

BROWNSBURG



SENTINEL

A News / Commentary Publication

Informative / Insightful

May / June / July 2018

Community Challenges

BCSC School Board Highlights Town Manager Grant Kleinhenz

Terminated by Town Council



The May 14, 2018 school board meeting was called to order by Phil Utterback, board president. Board member, Adam Brower resigned from the board effective the day of the board meeting and was not in attendance. After the Pledge of Allegiance and moment of silence, the board members dispensed with consent items: April 9 meeting minutes, claims totaling more than \$8.2 million and

Superintendent's Report. Dr. Snapp's report includes changes in staffing for various reasons, e.g., resignations, retirements and leaves of absence, disposition of various field trip requests, approval of certain professional services and supply agreements and construction change orders, as well as provides his recommendations for board action.

The board then commended student excellence. First up were five Area 31 Career Center students who were named Outstanding Student during the school year: Megan Mutnansky, Emergency Medical Services; Olivia Ledezma, Aviation Aerospace Engineering; Kyle Stankovich, Dental Assisting; Amiya Mera, Aviation Aerospace Engineering; and Payne Hughes, Welding. Second up, students from BHS-TV/Extended Play! who were awarded the state championship for the second year in a row in Live Broadcast at the 2018 Indiana Association of School Broadcasters State Conference. Third up,

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From The Chief's Desk

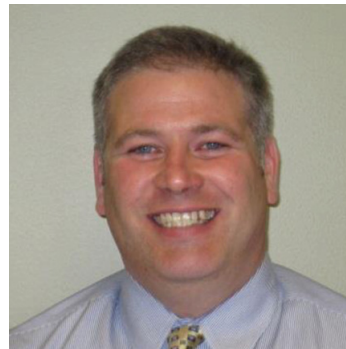


Chief Grimes reported to the town council that Brownsburg is not immune to the up-tick in crimes of opportunity plaguing all areas of Hendricks County. For a variety of reasons, there has been a recent surge in this activity for short term financial gain.

Chief Grimes offered a number of suggestions to reduce the risk of being targeted by these types of criminals. Remove keys from the ignition or interior of the vehicle. Remove any exposed valuables

seen by "prying eyes" from vehicles parked on the street or driveway and double check that your vehicle is locked. Note the normal routine of your neighbors and neighborhood and feel free to call the non-emergency number at (317)-852-1109 noting suspicious persons vehicles, or vendors which seem out of place.

Brownsburg Police Department is coordinating efforts with other towns and county departments to address this problem. They have apprehended a number of criminals. The steps outlined above will help law enforcement curtail this activity.

**August 23, 2018**

At the beginning of the August 23rd Town Council meeting, Sean Benham indicated that there was a last minute addition to the agenda under Town Council items of Ordinance #2018-19. This ordinance was not in the packet or available for the public prior to the meeting.

This was an ominous sign since noticeably absent from the council meeting was Grant Kleinhenz. Not

only was he not present but his name plate was removed from his normal seating position at the dais. Usually when Mr. Kleinhenz is not at the meeting there is a mention as to where he is that evening, no mention was made of his absence during roll call or at any time during what was a rather uneventful town council meeting.

At Town Council items, Town Council President Sean Benham said "Based on recent events, I am going to make a recommendation changing to a formal motion to move forward with the termination, we transition the position of town manager and as well with that motion that we authorize the town council president and vice-president to take any and all action necessary to facilitate that transition. that transition will be immediate as the time of this vote. Further this motion will include appointing Brian Hartsell as interim town manager. As subject to the successful passage of ordinance #2018-19. So that is my motion". The motion was seconded by Brian Jessen. Sean noted "We have a motion and second", and did not ask for any comments. He went immediately to the vote which passed unanimously.

Next Sean brought to the floor "Ordinance #2018-19 – An Ordinance of the Town Council of the Town of Brownsburg, Hendricks County, Indiana, Authorizing the Exercise of Home Rule Authority Relating to a Specific Severance Benefit Proposed 1st, 2nd and 3rd Readings with final adoption". Sean noted that given this motion was up for all three readings, a unanimous agreement to handle the ordinance in that way must be given by the council members. All members agreed to approving the ordinance in one evening.

With the agreement, Mr. Benham opened the floor for questions from the council members. Mr. Worley asked two questions. First, if the appointment of the interim Town Manager was part of the agreement? Ms. Leminger answered that only the severance package which was exhibit A was part of the ordinance. Then he asked if Brian Hartsell had read the terms of the ordinance and agreed with them. Mr. Hartsell answered that he read the agreement, understood the document and was in agreement with the terms.

With no further questions, Ms. Bascu moved to approve "Ordinance #2018-19 on Proposed 1st, 2nd and 3rd Readings with final adoption". The motion was seconded by Dennis

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LETTER FROM THE EDITOR

As editor of this paper, I would like to apologize to any advertisers that have received a letter or an email from Mr. Tom Kmetz, Chief Financial Officer at (*employer with held*), regarding advertising in the Brownsburg Sentinel. Tom Kmetz is also the current Brown Township Trustee.

It was brought to my attention that Mr. Kmetz has sent some of my advertisers a request for them to reconsider advertising in my paper (see right column, his letter is printed verbatim) .

In my opinion, it is inappropriate for Mr. Kmetz, as an elected public servant and CFO of (*employer with held*), to send letters to my advertisers telling them that he is reaching out to the American Cancer Society, the Leukemia Lymphoma Society, the Cancer Support Community of Central Indiana, and his healthcare contacts within the Oncology departments of IU Health, St. Vincent Health, and Hendricks Regional Health to garner support in a boycott of any company who chooses to continue to advertise in the Brownsburg Sentinel.

In the correspondence sent by Mr. Kmetz, he alleges that I asked him to post his personal medical information on social media to prove that he had cancer. During the week of April 20th, I did "suggest" for Mr. Kmetz to post a medical bill that showed he had cancer treatment, Mr. Kmetz has taken this suggestion out of context.

This matter came up because I knew of Mr. Kmetz's failure to attend and testify at a trial concerning Brown Township residents, those he was elected to represent, defying a court subpoena. His reply was I had cancer! and YOU KNEW! (I didn't and reminded Mr. Kmetz during this conversation he never told me of his circumstances which he did not deny). Given that public servants are held to a higher standard, I suggested that he provide evidence supporting his assertion. While I offered a number of easy alternatives, he offered no such evidence.

To my knowledge before, during, or after the trial he failed to provide an explanation for his actions to:

- Clerk of the court by phone, email, fax, text, or letter
- Plaintiff's counsel by phone, email, fax, text, or letter
- Ask his medical team to provide generalized documentation of the same, to the same, via the same methods.

I'm surprised the Plaintiffs or judge didn't issue a bench warrant with body attachment for Mr. Kmetz for contempt of court.

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LETTER TO THE EDITOR

Tom Kmetz Brown Township Trustee After Primary Loss Lashes Out at The Sentinel Its Advertisers, the Editor and his Wife

Mr. Kmetz sent the following letter to Sentinel advertisers:
May 18th 2018 1:47pm

Dear (*Advertiser name omitted*)

I am writing this letter to you as a person who lives with cancer currently in remission, asking you to please re-consider your commitment to advertising in the Brownsburg Sentinel.

Recently, Mr. David Weyant requested that I publicly post my personal medical



It is the opinion of
the editor everything
which follows is a
result of Tom Kmetz
failure to appear
without explanation
as a trial witness,
defying a court
ordered subpoena.

information on social media to prove that I had cancer. Not only is this one of the most uncaring and insensitive requests I have ever had, it is also a request for federally protected health information that he has no right to receive or ask for. As a local healthcare executive, an advocate of, and a patient personally connected to cancer support organizations, I will be reaching out to The American Cancer Society, the Leukemia Lymphoma Society, the Cancer Support Community of Central Indiana, and my healthcare contacts within the Oncology departments of IU Health, St. Vincent Health, and Hendricks Regional Health to share what Mr. Weyant has requested of me in an effort to garner their support in a boycott of any company who chooses to continue to advertise with Mr. Weyant. You should also know that

he uses his newspaper to "threaten" others in order to get his way, threatening me with a text that I should be prepared to "duck and cover" if I didn't meet his demand to meet with me. I later learned from him that his reference was not meant to be violent, but rather a threat that he'd write a negative story about me in the Brownsburg Sentinel.

I am asking you to please consider withdrawing your advertising support of him and his bully newspaper. If you ever had to deal with cancer, either personally or through family or friends, please try to imagine what it would be like to have somebody tell you to post personal information on a public Facebook forum in order to appease his doubts of what you are going through or have gone through. Cancer is a terrible disease and it's hard enough to deal with its effects on yourself and your family, then throw in a bully like Mr. Weyant who publicly accuses you of lying and requests you post information from your personal health records and it makes it much worse.

Thank you for your time and consideration.

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LETTER FROM THE EDITOR

cont. from page. 2 Surprised by Mr. Kmetz answer, after our exchange I spoke with Sabrina, a member of the Brownsburg North Group Against Annexation and she provided me with the following information.

She told me that Mr. Kmetz had sent her a text message a few days before the hearing indicating that he had been undergoing diagnostic testing and that he had been diagnosed with non-Hodgkin's lymphoma, and that right now he was healthy.

He requested that she not tell anyone about his diagnosis. This text message was sent by Mr. Kmetz after Sabrina had made multiple attempts to get him to contact her regarding the specifics of the hearing and his testimony.

He stated that he would be at the hearing to testify but needed a specific time because of a pending medical test. Sabrina informed him that there was no way to provide a specific time and she advised that if he would be unable to testify that he needed to have his doctor send a confidential letter to the attorney stating that due to medical reasons that he would be unable to attend; to which he did not comply. A few brief texts were exchanged after the hearing was completed regarding Tom's failure to attend the hearing in August 2016.

Following this time Mr. Kmetz did have occasional contact with Sabrina. However, there was no further mention of his medical condition.

In the view of this publication Mr. Kmetz has been acting like a petulant child, this is an undesirable yet unavoidable side effect of this business. We ignored his actions, to date he sent the letter to a former member of federal law enforcement, members of the armed forces who served in combat, and a legal firm. All questioned why he waited more than a month to send out the letter, failed to identify himself as a Township Trustee, all took a very dim but laughable view of Mr. Kmetz and his actions.

