

**BEECH GROVE CITY COUNCIL  
MEETING MINUTES  
MONDAY, APRIL 7, 2014**

**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**

**Proclamation for Military Families** – Presented by Mayor Dennis Buckley

Mayor Buckley read the proclamation recognizing the month of April, 2014 as the Month of the Military Child in the City of Beech Grove, Indiana. He encouraged all citizens, businesses, and government leaders to observe the month with appropriate ceremonies and activity that honor, support, and thank military children.

**Beech Grove Middle School Girls Basketball Plaque**

Athletic Director Richard Peak shared that during their 7<sup>th</sup> grade season, the girls had a 20-0 record. Although they did have a winning season, he thought they would have a tougher time as 8<sup>th</sup> graders if they continued to play the same way. He encouraged the girls to do better in their 8<sup>th</sup> grade season and challenged them to be tougher. This season, they lost one game out of the first four but then went on to win 14 straight games, including the Marion County championship, which included 22 other teams from Marion County. The girls made an outstanding effort against some of the largest schools in the state, including Ben Davis, Pike, Lawrence North, and Franklin Central. Their final record over two years was 38-1 and included wins at the conference championship, Marion County championship, and Fall Creek Valley Invitational championship. This year was Coach Amy Parker's first year in coaching her own team. The girls' next challenge will be to improve their play as they move on to high school. We're very proud of the girls, and their parents and fans as we had huge numbers of fans at our away games. Councilor Jennings presented the team and Coach Parker with a plaque congratulating the 8<sup>th</sup> grade Lady Hornets on their successful season and many championship wins, signed by Mayor Dennis Buckley with the seal of Beech Grove.

**Resignation – RDC**

Terry Bellner, who was appointed to the Redevelopment Commission by the Council, has had a sudden health issue and will no longer be able to serve on the RDC. It will be up to the Council to replace him. Council President Ed Bell read aloud Mr. Bellner's resignation letter. The Council will open up for nominations for this position for the May council meeting. Per Mr. Bellner's letter, the Council will consider his wife, Mac Bellner, for the position. Rick Greenfield is currently serving on the BZA but is interested in the RDC position. He knows that he would need to step down from the BZA in order to join the RDC. Councilor Bell will provide Mr. Greenfield's contact information.

**APPROVAL OF MINUTES:** Clerk Treasurer McMillan presented the March 3<sup>rd</sup>, 2014 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:**

**Joe Griffin, Beech Grove-** spoke to the Council concerning General Ordinances No. 2 and 4. Mr. Griffin did not know that Beech Grove has facilities for holding storm water or for cleaning it. He asked how much money we will actually raise on that and thinks there should be a good estimate on what should happen. He understood that all the money was to be spent on sewer and sewer only. He pointed out instances in which money was supposed to be used for a certain purpose but doesn't seem to be used for the stated purpose. Mr. Griffin requested that the city provide a list of all equipment required for this project. He feels that citizens are being charged too many fees and wanted to know what the next charges might be for various odds and ends. He feels that many things will be unaffordable under the current budget. He was also concerned that a closed-door meeting was held in conflict with the Open Door Policy with no notice of the meeting, meeting minutes, etc. He believes this demonstrates the workings of special interests with no regard to the citizens. He doesn't believe that statements made in 2009 concerning sewer fee money have been carried out and that the Council should insure that those items are carried out. He is also concerned about the public policy on the Public Nuisance issue. He suggests that we take the Speedway policy and use all of it here in Beech Grove, in light of the recent crowds that gathered to fight here in the city. Another issue there was getting through to Indianapolis dispatch, and making dispatch understand that there was a problem.

**Angela Downing-** spoke on behalf of the Roessler family concerning Ordinance No. 98. She said that the ordinance does not target landlords, but rather helps educate them to protect their investment and save them from paying to make repairs to their properties. The hope is to better Beech Grove so that people will move back here, stay here, and encourage the landlords to get good tenants and protecting their investment to improve the city. More people are renting than owning their own homes. These workshops would be a very good option for landlords who are relatively new to owning rental properties so that they know basic processes. The ordinance attempts to provide additional resources to the people who are trying to better the community.

