

April 26, 2012

These are the minutes of the regular meeting of the Town Council for the Town of Brownsburg, Indiana, held at Town Hall on April 26, 2012 at 7:00 p.m.

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

Also present: Jeanette Brickler, Clerk-Treasurer; Tricia Leminger, Town Attorney; Grant Kleinhenz, Town Manager; Angie Petre, Executive Assistant; Todd Barker, Planning Director; Mike Dove, Police Chief; Joe Grimes, Police Major; Stan Comer, Police Commission; Tom Garrison, Park Board; Vanessa Izokaitis, Human Resource Manager; and Annisa Rainey, Communication Director.

The meeting was called to order by Dwayne Sawyer and opened with the Pledge of Allegiance to the Flag and a moment of silence.

Roll call showed all members present.

Dwayne Sawyer began with a change to the agenda by moving item 07.04 from Previously Considered Items to 08.01, New for Consideration.

First under Citizens Comments, Donald James, CEO and founder of the newly created Impact Youth Board, came before the Council to inform them of the organization which is a 501 C 3 providing youths, from single family homes, with someone to look up to. Each youth is matched with a mentor who can be high school age or older. The organization does not have an office or any overhead expenses, nor does it do any advertising, yet there are already fourteen (14) established matches, all from word of mouth. Funding sources include donations, both corporate and private and fundraising events. There is a 5K walk/run event being planned to help volunteers pay for activities of the group, such as attending Indian's baseball games. They are looking for both volunteers and donations.

Item 04.02 is a request from William and Paula Brauman for approval to connect the property at 714 S. Green Street to the Town's sanitary sewer system, which is already connected to water. Grant Kleinhenz addressed the matter stating all paperwork is complete. The properties in that area along S. Green Street all have a sewer stub to the sewer system. By consent of the Council Members present, the request was approved.

Approval of Consent Items was next on the agenda. Don Spencer first noted a correction on page 4 of the April 12, 2012 minutes; the date in the third to the last paragraph for the next opportunity for public input and information should be May 2, 2012. He then moved to approve the Executive Session Memorandum of April 9, 2012, and April 12, 2012, the minutes

of the regular meeting of April 12, as amended and the Civil Town and Fire Territory Claims Docket for the period of April 13, 2012 through April 26, 2012 in the amount of \$1,020,999.38. The motion was seconded by Gary Hood and unanimously carried.

Item #07.01 Under Previously Considered Items was Ordinance #2012-04 for Annexation of 1557 E. Main Street for third reading and final approval. Grant Kleinhenz added that the property was connected to the Town's utilities and have previously agreed to annexation; the Fiscal Plan was adopted at the April 12 Council meeting. Gary Hood moved to approve third reading and final adoption of Ordinance #2012-04. The motion was seconded by Don Spencer and unanimously carried.

Item #07.02 was Resolution #2012-03 Designating an Economic Revitalization Area and Qualifying Certain Real Estate for Tax Abatement for Petitioner Maplehurst Bakeries, LLC on Lot #13, Heritage Business Park, Section 12 for approval, tabled from March 22, 2012 Council Meeting. Grant Kleinhenz addressed the issue of allowing a Tax Abatement in a TIF area stating research of the issue was conducted and it was discovered there are four (4) other tax abatements in the area; it received a favorable recommendation for approval by the EDC. The Tax Abatement will be on \$4.3 Million on Real Property and \$10.3 for equipment and the amount of taxes paid increases yearly through the last year. New payroll for the plant will be approximately \$1.1 million. Mr. Jim Pietsch, Plant Controller for Maplehurst was present and informed the Council that he files the CF-1 forms, tracking the progress of the investment, which exceed the promises made. Discussion was held in which Gary Hood expressed his opposition to the practice of approving Tax Abatements in a TIF district as the taxes are shifted to other tax payers in the district. After further discussion was held, Dave Richardson moved to approve Resolution #2012-03; the motion was seconded by Rob Kendall and discussion was held in which Don Spencer echoed the sentiments of Gary Hood stating he does not believe the Town should perpetuate the practice. Dave Richardson shares their concern but feels the Town will gain more than is lost in property taxes. Upon call of the question, the motion carried on a vote of three (3) in favor, two (2) opposed. Roll call showed: Dave Richardson, yes; Gary Hood, no; Dwayne Sawyer, yes; Don Spencer, no; Rob Kendall, yes.