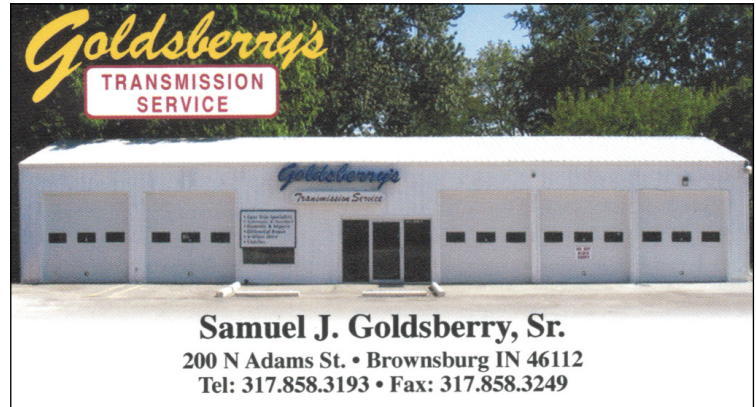
In our opinion, not receiving the desired results, Mr. Kmetz continued his tantrums in various forums. **Using a low level perfidious approach, Mr. Kmetz sent my wife an unsolicited harassing email to her at work, containing what all who read the memo think was information Mr. Kmetz meant to damage our marriage.** Failing to find any humor in the matter, my wife initiated legal actions which we'd held off deploying since day one.

Now Mr. Kmetz HAS gained the attention he desires, he's been served *multiple* legal notices. We hope Mr. Kmetz heeds these legal notices, and discontinues his behavior. -- *The Editor*

LETTER TO THE EDITOR

cont. from page. 2 If you'd like to discuss, you can call me anytime at (317) 692-nnnn. I have kept screenshots of everything I mentioned above. We don't put up with bullying in our schools, and we should also set an example when adults misbehave.

Signed via employer's email with automated signature:
Tom Kmetz -- Chief Financial Officer (*Employer with held*)



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TOWN OF Brownsburg

Town Council Highlights

Town council May / June / July Highlights
May 10th Town Council

"The Town of Brownsburg has the highest sanitary sewer and water fees in the area. Higher than Avon, Zionsville, Fishers, Plainfield, Noblesville and Westfield..."

"Very candidly we are at a point where with contributions towards roads and the cost of these fees both projects now in question" -- David Compton VP Land Acquisition Pulte Group

The meeting was opened by Sean Benham. After the invocation and pledge of allegiance, Mr. Benham indicted that point, the latest group from the resident academy received their certificates. Citizen's comments brought up David Compton Vice President of Land Acquisition for Pulte Homes of Indiana. He commented on the sanitary sewer connection fees proposal which was to be heard during old business that evening. He stated that unknown fees over and above the known sanitary sewer compensation and the interconnector fees would be a stopper for the Pulte project. He stated that Brownsburg has the highest water and sewer on the north and west side of Indy. He was told that if the new zoning went into effect on May 24th with a 30-day remonstrance time before it is effective. Pulte believes they will provide for 4.4 million increase bonding capacity to the town.

Under departmental reports the Director of Parks announced that staff was moving forward with creating a strategic plan 2019-2023 and they were seeking community input. The Parks department was working on the logistics for the 4th of July parade and the extravaganza will still be in Arbuckle park. The Williams park splash pad will

open May 26th. Last, Cardinal Park Phase 1 will be done this year with Phase 2 of restrooms, playground and dog park for 2019.

During previously considered, the town council passed 3 ordinances on 2nd reading two for Fisher Homes Copper Springs and one for Pulte Homes Greystone.

Under new for consideration this evening were the fiscal plans for the voluntary annexation of the Fisher Homes and Pulte Homes projects which passed 4-0. Another resolution approved a revitalization area for Banyan construction. Next was the first reading **cont to page. 8**

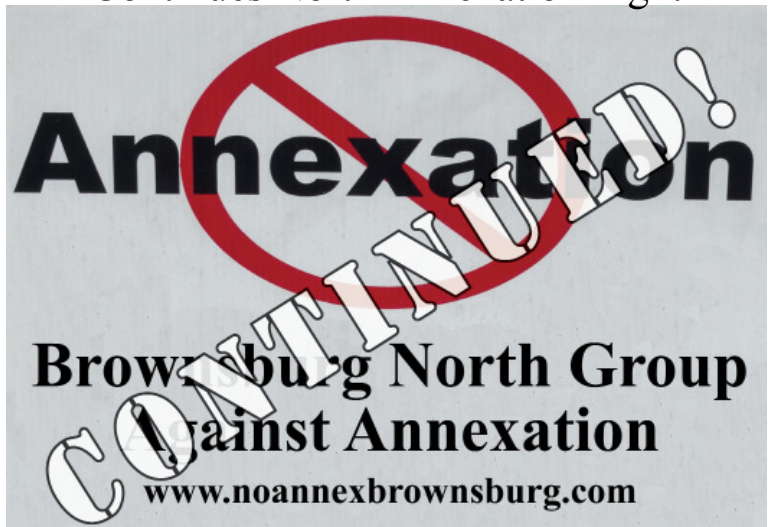
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Town of Brownsburg Continues North Annexation Fight



July 31st, 2018 The Brownsburg North Group Against Annexation has been notified that the Supreme Court will hear oral arguments regarding the proposed north annexation on Sept 20, 2018 at 10:30 am in Indianapolis. This does not mean that the Supreme Court granted transfer, this just means that the Supreme Court will hear oral arguments and then decide whether or not to grant transfer. This is only the second time in the history of the Indiana State Supreme Court with regards to annexation cases where the court has asked to hear oral arguments before granting transfer of the case to the Supreme Court for a ruling.

While the Brownsburg North Group against Annexation is surprised that the Supreme Court scheduled this matter for oral argument, The Brownsburg North Group against Annexation is happy they get the opportunity for the Supreme Court to hear all of the issues. Mark your calendars for the above date. Please attend if possible. – *The Editor*

Town Manager Terminated *cont. from page 1*
Dawes. With no further comments or discussion the motion passed unanimously.

After the vote, it was time for citizen's comments. Several citizens came to the podium disturbed with what had just happened. The comments included the obvious absence of Mr. Kleinhenz's name even during the ordinance vote, embarrassment and outrage as to how the ordinance was handled, the lack of details as to what caused the action, the need for a "lessons learned" by the town council since this is the second Town Manager to be dismissed in 10 years and the need for a disclosure to the citizens by the town council as to next steps.

One additional thought which was expressed by all members of the public was that Mr. Hartsell will have full support from the community as he takes on the interim role. The council did not comment on the proceedings and immediately adjourned the meeting.-- *The Editor*

[*Editor's Comments- 1) This ordinance is unavailable for public review via their website. 2) I have known Mr. Hartsell professionally for a number of years, there is no need to perform a search for a town manager, he has demonstrated he is easily qualified for the position, & conducts himself with honor and integrity, setting the gold standard for all other elected, hired, and appointed servants to follow.]*

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BCSC Highlights - *cont. from page 1*

student leaders from the BHS Choir Program: Starlight Voices and Spotlight Singers & Company finished 1st and 2nd runner up, respectively, in the state show choir competition. And fourth up, students from BHS DECA (an association preparing students for careers in marketing, finance, hospitality, management, and other business areas) came forward. Seventeen students advanced to the International Career Development Conference in Atlanta. Those receiving recognition for projects at the conference included: Samuel Hughes, John Fiscus, Kyle Allen for third place, Start-up Business Plan; Grace Ulmer, top ten on the competency test; and Maranda Peak, Michelle Nixon, top 20, Advertising Campaign Event.

This was followed by the first reading of changes to the BCSC wellness policy, an operations update and the Brownsburg Education Foundation report. The wellness policy revisions stem from the Healthy Hunger Free Kids Act of 2010 that requires state agencies to hold institutions participating in USDA Child Nutrition Programs to regulatory standards. Review of the policy indicated nutrition standards for all foods and beverages provided but not sold to students and a food and beverage marketing policy were needed. The proposed changes will be presented to the board for second reading at the June board meeting.

John Voigt, chief operations officer, described upcoming summer projects. Portable classrooms at Reagan and Eagle Elementary will be removed and parking lots repaved. Theatrical curtains at all schools will be cleaned and retreated with fire retardant. A paving project at Harris Academy will be completed. Playground mulch will be delivered (by the semi-truckful). The warehouse will be modified to better utilize space. Relamping will occur throughout the district. Mr. Voigt said Lincoln Elementary is nearly complete. And, yes, work on the high school construction project will continue in earnest.

There being no comments from patrons or old business, the board considered several items under New Business. As required by the Indiana Department of Education, the board approved the opening of Lincoln Elementary for the 2018-2019 school year. Assistant superintendent, Dr. Kat Jessup recommended the board approve middle school fees for the next school year. Sixth grade fees will decrease because of reduced cost of the P.E. uniform and fee. Seventh grade fees will increase with the cost of science experiment materials. Eighth grade fees will increase with the technology fee and students taking foreign language will pay the same amount as high school students for the course. The board approved the new fee schedule.

Jordan Ryan, nutrition services coordinator, recommended the board approve the next school year nutrition service fund budget, meal prices and overdrawn account policy. Ms. Ryan explained the Nutrition Services Department is fully supported by the fund. The proposed budget of over \$4.4 million reflects an increase in student sales, food, supplies, and labor expenditures corresponding to increased enrollment estimates. It allows the procurement of additional resources and equipment. Increases in staff compensation will align with other BCSC staff. Proposed meal prices will increase five cents: elementary school lunch to \$2.55 and secondary school lunch, \$2.70. The proposed overdrawn account policy allows a maximum negative balance of -\$10.00 for elementary students and -\$5.00 for secondary students. Every effort will be made to personally contact families with negative balances and all students will receive a regular school meal regardless of their meal account balance. The board approved the budget and changes. It likewise approved the milk contract (930,250 cartons, all types) and produce contract (\$175,000) for the next school year.

Mr. Voigt recommended the board approve the contract (\$182,705) to replace the district access control system. The outside vendor

will replace the access control system in most of the buildings in the district and provide replacement access control equipment for all buildings. The rest will be installed by BCSC Technology Services staff. Mr. Voigt also recommended the board approve the contract (\$460,000) for installation of the previously purchased HVAC equipment for the BHS Aquatic Center. The completed work will improve temperature and humidity control within the pool facility, and improve system reliability over the existing 15-year-old equipment. Mr. Voigt then recommended the board approve an agreement with the Brownsburg Parks & Recreation Department, permitting BPRD to conduct the annual Fourth of July fireworks display on BCSC property. The annual event was displaced from its Arbuckle Park location because of construction around the park. The agreement waives the standard BCSC use of facilities rule prohibiting the use of fireworks on school property. The board approved all contracts.

Dr. Snapp, superintendent, recommended the board approve the transition to the Distinguished Senior designation beginning with the BHS Class of 2023 (2018-2019 8th graders). This designation will replace class ranking. To prepare for the transition, BHS leadership team will hold at least four community meetings on August 13, October 10 & 11, and November 8 to assist in determining the final recommendation to be made at the board's November meeting. The board approved the plan to allow BHS principal Dr. Bret Daghe to proceed with the community meetings.

