

May 10, 2012

These are the minutes of the meeting of the Town Council for the Town of Brownsburg, Indiana held at Town Hall on May 10, 2012 at 7:00 p.m.

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

Also present: Jeanette M. Brickler, Clerk-Treasurer; Tricia Leminger, Town Attorney; Grant Kleinhenz, Town Manager; Angie Petre, Executive Assistant; Todd Barker, Planning Director; Keith Rinehart, Interim Fire Chief; Tom Garrison, Park Board; Chris Keers, Fleet Maintenance; Travis Tranbarger, Park Recreation Superintendent.

Don Spencer chaired the meeting in the absence of President, Dwayne Sawyer and called the meeting to order at 7:00 p.m. Boys Scout Troop 396 was present to lead the Pledge of Allegiance to the Flag. The invocation was led by Fire Territory Chaplain, Tim Hughes.

Roll call of members present showed Dwayne Sawyer absent from the meeting.

Citizens Comments Relating to the May 10, 2012 agenda was the first item for discussion.

Under 4.01, Troy Wymer, Brown Township Trustee and President of the Fire Territory Executive Board was present to introduce the New Brownsburg Fire Territory Chief, William (Bill) Brown. Chief Brown is a 33 year veteran with the Indianapolis Fire Department and currently serves as Program Manager for Task Force One and a member of the Urban Search and Rescue Team. Chief Brown thanked him for his kind words and stated he will work together with Police Chief Mike Dove and Joe Grimes. He commended Interim Chief Rinehart for all the work he has done to fix problems with the department.

4.02 on the agenda were comments from Tom Garrison, 315 E. College Avenue regarding the Veterans Parade held on May 5 from the High School to Williams Park. A ceremony was held in honor of the soldiers killed in Iraq, and the 50,000 more who were injured and all veterans from every war. He thanked the Brownsburg Fire Territory and Avon Fire Department for the use of the ladder trucks to display the giant American Flag at the park.

4.03 regarding Central Indiana Land Trust brought to the Council by Matt Bowles, 5750 Foxfire Lane, Brownsburg. Mr. Bowles informed the Council that the organization is a private non-profit organization established for the preservation of White Lick Creek and the surrounding areas. There will be a meeting on May 30 at Washington Park at 3:00 p.m. for those interested in learning more.

Next on the agenda was the approval of consent items. Gary Hood noted that the Executive Session Memorandum shows that he was not at the Executive Session on April 25, 2012,

May 10, 2012

Page 2

however, he was not absent. He then moved to approve the Memorandum of Executive Session of April 25, 2012, as amended, the Minutes of the Regular Meeting of April 26, 2012 and the Accounts Payable Claims Voucher Register for the Town and Fire Territory in the amount of \$621,879.92 for the period of April 27, 2012 through May 10, 2012. The motion was seconded by Rob Kendall and unanimously carried.

There were no bid openings or Previously Considered items for discussion.

Under New for Consideration, Resolution #2012-11 Designating an Economic Revitalization Area and Qualifying Certain Real Estate Property for Tax Abatement for Petitioner BKH, LLC, Lots 6 & 7 in Lincoln Business Park was on the agenda for approval. Gary Hood moved for approval of Resolution #2012-11 as requested. The motion was seconded by Dave Richardson and discussion held in which Grant Kleinhenz explained the seven (7) year tax abatement is for a new Technical College in Lincoln Park. The plans are to have 300 to 450 students learning in areas such as HVAC training and nursing. Upon call of the question the motion was unanimously carried.

Also for consideration was Resolution #2012-12 Designating an Economic Revitalization Area and Qualifying Certain Real Estate Property for Tax Abatement for Petitioner C.F. Roark Welding & Engineering Co., Inc. on a metes and bounds legal description attached generally known as 136 N. Green Street, Brownsburg, was on the agenda for approval. Grant Kleinhenz explained the proposed building and equipment expansion presented. The EDC unanimously approved to send a favorable recommendation, not to exceed Eight Hundred fifty thousand dollars (\$850,000.00) for seven years to the Town Council. Discussion of the plans was held. Present at the meeting representing C.F. Roark were Lisa Wynstein and Rick Bell. Discussion was held regarding the location of the expansion and Gary Hood asked if the vacant area along Green Street to the east was considered and was informed that the company owns acreage to the west and that it could be accessed from West Vermont Street. Don Spencer added that the Comp. Plan was currently in the works and the committee would welcome input from them. He was informed they would inform Ted Roark, President. Gary Hood moved to approve Resolution #2012-12. The motion was seconded by Dave Richardson and unanimously carried.

For consideration also was Resolution #2012-13 Designation Economic Revitalization Area and Qualifying Certain Personal Property for Tax Abatement for Petitioner C.F. Roark Welding & Engineering Co., Inc. Dave Richardson moved to approve Resolution #2012-13 as presented. The motion was seconded by Rob Kendall and unanimously carried.

Grant Kleinhenz then reported on the selection of Siemens Industry, Inc. for the Guaranteed Energy Savings Project, stating he had reviewed actions and qualifications to see if changes would result in a savings. Siemens was chosen for various reasons and a draft is being reviewed

May 10, 2012

Page 3

by Tricia Leminger at this time. He is asking the Council for direction to proceed. Don Spencer would feel better about approving something after legal counsel has reviewed it. Gary Hood agreed with Mr. Spencer, as did Dave Richardson and would like to see the agreement after it is reviewed by legal. Grant Kleinhenz will proceed after it has been reviewed by legal counsel.

