

May 24, 2012

These are the minutes of the regular meeting of the Town Council for the Town of Brownsburg, Indiana held at Town Hall on May 24, 2012 at 7:00 p.m.

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

Also Present: Angie Petre, in the absence of Clerk-Treasurer Jeanette Brickler; Tricia Leminger, Town Attorney; Jim Waggoner, Mike Dove, Police Chief; Tom Garrison, Police Commission; Todd Barker, Planning Director; Keith Rinehart, Interim Fire Chief; Bill Brown, Fire Chief.

The meeting was called to order at 7:00 p.m. by Council President Dwayne Sawyer. He first called upon Steve Stone, Chaplain with the Brownsburg Police Department for the invocation. Dwayne Sawyer then asked for a moment of silence for the loss of life of the youth killed in a recent traffic accident, to be followed by the Pledge of Allegiance to the Flag.

Roll Call of members present showed all were in attendance.

Under Citizens Comments, 04.01 was regarding the Hike for Hoosier Veterans. Zach Day, 6991 Park Lane, Brownsburg was present to inform the public of his intention to walk the Appalachian Trail to raise awareness for homeless veterans upon their return from active duty. His adventure will begin June 11 in Maine and travel across 14 states and ending in Georgia.

Next, Jim Snapp, 7390 N. CR 800 E, Brownsburg came before the Council to voice his opinion against the TIF Pass-Through.

Gary Strader, 545 Raven Circle, Brownsburg came to inform the Council of a scholarship that was created in honor of his son, Sergeant Strader. He invited the public to a golf outing set for September 13 to fund the scholarship.

Brett Pitman, 6593 Donnelly Drive stated he agreed with the comments made by Jim Snapp and also objects to the TIF Pass-Through as it will cause school children to suffer and will in the end increase taxes. He asked that the Council to deny the Maplehurst request, the Midwest Tech College request and Roark Welding, even though it is most deserving.

Approval of Consent Items was next on the agenda. Gary Hood moved to approve the minutes of the Special Meeting of May 7, the Executive Session Memorandum and Regular Meeting minutes of May 10 and the Account Payable Claim Docket for the Civil Town and Fire Territory from May 11, 2012 through May 24, 2012 in the amount of \$491,755.60. The motion was seconded by Don Spencer and unanimously approved.

May 24, 2012

Page 2

Resolution #2012-14 Setting Forth Final Action in Determining that the Qualifications for an Economic Revitalization Area have been met and Confirming Resolution 2012-03 on Real Estate Property for Maplehurst Bakeries, LLC was on the agenda for an advertised public hearing and final approval. The public hearing was open for discussion and the following members of the public addressed the Council with their comments: Marvin Ward, Brownsburg School Corporation, 444 E. Tilden Drive and Brett Pitman, 6590 Donnelly Drive both voiced opposition to the TIF Pass-Through Resolution. Following the close of the public hearing, Tricia Leminger commented that, if this resolution is adopted, the fifth (5th) "WHEREAS" clause would need to be amended by a motion following a motion to approve. Rob Kendall moved to approve Resolution #2012-14. The motion was seconded by Dave Richardson and discussion held. Dave Richardson then moved to amend the fifth (5th) "WHEREAS" statement to read "All oral remonstrance was heard and considered...(to end). The motion was seconded by Don Spencer and unanimously carried. Discussion was then held on the motion to approve Resolution #2012-14 in which Gary Hood voiced his opposition for the same reasons presented by Marvin Ward. Upon call of the question, the motion to approve amended Resolution #2012-14 carried on a vote of three (3) in favor, two (2) opposed. Roll call of the vote was as follows: Dave Richardson, yes; Gary Hood, no; Dwayne Sawyer, yes; Don Spencer, no; and Rob Kendall, yes.

Resolution #2012-15 Setting Forth Final Action in Determining that the Qualifications for an Economic Revitalization Area have been met and Confirming Resolution 2012-03 on Real Estate Property for Maplehurst Bakeries, LLC, was on the agenda for an advertised public hearing and final approval. The public hearing was open for discussion; there being no new comments, the hearing was closed. Tricia Leminger again commented that the fifth (5th) WHEREAS clause would need to be amended by a motion following a motion to approve. Rob Kendall moved to approve Resolution #2012-15. The motion was seconded by Dave Richardson and discussion held. Dave Richardson then moved to amend the fifth (5th) "WHEREAS" statement to read "All oral remonstrance was heard and considered...(to end). The motion was seconded by Rob Kendall and unanimously carried. Discussion was then held on the motion to approve Resolution #2012-15 in which Gary Hood voiced his opposition for the reasons that even with the expansion to the facility, the public will see very little increased revenue. Upon call of the question, the motion to approve amended Resolution #2012-15 carried on a vote of three (3) in favor, two (2) opposed. Roll call of the vote was as follows: Dave Richardson, yes; Gary Hood, no; Dwayne Sawyer, yes; Don Spencer, no; and Rob Kendall, yes.

