

**CITY OF BEECH GROVE CITY  
COUNCIL MEETING MINUTES  
MONDAY JANUARY 21<sup>st</sup>, 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, and Kathy Coates. Also present 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.**

**SPECIAL PRESENTATION:-** presented by Lance Ratcliff of Interlocal Association

Lance explained that he is Executive Director of Interlocal Association. He also explained that he will be giving background on the Association, and what it does and he is asking for your continued support of the Association. He presented the following information;

Interlocal Association is a local governmental entity. Interlocal has been around since 1973 the Association was formed by the Mayors of several small cities in Central Indiana. Mayor Elton Geshwiler was one of founding members of the group back in the 70's. The purpose of the Association is to provide planning and administrative support for various community development programs including, Work Force Development. The past 40 plus years the Association has been very active in working with the Regional Work Force Boards. Currently, they have contracts to oversee the Work One offices throughout the donut counties within this region. The green sheets in your packet talk about the Work One offices and some of the things they do. They have been around for several years. When Interlocal Association was formed it was set up on the basis that every 5 years, each of the member cities would look at the organization, what it's doing, and so forth, to make a determination that it is being accountable for its actions. From those finding those cities would determine whether or not they wanted to continue to participate with the group. Also, Interlocal Association has an annual CPA audit. The Association carries liability insurance and they are bonded for employee fidelity. Over the last many years they have spent \$122 million dollars in Federal Work Force training money without any disallowed cost; nor have any of those funds ever been determined to have been used improperly. The Association has maintained good performance with programs, in terms of serving people, enrolling them, and placing them in jobs and helping them with their training. Interlocal Association has been involved for several years in Central Indiana working with various Work Force Boards. They coordinate with all surrounding areas, as well, Indianapolis, Marion County and the next ring of counties adjacent to the so called "donut counties". The information in your packet shows how many customers the Association has; which they get about 50,000 people who visit at least one time, over the course of a year within the 7 offices and of those 7 offices we have about 1,100 people, who have been enrolled this year with specific programs to help them find jobs. We have placed over 70% of those people. They are meeting their standards as far as described by the Department of Labor in the State of Indiana. That's a quick overview and reference materials of the organization. Lance then asked the Council if there were any questions and thanked them for their time.

Mayor Buckley commented that there is a Resolution under New Business that the council will entertain, should it be approved, it will be sent back to Lance.

**APPROVAL OF MINUTES:** Clerk Treasurer McMillan presented Monday, December 2, 2013 meeting minutes to the council. Councilor Jennings made a Motion to accept the minutes as presented; Dave Harrison seconded the Motion; which was approved by unanimous voice vote.

**COMMENTS BY CITIZENS:** None

**REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:**

Mayor Buckley commented that due to the lengthy agenda for tonight's meeting he emailed the Board's and asked them to submit a written report, but he did not receive any.

**Greenscape Commission** – None

**Redevelopment Commission (RDC)** – None

**Public Safety** – None

**ABC** –None

**Mayor's Liaison Report** – None

**Financial Report- presented by Clerk Treasurer Dan McMillan:**

As of 5:30pm tonight the Annual report was completed in Keystone and loaded into the Gateway. The report can be viewed on the website @ <http://www.beechgrove.com/2013-year-end-and-annual-reports.html>.

Today I got some good news of additional revenue the city will be receiving. There is funding available to supplement the loss of income from Medicaid patients using the ambulance service. The city has not applied for this, but the good news is we have until January 31<sup>st</sup> to submit our application for the years 2011 and 2012, and until June to submit for 2013. This additional revenue and an improvement in city finances, should allow me to add 3 new paramedics to the budget for 2015.

The month of December was a busy month as we began preparation for the year end. 2013 year end was unusual as there were changes in employees pay, positions, health & dental insurances that had to be recorded before the first paychecks of the year. Our office has been very busy updating and correcting spreadsheets for all of these. Debbie has taken on the tasks of reviewing each employee's pay and deductions; comparing it to the Salary Ordinance, insurance enrollment forms, insurance bills and Health Savings Accounts. Errors have been found and I take full responsibility for them and I apologize, but with that being said in accordance with State Statute we have to collect the monies. Debbie has done a good job at reviewing, correcting and updating employee's payroll and I have a great deal of confidence that employees will see an improvement with accuracy and a lot less errors.

