

**BEECH GROVE CITY COUNCIL
MEETING MINUTES
MONDAY, AUGUST 5th, 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, Anthony Davidson, Ed Bell, Mary Stewart, and Kathy Coates. Also present were 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 July 1st, 2013 meeting minutes to the council. Councilor Kathy Coates advised that her name was misspelled and Clerk Treasurer McMillan stated that it would be corrected. Councilor John Jennings moved to accept the minutes as written with Kathy's name corrected. Councilor Mary Stewart seconded the Motion; which was approved by unanimous vote.

PUBLIC COMMENTS:

John Morgan, Representative for the Beech Grove Promoters, requested clarification on the new parking Ordinance. John expressed that the Promoters want to make sure that they are allowed to have the festival trucks parked overnight during the Fall Festival. They want to be in compliance.

Mayor Buckley advised John that there was an amendment made at the last meeting to allow that to happen. The Ordinance is up for Third Reading at tonight's meeting.

Joe Griffin, President, Redevelopment Commission wants to discuss Resolution No.9 so he will hold his comments until later in the meeting.

COMMITTEE REPORTS:

Greenscape Commission: - Tim Latimer sent an email to Mayor Buckley that he had surgery and would not be attending the meeting.

Redevelopment Commission: - Presented by Joe Griffin

Joe Griffin called an executive RDC meeting to discuss the Rock Pile and their options. There were no decisions made or votes taken at the meeting. They had a meeting right after that to clean up some business and get a few things done. There was a bill they had to pass and also get a couple of things straightened out that they had just found out about. Then at the regular RDC meeting Cathy and Ron will be working on gathering some information on a bill that was made know to Clerk Treasurer McMillan and Joe. Clerk Treasurer McMillan and Joe went downtown to talk to some of Joe's contacts who brought to light a bill that might have helped the RDC do some things. The bill basically states that the RDC can take over property that is in repossession, bankruptcy or whatever else after so long. This might give the RDC a chance to start putting some money into the City without having to do a whole TIF. This is another option that Cathy and Ron will be gathering information on. Also, Donald and Joe will be gathering information on Digital City and the landfill to see what their options are on those.

The RDC had a guest speaker from the Public Access Councilor's Office. It was a very good presentation and it is on the website.

Joe stated he would like to address the questions and concerns about the RDC. There were comments that the RDC was costing the City money and no projects were being done. There is also talk about abolishing the RDC and dictatorship. During the hearing there was some stuff brought up about being closed door and how things were set up and carried out.

There was also concern about the posting, but Joe stated it was done correctly because he had someone from the Public Access Councilor's Office on the phone as he was writing it. On the web it was correct but it was Joe's fault that it was not followed 100% correctly.

Joe then voiced his concerns about the RDC not having control of projects that are under the jurisdiction of the RDC. Joe stated that the Council passed resolutions back in 2008 assigning projects to the RDC. Some of these are Main Street, the Rock Pile, St. Francis and the Greenway. He stated there are a lot of things that the RDC is accused of doing which they have no control over. Joe commented that a lot of projects have been taken away from the RDC through no fault of the RDC Commission. He brought up issues with the way the St. Francis project was being handled. After reviewing minutes from previous RDC meetings it showed that Mayor Buckley was the person organizing and working with St. Francis representatives and the RDC was not included in any of these negotiations. Then, Joe went on to discuss the Greenway project. Joe stated that Mayor Buckley gave back the grant money for the Greenway project, but that again should have been a decision made by the RDC, because they had legal control of the project. Councilor Mobley asked why the RDC was doing research on Digital City. Joe answered that it is costing the City \$350 a month and they are trying to gather information, so as a group the RDC can make a decision on how to move forward. Joe wants the Council to know that the RDC is not working off of rumors. They are collecting facts. Councilor Mobley then stated that the Council appointed Joe to the RDC, but he would like for the Council to take that appointment away. Councilor Mobley wants to now make an official Motion to do that. Mayor Buckley advised Councilor Mobley that it cannot be done at this time, but he will take it under advisement for the next meeting. Joe then stated that he works at the Council's pleasure and anytime the Council does not feel he is fulfilling his duties it is their prerogative to remove him. Joe further stated that he is appointed by the Council, but he works for the Citizens of Beech Grove. Joe said the RDC agenda should be to have a common goal of what the citizens of Beech Grove want and the RDC and City should be in a partnership to work towards a common goal that will be the most beneficial to the City of Beech Grove and its citizens.

