

**BEECH GROVE CITY COUNCIL
MEETING MINUTES
MONDAY, MAY 4th, 2015**

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

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 was Councilor Mary Stewart.

All joined in the Pledge of Allegiance to our flag.

SPECIAL PRESENTATION:

Joann Brewington- was recognized for receiving the State and National Substitute Teacher of the Year Award. Joann has taught at all four schools in the Beech Grove City School District and currently teaches at South Grove School.

Greenscape Commission Award- Mayor Buckley and Councilor Bell accepted an award that was presented to the commission for 10 years of being recognized as a Tree City USA. The Arbor Day Foundation and the National Association of State Foresters have set forth the following four standards to be recognized as a Tree City USA.

[A Tree Board or Department](#)

[A Tree Care Ordinance](#)

[A Community Forestry Program With an Annual Budget of at Least \\$2 Per Capita](#)

[An Arbor Day Observance and Proclamation](#)

Keep Indianapolis Beautiful- *presented by Stuart Wilson, Member of Keep Indianapolis Beautiful and City of Beech Grove Greenscape Commission*

He presented information on Keep Indianapolis Beautiful and explained the Adopt-A-Block Program. Stuart is seeking out Block Captains. It only takes about 4 hours per month. There are benefits such as free trees, flowers, and appreciation dinners. Information is available on the front page of the City Website and has a permanent place on the sidebar of the City of Beech Grove Greenscape Commission page. It can also be found on their website @

<http://www.kibi.org/programs/beautification/adopt-a-block/>

MAYOR BALLARD LIAISON'S REPORT: -none

APPROVAL OF MINUTES:

Clerk Treasurer McMillan presented the April 6, 2015 meeting minutes to the Council. Councilor Jennings moved to accept the minutes as written. Councilor Stewart seconded the Motion; which was approved by unanimous vote.

PUBLIC COMMENTS: -none

COMMITTEE REPORTS: Mayor Buckley stated that all reports will be given in written form this evening.

Youth Council- *presented by Beech Grove High School Principal, Steve Cox*

Mr. Cox complimented Joann Brewington on her National Substitute Teacher of the Year award and he also commented that Joann has been a blessing to Beech Grove City Schools. He commended her for her hard work.

Mr. Cox gave an update on all the Beech Grove High Schools happenings and below is a few that are highlighted:

Beech Grove High School now has their own twitter account that can be accessed @groverthehornet. Pictures and information are posted for parents and students to access.

Pathways- is a new State of Indiana Program that is educationally creating learning opportunities for students at a younger age. The program is geared to identify potential careers that students may be interested in, and familiarize them with what it takes to be a doctor, engineer or other professional, with the intention of allowing them to structure their future classes accordingly.

Career Connections Pathway- is a program that has been established by Karen Mathews & Bruce Bye. Bruce has been scheduling professionals to come into the school and give a presentation on their particular career. These presentations are being presented during the Activity Block. This program has been spun from the State program and the idea was sparked from Tommy Pich, Senior Class President. Tommy took a trip to Louisville to the National Convention because he is interested in math and business, but he also has an interest in agriculture, so professionals can come and speak to the students about college requirements and job opportunities that are offered in the respective fields.

Beech Grove High School is partnering with IU and offering ACP courses for duo credits in English, Chemistry and Calculous. They are also offering business management and personal finance classes through IU. Another class they offer is a college readiness class offered from Ivy Tech College They are working with Nextech to create pathways in computer science.

Last week they had their Community Service Day. It is one of two they have per year. Over 900 students participated. It is a requirement of graduation for students to perform community service hours. Councilor

Harrison complimented the students that have come to the Council meeting to speak and the ensemble that performed.

Councilor Jennings thanked the schools for what the fantastic job they do with the students and he remarked that his children have received an excellent education through Beech Grove City Schools.

Greenscape Commission- the report was filed with the Councilors.

Redevelopment Commission-none

Public Safety – *present by Police Chief, Mark Swartz*

The Public Safety Committee met on Wednesday, April 29th, 2015 at 9:00 am

BGFD- is working to secure acceptable bids for their fire truck and ambulance, and they are working to get AED's installed throughout the City in all public buildings. They are also taking applications for firefighters.

BGPD- closed their applications with 80 applicants and the applicants have completed the physical test. Of those applicants 37 will move on to complete the written test on Saturday, May 9, 2015.

May is Fallen Officer's Month and the week of May 15th in Washington DC they will honor the fallen officers of the nation. Beech Grove will send four or five officers to participate.

The BGLL Parade occurred last Saturday and went well.

The Walmart shooting suspect has been apprehended. He was found in Indianapolis.