In Superintendent Comments, Dr. Snapp said an open house for students new to Lincoln Elementary would be held on May 16 and its dedication will be held in late September. In Board Member Comments, Matt Freije looked forward to the Fourth of July celebration and hoped it would be an annual tradition on school property. Mr. Utterback announced the resignation of board member, Adam Brower. An application process would begin the next day ending with candidate interviews on May 29th. The board appreciated Mr. Brower's dedication and service. The meeting was then adjourned.

JUNE School Board Meeting -

Even with controversy, the school board did conduct a bit of business at its **June 11** meeting. In addition to routine administrative matters, it received a briefing on the construction project currently underway at the high school. The board later approved the final publicly bid contract for the high school project. The contract installs the cafeteria serving line at a cost of nearly \$890,000 (not accounting for necessary adjustment in other contracts).

Brownsburg school board president, Phil Utterback, called the meeting to order and, after the Pledge of Allegiance and moment of silence, the board members dispensed with consent items – May 14 meeting minutes, claims totaling more than \$14.9 million and Superintendent's Report. Dr. Snapp's report includes changes in staffing for various reasons, e.g., resignations, retirements and leaves of absence; disposition of various field trip requests; approval of certain professional services and supply agreements and construction change orders; as well as provides his recommendations for board action.

The board commended four students for their top performance at the Health Occupations of America (HOSA) state competition. Allison Hughes, Andra Raibulet and Allison Meinczinger won 1st place for Public Service Announcement, and Faye Jessup won 1st place for Sports Medicine.

This was followed by the first reading of changes to the BCSC support staff handbook, an operations update and the Brownsburg Education Foundation report. Regarding BEF, it awarded \$34,000
cont. to pg. 6

BCSC Highlights - *cont. from page 5*

in graduating senior scholarships and \$49,000 in District Excellence Awards. These awards are given to entire grade levels or departments. Regarding Operations in John Voigt's absence, Barry Gardner, BCSC business manager, provided an update through photos of high school construction.

Later, after the Comments from Patrons agenda item, under Old Business, the board approved revisions to the BCSC wellness policy on 2nd reading. Then, under New Business, the board approved increases to high school textbook fees, authorized Dr. Snapp to enter into a group purchasing contract regarding certain food items, and a contract for a serving line to be installed in the new high school cafeteria.

“Why is it that parents weren’t notified of this school policy?”

Why did I have to read the 11 page question and answers document on the Huffington Post?”

**-- Landon Chapman
Brownsburg Parent of
Children in the School
District**

The bulk of the meeting dealt with comments from the public about the board's acceptance of John Kluge's, high school orchestra teacher, resignation earlier in the meeting. Mr. Kluge, whose comments were limited to two minutes as was everyone, said his resignation, after a conversation he said he had with school officials earlier in the school year, was offered conditionally to be effective at school year's end. Mr. Kluge said he was given an accommodation when the school put in place the process by which transgender students would be officially recognized by their preferred gender, male or female. Citing his religious beliefs, Mr. Kluge said the accommodation allowed him to call such students, in fact, all students, solely by their last name. In the conversation with school officials, he said he was advised his

accommodation would not be allowed the next school year. Before the effective date, he submitted his request to withdraw his resignation but it had been accepted by the school administration.

Speakers during Comments from Patrons were on both sides of the school board's decision. Supporters of Mr. Kluge included parents, current and past orchestra students, and clergy. Detractors included parents, current transgender students and alumni, clergy, and a representative from a transgender support organization. The room, about the size of an elementary school gym, was standing room only. There were shout-outs by both sides and fingers clicking in approval of pro-transgender comments.

The public comments lasted about an hour and 45 minutes (in contrast, the meeting video posted by the school corporation was only 17 minutes, 44 seconds, and excluded public comments). The speakers fell into broad categories: (1) transgender students complaining of bullying and thanking the board for enforcing its “transgender policy”; (2) mothers of transgender kids thanking the board for supporting their children; (3) a few parents remarking about other students' safety (restrooms, etc.) and accommodation for their children; (4) a couple of parents complaining of the non-transparent process of adopting school policies, that parents should be both included and notified; (5) community members urging the board to take community values into account, those they believe constitute the majority; and (6) several pastors citing either community values or scripture in support of Mr.

Kluge. A couple comments included declarations that religious views do not belong in a public school. One member of the public objected to the inevitable lawsuits and legal fees to be paid out of his hard-earned tax dollars.

This writer learned after the meeting that the school corporation does not have a specific transgender policy; rather, its development of a process recognizing students' preferred gender was pursuant to its non-discrimination policy.

The meeting closed with superintendent and board comments. There being none, the meeting was adjourned. - *by Maggie Burton*

July School board meeting

The meeting was opened by the President Phil Utterback. After the pledge of Allegiance and moment of silence, he indicated that all members were present.

First on the docket was the consent items for the evening presented by Dr. Snapp which was approved. Under communications was the first reading of the 2018-1019 Nutritional Services Handbook and the 2018-109 Driver's Handbook.

Next on the agenda was the 2019 budget presentation. New legislation for this year has collapsed seven funds down to five funds and put new restrictions as to what expenses can come out of which fund. Originally, the school had a general fund for salaries, benefits, educational supplies, a debt service fund, pension fund, capital projects fund, transportation fund for bus operations, bus replacement fund and a rainy day fund for onetime expenses. Now the school has Education fund for salaries, benefits and educational supplies, debt service fund, pension fund, operations fund includes bus replacement, transportation and capital projects and rainy day fund for onetime expenses. For the 2019 budget, Brownsburg has an estimated enrollment of 8990 with an appropriation budget of 61.5 million dollars which is only a 1.6% increase in funding over the previous year which is not keeping up with inflation. The state is funding \$6280 per student. The rest of the appropriation is coming from fees collected by the school. They then showed a graph of the tax rates for Hendricks county. Avon has the highest rate of 1.7057 + 0.35 tax referendum, Brownsburg at 1.47, Danville at 1.51, Mill Creek at 0.9322, NW Hendricks at 1.63 and Plainfield at 0.9850. Plainfield's tax rate is so low because of the mix of business to single family homes. Mill Creek is so low because of no growth in that part of the county. The school system debt service is projected as 22.3% of budget which is actually staying the same or decreasing even with all the growth. The school system projects even with the growth and construction they need to do over the next ten years, there is room in the debt service for bringing projects forward as needed or lowering the tax rate if not needed. Next discussion was about the age of the bus fleet, the school system has 40-50 buses over 12 years old. These buses will need to be replaced over the next 5-7 years. They have not been able to replace buses because of the growth in the student body which means the new buses are needed for the growth instead of replacement buses.

The next items for the budget process are: 1) Taxpayer notice of Bus Replacement and capital assets plan in August. 2) Approval of budget appropriations to publish in August. 3) Approval of transfer from Education to Operations fund in September. 4) Public Hearing and Approval of Bus Replacement and Capital Assets plan in September. 5) Public hearing and approval of 2019 budget in October. 6) Establishment of new funds (Education and Operations) in November. and 6) Approval of transfer from current funds to new funds in

BCSC Highlights *cont. from page 6*

November.

Mr. Voigt provided the operations update. The following projects were completed either before school started or soon after: White Lick re-roofing, Paving repairs and seal coating and striping, BHS aquatics center HVAC replacement, portable classroom removal and repairs, entry system replacement at Eagle and Harris and Access control system replacement. Then they gave an update on the high school renovation which is on schedule.

Next was the Brownsburg Education Foundation report. The annual golf outing was a success and raised approximately \$30,000 for students and staff. Candle sales will be from August 10-beginning of September. The drive a Ford for school event will be on September 6th.

There is NOT a specific transgender policy.

The school has Anti-Discrimination & Anti-Harassment policies based on Title IX and the 14th Amendment

-- *The Editor*

Under comments from patrons, first up was a retired Army Chaplain from Carmel Jim DeCamp. He spoke on his concerns about the decisions the school system and board had made around transgenderism and asked that the board and school system think about the health and safety of all the children in the school. Jeff Gracey came to the podium, he was concerned that the school system had not involved the community in the policy to handle the transgender issue. Next to the podium was John Kluge. He brought up several concerns . 1) the removal of the accommodation at the end of the school year to address by last names and 2) the inability to meet with the school at the scheduled

time to state his final decision on resigning on May 25th and 3) was told that the resignation would not be submitted until May 29th, 4) the letter stating he did not want to resign was given on the 25th but not given to the Superintendent, and 5) he was told the board would meet with him on June 12th which was the day after the board would act on the resignation. The lawyer for John Kluge handed the board and the superintendent a copy of a suit that is being brought against the school system on behalf of Mr. Kluge. After a couple more parents came up to discuss why the transgender policy was not brought before the parents, comments were closed. Phil Utterback said that they would be looking at the policy and wanted the input but because of the suit handed to them that evening they thought they should not say much more that night.

Old Business was the approval of the employee handbook for 2018-2019 which was approved. With no new business, Dr. Snapp reminded that there would be a community working session on July 24th around safety at the schools.-- *The Editor*

July School Board Working Session - Mr. Utterback called the meeting to order. Dr. Snapp stated that the evening will be in two parts 1) to discuss some policies and 2) then to talk about school safety.

The evening started with a presentation by the lawyer that represents the school system. Seventh circuit case that discusses and interprets two policies that the school system has a anti-discrimination policy and an anti-harassment policy. Both policies interpret Title IX which is no discrimination on the basis of sex and the 14th amendment that gives equal protection for all individuals. In general case law has stated that a transgender student should be able to use the restroom of their gender choice or a gender neutral facility. In the most recent case, the school

system did not allow a student transitioning from female to male to use the boys restroom. Background for the case: In eighth grade a female student started dressing like a male and asked to be referred to by a male name. The student starting going to therapy and started a legal name change. No push back until sophomore year when the student asked to begin using the boys restroom and the school gave him the option of using the girls restroom or a gender neutral restroom. The gender neutral restroom was far away from his classes so he decided to not drink water. This caused stress related issues like migraines and depression. In his junior year, the student was using the boys restroom without incident until a teacher saw him one day and reported it to the administration. The student was reminded to use the female restroom or gender neutral because the official record said the child was female. The school asked for official documentation to change the gender in the school system database. The student continued to use the boy's bathroom and was counseled several times. The student was provided with his own restroom which he did not use. Between Junior and Senior year, the family decides to go forward with a lawsuit against the school. The school asserts that the use of the boy's bathroom is a privacy issue for the other male students. The United States District Court sides with the student and says he can use the boy's bathroom. The school system appeals and the case is moved to the 7th district court of appeals. The court sided with the student and stated that school systems have to allow a student to utilize the restroom of their gender choice . The school district appealed to the Supreme Court which denied to take the case and following that the school system settled the case.

