

March 22, 2012

These are the minutes of the regular meeting of the Town Council for the Town of Brownsburg, Indiana held at Town Hall on March 22, 2012 at 7:00 p.m.

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

Also present: Jeanette M. Brickler, Clerk-Treasurer; Tricia Leminger, Town Attorney; Grant Kleinhenz, Acting Town Manager; Angie Petre, Executive Assistant; Jack Swalley, Building Commissioner; Jim Waggoner, Community Development Director; Keith Rinehart, Interim Fire Chief; Bill Zuenik, Interim Assistant Fire Chief; Mike Dove, Police Chief.

The meeting opened with the Pledge of Allegiance to the Flag and an invocation led by Denis Roy, Chaplain with the Brownsburg Police Department.

Roll call of members showed all were present.

Dwayne Sawyer first announced that item #09.03, the Introduction of Special Appropriation Request has been removed to be addressed at the April 12, 2012 meeting.

Under Citizens Comments Relating to the March 22, 2012 Agenda regarding Impact Youth Mentoring, the matter was not heard since the petitioner was not present.

Consent Items approval was next on the agenda. Gary Hood moved to approve the Memorandum of Executive Session held March 7, 2012, the minutes of the Regular meeting of March 8, 2012 and the Accounts Payable Claims Voucher Register for the Town and Fire Territory from March 9, 2012 through March 22, 2012 in the total amount of \$865,188.38. The motion was seconded by Don Spencer and unanimously carried.

Previously Considered Item #07.01, Ordinance #2012-03 Amending Section 31.62(B)(4) of the Brownsburg Code of Ordinances as it Relates to Compensation for Members of the Redevelopment Commission was on the agenda for third reading and final approval. Don Spencer moved for third reading and final adoption. The motion was seconded by Dave Richardson and discussion held in which Rob Kendall restated his objection to the ordinance. Don Spencer moved to amend the ordinance to exclude payment to non-voting advisor per I.C. 367-14-6.1. The motion to amend was seconded by Dave Richardson and carried on a vote of four (4) in favor, one (1) opposed. Upon call of the question for approval, the motion carried on a vote of four (4) in favor, one (1) opposed. Roll call of the vote was: Dave Richardson, yes; Gary Hood, yes; Dwayne Sawyer, yes; Don Spencer, yes; Rob Kendall, no.

March 22, 2012

Page 2

Under New for Consideration, Resolution #2012-03 Designating an Economic Revitalization Area and Qualifying Certain Real Estate for Tax Abatement for Maplehurst Bakeries, LLC was next on the Agenda for approval. Grant Kleinhenz informed the Council the matter received a favorable recommendation from the EDC; the public hearing and Final Determination is set for April 26, 2012. There is a question on whether tax abatement can be approved in a TIF Area District. Gary Hood moved to table approval of both Resolution #2012-03 and Resolution #2012-04 and return to the EDC for clarification. The motion was seconded by Rob Kendall and unanimously carried.

Ordinance #2012-04 Introducing Annexation for 1557 E. Main Street as petitioned by Ronald P. and Linda L. Miller was on the agenda for first reading. Second reading is scheduled for April 12, 2012. Grant Kleinhenz stated this is a voluntary annexation for property that was previously approved for utility services and there is a signed agreement for annexation by the petitioners. Rob Kendall moved for first reading of Ordinance #2012-04. The motion was seconded by Don Spencer and unanimously carried.

Under Reports from Commissions and Boards, Keith Rinehart, Brownsburg Fire Territory Interim Chief was present. He presented the Council with the monthly report along with the 2011 Annual Report. Additionally, he reported that there were eighteen line items identified that could be reduced for a total savings of \$160,000 in the 2012 budget. In July of 2011 the department received a grant award in the amount of \$50,000 for smoke detectors which must be spent by June 30, 2012. They have been distributing them by walking around the town and promoting the program, educating the public, installing them or instructing homeowners how to do it. Anyone needing one can stop by and pick one up. He recognized employees Pat Carmean for saving the department \$3,000 by reworking the cell phone contracts and Paramedic Zach Bowers who did an extensive inventory of the vehicles to make sure the equipment was in the proper vehicle. He also extended thanks to the members of Task Force One that traveled south to the tornado-torn southern towns to help in the rescue and clean up after the recent storms. He thanked the following members of Task Force One: Jerry Harder, Brandon Ford, Luke Graphman, Ryan Miller, Kevin Whitt, Jim Miller, Todd Macy and Kevin Byron. Dave Richardson added that Executive Board member Troy Wymer was among the group making the trip. Chief Rinehart asked for comments or questions from the Council. Gary Hood questioned the chief about using the Tax Anticipation Warrant option to help balance any cash shortfalls and was informed they will only use the option as a last resort.

