

1. Time & Place
2. Pledge of Allegiance
3. Members Present
4. Approval of September 25th, 2019 Meeting
5. Register of Claims
6. Sharolyn Waters, Community Development Office presenting two contracts for HOME & CHDO Operating Grant for Program Year 2019
7. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for A Better Way Services
8. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Alpha Center
9. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Boys & Girls Clubs of Muncie
10. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Greater, Muncie IN Habitat for Humanity
11. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Hillcroft Services
12. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Motivate Our Minds
13. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Muncie Del. Co. Senior Citizen Center
14. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for PathStone
15. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Teen Works
16. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for The Arc of Indiana Foundation
17. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Unity Center
18. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Urban Light CDC
19. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Whitely Community Council
20. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for YWCA
21. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Christian Ministries
22. Street Closing Application from Brent Baumer, Ball State University
23. Noise Exemption Authorization Application from Austin Kreps
24. Notice of Street Closure from Ryan Koenker, Ball State University Showalter Building 3401 N. Tillotson Avenue
25. Megan Quirk, City Attorney presenting Mutual Aid Agreement between M.F.D. & Eaton Ambulance
26. Megan Quirk, City Attorney presenting EMS Intercept Agreement between the City and Heartland Ambulance Service, LLC
27. Mayor Dennis Tyler
28. Adjournment

**BOARD OF PUBLIC WORKS AND SAFETY**  
**CITY OF MUNCIE, STATE OF INDIANA**  
**October 2nd, 2019 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. **Pledge of Allegiance**
3. **Members Present:** Roger Overbey, Bobbie Clemens, Rick Lorrison
4. **Approval of the September 25, 2019 Minutes:** President Overbey entertained a motion to approve. Bobbie Clemens moved to approve the minutes as presented. Rick Lorrison provided the second. Motion passed by voice vote.
5. **Register of Claims:**

Kevin Nemyer, City Controller presented the **BOW EFTS** for payment date **9/25/2019** there are **2 Records** for a total amount of **\$20,210.92** for Muncie Meds/Canarx Serve Inc., SIHO Insurance. Kevin claims nothing unusual within these claims. President Overbey entertained a motion to approve. Rick Lorrison moved to approve BOW EFTS as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **BOW EFT** for payment **9/27/19** there is **1 Record** for a total amount of **\$57,931.65** to IU Health Plans. Kevin claims nothing unusual with this claim. President Overbey entertained a motion to approve. Rick Lorrison moved to approve

EFT payment as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **BOW EFT** for payment **10/1/19** there is **1 Record** for a total amount of **\$18,326.70**. Kevin claims nothing unusual with these claims. President Overbey entertained a motion to approve. Rick Lorrison moved to approve EFT payment as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented **Board of Works Check Date 10/4/2019** there are **279 Records** for a total amount of **\$924606.26**. Kevin claims nothing unusual within these claims. President Overbey entertained a motion to approve. Rick Lorrison moved to approve Community Development claims as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **Community Development Check Date 10/4/2019** there are **6 Records** for a total amount of **\$29,957.28** Kevin claims nothing unusual within these claims. President Overbey entertained a motion to approve. Rick Lorrison moved to approve Community Development claims as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

- 6. Sharolyn Waters, Community Development Office presenting two contracts for HOME & CHDO Operating Grant for Program Year 2019:** Sharolyn came forward to get approval for two contracts with Muncie Home Ownership & Revitalizations for MACC House Building in the amount of \$113,513.00 and CHDO Operating in the amount of \$4,737.00 President Overbey entertained a motion. Bobbie Clemens moved to approve both contracts with Muncie Ownership & Revitalizations as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 7. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for A Better Way Services:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with A Better Way Services in the amount of \$25,000.00 for A Better Way Victim Assistance for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 8. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Alpha Center:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Alpha Center in the amount of \$8,000.00 for Alpha Center Senior Enrichment Project for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 9. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Boys & Girls Clubs of Muncie:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Boys & Girls Clubs of Muncie in the amount of \$5,000.00 for AIM Summer for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 10. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Greater, Muncie IN Habitat for Humanity:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Greater, Muncie IN Habitat for Humanity in the amount of \$4,000.00 for a Community Volunteer Program for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 11. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Hillcroft Services:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Hillcroft Services in the amount of \$11,500.00 for Creativity Unlimited Direct Support Professional for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 12. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Motivate Our Minds:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Motivate Our Minds in the amount of \$15,500.00 for After School Enrichment for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 13. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Muncie Del. Co. Senior Citizen Center:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Muncie Delaware County Senior Citizen Center in the amount of \$10,000.00 for The Seniors Have Spoken for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.

