

**BEECH GROVE CITY COUNCIL
MEETING MINUTES
MONDAY, OCTOBER 7, 2013**

Mayor Dennis Buckley called the meeting to order at 7:00 p.m.

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

All joined in the Pledge of Allegiance to our flag.

SPECIAL PRESENTATIONS

Fire Prevention Week Proclamation – Presented by Mayor Dennis Buckley

Mayor Buckley presented a proclamation to Deputy Chief Jim Pierce in honor of Fire Prevention Week October 6th through October 12th 2013. The 2013 Fire Prevention Week theme, “Prevent Cooking Fires” effectively serves to remind us to stay alert and use caution when cooking to reduce the risk of kitchen fires.

Deputy Chief Pierce thanked the Mayor and Council and reminded to everyone to check their smoke detectors.

Franciscan Alliance – Zoning Petition – Presented by Mayor Buckley

A petition has been submitted to the City of Beech Grove and each Council member has a copy. Mayor Buckley gave a brief overview stating there is a request to have the zoning changed at 1600 W. Albany from Special use to Commercial zoning. Mayor Buckley asked the Council if they would like to hear the petition from Franciscan Alliance. If so the Mayor will instruct the City Attorney and Clerk Treasurer to work with Franciscan Alliance representatives to make the presentation. If the Council does want to hear the petition it would be sometime in December 2013 or January 2014 because it would need to be posted in the newspaper.

Councilor Mobley moved to hear the petition from Franciscan Alliance. Councilor Harrison seconded the Motion; which was approved by unanimous vote.

APPROVAL OF MINUTES: Clerk Treasurer McMillan presented the September 16, 2013 meeting minutes to the council. Councilor Jennings moved to accept the minutes as written. Councilor Mobley seconded the Motion; which was approved by unanimous vote.

PETITIONS OR COMMENTS BY CITIZENS:

Laura Cammer- stated that she was at the Council meeting last month to discuss the intersection at 5th and Albany. She wants to know why nothing has been done. There has not been a police officer since the Fall Festival. She knows two of the Council members have been at the intersection to see how bad it really is and would appreciate if those Council members would share with the other members what they observed. She also knows several Council members saw the video showing an officer was posted there while cars continued to roll through the stop sign and were not issued tickets. Laura stated again that this is a dangerous intersection and has been going on for two months. She wants to know what is going to be done about it; there has to be something done because there are a lot of kids at the bus stop and they are not safe. She stated this is sad because these are Beech Grove kids and nothing is being done. Also Laura is representing the other parents of the kids and needs to report back to them on what is going to be done. Councilor Mobley agrees that it is a problem. He also stated he has pictures where the Police and Fire Department employees also do the same thing.

Councilor stated just this evening he saw a Fire Truck approach, slow down and then ran the stop sign. He also stated something needs to be done. Laura stated she has videos of two ambulances slowing down and running the stop sign. Councilor Coates stated she observed the bus stop. She stated the traffic is much lighter in the morning than the afternoons. She also stated she saw a couple occurrences of this happening, but not sure what more can be done. She knows the officers do sit there when they can but we do not have enough officers to sit at every bus stop. Laura stated she understands they cannot be there all the time but suggested maybe a crosswalk or flashing light would help; anything would be helpful. Councilor Coates advised Laura the Council does hear her concerns and they will look further into it with the Public Safety Committee. Clerk Treasurer McMillan stated Laura came to him one afternoon and asked if he would observe the bus stop and he did. In a period of five minutes he observed nine vehicles that should have received a ticket. Clerk Treasurer McMillan then contacted Councilor Mobley and Councilor Bell and they came the next afternoon and observed the same thing. Clerk Treasurer stated someone needs to listen to Laura's concerns. Councilor Coates stated again that she is listening but does not know how to fix the problem and what our next step should be.

