

BEECH GROVE CITY COUNCIL MEETING MINUTES
MONDAY, July 2nd, 2012

Mayor Dennis Buckley called the meeting to order at 7:00 pm

ROLL CALL: City Council Members Dave Mobley, John Jennings, Dave Harrison, Anthony Davidson, Ed Bell, and Kathy Coates were present. Also in attendance were Mayor Dennis Buckley, Clerk Treasurer Dan McMillan, and City Attorney Craig Wiley. Absent, Councilor Mary Stewart

All joined in the Pledge of Allegiance to our flag.

MEETING MINUTES: Clerk Treasurer Dan McMillan presented the Council with the minutes from the June 18th, 2012, meeting. Councilor Harrison moved to approve the minutes as presented. Councilor Mobley seconded the motion; which was approved by unanimous voice vote.

MAYOR'S LIAISON REPORT: Gary Loveless, Liaison for Mayor Ballard, stated that Citizens Water Company needs us to conserve water. Gary is asking everyone, including businesses to conserve. Gary reported on resurfacing taking place in Southeast Indianapolis; 16 bridges, 16 culverts, and 110,000 linear feet of sidewalks. Three roundabouts are in the process of being constructed on the south side. No Zone days and dryness have caused the DPW to get behind on "Right Away" mowing. Indianapolis is approximately 5 days behind. They have 6 mowing cycles per year; which is up from the 4 mowing cycles they previously had. Valent has donated their services to Indianapolis to treat the ash trees that suffer from Emerald Ash Borer. This has saved Indianapolis approximately \$44,000.00. Indianapolis has conducted 1 surplus sale and 5 still remain. For more information go to indy.gov/treasurer. Most properties are not listed yet. Mayor Buckley thanked Liaison, Gary Loveless for his help and guidance this past weekend as Mayor Buckley prepared to issue his first Executive Order of 2012, to ban personal fireworks and open burning. It was a very busy weekend.

REPORTS:

Greenscape Commission, Tim Latimer reported- they are pursuing a joint effort with Beech Grove Schools to plant trees with the middle school children. Dave Miller has been in contact with Dr. Kaiser and further discussion will be taking place. Councilor Jennings asked if the Greenscape Commission has a nursery they recommend. Tim replied that they use Brehob's and several others. He referred Councilor Jennings to Dave Miller for his advice. Councilor Coates asked if we have a problem with the Emerald Ash Borer, but Tim stated that we do not, partially because we do not have many ash trees. Tim also announced that Arbor Day Tree Planting will take place either the last weekend in September or the first weekend of October.

Tim is also the President of the Promoters Club and he announced that the traditional July 3rd, Fireworks Celebration has been postponed until Saturday August 25th. The BGHS Choir and Band will still be performing on the 25th. In addition to this "Pure Gold" live band will be performing from 7:30pm until 9:00pm. He also stated that he thinks most vendors will attend. Tim also stated that he had attended a meeting with Mayor Buckley, BGPD Chief Mark Swartz, BGFDD Chief Robert Cheshire, and a Representative from Circle City Pyro Technics. He was pleased that all had agreed the postponement of the fireworks was a necessity due to the dry conditions and the danger it presents. Councilor Jennings commends everyone for canceling the fireworks.

RDC Commission, John Morgan reported – the RDC will hold a special meeting Thursday, July 5th, 2012 with NRP. The RDC is planning to sign a memorandum with NRP and are hoping to come to an agreement in the near future. NRP is interested in developing the Rock Pile property and building senior living cottages. The RDC is in contact with the City of Indianapolis in an effort to assist NRP in using the Brownfield Grant that was awarded to Beech Grove years ago, to

facilitate the cleaning of the Rock-Pile land. According to RDC Statutes the Rock Pile cannot be given away, but must be sold. The minimum amount is not specified.

Public Safety, Fire Chief Robert Cheshire reported – the June Public Safety meeting was cancelled, because many people were unable able to attend. Chief Cheshire and Police Chief Mark Swartz discussed the dry conditions and dangers open burning and they decided to issue an Outdoor Burn Ban.

Mayor Buckley asked Chief Cheshire how all the equipment was doing. Chief Cheshire reported that Engine No. 102 had a no start issue last week and that was corrected and currently all fire engines are operational.

