

1. Time & Place
2. Members Present
3. Approval of Minutes
4. Register of Claims
5. James Lowe, Ball State University discussing the July approval for the realignment of McKinley Avenue and the Exchange of Easements Agreement and approval to close McKinley for the construction work which will take place next summer May 7 through August 10, 2018 to perform the work
6. Brad King, Community Development Office presenting contract for demolition of 2305 S Mock with Shroyer Bros Inc., CDBG-CO18 to be approved
7. Change Order #1 for Milton Storm Sewer with 3D Company
8. Procession Application from Bobby Steele, BSU Multicultural Center – “Martin Luther King Jr. Unity March” Monday, January 15, 2018
9. Temporary Parking Request for Kathie McDaniel 1111 N. Briar Rd.
10. Residential Handicapped Parking Application from Larry & Janet Hutchinson 517 S. Wolfe St.
11. Margaux Dever, Assistant Community Development Director presenting Agreement and EcoREHAB for 1211 W. 10th St.
12. Margaux Dever, Assistant Community Development Director
13. Joseph Winkle, Muncie Chief of Police and Member of the 911 Board
14. Adjournment

BOARD OF PUBLIC WORKS AND SAFETY
CITY OF MUNCIE, STATE OF INDIANA
DECEMBER 13th, 2017 MINUTES

1. Board of Public Works and Safety, City of Muncie, State of Indiana, met in the City Hall Auditorium, at 9:02 A.M.
2. **Members Present:** John Quirk, Roger Overbey, Bobbie Clemens,
3. **Approval of Minutes from the December 6, 2017 Meetings:** Bobbie Clemens moved to approve the December 6, 2017 Minutes as printed. Roger Quirk provided the second. Motion passed by voice vote. John Quirk abstained from voting since he was not at the Dec. 6, 2017 meeting.
4. **Register of Claims:**

Kevin Nemyer, City Controller presented the **Board of Works EFT** payment on **12/6/17** there is **2 Records** for a total amount of **\$133,475.76 Muncie Meds/Canarx Serv Inc., IU Health Plans**, nothing unusual within this claim. Bobbie Clemens moved to approve Board of Works EFT claim sheet as presented. Roger Overbey provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **Board of Works EFT** payment on **12/7/17** there is **1 Record** for a total amount of **\$57.68 Indiana Department of Revenue** nothing unusual within this set of claims. Bobbie Clemens moved to approve Board of Works EFT claim sheet as presented. Roger Overbey provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **Board of Works Check Date 12/15/17** there is **309 Records** for a total amount of **\$569,157.42** nothing unusual within this set of claims. Bobbie Clemens moved to approve Board of Works claim sheet as presented. Roger Overbey provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **Community Development** payment on **12/15/17** there is **18 Records** for a total amount of **\$78,528.88** nothing unusual within this set of claims. Bobbie Clemens moved to approve Community Developments claims sheet as presented. Roger Overbey provided the second. Motion passed by voice vote.
5. **James Lowe, Ball State University discussing the July approval for the realignment of McKinley Avenue and the Exchange of Easements Agreement and approval to close McKinley for the construction work which will take place next summer May 7 through August 10, 2018 to perform the work:** Jim Lowe came forward to address the Board members, I have two items for today’s meeting **one item** is the exchange of easements which is a follow up to the July 26, 2017 meeting and the second request will be the actual closure of the streets so we can do the work. Jim mentioned back in July we received approval to realign McKinley Avenue we did not have the legal description so now we have the legal description which has the purple bullets on it. Please note that in this document we reference item #5 that we incorporate the July 26th agreement into this. The second purple flag is to show the first attachment is to describe the abandonment of the old right-of-way and then the second attachment would be considered the new right-of-way. Once we had the design completed to the point where we could get a legal description, we would bring it back so we are at that point and I think it requires your approval. President Quirk so the first request is just exchange easements with regard to McKinley Avenue and to extend easements from Ball State University to the City of Muncie and from the City of Muncie to Ball State University for that area of property located not only in the easement and aerial photo graph. President Quirk entertained and motion to approve the exchange of easements as presented.

Bobbie Clemens moved to approve the exchange of easements as presented by James Lowe. Roger Overbey provided the second. Motion passed by voice vote.