Tonight you will be asked to amend the Salary Ordinance. The contract for the Police Department; which was approved by the Board of Works; included a pay raise for the positions of Captain, and Sergeant, but the Council needs to approve those through an amendment. Also, in December of 2011 a position of Detective Manager was added to the Police Department and a position pay increase was added. That detective has received the pay increase since January of 2012, so the Council needs to pass an amendment to approve this position and make it retroactive back to January of 2012. If the Council chooses not to approve the new position and pay raise the detective would be required to pay back the money to the city.

We also completed the 100R on the Gateway and sent an electronic and paper copy to the Marion County Treasurer as is required by law.

We paid off the 2013 TAW on December 26, 2013. The amount of that was \$1,246,242.23.

We also received our property tax money and I have passed out copies of the Form 22 to all of you.

The 2014 TAW will not be finalized until January 31<sup>st</sup>, so I still don't have an interest rate. The total amount borrowed was \$2,061,133.00. Last year the total amount borrowed was \$2,294,522.00. This represents a reduction of over \$260,000.00 from the 2013 TAW.

We are in the process of completing the information on the Gateway. Federal Grants have to be reported on the Gateway and we are waiting to receive information from the Police department regarding their grants to complete the Gateway.

There is a new required report on the Gateway this year; which is the OPEB Report, short for "Other Post-Employment Benefits". It is quite extensive with the information that is required. Jeff Peter's Office and Christian Duncan are assisting us. We have already created 6 spreadsheets that we have sent to Jeff Peter's and there are many more to create and send. This report has to be filed before February 1, 2014. The report contains data that the state is collecting on benefit packages offered to employees and retirees; including dental, health, life and vision insurances.

Cities just began reporting on the Gateway in 2012 and it now includes 8 applications; which include, the Budget, the Annual Report, and the 100R to name a few. I have highlighted some of the changes below.

The 100R had several changes this year:

State Legislature Changes:

- Per [IC 5-11-13-1](#), **All Units** must indicate whether the unit offers a health plan, a pension and other benefits to full-time and part-time employees.
- Also, per [IC 5-11-13-1.1](#), **Counties, Cities, Towns and Townships** are to indicate whether they have implemented a nepotism policy and a contracting policy as defined in [IC 36-1-20.2](#) and [IC 36-1-21](#)

State Board of Accounts Changes:

- Report *ALL* people employed by the unit for the previous year. This includes part time, temporary, and seasonal employees.
- Report *TOTAL* compensation paid.
- *In the past, the hardcopy 100R indicated that you should list people that were currently employed by the unit in January when the report was prepared. Compensation was reported as an amount on a "per unit" basis, for example \$10.00 per hour or \$500 per week. Actual reporting was very inconsistent. Some units reported all people employed during the year and their total compensation for the year. In addition, compensation on a per unit basis leaves out some categories of compensation such as overtime pay. Per unit reporting can also make it difficult to compare compensation between different employees and units.*

The City Website continues to be successful and is provided at no charge to the taxpayers. A "Document Center" has been added under "Government". Minutes, reports, bank statements and more can now be accessed in this one easy location. We continue to have wonderful volunteers that assist with updating and posting. Their creativity, hard work and dedication never cease to amaze me.

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.

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 December 31, 2013 are listed below.

**Bank Account Name****Bank Account Balance**

City Corporation	\$1,618,374.19
City Utilities/Sewage/Wastewater	\$680,830.85
Main Street Redevelopment/Main Street Loans	\$242,100.55
City Court	\$52,077.50
Criminal Investigations (CIF)	\$212,586.37
Redevelopment Commission (RDC) General	\$840,196.08
Redevelopment Commission (RDC) Debt Service	\$584,842.97

As always my door is open if you have any questions. Thank you.

