

BOARD OF PUBLIC WORKS AND SAFETY  
MUNCIE, INDIANA

1. Time & Place
2. Members Present
3. Minutes
4. Register of Claims
5. Open Reconstruction Bids for the New Animal Shelter
6. Open Walnut Street Phase #4 Bids
7. Kay Piner, Community Development presenting Contract with PathStone in the amount of \$40,000 for down payment assistance
8. Kay Piner, Community Development presenting Contract with Muncie Home Ownership & Revitalization in the amount of \$50,000 for down payment assistance
9. Kay Piner, Community Development presenting Contract with PathStone for CHDO Administrative Fees
10. Sarah Beach, Personnel Director presenting Agreement for Services between the City of Muncie and Briana Paxton
11. Sarah Beach, Personnel Director presenting Agreement for Services between the City of Muncie and the Muncie Redevelopment Commission (MRC) and Zane Bishop
12. Procession Application from Steven Tomboni, America Multi-Sport
13. Noise Exemption Authorization from Erin Adkins, BSU Asian-American Student Association
14. Noise Exemption Authorization from Branden Jones, Spectrum
15. Board to consider entering into Development Agreement for Nebo Commons and acceptance of Plat for "Nebo Commons" Section 1
16. Pam Price, Executive Director of East Central Indiana (ECI) Regional Planning District
17. Noise Exemption Authorization Application from Haley Reifel for LaFollette Fields
18. Adjournment

**BOARD OF PUBLIC WORKS AND SAFETY**  
**CITY OF MUNCIE, STATE OF INDIANA**  
**MARCH 30, 2016 MINUTES**

1. Board of Public Works and Safety, City of Muncie, State of Indiana, met in the City Hall Auditorium, at 9:00 A.M.
2. **Members Present:** John Quirk, Roger Overbey, Bobbie Clemens
3. **Approval of Minutes from the March 23, 2016 meeting:** Roger Overbey moved to approve minutes from the March 23, 2016 meeting as printed. Bobbie Clemens provided the second. Motion passed by voice vote.
4. **Register of Claims:**

Audrey Jones, City Controller presented the **BOW EFT Payment 3/28/16** Canarx Serv, Inc. there is a total of **2 Records** for a total amount of **\$7,019.30** for prescriptions nothing unusual. Bobbie Clemens moved to approve Board of Works EFT claims as presented. Roger Overbey provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented **Board of Works - Check date 4/1/16** there is **228** records for a total amount of **\$310,929.89** nothing usual. Bobbie Clemens moved to approve Board of Works Check date 4/1/16 as presented. Roger Overbey provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented **Community Dev Check Date 4/1/16** there is **13 Records** for a total amount of **\$10,005.90** to Delaware County Senior Citizens Center nothing unusual. Bobbie Clemens moved to approve Community Development claims as presented. Roger Overbey provided the second. Motion passed by voice vote.

5. **Open Reconstruction Bids for the New Animal Shelter:** The following bids were opened by the Board of Public Works & Safety from:

Attlin Construction 303 S. Hoyt Ave. Muncie, IN 47302	S. A. Boyce Corp. 209 W. Ontario Dr. Muncie, IN 47304	J. G. Case Construction 171 E. Streeter Ave. Muncie, IN 47303
\$249,970.00	\$269,500.00	\$302,000.00

Phil Peckinpaugh, Director of the Muncie Animal Shelter recommended board to table bids under advisement for review and recommendation at next week's meeting. John Quirk provided the second. Motion passed by voice vote.

6. **Open Walnut Street Phase #4 Bids:** The following bid was opened by the Board of Public Works & Safety from:

Pridemark Const. 421 S. Walnut St. Muncie, IN 47305	Alternate #1	Alternate #2	Alternate #3	Alternate #4
\$ 1,839,510.33	\$ 78,800.68	\$ 25,452.20	\$ 97,189.30	\$ 62,209.48

David Heilman of Flatland Resources recommended the board take bid under advisement for review and recommendation at next week's meeting. Bobbie Clemens provided the second. Motion passed by voice vote.

