycling event on Saturday, September 24, 2011 from 8:00 a.m. to 3:00 p.m. at the Fleet Maintenance Building located at 225 Mardale Drive to dispose of appliances, batteries and other items not recommended for the landfills.

Jeanette Brickler informed the Council that the Non-Binding Budget review of the County Council was held earlier today and there were no questions or problems. The first step in the formal approval process is complete.

Under Town Council Items, the BZA Reimbursement Request from Jennifer Garabrant on the 32 Suemin Street zoning was not addressed due to the petitioner's absence.

The matter of a 9-11 Memorial was the next subject on the agenda. Dave Richardson addressed the matter and first read a statement that Brownsburg Firefighter Jim Miller discovered that there were steel beam remnants being made available to use in creating memorials of the 9-11 tragedy. Jim took it upon himself to travel to New York City and transported the sections of steel beams back to Brownsburg. Jennifer Pyatt, Detective Sergeant with Brownsburg Police Dept. presented a power point presentation with ideas for locations and construction. A small committee consisting of representatives from the Fire Territory, Police Department, Civil Town and community was created – they are Jennifer Pyatt, Detective Sergeant; David Brock, Firefighter EMT; Annisa Rainey, Town representative; and Glenn Nulte, citizen and former apprentice working on the creation of the twin towers. Discussion was held; the next step is to select a location, which will require a presentation and approval of the Park Board. The Council was asked to give their blessing to the project. By consent, the Council gave its approval to proceed.

There being no further business on the agenda and by motion made by Gary Hood, seconded by Bill Guarnery and unanimously carried, the meeting was adjourned

Matthew S. Bowles, President

ATTEST:

Jeanette M. Brickler, Clerk-Treasurer