The Greenwood Rapist was arrested in Beech Grove without incident and he was a Beech Grove resident. He has now been turned over to greenwood Police Department and they will continue the investigation.

Beech Grove Police Department is looking into a phone app where police runs can be viewed and kept up to date.

The Fallen Officers Blood Drive for Beech Grove will be held Saturday, May 16th from 8:00 am to 11:00 am at the Beech Grove Police Station.

Councilor Harrison asked if warning ticket or tickets have been written for pan-handling around Walmart or the interstate. He commented that he has received complaints about a man and a woman pan handling in the median at Thompson and Emerson. Chief Swartz said that he is not aware of tickets that have been written, but when pan-handling takes place in restricted areas the officers do respond and make them move.

ABC-none

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

We closed on the lease/purchase agreement for the 4 new police cars. As I stated before we used the "Help Program" that is state approved and Indiana Bond Bank handled the bid process for us. The \$12,729.18 bi-annual payments will begin in September of this year and will be paid each year in March & September ending in March 2020. As you might recall US Bank was the low bidder.

We made a payment this month on the skid steer. That was our third payment and like the majority of other lease/purchase agreements it is a 5 year lease. It will end in March of 2019.

I have been reviewing a draft of the City's Fiscal Plan prepared by Jeff Peters. I will compare his figures with mine and then sometime in June, Jeff, Dennis and I will meet to discuss it, as we have done the past 3 years.

Tonight all of you have Ordinance No.9, Subsection G that states the Clerk Treasurer is the only person who can authorize and make payments for PERF. I am not sure who put this ordinance together, but I was not consulted on it and I do not perform these tasks. Accupay files and makes payments to PERF on behalf of the City of Beech Grove, so I would ask you to amend this accordingly. In March of 2013 Accupay offered to add these tasks to their services at no additional costs to the City, at about the same time PERF changed their rules from filing monthly or quarterly to filing bi-weekly with penalties & late charges added if not completed within 1 week of each payroll. It was a good business decision to allow them to add that responsibility to payroll, because it cut the workload in the office and did not add any additional expense. I might add that I am not aware of any recent Clerk Treasurer's that have personally filed PERF reports and/or made payments to PERF.

In the same ordinance Section J it mentions that the Clerk Treasurer is the only person who can certify salaries; which I believe to be unnecessary because if you look at the Certification Form, which I file each January, it states "must be signed by Clerk-Treasurer, Controller or Trustee". The City of Beech Grove does not have a Controller or Trustee.

The City Website continues to grow and is a great asset to the citizens. Community events can be added free of charge by emailing me at dan.mcmillan@beechgrove.com

Thanks to the website volunteers who continue to keep it updated at no cost to the taxpayers. Financial Reports, Debt Service, Bank Balances and more can be found on the City Website at www.beechgrove.com.

The bank balances are listed below:

City Corporation	\$2,620,368.01
City utilities/Sewage/Wastewater	\$931,551.51
Main Street Redevelopment/Main Street Loans	\$264,341.32
City Court	\$161,385.75
Criminal Investigations (CIF)	\$170,054.34
Redevelopment Commission (RDC) General	\$957,850.93
Redevelopment Commission (RDC) Debt Service	\$584,842.97
BNY-Mellon 2004 SRF Debt Service Reserve	\$136,178.37
Huntington National Bank	\$64,115.75

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

Respectfully Submitted,

Dan McMillan, Clerk Treasurer
City of Beech Grove

Compliance- *presented by Derek Blice*

Derek reported that they have seen quite a few violations since the weather has improved. In April they filed 122 violations, that more than doubles the total for the year. Most are cleaning up after their violations.

Some new things they are working on is with Marion County Zoning on violations regarding swimming pools because that is not a Beech Grove Ordinance, but a Marion County Ordinance. They removed 29 signs and reported 31 abandoned vehicles.

Councilor Mobley asked about signs that are hung on poles. Derek said that they remove the signs and you can tell the difference between Beech Grove and Indianapolis by where the signs are.

OLD BUSINESS:

General Ordinance No. 3, 2015

...Amends Article IX of the City Personnel Manual Concerning Sick Leave

Clerk Treasurer McMillan read the ordinance into the record.

Councilor Jennings moved to approve the ordinance. Councilor Davidson seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 3, 2015 passed on Third & Final Reading.

General Ordinance No. 4, 2015

...Amends Article V of the City Personnel Manual Concerning Health Insurance...

Clerk Treasurer McMillan read the ordinance into the record.

Councilor Jennings moved to approve the ordinance. Councilor Mobley seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 4, 2015 passed on Third and Final Reading.