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7. **Kay Piner, Community Development presenting Contract with PathStone in the amount of \$40,000 for down payment assistance:** Kay commented that Community Development is entering into contract with PathStone for down payment assistance and/or closing cost up to \$5,000 per client. Roger Overbey moved to enter into contract with PathStone as presented. Bobbie Clemens provided the second. Motion passed by voice vote.
8. **Kay Piner, Community Development presenting Contract with Muncie Home Ownership & Revitalization in the amount of \$50,000 for down payment assistance:** Kay commented that Community Development is entering into contract with Muncie Home Ownership & Revitalization for down payment assistance and/or closing cost up to \$5,000 per client. Bobbie Clemens moved to enter into contract with Muncie Home Ownership as presented. Roger Overbey provided the second. Motion passed by voice vote.
9. **Kay Piner, Community Development presenting Contract with PathStone for CHDO Administrative Fees:** Kay commented that Community Development is entering into contract for CHDO (Community Housing Development Agency) Administrative Fees with PathStone in the amount of \$4,343.42 we are allowed to give them some administrative fees when they are doing a CHDO Project at 1109 W. Kilgore. Roger Overbey moved to enter into contract with PathStone as presented. Bobbie Clemens provided the second. Motion passed by voice vote.
10. **Sarah Beach, Personnel Director presenting Agreement for Services between the City of Muncie and Briana Paxton:** Sarah came forward to present contract to the Board for employment for Briana Paxton to come in and work basically 20 hours a week. She will work on different duties that we have associated with the Unsafe Building Hearing Authority and duties basically with that. We have an ongoing thing where we have positions open, where we evaluate job duties within the City and feel that at this point the job duties would be better served in the Building Commissioner's Office because that is the enforcement authority for the UBHA. We will eventually be getting a job description together and this will become a full time position within the city but until then we need someone that is qualified to do the work. Roger Overbey asked Sarah "exactly what are her job duties, to do that". Sarah responded she will be doing a lot of cleanup work associated with getting a lot more organized within the program; she will be noticing homeowners, tracking properties, recording, keeping minutes for the Unsafe Hearing Authority. Bobbie Clemens moved to approve agreement for services as presented by Sarah Beach for Briana Paxton. John Quirk provided the second. Motion passed by voice vote.
11. **Sarah Beach, Personnel Director presenting Agreement for Services between the City of Muncie and the Muncie Redevelopment Commission (MRC) and Zane Bishop:** Sarah came forward to present Agreement for Services with MRC and Zane Bishop. The person that actually administers the "Hardest Hit Fund" the position has become open because this person currently doing that position will be taking another position. So, we currently have this position open and we will be entering into contract, the pay is basically \$28,000 a year plus \$2,000 in administrative cost, contract will not exceed more than \$30,000 per year. This agreement does need to go before the MRC but they do not meet until next Thursday. President Quirk commented that it does not change the contract just the individual that will be doing the work. Sarah responded correct. Bobbie Clemens moved to approve Agreement for Services between the City of Muncie and the MRC and Zane Bishop as presented. Roger Overbey provided the second. Motion passed by voice vote.
12. **Procession Application from Steven Tomboni, America Multi-Sport:** Steven Tomboni came forward to present their BSU Triathlon on April 30, 2016 11:00 a.m. to 3:00 p.m.  
**Bike Course:** Start on McKinley Avenue (outside Lewellen Pool) north on McKinley to Bethel, east on Bethel to New York Ave., south on New York Ave. to Riverside Ave., west on Riverside Ave. to McKinley Ave., north of McKinley Ave. and finish in front of Lewellen Pool, Super-sprint race will go two laps, Sprint distance will go four laps.  
**Run Course:** Start from transition area going north on McKinley Blvd (On Sidewalk) runners will go the entire distance on campus sidewalks, crossing Neely Avenue by McKinley in both directions (North and South) Super-sprint will run one lap, Sprint two laps.  
Campus Police Department will work the event we are anticipating 300 people attending our event. Approval has been given by Steve Stewart, Muncie Chief of Police, Eddie Bell, Muncie Fire Chief and James Duckham, BSU Campus Police Chief.
13. **Noise Exemption Authorization from Erin Adkins, BSU Asian-American Student Association:** Erin came forward to present their noise exemption on April 8, 2016 from 5:00 p.m. to 7:00 p.m. at University Green with a DJ playing music during the event. Roger Overbey moved to approve noise exemption as presented. Bobbie Clemens provided the second. Motion passed by voice vote.
14. **Noise Exemption Authorization from Branden Jones, Spectrum:** No one was present for the meeting. Roger Overbey moved to table noise exemption for one week. Bobbie Clemens provided the second. Motion passed by voice vote.

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- 15. Board to consider entering into Development Agreement for Nebo Commons and acceptance of Plat for "Nebo Commons" Section 1:** Dick Weigel, HWC Engineering and Marta Moody, Executive Director of Planning Commission came forward to address the Board. The developer of Nebo Commons has requested final acceptance of their final plat of that sub-division and then also tied to that is the development agreement that has set out some conditions for some remaining work items that need to be completed. So they brought that before us and between the City and Marta we reviewed that basically it is ready to go except there are three items that still remain. One is that as part of their development agreement there is a separate surety letter that goes with that and we don't have a copy of that yet but that is a primary document and fills in a blank of the development agreement that has been reviewed previously and gone through, so that something that they don't have a copy of for us yet. The second item is the maintenance bond we want to make sure that it is updated currently starting now. So those are items that really related to the acceptance of the plat and the development agreement.