Mayor Buckley asked City Attorney Craig Wiley to explain the procedure that had taken place with the ban this past weekend. City Attorney Craig Wiley, explained that on Saturday, June 30th, Mayor Buckley issued a proclamation banning personal fireworks and open outdoor burning. This proclamation was heard in Superior Court on Monday, July 2nd, and was approved. It is Executive Order 1, 2012. Craig explained that because of the urgency and dryness, the Mayor found it necessary to move quickly to protect life and property. Craig further explained that violators can face up to a \$2500 fine. Councilor Coates asked if sparklers are allowed. Mayor Buckley said they are not. She further asked if grills and BBQ's are allowed. Grills are, but no open pit or open burning of any kind is allowed.

Clerk Treasurer Dan McMillan reported – that he had passed out reports to the council and he would give a brief report to the citizens. He stated that the State Board of Accounts (SBOA) had arrived on June 7th, and will be here for approximately 6 to 8 weeks. He further stated that all bank statements will be on the city website tomorrow. The balance in the Corporation account is \$3,518,726.85 and the Wastewater is \$640,834.62. If it wasn't for the \$750,000.00 from Main Street money, the early property tax advances and the make-up Coit & Loit, he doesn't believe the city would have made payroll. He reported on the following bond payments that were made in June;

2002Go Bond- \$53,125.00

2005A Bond - \$31, 572, 90

SRF Loan/Bond- \$11,433.00 (monthly)

TAW Bond - \$782,008.38

Clerk McMillan explained that the TAW is paid in 2 payments this year, verses one large payment that has been done in past years. He also said the interest rate on the TAW is 1.05%, He explained that two RDC Bond payments are due in July. The 2005 is \$141,805.50 and the 2007 is \$146,298.25. Councilor Bell inquired about the Main Street Bank account. This account was established years ago and is used to provide low interest rate loans to local businesses. The maximum that can be borrowed is \$40,000.00, but some businesses have more than one loan. The recapture rate on these loans is not very good, maybe 3 out of 10. The city is in the process of trying to collect on these loans and will take legal action if necessary. The city attorney has already been involved, as some have fallen into bankruptcy, and others are severely delinquent.

Mayor Buckley opened the meeting for the public hearing of the Bond Issuance, Ordinance No. 18, 2012 and Ordinance No. 19, 2012

Mayor Buckley called forward the following citizens that had signed up to speak;

John Morgan – is in favor of the bond. He stated it is time to get city structures repaired, Main Street completed, and get the parks straightened out.

Eric Brown - is in favor of the bond. He stated as a contractor he has personally seen the disrepair of many city buildings and the poor condition of our fire trucks.

Joe Grant – is in favor of the bond. Joe spoke to the council several weeks ago regarding the bond issue. Joe has lived in Beech Grove for 35 years and worked for BGFDD for 30 years. Joe stated, in all his years of service to this city, he has never seen buildings and equipment, in such deplorable conditions. He is saddened by it all. Joe also stated that it is unfair to ask men and women to serve and protect, and then not give them the proper equipment to do so. It is unsafe for the firefighters, EMT's, paramedics and the citizenry that they serve. Over the past two years, the Beech Grove Fire

Department has had to borrow equipment from neighboring departments many times just to stay operational. This is unacceptable. If you vote against this bond you are voting against Public Safety and you're voting against Main Street.

Dick Watkins – is in favor of the bond. Dick is a past BGLL parent and current BGLL grandparent. He is unable to use the restrooms at the ball field because he is disabled, and they are not handicap accessible. The parking lot and fields are in terrible shape. He stated that field used to be a source of pride for the community and it should be, and could be again. He finished by saying “Let’s get down there and work on it”!

Mike Jarvis- is in favor of some parts of the bond. Mike stated he has spent time discussing this issue with Mayor Buckley. He agrees with the purchase of fire trucks and roof repairs He would like to see us get a smaller bond and forgo the shelters and some other projects. Mike and Councilor Mobley discussed the Don Challis Park Shelter. Councilor Mobley believes the Don Challis Shelter needs to be replaced because you cannot see through it and it poses a danger to children. The Councilor also believes the shelter is in disrepair. Mike believes repairs could be made to the shelter and he believes if the restrooms are operational they should not be replaced. He asked the councilors to look at their own districts and the issues that are pressing and the repairs that need to be made.

Jim Huser – is in favor of the bond. Jim is a cabinet shop owner on Main Street. He has operated his business for over 16 years. Without renovations to Main Street he does not think he can continue in business at his current location. He has the back half rented to someone for \$100.00 per month and they are just using it as storage. No business wants to locate to a district where they have to sandbag to keep the water out when it rains. This problem needs fixed now. Jim worked at Eckstein Shoes as a kid growing up. Back then you couldn’t find an empty parking place on Main. Today that is all you find. He thanked the council and jokingly told them that if they need cabinets to” come and see me” at Third and Main.