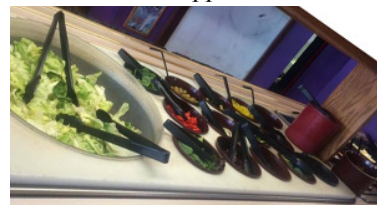
According to Mr. Voigt, the current high school had 8 single use bathrooms and they were looking at expanding that to 11 with the new construction. They are trying to make the single use bathrooms geographically located so that no one had to go very far to use one. Because of geographical considerations, the school is looking at moving to 16 single use bathrooms.

The next issue is staff guidance. There was a document given out in January answering questions that had come up by staff. The 11 page document was to answer questions on how to interpret policies. The document states that a student may use the restroom of the gender they identify with except for overnight trips and trips to other schools where they need to use their biological gender restroom.

Dr. Snapp then stated there were 4 recommendations for the new school year.

- 1) all staff were going to sign off that they would follow the anti-discrimination and the anti-harassment policy that is in place.
- 2) The school will continue to request a parent note and information from healthcare provider to change a name in Powerschool. Teachers will use the pronoun that corresponds with the name in Powerschool
- 3) Any student can use single use restrooms
- 4) The school system will insert the anti-discrimination policy into all student handbooks starting in the 2019-2020 school year. This does not change the application of the policy for the 2018-2019 school year and can be found on the school website for this year.

At the end of Dr. Snapp's comments the work session was adjourned.



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Town Council Highlights *continued from page 4*

of an ordinance to add an appeal process to the fines and penalties for non-compliance to the UDO. The process would be appeal to the BZA first and then to the county appellate court. This was passed 4-0. The next ordinance was to change zoning for six acres of land across from Bill Estes Ford from Employment Center to Moderate Intensity General Commercial. This passed on first reading. The next ordinance was to amend the DARE ordinance to move the money into a fund where it could be used for general operating costs. The town has not operated a DARE program for about 10 years. The school corporation took over that program. No more money is going into the fund but the monies that are in the fund need to be moved to be used. Chief Grimes stated the monies would be used for an evidence locker in the basement of the police station. This ordinance passed 4-0 on first reading.

Resolution 2018-22 came up next on the agenda. It is a resolution authorizing bonds of the Brownsburg Redevelopment District providing to be applied to pay for Northfield drive to airport road with roundabout for up to 4.1 million construction to start in August. The resolution was approved 4-0.

Last up was ordinance 2018-14 amending Title 5 Chapter 54, Section 54.02, 03, 22, 23, 24 of the town code. The ordinance raises connection fees for new business customers, raises fees for work done at a home for utilities, and it also imposes a fire protection fee for any water utility user that is not incorporated into the town but lives within 1000 feet of a fire hydrant. Town residents already pay this fee of 6 dollars a month and now they are expanding to non-town residents. When approved the ordinance would go into effect 5 days after final adoption. The first reading passed 4-0.

With no comments from the town manager, the clerk treasurer or the town attorney, the meeting was adjourned.

May 24th Town Council

Mr. Benham opened the meeting and indicated all members were present. Citizens comments brought up Cindy Weyant asking for the council to delay the vote on the strategic plan to allow for citizen's comments. During the Fire Territory report Chief Alcorn indicated that he is receiving the final cost estimates for the 911 memorial which he hopes would be completed by September.

Previously considered items, the town approved the voluntary annexations for both the Fisher Homes and Pulte Homes development. Mr. Klienhenz stated that after the discussion at the last meeting there would not be any up-front fee increases for the developments due to the changes to the fees.

First on the docket for new for consideration was a motion to adopt the new town of Brownsburg Strategic Plan for 2018-2022. The council asked if the Fire Territory was included and Mr. Klienhenz stated that they were not included. The council then asked when did the plan need to be adopted and Mr. Klienhenz stated by the end of July. With that answer, the council voted to table the motion until the second meeting in June.

Mr. Klienhenz stated that Green street from Lucas drive (Entrance to Arbuckle Park) to 56th street would close the Tuesday after Memorial Day and would not be fully open to traffic until June of 2019. The new roads being built will be open during June along with the installation of a stop light at 56th and Grant.

Under Town Council items was a reminder for the American Legion Memorial Day service which was held on the Saturday of Memorial Day weekend.

June 14th Town Council

Mr. Benham opened the meeting indicating only three members were present with Mr. Dawes and Mr. Worley absent. The Town attorney reminded council that all votes would have to be unanimous to pass

this evening. It was also announced that Brownsburg Police Chaplain Tony Trapp had died on June 12th.

There were no citizen's comments for this evening. Under reports, the Park's department announced they had closed on the Teague property. Development services also announced the comprehensive plan kick-off on June 26th. Last up was Mr. Arnold for the Brownsburg Chamber of Commerce. He announced the Chamber has already increased membership by 32 people this year and there had been four ribbon cuttings for new businesses. The Chamber has also created a networking morning meeting and attendance continues to grow for that meeting. The Chamber is updating the town map, planning for the 40th annual Festival of the Arts craft show in July and is continuing to work with Leadership Hendricks County to help small business grow by sponsoring seminars.

The night went rather smoothly with most resolutions being voted unanimously to approve until resolution 2018-23 which was a resolution to exercise eminent domain to facilitate the Hornaday road and 300 North round-about funded by the MPO (Metropolitan Planning Organization). To create the new round-about the town needed to purchase land from 10 parcels, 6 of which have already signed, 3 which have verbally agreed and 1 parcel which was disputing the offer. The town went back to the MPO and asked if they could negotiate with the owner and the answer was "no" and that the parcel would have to go to court to decide the worth of the property. Mr. Benham asked if a round-about was the most effective configuration for that intersection? Mr. Klienhenz answered that with the number of cars going through the intersection it was needed to keep the CMAC emissions in an acceptable range. Mr. Klienhenz indicated that 7-20-2018 is the deadline to have the right of way secured and submitted to INDOT. The funds are given out by fiscal years and the deadline is to make sure Brownsburg gets the funds. The date is also critical for utility coordination for the area. The town tried to move forward without the property, but it is needed for storm, drain, curb cuts and connections to the trail. If the resolution is not approved, it would kill the project. The council asked if it would be tabled for the next meeting, so the other two councilmen could weigh in on the conversation. Mr. Klienhenz stated that the project might miss funding dates. However, the three councilmen voted to table any action until the June 28th Town Council meeting.

Under Town Manager items, Mr. Klienhenz indicated that the traffic poles were going in at 56th and Grant street. For Town council items, Mr. Jessen asked where staff was in getting bids for the road re-servicing work. Mr. Klienhenz stated that he thinks the bids will be high and will have to be re-bid in the fall. Mr. Benham indicated that as President he was appointing Chris Keeslar to the opening on the BZA to finish the term which ends 12-31-2018. He then asked if there were any comments from citizens on the strategic plan and no one came to the podium. There were no other comments and the meeting was adjourned.

June 28th Town Council

Mr. Benham called the meeting to order and indicated that 4 members were present with Ms. Bascu absent this evening. Mr. Jessen then asked to table item 09.02 which was the Strategic Plan. Mr. Dawes seconded, and it was passed unanimously to be tabled until the next meeting July 12th. Mr. Benham then read into the record a proclamation making July Parks and Recreation Month in Brownsburg.

Next was Board reports which brought Mr. Anderson to the podium for the Economic Development report. He indicated there had been lots of activity during the first half of 2018. The unemployment rate is currently at 2.6% and the retail vacancy rate is 3.3%. Mr. Anderson also announced that the new Thai Basil restaurant was open and

cont. to pg. 9

Town Council Highlights - from page 8

Qdoba would be opening in August.

Under old business was the second reading and public hearing for ordinance 2018-14 which was the amendment of fees for fire protection and water utilities. Mr. Benham opened the public hearing and Ms. Sabrina Graham came to the podium.

Her statement follows: "I object to the proposed ordinance which will change section 54.22 of the town code in which the Town will start charging certain water utility customers outside of the corporate limits a monthly fire protection fee. I was informed the town claims that it is allowed to collect this fire protection fee pursuant to Indiana code 8-1-2-1.3 D and F. However, first from what I understand the town did adopt an ordinance in 2010 and began collecting fire protection fees from water utility customers from within the corporate limits but the town never adopted an ordinance as required pursuant to the Indiana code to allow the recovery of fire protection fees.

Second, while I am not an attorney I can read and according to the Indiana code the recovery of fire protection fees is allowed to eliminate fire protection charges being billed directly to governmental units. Yet I was informed that the town never billed this service directly to other governmental units either the water fund absorbed the impact or it was billed to the general fund Pursuant to Indiana code 8-1.5-4-14 since the town never adopted an ordinance to become subject to Indiana code I just spoke of the town cannot recover this cost from all utility customers and any cost for this service is charged against a municipality

Third, this situation is similar to the fire protection situation resolved in Clark county in 1999 in which the Indiana Utility Regulatory Commission gave expedited approval to a request that Indiana American Water Company Cease assessing a monthly surcharge to customers in unincorporated areas. The order resolved a situation where customers were being billed for fire protection service by Indiana American while the county continued to pay for public fire protection through the county budget. A similar resolution to these same issues was approved by the town of Clarksville in April 1999. Since fire protection in the unincorporated area is provided by the Fire Territory and residents in the unincorporated area pay for fire protection through taxes paid to the Fire Territory the town would be unable to assess an additional fee on those in the unincorporated areas.

If this ordinance which includes the proposed changes to section 54.22a is adopted we will be filing a petition for declaratory relief with the court questioning the validity of the ordinance and we will also file a preliminary injunction to prevent the ordinance from going in to effect or we will possibly be filing a written petition pursuant to

Indiana code 8-1.5-3-8.2 with the town. Either way if this ordinance is passed it will be heard before the court.

I believe the best solution for the town would be to amend the proposed ordinance to reflect that no changes will be made to section 54.22a of the town code. In passing this ordinance without amending it will severely delay the time when the proposed changes can occur and will result in unnecessary litigation and wastage of tax payer dollars. Please take this into consideration before voting to approve this ordinance Thank you."

Next up was Kurt Disser and his statement follows:

"I am here also that I put on the record that I voice my objection to the fire protection fees that you are going to try to apply to citizens that live outside the incorporated areas of the town. It is basically double taxation without us being able to having any representation what so ever -we cannot vote for you guys and we already pay those taxes as Sabrina said through our Brown Township and taxes that go to the fire territory so we already pay those fees to begin with. This will also adversely affect a lot of people who live in Brown Township and Lincoln Township so statutorily you do not have the right to do it and dragging something like this through all the avenues we have available will just end up extremely lengthening the time until you can raise the other fees in the proposed ordinance. We know that the last time this happened the litigation has been going for 5 years so if you amend the ordinance and take that out it will save us all the trouble."

