

1. Time & Place
2. Members Present
3. Minutes
4. Register of Claims
5. Arron Kidder, Mayor's Office presenting Memorandum of Understanding by and between the Environmental Liability and Asset Management Group, LLC. d/b/a the ELAM Group, the City of Muncie and Historic Brownfield Redevelopment Corp.
6. Board to Accept Right-of-Way Dedication for Belle Place Plat S1
7. Noise Exemption Authorizations from "Be Here Now" 505 N. Dill Street
8. Noise Exemption Authorization from Muncie Life Church 1700 W. 14th Street
9. Noise Exemption Authorization from Phi Mu 2000 W. University Ave.
10. Homecoming Parade Application from Muncie Central High School
11. Adjournment

BOARD OF PUBLIC WORKS AND SAFETY
CITY OF MUNCIE, STATE OF INDIANA
August 23rd, 2017 MINUTES

1. Board of Public Works and Safety, City of Muncie, State of Indiana, met in the City Hall Auditorium, at 9:04 A.M.
2. **Members Present:** John Quirk, Roger Overbey, Absent - Bobbie Clemens
3. **Minutes:** Approval of the August 16th, 2017 Meeting. Roger Overbey moved to approve the minutes from the August 16th, 2017 meetings as printed. John Quirk provided the second. Motion passed by voice vote.
4. **Register of Claims:**

Kevin Nemyer, City Controller presented the **Board of Works EFT 7/31/17** there is **3 Records** for a total amount of **\$748.66 US Bank, Authorize Net** bank fees nothing unusual within this set of claims. Roger Overbey moved to approve EFT payment as presented. John Quirk provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **Board of Works EFT 8/15/17** there is **1 Record** for a total amount of **\$235.25 Wage Works** health insurance, nothing unusual within this claim. Roger Overbey moved to approve EFT payment as presented. John Quirk provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **Board of Works EFT 8/16/17** there is **1 Record** for a total amount of **\$246,636.05 IU Health Plans** health insurance, nothing unusual within this claim. Roger Overbey moved to approve EFT payment as presented. John Quirk provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **Board of Works EFT 8/18/17** there is **1 Record** for a total amount of **\$23.74 Indiana Dept. of Revenue** sales tax, nothing unusual within this claim. Roger Overbey moved to approve EFT payment as presented. John Quirk provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **Board of Public Works** Check Date **8/25/17** there is **237 Records** for a total amount of **\$343,836.00** nothing unusual within this set of claims. Roger Overbey moved to approve Board of Works claims as amended. John Quirk provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **Community Development** Check Date **8/25/17** there is **7 Records** for a total amount of **\$13,603.90** nothing unusual within this set of claims. Roger Overbey moved to approve Community Development claims as presented. John Quirk provided the second. Motion passed by voice vote.

5. **Arron Kidder, Mayor's Office presenting Memorandum of Understanding by and between the Environmental Liability and Asset Management Group, LLC. d/b/a The ELAM Group, the City of Muncie and Historic Brownfield Redevelopment Corp:** ELAM agrees to redeem the following property on behalf of the Owner: 705 E. 18th Street (former American Lawn Mower Site). In connection with the execution of this Memorandum, the City shall have executed and delivered a release of all liens and encumbrances attached to the Property. The City promises to pay ELAM the principal sum of Twelve Thousand Nine Hundred Fifty-Four and 75/100 Dollars (\$12,954.75) to be repaid in full not later than September 30, 2017. ELAM shall be responsible for reporting contamination to the Indiana Department of Environment Management's (IDEM) State Cleanup Program on behalf of the Owner and/or American Lawnmower, Inc. Furthermore, ELAM will commit to pursuing funding for a conducting a timely assessment, remediation, and closure of the contamination as directed by IDEM. The Owner shall be responsible for weed and vegetation control. The Owner shall complete the weed and vegetation control on or before December 31, 2017. If the City does not provide notice to the owner of any deficiencies associated with the weed and vegetation control by January 31, 2018, the weed and vegetation control measures will be considered satisfactory and repayment of the Redemption Amount will be unnecessary. If the weed and vegetation control measures are unsatisfactory to the City, the City shall give the Owner notice of further specified weed and vegetation control measures necessary to meet the City's satisfaction by January 31, 2018. The owner shall have until February 28, 2018, to correct any deficient weed and vegetation control measures. If not completed by February 28, 2018 or another mutually agreeable date, the Owner shall re-pay the City the Redemption Amount. This arrangement is only valid if the Redemption Amount is paid to the Delaware County Treasurer by

August 24, 2017. Roger Overbey moved to enter into Memorandum of Understanding with ELAM Group as presented. John Quirk provided the second. Motion passed by voice vote.

6. **Board to Accept Right-of-Way Dedication for Belle Place Plat S1:** Todd Bauer, Foresight Consulting I am here on behalf of Belle Tire to present Belle Place Plat which is a five acre parent parcel divided into two tracks and we are granting right-of-way for Bethel Avenue and N. Allison Road. (N. Allison Road currently does not have any dedicated right-of-way). Roger Overbey moved to accept right-of-way dedication for Belle Place Plat as presented by Todd Bauer. John Quirk provided the second. Motion passed by voice vote.
7. **Noise Exemption Authorizations from "Be Here Now" 505 N. Dill Street:** Dustin Ward is requesting a noise exemption for Be Here Now at 505 N. Dill Street for 9/4/17 and 9/6/17 from 8:00 p.m. to 1:00 a.m. also, 9/7/17, 9/8/17 and 9/9/17 from 8:00 p.m. to 2:00 a.m. for live music/DJ for about 50 guests. Roger Overbey moved to approve noise exemptions as presented. John Quirk provided the second. Motion passed by voice vote.
8. **Noise Exemption Authorization from Muncie Life Church 1700 W. 14th Street:** Brian Drown came forward to request noise exemption for Friday, September 8th, 2017 at 1700 W. 14th Street for an outdoor movie from Dusk for two hours. President Quirk asked if they have had any issues in the past noise exemptions. Brian replied no issues. Roger Overbey moved to approve noise exemption as presented. John Quirk provided the second. Motion passed by voice vote.
9. **Noise Exemption Authorization from Phi Mu 2000 W. University Avenue:** Linda did not bring noise exemption with her this morning. Roger Overbey moved to table noise exemption for one week. John Quirk provided the second. Motion passed by voice vote.
10. **Homecoming Parade Application from Muncie Central High School:** No one was present for the meeting. President Quirk asked for a motion to continue Homecoming Parade Application for next week's meeting. Roger Overbey moved to table Muncie Central's Homecoming Parade for one week. Bobbie Clemens provided the second. Motion passed by voice vote.
11. **Adjournment:** Roger Overbey moved to adjourn meeting, meeting adjourned at 9:14 a.m., John Quirk provided the second. Motion passed by voice vote.

Board of Public Works and Safety

John Quirk, President

Roger Overbey, Vice-President

Bobbie Clemens, Secretary

Linda Hayes, Recording Secretary