Item #07-03 was Resolution #2012-04 also Designation an Economic Revitalization Area and Qualifying Certain Real Estate for Tax Abatement for Petitioner Maplehurst Bakeries, LLC on personal property. Dave Richardson moved to approve Resolution #2012-04; the motion was seconded by Rob Kendall and carried on a vote of three (3) in favor, one (2) opposed. Roll call showed: David Richardson, yes; Gary Hood, no; Dwayne Sawyer, yes; Don Spencer, no; Rob Kendall, yes.

April 26, 2012

Page 3

Under New for Consideration, Ordinance #2012-05 Authorizing the Exercise of Home Rule Authority Relating to a Specific Severance Benefit was next on the agenda; Dwayne Sawyer stated that with the adoption of this ordinance, it prompts the Council to make the official appointment of Grant Kleinhenz to the position of Town Manager. Rob Kendall moved to appoint Grant Kleinhenz to the position of Town Manager and to authorize the Council President to take steps to facilitate any and all requirements as decided by the Council; the motion was seconded by Dave Richardson and unanimously carried. As part of the appointment, Town Attorney Tricia Leminger presented Ordinance #2012-05 relating to a specific severance benefit and requested that the Council approve the ordinance by unanimous consent at this meeting. Gary Hood moved for Unanimous Consent to approve Ordinance #2012-05. The motion was seconded by Dave Richardson and unanimously carried. Gary Hood then moved for approval of first (1st), second (2nd) and third (3rd) and final adoption of Ordinance #2012-05. The motion was seconded by Don Spencer and unanimously carried.

Under Reports from Commissions and Boards, Planning Director Todd Barker presented the Council with the BZA and Plan Commission monthly reports. The Plan Commission minutes are for the meeting held on March 26 and a meeting on the Comprehensive Plan is scheduled for May 2, 2012 to discuss Article 5 regarding development standards, sign codes and the zoning map. The BZA meeting from March 4 was a very short meeting. Don Spencer added that discussion with the comprehensive plan consultant added items to the small area plan and the meeting was suspended to May 29, 2012 at 6:00 p.m.

Interim Fire Chief Keith Rinehart presented the department's monthly report to the Council. He reported that spending is under budget the first 13 weeks. The Fire Executive Board has been meeting over several weeks and has completed its interviewing process for the Fire Chief position. An announcement of its choice will be made in the near future. All the smoke alarms have been distributed according to the grant requirements. Sean Atkinson received the Medal of Merit award for his dedicated service to the Project Lifesaver Program; he is stepping down from that position to pursue other challenges. Chad Anspach received recognition in the American Medical Association's Basic Disaster Life Support Course Manual as a content reviewer. Chief Rinehart then thanked Phil Parnin and the Park Department for help in mowing the grass at the various stations.

Police Chief Mike Dove presented the monthly report from the Chief of Operations and the Chief of Support Services and gave a verbal presentation of highlights of occurrences over the past month. He also congratulated Detective Mike Gill for receiving the Support Services Employee of the Quarter award and Corporal Doug Abshire who was awarded the Operations Employee of the Quarter. The department has established a committee on purchasing and a policing committee to make sure the proper products are purchased and ways to cut costs.

Chief Dove stated there continues to be a record number of arrests to which there has been extra patrols added. This is a growing trend and with the annexation of the eastern area of the Town, additional staff will be needed in the near future. They are adding and training additional reserve officers. Two records clerks are going to a workshop at the Library of Congress in order to do all they can to keep up on the laws regarding retention of records. In 2013, the department will take over patrolling at LORI, which is an area of high crime and a great concern. The department is working with LORI and NHRA officials to teach better crowd control. It is hoped they will have 50 police reserves as soon as possible and hope to hire 5 – 10 in 2012.