- 14. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for PathStone:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with PathStone in the amount of \$15,000.00 for Homebuyer Assistance for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 15. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Teen Works:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Teen Works in the amount of \$7,000.00 for Summer Employment Program for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 16. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for The Arc of Indiana Foundation:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with The Arc of Indiana Foundation in the amount of \$10,000.00 for Erskine and Enrichment Programs for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 17. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Unity Center:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Unity Center in the amount of \$5,000.00 for Education and Enrichment Programs for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 18. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Urban Light CDC:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Urban Light CDC in the amount of \$4,000.00 for Operational Support/Service Dollars for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 19. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Whitely Community Council:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Whitely Community Council in the amount of \$7,000.00 for Operational Support/Service Dollars for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 20. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for YWCA:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with YWCA in the amount of \$18,000.00 for YWCA Emergency Shelter/C.O.T.S. Stay Program for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 21. Sharolyn Waters, Community Development Office presenting CBDG Public Service Contract for Christian Ministries:** Sharolyn reported that Community Development is requesting approval to enter into CBDG Public Service Contract with Christian Ministries in the amount of \$12,500.00 for Men's Emergency Sleeping Room for 2019. President Overbey entertained a motion. Bobbie Clemens moved to approve public service contract as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 22. Street Closing Application from Brent Baumer, Ball State University:** Brent came forward to request approval to close McKinley Avenue between Campus Drive and Ashland Avenue for Monday, October 7<sup>th</sup> at 7:00 a.m. until Tuesday, October 8<sup>th</sup>, 2019 at 5:00 p.m. Pridemark Construction will be removing temporary utility asphalt patch and replace it with permanent asphalt patch. Approval has been given by Joseph Winkle, Muncie Police Chief, Eddie Bell, Muncie Fire Chief and Rhonda Clark, Ball State University Campus Police Chief. President Overbey entertained a motion. Rick Lorrison moved to approve street closing as presented. Bobbie Clemens provided the second. Motion passed by voice vote.
- 23. Noise Exemption Authorization Application from Austin Kreps:** Austin came forward to request approval for noise exemption for Worship and Prayer on the Quad October 17 thru 19, 2019 we may have acoustic guitar, keys, small powered mic 1,000 watts. President Overbey entertained a motion. Rick Lorrison moved to approve noise exemption as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