Mayor Buckley asked Joe when the Greenway project started and what the City's match is. Joe said he thinks it is about 1.5 million. Mayor Buckley corrected him and said the City is responsible for 51.5% of the project and the project came to 2.1 million dollars. The City's match would be \$1,057,000.00.

Mayor Buckley went on to say that March of 2012 was the drop dead date. They either had to say yes or no to the grant. In February of 2012 the City almost failed and in June of 2012 the City almost failed financially. Mayor Buckley said there was no way he was going to allow money to be spent on a greenway project when the City was in failure. The RDC did not have the money back then and they do not have the money today, but Joe wants to know how it went from the RDC's control to the Mayor's control. Mayor Buckley told Joe he was done talking that it is his turn. Mayor Buckley then went on to discuss the St. Francis project and said no one would be working with them except him because he had signed a confidentially agreement with them. They do not want to work with the RDC; they want to work with the Mayor. He will let everyone know when any decisions are made. That's the end of the story. Mayor Buckley then told Joe he was done talking. Councilor Davidson said "talk about dictatorship". Mayor Buckley then said "I control the meeting, I'm the Mayor, you're not the Mayor, he's not the Mayor, the Mayor is right here, I'll control the meeting and that's the end of the story." Councilor Davidson said "that's exactly what a dictator is."

Public Safety – None

ABC – None

Financial Report: - Presented by Clerk Treasurer Dan McMillan

Clerk Treasurer Dan McMillan stated that the State Board of Accounts Audit continues for the City of Beech Grove and the Clerk's Treasurer's office is preparing for the Federal Audit next year. They have completed approximately 30 pages of questions.

Clerk McMillan also stated that he has completed the TIF management portion of the Gateway. Jeff Peters' office gave some assistance. Joe Griffin and Clerk Treasurer McMillan visited with the County Auditor, Treasurer's Office and the Controller's Office and they provided information for the Gateway. At the request of the County Treasurer and Auditor Clerk McMillan provided them with a list of the City's debt. Clerk Treasurer McMillan also updated the Debt

Management portion of the Gateway; which includes the lease/purchase information on the new police and fire vehicles that the city recently purchased.

Clerk Treasurer McMillan commented that he has been in meetings with Mayor Buckley and the Department Heads in preparation of the budget. Clerk Treasurer McMillan has been completing preliminary information on the Gateway.

Clerk McMillan reported that in the month of July the City paid \$51,050 on the 2002 GO Bond; which paid it in full and also made the first payment of \$73,765.21 on the 2012 GO Bond. The City also made payment on the RDC 2005 TIF Bond in the amount of \$139,801.00 and paid \$144,354.25 on the 2007 TIF Bond.

Clerk McMillan also reported that the City Website continues to be a huge success and is provided at no charge to the taxpayers. He stated that the City has wonderful volunteers that assist with updating and posting. A local business pays the nominal fee that is charged. He commented that on July 3rd there were over 3,000 page hits; which is a record. He attributed this to the July 3rd fireworks. Clerk Treasurer McMillan is glad to see so many citizens using it for a source of information. He commented that if there are any community events that anyone would like posted please send an email to Clerk Treasurer McMillan at dan.mcmillan@beechgrove.com.

Clerk McMillan reported that the City received a refund check from the Walker Insurance agency earlier in the year for over \$17,000.00. Unfortunately the money could not be receipted into the appropriation number it came out of so it had to be receipted into the General Misc. Fund. The City has an installment due on insurance in the amount of \$48,000.00 but only \$39,797.00 is available to use. Clerk Treasurer McMillan will be requesting permission to transfer money to make this payment.

All Financial Reports, City Debt Schedules, Bank Statements and more are available on line at www.beechgrove.com.

MAYOR'S LIAISON REPORT: None

OLD BUSINESS:

[General Ordinance No. 12, 2013](#)

...is an ordinance that amends Chapter 77 of the City of Beech Grove Code of Ordinances concerning .traffic patterns on North 8th Avenue.

Clerk Treasurer McMillan read General Ordinance No. 12, 2013 into the record.

Councilor Stewart moved to approve General Ordinance No. 12, 2013 for Third and Final Reading. Councilor Mobley seconded the Motion; which was approved by unanimous voice vote.

