

**CITY OF BEECH GROVE, INDIANA
BOARD OF PUBLIC WORKS AND SAFETY
MEETING MINUTES
MONDAY, MAY 19TH, 2014**

Mayor Dennis Buckley called the meeting to order at 6:08 p. m.

ROLL CALL: Board of Works Members, Ed Bell, Sandy Seward and Mayor Dennis Buckley were present. Also in attendance, were Clerk Treasurer Dan McMillan and City Attorney Craig Wiley.

MEETING MINUTES: The meeting minutes from the May 5th, 2014 meeting were presented to the Board. Sandy Seward moved to approve the minutes as presented; Ed Bell seconded the Motion; which was approved by unanimous voice vote.

APPROVAL OF CLAIMS:

- **Corporate Claims** – claims in the amount of **\$760,869.77** were presented to the Board for approval. Sandy Seward questioned the A & M Custom Collision Repair claim for \$10,029.69; Clerk Treasurer McMillan stated that this claim was for repair to a police car and confirmed that we will be fully reimbursed by insurance. Sandy Seward also questioned the Lowe’s invoices; she was concerned that city employees make 15 or more trips to Lowe’s on the same day. Clerk Treasurer McMillan pointed out that we do get several Lowe’s receipts during a billing cycle, but that these receipts come from different departments (Parks, MVH, etc.). The date listed is the date that the receipts were posted, not the purchase date. Sandy Seward also questioned the Imperial Fence Company claim for \$5,260.89. Clerk Treasurer McMillan stated that this invoice was for work done at the Little League diamonds. Sandy Seward moved to accept the claims as presented; Ed Bell seconded the Motion; which was approved by unanimous voice vote.

COMMENTS FROM CITIZENS

Chris Duffer, Beech Grove—Mr. Duffer stated that something has come to his attention that affects the ability of this Board to render decisions impartially. Recently Mr. Bell and his family attended an Indians game at the favor of Crossroads Engineering and Mr. Duffer, along with other Board members via email, feel that it would be inappropriate to accept gifts from companies, especially companies that the Board stands to approve or disprove contracts with down the line. He believes that this is a severe conflict of interest and that Mr. Bell cannot maintain impartiality when he stands to receive gifts. In addition, the Board of Works hears cases of employee malfeasance and decides their fate. Mr. Duffer quoted from the Employee Manual (Employee Behavior, Section 7, Gifts and Gratuities) that “No employee shall accept a gift or gratuity from any individual, company or corporation that might benefit from such action in excess of \$5.” Mr. Duffer stated that he wonders how Mr. Bell would stand in judgment of

other employees when he doesn't hold himself to the rules of the Employee Manual. Mr. Duffer said that he wouldn't want to be a city employee knowing that he would be judged by people who don't have to adhere to the same rules, and that isn't right. He wondered that in light of these transgressions if Mr. Bell can render decisions impartially and wanted to know the other board members thoughts, up to and including Mr. Bell's resignation. Mr. Bell stated that he could answer that, that he wasn't really the guest of Crossroads, his wife was. Mr. Duffer said that that is irrelevant. Mr. Bell said that his wife works for the county and that she got invited to the function. Mr. Duffer asked if Mr. Bell went to the event, and Mr. Bell confirmed that he did go to the event but that it was through his wife's invitation. Mr. Duffer reiterated that it is irrelevant whether it was Mr. Bell or his family that benefits. Mr. Bell stated "that is what you [Mr. Duffer] have to say." Sandy Seward asked Mr. Duffer if he had heard from everyone from the city that he had emailed concerning this matter. Mr. Duffer stated that he had heard from Mayor Buckley, Sandy Seward through Clerk Treasurer McMillan, and from Anthony Davidson. Sandy Seward commented that if the invitation was sent to Mrs. Bell, what was the intent to gain on Crossroads Engineering's part. Sandy Seward was not offered tickets, so if they were trying to make some sort of gain they would probably want to approach both members of the Board of Works. Therefore, she feels it was up to Mr. Bell's discretion. Mr. Duffer again reiterated the rule that employees not receive any gifts over \$5. Sandy Seward stated that the person who received the gift was not an employee. Mr. Duffer again stated that he just wanted to bring this matter to the Board's attention and thanked them for their time.

OLD BUSINESS:

None.

NEW BUSINESS:

Pavement Agreement Extension—Brian Pierson with United Consulting spoke regarding this subject. United Consulting currently has a contract with the City for roadway improvement projects. The Redevelopment Commission wishes to spend some money for the construction of some additional roads and United would like to provide additional services to the original contract for a bigger project which would lead to better pricing. United has provided a supplement in the amount of \$17,400 to provide professional services. The construction cost of approximately \$205,000 would be covered by the Redevelopment Commission. Mayor Buckley asked Mr. Pierson to provide a list of streets that the project would include, and he gave a verbal list. Mayor Buckley also stated that the costs for the supplement are split 50-50 between the utility cost for drainage and the roadway costs for paving. To incorporate this into the project that we already have going, this could be advertised as early as June 2nd. Then we could open for bids at the next Board of Works meeting on June 16th. Hopefully paving would begin in early July. Ed Bell moved to accept the amendment and add \$17,400 to the existing agreement; Sandy Seward seconded the Motion; which was approved by unanimous voice vote.