The **second item** is approval to close McKinley Avenue so we can do work next summer well in advance. The start date is May 7, 2018 and we will have it back in operation and open by August 10, 2018. We will have proper signage in all directions. Signature of approval from Mark Vollmar, Deputy Police Chief, Eddie Bell, Muncie Fire Chief and Rhonda Clark, BSU Campus Police Department. President Quirk entertained a motion to approve street closing on McKinley between Neely/Petty and Bethel as presented. Roger Overbey moved to approve street closing on McKinley Avenue as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

6. **Brad King, Community Development Office presenting contract for demolition of 2305 S Mock with Shroyer Bros Inc., CDBG-CO18 to be approved:** Brad King came forward and mentioned that in front of you is the last contract out of our round of demolitions with Shroyer Brothers 2305 S. Mock was put on hold by the UBHA to see if the owner was going to become compliant does not appear that he is and they voted to put it on the demolition list and leave it there. Shroyer Brothers Inc. was the lowest bid for 2305 S. Mock Avenue. Roger Overbey moved to accept lowest bid from Shroyer Brothers Inc. as recommended by Brad King. Bobbie Clemens provided the second. Motion passed by voice vote.

7. **Change Order #1 for Milton Storm Sewer with 3D Company:** Dick Weigel, HWC Engineering I am presenting change order No. 1 for Milton Street storm sewer contract with 3D Company Inc. dated November 15, 2017 **Item 1** (Concrete Cap Pavement) as a part of the project bid, the contractor required placement of #53 stone as the surface of the roadway since the city was coming back to resurface the road later. The Muncie Street Department has requested the contractor to have the surface of the roadway be concrete pavement from McGalliard to south of the Chick Fil A drive (Str. 216) given the anticipated traffic until the street is rebuilt. The contractor has requested a contract adjustment due to the additional concrete pavement. The proposed pricing is as follows: 6" of concrete pavement \$7,579.06 **Item 2 (Additional Storm Structures)** as a part of the project bid, the plans noted that Structures, 211, 213, 214 and 215 would be installed at a later date by others. The structures include inlets which will connect to the curbs to be installed in the spring. It was requested that the contractor provide a price to install the structures with a steel plate over them (partially buried) until the new curbs are constructed at which time they can be brought up to grade. The proposed pricing is as follows: Additional Structures \$14,703.20 the additional cost to the project and contract is \$22,282.26

Original Contract Amount	Net Increase Change Order	Revised Contract Amount
\$ 118,768.84	\$ 22,282.26	\$ 141,051.10

President Quirk asked if this is less than 20% change in the original contract price, Dick Weigel responded yes it is. President Quirk entertained a motion to approve change order #1 for Milton Street Storm Sewer Project. Bobbie Clemens moved to approve change order #1 for Milton Street Storm Sewers as presented. Roger Overbey provided the second. Motion passed by voice vote.

8. **Procession Application from Bobby Steele, BSU Multicultural Center – "Martin Luther King Jr. Unity March" Monday, January 15, 2018:** Bobbie Steel came forward to present procession application for BSU Multicultural Center on January 15, 2018 from 11:00 a.m. to Noon march will begin at the Multicultural Center participants will go north on McKinley to the Shafer Bell Tower. Participants will turn around at the Bell Tower and march south on McKinley Avenue where the march will culminate at BSU Police Department. Signatures of approval given by Mark Vollmar, Deputy Chief of Muncie Police, Eddie Bell, Muncie Fire Chief and Rhonda Clark, BSU Campus Police Department. President Winkle entertained a motion to approve procession application for Martin Luther King Jr. Unity March. Bobbie Clemens moved to approve procession application as presented for Martin Luther King Jr. Unity Mark as presented. Roger Overbey provided the second. Motion passed by voice vote.

9. **Temporary Parking Request for Kathie McDaniel 1111 N. Briar Road:** Kathie McDaniel is requesting permission to park ten vehicles in a no parking zone on Friday, December 15, 2017 from 7:00 p.m. to 10:00 p.m. for a Holiday Party for Ball State Women's Singing Group. President Quirk entertained a motion to approve temporary parking. Roger Overbey moved to grant permission for vehicles to be parked in a no parking zone as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

10. **Residential Handicapped Parking Application from Larry & Janet Hutchinson 517 S. Wolfe Street:** James Upchurch from the Muncie Street Department has approved the sign & post for Larry Hutchinson. President Quirk entertained a motion to approve residential handicapped parking sign at 517 S. Wolfe. Roger Overbey moved to approve residential handicapped parking sign & post as presented for 517 S. Wolfe Street for a two period from date of installation. Bobbie Clemens provided the second. Motion passed by voice vote.

