

BOARD OF PUBLIC WORKS AND SAFETY  
MUNCIE, INDIANA

1. Time & Place
2. Members Present
3. Minutes
4. Register of Claims
5. Duke Campbell, Superintendent Department of Public Works presenting Memorandum of Understanding between the City of Muncie and AFSCME
6. James Lowe, Ball State University requesting 15 minute parcel loading and unloading zone on Talley Street between North Street & Gilbert Street on the west side of the street
7. James Lowe, Ball State University requesting removing No Parking Zone on the west side of Talley Street between Gilbert Street and Washington Street to the east side of the street only
8. James Lowe, Ball State University requesting approve to vacate the north south alleyway between Ashland Avenue & University Avenue and McKinley Avenue and Calvert Street
9. Noise Exemption Authorization Application from "Be Here Now" 505 N. Dill Street 6:00 pm to 1:00 am
10. Noise Exemption Authorization Application from "Be Here Now" 505 N. Dill Street 6:00 pm to 2:00 am
11. Noise Exemption Authorization Application from "Timbers Lounge" 2770 W. Kilgore Avenue
12. Street Closing Application from Cheryl Crowder "RibFest"
13. Adjournment

**BOARD OF PUBLIC WORKS AND SAFETY**  
**CITY OF MUNCIE, STATE OF INDIANA**  
**JULY 16, 2014 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. **Board Members Present:** John Quirk, Roger Overbey, David Miller
3. **Approval of Minutes from the July 9, 2014 Meeting:** Roger Overbey moved to approve minutes from July 9, 2014 meeting as printed. David Miller provided the second. Motion passed by voice vote.
4. **Register of Claims:**

Audrey Jones, City Controller presented Board of Works (2) Check Date 7/11/14 for **\$2,666.67** to Christopher C. Allen for payment on July 11, 2014. David Miller moved to approve claim for Christopher Allen as presented. Roger Overbey provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented Board of Works Reprint Check, Check Date 7/14/14 for **\$1,759.58** to Indiana American Water Co., Inc. for payment on July 14, 2014. David Miller moved to approve claim for Indiana American Water Company as presented. Roger Overbey provided the second. Motion passed by voice vote

Audrey Jones, City Controller presented EFT Claims for **\$210,844.48** for IU Health Plans and Canarx Service Inc., for payment on July 11, 2014 nothing out of the ordinary. David Miller moved to approve EFT claims as presented. Roger Overbey provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented EFT Claims for **\$565.76** for First Merchants Trust Co. for payment on July 15, 2014 nothing out of the ordinary. David Miller moved to approve EFT claims as presented. Roger Overbey provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented the Board of Works Claims for payment on July 18, 2014 there are **266 Records** for a total amount of **\$133,461.69** nothing out of the ordinary. David Miller moved to approve Board of Works claims as presented. Roger Overbey provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented the Community Development Claims for payment on July 18, 2014 there are **13 Records** for a total amount of **\$37,311.45** nothing out of the ordinary. David Miller moved to approve community development claims as presented. Roger Overbey provided the second. Motion passed by voice vote.

5. **Duke Campbell, Superintendent Department of Public Works presenting Memorandum of Understanding between the City of Muncie and AFSCME:** Duke came forward to address the board members with a Memorandum of Understanding between the City of Muncie and American Federation of State, County, and Municipal Employees and Council 62 AFSCME Local #3656. In order to keep a decent amount of people working at our department due to scheduling and vacation days, personal days, we just revisited the contract. There is nothing in here that actually goes outside of the contract other than the fact that we are going to do away with our answering machine and we are going to limit the number of people that can take a day off in our particular department. Our numbers may be different than the Parks Department, Controller's Office or the Reservoir. This will not violate any terms of the contract; it is just making clear our procedures need to change. For example: we can come in on any given day and there will be five people on the answering machine, we can't get any work done with five people off. So we sat down with the union and decided the first step was to do away with the answering machine because calling in on the answering machine does not constitute being approved for a day off work. Nothing meant towards our employees but after a holiday, people would want to take an extra day off and they would call and leave message on answering machine for a day off work and we might be left with five people to do the whole work of the city. This just kind of brought this to a head, we sat down

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and talked this out and we will tweak this in 90 days if it needs tweaked; I don't think it will be needed but it calls for it to come before your board of works for approval. The parties have agreed to a ninety (90) day trial period for the below stated changed of procedure to the January 1, 2013 City of Muncie AFSCME Agreement. After the ninety (90) day trial period, an evaluation by the City of Muncie and AFSCM will occur to determine if this becomes a permanent change.

- A. **Section 21.05 Scheduling; Notification.**/ (a) Scheduling. For an employee to use personal day benefits, the personal day must be scheduled with an approved by the employee's department head in advance. **ADD** - - The employee must personally speak to his or her supervisor or immediate supervisor in order for the use of personal day to be approved; communication via email, text, or voicemail/answering machine message is not acceptable.
- B. **Section 21.06 Scheduling" Notification.**/ (b) Notification - Illness. To be eligible to use and to receive personal day benefits due to the illness of the employee or the employees immediate family member, the employee must notify his or her department head as soon as possible, but at least within one (1) hour after the time the employee is scheduled to report to work. **ADD** - The employee must personally speak to his or her supervisor or immediate supervisor in order for the use of personal day to be approved; communication via email, text, or voicemail/answering machine message is not acceptable.