PUBLIC COMMENTS

Susie McMillan - stated that she does not agree with the Court Clerk receiving a pay increase for 2014. She does not think it is fair for the Court Clerk to receive a pay increase when no other employee is receiving one. Susie also stated that she and Councilor Coates have discussed the issue. They also discussed the issue of Mrs. Lockwood receiving a pay raise last year. Susie stated that as much as she hates to defend this, the truth of the matter is it was not a pay raise. The position received a pay raise but Mrs. Lockwood did not make one dollar more on January 1st of 2012 than on December 31st of 2011. The exception would be her increase in longevity pay. The pay raise for the Court Clerk would be an actual raise in pay. Susie wants everyone to understand the difference between the two. Susie then passed out to the Council information on state statute IC 36-4-7-2 "Elected City Officials; fixing of annual compensation". She stated she contacted the State Board of Accounts and talked to a Mr. Todd Austin, who is a Supervisor. Susie explained to him that the Council was intending to exclude the Judge from receiving the Education Incentive pay that is a yearly compensation. Mr. Todd pulled up the statute, and after what Susie believes was legal advice, he stated the City cannot lower the Judge's pay; it is stated as compensation, not salary in the statute. Susie read the statute by "As used in this section, compensation is the total of all money paid to an elected city officer, for performing duties as a city officer, regardless of the source of funds for which the money is paid. It also says the compensation of an elected city officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed from the previous year. Susie went on to say if the Council votes to reduce the Judge's salary they would be breaking a state statute. Also, the budget cannot be raised once approved on the first reading or that would also be breaking state statute. It can be lowered but not raised. Because of this statute the Court Clerk's pay raise would not be funded in the 2014 budget.

Susie McMillan- then commented on a resolution to remove Joe Griffin from the RDC Commission. She listened to the September 25, 2013 audio meeting and was shocked that it was Joe's removal that was being requested. There were other members, of the committee, using language that she does not feel was appropriate. She did give several examples of this language. Susie stated that she believes Joe was trying to advise the Board that they have to follow state statute. State statute IC 36-7-14-22 section (b) reads: before offering for sale or lease to the public any of the real property acquired, the redevelopment commission shall cause two (2) separate appraisals of the sale value, or rental value in case of a lease, to be made by independent appraisers. Susie stated that she met with Joe Griffin to ask him questions of the NRP deal and Joe Griffin told her she would have to put in a public information request. Susie reviewed documentation and she explained that Keystone is the city's accounting system. If a check were written it would show up there. No check can be found for payment of a second appraisal, no second appraisal can be found and after reviewing RDC minutes with a former RDC member no vote or information could be found on the second appraisal. Susie feels Joe Griffin was trying to make the other committee members understand that if they go through with signing the agreement between the RDC Commission and the NRP group that it would be against state statute. She stated that even after Joe told them that the RDC Commission still approved to move forward. Susie wants the Council to know that Joe Griffin is no different today than the day that all Council members appointed him to the Commission. She feels Joe Griffin knows the RDC better than anyone in the room, because he has been doing it for years. He does research, reviews state statutes and looks at the laws. She stated that our state legislators do not make the laws for people in Beech Grove to break them. Susie wants everyone to know she is in complete support of Joe staying on the RDC committee. She does not know which commission member was using inappropriate language but would urge every Council member to listen to the audio

meeting. If a resolution is brought forward to remove a RDC member, as a citizen, she would like to see that member removed.

Susie also read a portion of the following email from Heather James, Attorney at Ice-Miller.

Aug 22

from: James, Heather <Heather.James@icemiller.com>
to: B G <beechgroverdc@gmail.com>, "Dan.McMillan@beechgrove.com" <Dan.McMillan@beechgrove.com>
cc: "Wiley, Craig W. (Indianapolis)" <Craig.Wiley@jacksonlewis.com>

I've reviewed all of the documents that Mary sent below. While there are minutes stating that appraisers were appointed, discussing publication of notice, etc. the documentation certainly doesn't include everything I'd like to see.