Duke Campbell, Superintendent of the Department of Public Works has reviewed the street and was there when the street was being constructed and has accepted the street. The other issue that is still outstanding is kind of a separate entity but we want to make sure that is taken into account before it is accepted and final plat recorded is that the Muncie Sanitary District wants to make sure that the storm sewer is televised yet and that has not been completed. They expect having that development agreement, surety letter and also the updated maintenance bond together here yet maybe this week or next week so that the Board to act upon that plat and the first phase of the construction at the next meeting. And then that would be signed and presented for Marta, she is then the final keeper of the documents until the final sign. She is basically the last person to sign the final plat and then she has her check list and one of those items is that the Sanitary District is ok with the storm sewers before she signs it and gets it recorded.

Marta Moody agreed with everything that Dick Weigel reported on, this is like the normal process except it takes a long time getting everything done on the part of the developer, I think that everything is in place and as Dick said it is the normal process for the Board of Works to take action on accepting the public improvements and the development agreement covers that things improvements that has not been completed and after that is done and all the other things that are in the original findings and facts that were put together by the Plan Commission once all of those are done then there is a couple of items that to be covered in the plat restrictions. I have not checked yet to see that that has been done and once all those things are done then I can sign the plat as being finally approved in terms of everything that needed to be done that was required to be done by the Plan Commission. Dick Weigel reported that he won't be here next week but it maybe the following week that the Board takes action on the plat and development agreements assuming those couple of items are in.

President Quirk mentioned so far as what we are doing here today is more informational and just to make sure we have this on the record that everything has been competed with regard to the acceptance of the plat, and the development agreement, except for the surety bond agreement and the maintenance bond making sure it is starting now and the acceptance of what the Sanitary District needs to do. Marta mentioned that she and Dick will not be here next week but Jason Miller will be here representing the developers. Dick commented that he will get with Arron Kidder or Duke Campbell to share the information to make sure we are ok with that then. President Quirk so the final approval of items #11 and #12 on the agenda, do you want us to put them on the agenda for next week or did you say in two weeks. Dick reported that they are hoping to have it all by next week, so I would put those two items on next week's agenda and if they don't have the documents in by then it will be pushed back another week. Marta mentioned that the she would put the development agreement first then the final plat second.

President Quirk asked for a motion to table Acceptance of Plat for "Nebo Commons" and Development Agreement for Nebo Commons and follow the recommendation of Marta Moody and put the Development Agreement for Nebo Commons first and then the Acceptance of Plat for Nebo Commons until next week. Roger Overbey moved table Development Agreement and Acceptance of Plat for Nebo Commons next week. Bobbie Clemens provided the second. Motion passed by voice vote.

- 16. Pam Price, Executive Director of East Central Indiana (ECI) Regional Planning District:** Pam addressed the board that she has spoken with Mayor Tyler on Monday and I thought this was going to be on your agenda, clearly didn't make it but I thought that I would bring this up to you and let you know what we are looking for and if you need a week to review it that's fine. The East Central Regional Planning District is a four county region. We cover Delaware, Henry, Jay and Grant Counties and prepare what is called the comprehensive economic development strategy (CEDs) plan for the four counties and that is something that is required by the economic development administration before they will fund any infrastructure projects. Currently we have two grants before EDA one of them is for updating the CEDs plan for the four counties which we have been doing since 2009 and the other is for a trans-loading facility for the rails spur out at Park One. We currently have a company in the City of Muncie that is very anxious to use the trans-loading facility. We have a new EDA officer that is requiring our funders to adopt this Resolution in order to fund us and this is the same funding that we gotten from the Mayor's Edit funds since 2009. President Quirk mentioned the City of Muncie commits \$21,094.80 in unencumbered readily available funds as local match for the ECI Regional Planning District for the project in 2016. President Quirk entertained a motion to approve Resolution 2016-1 Resolution Authorizing the East Central Indiana (ECI) Regional Planning District, Inc. to Apply for Grant, Represent the City of Muncie and Commit \$21,094.80 in Unencumbered Funds to the Project as presented. Bobbie Clemens moved to adopt Resolution 2016-1 as presented. Roger Overbey provided the second. Motion passed by voice vote.

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- 17. Noise Exemption Authorization Application from Haley Reifel for LaFollette Fields:** Haley came forward to present their noise exemption on April 16, 2016 from 7:00 a.m. to 1:00 p.m. on LaFollette Fields. We will have a DJ playing music during the event of our 5K run, we have approval from BSU to use the LaFollette Fields. Roger Overbey moved to approve noise exemption as presented. Bobbie Clemens provided the second. Motion passed by voice vote.
- 18. Adjournment:** Roger Overbey moved to adjourn meeting, meeting adjourned at 9:32 a.m., Bobbie Clemens provided the second. Motion passed by voice vote.

**Board of Public Works and Safety**

  
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John Quirk, President

  
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Bobbie Clemens, Secretary

  
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Roger Overbey, Vice-President

  
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Linda Hayes, Recording Secretary