[General Ordinance No. 13, 2013](#)

...is an ordinance that amends the Code of Ordinances Chapter 72, Subsection 72.23 pursuant to the overnight parking of Commercial Motor Vehicles.

Clerk Treasurer McMillan read General Ordinance No. 13, 2013 into the record.

Councilor Jennings moved to approve General Ordinance No. 13, 2013 for Third and Final 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.

Mayor Dennis Buckley read General Ordinance No. 14, 2013 into the record.

Councilor Jennings moved to approve General Ordinance No. 14, 2013 on Second Reading only. Councilor Mobley seconded the motion; which was approved by a 6-1 vote. Councilor Davidson voted no.

General Ordinance No. 14, 2013 will be up for third and final reading at the September 3, 2013 meeting.

NEW BUSINESS:

Local 416 request – Fire Department – Presented by Aaron Jeanette

The Beech Grove Professional Fire Fighters Association requests a vote to replace the three civilian Paramedics that were laid off four years ago by then Mayor Joe Wright. Listed below are the reasons why the Fire Department is requesting the City Council and Mayor Buckley Vote ‘yes’ to appropriate the funds to rehire three Civilian Paramedics starting November 10, 2013.

1. The City Council agreed to revisit this item during the 2013 budget talks after receiving the final circuit breaker numbers.
2. Since 2009 ambulance revenue has been steadily increasing for the City. In 2013 the City of Beech Grove budgeted \$675,000.00 of ambulance revenue. The Fire Department will greatly exceed this number to cover the costs of the three additional Civilian Paramedics.
3. If the City Council agrees to rehire the three Civilian Paramedics it will improve staffing, lessen the overtime and increase overall services for the citizens of Beech Grove.
4. If the City Council would approve the money for hiring three Civilian Paramedics, it would only cost the City a total of 19,000.00 for salary and benefits in 2013 and \$150,756.00 for 2014.
5. By having their own employees staffing Medic 102, which is located at 1202 Albany Street, it will allow for the best patient care outcome.

These positions would be advertised. All qualified applicants would be given a written exam, psych motor exam and go through the interview process. This would help the City of Beech Grove to get the best qualified paramedics.

Councilor Coates is concerned because everyone thought it was a great idea before but turned out to be a bad idea. Aaron Jeanette responded that it was never a bad idea. They were informed by the former Clerk Treasurer and then Mayor Joe Wright that the City had no money and the only way for the City to survive was to eliminate six Civilian Paramedics. It was working well for the City and the only reason they were eliminated was due to money. Former Clerk Treasurer Chris Duffer did state at the end of the year they did have the money.

Councilor Coates asked if there is an issue with not having enough Firefighters on the trucks. Aaron Jeanette said no. They had six Civilian Paramedics and 2 Firefighters at that time. Since then Mayor Buckley retired and Joe Wright did not replace him. Then another gentleman resigned and went to Monticello and Joe Wright decided not to replace him. After that they laid off six Civilian Paramedics. Then Mayor Terry Dilk worked the numbers and said they did not have the money now but would hire back three of the paramedics to help with staffing. It was in the budget last year to hire the additional three and the Board of Works actually approved to hire them if, Clerk Treasurer McMillan would approve that the money was there, but that never happened. It was still in the budget but there was a concern that the circuit breaker would be \$400,000.00 to \$500,000.00 so they held off. Now they know what the circuit breaker and revenue was this

year and they are getting the reimbursements very quickly. The Fire Department would like to take the money that is going into the General Funds as extra and start getting the Fire Department staff up to where it was five years ago.

Councilor Coates also asked if any discussions have occurred with St. Francis in reference to adding personnel for the additional ambulance, since we use them now for one of our ambulances. Aaron Jeanette stated the problem they are running into with that is they rely on Medic 2 to be in service 24 hours a day and 365 days a year. This is the Fire Department's primary medic truck and when you have a company staffing your truck with a second person; which are typically a part time person, then you can have staffing issues. This could cause trucks to not be staffed and we can control that better if we have our own people.