I've attached a memo explaining the offering process that we provided to another client. I haven't seen an RDC resolution receiving bids, an RDC resolution authorizing appraisals, sale of property and notice of offering, a notice that complies with the statute, etc.

I'd like to reiterate that if you cannot prove that all of the statutory steps were taken and you choose to go through with the transfer of property anyway, the transfer would be subject to challenge.

If you feel comfortable that all of the statutory steps were taken (despite the fact that there isn't evidence I've seen to prove they've been taken) and understand that the transfer can be challenged, I suggest that you make findings in the donation agreement showing that the requisite statutory steps were in fact taken.

Again, my recommendation would be to find proof that all of the steps on the timetable I provided were taken or go through those steps now, prior to transferring any property.

Thanks,
Heather

Chris Duffer- would also like to address Resolution No. 12 concerning Joe Griffin. Joe and the Council and Joe and the RDC have a very long history. Joe has spoken to the council many times about many things. Joe is very passionate about the City of Beech Grove and the things he agrees with. Chris also listened to the meeting and agrees with Joe that the statute was not followed. There is not a second appraisal. There is no record of the newspaper ads where the appraisals were completed yet, the RDC Commission members, excluding Joe, went ahead and approved the go ahead with the project. This could come back and bite the City if in fact things are not done legally. That it's pushed through illegally. He does not think it is right that they want to remove Joe from the RDC Commission when he is the lone voice in the wilderness stating this needs to be done legally. Chris commented that he is sure many of them can remember a time when another mayor who didn't want to hear what Frankie Mascari had to say and shut him down and that got a very negative blog started in this city that consequently has been a black eye for this city. Chris challenged the Councilors to think about shutting someone down for speaking their mind and holding the city to what is legal, by removing them from the Commission. He also suggested that the Council listen to the meeting because Mrs. McMillan is right the language used by another RDC member was atrocious. Joe was trying to prove his point that things need to be done in a legal fashion and he has never known Joe to be wrong on the RDC. Chris stated Joe knows the RDC forward and backward and is a man of good character and the Council should not approve Resolution No.12. Also, the Council should look into the issues concerning the agreement the RDC has approved.

Clerk Treasurer Dan McMillan received a letter from a former Councilor, Buddy Templin, recommending that the Council not remove Joe Griffin from the RDC Committee. The letter was read into the record.

When I first heard Joe Griffin was appointed to the RDC I thought, "what a great choice." Here's a guy who brought with him a great knowledge of past projects and of redevelopment matters in general. Joe had already invested a good deal of his own time educating himself and sharing what he learned with others. He does his homework and is not one to just accept what he is told. As a member of the RDC he has served with integrity, solicited input from the Council and the community, worked to develop partnerships and brought in experts in many areas to assist the Commission in establishing a plan for the future and to ensure they work within the law and in the best interests of the community. It's not clear what your differences are, but when this matter is resolved I hope you can all say you made your decision with the same openness and diligence exhibited by Joe as a member of the RDC.

William (Bud) Templin

The Clerk Treasurer also wanted the Council to know that this past weekend he has received several e-mails and phone calls from other citizens supporting Joe. He also received a call from one of the Councilors expressing their support of Joe Griffin.

Clerk Treasurer McMillan also received a call wanting to know which Councilor is requesting Joe's removal and he feels the caller should be given that information.

REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS

Greenscape – Presented by Tim Latimer

Tim stated that tomorrow night, October 8, 2013 is their Arbor Day and tree planting ceremony. The ceremony will include the FFA students from the High School. They will be planting a Beech Tree at the high school at 6:00 p.m. Also one of the Sisters, from the Benedict Center, will be there to bless the tree.

Perennials have been planted along Main Street and they look very nice. The trees will be planted later in October and the Greenscape committee will inspect them once they are planted.

The committee will begin working on the Tree City recertification process at the next two meetings and are hoping they will receive another Growth award. They received one about two years ago.