Respectfully Submitted,  
 Dan McMillan, Clerk Treasurer  
 City of Beech Grove

**UNFINISHED BUSINESS:****General Ordinance No. 20, 2013 Amendment**

*...Amendment to the 2013 Salary Ordinance-amending Position Pay for Police Sergeants and Captains, Differential Pay, and adding Position Pay for Police Detective Manager/Supervisor*

Clerk Treasurer McMillan read the Ordinance into the record in its entirety.

Councilor Jennings asked if the reason this could be passed with one reading is because it is an amendment. Mayor Buckley answered, yes. Councilor Jennings then asked Officer Ferrer if this covers everything they discussed. Councilor Davidson commented to Clerk McMillan, that the Clerk when giving his financial report stated that the amendment for the Detective/Supervisor needed to be made retroactive to 2012 and Councilor Davidson does not see that in the Ordinance. Clerk McMillan commented that he did not write the Ordinance, but Councilor Davidson is correct. Clerk McMillan also stated that this was not left out of the Salary Ordinance. The Police contract was not signed until December and the budget was approved in October; consequently, the position pay increases were not included in the budget. Mayor Buckley commented that the shift differential was left out of the budget. Clerk McMillan commented that the shift differential did not have to be in the budget. Mayor Buckley then commented to Councilor Davidson that in answer to the Councilor's question to the Clerk, with regards to making the Detective Manager/Supervisor retroactive it should be done back to the 2012 Salary Ordinance.

Councilor Coates remarked that there are actually two separate issues to deal with. One is the monetary impact to the budget. Deputy Chief Maurice stated that it does not increase the budget or impact anyone else. Councilor Jennings asked him to step up so they could get that on camera. Police the budget that was approved the money category is there. Clerk McMillan clarified that this increase in position pays or shift differential was not put into the budget for 2014. Chief Swartz said the money was there from officers retiring and such. Councilor Coates asked if the money was approved in the 2014 budget for the Detective Manager/ Supervisor position. Clerk McMillan stated the position is budgeted in the 2014 budget, but if the Council does not make this position retroactive back to 2011 when the Salary Ordinance was approved, the Officer will have to pay the money back. Clerk McMillan further commented that the position was never

put into the Salary Ordinance. Councilor Harrison asked how much money the position pays. Clerk McMillan stated \$2,500.00 per year.

Councilor Davidson made a Motion to amend, the amendment to General Ordinance No. 20, 2013, Salary Ordinance, and make the Detective Manager/Supervisor position pay retroactive back to January 1, 2012. Councilor Davidson also commented that he does not believe the Officer would have to pay that back. Councilor Jennings seconded the Motion; which was approved by unanimous voice vote.

Councilor Jennings made a Motion to accept the amendments to General Ordinance No.20, 2013, including the Amendment brought forth by Councilor Davidson this evening. Councilor Mobley seconded the Motion; which was approved by unanimous voice vote.

### **General Ordinance No. 15, 2013**

*...Handicapped Parking*

Clerk Treasurer McMillan read the Ordinance into the record in its entirety.

Councilor Jennings made a motion to table General Ordinance No. 15, 2013 Councilor Harrison seconded the motion; which was approved by unanimous vote.

### **General Ordinance No. 16, 2013**

*...Fire Station Zones*

Clerk Treasurer McMillan read the Ordinance into the record in its entirety.

Councilor Jennings made a Motion to approve General Ordinance No. 16, 2013 until Mayor Buckley puts it back on the agenda. Councilor Mobley seconded the motion; which was approved by unanimous vote.

Councilor Coates asked if regarding enforcement, if this is this going to be like a school zone.

Chief Swartz commented that it's more of a warning sign; it would be up to a Judge if he wants to influence it. It's still the same speed limit; it just warns people that it's a fire station area or fire zone and alert if they hear a siren, and be more alert of where a hazard could be. The fine and speed limit are the same.

### **General Ordinance No. 17, 2013 3<sup>rd</sup> and final Reading**

*Fire Lane Parking*

Clerk Treasurer McMillan read the Ordinance into the record in its entirety.

Councilor Jennings asked if this is the area along the fence, where the entrance to football field is located and in front of the high school gymnasium entrance. Chief Swartz stated that it wouldn't include the front of the fence, because of the building, but would include the gymnasium, the swimming area, and the front of the building.