**COMMITTEE REPORTS**

**Greenscape Commission – Tim Latimer**

At the Greenscape Commission's last meeting on March 17<sup>th</sup>, Sister Sheila Fitzpatrick joined the Commission, replacing Jacki Brown. They discussed the function and goals of the organization to bring her up to speed. Sr. Sheila has also served with Dave Miller on the Steering Committee for the Peace and Nature Garden being installed on the grounds at the Benedictine Inn. Projects for the Greenscape Commission this summer will include: taking inventory of new trees on Main Street, to begin as soon as the leaves come out; updating our tree inventory to include some new trees (other than Main Street) planted last year and deleting some trees removed over the winter; reviewing and inspecting the remaining trees (many have already been removed) listed on the Hazard Tree list, looking at the status of trees to see if they've gotten worse and let DPW know about that; we will consider developing a tree maintenance plan for

portions of our park and street trees; and we will continue inspecting trees for the emerald ash borer. The Greenscape Commission will plan on attending the community meeting at the Benedictine Center to help kick off the Peace and Nature Garden on Tuesday, May 13<sup>th</sup> at 5:30 p.m. We have a couple of ideas for an Arbor Day planting in October but have not settled on anything yet. Once again, Beech Grove was recognized as a Tree City for the ninth year. The Parks Board, Promoter's Club, and Greenscape Commission would like to encourage all citizens to participate in spring cleanup activities. We would like to remind those groups that have adopted streets to get organized, get out, and help spruce up Beech Grove. Our annual Spring Clean Up day is Saturday, April 19<sup>th</sup>. The Promoter's Club will be picking up trash along Main Street and the alleyways. Anyone interested in helping should bring a pair of gloves and meet us at 4<sup>th</sup> and Main at 7 a. m. That is Saturday, April 19<sup>th</sup> at 7 a. m. It usually takes less than 2 hours to clean up Main Street. At 10 a. m., volunteers are needed at Sarah Bolton Park to help pick up sticks, limbs, spread mulch, etc. The next Greenscape Commission meeting will be on Monday, April 21<sup>st</sup> at a new time, 5 p. m. at the Hornet Park Community Center. As always, the public is welcome to attend.

### **RDC – Donald Webb**

Donald Webb was unable to attend, so read the report into the record.

The RDC met on March 20<sup>th</sup>. The NRP group did win the housing grant and tax credits from the state of Indiana to develop the Rockpile. Hopefully that will start to take place the first quarter of 2015. The immediate concerns are that we have a \$159,000 Brownfields Grant that expires on April 23<sup>rd</sup>, we are trying to get that extended because we are not sure if we can get the remediation work which that grant money will qualify for done in that time period. We are now on a short time because NRP did not find out until the end of February. We are now working with Hole & Associates and NRP Group to get that going so they can do it. That's the first bit of good news, so we may start seeing something going on with the Rockpile and finally stop calling it the Rockpile and have a development there for seniors, it looks like it will be pretty nice. This group has done good work at the other developments they've had, they take care of their developments, and it should sell out before it's done being built. There is strong demand for senior housing and this should definitely be a feather in the cap of the city of Beech Grove to bring in this new housing. The RDC has obtained a new law firm. We are now with Lewis & Kappes and Robert Rund is now our legal counsel. Rund and his assistants will be helping us to make sure that in the future we do things correctly and that everything is aboveboard. We are discussing ideas that can make Beech Grove better. One of our members, Cathy Chappel, discussed how we could build a procedure to take houses that have been left at tax sale or are not sold that are sitting there idle, how the RDC could get those houses without putting a lot of money into them, fix them up and maybe grant them or sell them to new, young families that will make a commitment to live in Beech Grove for a certain time period such as 10 years. We would bring in more stable people and we get people to come into Beech Grove. Another member talked about the possibility of an amphitheater. Another member, Janice King, discussed how to fix up the storefronts, getting better signage, and making them more attractive and trying to work with local business so that downtown Beech Grove has a little better visibility and also looks a little better to the general public. My idea was fixing up the 465/Emerson exit for the Beech Grove brand. I noticed on a recent trip out of state that the highways were very beautiful. They plant grasses and have mulch and are very good looking to the eye. I noticed that people tended to stop at the exits that looked nicer rather than the ones that looked run down.

Our State Representative Cindy Kirchofer has stated that INDOT has made \$86 million in grant monies available, so I will be looking into seeing if we can get some of that grant money so that we could do something like put a mural of a train or the Hornet logo on the bridge. We could coordinate volunteers to plant grasses, trees, and other things to beautify the highway to save money. Also, the Mayor informed us that there are four streets that are in or near TIF zones that he would like to have repaved. The next meeting of the RDC is scheduled for Thursday, April 17<sup>th</sup>. Councilor Bell asked if the Rockpile development would only include senior housing, or if there would be some type of health facility. Mr. Webb stated that the development would consist of senior housing and some type of clubhouse or activity center. The original plan called for 76 units. However, there has been some PCP contamination found on the back acre that will have to be removed before any building can take place in that exact section.