Then Katelyn Dofer with Pulte came to the podium on behave of Kate Collins who is the governmental affairs person for BAGI. She presented a letter from BAGI to address concerns from the building association 1. The fees are being raised without an accompanying study to validate the fees. 2. Predictability is needed new fees without being assessed can harm proposed developments.

Mr. Jessen asked if the town's attorney if there was a problem with the first ordinance from 2010. He said he would have to investigate the ordinance. Mr. Klienhenz stated we are paying for the right to use the hydrants all town citizens pay 6 dollars a month or 72 dollars a year. The Fire Territory does not maintain the hydrants. The town does. The fees are not given to the Fire Territory they go into the water fund to offset the maintenance cost.

Michael Price came to the podium. He asked what happens if a new hydrant is placed within 1000 feet of an existing house outside the town limits but not a water utility user. The motion vote was approved 3-1 on second reading and amended to add the assistant town manager to waive a reconnection fee.

Next was resolution #2018-23 authorizing the exercising of Eminent Domain. This was moved from the last meeting after a lengthy discussion. The status of the parcels was the same as last meeting with 6 parcels signed, 3 giving verbal acceptance and 1 parcel disputing the offer. The last parcel is 0.78 acres. The owners think that removing the land damages the value of their home. The town offered \$12,000 and the home owners think the land is worth \$42,000. If this goes to court, the court will pick three independent appraisers which could be different then who the town used. The land being taken will be used for sidewalk and trail not road surface. The motion was made by Mr. Worley and seconded by Mr. Dawes to approve the resolution. The vote was 2-2 and Clerk Treasurer voted in favor to break the tie and the motion carried.

Resolution #2018-24 approving the appropriation by the Brownsburg Public Library of the proceeds of the Library's General Obligation Bonds. The library is not expanding the

cont. to pg. 10

*Shame on the
residents of
Brownsburg !
You can't
complain, since
you didn't give
your opinion !
--The Editor*

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Town Council Highlights - *from page 9*

walls but are working on the façade and interior by adding more study rooms, media rooms and updating equipment for security and telephone system. It has been 20 years since the last update. The upgrades/renovations will cost 4.5 million. There will not be a tax impact because the library currently pays \$446,000 a year on debt with the last payment due in December 2019. They are timing this bond issue so that the debt load stays the same with no impact to tax payers. The library has been in the community for 100 years and will be in the community for many more. The resolution passed unanimously. With no other items for the evening, the meeting was adjourned.

July 12th Town Council

Mr Benham opened the meeting indicating that all members were present this evening. Mr. Benham announced that item 09.01 was tabled and will be put on the agenda for July 26 meeting.

Next on the agenda was citizens comments brought Kurt Disser to the podium. His original comments were for the fire protection fee ordinance which was just tabled. He did ask why he could not see the minutes of the last meeting and the consent items in the packet for this meeting. Ms. Hathaway stated the minutes and consent items would be available after they were approved. Mr. Weyant then came up to say that after many conversations with Mr. Hartsel the public was not able to see the packet after the meeting and the minutes and the consent items would not be easily found for the public.

Next on the agenda was reports from commissions and boards with Mr. Barker coming to the podium for Advisory Plan Commission and BZA report. The only item is that there are two developments south of main street one which will have a restaurant which is good news for people on the south side. Then Mr. Tranbarger gave an update on the Park Board. He indicated that Cardinal Park was moving along and they have started on the trail. The closing on the Tague property has occurred. They have started on demolishing the barn, toy store and the house. The police and fire will be using the property for training.

Kathy Dillon announced that August 13th the Wastewater department will have a ribbon cutting and open house from 5-7pm. The wastewater department is using less water than in years past.

Old business was a motion to adopt the Town of Brownsburg Strategic Plan for 2018-2022. With few changes, the Town Council voted unanimously to adopt the plan. It was noted that there was no public comment after they left it open to receive public comments. (SHAME on US--no reason to complain if we don't give our opinion!)

New for consideration was first the voluntary annexation of Belle Arbor development on 700 North for first reading. There will be a 30 day waiting period for remonstrance if the annexation happens. The ordinance was passed on first reading.

The next new ordinance was a zoning map amendment from agriculture to planned development on 145 acres at 900E and 300 N. This development will be approximately 300 single family homes. This was approved on first reading.

The town is ready to move forward with the bond issuance for series 2018. The bids were about 3% over what was expected. The town council is approving the financial statement so that the final sale can happen by the end of July. The town council approved the statement.

Several businesses have collaborated to create a new web site entitled Brownsburghasit.com, the goal is to show off local businesses. The contributors are McMillan Realty, the UPS store, Webb-Schackel Accounting and HRH similar to a Chamber of Commerce website.

July 26th Town Council - Next column

Mr. Benham called the meeting to order and indicated that all members of the council were present. Mr. Benham then read two proclamations 1) Recognizing National Association of Town Watch for the 35th National Night out on August 7, 2018 and 2) Recognizing National Farmers Market week (Aug 5-10) and declaring Brownsburg Farmers Market Day on Thursday August 2, 2018.

For citizen's comments relating to the agenda, Sabrina Graham and then Kurt Disser approached the podium to voice objection to the changes to section 54.22 within ordinance 2018-14. They let the council know that litigation would be forth coming. They also asked for the answers to the questions they had asked at the second reading.

There were two bid awards to be considered this evening. First is the 2018 resurfacing bids. The lowest bidder was Harding group for approximately 2.1 million. The bid was accepted by the council. The second bid was for Northfield Drive from Airport road to CR300N. The low bidder is Graydex for approximately 6.9 million dollars with only 1.4 million to be provided by the town the rest from INDOT as this is a MPO project. The bid was approved.

Under old business was ordinance 2018-14 which are the changes to different fees around water department to include updating the reconnection, water hydrant fees and collection fees do not change water usage fees and availability fees. After a discussion around the legality of the fire protection fee, the council approved the ordinance.

New business was a resolution for approving additional appropriation for various traffic design studies for several different intersection around Brownsburg the appropriation would be \$115,000 that would come from the motor vehicle and highway fund. The resolution was approved.

The last item of new business was a resolution authorizing address change in the United States Postal Service Data Base for properties located on SR267 south of US136. The address change would be to South Green Street instead of SR267. This was approved by the council.

Earlier this evening, the town council interviewed for the Park Board and Jason Johnson was nominated and approved. -- *The Editor*



Editor's Observations



Town council version of transparency:

Ordinance #2018-14 – An Ordinance of the Town Council of the Town of Brownsburg, Indiana, Amending Title V, Chapter 54, Sections 54.02, 54.03, 54.22, 54.23 and 54.24 of the Town Code. **The title of the ordinance fails to mention it is a fee / tax increase !**

What would have happened if area residents had not intervened? Why does it take a standing room only crowd of ordinary people to point out to the Advisory Planning Commission, a planned development failed to pass the town's own criteria! - Copper Springs Primary Plat Application 400+ Homes

- On multiple items it doesn't align with the Comprehensive Plan
- A traffic study requested by the town was missing a critical high volume intersection
- NO PLANS no Budget for recognized needed road improvements
- Town recognized limited water availability and asked developer to slow construction

The plan received a favorable recommendation from development services department?

After hours of resident testimony the APC gave this project an unfavorable recommendation to the town council, it was later withdrawn for consideration by the developer.

(Space constraints prevented print coverage see .pdf version)

Zack Kelley Wins Governors Award

June 20, 2018 At a special awards luncheon during the conference, the Indiana School Health Network & Governor & Cheri Daniels School Health Award was presented to Zack Kelley, a Kinesiology teacher at White Lick Elementary School, Brownsburg Community School Corporation. Zack Kelley has been a teacher at White Lick Elementary for the past 15 years. He has devoted the past 13 years to developing an elementary Kinesiology program that focuses on improving students' quality of life. All the innovative activities incorporate appropriate developmental movement patterns and skills to challenge students to live active lifestyles and develop outstanding character through cooperative and problem-solving elements while exposing students to an infinite amount of exercise activity. Students are challenged to stay active throughout the day in classrooms, extracurricular activity and at home—involving their entire family. Brownsburg, Indiana – June 20, 2018—Indiana Governor Eric J. Holcomb has proclaimed June 19, 2018 as a day to recognize A Decade of Service by the Indiana School Health Network. This proclamation was shared during the opening of the 10th Indiana School Health Network (ISHN) Conference, Celebrating a Decade of Connecting the Dots attended by 500 school health advocates from around the state. “Covering Kids & Families is proud to serve as the lead agency for ISHN and play a role in improving student health by working with schools to educate and enroll families in healthcare coverage” stated Susan Jo Thomas, Executive Director.

In addition to his teaching duties, Zach has mentored thousands of students with his Juggling Masters extracurricular program, created to provide additional exercise opportunity for all students. Over 2,000 students have participated in the Juggling Masters' program in its 13-year span.

Zach's philosophy of teaching is to be an outstanding role model for students, staff and his community. He approaches each day with one simple thought...“It's not about me. It's about the students and the community I serve. I choose to inspire others by serving others.” -- Content by Covering Kids & Families of Indiana Press Release and The Editor



Zach Kelley White Lick Elementary Teacher & Award Winner

“It's not about me. It's about the students and the community I serve. I choose to inspire by serving others”

Best Friends Coffee & Bagels Opens



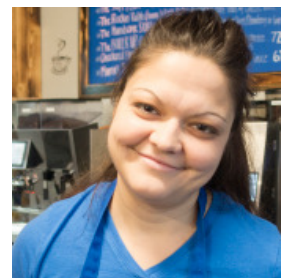
Where All Are Welcomed
And Best Friends are Made

It all started with a conversation held during a joint family vacation between Chico and Bob. With a significant measure of encouragement from Bob's wife Amy, the casual conversation soon became a business plan. They approached area lenders who said, best business plan we've ever seen, great backing and collateral, we think you're gonna be really successful, but we can't help. Believing when a lender was found things would be easier, the two soon learned their lives were about to get much more complicated. Chico and Bob both working their full time jobs that in pharmaceutical sales, Sound Decisions Mobile DJs & Events receptively, soon they struggled with living on as little as 2 hours sleep, working 7 days a week without end in sight. After countless obstacles and delays, their dream of owning a business, began to take shape. An announcement of their business in social media followed closely by putting up their sign on U.S. 136, drew the attention of Tina, their soon to be general manager. Tina having international experience

in franchise operations, and family owned coffee shops, became the last piece of the puzzle the two needed to finalize their dream, working diligently to ensure their success.



