

Beech Grove City Council

Meeting Minutes

February 6, 2012

I. Call to order

Mayor Dennis Buckley called the meeting to order at 7:08pm.

II. Roll call

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

III. All Joined in the Pledge of Allegiance to Our Flag

IV. Special Presentation

Beech Grove American Legion Post No. 276 presented to the City of Beech Grove 40 American Flags to be hung up on Main Street. Councilor Anthony Davidson and Mike Jarvis participated in the Pledge of Allegiance and the presentation of the American Flags.

V. Approval of minutes from last meeting

Clerk Treasurer Dan McMillan read into the record the minutes from the last meeting. Councilor made a motion to accept the minutes as read. Councilor seconded the motion. The motion carried by unanimous voice vote. The minutes were approved as read by unanimous voice vote.

VI. Mayor' Comments

Mayor Buckley asked the Council to suspend the rule that restricts the citizens' comments. He asked that the citizens be allowed to speak on any topic, not just agenda items, and that no time limit be placed on them. Councilor John Jennings made a motion to suspend the rules. Councilor Dave Harrison seconded the motion. The motion passed by voice vote. The floor was opened for discussion

VII. Public Comments

- Joy Wallace complimented and thanked Tom Hannon and City Workers for responding so quickly to take care of a complaint she had made regarding tree limbs over hanging onto a sidewalk. Mayor Buckley stated that Tom Hannon is a valuable employee to the city. He used his vacation time yet he showed up to work every day.
- Mike Jarvis presented concerns of the Citizens of District Two that he compiled while Campaigning in 2011. This was a promise he had made to the citizens.
 - Animals/Dog Problems
 - Road Repairs/Alley Repairs/Sidewalk Repairs/Street Markings
 - Unoccupied Homes/Disrepair/No Utilities
 - Many Citizens did not know who their City Councilor was. More presence of City Councilors
 - No Landlord Responsibility

- Drugs and Prostitution
- Tree Limbs Hanging Over Sidewalks
- Quality of Life Issues/Concern for Safety/More Police Patrols
- Teenagers Congregating/Curfews
- Overgrowth of Vegetation
- Fire Hydrants Not Being Maintained/ No Parking Signs
- Lack of Markings on Main Street for Parking and Street Crossings
- Dog Park Issues
- Compliance Officer
- Properly Marked Handicapped Parking Spaces/ Sidewalks Not ADA
- ADA Compliance Issues/ ADA Residential Parking Issues
- Bicycles Laws Not Enforced
- Apartments Compliance Issues
- Police Academy Brought Back/ Reserve Police
- Spraying for Mosquitoes
- Cars Parking Improperly/ Signs Need Replaced and Added

Mike Jarvis requested that the Councilors become more involved in their districts.

Councilor Dave Mobley thanked Mike Jarvis for his work and wants to meet with him.

Councilor Kathy Coates thanked Mike Jarvis for his work.

- Judge Andrew Wells thanked the Councilors for their support of the court, and he recognized and thanked Judge Hunter for his service. He appointed Cindy Johnson as the Court Clerk and her performance has been exemplary. He also presented an Audit Report on the Court for the last three years and stated that the cost of the court to the city has only been approximately \$10,000.00.

Councilor Kathy Coates asked questions regarding ordinance violations fees. Judge Wells explained currently fines collected under the Ordinance Violations Bureau are collected by the Court Clerk. Beech Grove Code of Ordinances says it shall be collected by the Clerk-Treasurer, while Indiana Code says it is a decision to be made by the City Council. The court is upgrading to a new, free software system. City Court is not interested in revenue, but they do not want to become a burden on the city. The court hours are switching to be more convenient to serve the people. Judge Wells stated The State Board of Accounts and the Supreme Court Disciplinary have said the court is in compliance. Councilor John Jennings commended Judge Wells on the exemplary job he is doing and on his report. Councilor Ed Bell inquired about the time change. Councilor Dave Harrison questioned about the salaries for the court. Judge Wells gave his explanation. He believes his report is very close on the numbers presented. Councilor Kathy Coates asked Chief Mark Swartz if the court has helped them. Chief Swartz said they have cases in both Beech Grove and Indianapolis. The new software system that the court intends to implement has not been implemented yet, so the Chief could not comment on it. Councilor Ed Bell asked if all traffic offenses are heard in Beech Grove. Yes they are. Councilor Mary Stewart asked how many hearings they have per week. Judge Wells stated twenty to forty shows up each week for court. The court has many failures to appear. City wins on failures to appear.