Councilor Jennings said “me and my big truck don’t have enough room to turn around now. This will keep people from parking along there and that curb, so that it will be possible for a fire department truck or ambulance to get in there”.

Chief Swartz answered, that it would give the police the right to remove those cars. There is an Indianapolis Ordinance that Beech Grove can’t enforce.

Councilor Jennings made a Motion to approve the Ordinance; Councilor Harrison seconded the Motion; which was approved by unanimous vote.

**NEW BUSINESS:**

**Election - Council President:**

Councilor Mobley nominated Councilor Anthony Davidson. Councilor Harrison nominated Councilor Ed Bell.

Councilor Harrison commented that he thought the Council President & the Mayor have to get along and work hand in hand and he hasn’t seen them be the most cordial to each other. He said, he meant no disrespect to Councilor Davidson, but he doesn’t see them getting being able to get along.

Councilor Mobley stated that he doesn’t know why they wouldn’t get along.

Councilor Jennings commented that even in politics things might not be pretty, doesn’t always have to be easy, we’ve proved that. He finished by stating, “that’s just my 2 cents”.

Councilor Coates commented “here is my 2 cents; it could go either way, because maybe if they are working together they could get along better and see each other’s point of view. That’s a valid point to make, but on the other hand Councilor Bell has only been President for 1 year, and I think he has had good ideas for going forward this year and he should be given the opportunity to continue moving forward. She finished with, “that’s my 2 cents”.

Mayor Buckley asked for a vote. The vote was tied 3 to 3 and Mayor Buckley chose not break the tie, stating that the Council should appoint their President. The vote was as follows.

District One Councilor Stewart-absent  
District Two-Councilor Bell- Councilor Bell  
District Three- Councilor Davidson- Councilor Davidson  
District Four- John Jennings- Councilor Davidson  
District Five-Councilor Harrison- Councilor Bell  
*Councilor-At-Large- Kathy Coates- Councilor Bell*  
*Councilor-At-Large- Dave Mobley- Councilor Davidson*

## **RDC Nominations-Council Appointments**

Councilor Bell opened the floor for nominations. He stated that there are two current RDC Commissioner's attending this evening, Mr. Joe Griffin and Mr. Donald Webb. Councilor Bell also commented that Tammy Storey had contacted him and has an interest in serving on the RDC, so Councilor Bell nominated her for a RDC position. Councilor Jennings remarked that Mrs. Storey had expressed an interest to him also and that he does not feel comfortable moving forward with nominations until everyone has a chance to speak to the Council and *vice versa*. Councilor Mobley made a Motion to table the nominations. Councilor Coates seconded the Motion; which was approved with a 5-1 vote. Councilor Harrison voted no.

### **Resolution No. 1, 2014**

#### *Appointments to the Redevelopment Commission*

Not introduced because the nomination process has not been completed yet

## **BZA Nominations:**

Councilor Bell announced that the three current Board members would like to continue their service. They are Julie Weaver, Diana Hendricks and Joe Haag. Councilor Bell then asked if there were any other nominations and none were brought forward.

Councilor Bell called for a vote to nominate the current three BZA Members, Julie Weaver, Diana Hendricks and Joe Haag to the Board of Zoning and appeals. A voice vote was taken and all three were approved by unanimous voice vote.

### **Resolution No. 2, 2014 - BZA**

#### *Appointments to the Board of Zoning Appeals*

Clerk Treasurer McMillan read the Ordinance into the record in its entirety.

Councilor Jennings made a Motion to approve the Appointments of Julie Weaver, Diana Hendricks, and Joe Haag to the Board of Zoning Appeals. Councilor Davidson seconded the Motion; which was approved by unanimous voice vote.

### **Resolution No. 3, 2014**

#### *Interlocal Agreement*

Clerk Treasurer McMillan read the Ordinance into the record in its entirety.