Chico (left) Bob (right)



Wanting to put their life experiences as Best Friends into practice that of setting aside their differences, working to improve each other, while leveraging each other's strengths; Chico, Bob and new hire Tina lead by example, their business model is based largely on providing a “best friends” customer experience where the staff quickly recognize the names and likes of all customers regardless how often they stopped in. The atmosphere is casual, warm and inviting. The closest member of the staff will greet you with a sincere smile and ask “How are you doing today, what can I get for you?” Each food or drink on the menu is made as if it were the first time that day, and with love and care for that specific customer. Served fresh with the best possible ingredients it's easy to see why despite newly open, they already have a large and loyal following. Stop in, there will probably be people there you know-- The Editor



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APC Meeting Highlights

May APC -- The president opened the meeting indicating there was a quorum for the evening. After approval of the minutes from April and the findings of fact and reports of determinations for three cases, there were two requests for continuance to June for the Star properties DPR on SR267 and the Wynne Farms Primary Plat amendment which were accepted.

There was one case for old business which was the Belle Arbor rezone to Planned Development. This is the development on 700North next to the Cadence development. It is being developed by Pulte homes. The community proposes 170 lots on 78 acres. The development is on both sides of 700North. They have designed the neighborhood especially to take of the drainage problems in the area. There will be two common areas one on each side of 700N. The two common areas will have different amenities. There is a concern for the pedestrian crossing which Pulte was willing to add money to supply the crossing lights. Next item was water availability for the subdivision. The town has decided to phase in housing permits to give time to bring water to the development. The commission voted to send a favorable recommendation to town council.

There were three cases under new public hearings for the evening. First was the East Shopping Center major subdivision primary plat. This is the shopping center behind the Chase on US136. Deal 30 wants to buy the building so they can do major work to the building. The shopping center was never platted so it was recommended to do the whole shopping center at this time. They are requesting several waivers because the shopping center is not compliant by the new rules. The waivers were approved. Next was the Low cost spay neuter clinic expansion DPR. This is about a 4,000 square foot addition to the current building. Development staff gave a favorable recommendation to the planning commission. The APC approved the DPR but not unanimously. Last up was the Culver's Restaurant DPR on 267 next to the Crew Carwash which was approved by the commission.

June APC The meeting was opened by the president and she indicated that there was a quorum for the meeting. There was an extremely large crowd that evening so the president did go over some rules for the evening especially that no new cases would be heard after 10pm and the meeting would adjourn at 1030 pm and all cases would be heard separately.

There was one request for a continuance of the Copper Springs rezone to Planned Development. The request for continuance was so that more meetings could occur with the public. It was approved and continued to the July 30th meeting. For the same development, the planning commission voted to stay with recent policy and not hear the primary plot until the annexation proceedings were completed with the town.

Next under continued public hearing were two petitions that both dealt with the development of a small mall area at the corner of Green Street and Northfield. The first case was for the development plan review and the other case was for a primary plat amendment for a right in and right out access point to the mall. It would be a gas station/convenience store, a fast food restaurant and a free standing restaurant. Building #1 is a shell gas station/convenience with a fast food restaurant and building #2 can be three separate businesses but they are hoping for one restaurant. Both cases were passed.

Under new public hearings was one case for the Laurelton subdivision to be rezoned to planned development. This is the development on the northwest corner of 300 north and 900 East. This will be single family homes and attached homes to number approximately 306 homes. Three areas two R3 areas that they are designating as R3A, R3B and M1. For R3A, the homes will be one and two story from their cornerstone series of plans and range in price between 300,000 and

350,000. R3B will be the Venture series which is geared to millennials will range from 275,000 to 325,000. The M1 area will be both for sale patio homes and ranch homes for 275,000 to 350,000. There will be an amenity facility in the center of the complex with two pools and a play ground. 70 acres of the site will be open space most of this will be the Beacon easement. The intersections of 300 north and 900 east and Airport Road and 900 east have been identified as less than desirable for the amount of traffic southbound right turn issue at Airport road and 900 east is the possible problem when a roundabout is put at the corner. For the 300 north and 900 east intersection is also having an issue, the town has made multiple attempts for funding from MPO for a roundabout but the town has not been able to meet the requirements. The floor was opened for questions from the commission. The first question asked if the mature trees will be saved. The answer was when allowed they will save the old growth trees. The exterior will be hardy plank instead of vinyl. The president then opened the public hearing. Several concerns from Maple Grove residents that from the north there is a feeling of monotony and high density housing on the north end of the new development. The town will submit for the 300 N roundabout again this fall and if awarded it would be five years out until it would be started. If the MPO does not approve the money, then the town will have to look at funding the construction itself and would go into the bucket of all the projects and there is no date. The motion was passed.

July 2018 APC The meeting was opened by the President and she indicated that there was a quorum for the evening with 2 members absent. Public attendance at this meeting was standing room only so the president took some time to go over some of the rules of the commission. There was one request for a continuance for the Copper Springs Primary Plat which was approved.

Under continued public hearings were two cases. First up was the Greystone Primary Plat. This development is for 240 homes on 143 acres located to the south of 700N and the east side of 550 East. It is a Pulte Homes development. The number of lots went down by 7 lots to have a bigger amenities area about 25% of the development is open space. The primary Plat was approved.

Next was the Copper Springs Rezone to PD for Fisher Homes. Copper Springs development is around 189 acres between CR575E and CR500E, south of the Summer Ridge development and north of East CR 450N. They want 25% of open space which would include existing vegetation and streams. They are placing extra buffer between Copper Springs and the other neighborhoods. The development will have 3 types of homes which will range from \$275,000 to \$500,000. With nearly every seat filled in the town council chamber, the public hearing lasted approximately 2 hours with many residents around the proposed development speaking with concerns around traffic, lot size, and drainage. After all the discussion, the plan commission voted to reverse the favorable recommendation of the development staff and send an unfavorable recommendation to the Town Council.

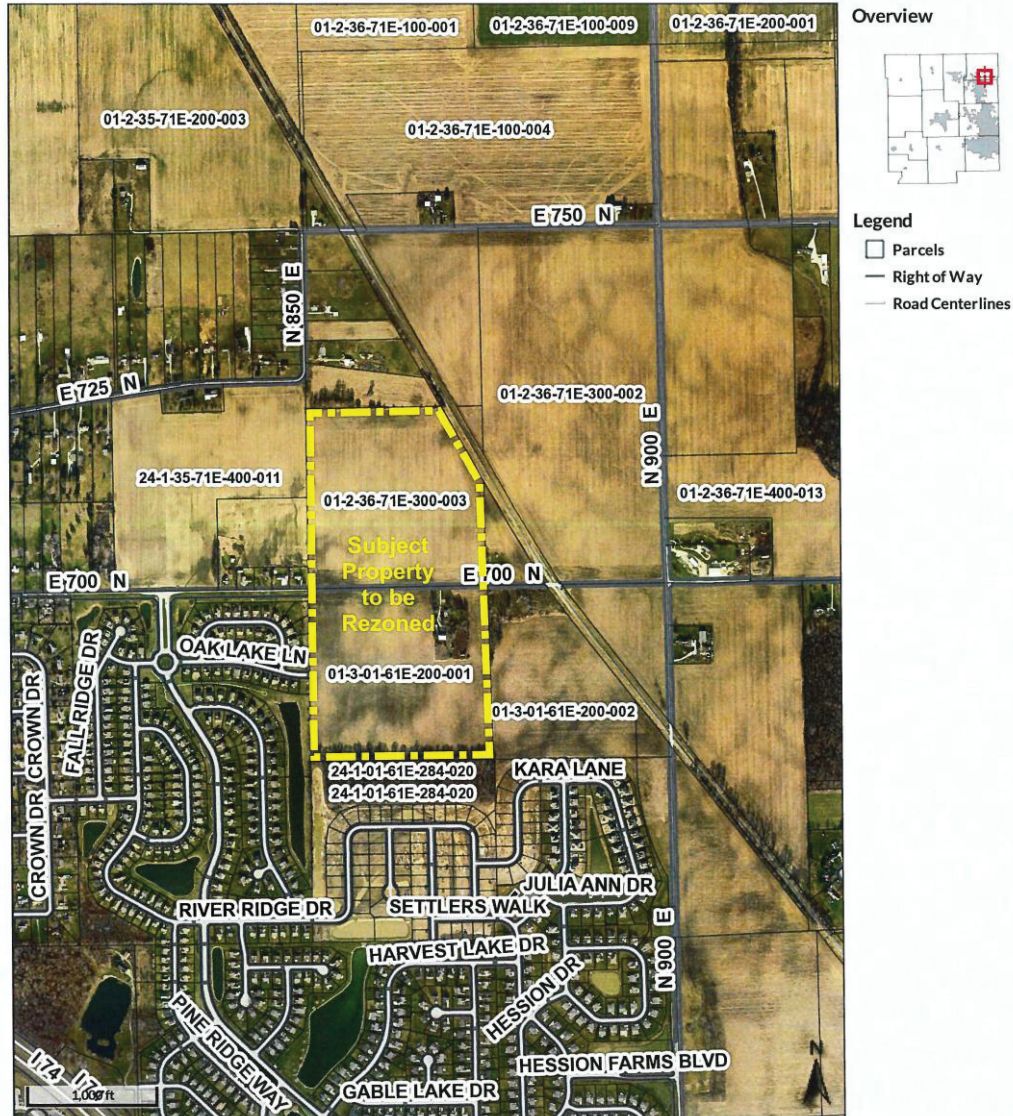
There were two new public hearings on the docket, First was the Banyan office building DPR A which is a 9200 square foot office building near Westwood Animal Clinic and the car wash. This is the last lot on this drive. With no public comment and minor recommendations from staff the motion passed with a favorable recommendation.