Councilor Davidson asked if there was a bid process used for the Digital City WiFi removal. Mr. Webb stated that no bid process was used. He explained that because the equipment is attached to IPL poles, we must use an IPL-approved vendor, Meade Electric, for removal. Meade Electric will not begin removal until June. He also explained that some of the equipment is attached to high poles, and we will have to contact a different company for those because only a certified climber can perform this work. Councilor Davidson advised that a city ordinance requires that any work valued at \$10,000 or over must be placed up for bid to at least three bidders. He also cautioned that some of the streets mentioned earlier for repaving might not be in a TIF district, so that the RDC should be very careful about that. Mr. Webb responded that they are just starting preliminary discussions regarding the repaving project and will be sure to seek guidance from their legal advisors. Councilor Stewart thanked Mr. Webb and all the members of the RDC for their efforts to get projects done. Councilor Coates thanked Mr. Webb for his report.

Councilor Bell asked Clerk Treasurer Dan McMillan if the city is still paying monthly for running the Digital City equipment. The Clerk Treasurer responded that the city had been paying as late as March of this year, and the RDC has started paying roughly \$320 per month to IPL for equipment on poles that we are not using.

Once the RDC enters into an agreement with Meade Electric, IPL will stop billing us. Until that time, there will continue to be a monthly bill. Mr. Webb stated that IPL has been very generous in allowing the city to get out of our 5-year contract. When the purchase order with Meade has been issued, IPL will stop billing even though equipment removal has not yet been completed. There are also seventeen poles purchased by the city for the Digital City project that do not have any equipment attached. The RDC requests feedback on whether the city should incur the expense to have those poles (which some consider an eyesore) removed, or to leave the empty poles standing to avoid that expense. Mr. Webb stated that IPL would be happy to recycle those seventeen tall poles for us, but he did not get the feeling that IPL would provide any compensation for the poles. He will follow up with IPL regarding the tall poles.

Councilor Jennings asked approximately how many vacant houses there are in Beech Grove as a result of not selling in a tax sale, etc. While this number needs to be verified, Mr. Webb thinks that there might be as many as 100 houses in the city that fall into this category. He believes that if the RDC can purchase a house and invest \$5,000-\$10,000 in it, sell it for \$20,000 to a stable, young couple with children, this would help Beech Grove.

## **Youth Council – Michael Jennings**

Students of the Month at BGHS were Macy Williams and Jordan Sloan, and for C-9 were Taylor Poindexter and Noah Wheatley. BGHS Educator of the Month for February was Mr. Clevenger, and for March is Gay Osos.

This year's Hoosier Boys and Girls State candidates from BGHS are Allison Richart, Destinee Ellson, Evan Smiley, and Mitchell Showalter. Each participant becomes a part of the operation of his local, county and state government, taking part in activities such as legislative sessions, court proceedings, and law enforcement presentations.

In athletics, Kayla Kaiser was named to the Indiana Crossroads Conference All-Conference Basketball Team, and was also chosen to participate in the Indiana Basketball Coaches Association Top 60 Workout. In boys basketball, Caleb Chumley and Joey Cardenas were named Honorable Mention to the All-Marion County team. Joey was also selected to play in the Eric Gordon City-County All-Star game. Lizzie Miles competed in the 2014 state gymnastics meet and was the State Champion in vault and 2<sup>nd</sup> place in the all-around category. BGHS Senior Counselor Karen Matthews coordinated this year's BGHS Riley Dance Marathon, and students raised over \$2,000 for Riley Hospital for Children. Don Henderson will be retiring from BGHS as a maintenance employee, and his last day will be Friday, April 11<sup>th</sup>. Assistant Superintendent Dr. Thomas Keeley that his peers in Region 8 have selected him as the 2014 Indiana Association of School Business Officials, School Business Official of the Year. Responding to a question from Councilor Bell, the Youth Council meets the first Friday of each month during their lunch period. Councilor Jennings asked about any discussions concerning school dress code. That is something that the superintendent is discussing with the community and parents. Students have taken a survey asking about snow makeup days, the dress code, and other items.