Resolution #2012-16 Setting Forth Final Action in Determining that the Qualifications for an Economic Revitalization Area have been met and Confirming Resolution #2012-11 on Real Estate property for BKH, LLC was the next item for consideration and public hearing. Attorney Amy Elliott of the Comer Law Offices in Danville was present representing the petitioner. Discussion was held and questions presented. Mr. Mike Casper of BKH, 4120 Newtonmoore Drive, Springfield, IL, was present to answer questions. The public hearing phase was open and

May 24, 2012

Page 3

Brett Pitman, 6590 Donnelly Drive, Brownsburg spoke in opposition to its approval. The public hearing was closed and Gary Hood moved to approve Resolution #2012-16. The motion was seconded by Rob Kendall; Dave Richardson moved to amend the fifth (5th) WHEREAS clause to read "All oral remonstrance was heard and considered. . . (to end). The motion to amend was seconded by Don Spencer and unanimously carried. Upon call of the question on the motion to approve the resolution, as amended, was unanimously carried.

Resolution #2012-17 Setting Forth Final Action in Determining that the Qualifications for an Economic Revitalization Area have been met and Confirming Resolution #2012-12 on Real Estate property for Roark Group, C.F. Roark Welding & Engineering Co., Inc. was the next item for consideration and public hearing The public hearing was open Jim Sering, 6 W. Tilden Drive came forward in support of the approval. Brett Pitman, 6590 Donnelly Drive, Brownsburg spoke in opposition to approval of Resolution #2012-17. The public hearing was closed and Gary Hood moved to approve Resolution #2012-17. The motion was seconded by Dave Richardson who also then moved to amend the fifth (5th) WHEREAS clause to read "All oral comments in support or opposition were heard and considered. . . (to end). The motion to amend was seconded by Don Spencer and unanimously carried. Upon call of the question on the motion to approve the resolution, as amended, was unanimously carried.

Also on behalf of petitioners Roark Group, C.F. Roark Welding & Engineering Co., Inc., Resolution #2012-18 Setting Forth Final Action in Determining that the Qualifications for an Economic Revitalization Area have been met and Confirming Resolution #2012-13 on Personal Property for Roark Group, C.F. Roark Welding & Engineering Co., Inc. was on the agenda for a public hearing and final approval. The public hearing was opened; no new public comments were presented and the hearing was closed. Rob Kendall moved to approve Resolution #2012-18. The motion was seconded by Don Spencer and unanimously carried.

Under New for Consideration, Ordinance #2012-06 Establishing a Fee to be paid to the Brownsburg Police Department for Fingerprinting Cards was presented for 1st reading. Police Chief Mike Dove was present to discuss the matter and answer any questions. Rob Kendall moved for 1st reading of Ordinance #2012-06. The motion was seconded by Don Spencer and discussion held. Upon call of the question, the motion was unanimously carried.

Also presented for 1st reading was Ordinance #2012-07 Establishing a Fee to be paid to the Brownsburg Police Department for Criminal History Reports. Dave Richardson moved for 1st reading of Ordinance #2012-07. The motion was seconded by Don Spencer and discussion held. Upon call of the question, the motion for first reading was unanimously carried.

Under Reports from Commissions and Boards, Interim Fire Chief Keith Rinehart, presented the monthly report of Fire Territory activities. Afterward, the Council thanked him for a job well done as interim Fire Chief.

Police Chief Mike Dove presented the Police Department monthly reports. He added that there has been a lot of activity in Brownsburg recently, with burglaries and a recent fatal crash that killed a young man. He extended his condolences to the family of the young man and thanked the Fire Department for all their help in that incident. Additionally he announced that the 2011 Summer Camp was so successful that there will be 3 camps this year, starting on June 11. The department has received a private donation of \$3,000 to pay expenses of the camp.

Under Town Administrative Items, Debbie Bernhardt presented the Council with a report on the Utility Office. There were not questions and the Council thanked her for attending.

Under Town Council Items, Dwayne Sawyer thanked Annisa Rainey and her team for the work done in the Back Home Again Contest, although Brownsburg did not win.

Rob Kendall announced that Tuesday, June 5 at 7:30 a.m. will be the monthly Town Hall meeting in Eaton Hall; discussion of the future of SR 267 will be discussed.

Dave Richardson announced that he was formally resigning from his seat on the Hendricks County Economic Development Partnership immediately, due to a personal conflict. Afterwards, Gary Hood moved that Dwayne Sawyer fill the open position. The motion was seconded by Rob Kendall and upon confirming that Mr. Sawyer was willing to take the assignment, the motion was unanimously carried.

There was nothing for discussion by the Town Attorney and no General Citizens Comments.

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

ATTEST:

Dwayne Sawyer, President

Jeanette M. Brickler, Clerk-Treasurer