

MINUTES  
MUNCIE COMMON COUNCIL  
300 NORTH HIGH STREET  
MUNCIE, INDIANA 47305

**JULY 1, 2019**

**PUBLIC HEARING: 7:15 P.M., 1<sup>st</sup> FLOOR CITY HALL AUDITORIUM.**

ORD. 17-19 AN ORDINANCE TO VACATE A PORTION OF A CERTAIN PUBLIC ALLEY IN THE WILLIAM HARRIS SUBDIVISION, AN ADDITION TO THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (MUNCIE MISSION MINISTRIES)

Mara Hoff, DeFur Voran at 400 S. Walnut St, Muncie, states that this was introduced last month but reiterates the fact that they are asking to vacate an alley in order to expand and build an aquaponic greenhouse. Due to the nature of the greenhouse requiring southern light, it can only be built in one direction and in order to do that they need to vacate the alley. All neighbors were notified and sent additional notice to one of the landlords that Councilperson Anderson had asked them to. They received no calls or inquiries since that date. It is a 10 ft alley consisting of half of the block, starting at the center of the block south to 10<sup>th</sup> St. The Vice-President of development for the Muncie Mission is also here if anyone has any specific questions to the project.

ORD. 19-19 AN ORDINANCE TO VACATE CERTAIN PUBLIC STREETS AND EASEMENTS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (NEBO ROAD, LLC & MUNCIE PROPERTY HOLDINGS, LLC)

Matt Maple, HWC Engineering at 135 N. Pennsylvania St, Indianapolis, is here to vacate the right-of-way for a recently platted sub-division, Dellen Crossing. Nebo Road LLC is the owner of the entire development and this was a road that was mis-platted a year ago. They are here to do some clerical work to clean it up. During the process of getting the approvals, they had to move the road 15 ft south. In order to correct the plat, they basically need to vacate the 70 ft right-of-way and all of the easements. They have a plat hearing tomorrow to, hopefully, start the process over to re-plat.

ORD. 21-19 AN ORDINANCE TO VACATE A CERTAIN PUBLIC ALLEY IN THE WESTSIDE ADDITION TO THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

Marah Hoff, again, with DeFur Voran at 400 S. Walnut St, Muncie, explains this ordinance is on behalf of the Ball Memorial Hospital Foundation and Balance Holdings. This is the block bordered by Main St, Jackson St, Celia Ave. and Cole Ave. All of the parcels on that block are already owned by the Foundation. Half of the block is currently zoned R4 and the others Business Variety, so they will be coming back next month after going to the Planning Commission, to ask for the re-zoning of the entire parcel to Business Variety. Currently, the alley is simply a dirt alleyway. It is not used by the public at all. The lot is currently storage of some semitrailers. The future plan is to develop a greenhouse with a restaurant and a drive-through pick-up lane for fresh greens and vegetables. They will also be supplying that produce

to the hospital. The facility will take up the entire existing block, which is why they wish to vacate the alley.

A motion was made by Powell and seconded by Moore to Adjourn the Public Hearing. An all-in-favor vote showed 8 yeas, 0 nays and 1 absent (Anderson).

**REGULAR MEETING:** 7:30 P.M., 1<sup>ST</sup> FLOOR CITY HALL AUDITORIUM.

**PLEDGE OF ALLEGIANCE:** Led by Councilperson Polk.

**INVOCATION:** Given by Pastor Lee Miller of the West Memorial Wesleyan Church.

**CITIZEN RECOGNITION:** Councilperson Polk begins by applauding President Marshall for starting the process of each council member recognizing citizens each month. It has been on a rotating basis and this is Polk's sixth or seventh one he has presented. He asks for Bob and Lynn Hatfield to join him at the podium. Bob and Lynn are both lifelong residents of Muncie and Delaware County, Indiana. Lynn is a 1985 graduate of Burriss High School and Bob, a 1986 graduate of Muncie Southside High School. They are proud parents of six children, one of which is here this evening, and two beautiful granddaughters, Bella and Layla. Bob has been provided support and services to the special needs community for over 25 years. Following completion of his PHD from Ball State in 1994, Bob began working as a psychologist for the Muncie School Corporation. During his tenure at Muncie Schools, Bob founded and facilitated the Morrison Mock Basketball League. The League was one of the first, if not the first, in Indiana to welcome and include children with special needs. When Morrison Mock was closed, Bob brought it to Mitchell Elementary and that is when Polk first met Bob. The daughter of Polk played in the league, as well as Polk coached. It was an outstanding league that included everybody from all walks of life and all schools in Muncie. With Mitchell Elementary closing, it has gone unfortunately, but he continues his work as a psychologist and administrator for Muncie Community Schools to make a difference for children and their families. He is currently in charge of the Best Buddies Program at Muncie Central High School and a proud team member of his wife's organization. Lynn Hatfield has been actively involved with the special needs community for over 25 years, as well. In 2006, Lynn opened Simply Beautiful, a beauty salon that focuses on the needs of special needs children and adults. Since 2006, Lynn has facilitated or assisted with multiple programs, one of the most important is the annual Special Needs Prom. This year's event had over 800 participants from various counties throughout Indiana. In conjunction with the prom, Lynn organized the Prom Dress Party where girls could come and pick up free prom dresses. The boys were also provided with the opportunity to pick up free tuxes, as well. In addition to the prom, Lynn facilitated the Monthly Spa Night for Hilcroft, onsite hair services for local ABA clinic, and she is a team member for the Dream Nest Program. Most recently, with the support and hard work of Mindy and Tom Kemper, Lynn and Mindy formed the non-profit organization, Delaware County Specials Needs Prom Inc. The goal is to

provide more events, services and supports to the special needs community and their families. The ultimate goal is to purchase a building as a recreation and activity center for special needs individuals. Additionally, the center will be an educational resource center for families. Lynn would also like for him to announce that the inaugural Fall Harvest Festival will be held on October 13, 2019. Lynn and Bobbie Hatfield are presented with the Muncie City Council July 2019 Citizenship Award and are thanked for their generous time, support and inspiration to the Muncie community.

Bob thanks his wife because she is making a big difference in this community with her ideas, creativity and the great team she has behind her. He also would like to thank the council for recognizing them tonight. They are very humbled and honored by this award. As Lynn always says, it doesn't cost anything to be kind so we can all be kind and make a difference each and every day.

<b>ROLL CALL:</b>	<b>PRESENT</b>	<b>ABSENT</b>
Denise Moore	X	
Nora Powell	X	
Brad Polk	x	
Julius Anderson		X
Jerry Dishman	X	
Doug Marshall	X	
Lynn Peters	X	
Dan Ridenour	X	
Linda Gregory	X	

**APPROVAL OF THE MINUTES:** A motion is made by Powell and seconded by Peters to Approve the Minutes from June 3, 2019. A roll call vote showed 7 yeas, 0 nays, 1 abstain (Polk) and 1 absent (Anderson). MINUTES APPROVED.