- 11. Margaux Dever, Assistant Community Development Director presenting Agreement and EcoREHAB for 1211 W. 10th Street:** Margaux presented agreement between Community Development and EcoREHAB for the community housing and development organization proceeds to be used as a new project. So what this means is that EcoREHAB did a project using home investment partnership program funds a few years back and they have sold the property for \$33,019.78 and they wish to apply those funds into a new housing build. The contract is just to say that they can use those funds in the new project which is at 1211 W. 10th Street. President Quirk entertained a motion to approve the request as presented. Roger Overbey moved to approve agreement between Community Development and EcoREHAB as presented. Bobbie Clemens provided the second. Motion passed by voice vote.
- 12. Margaux Dever, Assistant Community Development Director reference Public Service Request from R. Buley Center:** Margaux explained that they had requested some documentation from the Buley Center that didn't arrive to some technical issues. So everything in the request for funds is in order the total amount is no more than the amount they received in this year's action plan that was approved by City Council. They timing is what is important is that need to have this approved before the end of the year. Reimbursement of \$10,000.00 President Quirk entertained a motion to approve the request as presented. Bobbie Clemens moved to approve Public Service Request for R. Buley Center as presented. Roger Overbey provided the second. Motion passed by voice vote.
- 13. Joseph Winkle, Muncie Chief of Police and Member of the 911 Board:** Joseph Winkle, Muncie Police Department I am here to deliver a letter to you dated December 6, 2017 from Mayor Dennis Tyler to the Delaware County Commissioners reference the 911. President Quirk commented the letter is regarding the Termination of Interlocal Agreement on February 6, 2018 which provides services through the 911 is that correct. Police Chief Winkle responded that is correct. President Quirk read letter out loud "Dear Ladies and Gentlemen, this letter serves as a request for information or plan regarding the Delaware County 911 Emergency Dispatch System. The City has attempted to work with you as County Officials to solve any and all issues surrounding this Agreement, However, nothing has been resolved and your request for termination date is close. You are aware from the August 9, 2017 letter from Mayor Tyler, upon termination of the Agreement, all shared equipment and items shall be distributed equally between the City and County. Only the building located at 220 S. Jefferson Street in Muncie is not to be considered shared by the County and City. A proper accounting and inventory of any and all equipment and items, including, but not limited to non-reverting funds maintained pursuant to this Agreement, shall happen during these days leading up to the termination date to determine each party's equal share. Nothing in this Agreement or in Indiana Code contemplates that, upon termination of the Agreement the Delaware County Emergency Communications Center shall not continue to provide 24 hour-per-day, seven (7) days per week dispatch services for all the citizens of Delaware County including the citizens of Muncie. In previous meeting of the 911 Board, Commissioner King stated there are ways the County could provide these services. Please provide a plan in writing within thirty (30) days of the date of this letter stating exactly how the County Commissioners plan to provide 911 Dispatch services so the City can prepare. The City stands resolute with our Police and Fire personnel and all first responders in our collective duty to keep all of its citizens safe and would request our plan as County Officials to keep all citizens safe. Thank You Respectfully, Dennis Tyler, Mayor"
- President Quirk Chief Winkle if he also a member of the 911 Board. Chief Winkle responded that is correct. President Quirk asked Chief Winkle if had received any information from the County Commissioners with regard to how they plan on dealing with 911 since they requested to terminate the agreement. Chief Winkle "I have not". President Quirk asked he had received any information regarding their plan through the 911 Board. Chief Winkle "I have not". President Quirk asked if Commissioner King is their appointment to the 911 Board, is that correct. Chief Winkle "that is correct". President Quirk then asked Chief Winkle if he has been present at 911 meetings. Chief Winkle "I have been present at all the meetings". Has Commissioner King provided any information to the Board since they terminated the agreement how they plan to proceed. Chief Winkle "he has not".
- 14. Adjournment:** President Quirk entertained a motion to adjourn. Bobbie Clemens moved to adjourn meeting, meeting adjourned 09:25 a.m. Roger Overbey 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