Joe Haag – is in favor of the bond. Joe stated it is getting to the point he wants to move. There are 6 or 7 houses on his street that has been vacant for years. He wants to see Main Street redone. He has noticed that some buildings have already begun facelifts and he hopes more follow.

Joe Griffin- stated we should use rocks on rock pile for wash away. It is valuable property. Do not sell the rocks. The ADA only requires that we show that we are working toward it. Looking at Department reports they are already compiling a plan. Keep the \$28,500 as a tax savings. We have never seen plans for Main Street and it was supposed to be a transparent process. Joe also explained his strong opposition into tearing down the Don Challis Shelter. Joe explained that it was a “labor of love” from Mr. Challis and we should modify the shelter and restore it rather than tear it down. He believes we should try to save it as a piece of important history. Joe also spoke to the financial aspects of the bond and the circuit breaker.

Joe Wolfa – is in favor of the bond. He has been a Main Street business for over 16 years. Joe is bringing back Choc-Ola back to the market and it is doing well. For 16 years he has had to use paddles and boats to move on Main Street. Mayor Wright talked about the city of Zionsville, were not Zionsville. He talked about a wireless city, walking trail, and renovating Main Street in 2011 and I still have sandbags. Where did the money go where did the mayor go. Joe stated that they are in meetings with Walgreen’s to market Choc-Ola. If Main Street does not get completed Choc-Ola will not stay on Main. They will move. And Walgreens has agreed to give an undisclosed amount per can sold, to the Beech Grove City Schools.

Dick Watkins – also stated that baby carriages cannot be pushed through the parking lot at BGLL.

Mayor Wiley- is in favor of the bond. He urged the council to pass the bond issue stating it is essential and imperative to purchase a new fire engine and ambulance. Trying to save money and interest now will only cost more in a few years. It is only delaying the inevitable.

Mayor Buckley closed the hearing and brought Ordinance No. 18, 2012 before the Council.

OLD BUSINESS:

Ordinance No. 18, 2012

...an ordinance of the City of Beech Grove, Indiana authorizing the issuance and sale of bonds for the purpose of providing funds to be used for the costs of acquiring a fire truck and an ambulance, improving several municipal building roofs and various infrastructure improvement and updates, and the incidental expenses in connection therewith.

Mayor Buckley asked for comments by Councilors.

Councilor Bell thanked people for showing up and giving their opinions.

Councilor Davidson moved to amend Ordinance No. 18, 2012 by removing the following items;

- Live cable feed that would allow citizens to view meetings live from their homes.
- Cameras in the park
- Replacement of the Hilltop Shelter at Sarah T. Bolton Park and the Shelter House at Don Challis Park (formerly known as South Grove Park)
- Security cameras
- Radiant heat tubes
- Concrete and paving for the heavy truck parking lot at Department of Public Works
- Would present an approximate \$775,000 Savings

Councilor Jennings seconded the Motion; which failed by a voice vote of 4-2. Mayor Buckley polled the Council. The votes were as follows.

District One Councilor Stewart- Absent
District Two Councilor Bell – No
District Three Councilor Davidson – Yes
District Four Councilor Jennings – Yes
District Five Councilor Harrison – No
At – Large Councilor Coates – No
At – Large Councilor Mobley - No

Mayor Buckley asked for a Motion to waive the rules and read Ordinance No.18, 2012 on third and final reading by title only. Councilor Bell moved to waive the rules, and read the Ordinance on third reading, by title only. Councilor Harrison seconded the Motion; which was approved by a unanimous voice vote. The votes were as follows;

District One Councilor Stewart- Absent
District Two Councilor Bell – yes
District Three Councilor Davidson – yes
District Four Councilor Jennings – yes
District Five Councilor Harrison – yes
At – Large Councilor Coates – yes
At – Large Councilor Mobley – yes

Councilor Bell moved to approve General Ordinance No.18, 2012 on Third and final reading. Councilor Harrison seconded the Motion; which was approved by a unanimous voice vote. The votes were as follows;

District One Councilor Stewart- Absent
District Two Councilor Bell – yes
District Three Councilor Davidson – yes

District Four Councilor Jennings – yes
District Five Councilor Harrison – yes
At – Large Councilor Coates – yes
At – Large Councilor Mobley – yes

Ordinance No. 18, 2012, for the 2012 Bond Issuance has been approved.