Police Chief Mike Dove came before the Council with the Department's monthly Operations and Support Services reports for February, 2012. He commented first that another train crash occurred earlier this week claiming the life of a Brownsburg resident. These situations are not easy on the people responding and he thanked the officers, fire personnel, CSX and Chaplain Denis Roy. His thoughts go out to the victim's family, friends and the High School Community.

March 22, 2012

Page 3

Chief Dove then spoke on the increase in crime in Brownsburg, and added that due to extensive training, the department was successful in shutting down two (2) prostitution rings in the past year. The department is teaching other agencies their Model on how to investigate and conduct successful sting operations. Chief Dove also informed the Council that he has been working with Grant Kleinhenz on the 2013 budget process.

Additionally, Mike Dove informed the Council that Rick Bolt attended the Police Commission meeting and brought up discussion of the sign ordinance, safety issues regarding the placement of signs, shrubs and trees. Mr. Bolt has a very concise way of calculating speed, sight distances and other safety and sign regulations. He has asked Mr. Bolt to include the Police Department in any future meetings and discussions.

Chief Dove informed the Council that the Drug Interdiction team was successful in stopping a vehicle carrying 4 kilos of cocaine estimated worth \$100,000 and seized the tractor/trailer. The following appointments have also been made: Pat Bullock to Major, Chief of Operations; Ben Pyatt to Captain, Uniform Division Commander; Joe Grimes, Chief of Support Services. He then asked for any questions from the Council and asked about an additional appropriation request. Grant Kleinhenz explained that the matter is being handled and will be on the April 12, 2012 agenda for approval. Rob Kendall commented on an article in a recent newspaper on his work with Veterans coming home and Chief Dove asked that the subject remain a part of his personal life. Don Spencer congratulated the new appointees and asked about the drug interdiction program and whether there is an opportunity to sell or keep the truck. Chief Dove explained there was a process for filing with the State or Federal agencies for the forfeiture of the vehicles. The funds are for the use of by United Drug Task Force and is used only for overtime. Eighty percent (80%) goes to the Feds and 20% to the Count.

Jim Waggoner presented the Street Department first Quarter Report for 2012, stating the department is still utilizing funds from the 2011 budget. The new pothole patching machine does an excellent job. He reported the first phase of Grant Street is complete and the second phase has begun by pouring sidewalks on the east side of Grant. The next phase will be Douglas Drive pipes. Dave Richardson brought up treating the mosquito problem and was informed that they have to be treated in the larva stage. This year the problem will be worse than in the past, but the first thing people should look for is standing water and try to drain it.

Jim Waggoner went on to report the progress of widening West Northfield Drive beginning with the bridge over White Lick Creek toward the end of 2012. East Northfield Drive expansion is a project with INDOT. It is under design now with an 80/20 split with MPO and is in the Right of Way Acquisition stage. The southside drainage project involves Prairie Village and Sunny Knoll

March 22, 2012

Page 4

all the way to the creek and is still in the Right of Way acquisition stage. Odell Street has Right of Way and is scheduled for August with six month time-period for completion. Jim Waggoner added that they will do all they can to keep Tilden Drive opened to traffic. Don Spencer asked that updates be posted on an easel in the Town Hall to let the public know the status and what it will look like. Discussion was held regarding placing the information on the website and Grant Kleinhenz stated he will work on that. Further discussion was held on the start dates of road projects.

Under Town Council Items, the subject of the Wounded Warrior Walk was addressed; Grant Kleinhenz reported the Fire Department has been contacted by Kellie Dipple and is ok with the project. The Police department will be discussing the project which is scheduled to move forward May 9.

Dave Richardson asked about the May 5 Veteran's Parade. Mike Dove stated they are working with the veterans organizations and it is scheduled to occur however, a permit must be received from the State to stop traffic on SR 267.

There were no General Citizens Comments or discussion by the Council and upon motion made by Don Spencer, seconded by Dave Richardson and unanimously carried, the meeting was adjourned.

---

Dwayne Sawyer, President

ATTEST:

---

Jeanette M. Brickler, Clerk-Treasurer