A new item was added under 8.05 regarding the County Sewer District. Grant Kleinhenz stated the Town is working with the County Sewer District and Hendricks County on how to proceed now that mediation has taken place last Friday, May 4, 2012. At that mediation the agreement was ratified and the Sewer District will service the Ronald Reagan interchange and areas to the east, and the Town will now have the ability to market the development in the area. The Council is being asked to approve the Memorandum of Understanding and if approved, Grant Kleinhenz will contact the County. Gary Hood moved to approve the MOU with the Sewer District and Hendricks County, subject to an amended Exhibit "A". The motion was seconded by Dave Richardson and unanimously carried. Dave Richardson thanked Grant Kleinhenz, Tricia Leminger and Gary Hood for attending the marathon meeting to see the matter through.

Next under Reports from Commissions and Boards, Todd Barker presented the monthly report of the BZA. One matter was heard in which the BZA gave its favorable recommendation regarding the use variance for BKH, LLC for College Midwest Technical College. Don Spencer questioned the exception being taken care of in rewriting the Comprehensive Plan.

Todd Barker also reported on the Plan Commission which met on April 23; concerns were presented on the area around the Ronald Reagan interchange. The consultant will be presenting its finding on May 29 at a public hearing on the Comprehensive Plan. Todd Barker informed the Council the plan is for final adoption in June. Discussion was held regarding the proposed zoning changes needed and although the ordinance adopting process normally is done in three (3) readings, it can be done by unanimous consent in one (1).

The monthly report for the Parks and Recreation was submitted to the Council, and Travis Tranbarger, Park Recreation Superintendant was present in the absence of Phil Parnin to address any questions or comments. There were none, and the Council was informed that the Park Dept. will hold a community yard sale on Saturday, in Arbuckle Acres. The summer recreation registration is in full swing; and the Summer Concert Series will be presented again this year beginning on June 10 in front of the Town Hall, due to construction of the water plant at the park. Grant Kleinhenz informed the Council that Travis has really stepped in to help in Phil Parnin's absence.

The Fleet Maintenance Report was presented by Chris Keers. He informed the Council that his department has had three employees recently certified to service motorcycles which will be

helpful to the Police Department. The Town also has cooperative agreements with the Town of Pittsboro and Speedway to service their vehicles and purchase fuel, also. Grant Kleinhenz commended him for obtaining additional revenue for the Town.

The next subject of discussion was the review of Private Fire Protection Fees billed to businesses annually. Grant Kleinhenz met with business owner through the Chamber of Commerce and explained the cost to the Town for those private hydrants, stating that in the event of a fire a 6" line for 30 minutes uses 39,000 gallons of unmetered water used which would cost \$282 if metered; in order to capture those fund, an annual fee of \$339 has been charged. Residential customers pay a fee every month in their water bills. Grant asked the Council if they wished for the rates to be re-examined and that he has spoken with Brian Rose on the issue. Don Spencer suggested that it may be appropriate for Chief Brown to look at issues with Grant.

Grant Kleinhenz next updated the Council on progress made to the Grant Street, Murphy Meadows construction project. He estimated that the total project is approximately 60% complete, with Grant Street being 98% complete, and with only the final coat of asphalt needed. The base coat is down on Trevor and Rodney and conduit for the decorative lights have been installed. The project costs are under budget and he hopes to make repairs on other streets with the remaining funds.

Don Spencer asked about Green Street and Grant Kleinhenz informed him that the contractors were pulled off due to the rain. It is a State bid contract and gave the contractors approval to work at night and will be back to doing the upgrading soon. The Town is working to get local control of the road.

Under Council Items, Don Spencer informed the Council he did research on the order of business and found that the Pledge of Allegiance should come after the invocation, according to Robert's Rules of Order. Grant stated that change will be made for next meeting.

Dave Richardson then echoed the comments of Tom Garrison regarding the Veterans' Parade; he walked the whole distance escorting the 911 artifact from the Trade Center with two of the firefighters in dress blues, Bubba and Ray. All forces of the military were represented.

Under General Citizens Comments, John Drexler, 1637 Woodstock Drive came before the Council and read aloud a letter from the Area General Manager of Johnson Controls on the matter of the Energy Savings Performance Contract project. It was suggested that both Johnson Controls and Siemens be allowed to submit bids and work on the project. Chris Downs, 6382 Copper, is not contesting the credentials of Siemens, but Johnson Control has more experience on this type of project than Siemens.

Jim Sering, 6 W. Tilden came before the Council to comment that six (6) years ago, a Brownsburg Little League team went to Pennsylvania to participate in the World Series; then a few years ago, the High School team won the State Championship. One player, Lance Lynne, went on to play with the St. Louis Cardinals and has been selected to be a starter for the team and is 6 and 0 and may end up receiving the Sy Young award. Don Spencer stated there are two other Brownsburg athletes that are going on to the majors and the Town is proud of them.

Next, Sam Tolen, 5857 Ridgeline Drive and a member of the Consolidation Study Committee came before the Council regarding his concern that the people in the rural portion of the new consolidated Town of Brownsburg. He is concerned that the less populated rural districts will not have as much of a voice as the more densely populated urban Town of Brownsburg.

Jim Murphy, 1726 N. SR 267 came forward to comment that he shares the same concerns as the previous speaker.

There being no further discussion, Don Spencer thanked the members of Boy Scout Troop 396 for leading the Pledge of Allegiance and asked for a motion to adjourn. Dave Richardson moved to adjourn; the motion was seconded by Rob Kendall and unanimously carried.

Dwayne Sawyer, President

ATTEST:

Jeanette M. Brickler, Clerk-Treasurer