VIII. Community Liaison Report

Gary Loveless, Mayor Ballard's Representative for the Southeast Side gave the following report

- Mosquito control is through Marion County Health Department
- CERT training is free to everyone.
- Admission to the Children's Museum is free the first Thursday of each month from 4:00pm to 8:00pm. President's day is free all day.
- Keep Indianapolis Beautiful Clean-up is scheduled for April 21st. The city is divided into quarters. You can call 264-7555 ext. 116 and ask for Tammy. They will give you everything you need to assist in cleaning up the city.
- Free tax preparation
- NeighborWoods Is a program for free trees in right always and subdivisions to help beautify Cities. They will also help with designing your project. Keep Indianapolis Beautiful.
- IPL Project Greenspace will fund up to \$1000.00 for projects.

- Faith Hope and Love Coordinating Group will decide on who needs help. This group will help with food pantries, electrical, and heating repairs and other repairs for the needy. Mayor Buckley will head up this committee.

Mayor Buckley stated Municipal fire Hydrants are painted green and it is not the responsibility of the city to paint those. Private property owners should paint their fire hydrants red or yellow.

IX. VII. Reports from Committees, Boards and Commissions:

Greenscape Commission: Tim Latimer reported that a few members from the Lions club attended their last meeting. The Lions Club desires to acquire trees for the city, so that is what was discussed. A booth for the July 3rd fireworks and Beech Grove Fall Festival was discussed, also. Dave Miller provided an updated list on approved trees for streets and it is posted on the Greenscape Committee Page.

Redevelopment Commission: No Report

X. Old Business

Mayor Buckley announced the city got the 1782 form today from the DLGF for the budget. Final submissions must be made by February 13th.

Councilor Ed Bell announced the nominees for the Redevelopment Commission. They are Benny Lewis, Joe Griffin and Dawn Whalen.

Mayor Buckley proceeded to poll the council for their voice votes.

Councilors Voted as Follows:

- ✓ **District 1 Mary Stewart Voted for Dawn Whalen**
- ✓ **District 2 Ed Bell Voted for Joe Griffin**
- ✓ **District 3 Anthony Davidson Voted for Dawn Whalen**
- ✓ **District 4 John Jennings Voted for Dawn Whalen**
- ✓ **District 5 Dave Harrison Voted for Joe Griffin**
- ✓ **Councilor at Large Kathy Coates Voted for Dawn Whalen**
- ✓ **Councilor at Large Dave Mobley Voted for Joe Griffin**

Dawn Whalen was voted in as a Redevelopment Commission Member by a voice vote of 4 to 3.

General Ordinance No.1

Mayor Buckley asked for a motion to read into the record General Ordinance No. 1, for the 2nd reading, by title only. Councilor Stewart made a motion to accept the reading by title only. Councilor Coates seconded the motion. A voice vote was taken and the motion carried by a 4 to 3 vote.

Next Mayor Buckley asked for public comments.

Amy Masterson stated she objects to government imposing regulation on business. Craig Wiley Cited a Supreme Court 2008 decision regarding the matter. The Council, Mayor and City Attorney discussed the matter.

Mayor Buckley proceeded to poll the Council for their voice vote.

Councilors Voted as follows:

- ✓ **District 1 Councilor Mary Stewart Voted Yes**
- ✓ **District 2 Councilor Ed Bell Voted Yes**

- ✓ **District 3 Councilor Anthony Davidson Voted No**
 - ✓ **District 4 Councilor John Jennings Voted No**
 - ✓ **District 5 Councilor Dave Harrison Voted Yes**
 - ✓ **Council at Large Councilor Kathy Coates Voted No**
 - ✓ **Council at Large Councilor Dave Mobley Voted No**
- General Ordinance No. 1 was defeated by a 4 to 3 voice vote.**

General Ordinance No. 2

Mayor Buckley asked for a motion to read into the record General Ordinance No. 2 for the 2nd reading by title only. Councilor Dave Harrison made a motion to accept the reading by title only. Councilor John Jennings seconded the motion. The motion carried by voice vote.

Mayor Buckley asked for questions or comments by Council. Councilor Jennings made a motion to accept General Ordinance No. 2 as read. Councilor Davidson seconded the motion.

Mayor Buckley polled the Council for their voice vote. The vote was unanimous to accept General Ordinance No. 2. Mayor Buckley asked for a motion to read into the record General Ordinance No. 2 for the 3rd reading by title only. Councilor Mary Stewart made a motion to accept the reading by title only. Councilor John Jennings seconded the motion.

Mayor Buckley once again read General Ordinance No. 2 into the record. Councilor John Jennings made a motion to accept General Ordinance No. 2 as written. Councilor Kathy Coates seconded the motion.

Mayor Buckley polled the Council for their voice vote. The vote was unanimous to accept General Ordinance No. 2.

General Ordinance No. 2 passed by unanimous voice vote.

General Ordinance No. 3

Mayor Buckley read into the record General Ordinance No. 3

Mayor Buckley asked the public for comments.