Tim stated it looks like the City escaped the ash boars this year and have not found any signs. There are a couple trees in Sarah T Bolton Park that they will keep their eye on. Tim also stated that Tom Hannah is planning on planting 3 Beech Trees and 4 Hybrid Maple trees along the creek at Sarah T. Bolton. Tom thinks the Hybrid maples will be good trees for the future.

Councilor Harrison asked Tim how many trees will be planted along Main Street and Tim stated he thought there would be around thirty trees.

A question was asked what the committee would do if they did find a tree with ash boars and Tim stated he would probably be instructed to cut down the tree. Tim also said they lay doormat in the winter and come back in the spring so the City is not out of the woods yet.

Next meeting is October 21st at Hornet Park Community Center at 6:00 and the public is welcome.

Redevelopment Commission – Presented by Joe Griffin

Joe Griffin passed out CD's to everyone on the Council with the information that had been found regarding the agreement with the NRP group. It is about 85% complete. The main thing they cannot find is a second appraisal. Joe stated according to the minutes legal representation was provided by attorney's from Jackson Lewis.

There was a bill sent to the Mayor that states 'review contract with RDC regarding land donation'. Attorney Wiley told Joe that he had reviewed a contract, but he is not sure what that had to do with the appraisals.

Joe Griffin said he wanted to know who was used as legal representation to oversee the NRP deal.

Attorney Wiley wanted to know if Joe was questioning his integrity and Joe stated no. Attorney Wiley went on to say that he told Stephanie Hubbard that he was not a Real Estate Lawyer. He can look at general contracts and give legal advice and he urged Stephanie to secure legal counsel that knows these types of issues.

Joe also stated that several RDC Commission members inquired as to why Ice Miller representation was not at the meeting. Joe stated that Ice Miller had already made a clear statement with their recommendation on how the Commission should proceed.

Joe also wants everyone to know if all the paperwork is not complete then the deal should not go through. The NRP group will not be the one to pay the price if something is wrong; it will be the Citizens of Beech Grove.

Joe and Clerk Treasurer McMillan have done a lot of research and have met with a lot of contacts downtown.

Joe would like everyone to know that they do not feel that any prior members from the RDC did anything illegal; they are just not finding all the paperwork.

Public Safety – Presented by Chief Swartz

Public Safety meeting was September 25, 2013. Members attending were Chief Swartz, Chief Cheshire, Phyllis and Debbie.

- The Fall Festival went smoothly with no problems noted.
- The Car Show was cancelled and will be held on October 27th.
- Main Street will be completed by mid-October.
- Chief Swartz stated Halloween hours will be from 5:00 p.m. to 9:00 p.m. He does recommend they go in a group and wear reflective clothing after dark.

Chief Swartz addressed the question about 5th and Albany. He stated they had police officers sit there for two weeks with one officer sitting for two hours in the afternoon and was only able to write one ticket. He is aware that other people are seeing other things, but he stated they deal with what they find at the time they are there.

There was a request from a citizen to add more stop signs on Main Street, because visibility is limited when crossing Main Street. Councilor Jennings asked which streets they were referring to and Chief Swartz stated from 2nd to 8th Avenues. Mayor Buckley stated he would have the Council look into it and the Police are not opposed to it. Councilor Coates asked if this would be part of all the signs being updated next year and Chief Swartz stated that does not include stop signs. Councilor Bell stated he would go out with Brad Meriwether and look at the situation.

ABC – None

Financial Report – Presented by Clerk Treasurer Dan McMillan

Clerk Treasurer McMillan stated that the State Board of Accounts Audit is complete and he believes it will be released to the public soon. He has received a brief preliminary report that is not available for public consumption. When the audit is complete and the results are made public, he will report those findings to the Council for review.

Clerk Treasurer McMillan stated that the city did not have any large bond payments due the month of September. After consultation with Jeff Peters, and in accordance with the budget, he has transferred the ROI payment from the utility to the corporation. The amount was \$706,892.00.