## **Public Safety – Mark Swartz**

The Public Safety Committee met on March 26<sup>th</sup> in City Hall with most members of the committee present, with no visitors. Discussion included the Compliance Officer, who is doing mainly fire safety at this time and we're looking for any more Compliance Officers who want to apply. Applications for this position are at City Hall. It was suggested that if there are concerns about stop signs, a twirly type of device could be put on top of the stop sign to get a driver's attention. This would be like the orange and white devices you see on the interstate. We would have to check with the Street Department to see if that would be available. That could also be used on a school crossing sign as well and might be of interest for the city to look into. The school crossing areas that need to be painted will have to wait until the road temperature is high enough for the paint to stick. The Little League and Softball team parade is set for the end of this month at 9 a. m. and will start from Sarah T. Bolton park. The fire department, police department, parks department, and street department will coordinate that. The parade went well last year and starting at the city park is a lot safer for the kids. Little League will go from the park, to Churchman, and south on 9<sup>th</sup> to the diamonds. Softball will go north on 13<sup>th</sup> to the diamonds. The next Public Safety Committee meeting is scheduled for April 30<sup>th</sup> at 6 p. m. in City Hall. Visitors are welcome to attend with any suggestions or concerns they may have. Meetings are regularly scheduled for the last Wednesday of each month.

Clerk Treasurer's Financial Report- Clerk Treasurer Dan McMillan

We have made two payments totaling \$45,914.52 to Crossroads Engineers toward the Safe Routes for School project.

We have two additional appropriations on the agenda tonight. The additional appropriation for the LRS Fund is due to the increased salt purchase; which was over \$34,000 and the additional costs associated with plowing due to the severe winter we had. Jeff Peters, Financial Consultant for the City, agrees there are additional funds available for this appropriation.

The additional appropriation for the MVH Fund is to purchase a new leaf machine. The leaf machine we are replacing is 22 years old. Again, after consulting with Jeff Peters, we both agree that we have the funds available for the purchase. We have received an increase of over \$11,000 in our monthly distributions from MVH.

During a consultation with Lynn Rekeweg, our IT Contractor, he advised us that upgrades/updates needed to be made to our computer and phone system to increase functionality and security.

One upgrade alone is \$12,870.00 for a 3-year license. Over the past two years, we have been trying to update our computers, software programs, email program, phone systems and security, since much of it was out of date, consequently next month I will be asking to transfer money to cover the cost of the \$12,780.00, but I need to evaluate the budget to determine where additional funds may be available to use for this project.

I just want to give the Council the heads up on this. I am not tech savvy, so if the Council wishes, I can ask Lynn to attend next month's Council meeting to answer any questions that any one may have regarding the updates.

The City website continues to be a success and is provided at no cost to the taxpayer. We continue to have wonderful volunteers that assist with updating and posting.

We have two Community related informational pages available. Please, if you have any community events that you would like posted, email those to me at [dan.mcmillan@beechgrove.com](mailto:dan.mcmillan@beechgrove.com), we try to get those posted the same day. You can check them out at the links listed below.

Community Event Page <http://www.beechgrove.com/community-events.html> and a

Community News Page <http://www.beechgrove.com/community-news.html>

Financial Reports, City Debt Schedules, Bank Statements and more are available on line at [www.beechgrove.com](http://www.beechgrove.com).

The bank account balances as of March 31, 2014 are listed below.

**Bank Account Name & Balance**

City Corporation - \$2,156,454.46

City Utilities/Sewage/Wastewater- \$947,604.47

Main Street Redevelopment/Main Street Loans- \$251,014.14

City Court- \$111,084.25

Criminal Investigations (CIF) - \$177,308.37

Redevelopment Commission

General Account (RDC) - \$547,421.55

Redevelopment Commission

Debt Service Account (RDC) - \$584,842.97

BNY-Mellon SRF 2004- \$136,178.37

**UNFINISHED BUSINESS:**

**General Ordinance #1, 2014 – 3<sup>rd</sup> Reading**

*...establishes the BG Public Safety Program*

This ordinance was voted on and passed on 2<sup>nd</sup> reading, then it was tabled. This evening it has been requested to bring it back for 3<sup>rd</sup> reading.

Mayor Buckley asked for a motion that allows for the ordinance to be heard on the 3<sup>rd</sup> and final reading only. Councilor Jennings made a motion to hear the ordinance; Councilor Davidson seconded the motion; which was approved by unanimous voice vote.

Mayor Buckley deferred to Councilor Davidson for an amendment to General Ordinance No.1. This is the amendment discussed by Judge Wells and Councilor Davidson at the last meeting.

The amendment replaces everything in the section entitled Section 33.42 “Funding of Program”. Clerk Treasurer McMillan cautioned the Council on the wording of paragraph D, reminding them that there must be money available in order for the Council to make any additional appropriations. Councilor Jennings made a motion to amend Section 33.42 and Councilor Davidson seconded. The amendment was approved by unanimous vote.