Councilor Davidson asked if there is an annual fee and what the amount of the annual fee is for this Association and Clerk McMillan stated that he did not know. Mayor Buckley said it is \$250.00. Councilor Coates asked Mayor Buckley if he had attended any meetings and what his opinion is of the Association. He said he has attended meetings and they actually approve vouchers and funding for training and tuition to assist getting the unemployed-re-employed. He also said that it is good stuff and whoever the Mayor is in the future should continue with this Association. Councilor Coates suggested publicizing this more so more people know about what is available. Councilor Jennings made a Motion to approve the agreement; Councilor Mobley seconded the Motion; which was approved by a 5-1 vote. Councilor Davidson voted no.

## **General Ordinance No. 1, 2014**

*Establishes the BG Public Safety Program*

Councilor Davidson read the Ordinance into the record in its entirety.

Councilor Davidson commented that his reason for sponsoring this Ordinance is because he rode with BGPD night shift several times and has noticed that they are busy, bouncing from one call to another non -stop. There is a definite need for traffic enforcement in this city and if there is dedicated money to traffic enforcement it will increase the police presence; which should minimize larceny and other crimes.

Mayor Buckley and Councilor Davidson both agree that more Police Officers are needed

Councilor Coates commented to Chief Swartz that she understands that this might be of assistance to the Police, but it is not a solution, if more Officers are needed on shifts. Chief Swartz agrees, but he explained that having Officers dedicated to traffic offences will allow the other Officers to take runs. If the city can allocate funds to handle the traffic offences it will be of assistance to the department. This program would be exclusively for traffic offences. Marion County has sponsored a similar program for years and it is self- funding. The Officers participating would do so on a volunteer basis and they would be paid overtime. Councilor Coates asked if this could be a solution to problems that have been occurring at bus stops with traffic offenders and Chief Swartz said that it could.

Clerk McMillan commented that he has researched this with the State Board of Accounts and this cannot fly because there are no funds appropriated in the budget for this program and the Council cannot increase the budget. Councilor Davidson disagrees. He said he does not intend to increase the budget, but instead use funds from DEA money that is deposited into the General Fund. Clerk McMillan asked Councilor Davidson if he contacted SBOA before sponsoring this Ordinance. Councilor Davidson had not. Clerk McMillan advised that there are other problems with this too, but the Council should vote and do what they want. Councilor Jennings made a Motion to accept General Ordinance No. 1, 2014 on First Reading only. Councilor Bell seconded the Motion; which was approved by unanimous voice vote. Councilor Coates commented that she will only vote to approve on First Reading, because she does want to know more about the impact of this on the budget.

### **COUNCIL COMMENTS:**

**Councilor Dave Mobley** – no comment

**Councilor John Jennings** – I would like to first mention the tragedy that happened at Purdue University today with kids in college. I hope everything out there turns out to be as isolated as they say it was. They say it was 1 person on 1 person and not just a random shooting. Hopefully this all stops soon.

Still in the middle of basketball season, if you haven't gone out to watch the boys yet, or the girls, their fun to watch, quality entertainment, more than half way through the season, so get out there and support your local athletes. Thank you.

**Councilor Dave Harrison** – nothing

**Councilor Anthony Davidson** – I'd like to thank Councilor Mobley for the nomination and Councilor Jennings for his vote. I want to thank everyone for coming out and I'm thankful for our city employees. We had a pretty nice snow storm since our last meeting and thank Brad and those guys for the excellent job on the streets and I know it was nice to wake up the other day and look out front and have clear streets in front of my house. I thought that was top notch.

**Councilor Ed Bell** – Thanks for coming out tonight and DPW with their work out there with the snow, kudos again. I want to thank the Council for their present work and their work this past year and Thank you to councilor Harrison for the nomination.

**Councilor Mary Stewart** – absent

**Councilor Kathy Coates** – Everybody always says everything, but I thank DPW has done great and I am done with the snow. I really don't want anymore.

**ADJOURNMENT:** Councilor Davidson made a Motion to adjourn. Councilor Jennings seconded the Motion. The meeting was adjourned at 8:05p.m.

**The next meeting will be Monday, February 3, 2014 at 7:00pm in the Council Chambers at City Hall.**

\_\_\_\_\_  
Dennis Buckley, Mayor

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Dan McMillan, Clerk–Treasurer

**Minutes prepared by:** Dan McMillan