**COMMITTEE REPORTS:**

**ORDINANCES PREVIOUSLY INTRODUCED:**

ORD. 15-19 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. (REAL ESTATE – SINGLE FAMILY RESIDENCE AT 214 E. 9<sup>TH</sup> ST.)

A motion is made by Moore and seconded by Powell to Adopt. Todd Donati, Muncie redevelopment Commission, explains this was introduced last month. He is aware of the invitation for the homeowners to be in attendance tonight but they still are unable to make it. It was tough for both to get here, which was mentioned last meeting. He is willing to answer and questions anyone may have and goes on to state they did take these two

ordinances before the Economic Development Commission last week and it was unanimous. Those signatures have been handed over to the clerk for the file.

Gregory asks when the builds for these two homes are. Donati answers this year and from his understanding, they might have already started working on them. He cannot give an exact answer on that.

Questions called. A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). ADOPTED.

ORD. 16-19 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. (REAL ESTATE – SINGLE FAMILY RESIDENCE AT 322 E. 9<sup>TH</sup> ST.)

A motion is made by Moore and seconded by Polk to Adopt.

Todd, Donati, Muncie Redevelopment Commission, explains this is the same type as the previous ordinance.

Questions called. A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). ADOPTED.

ORD. 17-19 AN ORDINANCE TO VACATE A PORTION OF A CERTAIN PUBLIC ALLEY IN THE WILLIAM HARRIS SUBDIVISION, AN ADDITION TO THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (MUNCIE MISSION MINISTRIES)

A motion is made by Moore and seconded by Powell to Adopt.

Maura Hoff, DeFur Voran at 400 S. Walnut St, presented earlier at the Public Hearing and is willing to answer and questions anyone may have.

Audie Barber, 610 W. 11<sup>th</sup> St, apologizes for being dirty and explains he just got off work but questions the size and the number of gallons pertaining to the aquariums that will be built. He goes on to state this is located in his neighborhood. Hoff has some sample pictures to show of generally what an aquaponics facility. There are fish tanks, that is the type of fertilizer that is used with the plants. It is all housed inside a greenhouse type facility. Barber, again, asks how many tanks and gallons are we talking here. Hoff answers that she does not have those numbers and the project is not that far along yet. Barber says that vacating the alley on both sides of the property, he understands. When it comes to the fish tanks, however, they need to be looked into because he is concerned with the odor (refers to Albany). That is when he will have a problem with it. He would like to know how many gallons; how many tanks and how many fish are going to be in these tanks. Hoff understands his concern and is happy to follow up with him individually. The actual project is not part of the standard for vacating the alley. Muncie Mission would like to expand one way or the other and they will need to go across that alley to do so. It does not damage the neighborhood or cause anyone to be unable to access their property, therefore, asks for approval of this ordinance. Marshall questions the time frame on this and if it was possible to address some of the neighbors' concerns. Hoff states they are probably at least a year out from starting. They only have about half of the funding needed for the project at this time and the Board is not going to go into debt for it. They are looking for investors. Marshall asks that if this gets Tabled to get more information, would that put them into any sort of time crunch. Hoff states no, that would not affect them negatively.

A motion is made by Marshall and seconded by Polk to Table. A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). TABLED.

ORD. 18-19 AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF MUNCIE, INDIANA ECONOMIC DEVELOPMENT TAX INCREMENT REVENUE BONDS IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FIFTEEN MILLION SIX HUNDRED THOUSAND DOLLARS (\$15,600,000) AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO.

A motion is made by Moore and seconded by Peters to Adopt.

Todd Donati, Muncie Redevelopment Commission, says they advertised and held a Public Meeting at 5:00 today in the City Hall Auditorium for those that had any questions regarding the environmental part if this project. He can say that Nigel Morrison, a representative of the company and his associates were here and they did spend an hour explaining some detail. He trusts that most people got what they wanted out of the meeting and Nigel is still here to answer any specific questions that didn't get covered at 5:00. Tom Pittman is here also, to address some amendments.

Tom Pitman, Barnes & Thornburg Law firm, Indianapolis, believes everyone got copies of the purposed amendments to the ordinance. The amendments are all of a technical nature, none of them disadvantages to the city in anyway. Some of the provisions in the amendments relay to relating the project to the original Economic Development Plan. The company believes there are some collateral tax advantages to certain wording that the company is asking the city to accommodate. Really, for the most part, that is what these amendments consist of. To remind everyone, the essence of the incentive is a 77% pledge of TIF with 23% to be retained by the Redevelopment Commission, regardless of how much that generates. Whatever it ends up being, 77% will go to the company and 23% will go to the city. Other than that, they aren't getting any material modifications. Those really aren't very material either.

Gregory says that the major change she saw in the amendment was the jump from \$15.6 million to \$22 million. She is curious to know why and what do we get for that. Pitman explains the lower number relates to the phase 1 of the project. The higher number would only be applicable if a phase 2 project were undertaken. If you look at section 2 of the ordinance, not withstanding any other provision, the amount that can be issued cannot exceed 15.5 million unless the developer notifies the city by the specified date that it intends to complete phase 2 of the project. It is if there is a subsequent, very significant additional investment.

A motion is made by Gregory and seconded by Powell to Amend Ord. 18-19 in its entirety as presented and supply the newly provided copy.

A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). AMENDED.

A motion is made by Gregory and seconded by Powell to Adopt as Amended. Questions called.

A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). ADOPTED AS AMENDED.

#### **NEW ORDINANCES:**

ORD. 19-19 AN ORDINANCE TO VACATE CERTAIN PUBLIC STREETS AND EASEMENTS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (NEBO ROAD, LLC & MUNCIE PROPERTY HOLDINGS, LLC)

A motion is made by Moore and seconded by Polk to Introduce.

Matt Maple, HWC Engineering at 135 N. Pennsylvania St, Indianapolis, is here on behalf of the clients to vacate the right-of-way for a plat that was put together last year for Dellen Crossing. Approval was granted and throughout working with the planning department, they had some revisions due to the road moved. The original plat that was put together (at the very beginning) was essentially recorded without the movement of the road. They moved the road for utility and design reasons during the design process. This is more of an administrative, clerical error that they are trying to clear up. They request a waiver to get this approved today in one meeting, if possible.

Gregory asks what the business reason is for requesting the waiver. Maple explains they are under construction right now and trying to move forward. The Plat Committee Hearing to restart the whole process all over again is in place and they would like to get it rerecorded as quickly as possible since it was recorded a year ago. He has exhibits of the plat that was mis-recorded and shows the 15 ft movement if anyone would like to see it. It basically shows the road sliding 15 ft south. The owner, Nebo Road LLC owns the entire development so essentially, they are the property owner. It is a road within their own development. Gregory asks if it is a public road. Maple answers no, it is just under construction, like one big commercial site essentially with a driveway in the middle, that was moved. Questions called.

