

February 9, 2012

These are the minutes of the regular meeting of the Town Council for the Town of Brownsburg, Indiana, held at Town Hall on February 9, 2012 at 7:00 p.m.

Members present: Dwayne Sawyer, Don Spencer, Dave Richardson and Rob Kendall

Also present: Jeanette M. Brickler, Clerk-Treasurer; Tricia Leminger, Town Attorney; Dale Cheatham, Town Manager; Angie Petre, Executive Assistant; Phil Parnin, Park Director; Jim Waggoner, Community Development Director/Interim Street Superintendent; Tom Garrison, Park Board; Mike Dove, Police Chief; Ray Kotarski, Police Commission; Todd Barker, Planning Director; Keith Rinehart, Interim Fire Chief; Bill Zeunik, Interim Asst. Fire Chief; Frank Wise, Building Inspector; Steve Chambers, Purchasing Manager.

The meeting opened with the Pledge of Allegiance to the Flag and an invocation led by Brownsburg Police Dept. Chaplain, Rob Deas.

Roll call of Council members present showed Gary Hood absent.

Under Citizens Comments Relating to February 9, 2012 Agenda, Teresa Ray, 701 N. Green Street came before the Council and asked the Council not to adopt Ordinance 2012-02 Amending the 2012 Salary Ordinance in order to increase pay. She does not live in the corporate limits of the Town but feels property tax businesses is too high already and would like to see taxes lowered.

Under Consent Items, Dave Richardson moved to approve the minutes of the Special Meeting of January 16, 2012, the Regular Meeting minutes of January 26, 2012 and the Account Payable Claims Docket for the Town and Fire Territory for the period of January 27, 2012 through February 9, 2012 in the amount of \$1,658,946.98 as presented. The motion was seconded by Rob Kendall and unanimously carried.

Bid Opening and/or Award was next on the agenda. Dale Cheatham addressed the matter of awarding the bid for the New Water Treatment Plant Construction stating that there were 7 bids opened on December 13, 2011 which contain three (3) alternative amounts. All the bids came in higher than expected in the engineer's estimates and will require additional bond funds. The lowest of the bids came from Thieneman Construction, Inc. with a total bid of \$5,020,400.00. He will be going back to the contractor to ask for cuts. The bond closing is set for Tuesday, February 13. Rob Kendall moved to award the bid for the construction of the water treatment plant to Thieneman Construction, Inc. in the amount of \$5,020,400.00 conditioned on the closing of the bonds. The motion was seconded by Dave Richardson and unanimously carried.

Ordinance #2012-02 Amending Ordinance #2011-27 Relating to the 2012 Salary Ordinance was on the agenda for second reading. Dale Cheatham summarized the proposed changes being proposed and stated the overall increases will result in a \$13,000 to \$14,000 increase in annual expenditures. He added that the longevity pay proposed for 2012 will remain the same, but will possibly be eliminated in 2013. The pay increases for the police department will remain as proposed by the Police Commission, an increase of 1.5% is proposed for most Civil Town employees with the exception of those at the top of their salary range and the Fire Department will get longevity as proposed, but no raises. By State Statute, an elected officials' salary cannot be changed in the year in which it has been set. Staff is working to create a merit increase plan for basing future pay increases. Dave Richardson moved for second reading of Ordinance 2012-02. The motion was seconded by Don Spencer and discussion held in which Rob Kendall stated that he will vote against the change and Don Spencer asked if the longevity pay will continue past 2012 if the ordinance is adopted and was informed the ordinance is only for 2012. Upon call of the question for second reading, the motion carried on a vote of three (3) in favor, one (1) opposed.

February 9, 2012

Page 2

The next item on the agenda was Reports From Commissions and Boards. Todd Barker presented the monthly report from BZA which heard two (2) cases – one for C. Hart Landscaping was tabled to next month and the other for John Capper Law Offices for a variance was approved.

The Plan Commission monthly report was also presented and Todd Barker stated there were two (2) clarification matters to be heard; one regarding a model home for Oaks of Windridge was approved in January and the other regarding a wireless tower to be considered later in February. Rob Kendall noted that Todd Barker and the Planning & Build Department will be holding an important meeting on the Comprehensive Plan and urged members of the public and business owners to participate.

