

**BEECH GROVE CITY COUNCIL
MEETING MINUTES
TUESDAY, SEPTEMBER 2ND, 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, Ed Bell, Mary Stewart, and Kathy Coates. Absent was Council Member, Anthony Davidson. 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.

SPECIAL PRESENTATIONS:

None.

APPROVAL OF MINUTES: Clerk Treasurer McMillan presented the August 4, 2014 meeting minutes to the council. Councilor Jennings moved to approve the minutes as presented. Councilor Mobley seconded the Motion; which was approved by unanimous voice vote.

PETITIONS OR COMMENTS BY CITIZENS:

Don Stout, Beech Grove – Mr. Stout spoke regarding Ordinance 12 and the proposed stop sign at Main and Ticen Streets. He is in favor of putting a stop sign at this intersection. There have been multiple accidents in this area between 18th and 25th Streets. Mr. Stout has almost been hit by a car speeding down the road, in addition to his car almost being hit on numerous occasions. It is difficult for him to both park on the street because of the traffic, in addition to being able to back out of the driveway into the traffic. He is concerned about the safety of his children and tries to keep them back 10 feet away from the street.

Ed McDonald, Beech Grove – Mr. McDonald thanked Mayor Buckley and the Council Members for putting up the No Littering signs. However, he was disappointed that the signs did not have a fine listed on them. He passed out copies of a photo of the amount of trash that he has collected over the last 1 ½ months on Main Street. Even though there are three trash cans in the Central Elementary playground, there is still a lot of trash that gets thrown on the ground, so he thinks that a fine would be appropriate. He asked that the Council considers a fine for littering. He stated that he will continue to pick up trash on Main Street. Councilor Jennings asked if most of the trash is from a Saturday night, or if it is an ongoing weekly accumulation. Mr. McDonald said that he picks up some trash each evening, so it obviously is an ongoing problem.

Darlene Stout, Beech Grove—Ms. Stout also spoke regarding Ordinance 12. She has had several neighbors sign a petition in order to slow traffic down in that area to help protect children and the safety of their property. She feels that a stop sign will not solve the problem, but it will certainly help the problem as far as the speeding down Main Street. She feels that this will help children getting on school buses and the elderly who are trying to back out of their driveways.

Her neighbor just had a second car hit. She asked the Council to strongly consider having the stop sign placed at this intersection.

April Stout, Beech Grove—Ms. Stout also spoke regarding Ordinance 12. She grew up at 2206 Main Street, so she also supports the stop sign. While living there, she remembers three cars that wound up in her front yard as a result of speeding on Main Street and losing control. She also mentioned the tragic accident that occurred in April of this year, in addition to another accident about a month ago. As a school teacher, she is concerned about the safety of the children playing and waiting for their school buses in that area.

Janet White, Beech Grove—Ms. White also supports Ordinance 12. She mentioned that Ordinance 11 was passed, which placed a stop sign in another area to help protect the children, so she thinks this is warranted for Main Street as well. There are children in the neighborhood walking, running, riding bikes and skateboards, etc. There are always speeding cars on Main Street. The stop sign will be very helpful in waking up these motorists and making them more aware of their speed. She said that the kids even yell at the cars to slow down. She said that the stop sign is needed for the neighborhood's protection.

COMMITTEE REPORTS

Youth Council – Evan Smiley reported that the Youth Council has had one meeting so far this school year. They have decided on theme nights for all four of the varsity football games, including a student tailgate at one game. Over the summer, four members of the Council went to the IHSAA student leadership conference, one of the largest leadership conferences in the country. It offered different speakers and sessions that dealt with student leadership and community projects. The sports teams and student leadership throughout the high school is doing very well right now. Attending the athletic events helps get the students involved. Football attendance has been very good, and they are trying to increase attendance for other fall sports. The band is working hard and has plans to march every Saturday in September. Councilor Stewart said that she is very proud of the Youth Council members for stepping up and getting involved with the school system to increase the attendance. Homecoming will be Sept. 26th this year. Councilor Jennings encouraged everyone to attend the sporting events and be proud of the youth in Beech Grove.

Greenscape Commission – Council members received a printed Greenscape Commission report, which is available on the City website for review.

RDC – Council members received a printed RDC report, which is available on the City website for review.

Public Safety – Council members received a printed Public Safety report, which is available on the City website for review.

ABC-none

[Clerk Treasurer's Financial Report](#) - Clerk Treasurer Dan McMillan

Dear Councilors,

Our State Board of Accounts audit began on Monday, July 28th and they told me this past week that it is nearing completion. We always enjoy having them here and we always learn from them. As a taxpayer, I view the SBOA as a great investment of taxpayer dollars. In addition to providing audits across the state, they also provide answers, information, and an accounting manual to all the cities and towns across the State of Indiana. The Clerks and I all feel it has been an honor and privilege to work with them.