Councilor Coates does not feel she can vote on this issue tonight due to some concerns and questions she still has. She does want to compromise the safety of the citizens, but we also have to be financially responsible. We need to be sure we have the right equipment, etc. She understands that these ambulance runs are generating revenue for the City, but could that money be used better someplace else. Aaron Jeanette does not agree with Councilor Coates because he feels this is the way to handle safety and staffing. Councilor Coates wants to make sure we are not making a snap decision that we will regret later and then have to lay them off again. Councilor Coates again stated that she does not feel like she can make a decision tonight, but would like to hear from Chief Cheshire on any information that he can provide on this issue.

Chief Cheshire stated that the ambulance service the Beech Grove Fire Department provides is their #1 service. They want to be able to treat their patients with dignity and respect. The operational deficiency of the Fire Department, when they talk about their ambulance service, the Firefighters safety is their number one priority. We want our employees safe. If they can't be safe then they can't be out helping the citizens. When Chief Cheshire sat down with Mayor Buckley, Clerk Treasurer McMillan and Jeff Peters last year they looked at the money the Fire Department had in the budget. They also looked at what the Circuit breaker expense was for the City. Last year, instead of hiring the three civilians, the Fire Department agreed to enter into a contractual service agreement with St. Francis in an effort to provide a second ambulance for the City for twelve hours a day. Besides service, one of the goals was to increase the revenue. The Fire Department has increased their "out of city" ambulance rates which helped with revenue and also, by providing the second ambulance they meet the needs of the Citizens of Beech Grove. They projected 50 runs a month but are now doing 100 runs each month. Chief Cheshire did state that there have been increases in the spending such as fuel cost and supplies but those are minor increases compared to the overall revenue the ambulance brings in. Chief Cheshire is asking the Council to reinvest this revenue into the Fire Department by hiring three additional civilian paramedics so they can provide the best service to the Citizens of Beech Grove.

Councilor Jennings made a recommendation to table this request so further research can be done but Clerk Treasurer McMillan advised the Council that if it is tabled it will not be in the 2014 budget.

Councilor Ed Bell asked if they have focused on or budgeted for maintenance, since the new ambulances will be out of warranty soon. He also asked if replacement costs on the ambulances are being budgeted for. Chief Cheshire said, absolutely, that is something they have to consider. He said there is money set aside in the budget for personnel, leases in the future and for ambulance replacements.

Clerk Treasurer McMillan commented that much has been discussed about revenue, but very little has been said about expenses. Clerk McMillan stated that there are plenty of places the revenue could be used in this City. People in this City need sidewalks, streets repaved, and sewers repaired. Clerk McMillan also commented that in the twenty months he has been in office he has not heard one person mention needing more paramedics, but he has heard hundreds of citizens saying we need streets, sidewalks, sewer projects, etc. Clerk Treasurer McMillan stated that he did a quick overview and he recognizes that he has missed many things, but so far revenue year to date is at \$476,980.00. He shows expenses of \$144,950.00 and \$183,183.00 which comes to about \$328,000.00. Out of the \$80,000.00 spent on overtime this year the ambulance portion has only been about \$3,400.00. Aaron Jeanette stated that the ambulance overtime amount does not reflect the true numbers, because when they backfill they fill the engines not the ambulances. Clerk Treasurer McMillan does not know what the life expectancy is on the ambulances, but if it is three years you have to add another \$50,000.00 per ambulance, per year, to the other expenses that he has already mentioned. Clerk Treasurer McMillan stated we need to be fiscally responsible so we do not end up like Lawrence or Detroit. He commented that just because we take in extra revenue doesn't mean we need to spend everything we take in. The Fire Department has received a new fire truck, two

new ambulances and four new staff vehicles. The City has done a lot for the Fire Department by getting them good equipment and fixed every one of the buildings they are located in. Clerk Treasurer McMillan wants everyone to know he has stated in several meetings that the money is not there and hopes the Council listens to this. Chief Cheshire responded that he gave an overview of what is needed by the Fire Department to provide public safety. If the ambulances are marked out of service and they are not able to respond he will come back to the Council and let them know they bare the burden of public safety. Chief Cheshire said the Fire Department is only asking for the tools, equipment and manpower to provide a safe service to the citizens.

Clerk Treasurer McMillan asked Chief Cheshire how many of the ambulance runs are actually in Beech Grove. Chief Cheshire stated he would research this and get the numbers for him. Chief Cheshire also stated that the city wants revenue and this is what it takes to get revenue.