Phil Parnin, Park Director, reported that the Father/Daughter dance will be held this weekend at the Brownsburg High School and is sold out. It would be great if there were a larger venue in which to hold the event. Other options were investigated last year, but the High School will be the location this year. The 2011 annual report is being prepared; several goals of the Park Board were met or exceeded, including the use of volunteers, which was tracked with over 1,300 real hours which saved the town over \$27,000 in pay. He also reported that with construction of a new Water Treatment Plant in Arbuckle Acres, the parking in that area will be closed down, losing 60 parking spaces until the construction is completed in 2013. In addition, the parks experienced the worst number and types of vandalism ever seen which starts earlier in the year and lasts longer through the fall and winter seasons. He urged members of the public to report incidents that happen to the authorities; upon conviction, the Courts award restitution to the Town for damages. The Council thanked Mr. Parnin for his report.

Under Town Administrative Items, Todd Barker presented the Planning & Building Department's fourth Quarter report. He reported that there will be two (2) more opportunities for public input before the public hearing on the Comprehensive Plan including an open-house type meeting in late March for the public to attend. Discussion was held regarding changes to the zoning ordinance and signage timeframe which is based on completion of the Comprehensive Plan. He is reviewing Planning Commission and BZA past projects and cases for consistency in creating the Comprehensive Plan. He further reported over 18 months reviewed over 952 building permits were issued in 2011 resulting in \$5 million in construction and development and \$1.3 million in building permits, impact fees. Board and Commission training will be held for both current and newly appointed members. In other notes, on April 14 the Town will hold an appliance recycling day; and there will be a county-wide clean-up of ditches and water ways along with Tox-A-Way day at the same time. Don Spencer confirmed that the changes to the zoning and sign ordinances run concurrently with the Comprehensive Plan public hearings with as much input and comments as possible.

Dave Richardson commented the 911 Memorial Committee has published a website to announce its activities and also plans to use an architect engineer to design the memorial and added the cost is to be paid from private donations.

Rob Kendall thanked all those who came out on February 7 for the morning public comments meeting; the next one will be held on March 6 at 7:30 a.m. He also thanked the media for attending.

Don Spencer informed everyone that his son's teacher has sent him an email concerning the potential for his high school class to find a location for a WWII memorial and has contacted the American Legion looking for veterans from that war; Tom Garrison has graciously volunteered to speak to the class.

Dwayne Sawyer also thanked everyone for attending the February 7 open public meeting and for their comments. He felt there was good dialogue and comments and urged the attendance at the March 6 meeting.

Under General Citizens Comments, Jim Sering, 6 W. Tilden addressed Don Spencer and the WWII Memorial informing him that Bob Waggoner who is currently in the audience, is a WWII veteran. He then asked where the Consolidation of the Town and Townships stood at this time. Dave Richardson addressed the matter stating the committee is reviewing the information at this time and is 99% complete; there are some issues which need further discussion; the public will be involved with at least one, possibly more, public hearings. The deadline is the ultimate deadline, but final action must be held by the Town and Township Trustees before August. Next, property taxes seem to be brought up frequently and 55% of his property tax bill goes to the school with only 19% comes to the Town. The School Board meetings have few residents in attendance. As more people move in, more buildings and bonding of the construction and payment of salaries, buses and operations is the reason for the high taxes. The Fire Department financial situation also does not have much to do with the town.

John Rabold, 18 Tacovi Court, has been away for a while, but in the rewrite of the sign ordinance, there were a few comments or suggestions on the changes. What was presented to the Plan Commission is what has been the best for public safety and the business community, and commented that it is a comprehensive rewrite. He also commented on the vandalism at the park and questions the policing of the ordinances and wouldn't it be a better use to put funds toward more added security in the park rather than the hiring of an enforcement officer.

Chris Worley, 6 Sable Chase, Brownsburg, questions whether the changes in the salary ordinance carry into 2013, when a statement was made that there will be no longevity in 2013; he was informed that it may or may not be in the new ordinance for 2013.

There being no further items or discussion, the meeting was adjourned.

---

Dwayne Sawyer, President

ATTEST:

---

Jeanette M. Brickler, Clerk-Treasurer