The last public hearing was a zoning map amendment to rezone Wynne Farms PD Amendment, Parcel C from a planned development to permit high intensity general commercial and a low density multiple family residential district on approximately 33 acres. The rezone application was approved to send to the Town Council with a favorable recommendation.-- *The Editor*

EXHIBIT – A
APPLICATION Continued

BeaconTM Hendricks County, IN

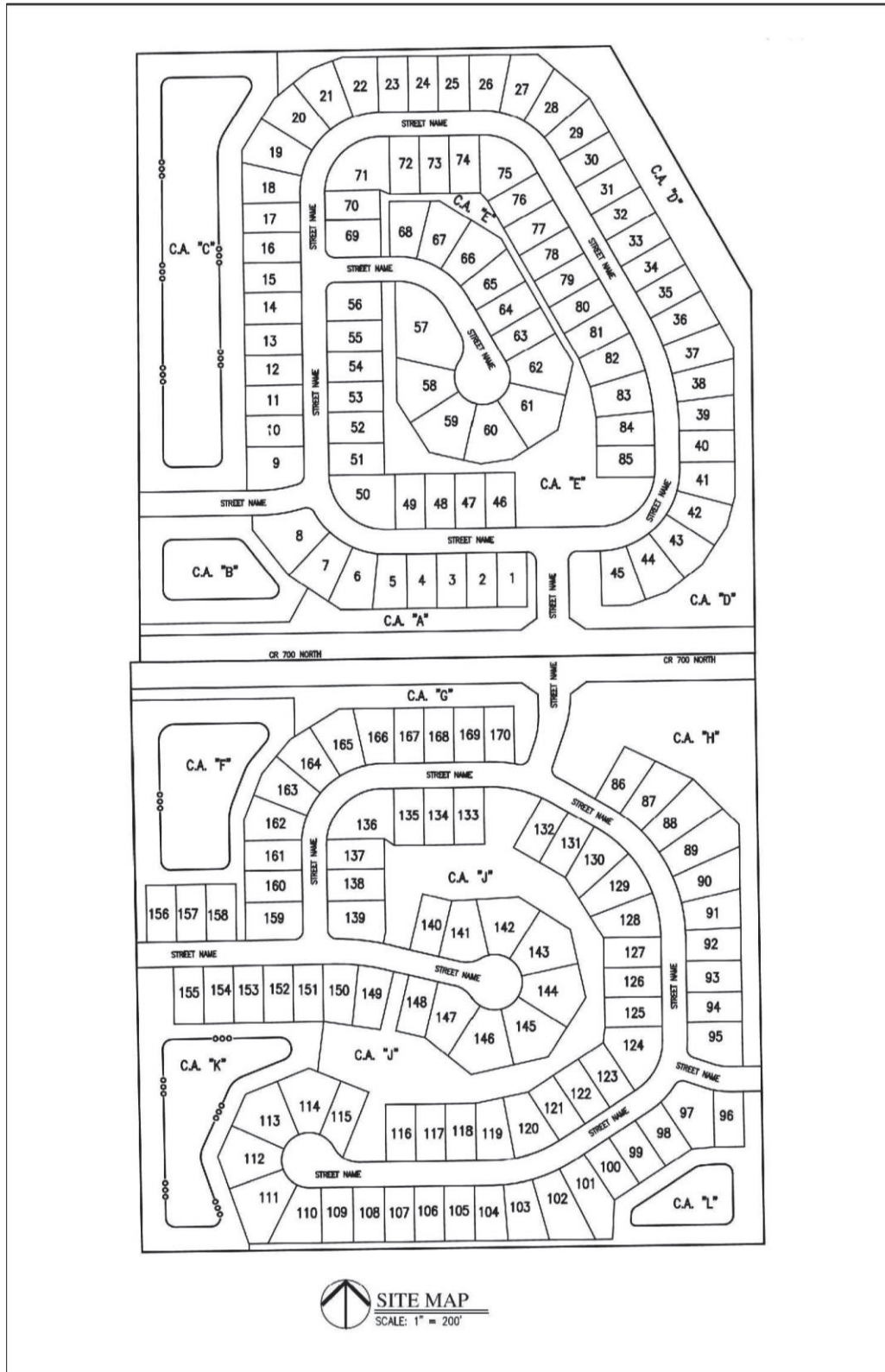
Pulte Rezoning - 8750 East CR 700 North - Batz / Belle Arbor



Source:

May 17, 2018

EXHIBIT – B
CONCEPT PLAN



Source:

Project Synopsis 2018

May 17, 2018

Page 10 of 79

Advisory Plan Committee Meeting
Town of Brownsburg - Belle Arbor

EXHIBIT – F
AERIAL MAP



Source:

May 23, 2018

Project Synopsis 2014

Advisory Plan Committee Meeting

Page 25 of 83

Town of Brownsburg - Copper Springs



NELSON & FRANKENBERGER, LLC
ATTORNEYS AT LAW

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BRIAN K. TEKULVE
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550 Congressional Blvd, Suite 210
Carmel, Indiana 46032
Phone: 317-844-0106
Facsimile: 317-846-8782

JANE B. MERRILL
Of Counsel
JON C. DOBOSIEWICZ
MATT PLEASANT, AIA
Land Use Professional
* Licensed in Kentucky
** Licensed in Illinois

Via Email

August 14, 2018

Town of Brownsburg
Attn: Todd Barker, Joe James and David Wilson

Re: **NOTICE OF WITHDRAW OF REQUESTS**

**Grand Communities, LLC (Fischer Homes)
Copper Springs Planned Development District**

**Case No. PCMA-05-18-1639 - Zoning Map Amendment
Case No. PCPP-05-18-1641 - Primary Plat**

Dear Todd, Joe and David:

Please accept this letter as notification that the above referenced matters, Case No. PCMA-05-18-1639 (Zoning Map Amendment) and Case No. PCPP-05-18-1641 (Primary Plat), filed by Grand Communities, LLC for the Copper Springs proposal are hereby withdrawn. Please remove these matters from any future Town Council or Plan Commission Agendas.

Please send to me an email confirming that you received this Notice of Withdraw and thank you for your assistance in this matter. Should you have any questions please do not hesitate to contact me.

Very truly yours,

NELSON & FRANKENBERGER, LLC



Jim Shinaver

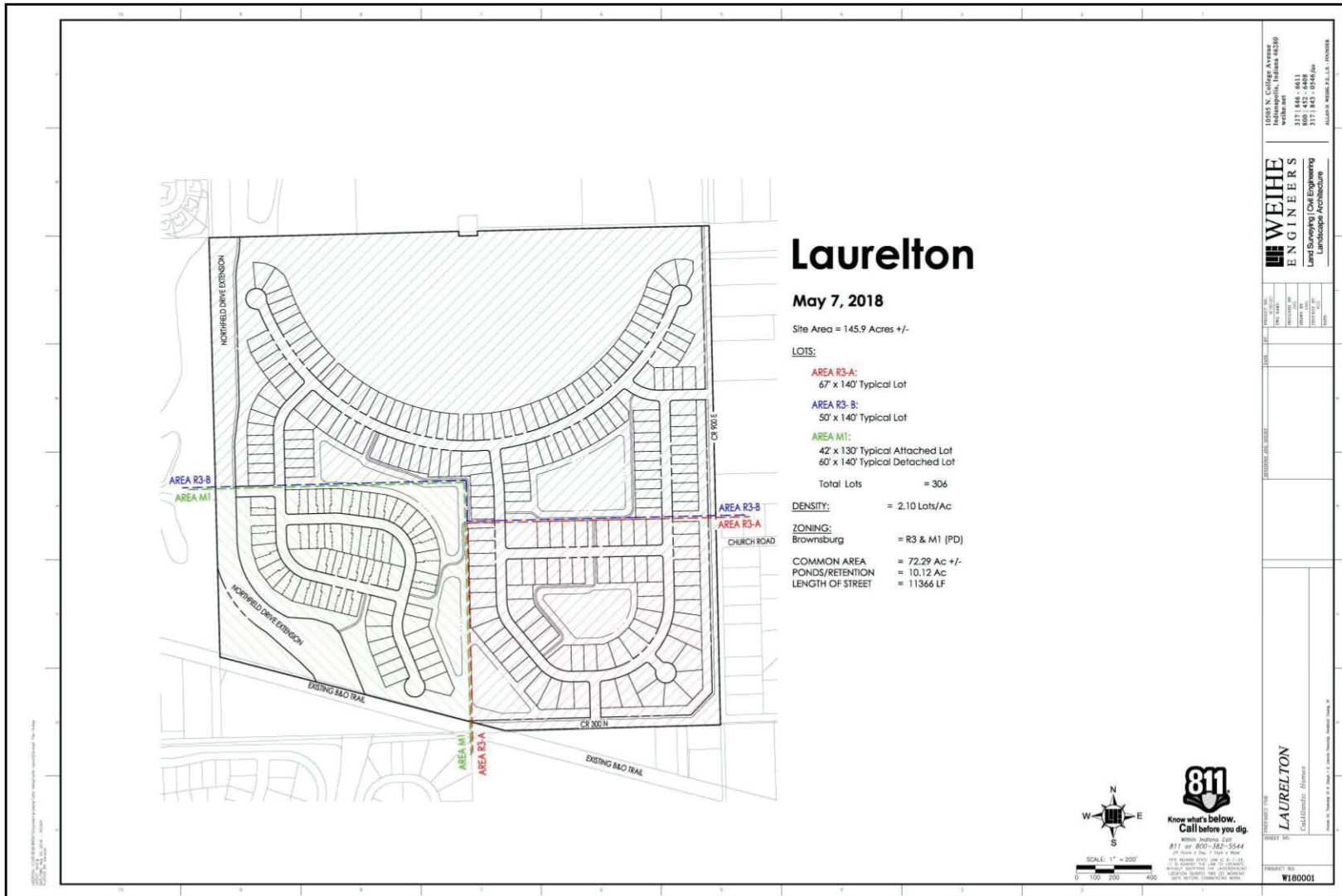
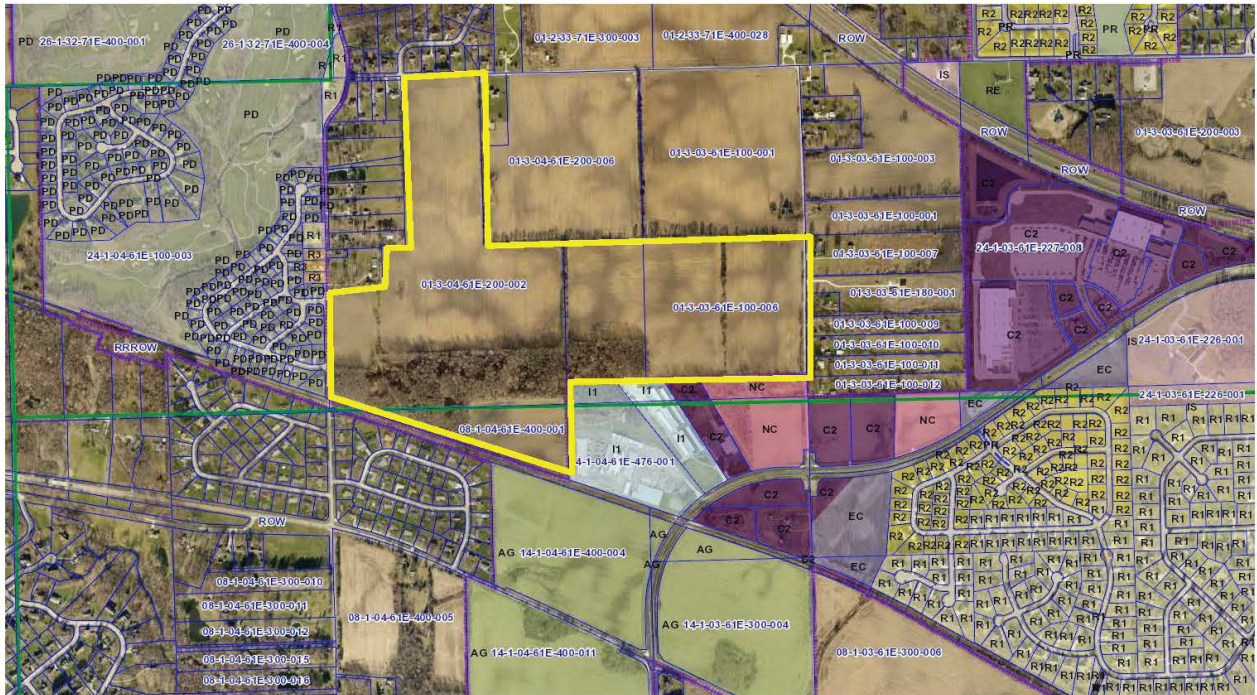