Under Town Administrative Items, Annisa Rainey Communications Director came before the Council and reported than upswing in the number of electronic and e-news letter being sent out to households. The number of twitter users is going up steadily. The use of all the electronic forms of information is increasing in part due to the ease in finding and subscribing to them. The Town is participating in the Indianapolis Back Home Again in Indiana contest in hopes of winning \$20,000 for the community. She invited all to come to the kick-off celebration on April 28, 2012 from 10:00 a.m. to 2:00 p.m. at the Town Hall.

Next, Vanessa Izokaitis, Human Resource Manager, was present and reported to the Council that the Employer Health Clinic use is increasing and will result in additional available time being added. She is working on getting a performance evaluation program and determining a competitive range for salaries. There have been 4 workplace accidents to report to OSHA compared to 10 last year over the same time period. There are training opportunities in Microsoft Word and EXCEL next week. Comp Ease is state-by-state, and is local, too.

Grant Kleinhenz received a letter from the County regarding a possible increase in surtax and wheel tax; an increase of \$5 each for surtax and wheel tax would result in an overall revenue increase of \$735,535 annually. The maximum amount allowed for surtax is \$25 and wheel tax \$40. Increasing to the maximum allowable rates will result in a total of \$1,027,124 additional funds, or \$124,571.94 for Brownsburg. The County officials would like to receive a response from each of the town's in Hendricks County regarding the matter. Dwayne Sawyer is not comfortable with the increase and would like to investigate other options. Grant Kleinhenz will draft a letter for Council approval.

A Proposal of Engineering Services for SR 267 Assessment was next on the agenda. The state is working on the road doing temporary fixes with no widening or drainage work. Since this is a major gateway, Grant Kleinhenz and staff would like for V & S Engineers to get a cost estimate to improve the section of SR 267 from U.S. 136 north to 56th Street and partner with the State to repair it. V & S Engineers quoted \$3,200.00 to do the estimate to improve the road to present the State. It will take approximately 30 days for V & S to complete the estimate.

The Town Council reminded everyone of the special Plan Commission meeting to discuss the Comprehensive Plan on May 2, 2012 at 6:00 p.m. The advertised public hearing on the matter is to be held at the regular meeting on May 29, 2012 at 7:00 p.m.

Dave Richardson announced that the Consolidation Committee will be holding a joint meeting with the Brown and Lincoln Township Boards on a proposed final version of the plan for consolidation with the Town of Brownsburg. The public meeting is on May 7, 2012.

Rob Kendall announced that the monthly Town meeting will be held on May 1 at 7:30 a.m. in Eaton Hall.

Gary Hood reminded the other Council Members that there is an opening on the HCEDP and moved that Dwayne Sawyer hold that position. Mr. Sawyer stated he would like to hold off on that as it is unclear at this time whether it is a presidential appointment. The motion was withdrawn.

Under General Citizens Comments, Jim Sering, 6 W. Tilden came before the Council and stated that he has a real hang-up using town funds on a State Road. Discussion was held regarding the improvements in Plainfield on US 40 and SR 39 with State funding. Dave Richardson agreed, if the State would do it, but we haven't been able to do that. The process Grant Kleinhenz is doing is an educational process; even if the State doesn't care about 267, he cares about Green Street. Gary Hood informed him that the Town of Plainfield contributed a lot of money toward the cost of the improvements.

Tom Garrison, 325 E. College Avenue commented that on May 5, 2012 at 10:00 a.m. a Welcome Home Parade will be held in honor of the veterans of Iraq. The parade will begin at the High School and go north to Tilden, then west to Williams Park on Locust Lane. Everyone is encouraged to attend in honor of our veterans. Many activities are planned.

There being nothing further for discussion and upon motion made by Gary Hood, seconded by Dave Richardson and unanimously carried, the meeting was adjourned.

Dwayne Sawyer, President

ATTEST:

Jeanette M. Brickler, Clerk-Treasurer