An all-in-favor vote showed 8 yeas, 0 nays and 1 absent, (Anderson). INTRODUCED.

A motion is made by Gregory and seconded by Polk to Suspend the Rules to Adopt.

A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). RULES SUSPENDED.

A motion is made by Gregory and seconded by Polk to Adopt. Questions called.

A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). ADOPTED.

ORD. 20-19 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE BP BUSINESS AND PROFESSIONAL OFFICE ZONE TO THE BV VARIETY BUSINESS ZONE LOCATED AT 3304 N. RESERVE STREET, MUNCIE, INDIANA.

A motion is made by Moore and seconded by Polk to Introduce.

William Hughes, Beasley & Gilkinson at 110 E. Charles St, along with Don McClellan (a co-owner of the property being considered tonight), Chris Duley (a pre-construction major for Valvoline from Lexington, Kentucky) and Mark Sturgis from AEDM properties who has been instrumental in putting together this project. The quest here is to rezone 1 of 3 lots that Don McClellan owns. The other two lots front onto McGalliard Rd and are already zoned Variety Business. This particular lot was zoned for Business and Professional office use in 1997 and has been used by a variety of office type of organizations since that time. Presently, it is vacant. The project is to combine all three of these lots for the purpose of a Valvoline instant oil change facility. The two existing structures, which were at one time houses, would be taken down and the new facility built. Valvoline has been around for around 150 years and went into the instant oil change business in 1986 and currently have about 500 company owned stores of this type. There are another 700 or so franchised facilities throughout the country. This particular facility will be a company owned store, not a franchise. The site will have five to eight employees, depending on the traffic. The hours that they will operate are from 8:00 am to 7:00 pm, generally. It is strictly oil change and preventive maintenance. They don't do corrective or repair work and no vehicles are left overnight. Other than a tire rotation, the owner stays in the car while the work is performed. It is strictly a drive through facility. You pull in, they perform the work and you drive

out. Their delivery is from a Fed EX, box type of truck. The need for all three lots is really in order to comply with the requirements of the zoning ordinance and that includes having appropriate green belts and landscaping, the required setbacks and buffering from residential areas, lighting restrictions, need for sidewalks, adequate space for the drive through lanes, parking for employees only and appropriate signage. Valvoline is presently working on plans and will present a development plan to the Planning Commission to stamp for approval before they can get their permits. The current structure (two houses) do not comply with any current requirements. This would be an upgrade. Two other points, obviously McGalliard is our principle commercial area, this is an appropriate land use for that location, another point is that this at the corner of Reserve and McGalliard, where there is an existing traffic lane. That will facilitate appropriate traffic flow and minimize any impact. The Planning Commission considered this at their meeting in June and voted 7 to 0 to give it the purposed rezoning from BP Professional Business to the BV Variety Business a favorable recommendation. He is happy to answer any questions anyone may have.

Polk questions if there will be no waivers from the setbacks. Hughes states as far as they know, the plan has all the appropriate setbacks as the green belt, sidewalks, etc. He cannot guarantee that they will not have to come back for a variance, but, as far as they know, they will be able to comply with all the requirements of the ordinance. Polk states it looks like from the map provided, the north side of the property (basically parking) will have some trees to buffer that against the houses to the north. Hughes states yes, that would be a required buffer zone between commercial and residential. Polk also mentions the west side on Reserve St as well. Hughes says that the drawing Polk is referring to is preliminary and they have updated drawings that still look very similar. They had to move the building east to make sure they had the proper setback on Reserve St. Polk asks about the east property and if it has been torn down. Hughes confirms that is a vacant lot and there are still two existing houses that are waiting to be torn down. Polk asks if the two on McGalliard are already zoned Business Variety. Hughes confirms. Ridenour states he was concerned with the variances as well so appreciates the questions Polk was just asking. Also, on the five to eight employees, questions how many full-time and part-time and what is the average salary.

Chris Duley, Valvoline Instant Oil Change, 100 Valvoline Way, Lexington, Kentucky, explains that as far as employees, they will probably have (based upon projections) six full-time employees and two part-time employees to start. He does not know the exact salary range for this area of the county, but these are not minimum wage jobs. These are full benefit package jobs, as well. All of the benefits that he has as a corporate employee, these employees will have as well. They are very big on promotion from within. Both of the directors of operations nationally started off as technicians in the stores. Ridenour states that is good news and asks where the closes company store is. Duley believes they just opened one in Avon and they have one in the pipeline in Plainfield, two in Indianapolis and one in the works in Carmel.

Marshall asks if when they came into Muncie if they looked into areas on the south side of town. Duley had that same question during the Planning Commission meeting and as soon as he left that meeting called his real estate developer and said to look on the south side as soon as possible. Marshall asks if they could look into something in that area because there is nothing like that there right now. Questions called.

An all-in-favor vote showed 8 yeas, 0 nays and 1 absent (Anderson). INTRODUCED.

A motion is made by Dishman and seconded by Powell to Suspend the Rules to Adopt.  
A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). RULES SUSPENDED.

A motion is made by Dishman and seconded by ..... to Adopt.  
A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). ADOPTED.

ORD. 21-19 AN ORDINANCE TO VACATE A CERTAIN PUBLIC ALLEY IN THE WESTSIDE ADDITION TO THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

A motion is made by Moore and seconded by Gregory to Introduce.

Maura Hoff, DeFur Voran at 400 S. Walnut St, mentioned earlier in the Public Hearing that this is the block that is bordered by Main St, Jackson St, Celia Ave and Cole Ave. They are asking to vacate the dirt alleyway that runs between Celia and Cole in the center of that block. The plan is to develop a greenhouse with a restaurant to provide fresh greens and vegetables both to the public and to Ball Memorial Hospital. The facility there will take up the entire block and they will be before the Planning Commission on July 11<sup>th</sup> to rezone to move forward with the project. They will also be back before council as well. Questions called.

An all-in-favor vote showed 8 yeas, 0 nays and 1 absent (Anderson). INTRODUCED.

ORD. 22-19 AN ORDINANCE AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF CITY OF MUNCIE, INDIANA, ECONOMIC DEVELOPMENT TAX INCREMENT REVENUE BONDS IN A MAXIMUM AGGRAGATE PRINCIPAL AMOUNT NOT TO EXCEED NINE MILLION DOLLARS (\$9,000,000) AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO.

A motion is made by Moore and seconded by Gregory to Introduce.

