

# BROWNSBURG TOWN COUNCIL MEETING MINUTES

## REGULAR MEETING

Thursday, May 14, 2020, 7:00 p.m.

Brownsburg Town Council Meetings are live-streamed and archived

01. **CALL TO ORDER** - Town Council President Travis Tschaenn called the meeting of the Brownsburg Town Council to order at 7:00 p.m. on May 14, 2020 in the Brownsburg Town Hall, 61 N. Green Street.
02. **INVOCATION/PLEDGE** – Dennis Dawes led the invocation followed by the Pledge of Allegiance.
03. **ROLL CALL** – Members of the council present were Travis Tschaenn via Zoom, Matt Simpson, in Chambers, Dennis Dawes via zoom, Jeff Gracey via zoom, and Brian Jessen via Zoom. Also present were Ann Hathaway, Clerk-Treasurer; Jeff Eder, Town Manager; and Tricia Leminger, Town Attorney via Zoom. Ethan Pierce, Assistant to the Town Manager, was present in Chambers.
04. **CITIZENS COMMENTS RELATING TO May 14, 2020 AGENDA** –  
Cindy Hohman – 15 Tyler Court, Brownsburg
  - 04.01. A water utility connection request for 3699 N CR 900 E was considered.
  - 04.02. A sewer utility connection request for 7495 N St Rd 267 was considered.Ethan Pierce stated that the need for the both connections are due to current failed systems. Dennis Dawes made a motion to approve both requests. Brian Jessen seconded and the motion passed 5-0. Roll call vote was taken: J. Gracey, B. Jessen, M. Simpson, D. Dawes and T. Tschaenn - in favor.
05. **CONSENT ITEMS**
  - 05.01. Minutes of April 23, 2020 Regular Meeting
  - 05.02. Minutes of the April 30, 2020 Special MeetingTravis Tschaenn requested the Ms. Hohman’s name be corrected. Brian Jessen made a motion to approve the minutes and was seconded by Matt Simpson. Passed 5-0. Roll Call: J. Gracey, B. Jessen, M. Simpson, D. Dawes and T. Tschaenn – in favor.
  - 05.03. Civil Town and Fire Territory Claim Dockets April 24, 2020 through May 14, 2020 in the amount of \$2,701,566.18A motion was made by Dennis Dawes to approve the Dockets. Matt Simpson seconded. Passed 5-0. Roll Call: J. Gracey, B. Jessen, M. Simpson, D. Dawes and T. Tschaenn – in favor.
06. **BID OPENING AND/OR AWARD** - None
07. **REPORTS FROM COMMISSIONS BOARDS AND DEPARTMENTS** – As submitted in packet. There were no presentations.
  - 07.01. Fire Territory Report was submitted to the Council by Chief Alcorn.
  - 07.02. Advisory Board of Zoning Report – Todd Barker, Director of Development Services
  - 07.03. Park Board Report – Travis Tranbarger, Director of Parks
08. **TOWN ADMINISTRATIVE ITEMS**

**08.01** Fleet Maintenance – Chris Keers, Manager, as submitted in the packets. There was no discussion.

**09. PREVIOUSLY CONSIDERED ITEMS**

**09.01.** Resolution #2020-04 A Public Hearing and Confirmatory Resolution of the Town Council of the Town of Brownsburg, Hendricks County, Indiana requesting approval for Real Property Tax Deduction/Abatement for the Real Property located at 8930 Motorsport Way, Brownsburg, Indiana 46112 (Badger Daylighting Corporation) was considered. Debbie Cook explained the Resolution. Her recommendation is to approve. There were no further questions.

**09.02** Resolution #2020-05 A Public Hearing and Confirmatory Resolution of the Town Council of the Town of Brownsburg, Hendricks County, Indiana requesting approval for Personal Property Tax Deduction/Abatement for the Real Property located at 8930 Motorsport Way, Brownsburg, Indiana 46112 (Badger Daylighting Corporation) was considered.

Travis Tschaenn opened the public hearing for both Resolutions #2020-04 and #2020-05. There being no comments, the public hearing was closed.

Matt Simpson made a motion to approve Resolutions #2020-04 and #2020-05. The motion was seconded by Jeff Gracey. Passed 5-0. Roll Call vote: J. Gracey, B. Jessen, M. Simpson, D. Dawes and T. Tschaenn – in favor.

