

BEECH GROVE CITY COUNCIL MINUTES
Monday, March 19th, 2012

Mayor Buckley called the meeting to order at 7:05 P.M.

Clerk Treasurer, Dan McMillan, at the request of Counselor David Mobley, read into the record the following statement:

As many of you know, I have recently been charged with committing a misdemeanor offense. I have retained legal counsel to address the charge. The alleged conduct underlying the misdemeanor charge has nothing to do with my duties as a councilman and allegedly took place on my personal time. My legal counsel has reminded me that, under the most sacred laws of this great nation and state, I am presumed innocent of all charges leveled against me by the government. I am presumed innocent unless and until I am proven guilty in a court of law. I have not been proven guilty in a court of law of anything, ever. Therefore as I stand before you today, I am innocent. There is no denying that we live in a culture which oftentimes rushes quickly to judgment. However, another bedrock constitutional principle frequently forgotten today, due process of the law, requires patience. Right now, my legal case is working its way along the path of due process in the courts. I am confident of the ultimate outcome of my case. There have been calls for me to resign my post as councilman. For the reasons identified above, I do not intend to resign. On the advice of counsel, this is all I will say on the matter at this time. We will talk again when the legal process has run its course. Until then, thank you for your anticipated understanding, cooperation, and patience.

David Mobley, City Councilman At-Large of Beech Grove

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

All joined in the Pledge of Allegiance to our flag.

MEETING MINUTES: Clerk Treasurer McMillan read into the record the missing page from the minutes dated February 6th, 2012 meeting. Councilor Jennings, moved to accept the minutes as read. Councilor Davidson seconded the Motion which was unanimously approved by voice vote. Clerk Treasurer McMillan then read into the record the minutes from the March 5th, 2012 meeting. Councilor Stewart, moved to accept the minutes as read. Councilor Harrison seconded the Motion which was approved by voice vote.

SPECIAL PRESENTATIONS: None

COMMENTS BY CITIZENS:

Chuck Fox - inquired about when the restrooms at Sarah Bolton Park were going to be replaced or repaired, he also commented on rumors regarding St. Francis. He also reported an abandoned vehicle on Third Street. Mayor Buckley stated the restrooms at Sarah Bolton Park will be demolished next Monday and Portable Pots will be used.

Stephanie Hubbard – President of the Redevelopment Commission stated they are moving fast on the Rockpile and they will be scheduling another meeting for this week. She will post it tomorrow.

REPORTS: None

UNFINISHED BUSINESS:

General Ordinance No.4, 2012,

.....an ordinance that amends Chapters 39.01, 39.02, 39.03 and 39.04 of the "Ordinance Violations Bureau" Section of the "Code of Ordinances" for the City of Beech Grove,

was introduced for the Second and Third Readings; Councilor Davidson moved to read General Ordinance No.4, 2012 into the record by title only for the Second Reading; Councilor Bell seconded the Motion which was approved by unanimous voice vote.

Mayor Buckley read General Ordinance No.4, 2012 into the record by title only for the Second Reading. Councilor Jennings moved to accept General Ordinance No. 4 as written for the Second Reading; Councilor Harrison seconded the Motion to accept General Ordinance as written which was approved by unanimous voice vote.

Councilor Jennings moved to read General Ordinance No.4, 2012 by title only for the Third Reading; Councilor Harrison seconded the Motion which was approved by unanimous voice vote.

Mayor Buckley read General Ordinance No.4, 2012 into the record by title only for the Third Reading. Councilor Jennings moved to approve General Ordinance No.4 as written; Councilor Harrison seconded the Motion which was approved by unanimous voice vote.

General Ordinance No.5, 2012,

.....an ordinance amending Section 31.20 [Councilmanic Districts] of the "Code of Ordinances" of the City of Beech Grove, Indiana,

was introduced for the Second and Third Readings; Councilor Jennings moved to read General Ordinance No.5, 2012 into the record by title only for the Second reading; Councilor Davidson ; seconded the Motion which was approved by unanimous voice vote.

Mayor Buckley read General Ordinance No.5, 2012 into the record by title only. Councilor Jennings moved to accept General Ordinance No.5, 2012 for the Second Reading; Councilor Davidson; seconded the Motion which was approved by unanimous voice vote.

Councilor Davidson moved to read General Ordinance No.5, 2012 into the record by title only for the Third Reading; Councilor Jennings seconded the Motion which was approved by unanimous voice vote.

Mayor Buckley read General Ordinance No.5, 2012 into the record by title only. Councilor Jennings moved to approve General Ordinance No.5, 2012 for the Third

Reading; Councilor Harrison seconded the Motion which was approved by unanimous voice vote.