Bill Cirrello of Cirrello Plumbing asked the council to send the Ordinance to committee. He cited problems with the language and fees for repairs. He stated no municipality charges fees for repairs. Bill Cirrello volunteered to serve on the committee as a contractor.

Joe Griffin spoke to address his opinion that the raise in fees is too high, and does not promote economic growth. Joe stated "We are the highest levy and taxing district in Marion County". Beech Grove has no money and he believes we need to work on County Option Income Tax (COIT). He stated that we need to put people in place on committees that know what they're doing. Beech Grove has a lot of empty buildings. Permits and licenses that cost \$735.00 now would cost over \$9300.00 with the raise. "This is bad", he stated.

Mike Jarvis asked for a research committee to be formed to investigate these fees before the ordinance passes.

Mayor Buckley asked Councilor Ed Bell to speak to the conversation they had earlier concerning developing a committee to look over these fees before the ordinance goes before the Council for the final reading. Both are in agreement. Councilor Ed Bell gave a brief description citing he and Mayor Buckley had discussed forming a committee to study the increases.

Councilor Kathy Coates stated she introduced the ordinance, and she welcomes all comments and input from citizens on this issue. She also stated she is in favor of forming committees to look at the ordinance. She just wants to be sure it is done right.

Mayor Buckley asked for a motion to read into the record General Ordinance No. 3 for the 2nd reading by title only. Councilor Kathy Coates made a motion to accept the reading by title only.

Councilor Ed Bell seconded the motion. The motion carried by voice vote.

Mayor Buckley read General Ordinance No. 3 into the record.

Mayor Buckley then polled the Council for their voice vote.

Councilors Voted as Follows:

- ✓ **District 1 Councilor Mary Stewart Voted yes**
- ✓ **District 2 Councilor Ed Bell Voted Yes**
- ✓ **District 3 Councilor Anthony Davidson Voted No**
- ✓ **District 4 Councilor John Jennings Voted No.**
- ✓ **District 5 Councilor Dave Harrison Voted Yes**
- ✓ **Council at Large Councilor Kathy Coates Voted Yes**
- ✓ **Council at Large Councilor Dave Mobley Voted No.**

The second reading of General Ordinance No. 3 passed by a 4 to 3 voice vote.

Mayor Buckley instructed Councilor Pro Tem Ed Bell that Councilor Ed Bell will be in charge of forming the committee or committees to look at General Ordinance No. 3. Mayor Buckley stated he will take the committee's recommendation on whether to proceed to the third reading on General Ordinance No. 3.

XI. New Business

Mayor Buckley read the Conflict of Interest Statement for City Official Clerk Treasurer Dan McMillan. Councilor Ed Bell made a motion to accept the Conflict of Interest Statement as read. Councilor Mobley seconded the motion. The motion carried by unanimous voice vote.

Mayor Buckley read the Conflict of Interest Statement for City Employee Lynn Rekeweg for snow plow removal for the city. Councilor Jennings made a motion to accept the Conflict of Interest Statement as read. Councilor Stewart seconded the motion. The motion carried by unanimous voice vote.

Mayor Buckley read a Conflict of Interest Statement for Lynn Rekeweg for IT work he performs for the City of Beech Grove. John Jennings made a motion to accept the Conflict of Interest Statement as read. Councilor Anthony Davidson seconded the motion. The motion carried by unanimous voice vote.

Mayor Buckley stated these statements will be forwarded to the Board of Works for their approval.

XII. Comments from Councilors

Councilor Dave Mobley - thanked Mr. Jarvis for his report and statement.

Councilor John Jennings - thanked Mr. Jarvis for his report and efforts. He also thanked Judge Wells for his report, and the American Legion for their generous contribution of forty flags to the city.

Councilor Dave Harrison - thanked everyone for attending and for their comments. He is listening.

Councilor Anthony Davidson - thanked Mike Jarvis for his report and for his service to our city. He also congratulated Dawn Whalen on her appointment to the Redevelopment Commission, and he thanked business owners for the comments and emails he received regarding the ordinances.

Councilor Ed Bell - thanked everyone for coming. He stated how great he thinks it is to see people involved. He also thanked Mike Jarvis for his report

Councilor Mary Stewart - agrees with everyone's comments, and she thanks all those who spoke tonight. She stated it helps to make the council more aware of what is going on in the community. She congratulated Dawn Whalen on her appointment to the Redevelopment Committee.

Councilor Kathy Coates - agrees with everyone's comments. She stated she wants any input she can receive from the citizens, and stated she likes healthy constructive dialogue.

Next meeting of the Beech Grove City Council is Monday, March 5th, 2012 at 7:00pm.

Adjournment: Councilor John Jennings made a motion to adjourn. Councilor Mary Stewart seconded the motion. The meeting was adjourned at 9:13pm.

Dennis Buckley, Mayor

Dan McMillan, Clerk Treasurer