

## Beech Grove City Council Meeting Minutes

Tuesday January 17, 2012

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

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

**All joined in the pledge of allegiance to our flag.**

**Meeting Minutes:** January 17, 2012 minutes were read into the record by Clerk Treasurer Dan McMillan. The Minutes for the January 17, 2012 will be amended to read:

*New Business: Mayor Buckley asked for nominations for the position of President Pro Tempore. John Jennings nominated District 2 Councilor Ed Bell. Mary Stewart seconded the nomination. Mayor Buckley asked if there were any other nominations. There were none. Nominations were closed. Councilor Ed Bell was voted in as President Pro Tempore by a vote of acclamation.*

A motion was made by Councilor Anthony Davidson to accept the amended minutes. Councilor John Jennings seconded the motion. The motion was carried by voice vote.

**Mayor's Comments:** Mayor Buckley asked the Council for a motion to suspend the rules that restricts the citizens' comments. He asks that the citizens be allowed to speak on any topic, not just agenda items, and that no time limit be placed on them. Councilor Kathy Coates made a motion to suspend the rules. Councilor Mary Stewart seconded the motion. The motion passed by voice vote. The floor was opened for discussion.

**Public Comments:** Linda Rubadue, Manager, and Resident, of Woodcrest Apartments spoke in opposition to an ordinance that would change or raise sewer bills to apartments. Linda stated Woodcrest Apartments paid \$14,000.00 in sewer bills last year to the City of Beech Grove. Linda further stated Woodcrest Apartments provides their own trash pick-up, street sweeper, and snow removal. The only services they receive from the City of Beech Grove are police and fire. She expressed her opinion that this ordinance would produce an unfair burden on apartments.

Amy Masterson spoke in opposition to a change in the ordinance that would raise the sewer bills to rentals and multiple dwellings. She first cited: *Ordinance No. 50.001 Definitions. "RESIDENTIAL USER." A user of the sewage works whose premises or building is used primarily as a residence for one or more persons, which shall include only single-family residences, multi-family residences and apartments.* She also cited part of, *Ordinance No. 50.033 (e) In addition to all other charges for treatment of sewage waste to an individual user, there is imposed a service charge of \$7.10 per meter per month on each user.* Amy also expressed her concern that these charges would cause a raise in monthly rental charges to the occupants, who would not be able to afford them, and consequently cause higher vacancy rates.

**Community Liaison Report:** None

**Reports from Committees, Boards and Commissions:** None

**Old Business:** Councilor Ed Bell reported that he and Councilor Kathy Coates are going to convene a committee along with two citizens to conduct a study on the current sewer rates. They both want public input. Councilor Kathy Coates would like to have a single family dwelling owner, and an apartment manager included on the committee. Mayor Buckley and Councilor Kathy Coates both agree to delay a decision on the sewer ordinances until the study is completed. Councilor Ed Bell also reported on research he has conducted himself. He stated we have 4209 of these units in our city now. On single and double dwelling units (this excludes apartment buildings) we file 35 to 40 liens per month, at an estimated cost to the city of twelve to fourteen thousand dollars. Each month the city sends out approx. 125-175 "First Lien Letters" at a cost of \$10.00 per letter to the city. In addition, the city sends out approx. 80 to 100 "Second Lien Letters" per month at a cost of \$20.00 per letter, and an additional cost of \$5.50 per letter in filing fees. A solution needs to be found. These fees are lost revenue for the city and are an additional cost to all of us. Citizen, Stephanie Hubbard, asked if we currently have any administrative fees in place for these notices. Councilor Ed Bell stated no. There is no ordinance in place for fees, but that is something the committee is going to study.

**New Business:**

- Mayor Buckley read a Letter from Mr. Warren Whittaker offering his resignation to the Redevelopment Commission (RDC). Councilor Ed Bell made a motion to accept Mr. Whitakers' Letter of Resignation. Councilor Dave Mobley seconded the motion. The motion was carried by voice vote.

Councilor Ed Bell asked Council Members for names of citizens to be considered for the Redevelopment Commission. Mr. Whitaker was one of two Council Appointments. Mr.