Jeff Byrd, President of IU Health Ball Memorial Hospital and coacher of Next Muncie appreciates the opportunity to speak before the council this evening to introduce this great opportunity for the much-anticipated White River Canal project. They are very excited about the first phase of the project. It has come to fruition through a collaborative effort of many, including the support of the Next Muncie group. They believe this type of housing is not only important for the medical and education industry sector, but also to our growing tech and manufacturing industries, looking to attract and retain young IT techs and engineers to work, live and enjoy downtown Muncie. What excites Byrd the most is the potential to have seventy-five new residents living, experiencing and frequenting our downtown businesses. These types of projects are truly the building blocks for a better tomorrow and what WS Property Group, who will soon give a presentation, is getting one step closer to the vision of a fun, activated riverfront with a public plaza that looks out into the river and is surrounded by an urban mix-used development.

Damon Elmore, Muncie Power Products at 201 E. Jackson St, in which the company has been in Muncie since 1935, but Elmore lives at 309 W. Charles St in downtown. He is the Senior Executive Director People Strategy and General Counsel. That office and their team is responsible for all things people, telling acquisition, retention, etc. He is in support with the chairman, CEO and President to speak about being in favor of projects like this. It would not be an exaggeration when he says that projects like this are critical to our ability to attract talent, including young professionals to grow. This is for positions with salaries north of \$60,000. They see it every time they interview for a sales role, engineering role or where they really have trouble is a Pricing Manager. They felt it with the loss of a Digital Marketing Manager who

moved to Indianapolis for a project just like this. Every time they entertain a candidate and take them on a tour through our town, they love sharing the history and talking about the new Muncie but really enjoy having it visually to support all of that. It was and is important to him to move from Atlanta and stay here. Muncie Power is and has always been bluish on the city of Muncie and it is because of projects like this. They are making a significant investment in their growth and are here to stay. They appreciate the support and is happy to answer any questions anyone may have.

Phil Tevis, Flatland Recourses Muncie, is going to present some background of this project so the council will have some context. He refers to a picture of downtown Muncie that is from quite some time ago. Some people remember it. This was the lowest point for downtown, in 1980. In 1989, a group similar to Next Muncie formed and tried to create a long-term vision for the downtown area. They established a central city plan in 1989 and divided the community into many districts in the downtown area. One thing they wanted to do (one day) was establish a special redevelopment district right next to the river. The town had to go into transition from about 1989 to about 2000 and refers to another picture of downtown during that time period. It was the people in charge of the downtown development partnership that realized in order to go to the next step, we have to track the youth of the community and make this their new town. There were some public input sessions held about eight years ago and in that list, there were things needed like bike lanes, hotels, sidewalks and the completion of Canan Commons. Today a lot of those things have been knocked off the list, including more dining downtown. In about 2000 there was a big surge to put apartments and condos on the second registers and left the first-floor registers essentially vacant. Today, we are pretty close to fully occupied, which means we have opportunity. The hotel comes along and Canan Commons is now being used for outside venues, Ivy Tech has put their feet into the community by building a \$40 million structure, and so on and so forth. One thing that has yet to be addressed is river front development. The Muncie Sanitary District, through its mandate from the EPA that requires sewer separation throughout our entire community and is a major investment in the community to make it happen, also saw that there was a way to help spur a little bit of the development in the river front development area. Next Muncie forms and it is kind of like the new version of what was in 1989. This group is focused on the medical education sector and many of the neighborhoods in downtown. The biggest shift that has probably occurred from 1989 to present is this shift from the industrial base as being the largest employer to now the major sectors of employment are the university, hospital and downtown area (about 4,000 workers every day). The river front development becomes another concentrated area. How do you spur an area? You find a planner that can float around the space at about 80,000 feet and draw a pretty picture and say "here is your future." To go from that feature to a level of reality means that developers have to see the incentive that comes with it. He goes on to explain some statistics that was pulled mostly from census tract data but also some projection data that are processed inside this block. The block to the north boundary is Wysor, the eastern boundary is Madison, the southern boundary is the railroad tracks and the western boundary is Liberty St. This is the block that is going to be referenced in the next seven slides of Tevis' presentation. The total people that were living in that block in 1990 were 631 people. It rises in 2010 to 858 and a slight decrease under the current projections in 2019. Where this area has increased from 1990 to 2020 (effectively) at 28%. The rest of the community is declining population of 3.3%.

The question of people who employed that live inside this block, now he cannot say where they are employed but that increased 9.6% in terms of those who are employed in that same area. At the same time, the city itself has decrease 9.7%. He points out part of this area includes the Gilbert neighborhood, in which an area that has seen a lot of home decline and vacancies that were removed. In the lower block is aggregate and in 1990, there were about 450 housing units and today there is about 394, roughly. The decline of those housing units probably is directly associated with homes that were removed because of blight. The occupancy or vacancy rate inside that block has declined 8.7% and the occupancy rate has increased. Now, compared to the rest of the community, community-wide vacancy rate is down 5.8%. So, what he is saying is that this block is reacting to all of the improvements that have occurred over the last thirty years. If one takes a look at the age of the people that currently reside in this block, the age group between 30 and 55 is the largest area of people. Comparing from 1990 to the 2000 and 2010 it can be seen that the residents of the block continue to increase and the generally increasing in the bread winning ages of 30 and 55, which are your most productive years of employment. The question is what kind of people are these? The only thing they could pull out without digging into really deep demographics is by looking at income. Comparing all those years at the income level, which is before and after the recession, it can be seen that people who are earning over \$3,333 a month, and also the same employment that this hospital is looking at. The middle category is a pretty flat line which means \$1,200 to \$3,333 per month. If one takes this in aggregate and asks what it looks like, it is generally millennials, or young professionals or transient professionals. A transient professional is someone who will come to a community and be employed at the local hospital or university for three to five years and then relocate. They are not here to stay. Some of them do stay once they find a family and remain forever but this transient group has a certain thing they are looking for no matter where they go across the country and that is quality of place that the community has but the housing is not quite satisfying the demand. The other part of that group is people that are not really downsizers or resizers, they could be older people that are divorced, lost a spouse or something of that sort and are not ready to settle back into a home. They are still looking for a specific type of housing. If one takes all that into combination and then throw in a tax law that happened at the federal level, its creates an opportunity zone. In the last tax reform, opportunity zones were established across the county and the state of Indiana established several while Muncie established four. Unfortunately, they have to be poverty based upon census track data's in the poverty level. What this can do if there is someone who has stocks that have appreciated in value or real estate that they have appreciated it in value, need to sell it, chose to sell it, not obligated to pain capital gains tax at 15% or greater, they have the ability to redirect this capital into an opportunity zone. If they park it, there is a part of a development, relocation of a business or a startup of a business, and it stays for ten years, at the end of that ten years if they liquidate again, they don't pay taxes. This is an intriguing way for our community to get capital, that we have just begun to understand. This is part of the draw as to why this developer is in our community. At a 80,000 ft view of what a planner says, we have to get it down to a level of reality. The level of reality is firms that has responded to RFPs, there have been big building, small buildings, every kind of building you can imagine. Right now, we are at a building that appears to have about 55 units in it. The public component is about bringing people to the river, our single largest asset in our community and one of our best

marketing tools, including the greenway. By looking to the south (generally west) the development would be on the left, referring to the presentation. It is the public space plus the type of development plus taking advantage of the opportunity zone and the economic development package that draws the developer.