Tonight, we have on the agenda an Additional Appropriation for the Police Pension Fund. The Police Pension Fund derives its revenues primarily from INPRS. The Fund has sufficient monies, but we fell short in appropriating enough in disbursements for the 2014 Budget Year, so even though the money is in the Fund, it cannot be spent without approval from the Council and Department of Local Government and Finance, hence the Additional Appropriation request.

The month of August, Bond & Lease payments included a Trash Truck Lease Payment in the amount of \$38,237.64; which \$2,721.00 was interest and the remaining \$35,516.64 went toward the principal. We only have six payments left on this. We also made our monthly SRF Loan payment of \$11,348.29. Payments on this loan began in 2005 and we still have a remaining balance of approximately one million and thirty four thousand dollars. Payments are scheduled to complete in 2025.

We have been busy the month of August preparing the budget. Everything is on the Gateway and the Budget advertisements appeared on August 22nd and August 29th. I also have passed out to the Council, budget packets; which includes all the [Budget Forms](#), [Salary Ordinance](#), and [Budget Ordinance](#).

The [2015 Budget](#) will include an increase of approximately \$817,000.00. The DLGF would not approve a budget that is not fully funded and estimated revenues support the increase. With that being said, there will not be any excess revenue to allow funding any large expenditure that could arise and that does tend to make me nervous. We have a small cushion, but I would like to see more, much more. Responsible restraint needs to be shown on all levels of government to insure the City remains in good financial standing.

The budget is a good budget and has some great improvements including an increase in pay for full time City Employees. More will be announced at the [Public Hearing for the 2015 Budget](#) scheduled for Monday, September 8, at 7:00 pm, here in Council Chambers.

If you have any questions please don't hesitate to ask. The complete [budget](#) can view on the website by using the following link <http://www.beechgrove.com/2015-proposed-civil-city-budget.html>

We have formed the 2014 Insurance Committee to review health insurance coverage for City Employees. We have 2 new members this year Dave Irwin and Dawn Whalen, they join Aaron Jeanette, BGF and Local #416 Representative, James Baughn BCPD and Representative for F.O.P. #86, Rodney Giffin, DPW and Representative for Civilian Employees, and myself. We have had our first meeting and we will meet again in the near future.

The [City website](#) continues to be a success and is provided at no cost to the taxpayers. We continue to have wonderful volunteers that assist with updating and posting. Thank you website volunteers!

On the website, the homepage has information on City meetings that includes, links to agendas, minutes, ordinances and more. There is also a link to view the complete [2015 City of Beech Grove Budget](#) and the [Beech Grove Public Library Budget](#).

[Financial Reports](#), [City Debt Schedules](#), [Bank Statements](#) and more are available online at www.beechgrove.com.

The bank account balances as of August 29, 2014 are listed below.

Bank Account Name	Bank Account Balance
City Corporation	\$2,159,099.36
City Utilities/Sewage/Wastewater	\$1,197,680.47
Main Street Redevelopment/Main Street Loans	\$251,568.10
City Court	\$103,872.00
Criminal Investigations (CIF)	\$183,145.69
Redevelopment Commission (RDC) General	\$856,612.21
Redevelopment Commission (RDC) Debt Service	\$584,842.97
BNY – Mellon 2004 SRF Balance	\$136,178.37

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

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

Compliance Division – Council members received a printed Compliance Division report, which is available on the City website for review

OLD BUSINESS:

[General Ordinance #10, 2014 - 3rd Reading](#)

... amends Chapter 35 pursuant to Board of Zoning Appeals Fees

Clerk Treasurer McMillan read General Ordinance No. 10, 2014 in its entirety into the record. Councilor Stewart moved to approve the ordinance. Councilor Bell seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 10, 2014 passed on third and final reading.

General Ordinance #11, 2014 - 3rd Reading

... amends Chapter 77 – pursuant to through streets and stop streets - 7th and Cleveland

Clerk Treasurer McMillan read General Ordinance No. 11, 2014, in its entirety into the record. Councilor Harrison moved to approve the ordinance. Councilor Bell seconded the Motion; which was approved 5-1, with Councilor Coates voting no. General Ordinance No. 11, 2014 passed on third and final reading.

General Ordinance #12, 2014 - 3rd Reading

... amends Chapter 77 – pursuant to through streets and stop streets - Ticen and Main Street

Clerk Treasurer McMillan read General Ordinance No. 12, 2014, in its entirety into the record. Councilor Coates moved to approve the ordinance. Councilor Stewart seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 12, 2014 passed on third and final reading.