General Ordinance No. 6, 2015

Amends Article X Special Leaves, Section 2 Funerals of the City Personnel Manual

City Personnel Manual Article X, Section 2

Clerk Treasurer McMillan read the ordinance into the record.

Councilor Davidson moved to approve the ordinance. Councilor Jennings seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 6, 2015 passed on Second Reading.

General Ordinance No. 7, 2015

*Amends Article XIV of the City Personnel Manual Concerning Residency Requirements
City Personnel Manual Article XIV, Section 2*

Clerk Treasurer McMillan read the ordinance into the record.

Councilor Davidson moved to approve the ordinance. Councilor Harrison seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 7, 2015 passed on Second Reading.

General Ordinance No. 8, 2015

*Amends Article IV, Section 6 of the City Personnel Manual Pursuant to Minimum Call-Ins
City Personnel Manual Article IV, Section 6*

Clerk Treasurer McMillan read the ordinance into the record.

Councilor Mobley moved to approve the ordinance. Councilor Jennings seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 8, 2015 passed on Second Reading.

NEW BUSINESS:

Resolution No. 4, 2015

Main Street Revolving Loan Program

Clerk Treasurer McMillan read the resolution into the record.

Councilor Jennings suggested not closing it tonight. Councilor Coates suggested putting a time limit on it to allow it to be tweaked.

Councilor Davidson remarked that it was not put onto the City Website in a timely fashion for Citizens to review it. He also commented that since it is a resolution and not an ordinance the correct language that should be used is “resolved” rather than “ordained”

Councilor Harrison commented that it is very hard to get a business loan. He also questioned what the money would be used for if the program is closed.

City Attorney Craig Wiley commented that his loan program has been a complete disaster and he thinks the City should get out of the loan business. The City of Beech Grove has lost thousands of dollars on the program and nothing has been consistent with the loan process.

Clerk Treasurer McMillan stated that if the program is closed the monies would go into the Rainy Day Fund and only Council could decide how or if the monies would be spent. He is in favor of closing it.

Councilor Bell moved to approve the resolution. Councilor Harrison seconded the Motion; which failed by a 2 to 4 vote. Votes were as follows:

Council District 1- Councilor Stewart- not present

Council District 2- Councilor Bell-yes

Council District 3- Councilor Davidson-no

Council District 4- Councilor Jennings-no

Council District 5- Councilor Harrison-yes

Council-at-Large- Councilor Mobley-no

Council-at-Large-Councilor Coates-no

General Ordinance No. 9, 2015

Amends Article V, Section 4 of the City Personnel Manual concerning PERF

Clerk Treasurer McMillan read the ordinance into the record.

Clerk Treasurer McMillan stated that he does not prepare PERF Reports. Accupay does this and to his knowledge no recent Clerk Treasurers have prepared and paid the PERF amounts. Accupay prepares PERF reports and processes the debit for PERF and other payroll amounts.

Councilor Jennings asked the Clerk Treasurer if he had an amendment in mind. Clerk Treasurer McMillan said that it should read “the Clerk Treasurer or his Designee”.

Councilor Jennings moved to approve the amendment. Councilor Davidson seconded the Motion; which was approved by unanimous voice vote.

Councilor Jennings moved to approve the ordinance with the amendment. Councilor Mobley seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 9, 2015 passed on First Reading.

General Ordinance No. 10, 2015

Calls for elimination of the Cumulative Capital Development Fund (CCD)

Clerk Treasurer McMillan read the ordinance into the record.

Councilor Jennings asked if there is any money in this fund. Clerk Treasurer McMillan and Mayor Buckley both stated that they don't think there is money in the fund. Councilor Jennings asked Clerk Treasurer McMillan to advise Council of the balance in the fund at the next meeting.

Councilor Jennings moved to approve the ordinance. Councilor Mobley seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 10, 2015 passed on First Reading.

General Ordinance No. 11, 2015

Amends Article IV "Extra Duty Compensation" of the City Personnel Manual concerning Compensatory Time

Clerk Treasurer McMillan read the ordinance into the record.

Clerk Treasurer McMillan asked if state statute has regulations about how compensatory time is paid according to the reason they leave employment. City Attorney, Craig Wiley said, no, he is not aware of it. Normally it would not be a wage, unless the City Council defines it as such and that is what they are doing here. Sometimes people accrue large compensatory time and if it is defined as a wage then it has to be paid upon retirement or when their employment terminates for any reason.

Mayor Buckley asked the Public Safety Department Heads to come forward and explain how they handle their compensatory time in their departments.