Clerk Treasurer McMillan reported last month that he had established a fund to track the court expenditures and receipts more accurately and that once a year he will transfer that money into the General Fund. To remain compliant with state statute the city is receiving the fund balance monthly into the General Fund.

Clerk Treasurer McMillan reported that once again this year, he has established an insurance committee. The committee members are Chris Duffer, Former Clerk Treasurer, Rodney Giffin, representing the Department of Public Works, Aaron Jeanette, representative for Local 416, and James Baughn, representative for F.O.P. #86. They had their first meeting this past Thursday.

Clerk Treasurer McMillan has been working with Jeff Peters to complete the survey and application process for the Tax Anticipation Warrant. An ordinance will be brought before the Council, for First Reading at the November meeting. Please keep in mind we will not know the interest rate or the loan amount until late December; which will be after the ordinance is approved. The process is the same every year. The Bond Bank determines the amount that is needed to borrow and interest rate.

Clerk McMillan reported that in September the city conducted a public auction on surplus items at the Beech Grove Police Department. Mike Heimel, Auctioneer, conducted the auction and the proceeds were approximately \$10,000.00.

The Clerk commented that the City Website continues to be updated daily and is a great resource of information for the citizens of Beech Grove. He would like to remind the Councilors they each have a webpage on the website and if they care to update their page to please email him their information.

Also, a reminder to community organizations if they have any community events they would like posted please email those to him at dan.mcmillan@beechgrove.com.

Financial Reports, City Debt Schedules, Bank Statements and more are available on line at www.beechgrove.com.

MAYOR'S LIAISON REPORT – None

UNFINISHED BUSINESS

Ordinance No. 18, 2012-

...Beech Grove Civil City 2014 Budget

Mayor Buckley asked Jeff Peters, our Financial Consultant, if the 2014 budget, brought forward, could be funded and if it balances. Jeff Peters stated it can be funded and is balanced except for the Rainy Day Fund; which they can appropriate. He advised them that even if they appropriate it does not mean they have to spend it, but gives them the ability to use it without having to publish it throughout the year. The revenues will fund the budget for the year 2014. Revenues match expenditures.

Councilor Coates wants to clarify that the amendment they made to the published budget; do they take the budget out of the fund. She stated just because they appropriate it doesn't mean they have to spend it. Is that not a good way to look at it? Jeff Peters said that he did not feel they made any significant changes that would make them re-look at it. The estimation error is probably greater than any of the changes.

Clerk Treasurer McMillan read General Ordinance No. 18, 2013 into the record for the Second Reading.

Councilor Stewart moved to approve General Ordinance No. 18, 2013 for the Second Reading.
Councilor Coates seconded the Motion; which was approved by a 6-1 vote with Councilor Davidson voting no.

Clerk Treasurer McMillan read General Ordinance No. 18, 2013 into the record for the Third Reading.

Councilor Jennings moved to approve General Ordinance No. 18, 2013 for the Third Reading.
Councilor Stewart seconded the Motion; which was approved by a 6-1 vote with Councilor Davidson voting no.

The 2014 City of Beech Grove budget was approved.

Ordinance No. 19, 2013

...Beech Grove Public Library 2014 Budget

Clerk Treasurer McMillan read General Ordinance No.19, 2013 into the record for the Second Reading.

Councilor Mobley moved to approve General Ordinance No. 19, 2013 for the Second Reading.
Councilor Jennings seconded the Motion; which was approved by unanimous vote.

Clerk Treasurer McMillan read General Ordinance No. 19, 2013 into the record for the Third Reading.

Councilor Jennings moved to approve General Ordinance No. 19, 2013 for the Third Reading.
Councilor Mobley seconded the Motion; which was approved by unanimous vote.

The 2014 Beech Grove Public Library budget was approved.