Eric Stolberg, President and CEO of WS Property Group, who are based in Bloomington, Indiana, which many know it has a symbol dynamic of Muncie by both housing major institutional higher education, so they have had a great deal of experience working in that type of community and environment. There is a lot of interaction between the community and university as here in Muncie. Their company has been in business for forty years and they have done quite a wide variety of development, a lot of residential development, land use, and at one time was the largest home builder in the community (building 75 homes a year.) They do a lot of commercial development which they own, manage and lease, that includes retail, office and quite a bit of senior housing. They are currently consulting on a project in Florida as well as getting ready to start one in Massachusetts. What attracted their company to this project was many things, not the least of the vision of the White River Canal District. The whole lifestyle aspect of it was very exciting and intriguing, including the pedestrian aspect of it, where you are situated in a downtown central business district where people can walk and bike. Cars are not primary all the time and there is another lifestyle to be offered. They have been working closely with Next Muncie Committee and the Redevelopment Commission along with the Mayors office, and the office of Vickie Veech (to understand the profile of the renter).

Tim Hanson, Vice President of the development at WS Property Group, gives a rundown explaining that they were introduced to Next Muncie through a business associate that got them in contact with Dr. Byrd and Phil took the history lesson from there which brings them to where they are today. What can be seen from their presentation is the rendering they put together to offer the Redevelopment Commission and committee to discuss what the vision might be. They are given some cues from what downtown was looking for, a higher end, purpose build, multi-family structure. Muncie has put so much investment into the canal piece and starting this piece next to the river, they thought they need to honor that piece first and foremost. It's a three-story against Liberty St. multi-family, four story against Washington St. The three-story piece is pulled back from Liberty a bit so that piece at the corner where the canal starts at the intersection of Liberty and Washington still has that public realm next to the building. It is not right up against the sidewalk, there is some space in there for some pedestrian features. As you go down Liberty, the building is set back a little so that the corner, where the lobby will be, will have a bar-type kitchenette for gathering around as well as a casual lounge area. As you go down the rest of Washington St, the building is setback more to add a little bit of green space there. There is structured parking underneath, so that the Washington St side of the building is a parking structure where the three stories above it are residential. There is approximately 22 covered spaces and the remainder of the spaces are back behind the building, so not towards the street front. On the full rendered view, there is a full combination of three and four story. In the four-story piece against Washington, one will be able to come up the elevator and go out on the roof of the third level with an overlook looking south across town and the edge of downtown. People will be able to traverse to the north end of the rooftop where there will be an overlook looking north across the river. City Hall will be able to be seen, as well as the high school potentially. The other amenities that are part of this

investment that Muncie is making that into part of downtown. The apartments will range from approximately one bedroom at 700 square ft on average and two bedroom will be about 1,000 square ft. Finishes will consist of the typical granite countertops, vinyl plank flooring in the kitchen and carpet in the bedrooms. Hanson is willing to answer any questions anyone may have.

Lauren Mathis, Baker, Tilly & Umbaugh Associates, alongside Tom Pittman, explains they have been involved in tax increment financing, redevelopment projects, since the early 80's and have done a lot of these kinds of projects around the state of Indiana. They have done some preliminary analysis and are feeling confident in how this will all come together. There is still information that is being processed between the city and the developer for forum information and so forth. They are working on the analysis and planned to have that reported to the council before the August 5<sup>th</sup> meeting. She is not going to get into any details tonight but wants to make sure they have all the information and will be able to answer questions at the next meeting.

Stolberg states it is important that the council understand the profile of the people that they expect to be living in the building. They do a lot of student-oriented housing in Bloomington that are generally ranged three to five story's, street level is commercial and then the residential pieces on top. They do not anticipate that is the profile here. The people presenting this project are the type of people they will be marketing to, millennials that work full-time. They hope to attract a retirement market as well because these are all on one level and serviced by an elevator.

Marshall asks about a public forum for the public to come out and ask questions. He kindly requests questions be asked then so that people can get more aware. They had a preliminary hearing last week. Gregory refers to the Land and Traffic Committee having a meeting on it. Gregory also questions the top of page 4 and sixth line down, there being a word left out. The importance of the word she does not know. Since this is actionable part of the ordinance, that needs to be clarified by next month. It also says in that same paragraph that the mayor is authorized to pledge up to \$215,000 annually of local income tax revenues. She assumes that means COED and EDIT. Pittman answers yes, the local income tax is what it is being referred to and "will" rather than "can." In addition to, Gregory questions that since this is being paid out of the TIF, there will also be an additional \$215,000 a year of EDIT monies that go to this. Pittman answers yes.

Ridenour referred to the comment from Stolberg about how they build and maintain properties and wants to know how many projects they have that they have owned for ten years. They have been in business for forty and Ridenour is trying to get a better understanding. Stolberg does not have that information at the top of his head but can say they have at least ten and their philosophy is that they build, develop and hold. They only sell when the market tells them to sell when the market wants the type of product that they have. Some projects in their portfolio they have held for twenty-five years. They are long-term hold. He can get that specific information for Ridenour, though. Ridenour also asks if this project is time-sensitive, in other words is there any type of 10-31 exchange or anything that requires this move immediately. Stolberg answers not a 10-31, but as part of their interest in the project is to take advantage of the opportunity zone. They have the ability because of one of their projects that the partner took them out and purchased, to take those net sells proceeds and reinvest in this opportunity

zone project. It is a time-sensitive thing. He will have to get in touch with Ice Miller Attorneys to find out because they have the details.

Powell asks what the rents will be for the one and two-bedrooms. Stolberg says they have looked at a lot of information that was provided by downtown Muncie as well as the location of the building and amenities and construction. Right now, it is set at \$875 a month for a one-bedroom and \$1,300 a month for a two-bedroom. Powell refers to Dr. Byrd stating there being up to 75 residents and asks about the parking spaces in the parking lot below the facility.

Stolberg states there will be 55 apartments with a mix of ones and twos, so he does not know exactly how many parking spots in all. They will, however, provide one to one parking for the project. They are required to at least supply 55 parking spaces. Some will be covered and some will be open. Gregory states the word that was missing from the ordinance was provided from Pittman but since the air conditioning isn't working in the auditorium tonight, confirms they will amend this during the next reading.

Marshall states there will be a public meeting regarding this matter prior to the next meeting. They do not have a time and date set yet but will announce it on the city website.