Ordinance No. 19, 2012

...an ordinance of the City of Beech Grove, Indiana appropriating the proceeds of the 2012 General Obligation Bond.

Mayor Buckley asked for a Motion to waive the rules and read Ordinance No.19, 2012 on third and final reading by title only. Councilor Jennings moved to waive the rules, and read the Ordinance on third reading, by title only. Councilor Mobley seconded the Motion; which was approved by a unanimous voice vote. The votes were as follows;

District One Councilor Stewart- Absent
District Two Councilor Bell – yes
District Three Councilor Davidson – yes
District Four Councilor Jennings – yes
District Five Councilor Harrison – yes
At – Large Councilor Coates – yes
At – Large Councilor Mobley – yes

Mayor Buckley read into the record Ordinance No. 19, 2012. Councilor Bell moved to approve Ordinance No.19, 2012 on the Third and final reading. Councilor Jennings seconded the Motion; which was approved by a unanimous voice vote. The votes were as follows;

District One Councilor Stewart- Absent
District Two Councilor Bell – yes
District Three Councilor Davidson – yes
District Four Councilor Jennings – yes
District Five Councilor Harrison – yes
At – Large Councilor Coates – yes
At – Large Councilor Mobley – yes

Ordinance No. 19, 2012, for the 2012 Bond Issuance has been approved.

Mayor Buckley asked Financial Consultant Jeff Peters and Bond Counsel Heather James to please come forward and explain the next process to the Council.

Bond Counsel Heather James from Ice/Miller - no additional government approvals, so no more meetings. Statutory notices will be published to explain the terms of the parameters of the bond to potential bond purchasers. Jeff Peters will distribute the official statement; which will be the document used to market the bonds. Heather will prepare the certificates, tax documents, legal opinions, and everything needed to paper the deal. Interested bidders will bid on the bonds. The bonds will be sold and issued and paid back over time with property taxes.

Mayor Buckley stated some important points were brought up tonight, especially in reference to the circuit breaker.

Jeff Peters stated- that the circuit breakers are an issue going forward and they are high. This bond will just replace the bond that was paid off last year, and the 2002 GO Bond that will be paid off in 2013. We currently use Coit to backfill enough to make these payments. We were available for 2.5 million so there was approximately an additional \$500,000 available. The bond proceeds should be available in early August. All the General Obligation payments have been lumped

together. The pay off on the 2002GO bond has been included in this. Councilor Coates asked if the bonds are sold to the highest bidder. Jeff explained that the best terms and lowest interest rate are considered in awarding the bond. Jeff Peters also explained that lease/ rental financing can be considered outside of this financing.

MISCELLANEOUS BUSINESS: None

NEW BUSINESS: None

COMMENTS BY COUNCILORS:

Dave Mobley – *Thanks everyone for showing up and speaking.*

John Jennings - *August 25th will be the fireworks!*

Dave Harrison – *Glad there weren't any fireworks tonight and he is glad for the city. The updates are very much needed and he believes Mr. Challis would be proud.*

Anthony Davidson – *Building Permit Fees ordinance will be presented to the Council on July 16th, 2012. The committee has completed their study. A public meeting will be held on July 12th, 2012 at 7:00 at City Hall/ Council Chambers.*

Ed Bell – *Main Street is coming!*

Kathy Coates – *Congratulations to all departments. Use the money wisely*

Mary Stewart – *Absent*

COMMENTS BY MAYOR BUCKLEY:

Mayor Buckley stated that Bond spending will be tracked on the city website. At the July 16th, Council Meeting Jackson System will give a presentation on the tax abatements they are requesting. A copy of the Executive Order 1, 2012 is available. Mayor Buckley thanked City Attorney Craig Wiley for his assistance on Saturday in preparing the proclamation and Executive Order. The Mayor also informed the Councilors that he has included in their packets ordinances that he would like to introduce at the July 16th meeting.

The next meeting will be Monday, July 16th, 2012, at 7:00pm

ADJOURNMENT: Councilor Bell moved to adjourn the meeting, Councilor Coates seconded the Motion. The meeting was adjourned at 8:10pm.

Dennis Buckley, Mayor

Dan McMillan, Clerk Treasurer

Prepared by: Clerk Treasurer Dan McMillan, July 2nd, 2012