Ordinance No. 20, 2013

...2014 Salary Ordinance

Councilor Davidson stated, after more research, he found the position for Fulltime/Part-time Office Manager position for the Clerk's office is a new position and would like it removed from the 2014 Salary Ordinance.

Councilor Harrison stated they need clarification if this was a new position. When they compare last years with this years it was not on the ordinance.

Clerk Treasurer McMillan said it was on last years as a Fulltime Deputy Clerk position but is now being filled with two part-time clerks. He stated it would be filled by someone already in the office but would just give them more responsibility.

Councilor Coates asked if the last two positions listed; the Part-Time/Fulltime Office Manager and the Part-time Clerk were previously a one person's job. Clerk Treasurer McMillan stated that is correct, which saved the City money.

Councilor Bell asked about the dollar amount per hour. Clerk Treasurer McMillan stated that last year it was up to \$12.00 per hour, (2 years ago it was \$36,000.00 per year) neither person is making that amount, but it could go up to \$14.00.

Councilor Coates asked if Clerk Treasurer McMillan wanted to increase the amount would it have to come back to the Council. Clerk Treasurer McMillan stated it would not have to be approved by the Council; it would be at his discretion.

All positions in the Clerk's office serve at the Clerk's pleasure.

Councilor Coates asked if budget supported this new position. Clerk Treasurer McMillan stated yes.

Councilor Stewart asked Councilor Anthony to repeat his motion. Councilor Anthony clarified that he was making a motion to remove the amount of \$14.00 per hour. Councilor Bell also wanted clarification if this would be giving the person a raise. Clerk Treasurer McMillan stated yes, along with more responsibility. Councilor Davidson advised that it would be the same situation that Judge Wells was asking for his Clerk; she now has more responsibility and we did not give her a raise. Clerk Treasurer McMillan stated the difference between the two positions is that for the court clerk to get a raise the budget would have to be increased but it would not for the Office Manager position. Judge Wells would still get his educational pay which would raise his budget \$2500.00 more. Clerk Treasurer stated his budget would support the increase but Judge Well's would not. Councilor Stewart stated she was under the impression that as an elected official he is not eligible for the educational pay. Clerk Treasurer McMillan stated the Council needs to amend that due to IC 36-4-7-2.

Councilor Davidson moved to amend General Ordinance No. 20, 2013 to remove the Part-Time/Fulltime Office Manager position for up to \$14.00 per hour on 2nd reading. Councilor Jennings seconded the Motion; which was approved by a 5-2 vote.

Councilor Mobley – Yes
Councilor Jennings – Yes
Councilor Harrison - No
Councilor Davidson – Yes
Councilor Bell – Yes
Councilor Stewart – Yes
Councilor Coates – No

Councilor Bell made a motion to amend the Educational Benefit for the salary. Councilor Coates asked if the degree had to be in the same field as their job and Attorney Wiley stated currently it is any degree. Councilor Harrison asked how Judge Wells was currently receiving it when it was only for employees. Clerk Treasurer McMillan stated at the time he was elected it probably did not exclude elected officials. Now according to the statute we cannot take it away from Judge Wells.

Deputy Chief Maurice also commented that we would be reducing everyone's salary who was currently receiving this benefit. Councilor Bell stated yes but it would be giving an opportunity to all city employees to get a raise. If it is in the contract then it would not apply to them. Councilor Harrison asked how many employees this pertains too. Clerk Treasurer McMillan stated around 6 employees. Councilor Coates also stated that other companies usually only recognize an employee when they completed their degree. They do not pay you extra every year. If we take this money next year we could give people a raise. Deputy Chief asked how much money they are referring to and no one knew the answer. He then wanted to know if they don't know how much money how can they say everyone could get a raise. He is concerned that he has civilian employees and their pay will be reduced. Councilor Coates states her concern is going forward. Clerk Treasurer McMillan did advise the council that there was a proposal on the table to do away with the educational pay and give all employees a 3% raise but it was rejected. The Union chose to vote against it. The Union representative stated the reason they did not agree to it was due to some of their employees losing money. Clerk Treasurer stated by taking the educational pay away there could have been raises year after year.