- 24. Notice of Street Closure from Ryan Koenker, Ball State University Showalter Building 3401 N. Tillotson Avenue:** Ryan apologized for not presenting paperwork to close Dicks Street south of Riverside Avenue and north of Beechwood Avenue on Saturday, October 5<sup>th</sup>, 2019 until Friday, October 11, 2019 for installation of new Storm Inlet for the new Science Building. Fall break for the students is October 5<sup>th</sup> thru October 7<sup>th</sup>. Pridemark Construction will provide necessary street closure signage and also install the inlet. Duke Campbell, Superintendent Department of Public Works stated that he does not have a problem with the closure. President Overbey entertained a motion. Bobbie Clemens moved to approve street closure as presented. Rick Lorrison provided the second. Motion passed by voice vote.
- 25. Megan Quirk, one of the City Attorneys presenting Mutual Aid Agreement between M.F.D. & Eaton Ambulance:** Megan presented copies to each board member of the Mutual Aid Agreement. The following is an Emergency Medical Services (EMS) between the Eaton Ambulance Service and the City of Muncie Fire Department. Services to be rendered by Eaton Ambulances to the City of Muncie Fire Department will include but not limited to the following:
- Provide EMS service in portions of the City of Muncie Fire Department's service area if the City of Muncie Fire Department is not available. It is understood that all services agreed upon dependent upon the availability of property equipment and personnel. This agreement will remain in effect from the date of signature by both agencies until modified by mutual actions for revoked by the action of either agency. President Overbey entertained a motion. Rick Lorrison moved to approve mutual aid agreement between the M.F.D. and Eaton Ambulance as presented. Bobbie Clemens provided the second. Motion passed by voice vote.
- 26. Megan Quirk, City Attorney presenting EMS Intercept Agreement between the City and Heartland Ambulance Service, LLC:** Megan presented copies to each board member of the EMS Intercept Agreement between the City and Heartland Ambulance Service, LLC. The following purpose of this agreement is to provide for efficient and effective emergency medical services (EMS) by the City of Muncie, Indiana an Indiana municipal corporation, and the Heartland Ambulance Service LLC an Indiana limited liability corporation. Under this agreement, the parties will share in the performance of prehospital patient care and transportation. This Agreement recognizes that the prompt, full, and effective utilization of the personnel, apparatus, equipment, supplies, and other resources of the City and Heartland is essential to the safety care, and welfare of the people of Muncie and adjacent areas. Ms. Quirk mentioned if unfortunately, there comes a time when the City of Muncie's Fire Department and the EMS Service is unavailable to provide transportation for people needing ambulances to the hospital and if this within the cities service area whenever those types of circumstances occur, just as a backup essentially. Fire Chief Eddie Bell any ALS run Heartland runs at the same time, they carry paramedics that will go to the scene and work with our personnel and make sure the patient gets the best care and information needed for transfer. Ms. Quirk clarified that ALS means Advance Life Support situations so it is not just kind of a basic life support type of circumstance when someone is truly fighting for their life and there needs to be life support services on the scene.
- President Overbey asked Chief Bell how many runs did the Muncie Fire Department have on your first day of service. Chief Bell responded we had 40 runs within the city limits, our response times were under three minutes to those areas.
- Ms. Quirk reported to the Board Members that we have been trying to negotiate with Delaware County EMS regarding this intercept agreement and to be able to serve these underserved areas of the city and the amount of fee that they wanted to charge for specifically the City of Muncie that could not be agreed upon. The City of Muncie has always maintained that we wanted to be charging the same fees that Delaware County EMS charges for all the different emergency services and that is not the mind set of Delaware County EMS so that is why we were needing to find backup solution to make sure that everything was covered and that we were doing right by people. That is the reason for this intercept agreement.
- President Overbey entertained a motion. Rick Lorrison moved to approve EMS Intercept Agreement between the City and Heartland Ambulance Service, LLC as presented. Bobbie Clemens provided the second. Motion passed by voice vote.
- 27. Mayor Dennis Tyler:** Mayor Tyler updated the board about the Indiana Supreme Court ruling from September 2018 it made it very clear that local municipalities cannot enforce any local municipal ordinances or state codes when it comes to railroads blocking intersections. We had been doing that I honestly thought about having our attorneys file something to see what happen, we were just advised that we would be wasting a lot of money and can't anything done with it. The Indiana State Supreme Court ruling was a 16-page document that never one time had any comments in it regarding municipalizes role and responsibility of providing the public safety responses that we have to provide. The entire document is for railroads and that is a shame but we have drafted a letter to our Indianapolis and Washington congressional delegations asking them for some type of assistance for us to be able to talk to the railroads to try and get something done. We have currently had trains that are well over one-mile long. We had one that greatly impacted the #3 fire station where an ambulance is now three or four weeks ago that train started behind W. Memorial Post Office and the engines ended across Princeton Avenue. We have no authority what so ever, on any given day we have 70 to 90 trains going through the City of Muncie.

**28. Adjournment:** There being no further business President Overbey entertained a motion. Rick Lorrison moved to adjourn meeting, meeting adjourned at 9:36 a.m. Bobbie Clemens provided the second. Motion passed by voice vote.

**Board of Public Works and Safety**

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**Roger Overbey, President**

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**Bobbie Clemens, Vice-President**

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**Rick Lorrison, Secretary**

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**Linda Hayes, Recording Secretary**