General Ordinance #13, 2014 - 2nd Reading

... pursuant to ambulance responses outside the corporate city limits of Beech Grove

Councilor Jennings moved to waive the rules and read this ordinance by title only. Councilor Mobley seconded the Motion; which was approved by unanimous voice vote. Clerk Treasurer McMillan read this ordinance into the record by title only. Councilor Stewart moved to approve the ordinance on 2nd reading only. Councilor Coates seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 13, 2014 will be heard on 3rd and final reading at the October 6th meeting.

General Ordinance #14, 2014 - 2nd Reading

... amends Employee Personnel Manual Article XIV concerning employee behavior

Councilor Jennings moved to waive the rules and read this ordinance by title only. Councilor Stewart seconded the Motion; which was approved by unanimous voice vote. Clerk Treasurer McMillan read the ordinance into the record by title only. Councilor Bell moved to approve the ordinance on 2nd reading only. Councilor Stewart seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 14, 2014 will be heard on 3rd and final reading at the October 6th meeting.

General Ordinance #15, 2014 - 2nd Reading

... amends Employee Personnel Manual Article XIV concerning Military Leave

Clerk Treasurer McMillan read the ordinance in its entirety into the record. City Attorney Wiley stated that Councilor Davidson had been concerned about the 30-day notice period in this ordinance. The City Attorney said that we can take care of that by saying 30 days or as soon as possible. Councilor Davidson also had asked if it is lawful for the employer to require a copy of the employee's military orders.

City Attorney Wiley stated that he had researched and found that the Indiana Family Military Leave Act includes the same identical language, requiring the employee to provide a copy of their military orders to their department head. City Attorney Wiley recommends to pass the ordinance as is and any amendments that Councilor Davidson would like to make may be taken care of at a later date or raised at the 3rd reading.

Councilor Jennings moved to amend the ordinance to read “Arrangements shall be made at least 30 days *if possible* in advance *or as soon as possible* with the respective Department Head. . . “ to change the sentence to read as City Attorney Wiley suggested. Councilor Harrison seconded the Motion; which was approved by unanimous voice vote.

Councilor Jennings moved to approve the ordinance on 2nd reading only with the amendment. Councilor Harrison seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 15, 2014 will be heard on 3rd and final reading at the October 6th meeting.

General Ordinance #16, 2014 - Additional Appropriation – Police Department - 2nd and 3rd Reading

Clerk Treasurer McMillan read the ordinance in its entirety into the record. Councilor Stewart moved to approve General Ordinance #16, 2014 on 2nd reading only. Councilor Bell seconded the Motion; which was approved by unanimous voice vote.

Clerk Treasurer McMillan read General Ordinance #16, 2014 in its entirety into the record. Councilor Stewart moved to approve General Ordinance #16, 2014 on 3rd and final reading. Councilor Coates seconded the Motion; which was approved by unanimous voice vote. General Ordinance #16, 2014 was passed on 3rd and final reading. The 2015 budget will raise this appropriation to \$25,000.00 so we won't have to go through this process next year.

NEW BUSINESS:

Interlocal Agreement - City Court

City Attorney Wiley stated that the Homecroft police chief contacted the Beech Grove City Court about handling Homecroft's ordinance violations. Homecroft's city council has already approved the agreement. Council members expressed that this would be good for the City.

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

Councilor Jennings moved to approve the agreement. Councilor Stewart seconded the Motion; which was approved by unanimous voice vote. The Interlocal Agreement was approved.

General Ordinance #18, 2014 - 1st Reading

. . . amends Chapter 96: Garbage and Refuse Collection, pursuant to “Heavy Items”

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

Mayor Buckley stated that the current ordinance was put into effect in 1967, so we are trying to update our ordinances. DPW Director Brad Meriwether stated that several of the items listed in the ordinance are on the prohibited list with Covanta, so the City would be unable to dispose of those items with their current sanitation disposal vendors. The vendor could reject a trash load if they see a prohibited item. DPW normally doesn't see these items any longer, as the scrappers usually get these items before the trash trucks arrive. Councilor Stewart asked if people are required to call DPW to ask about setting out certain items, and DPW Director Meriwether responded that people are not required to call but oftentimes they do. Councilor Coates asked if there is or is not a schedule for heavy trash pickup. DPW Director Meriwether stated that another ordinance coming up later this evening will discuss heavy trash pickup, the fees, how we determine what to charge and that they contact the homeowner prior to pick up and charges.

Councilor Stewart moved to approve the ordinance on 1st reading only. Councilor Harrison seconded the Motion; which was approved by unanimous voice vote. General Ordinance #18, 2014 will be heard on 2nd reading at the October 6th meeting

General Ordinance #19, 2014 - Additional Appropriation - Police Pension - 1st Reading

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

Councilor Stewart moved to approve the ordinance on 1st reading only. Councilor Bell seconded the Motion; which was approved by unanimous voice vote. General Ordinance #19, 2014 will be heard on 2nd and 3rd reading at the October 6th meeting.