Clerk Treasurer McMillan read the entire ordinance into the record.

Councilor Jennings made a motion to approve on 3<sup>rd</sup> and final reading General Ordinance No.1, 2014 as amended; Councilor Davidson seconded the motion; which was approved by unanimous vote.

**General Ordinance No. 2, 2014 – 2<sup>nd</sup> Reading**

*...establishes Policies and Procedures for the Stormwater Utility and a Stormwater User Fee*

Councilor Stewart made a motion to waive the rules and read General Ordinance No.2, 2014 by title only; Councilor Jennings seconded the motion; which was approved by unanimous voice vote.

Clerk Treasurer McMillan read the ordinance by title only.

Councilor Stewart made a motion to approve General Ordinance No.2, 2014 on second reading only; Councilor Jennings seconded the motion; the vote was 6-1 with Councilor Davidson voting no. This will be heard on the 3<sup>rd</sup> and final reading at the May 5<sup>th</sup> meeting.

**NEW BUSINESS:**

**General Ordinance No. 3, 2014**

*...amends BG City Code Chapter 90: Animals*

Councilor Davidson introduced the ordinance. Councilor Bell asked if the city can get insurance, if it is expensive, or if it would be covered under homeowner’s insurance for vicious dogs. Councilor Davidson replied that liability insurance for vicious dogs has been stated several times in ordinances for Lawrence, Indianapolis, and other localities. Councilor Coates commented that from previous experience, homeowners are advised not to turn in dog bite claims on their homeowner’s insurance. Councilor Davidson was not sure what limits other localities have. Dog and cat permits have been removed from this ordinance, but the city will still collect them in association with the dog park.

Clerk Treasurer McMillan stated that even though the city loses money in the issuance of pet tags, the city would lose even more money if this ordinance passes.

Councilor Davidson made a motion to waive the rules to read the ordinance by title only; Councilor Jennings seconded the motion; which was approved by unanimous voice vote.

Clerk Treasurer McMillan read the ordinance by title only.

Councilor Jennings moved to approve the ordinance; Councilor Davidson seconded the motion; the vote was 5-2 with Councilors Mobley and Harrison voting no.

The 2<sup>nd</sup> reading will be at the May 5<sup>th</sup> meeting.

#### **General Ordinance No. 4, 2014**

*...amends BG City Code Chapter 98: Nuisances*

Councilor Coates confirmed with Mayor Buckley that the Compliance Officer would enforce this particular ordinance and any tickets issued will follow through the city court.

Councilor Bell moved to waive the rules to read the ordinance by title; Councilor Jennings seconded the motion; which was approved by unanimous voice vote.

Clerk Treasurer McMillan read the ordinance by title only.

Councilor Stewart made a motion to approve, Councilor Harrison seconded the motion, and the vote was 6-1 with Councilor Jennings voting no. This ordinance will move to 2<sup>nd</sup> reading at the May 5<sup>th</sup> meeting.

#### **General Ordinance No. 5, 2014**

*...an additional appropriation ordinance concerning LR&S and MVH categories of the 2014 Budget*

Clerk Treasurer McMillan introduced this ordinance.

Councilor Jennings made a motion to approve the ordinance on the first reading only; Councilor Mobley seconded the motion; which was approved by unanimous voice vote. The ordinance will be heard on 2<sup>nd</sup> reading at the May 5<sup>th</sup> meeting.

#### **COUNCIL COMMENTS:**

**Councilor Dave Mobley** – No comments.

**Councilor John Jennings** – Congratulated the BGMS girls' basketball team on their winning season this year. If anyone is interested in the RDC appointment, or knows someone who would be interested, please contact one of the Council members.

**Councilor Dave Harrison** – Thanked everyone for attending the meeting. Many good things going on in the city and he appreciates everyone’s effort.

**Councilor Anthony Davidson** –Encouraged everyone to attend the Little League and Softball parade on April 26<sup>th</sup> at 9 a. m. at Sarah T. Bolton park. He is looking forward to coaching for the first time this year.

**Councilor Ed Bell** –Read an email from a former city employee.

**Councilor Mary Stewart** – No comment.

**Councilor Kathy Coates** – Would welcome feedback on any of these ordinances discussed tonight.

**ADJOURNMENT:**

Councilor Jennings moved to adjourn. Councilor Mobley seconded the Motion. The meeting was adjourned at 8:29 p. m.

**The next meeting will be May 5, 2014 at 7:00 p.m. at City Hall.**

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Dennis Buckley, Mayor

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Dan McMillan, Clerk–Treasurer

Minutes prepared by: Mary Duffer