Jane McDowell, 2055 N. Tillotson Ave, would like the council to give the public a seminar on TIF districts because what the city is getting is luxury apartments by taking tax money from someone to put into this project. We are then using this super-duper zone where if someone sells some property, they can put their capital gains in there and can take some money out after ten years, if they are still alive. Then, we are also going to put some LOIT taxes into this area and then when the people that move in write their rent checks, they are going to go to the people in Bloomington. In other words, it would be nice if there was someone that can present a pretty good program that explains it, whether Larry Riley or Mr. Hicks, because both of them have some strong opinions about that. Get the people that work on economic development here and publicize it well enough so people will come and be better informed. By dipping into three different funds for this just boggles her mind and she used to be smart. Instead of discussing the merits of a particular project, it would be very nice to discuss what TIF zones really do and what actual geographical area being discussed that goes to fund projects. She is told we take money out of certain TIF districts and throw it at other districts. All in all, she thinks a general public information session about where our money is going would be nice. Marshall states if there is not a meeting for the public before the next reading, he will make a motion to Table this ordinance.

Vikki Adams, Yorktown, asks if there are any three-bedroom apartments at all. It seems that many of the people they are aiming to attract are people who would need three-bedroom apartments. She thinks that would be an awesome incentive for helping people to stay in Muncie. Hanson states that the information they got was the breath of the downtown market. They looked at it and the information, not only supplied from the hospital on who they are looking at hiring and the university and had to make a choice as to how they split the building up. They felt it best to do one and two bedrooms. It is a simple marketing from what they saw from the demographics.

Brian Shaw, 600 E. Washington, likes this idea much better than the idea of doing the apartments out by the old Wilson Middle School and the future justice center. He is in the East Central Neighborhood Association area and it is just a short walk to this area. He thinks it will be a welcoming part of the community, however, does questions the tax situation. McDowell

spoke about getting an education about TIF districts and he thinks that would be great to explain things to the public about how TIF districts work and what would be the benefit of giving up property taxes and LOIT long-term. If we do not do anything, what does that look like tax and income wise for the community? If we do this, what does it mean? Do a comparison. That is all he asks and he likes this idea.

An all-in-favor vote showed 8 yeas, 0 nays and 1 absent (Anderson). INTRODUCED.

ORD. 23-19 AN ORDINANCE ADOPTING THE UPDATED STATUTORY AUTHORITY FOR THE POLICE MERIT SYSTEM TO THE CITY OF MUNCIE, INDIANA.

A motion is made by Moore and seconded by Polk to Introduce.

Christopher Deegan, President of the Fraternal Order of Police in Delaware County at 821 S. Butterfield Rd, is going to try to be brief on discussing this. The reason for this ordinance is because the Merit Commission is operating under law at a both Title 19 and Title 36. The council should have some oversight to this highly important Commission, as its duties are to control the hiring process and appointment of new police officers, but also promotions, discipline and dismissal from the department as well. Ord. 9-24-82 was adopted when merit law was changed from Title 19 to Title 36 under the Indiana legislative code. Under the newly formed Title 6, which when he says "newly" that occurred in the early 1980's, there was an option for an already established Merit Commission to remain under governing rules of Title 19 if it was adopted by the Common Council of the unit (which is what it was referred to) or the municipality. Sometime during the operation under the governing rules of Title 19 as established by the ordinance here in Muncie, it was determined by the Commission, which is combined for police and fire was to be separated into two Public Safety Commissions, one for police and one for fire. The Merit Commission attorney cannot provide any documentation from what the separation occurred or the governing authority that authorized it and not attempting to be adversarial here, they just are looking for some housekeeping and clean up to move them into current and correct lawing procedure. Because they are operating with their own established Police Commission, this would more closely align with what the procedure already is for Title 36. Under Title 19, there is one appointment from the majority vote of the police department employees, one appointee from the majority vote of the fire department employees, and also under Title 19 the other three appointees are made by the unit executive. Those all must be confirmed by the Common Council. Deegan does not believe that is a practice that has been occurring. There are also specific guidelines for professional backgrounds that these civilian appointees must have, as well as residency requirements. Moving to Title 36 aligns Muncie Police with current practice and law that is being administered all over state by public safety agencies. They have not been able to locate any other agency to date that is operating on Title 19, which has now been removed from the Indiana code. Muncie City Council, under Title 36, would be given their own appointment to the Commission and then there would still be two appointments from active members of the Police Department and then two for unit executive, or Mayor of the city. Title 36 is far less ambiguous than Title 19 and the rules and law are very clearly outlined. Deegan supplies handouts. Merit Commissions are also

allowed to establish their own set of rules and govern themselves. Here, they have done so which is an acceptable practice. However, currently the Muncie Police Merit Commission only has three active Commissioners out of five that is required. Three Commissioners constitute a voting quorum for anything involving promotion, discipline, dismissal, requires a form of force. They do not have that right now. Now is the opportunity for council to have some oversight on the procedure and to ensure that the city's operating fairly and in scale with the law. The department is currently staffed at pretty critical levels and budgeted for 108 personnel that is to be increased to 110 in January. They are only working with around 100 right now due to vacancies that they have had and personnel either in retirement transition or off on leave. The Merit Commission has authorized a hiring process to take place to establish a new hiring list because right now, they don't have one. That list has to be certified by the Merit Commission and following their own rules and procedures with when the deadline for applications are due. That is the last Friday of June, so, they are in line with that. The issue that is going to become (hopefully not) present is that the outline testing procedures are going to be on July 13<sup>th</sup>, July 20<sup>th</sup> and then tentatively for the week of August 12<sup>th</sup> will be the scheduled interviews. Under their own rules and procedures, there has to be three Commissioners present to interview these applicants to even establish a list. They only have three Commissioners. If there is a scheduling conflict or if there is any issue with conflict of interest because of being known or whatnot, they do not have a fourth to essentially step in to act as a third for purposes of interview. That is going to slow down and delay the hiring process. They desperately need to get a list going because they are short some police officers and need to get them back out on the road. Obviously, only having three Commissioners poses a risk of not being able to establish a list quickly. With that being said, after giving oversight on this, he kindly requests a Suspension of the Rules to move forward to vote so the council can bring their search for an appointee to the Police Merit Commission.

Peters clarifies that this is basically cleaning up and getting up to date since it dates back to 1982. Everyone understands they do need help on the streets. Deegan states the Indiana code is already part of legislation and is the governing rules and authority under Title 36 merit law. All they are doing is taking what they are operating under and removing that and operating under what is already in legislation.

An all-in-favor vote showed 8 yeas, 0 nays and 1 absent (Anderson). INTRODUCED.

A motion is made by Peters and seconded by Polk to Suspend the Rules to Adopt.