Councilor Mobley wants to know when enough is enough. We have given so much to the Fire Department. Chief Cheshire stated it is very much appreciated but we need the tools necessary to keep the Fire Fighters and the community safe. Councilor Mobley stated he would vote 100% no on this tonight.

Councilor Bell is recommending that we table this for tonight to get more information. Aaron Jeanette voiced his concern about tabling the issue.

Councilor Jennings moved that we table this request for six months. Councilor Bell seconded the Motion; which was approved by a 6-1 vote. Councilor Stewart voted no.

Aaron Jeanette asked if a committee could be formed to look at this. Mayor Dennis Buckley said they will assign a committee for it. He will invite at least two council members to be on the committee.

Resolution No. 9, 2013

...Amends the Comprehensive Redevelopment Plan for the City of Beech Grove, Indiana

Joe Griffin asked if the resolution is legal. City Attorney Wiley asked Joe why he thinks it is not legal. Joe explained why it is not legal and he cited state statute.

Joe Griffin stated there is a misunderstanding of what makes a RDC. If you go to the April meeting, which is on the website, and go to number 14 it has procedures for establishing or amending an area to implicate tax increment financing, so if you want to amend this then you have to go through the steps Joe talked about earlier. Mayor Buckley commented that this was approved through the City Council in 2006. Joe explained that the Comprehensive Development plan is for the RDC. It has to go through a process. In order to make an amendment to the plan it has to go through the RDC and the Council.

After further discussion it was recommended that Resolution No.9, 2013 be tabled until next meeting.

Councilor Jennings moved that we table Resolution No.9, 2013 until September 3rd, 2013 meeting. Councilor Bell seconded the motion; which was approved by a 6-1 vote. Councilor Mobley voted no.

Mayor Buckley is withdrawing the below three General Ordinances until the September 3, 2013 meeting.

General Ordinance No. 15, 2013

...Handicapped parking

Councilor Jennings moved to table General Ordinance No. 15, 2013 until Mayor Buckley puts it back on the agenda. Councilor Mobley seconded the motion; which was approved by unanimous vote.

General Ordinance No. 16, 2013

...Fire Station Zones

Councilor Jennings moved to table 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.

General Ordinance No. 17, 2013

...Fire Lane Parking

Councilor Jennings moved to table General Ordinance No. 17, 2013 until Mayor Buckley puts it back on the agenda. Councilor Mobley seconded the motion; which was approved by unanimous vote.

Request for Approval to Transfer Appropriation's: Presented by Clerk Treasurer Dan McMillan

Clerk Treasurer Dan McMillan is requesting permission to transfer \$17,000.00 from appropriation **101008134.000** Board of Public Works/Unemployment Compensation, to appropriation **101008342.000** Board of Public Works/City Wide Liability and Workman's Comp Insurance. The transfer is within the same department and does not increase the budget. The appropriation received a refund earlier for over \$17,000.00 and the money was receipted into the General Fund, and even without this, the amount would not exceed this department's appropriations.

Councilor Jennings moved to approve the Transfer request presented. Councilor Mobley seconded the Motion; which was approved by unanimous vote.

COUNCIL COMMENTS:

Councilor Dave Mobley – He would like to know what has to be done to remove Joe Griffin from the RDC. Attorney Craig Wiley stated it had to be done by a resolution by the Council because he is a Council appointment.

Council John Jennings – He would like to wish Tim Latimer a speeding recovery from his surgery.

Councilor Dave Harrison – Nothing

Councilor Anthony Davidson – He would like to thank Mr. Scott Seach from the Beech Grove Bowling alley. Anthony and Dan were privileged to be able to hand out awards to the Special Rollers League. All the kids got to bowl and have pizza.

Councilor Ed Bell – He agree with Anthony that it is a great event because he attended it last year. Also he would like to thank everyone for coming.

Councilor Mary Stewart – Nothing

Councilor Kathy Coates – She thinks it is going to be a fun budget this year.

The next meeting will be Tuesday, September 3rd, 2013 at 7:00 p.m. at City Hall.

ADJOURNMENT:

Councilor John Jennings moved to adjourn. Councilor Dave Mobley seconded the Motion. The meeting was adjourned at 8:23 p.m.

Dennis Buckley, Mayor

Dan McMillan, Clerk-Treasurer

Minutes prepared by: Sheri Morgan