**09.03** Ordinance #2020-04 Bailey Park Phase III Rezone to M2 – Zoning Map Amendment to change the zoning on the subject property approximately 4392 acres from the Moderate Intensity General Commercial (C2) District to the Medium Density Multi-Family Residential (M2) District for the purpose of creating a multi-family residential project was considered for the 2<sup>nd</sup>, 3<sup>rd</sup> and final readings. Todd Barker presented the Ordinance and explained its purpose. The Plan Commission did send a favorable recommendation. There have been no changes since the first reading. Andy Kult and Gary Ritz of Bailey Park, who represent the Developer were in attendance via zoom to answer any questions. Travis Tschaenn asked what they expected the monthly rent on these units to be. Gary Ritz stated that those with attached garages would be \$1100 and those without would be just under \$1000 per month. The occupancy rate is somewhere in the mid 90's. Dennis Dawes asked if there was a waiting list or pre-sale list. Mr. Ritz stated that there is a waiting list for current product but not for the units that will be constructed since they cannot, yet, confirm move in dates. Travis Tschaenn asked about ground breaking and completion dates. It is likely that that ground breaking will be in the spring.

A motion was made by Dennis Dawes to approve on 2<sup>nd</sup>, 3<sup>rd</sup> readings and final adoption of Ordinance #2020-04. . The motion was seconded by Jeff Gracey. Passed 5-0. Roll Call vote: J. Gracey, B. Jessen, M. Simpson, D. Dawes and T. Tschaenn – in favor.

**10. NEW FOR CONSIDERATION –**

**10.01** Consideration of Offer of Easement Acquisition by Wabash Valley Power Alliance  
Jeff Eder explained that Wabash Valley Power Alliance has asked to purchase an easement across Town Property north of the north water tower. They have offered \$16,603.24. He is asking for permission to enter into the agreement once negotiations are complete. Jeff Gracey made a motion to authorize the Town Manager to negotiate an agreement with Wabash Valley Power Alliance to determine final price, no less the \$16,600.00, the terms and conditions of the agreement, and execution of the agreement. Matt Simpson seconded the motion. Passed 5-0. Roll Call vote: J. Gracey, B. Jessen, M. Simpson, D. Dawes and T. Tschaenn – in favor.

**10.02** Ordinance #2020-08, an ordinance to amend the existing Greystone Planned Development (PD) District (Ordinance #2018-10) for the purpose(s) of clarifying garage offset and one and a half story home standards within the Belle Arbor Planned Development (PD) District, on approximately 143.74 acres was considered for a 1<sup>st</sup> reading. Todd Barker described the amendment to the architectural standard. Proposed language creates an improvement to create visual diversity. The Plan Commission sends a favorable recommendation for the amendment. David Compton of Pulte Group was present to answer any questions. Brian Jessen liked the visual diversity this will create. Brian Jessen moved to approve and Jeff Gracey seconded the motion. Passed 5-0. Roll Call: J. Gracey, B. Jessen, M. Simpson, D. Dawes and T. Tschaenn – in favor.

**10.03** Ordinance #2020-09, an ordinance to amend the existing Belle Arbor Planned Development (PD) District (Ordinance #2018-15) for the purpose(s) of clarifying garage offset and one and a half story home standards within the Belle Arbor Planned Development (PD) District, on approximately 78.595 acres was considered for a 1<sup>st</sup> reading. Todd Barker described the location and that this is a change in the architectural standards, clarifying the language on the offset in the front elevation. Matt Simpson made a motion to approve the amendment on first reading. Dennis Dawes seconded. Passed 5-0. Roll Call: J. Gracey, B. Jessen, M. Simpson, D. Dawes and T. Tschaenn – in favor.

**11. TOWN MANAGER ITEMS –**

Jeff Eder updated the Council on the Small Business Grant Program. To date, there have been 29 applicants. Fifteen of those grants have been awarded \$12,800. Duke Energy gifted an additional \$5,000 to the program, making the total amount available for grants \$35,000. There have not been any denials yet but we are awaiting additional information for several applicants. A list of businesses given grants will be supplied to the Council.