Marshall indicates before he votes he mentions that he spoke to Deegan about this and wants to make sure that they do the proper thing. Marshall wants to go through the City Council Attorney before they take further action. He does not want to rush anything because usually when something is rushed, things happen.

A roll call vote showed 7 yeas, 1 nay (Marshall) and 1 absent (Anderson). Rules are not Suspended.

Gregory and Marshall state that once they get insight from the Council Attorney if need be, they will call a Special Meeting to address this ordinance.

## RESOLUTIONS:

RES. 11-19 A RESOLUTION ENCOURAGING PASSAGE OF LEGISLATION TO KEEP GUNS OUT OF THE HANDS OF VIOLENT CRIMINALS, DOMESTIC ABUSERS AND SEVERELY MENTALLY ILL PERSONS BY CLOSING THE LOOPHOLES IN THE FEDERAL BACKGROUND CHECK SYSTEM.

A motion is made by Moore and seconded by Gregory to Adopt.

Mary Moore, 710 W. Main, one of the co-leads of Muncie's Mom Demand Action for Gun Sense and also the faculty advisor for Ball State University's chapter of Students Demand Action. She is also a mother and a proud community member urging the council to publicly make a commitment to reduce gun violence, encourage responsible gun ownership and to support legislative changes at all levels of government to help keep our children safe. Gun violence is truly an American problem, Indiana problem and sadly, this summer has reminded us that it is a Muncie problem. A 2018 survey estimates that 58% of Americans will experience gun violence sometime in their lifetime. In February of 2017, her family came face to face with the dangers guns pose in her neighborhood. Only 300 ft from her front door, you could see a young man lying on the frozen ground after being shot by a neighbor. That morning, as the snow fell from the sky, her children watched as she pleaded with the police to please allow her to exit her driveway to take them to school. It was shortly after that tragedy, that she began working with Moms Demand Action, only to witness tragedy after tragedy unfold before the nation and in our community. She does not believe that we have to live this way. Support for the second amendment goes hand in hand with keeping guns out of the hands of criminals and other dangerous people. It is simply too easy for the wrong people to get access to guns and it leads to unspeakable violence, from deadly domestic abuse to suicide to school shootings. While the resolution won't change policy, it will declare that the Muncie City Council aren't going to sit by the sidelines but rather, they are reaffirming their commitment to help this community and other communities in gun violence.

Gregory explains this does not change anything, unlike a lot of their ordinances. It does not demand that anybody do anything or prohibit them from doing something. It is merely calling attention to the fact that we all need to be involved in preventing gun violence where we can. This is one thing we can do to prevent gun violence, by drawing attention to it. Where the council has influence with legislatures and national representatives beyond their reach, that they take the time to encourage those persons to eliminate gun violence where they can. Lynn Hale, 1213 Ridge Rd, Muncie, is a grandmother who joined Moms Demand Action for Gun Sense in America last year after the February 2018 mass shooting in Parkland, Florida, when students step forward to solve problems that adults should have solved long before, she resolved to become active in trying to prevent gun violence in our country. She wanted to be able to tell her granddaughter that she did everything she could to make active shooter drills in her school completely unnecessary. How can we keep the guns out of the hands of violent criminals, domestic abusers, people with severe mental illness and most importantly, individuals who are at risk of harming themselves or others? We need reasonable gun regulation, such as background checks. Universal background checks would close the dangerous loophole in federal gun laws that allow individuals to obtain guns at gun shows and on the internet without background checks. Twenty states and Washington D.C. have so far extended the background check requirement beyond federal law. They are asking the council to help

them pressure the state and congressional legislatures to enact laws to protect our children and make our city safe. They hope the city of Muncie will join other municipalities in Indiana (which include West Lafayette, Valparaiso, Highland, Lake County, South Bend, Bloomington) that have already passed resolutions advocating for background checks. Indianapolis Marion County City Council passed a resolution declaring gun violence a public health danger. They hope the city of Muncie will take a stand to end gun violence by passing the resolution 11-19.

Pam Taylor, 11100 W. Jackson St, is a teacher of the deaf and hard-hearing and also blindable vision. She has witnessed first-hand how gun violence impacts children and families in our community, especially during school lockdowns with children who can not see or hear. In 2017, in the county where she teaches, five young men took their lives by suicide with guns. Recently, there was a suicide just a few miles from her home. It gets more personal. On September 11, 2015, her life changed forever. Her son died by suicide by using a handgun. He was a licensed mental health counselor and helped so many people but couldn't help himself. Since that fateful day, she has been researching suicide non-stop. She read a research article from Harvard about how means matter. The link between guns and suicide changed her life forever. That is the day she joined Moms Demand Action. She is also a co-leader. Indiana has a red flag law, (Jake Laird Law) which was enacted in 2005, but, what is so hard breaking is that nobody told her about this law or that it existed, not attorneys, not counselors or support groups. Parents do not come with a manual on what to do when your child is struggling. For the rest of her life, she will regret that she did not get that gun out of her son's home. Today is an important day, the Jake Laird law has been updated with by-partisan support. House and world act 1651 is effective today, July 1<sup>st</sup>. The law removes a loophole and requires that court clerks report the individuals name in the NICS National Instant Criminal Check system database that is accessible to gun dealers. A suicide crisis can come on rapidly, 48% occurs just ten minutes before attempting. It is not true that people will keep trying to kill themselves over and over until successful. 90% of people who attempt suicide and survive do not ultimately kill themselves. There is a fifteen percent reduction in suicide by guns when background checks are required for purchasing a gun. Owning a gun does not make a person suicidal but easy access to guns increases the risk of death by a gun by three times. When rating the criteria for method use, guns are rated the highest than all areas. She has researched this non-stop. Accessibility to lethal means is an online course in which she learned so much from. They are lethal, irreversible, usually accessible and accepted and preferred method, especially with our veterans. The method can determine whether a person lives or dies. She asks that everyone please joins her in her efforts to spread awareness about the importance of universal background checks and keeping guns out of the hands of people who are at risk of harming themselves or others. She knows she talked for a long period of time, her husbands flight was delayed and she wishes to share one more thing. Moms Demand Action received a grant with Inspire Academy to have a "wear orange" day. Children are our future and they are being so impacted by gun violence. Some children wrote poems on how gun violence has impacted them and there was one poem in this book that brought her husband to tears. She proceeds to read: Raining Bullets.