Pay Adjustment Lee Huffman, Police Department –Chief Swartz asked that Officer Lee Huffman be promoted to Master Patrolman. This is a one-year increment stage that officers go through; it has been approved and there is money in the budget to give Officer Huffman this raise. He was supposed to be promoted on 4-9, so he will need to receive back pay. Mayor

Buckley stated that for any departments' pay adjustments, it would be a good idea to get started 2 months in advance in order for the process to get started. Ed Bell moved to approve the request to increase Lee Huffman's pay; Sandy Seward seconded the Motion; which was approved by unanimous voice vote.

Parking Space Petition – Clerk Treasurer McMillan read a letter from Richard Byland concerning resizing a parking space into the record. Police Chief Swartz stated that at the current time, the parking space is not in violation but wouldn't hurt to make it smaller to make it easier to get into and out of the business. Because there is no ordinance, there is nothing that the police can do if a parked vehicle blocks the business. Chief Swartz recommended reducing the space. The space is currently 24 feet, and is recommended to resize it to 16 or 18 feet. Mr. Bell said that he could see that a larger vehicle parked in the space would cause a problem. Ed Bell moved to approve the request to make the parking spot smaller by 6 feet; Sandy Seward seconded the Motion; which was approved by unanimous voice vote.

Master Vendor License, Holy Name—Holy Name of Jesus Catholic Church is requesting a Master Vendor License for its annual Oktoberfest on Oct. 3-4, 2014. City Attorney Wiley and Chief Swartz said that everything appears to be in order, and Clerk Treasurer McMillan is satisfied with the insurance arrangements. Sandy Seward moved to approve the Master Vendor License for Holy Name; Ed Bell seconded the motion; which was approved by unanimous voice vote.

Street Closing for Oktoberfest, Holy Name— Clerk Treasurer McMillan read the request into the record. Holy Name is also requesting to close 16th Avenue from 10 am on Friday, Oct. 3rd until 2 pm on Sunday, Oct. 5th in conjunction with its annual Oktoberfest. This time frame includes set up and tear down time. The church will communicate with its neighbors about the effect of the street closure. This will be the 3rd year for the event. Sandy Seward moved to approve the request to close 16th Avenue during the Oktoberfest; Ed Bell seconded the Motion; which was approved by unanimous voice vote.

Recommendation for Summer Employment, DPW—Brad Meriwether from the DPW is requesting the hiring of Chad Seward for summer employment. He would make no more than \$12 per hour and work no more than 29 hours per week. There is money in the budget to cover the position. City Attorney Wiley talked about the nepotism statute and whether Chad would be in the direct line of supervision under Sandy Seward, which is clearly not the case. There would be no conflict here. Sandy Seward requested to abstain from voting on this matter. Ed Bell moved to approve the request to hire Chad Seward for summer employment at DPW; Mayor Buckley seconded the Motion; which was approved 2-0 by unanimous voice vote.

GAI Consultants Safe Route to School—DPW Director Brad Meriwether talked about the process of the Safe Route to School grant and working with INDOT. GAI Consultants was selected and now we are at the contract phase. Gary Randall from GAI is in attendance tonight if there are any questions. The City is excited to work with GAI Consultants, as GAI is to work with the City. We received 8 letters of interest regarding this project prior to selecting GAI. The amount of the contract cannot exceed \$49,000, but the City will only be paying 20% of this.

Clerk Treasurer McMillan asked if the \$49,000 was included in the split between the school and the City; Brad Meriwether stated that yes, it should have been. Ed Bell moved to approve the agreement between the City of Beech Grove and GAI Consultants pursuant to the Safe Route to School not to exceed \$49,000; Sandy Seward seconded the Motion; which was approved by unanimous voice vote.

Block Party Request—Clerk Treasurer McMillan read a request for a block party on Detroit Street into the record. Sandy Seward moved to approve the request for a block party on Detroit Street; Ed Bell seconded the Motion; which was passed by unanimous voice vote.

Citizens Energy Street Closure Request—Clerk Treasurer McMillan read the email street closure request from Citizens Energy into the record. Citizens Energy is requesting to close 11th Avenue and 19th Avenue during their construction work hours and open it back up once the construction work for the day ends. They would also allow residents on that street to have access. Citizens Energy will be replacing the water mains. Sandy Seward moved to approve Citizens Energy’s road closure request; Ed Bell seconded the Motion; which was approved by unanimous voice vote.

Council Chambers Microphones—Tim Showalter stated that there are three microphones in the Council Chambers that have gone bad. Mayor Buckley asked Tim to get an estimated price and send that to Clerk Treasurer McMillan.

COMMENTS FROM MEMBERS:

Mayor Buckley stated that there will be a Town Hall Meeting on Tuesday, May 27th at 7:00 p. m. in the Council Chambers. This meeting will be concerning St. Francis.

ADJOURNMENT:

Sandy Seward moved to adjourn. Ed Bell seconded the Motion. The meeting was adjourned at 6:44 p. m.

The next Board of Works Meeting will be held on Monday, June 2, 2014, at 6:00 p.m. at City Hall Council Chambers.

Dennis Buckley, Mayor

Dan McMillan, Clerk Treasurer

Prepared by: Mary Duffer