Mayor Buckley asked for a motion to read General Ordinance #20, 2013 by title only for 2nd reading.

Councilor Mobley made a motion to read General Ordinance #20, 2013 by title only for 2nd reading. Councilor Harrison seconded the Motion; which was approved by unanimous vote.

Clerk Treasurer McMillan read General Ordinance No. 20, 2013 by title only into record for 2nd reading.

Councilor Bell moved to amend the Educational Benefit for the salary ordinance on 2nd reading to read as follows: associate degree \$500, bachelor's degree \$1500 and master's degree \$2500. This would be a one-time pay to an employee paid upon completion of the degree. An employee must be an employee for one year prior to this credit and the College or University must be accredited. Copies of transcripts must be submitted and all documents verified. This would exclude elected officials moving forward. Councilor Coates seconded the Motion; which was approved by unanimous vote.

Councilor Davidson moved to leave the Educational Benefit for the salary ordinance on 3rd and final reading to be exactly like it was with the exception of Judge Wells who will receive the education pay.

Councilor Coates wants to know where the court clerk's salary falls into all of this and it was stated it would need to be another amendment. Clerk Treasurer McMillan stated the Judge's budget went up, but by him taking a decrease by for the educational pay that is what he was going to use for the court clerk's raise. Due to the statute his pay cannot be decreased so he has a \$900 increase to his budget and if he gives his clerk a raise it would make him surpass the budget. If that happens it would make the City refer back to last year's budget. Jeff Peters agrees with Clerk Treasurer McMillan that they are not allowed to do it at this time but if they want to give this individual a pay raise and it would call for a higher budget then what has been approved there are a couple options. They can do an additional appropriation next year to cover the amount or they can send it back to the Judge and advise him he is getting part of what he wants but he needs to figure out how to pay for it.

Mayor Buckley asked for a motion to read General Ordinance #20, 2013 by title only for 3rd and final reading.

Councilor Mobley made a motion to read General Ordinance #20, 2013 by title only for 3rd and final reading. Councilor Harrison seconded the Motion; which was approved by unanimous vote.

Clerk Treasurer McMillan read General Ordinance No. 20, 2013 by title only into record for 3rd and final reading.

Councilor Davidson made a motion to leave the Educational Benefit for the salary ordinance on 3rd and final reading to be exactly like it was, but exclude elected officials moving forward. Councilor Jennings seconded the Motion; which was approved by unanimous vote.

[Additional Appropriation - Ordinance No. 21, 2013](#) – 2nd and 3rd Reading

...additional appropriation LLE

Clerk Treasurer McMillan read General Ordinance No. 21, 2013 into record on 2nd reading.

Councilor Jennings moved to approve General Ordinance No. 21, 2013 on 2nd reading. Councilor Davidson seconded the Motion; which was approved by unanimous vote.

Clerk Treasurer McMillan read General Ordinance No. 21, 2013 into record on 3rd and final reading.

Councilor Coates moved to approve General Ordinance No. 21, 2013 on 3rd and final reading. Councilor Jennings seconded the Motion; which was approved by unanimous vote.

NEW BUSINESS

[Resolution No. 10, 2013](#)

...Regarding the Affordable Health Care Act

Clerk Treasurer McMillan read Resolution No. 10, 2013 into record.

Councilor Davidson stated he is 100% against the Affordable Health Care Act and recommends everyone who is also against it to contact the Congressman or Senator to de-fund this. It is costing tons of jobs with his employer and it looks like the City could submit to fines.

Mayor Buckley and Clerk Treasurer McMillan advised there are so many unknowns that the State Auditor recommended they do this resolution because of those unknowns and all Municipalities are doing this.