*"Don't go out. It's raining bullets today. There's dead bodies everywhere. So don't leave me here. Don't shoot the gun. I don't want this to happen to me. So please think about that raindrop. It could turn into a hailstorm in just a second. So please stop the rain. I don't want to*

*see them today, tomorrow or even in a year. Please stop the hailstorm. Don't stop another life. If I could, to stop at all, I would sacrifice myself to stop it all. But the rain just wont stop. The thunder and lightning sparkling throughout the sky. Life is painful and humans are cruel. So please before you start the storm, are the lives that will be lost worth it? Let the sun shine through the sky. Let another life live and let the clouds drive away. So please stop the rain. Let the sun shine for another day."*

Sue Errington, 3200 W. Brook Dr, member of the Indiana House of Representatives, District 34, and represents Muncie, thanks the council for bringing this resolution forward and considering it. It would make her very proud to see them vote yes on this. Things are changing at the State House. Up until last year, issues such as background checks were hardly ever even brought forward as they bill and certainly not brought into consideration. However, because citizens and communities are bringing to raise public awareness. She believes it is making a difference. It makes her very proud to represent a city at the State House considering this resolution. Questions called.

A motion is made by Polk and seconded by Gregory to Amend the seventh one down to read "gun violence is" and strike "guns are" from that sentence. That way it conforms with the rest of the 'where as' sections.

A roll call vote shows 8 yeas, 0 nays and 1 absent (Anderson). AMENDED.

A motion is made by Polk and seconded by Gregory to Adopt as Amended.

A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). ADOPTED AS AMENDED.

**RES. 12-19 A RESOLUTION MAKING TRANSFERS WITHIN THE GENERAL FUND (BEECH GROVE).**

A motion is made by Moore and seconded by Gregory to Adopt.

Mike Miller, Superintendent of Beech Grove Cemetery, does not have any comments to make but is willing to answer any questions anyone may have.

Ridneour jokingly asks how he liked being last on tonight's Agenda. Miller responds he is a little warm (due to the air conditioner not working) but its okay.

Gregory can understand the part-time aspect of it but questions what they are doing with the other services and charges. Miller explains that they have utilized an outside source for lawn trimming and they had needed to replace the chapel in the cemetery where they have their services. It has been leaking for a while now. They received some bids last fall and had to wait to get it done until this year. It was completed just before Memorial Day of this year.

Peters asks about bringing someone in to do the trimming. Miller states that was done before Memorial Day, to give them an extra hand. She appreciates that because her elderly parents go and do all the family plots because they have been in need. Miller goes on to say we had twenty-five days of rain in April, twenty-five days of rain in May and seventeen days of rain in June so some may have needed tending to. So far, there has not been any rain in July though!

Questions called. A roll call vote showed 8 yeas, 0 nays and 1 absent (Anderson). ADOPTED.

#### **OTHER BUSINESS:**

Kristopher Bilbrey, 318 S. Meridian St, Winchester, explains that something was brought up at a previous meeting and for house-keeping purposes is brining it up again. In 2014 and beyond,

there were two Code Enforcement positions that were being paid out of the Street Department. At a City Council meeting in 2015, Powell made a recommendation that they cut the line item from \$62,400 to zero. It was determined that these two positions from Code Enforcement should go from the Street Department, which didn't make sense in the first place, to the Police Department and be paid for, under the supervision of the Police Department. That happened for 2015 and the first couple months of 2016. In 2016, for some reason, that reverted back to the Street Department. In August of 2017, this was brought before the council and when that happened, none of the council members acted like they know why that happened for what was going on. In each of these times, the council voted 8-0 or 9-0 (he believes there might have been one person absent.) His question is why this happened. He believes this was brought up last month and there wasn't an answer given. Is this something that the citizens and others can get an answer to, at some point? Why was Code Enforcement personnel being paid from the Street Department and then once the problem was corrected, why then it would have reverted back to an incorrect manner?

Marshall and Powell inform Bilbrey that his question is an administrative question. Bilbrey questions the validity of the Finance Committee being able to answer it. Bilbrey then asks if anyone sitting on the council right now from the Finance Committee recalls ever speaking about this in Finance Committee meetings. Marshall states he will have to check the minutes. Bilbrey asks what minutes Marshall is referring to because the Finance Committee does not have minutes from those years. Marshall reiterates during the Finance Committee meeting or the Regular City Council meeting. Bilbrey answers whenever it was talked about. Peters confirms to Bilbrey that Marshall is asking him which meeting he is asking about. Bilbrey states the Finance Committee meeting does not have any minutes. Peters refers to this being discussed last month. Bilbrey says that just because it was discussed, doesn't mean it is appropriate. Marshall reflects back on the three-minute time limit. Bilbrey asks if the public will ever get an answer to that questions or if it just floats out there.

Audie Barber, 610 W. 11<sup>th</sup> St, apologizes for being so dirty, again, and states that Bilbrey mentioned the same topic he was going to, some answers to some questions that he has never received answers to. He would personally like to see the rule for the three-minute to speak time limit passed in 2012 amended to a more appropriate time, other than three minutes. Some of the current council members were on council at the time this was passed and he can say that some voted against it. He would like to see an amended version of that come up because as long as the people are not bad-mouthing people or having issues then it should be changed. Three minutes is a small amount of time to address the council and there is no other way to address them on these matters. He does not have a lot to talk about tonight and is not always an asshole, trying to stir stuff up. He thanks everyone for coming tonight and congratulates the council for having such a good audience.

Holly Hanauer, 4700 W. Woodway, Muncie, is here to let everyone know that our electric utility, Indiana Michigan Power is at it again, asking for a rate hike. They just got a rate hike in

2018 and now they are back before the Indiana Utility Regulatory Commission, less than a year later, with their hands out requesting another rate hike. This time they want to raise our base electric rates by 20% and the fixed monthly charge on our bills by 43%. All of us, as residents, have a \$10.50 per month basic flat rate and they want to raise that to \$15.00. this amounts to a monthly increase in the base electric bill. For an average I&M residential customer, \$24.00. I&M monthly electric bills have increased 13.5% from 2017 to 2018. They've increased 33% in the last five years and 79% over the last ten years. If that \$24.00 a month increase doesn't bother some of the people in attendance tonight, there are a lot of people in Muncie who it will bother. It will hurt them. Unfortunately, there isn't a lot of time to fight this rate case and get organized. July 15, 2019, is two weeks from tonight, the IURC will hold a field hearing in Muncie at Ball State's Student Center. There will be a presentation by the office of Utility Consumer Council at 5:30 and the hearing begins at 6:00 PM. Members of the public will be able to speak. This room was packed at the last rate case hearing and they had an effect. The IURC did not grant the full rate hike they requested. People need to do the same, this time. She hopes that everyone on the council will help spread the word to their constituents and she hopes to see everyone at the hearing. She also hopes the council will speak up for their constituents that night. She has handouts for the council and public pertaining to the hearing date and time. It is an excellent fact sheet put together by the Citizen Action Coalition.

**ADJOURNMENT:**

A motion was made by Powell and seconded by Marshall to Adjourn. A vote by acclamation showed 8 yeas, 0 nays and 1 absent (Anderson). ADJOURNED.



Doug Marshall, President of  
The Muncie Common Council



Melissa Peckinpaugh, Muncie City Clerk  
of the Muncie Common Council