Roger Overbey moved to approve Memorandum of Understanding between the City of Muncie and American Federation of State, County, and Municipal Employees and Council 62 AFSCME Local #3656 as presented. David Miller provided the second. Motion passed by voice vote.

- 6. **James Lowe, Ball State University requesting 15 minute parcel loading and unloading zone on Talley Street between North Street and Gilbert Street on the west side of the street:** Jim Lowe came forward and reported that Ball State University is going to replace the sidewalk along the west side of Talley between Gilbert Street and North Street. I am here today to request elimination of parking on the east side of Talley Avenue from North Street to Gilbert Street (BSU is removing the green space from our parking lot for the displaced vehicles which park on Talley Avenue between Gilbert Street & North Street). David Miller moved to approve no parking zone from North Street to Gilbert Street on the east side as well as the 15 minute parcel loading and unloading zone from North Street to Gilbert Street west side only. Roger Overbey provided the second. Motion passed by voice vote.
- 7. **James Lowe, Ball State University requesting removing No Parking Zone on the west side of Talley Street between Gilbert Street and Washington Street to the east side of the street only:** David Miller moved to approve relocation of parking from the east side to the west side and establish no parking zone on the east side of Talley Avenue from Gilbert Street to Washington Street as recommended James Lowe. Roger Overbey provided the second. Motion passed by voice vote.
- 8. **James Lowe, Ball State University requesting approves to vacate the north south alleyway between Ashland Avenue & University Avenue and McKinley Avenue and Calvert Street:** Jim Lowe reported to the board that they are ready to start demolishing existing buildings and start building "McKinley Commons" I am here requesting approval from the Board of Works for the vacation of alleyway between Ashland & University and McKinley and Calvert. Paperwork has been filed and on the City Council Agenda for August 4<sup>th</sup>, 2014. David Miller moved to approve the vacation of alley as presented. Roger Overbey provided the second. Motion passed by voice vote.
- 9. **Noise Exemption Authorization Application from "Be Here Now" 505 N. Dill Street 6:00 pm to 1:00 am:** Whitney Stump came forward to request approval for a live music performance for the following dates:

July 20, 2014	July 28, 2014	August 5, 2014	August 13, 2014	August 24, 2014
July 21, 2014	July 29, 2014	August 6, 2014	August 17, 2014	August 25, 2014
July 22, 2014	July 30, 2014	August 10, 2014	August 18, 2014	August 26, 2014
July 23, 2014	August 3, 2014	August 11, 2014	August 19, 2014	August 27, 2014
July 27, 2014	August 4, 2014	August 12, 2014	August 20, 2014	September 1, 2014

Roger Overbey moved to approve noise exemption authorization as presented. David Miller provided the second. Motion passed by voice vote.

- 10. **Noise Exemption Authorization Application from "Be Here Now" 505 N. Dill Street 6:00 pm to 2:00 am:** Whitney Stump came forward to request approval for a live music performance for the following dates:

7-24-14	7-31-14	8-7-14	8-14-14	8-21-14	8-28-14
7-25-14	8-1-14	8-8-14	8-15-14	8-22-14	8-29-14
7-26-14	8-2-14	8-9-14	8-16-14	8-23-14	8-30-14

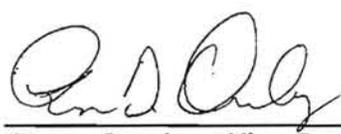
Roger Overbey moved to approve noise exemption authorization as presented. David Miller provided the second. Motion passed by voice vote.

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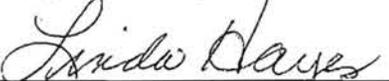
- 11. **Noise Exemption Authorization Application from "Timbers Lounge" 2770 W. Kilgore Avenue:** Danyelle Cross came forward to request noise exemption for Saturday, August 9<sup>th</sup>, 2014 from 5:00 p.m. to Midnight for their Customer Appreciation Day. We will have a live band in our parking lot. David Miller moved to approve noise exemption as presented. Roger Overbey provided the second. Motion passed by voice vote.
- 12. **Street Closing Application from Cheryl Crowder "RibFest":** Cheryl came forward to request approval to close Walnut Street between Charles and the round-a-about beginning at 8:00 a.m. August 23<sup>rd</sup>, 2014 until 7:00 p.m. August 24, 2014. Application has been approved by Steve Stewart, Muncie Police Chief and Eddie Bell, Muncie Fire Chief. David Miller moved to approve street closing for RibFest as presented. Roger Overbey provided the second. Motion passed by voice vote.
- 13. **Adjournment:** David Miller moved to adjourn meeting, meeting adjourned at 9:20 a.m., Roger Overbey 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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 Roger Overbey, Vice-President

  
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 David Miller, Secretary

  
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 Linda Hayes, Recording Secretary