

BEECH GROVE CITY COUNCIL MEETING MINUTES

MONDAY, JUNE 3rd, 2013

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, Ed Bell, Mary Stewart, Anthony Davidson and Kathy Coates. Also present, Mayor, Dennis Buckley, Clerk Treasurer, Dan McMillan, and City Attorney, Craig Wiley.

All joined in the Pledge of Allegiance to our flag.

APPROVAL OF MINUTES: Clerk Treasurer McMillan presented the April 1st, 2013 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.

Clerk Treasurer McMillan presented the May 6th, 2013 meeting minutes to the council.

Councilor Stewart moved to accept the minutes as written. Councilor Jennings seconded the motion; which was approved by unanimous vote.

SPECIAL PRESENTATION: None

PUBLIC COMMENTS: James Baughn signed up to speak on General Ordinance No.11 and he will be called upon at that time.

COMMITTEE REPORTS:

Greenscape Commission: - Presented by Tim Latimer

They met last month and now have a tentative date for the Arbor Day Celebration which will be October 8th, 2013 and it will be in conjunction with the High School FFA program. Tim also reported that they have begun the emerald ash borer inspections and have not found any. Councilor Stewart thanked him for making his presentation short so everyone can get out early to watch the Pacer Game.

Redevelopment Commission: - Presented by Joe Griffin

New officers were elected: Cathy Chappell, Secretary, Ron Motes, Vice President and Joe Griffin, President.

The presentation given last month by Heather James, an Attorney with Ice-Miller is now available on the city website. Joe Griffin requested that the RDC Meeting notices be posted in conjunction with Council Meetings and *vice versa* to avoid issues that may arise with the *open door law*. He would like for the Council & RDC Members to partner together and work together. Councilor Jennings stated he would like the date of the meetings to be on record so everyone will know when they are.

Clerk Treasurer McMillan stated that he passed out copies of the RDC letters to all the council-people. These letters must be sent out annually to taxing districts that are involved with TIF. They must be sent by certified mail and are in compliance with Indiana Code 36-7-14-39. Clerk McMillan will also get a

The State Fair and Marion County Fair have been moved up. The Marion County Fair will be June 22nd through June 26th. Councilor Stewart asked why the dates were moved up. Councilor Jennings commented that it is because of the balanced school calendars. Comments were made about the effect on livestock and produce.

Gary asked how the Main Street Project is coming and Mayor Buckley commented that Phase 1 of the Main Street Project is opened and Phase 2 should be open no later than June 14th.

The Southport Emerson Project was discussed and Gary announced that there will be more paving south of there at County Line and Arlington. Councilor Jennings commented that the final striping is not completed and he also commented on the bridge. Councilor Harrison commented on how much nicer it is to drive on Emerson and Southport Roads now that construction has been completed.

Councilor Jennings asked about the new sanitation storage facility on Southport Road. Gary said it is fabulous. They are two miles into it and have had no complaints. They went down 250 feet in limestone.

On behalf of the City of Beech Grove, Mayor Buckley expressed his gratitude to Gary for Mayor Ballard, Indianapolis Public Works and Frank Mascari for the paving and concrete project that has been completed on 25th, (Perkins Avenue) - from Raymond Street south to Mann Drive. It is a very nice job. Gary commented that Indianapolis City- County Councilor Frank Mascari is doing a great job of getting involved.

General Ordinance No. 9, 2013

...an ordinance that amends Article XIII of the City of Beech Grove Personnel Manual pursuant to drug testing for employees.

Clerk Treasurer McMillan read the Ordinance into the record.

Councilor Jennings moved to approve the Ordinance for the Third and Final Reading. Councilor Mobley seconded the Motion; which was approved by unanimous voice vote.

General Ordinance No. 11, 2013

...an ordinance that amends Article XVI "USE OF MUNICIPAL VEHICLES" of the City of Beech Grove Personnel Manual pursuant to accident notification and testing.

Clerk Treasurer McMillan read the Ordinance into the record.

FOP Representative, James Baughn, signed up to speak regarding this Ordinance. Sergeant Baughn agrees that Public Safety Employees should be held to a higher standard, but he believes this Ordinance needs revised. He presented many different points of contention with the Ordinance. Chief Swartz agrees. Both would like further discussion and revision on this Ordinance. Both agree with the PBT, but have reservations regarding other language in the Ordinance. They are concerned about the Garrity Rule that the Police Department has and how that rule and this Ordinance would interact.

After an extended discussion amongst the Council, Sergeant Baughn, and Chief Swartz it was decided to table the Ordinance until further investigation and revisions can be completed. Audio files and video files

The ordinance was submitted by the Police Department. Police Chief Swartz commented that the way this ordinance is written and the Clerk Treasurer read it will still give the citizens a right to a "take home vehicle" for the company they work for. It will limit it to one vehicle per household and will stop a business that operates out of their home from bringing all the vehicles to their home. Chief Swartz further commented that the way in which the Ordinance is written follows state law without imposing too much of a hindrance on citizens. Councilors Jennings and Stewart both questioned the enforceability of the Ordinance and Chief Swartz stated that he believes it is enforceable as written. Councilor Davidson voiced his concern of it being limited to only 1 "take home vehicle". Chief Swartz stated that the Police will use good judgment in enforcing this Ordinance.

Councilor Jennings moved to approve the Ordinance for the First Reading.

Councilor Mobley seconded the motion; which was approved by unanimous voice vote.

General Ordinance No. 14, 2013

... is an ordinance that amends Chapter 72 of the Code of Ordinances for the City of Beech Grove pursuant to soliciting around roadways or approach motor vehicles.

This Ordinance will not be discussed this evening, but will be brought forth at the next Council Meeting. Mayor Buckley needs to add a supplement to it.

COUNCIL COMMENTS:

Councilor Davidson- commented that school will be dismissing soon and urged everyone to use caution when driving. The children will be out playing. Also, GO PACERS.

Councilor Bell- thanked everyone for coming.

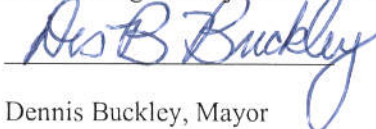

Councilor Stewart- thanks to everyone for coming and ditto Councilor Davidson's comments. Please watch out for the children playing. GO PACERS

Councilor Coates commented on the new Med Express that is advertising its first location will be opening soon in Beech Grove. Clerk McMillan clarified that technically that isn't Beech Grove. It will be located in the building that Blockbuster used to occupy on Emerson Avenue.

The next meeting will be Monday, July 1st, 2013 at 7:00 p.m. at City Hall.

ADJOURNMENT: Councilor Jennings moved to adjourn. Councilor Harrison seconded the Motion.

The meeting was adjourned at 8:01 p.m.

Dennis Buckley, Mayor

Dan McMillan, Clerk-Treasurer

Minutes prepared by: Dan McMillan