Chief Cheshire stated that their compensatory time to bank is capped at 48 hours. Councilor Jennings asked if they should amend to include a cap in this. Mayor Buckley said that FLSA Guidelines gives 240 hours for Public Safety and 480 hours for non-Public Safety Employees. Councilor Harrison asked if they get it if they are terminated and Chief Swartz replied that yes, they do because it was time earned.

Chief Swartz stated that they cap theirs at 180 hours up to their last year of employment and it drops down to 80 hours and that is the cap that can be paid at retirement.

Councilor Jennings stated that teachers are the same. Councilor Jennings asked the City Attorney if this needed to be amended because state statute would supersede anything the Council would approve.

Mayor Buckley stated that DPW only gets paid with compensatory time not overtime.

Clerk Treasurer McMillan asked if state statute supersedes it then how do the department heads get by with doing that.

Councilor Coates asked if the compensatory time is paid at time and a half and everyone agreed it is not. It is paid at straight time.

Councilor Jennings moved to approve the ordinance. Councilor Davidson seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 11, 2015 passed on First Reading.

General Ordinance No. 12, 2015

Amends Chapter 98 of the Code of Ordinances for the City of Beech Grove

Clerk Treasurer McMillan read the ordinance into the record.

Compliance Officer Derek Blice explained that he wanted the rules put into writing regarding refrigerators because of the safety issue with children.

He also explained the second part is regarding vacant/foreclosed bank properties that have been left to their own devices and the banks are not taking care of the property. He has found that often times the people getting the notices on the property are the people that owned the property years ago and were foreclosed upon, instead of the bank that is the current owner.

Councilor Mobley moved to approve the ordinance. Councilor Jennings seconded the Motion; which was approved by a 6 to 1 voice vote. Councilor Davidson voted no. General Ordinance No. 12, 2015 passed on First Reading.

General Ordinance No. 13, 2015

Amends Chapter 130 of the Code of Ordinances for the City of Beech Grove

Clerk Treasurer McMillan read the ordinance into the record.

City Attorney Craig Wiley commented that he had a discussion with the Chief and they agree that the notice provisions needs to be amended in this ordinance Chief Swartz explained that his particular business will call in a complaint that takes 2 officers to respond to for \$3.72. Indianapolis has a minimum of \$100.00 to respond.

Councilor Davidson asked if any talks have taken place with the business that is causing the problem.

City Attorney, Craig Wiley commented that he does not think the Pilot Program that this company spoke to is going to come anytime soon unless the company is forced to come to the table.

Councilor Jennings wanted to insure that this will correct the situation. He would love to have this company revisit a City of Beech Grove Council meeting.

Councilor Jennings moved to amend Section 16 from “commend and been” to “has commenced”. Councilor Davidson seconded the Motion; which was approved by unanimous voice vote.

Councilor Jennings moved to approve the ordinance as amended. Councilor Mobley seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 13, 2015 passed on First Reading.

A Representative from the American legion No. 276 presented two flags to the City of Beech Grove.

COUNCIL COMMENTS:

Councilor Dave Mobley- everyone go out and vote tomorrow and have a good weekend.

Councilor Jennings- please vote “yes twice” tomorrow for the kids. Taking funding away from the schools will take the legs out from underneath these schools. Many children are thriving in this system because they have the funding that is needed and they are able to teach and be Beech Grove Schools at its best.

Councilor Dave Harrison- ditto John. Also, come down to BGLL it is in full swing. Come down and support them. They serve food down there –hot dogs and great steak sandwiches. BGLL is really looking better than it has ever looked and he has been involved in little League since 1977.

The paved parking lot is really making things a lot better down there, so come down and watch his grandson and Anthony’s son, His grandson is batting 500 with 2 games played and that is 40 percentage points better than it was last year.

Councilor Anthony Davidson- congratulated Joann Brewington for winning the State and National Substitute Teacher of the Year Award. It is a tremendous accomplishment and speaks highly of Beech Grove Schools. He echoed Councilor Harrison’s comments.

Councilor Ed Bell- thank you for coming out. Very shortly he will be forming a subcommittee to go over the 2015 budget and anyone is welcome to get on the committee.

Councilor Kathy Coates- thank you for coming.

Mayor Buckley announced that a national day of Prayer Service will be held on the steps of City Hall on Thursday, May 7th, at 12:00.

ADJOURNMENT: Councilor Jennings moved to adjourn. Councilor Mobley seconded the Motion. The meeting was adjourned at 8:56 pm. The next meeting will be Monday, June 1st, 2015 in City Hall Council Chambers.

Dennis Buckley, Mayor

Dan McMillan, Clerk–Treasurer

Minutes prepared by: Dan McMillan