Councilor Jennings moved to approve Resolution No.10, 2013 as submitted. Councilor Coates seconded the Motion; which was approved by unanimous vote.

Resolution No. 11, 2013

...Statement of Objection Appealing Tax Rate

Jeff Peters, Financial Advisor, stated this is a resolution that has been passed for each year's budget. It is an administrative function that is used to establish rate levies and appropriations for the City of Beech Grove in the year 2014. There is a short top at the county level and if they make a mistake this resolution gives you the opportunity to appeal.

Clerk Treasurer McMillan read Resolution No. 11, 2013 into record.

Councilor Jennings moved to approve Resolution No.11, 2013 as submitted. Councilor Stewart seconded the Motion; which was approved by unanimous vote.

Resolution No. 12, 2013

...Removal of Joe Griffin from the BGRDC

Councilor Jennings read Resolution No. 12, 2013 into record.

Councilor Bell stated he has known Joe for many years and feels some of the problem is because Joe wants to be precise, which is a good thing, but with talking to other members of the committee they are having difficulty working with him. He has listened to the video and sees the concerns Susie McMillan discussed earlier.

Councilor Jennings moved to table Resolution No.12, 2013 as submitted. Councilor Harrison seconded the Motion; which was approved by a vote of 5 to 2.

Councilor Mobley – No
Councilor Jennings – Yes
Councilor Harrison - Yes
Councilor Davidson – No
Councilor Bell – Yes
Councilor Stewart – Yes
Councilor Coates – Yes

Council has asked how long it will be tabled. Council President Bell stated, due to the time left on his appointment, he will be opening up the floor for new nominations in November.

Additional Appropriation – Clerk Treasurer McMillan

Clerk Treasurer McMillan stated that Tom Hannan, Parks Department, has requested to move \$1500.00 from Contractual Salary to Parks Temporary Salary.

Councilor Harrison moved to accept the request as submitted. Councilor Coates seconded the Motion; which was approved by unanimous vote.

COUNCIL COMMENTS:

Councilor Dave Mobley – None

Councilor John Jennings – Beech Grove Middle Girls Cross Country won the Marion County Meet. They are 58- 0. Friday night is Veterans night at the Beech Grove High School football game. Veterans will be fed and have free admission to the game. All proceeds go to the athletic teams. Also go to the girls’ volleyball games because they are fun to watch.

Councilor Dave Harrison – Thanks everyone for coming.

Councilor Anthony Davidson – Congratulates Brad Meriwether on his ‘Safe Route to School’ grant. It is a much needed sidewalk. He also wants to thank everyone involved in the Fall Festival. Sunday morning everything looked very clean.

Councilor Ed Bell – None

Councilor Mary Stewart – Thanks everyone for coming. Retired Firefighter Colin Reigns passed away last Saturday. He serviced 30 years on the Beech Grove Fire Department., retiring in 2001. The viewing will be this Wednesday from 4:00p.m.to 8:00 p.m. at Riley’s Funeral and funeral will be Thursday. Our prayers and sympathy goes out to his family.

Councilor Kathy Coates – Thanks everyone for coming. She wants to let everyone know they do not take the budget lightly. They are not trying to take money away from anyone. Also the person who did get an increase has a lot more responsibilities. She is doing things for other cities which are bringing in revenue for the City. Kathy is not saying she deserves anymore money than anyone else but they have to look at the circumstances.

Mayor Buckley did advise the Council that as the Executive Office of the City he has a right to veto or not sign the ordinances. He has the ability to line item veto and he will notify the Council within 10 days by certified mail. The Council has the right to overturn his vetoes.

ADJOURNMENT:

Councilor John Jennings moved to adjourn. Councilor Dave Mobley seconded the Motion. The meeting was adjourned at 8:58 p.m.

The next meeting will be November 4, 2013 at 7:00 p.m. at City Hall.

Dennis Buckley, Mayor

Dan McMillan, Clerk–Treasurer

Minutes prepared by: Sheri Morgan