Jeff Eder also reported that he and Travis Tranbarger are working with the Schools to open up the summer base camp program. The camp will start June 1<sup>st</sup>. Registration is underway. The Farmers Market will kick off on June 4<sup>th</sup>. It will be scaled back a bit to comply with social distancing standards. Vendors will be more spread out and people will be asked to make their purchases and leave. Travis Tranbarger stated that no more than 50 shoppers will be allowed in at a time. There will be barricades in place with an entrance on the East side. There will be an attendant counting those entering. Vendors will be required to have PPE.

Travis Tschaenn asked about the 4<sup>th</sup> of July festivities. Planning is underway, but which festivities will take place is not yet known. Those decisions have not been made.

**12. CLERK-TREASURER ITEMS – None**

**13. TOWN COUNCIL ITEMS –**

**13.01 Appointment of new Advisory Plan Commission Members**

There two vacancies on the Plan Commission. Both are Council appointments. Travis Tschaenn made a recommendation to consider Shawn Pabst and Jonathon Blake, both are Town employees, for appointment. Jeff Gracey asked that more individuals be brought forth for consideration at the next meeting and hold a vote at that time. No action was taken. This item will be placed on the agenda for the next meeting.

Jeff Gracey discussed Executive Order via Resolution #2020-07. He would like to have a list of all decisions that were made by either the Town Council President, Vice President or Town Manager under the authority of this resolution. He would also like the Council to consider revoking that resolution at the next meeting.

Matt Simpson commented that we need to be aware of businesses requiring masks as they reopen.


14. **TOWN ATTORNEY ITEMS** - None

15. **CITIZENS COMMENTS** – None

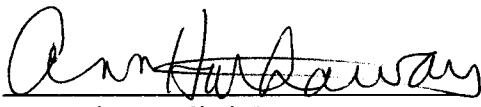
16. **ADJOURNMENT** – A motion to adjourn was made by Matt Simpson at 7:55 p.m.

These minutes are a summary of actions taken at the Brownsburg Town Council meetings. The full video archive of the meeting is available for viewing at <http://brownsburgin.swagit.com/play/05152020-623> for as long as this media is supported.

Brownsburg Town Council

By:   
Travis Tschaenn, President

ATTEST:

By:   
Ann Hathaway, Clerk-Treasurer

\* President Trump has declared a national emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak. Consistent with that, Governor Holcomb has issued an Executive Order regarding certain orders and directives in response to COVID-19. The Brownsburg Town Manager has issued a press release regarding the Town's continuing efforts to curtail the spread of COVID-19, including a direction that based on guidance issued by the Centers for Disease Control and the State of Indiana, Brownsburg Parks administrative office, and field officers will close to the public effective Wednesday, March 18 to Monday, April 13, 2020. The Town of Brownsburg is following the guidelines of the Centers for Disease Control concerning public gatherings.

Governor Holcomb's Executive Order 20-09 suspends the requirement of governing bodies of public agencies to explicitly adopt a policy for electronic participation and suspend the requirement to have any members be physically present for meetings deemed to be essential. (See Ind. Code § 5-14-1.5-3.6(c), (f), (g) & (11)). All other provisions of Ind. Code § 5-14-1.5 et seq. remain in effect. Therefore, for the duration of this public health emergency, all governing bodies may meet by videoconference or by telephone conferencing so long as a quorum of members participate and any meeting is made available to members of the public and media. Any political subdivision or entity subject to the provisions of Ind. Code § 5-14-1.5-3.5 may comply with the provisions of section 3.6 as modified by Executive Order 20-04 and as amended in Executive Order 20-09 in conducting public meeting for the duration of this public health emergency. At the date and time of the scheduled public meeting, any member of the public may also view this meeting livestream. In addition, a recording of the livestream meeting will be available on the Town's website until at least the meeting minutes for that meeting are adopted. Please note that although public attendance is strongly discouraged until the threat of the Coronavirus subsides, the public is still welcome to attend the meeting at Town Hall; provided however the number of attendees permitted in the meeting room will be limited in accordance with the recommendations that have been made for social distancing in addition to any other restrictions that may be determined reasonably necessary during this time. To assist the public and members of the press during this emergency declaration, comments or questions regarding Town matters can always continue to be directed to the Town Manager at [jeder@brownsburg.org](mailto:jeder@brownsburg.org) or 317-852-1120.