John Morgan represents the other Council appointment. Mr. Morgan was appointed in October of last year. The Council has 2 appointments and the Mayor has 3 appointments.

- Councilor Anthony Davidson nominated Dawn Whalen. Councilor Ed Bell nominated Benny Lewis. Councilor Dave Mobley nominated Joe Griffin. Nominations remain open. A vote will be taken at the February 6<sup>th</sup> City Council Meeting.
- Councilor, Ed Bell, read into the record the First Reading of:

**General Ordinance No. 1, 2012;** An Ordinance establishing changes in the financial responsibility, of the person, who is responsible for payment of the City of Beech Grove Sewer Bills, to the City of Beech Grove, regarding single and double family dwellings.

A lengthy discussion between many citizens & councilors ensued. Councilor Kathy Coates made a motion to approve the ordinance as read. Councilor Mary Stewart seconded the motion. The motion was carried by a voice vote of four to three. 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 Kathy Coates voted yes.  
Council At Large Dave Mobley voted no.

- Mayor Dennis Buckley, read into the record the First Reading of:

**General Ordinance No. 2, 2012;** An Ordinance that authorizes the Mayor and Clerk Treasurer to purchase a Blanket Bond, or Crime insurance policy, endorsed to include, faithful performance to cover all employees, commission members, and persons acting on behalf of the City of Beech Grove Local Government. Councilor John Jennings made a motion to approve this ordinance. Councilor Dave Harrison seconded the motion. The motion was carried by voice vote.

- Councilor Kathy Coates, in remembrance of former Councilor Ingle Harris, read into the record the First Reading of:

General Ordinance No. 3, 2012; An Ordinance that amends Sections 150.066, 150.067, 150.068, 150.069, 150.070, 150.072, 150.096, 150.172, and 150.200 of the Code of Ordinances of the City of Beech Grove. General Ordinance No. 3, 2012 adds

**Councilors voted as follows:**

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District 4 Councilor John Jennings voted no.  
District 5 Councilor Dave Harrison voted yes.  
Council At Large Kathy Coates voted yes.  
Council At Large Dave Mobley voted no.

**Comments from Councilors:**

**Councilor John Jennings:** Expressed his concern over Mr. Whittaker's resignation from the Redevelopment Committee and stated we will miss him. He hopes Mr. Whittaker is doing ok. Mayor Buckley stated he spoke with Mr. Whittaker on Monday and that Mr. Whittaker is splitting his time between here and Phoenix. Mayor Buckley stated they had a very nice conversation.

**Councilor Anthony Davidson:** Thanked Linda Rubadue and Amy Masterson for their presentations. He expressed how much the city is going to miss Mr. Whittaker serving on the Redevelopment Commission. He also reminded everyone that tonight was only the first reading on the Ordinances presented. He encouraged the citizens to express their opinions to their councilors. He offered to give anyone his telephone number after the meeting if they would like to call him.

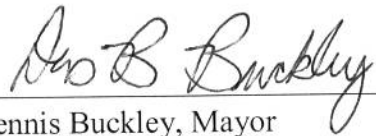
**Councilor Ed Bell:** Thanked everyone for coming. He commented that the attendance tonight was the largest he has seen for a "Special Meeting" in the last four years. He stated he thinks it's great. He further commented that he has been speaking to many citizens and they have shared concerns about all the comments on social networking and blogs. He offered the opinion that City Council Members, Boards, and Commissions should be held in a higher esteem

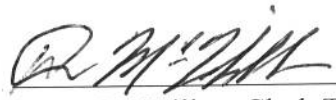
**Clerk Treasurer Dan McMillan read a letter with an update on St. Francis**

**A meeting is scheduled with St. Francis Representatives, Board of Works Members and Parks Board Members, Wednesday January 25, 2012 at 3:00pm in City Hall Council Chambers.**

**Next Beech Grove City Council Meeting will be Monday, February 6, 2012**

**Adjournment:** Kathy Coates made a motion to adjourn. Mary Stewart seconded the motion. The motion was carried by voice vote. The meeting was adjourned at 8:40pm.

  
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Dennis Buckley, Mayor

  
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Dan McMillan, Clerk Treasurer