EXHIBIT – D
ZONING MAP



Source May 23, 2018

GREYSTONE PRIMARY PLAT

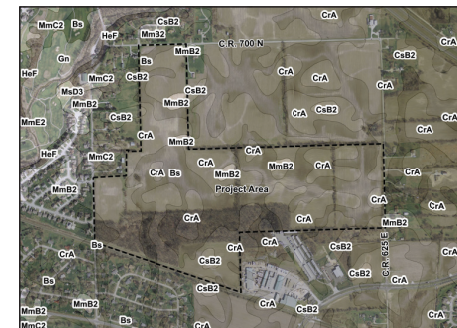
Pulte Homes of Indiana, L.L.C.

CONTACT: DAVID COMPTON
11590 N. MERIDIAN ST., SUITE 530
CARMEL, INDIANA 46032
(317) 575-2350

OWNER: JEANNE MARIE HOGAN & JEANNE HERRIN
2060 VIA SEVILLE
PUNTA GORDA, FL 33950

OWNER: LORIS & MARTHA PORTER
6915 E US HIGHWAY 136
BROWNSBURG, IN 46112

ENGINEER: HWC ENGINEERING
135 N. PENNSYLVANIA ST., SUITE 2800
INDIANAPOLIS, IN 46204
(317) 347-3663



SOILS MAP
NOT TO SCALE

SOILS LEGEND

Br Contour lines, 0 to 1 percent slopes
CA Depress 50 ft from
Wh Whisker lines

SHEET LIST TABLE

Sheet Title	Sheet Description
C1.0	COVER
C1.1-C1.6	PRIMARY PLAT PLAN
C2.0-C2.6	TOPOGRAPHY AND DRAINAGE (DEVELOPMENT PLAN)
C3.0-C3.6	IMPROVEMENTS PLAN
C4.0-C4.2	OPEN SPACE PLAN
C5.0-C5.2	TRAFFIC CONTROL & LIGHTING PLAN
L1.0-L1.1	LANDSCAPE PLAN

TOWN OF BROWNSBURG CONSTRUCTION STANDARDS AND DETAIL WAIVERS

GE-01 GENERAL UTILITY LOCATION PLAN & SECTION
EW-04 DETENTION/PREVENTION PONDS
TR-13 MINOR DETAIL
TR-15 MINOR DETAIL
TR-15 MINOR DETAIL
SECTION 05001 - STANDARDS FOR ROADWAY GEOMETRIC DESIGN
RS-07 LOCAL STREET SECTION
RS-08 TYPICAL TRAIL CROSS SECTION

** AS FILED WITH TOWN OF BROWNSBURG FOR TECHNICAL REVIEW COMMITTEE ACCEPTANCE

PLAN COMMISSIONER'S CERTIFICATE

I, the undersigned, do hereby certify that the public notice of the hearing by the Town of Brownsburg Advisory Plan Commission (the "Commission") on the application for approval of this plat duly complied with LC 36-7-4-700 and all amendments thereto, and said primary plat was granted primary approval by the Commission on the _____ day of _____, 20____, pursuant to the Town of Brownsburg Unified Development Ordinance, with a majority of the members of the Commission concurring in said approval.

Noting Administrator _____ Date _____

This approval is valid for the time period specified in Article 5 of the Town of Brownsburg Unified Development Ordinance, dated _____.

UTILITY CONTACT INFORMATION:

HENRICKS COUNTY DRAINAGE BOARD
HENRICKS COUNTY SURVEYORS OFFICE
355 S. WASHINGTON STREET #214
INDIANAPOLIS, IN 46202
317-745-8237

DATE ENERGY ANNUAL TRANSMISSION
WPSO / 2727 CENTRAL AVENUE
COLUMBUS, IN 47201
812-375-2011

SPECTRUM
3030 ROOSEVELT AVENUE
INDIANAPOLIS, IN 46204
317-429-6891

WSP - CINCINNATI OFFICE STUDIOS
115 N. WASHINGTON STREET, SUITE 1705
INDIANAPOLIS, IN 46204
317-851-1330

WATER UTILITIES
TOWN OF BROWNSBURG WATER DEPARTMENT
61 NORTH GREEN STREET
BROWNSBURG, IN 46112
317-852-1138

WASTE WATER SEWER UTILITIES
TOWN OF BROWNSBURG WASTE WATER DEPARTMENT
61 NORTH GREEN STREET
BROWNSBURG, IN 46112
317-852-1138

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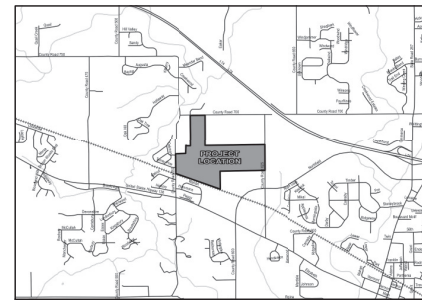
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61 NORTH GREEN STREET
BROWNSBURG, IN 46112
317-852-1138



LEGAL DESCRIPTION

Part of the Northeast Quarter of Section 4, part of the Southeast Quarter of Section 4, and part of the Northwest Quarter of Section 3, all in Township 16 North, Range 1 East of the Second Principal Meridian in Hendricks County, Indiana described as follows:

Connecting at a railroad spike at the southeast corner of said Northeast Quarter Section; thence South 88 degrees 07 minutes 58 seconds West (grid bearing, Indiana State Plane West Zone, NAD 83, 2011, EPOCH 2010.00000) along the south line of said Northeast Quarter Section a distance of 659.26 feet to the POINT OF BEGINNING being a west corner of Lot 1 in Lumber One Commercial Park per plat recorded in PG-517212-A as Instrument Number 20040002086 in the Office of the Recorder of Hendricks County, Indiana; thence South 01 degrees 31 minutes 07 seconds East along a west line of said Lot 1 a distance of 625.81 feet to the north right-of-way line of the CSX Railroad; thence North 71 degrees 22 minutes 46 seconds West along said north right-of-way line a distance of 2104.50 feet to the west line of said Northeast Quarter Section; thence North 01 degrees 22 minutes 51 seconds West along said west line a distance of 872.52 feet to the southwest corner of a tract of land described in Instrument Number 201506778 in said Recorder's Office; thence North 86 degrees 40 minutes 16 seconds East along the south line of said tract a distance of 448.48 feet to the southeast corner thereof; thence North 00 degrees 41 minutes 46 seconds East along the east line of said tract a distance of 365.42 feet to a south line of Lot 1 in North West Estates, per plat recorded in Plat Book 8, Page 98 as Instrument Number 1973-850 in said Recorder's Office and the following four corners being along the south, west and east lines of said plat: (1) thence North 87 degrees 40 minutes 53 seconds East a distance of 26.80 feet; (2) thence South 02 degrees 10 minutes 07 seconds East a distance of 19.71 feet; (3) thence North 87 degrees 55 minutes 00 seconds East a distance of 170.67 feet; (4) thence North 01 degrees 31 minutes 57 seconds West a distance of 1429.63 feet to the north line of said Northeast Quarter section; thence North 88 degrees 28 minutes 18 seconds East along said north line a distance of 661.00 feet to the Northeast Corner of the Northeast Quarter of said Northeast Quarter Section; thence North 01 degrees 23 minutes 40 seconds East along the East Line of said quarter-quarter section a distance of 1423.26 feet to the center corner of said Northeast Quarter section; thence North 87 degrees 55 minutes 00 seconds East along the North Line of the Southeast Quarter of said Northeast Quarter Section a distance of 1518.80 feet to the northeast corner of said quarter-quarter section; thence North 88 degrees 41 minutes 15 seconds East along the North Line of the Southeast Quarter of said Northeast Quarter Section a distance of 1334.12 feet to the Northeast Corner of said quarter-quarter section; thence South 01 degrees 25 minutes 39 seconds East along the east line of said quarter-quarter section a distance of 1156.78 feet to the easterly extension of the north line of said plat of Lumber One Commercial Park; thence South 88 degrees 07 minutes 58 seconds West along the north line of said plat of Lumber One Commercial Park a distance of 659.31 feet to the northwest corner said Lot 1 of said plat; thence South 01 degrees 21 minutes 51 seconds East along a west line of said Lot 1 a distance of 183.00 feet to the POINT OF BEGINNING, containing 143,742 acres, more or less.

PLAN COMMISSIONER'S CERTIFICATE

We, the undersigned, do hereby certify that under authority provided by Indiana Code (I.C.) 36-7-4, et. seq., and all amendments thereto, the Plat depicted herein is the Plat which was given primary approval by the Town of Brownsburg Advisory Plan Commission at a meeting held on the _____ day of _____, 20____. We further certify that this Plat complies with the Unified Development Ordinance of the Town of Brownsburg, Indiana as of the date set forth herein.

Given under our hands and seal this _____ day of _____, 20____.

Cedric Rutledge-Sabla, President

Todd A. Barker, AICP, Administrator



File Cross Reference:



Call 811 or 800-382-5544 Before You Dig!

DATE	DESCRIPTION	BY
05/03/18	ADDED MILLING CREEK LANDSCAPE PLANS	BB
05/10/18	REVISED PER TECH REVIEW COMMENTS	DC
05/10/18	REVISED PER TECH REVIEW COMMENTS	DC
05/15/18	REVISED PER TECH REVIEW COMMENTS	DC



GREYSTONE
BROWNSBURG, INDIANA
COVER



DRAWN BY
DC
CHECKED BY
BB
DATE
FEBRUARY 5, 2018
SCALE
AS SHOWN
SHEET

C1.0
COVER

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