General Ordinance #22, 2014 - 1st Reading

... amends Chapter 77, Schedule IV Speed Limits

Clerk Treasurer McMillan read this ordinance in its entirety into the record.

City Attorney Wiley stated that there is nothing in our current ordinances that govern speed limits in the newer subdivisions. He believes that there is a catch-all rule that states if no speed limit is posted, then the speed limit is 20 mph. This ordinance will clear that up and set an expectation of what the speed limits should be in these neighborhoods. Councilor Jennings asked if 20 mph is the correct speed limit to have in a residential area, considering that school zones are set at 25 mph. Police Chief Swartz stated that he thought 20 mph is appropriate because of the curves and vision-hindering obstacles in some of the residential streets, while 25 mph in school zones is appropriate because typically these are straighter, busier streets with clear vision. The chief confirmed that if a speed limit is not posted, that state law says the speed limit should be 20 mph.

Councilor Jennings moved to approve the ordinance on 1st reading only. Councilor Stewart seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 22, 2014 will be heard on 2nd reading at the October 6th meeting.

General Ordinance #23, 2014 - 1st Reading

... amends Chapter 96: Garbage and Refuse Collection, pursuant to "Charges for Heavy Collections"

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

DPW Department Head Brad Meriwether said that heavy trash pickup is coordinated with the regular trash schedule. Most of the time, there are no fees involved with heavy trash pickup, but if there is a very large pile of trash, the DPW crews will contact Brad or the street superintendent and go from there. This all got started from landlords who would clean out rental properties and put out huge amounts of trash. DPW didn't think it was fair not to charge for these large amounts of extra trash. He said that most people are happy to pay to get rid of their heavy trash so that they do not have to haul it away themselves. The highest amount charged for a heavy trash pickup was approximately \$400, for multiple rooms of heavy trash. DPW never charges without a homeowner's awareness and agreement to the charges. DPW crews will not pick up pieces of furniture that have been contaminated, have bed bugs, etc. for health and safety reasons. The City pays higher costs to dispose of heavy trash in addition to the manpower and equipment involved, so it makes sense to charge for heavy trash. We do try to stay on the less expensive side with our charges. Huge amounts of brush are dealt with in the same manner as heavy trash, as opposed to those citizens who only put out a few limbs. Fees for brush removal can be much higher, as it can take longer amounts of time to get all that picked up. Councilor Coates asked about brush removal as a result of storms. Director Meriwether responded that in these types of weather events, they will waive fees and try to go above and beyond their normal duties to help out the citizens since citizens cannot control the storm damage.

Councilor Jennings moved to approve the ordinance on 1st reading only. Councilor Mobley seconded the Motion; which was approved by unanimous voice vote. General Ordinance No. 23, 2014 will be heard on 2nd reading at the October 6th meeting.

COUNCIL COMMENTS:

Councilor Dave Mobley – Councilor Mobley thanked the attendees for coming to the meeting and wished everyone a good week.

Councilor John Jennings – none.

Councilor Dave Harrison – Councilor Harrison thanked everyone for attending the meeting. He also thanked the Council members who participated in the ALS ice bucket challenge. He said that he believes some people do not take this challenge seriously. He had a friend who died from this disease. A doctor's study has found that Beech Grove is the #2 city in the world with people who have ALS per capita. Guam was #1. Since his friend died in December, two other people in Beech Grove have died from ALS. He finds this very alarming and feels that it is something to be looked into.

Councilor Ed Bell – Councilor Bell thanked Councilor Harrison for his comments on ALS, as he also had a friend die from this disease. He also thanked everyone for attending tonight's meeting.

Councilor Mary Stewart—Councilor Stewart thanked everyone for attending the meeting. She thanked DPW Director Brad Meriwether and his crews for all their efforts during the recent rains and storms. She also thanked the fire department, police department, and all first responders for their efforts in keeping the citizens safe.

Councilor Kathy Coates—Councilor Coates agreed with Councilor Stewart’s comments. She expressed her feelings of being extremely blessed and lucky to live in Beech Grove. She is proud to be a resident and to represent the citizens through her position on the Council.

Mayor Buckley – Mayor Buckley reminded the Council members that the next meeting will be on Monday, September 8th at 7:00 p. m. This will be the 1st reading of the 2015 budget, along with the salary ordinance and the library budget. Please bring the materials with you that Clerk Treasurer McMillan submitted this evening. He complimented the Council on the good work that was done this evening.

ADJOURNMENT:

Councilor Jennings moved to adjourn. Councilor Mobley seconded the Motion. The meeting was adjourned at 8:25 p.m.

The next meeting will be September 8, 2014 at 7:00 pm in Council Chambers at City Hall.

Dennis Buckley, Mayor

Dan McMillan, Clerk–Treasurer

Minutes prepared by: Mary Duffer