General Ordinance No.6, 2012,

..... an ordinance that requires the placement of "Stop Signs" at the 3- way intersection of Andrea Drive and Yazoo Drive,

was introduced for the Second and Third Readings; Councilor Davidson moved to read General Ordinance No. 6, 2012 into the record by title only for the Second reading; Councilor Coates ; seconded the Motion which was approved by unanimous voice vote.

Mayor Buckley read General Ordinance No.6, 2012 into the record by title only. Councilor Jennings moved to accept General Ordinance No.6, 2012 for the Second Reading; Councilor Harrison; seconded the Motion which was approved by unanimous voice vote.

Councilor Coates moved to read General Ordinance No.6, 2012 into the record by title only for the Third Reading; Councilor Bell seconded the Motion which was approved by unanimous voice vote.

Mayor Buckley read General Ordinance No.6, 2012 into the record by title only. Councilor Jennings moved to approve General Ordinance No,6, 2012 for the Third Reading; Councilor Harrison seconded the Motion which was approved by unanimous voice vote.

General Ordinance No.7, 2012,

..... an ordinance that removes Chapter 90 (Animals) Section 90.05 of the "Code of Ordinances" of the City of Beech Grove,

was introduced for the Second and Third Readings; Councilor Davidson moved to read General Ordinance No.7, 2012 into the record by title only for the Second reading; Councilor Harrison ; seconded the Motion which was approved by unanimous voice vote.

Mayor Buckley read General Ordinance No.7, 2012 into the record by title only. Councilor Coates moved to accept General Ordinance #7, 2012 for the Second Reading; Councilor Davidson; seconded the Motion which was approved by unanimous voice vote.

Councilor Jennings moved to read General Ordinance No.7, 2012 into the record by title only for the Third Reading; Councilor Davidson; seconded the Motion which was approved by unanimous voice vote.

Mayor Buckley read General Ordinance No.7, 2012 into the record by title only. Councilor Jennings moved to approve General Ordinance #7, 2012 for the Third Reading; Councilor Davidson; seconded the Motion which was approved by unanimous voice vote.

General Ordinance No.8, 2012,

..... an ordinance amending Chapter 90 (Animals) Section 90.07 of the" Code of Ordinances" for the City of Beech Grove,

was introduced on the Second and Third Readings; Councilor Jennings moved to read General Ordinance No.8, 2012 into the record by title only for the Second reading; Councilor Davidson ; seconded the Motion which was approved by unanimous voice vote.

Mayor Buckley read General Ordinance No.8, 2012 into the record by title only. Councilor Jennings moved to accept General Ordinance No.8, 2012 for the Second Reading; Councilor Davidson; seconded the Motion which was approved by unanimous voice vote.

Councilor Stewart moved to read General Ordinance No.8, 2012 into the record by title only for the Third Reading; Councilor Jennings seconded the Motion which was approved by unanimous voice vote.

Mayor Buckley read General Ordinance No.8, 2012 into the record by title only. Councilor Jennings moved to approve General Ordinance No.8, 2012 for the Third Reading; Councilor Harrison seconded the Motion which was approved by unanimous voice vote.

MISCELLANEOUS BUSINESS: None

New Business: Conflict of Interest Statements

Heather Brown – stated her Father-In- Law owns J.E.Brown Electric Company and that the company does business with the City of Beech Grove. Heather states she has no financial gain from the business. Councilor Jennings moved to accept the statement as written; Councilor Bell seconded the Motion which was approved by unanimous voice vote.

Margaret Fitzgerald - stated her husband, Mike Fitzgerald was Building Commissioner and does business with the City of Beech Grove. Councilor Jennings moved to accept the statement as read; Councilor Harrison second the Motion which carried by unanimous voice vote.

Comments by Councilors:

Councilor Jennings - gave a basketball report. All three boys' teams, Freshman, JV, and Varsity, finished with a winning record. Tough teams were played and Beech Grove came away with some very good victories. John would like to see more support from the community at the ball games. The kids are really good kids. He also went to see the Musical Annie put on by Beech Grove High School. It was a pleasure and fun to watch, it was fantastic! Sam Gallagher lost his voice but he was spectacular. He also commented that he would like see the Public Safety Reports return to the Council Meetings.

Councilor Harrison- thanked everyone for coming to the meeting.

Councilor Davidson – thanked everyone for coming. He stated it is a great way to show city pride.

Councilor Bell – asked Councilor Davidson for an update about the committee working on General Ordinance No.3. Councilor Davidson stated that he is going to try to schedule meetings with different trades because the first meeting took so long.

The next meeting will be Monday, April 2nd, 2012, at 7:00pm

ADJOURNMENT: Councilor Stewart moved to adjourn. Councilor Harrison; seconded the Motion. The meeting was adjourned at 7:38pm.

Dennis Buckley, Mayor

Dan McMillan, Clerk-Treasurer