

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

JUNE 5, 2017

PUBLIC HEARING: 7:15 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

ORD. 24-17 ADDITIONAL APPROPRIATION ORDINANCE (CLERK).

No public comments made.

ORD. 25-17 ADDITIONAL APPROPRIATION ORDINANCE (ANIMAL SHELTER).

No Public comments made.

ORD. 27-17 AN ORDINANCE TO VACATE A CERTAIN STREET IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA (BIRCH STREET BETWEEN 8TH AND 9TH STREET).

David Heilman, with FlatLand Resources 1417 W. Washington St. is working with the Ross Community Center on some new youth baseball fields as well as some improvements closer to the building for more of a community and neighborhood associated spaces. One of the baseball fields is going on the existing parking lot for the old GM and Delco Battery Plant. The empty GM site is about 60 acres of empty concrete space. Through a lot of work, the Ross Community Center was able to acquire the parking lot that sits below 8th St. (between 8th and 9th St.) Birch St. is to the eastern boundary of the northern ballfield and for safety purposes, they would like that street vacated in order to provide some green space for the friends and families of the baseball players to enjoy while watching the game. It also brings safeness, as well, as cars are not traveling 20-30 mph directly behind their seats. Mr. Heilman has a letter of supports from the 8twelve Coalition. Councilperson Powell advises him to hand that out during the regular meeting during the discussion of this ordinance.

ORD. 28-17 AN ORDINANCE TO VACATE A CERTAIN PUBLIC ALLEY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA (CHARLES F. WILLARD'S FIRST ADDITION).

Attorney William Hughes with Beasley & Gilkison 110 E. Charles St. appears along with Brian Hollers at Studio Three Architects, and the principle architect on this project. They represent representing Liberty Lofts LLC, the owner now of the former First Church of Christ at the corner of Liberty and Charles Street and later became the Rainbow Cathedral. The project is to convert that structure into twelve loft-style apartments. The alley vacation request tonight is for the east and west alley that runs behind the building, coming off of Liberty St. running to the east. The alley stops at the north/south alley of that block and the rest of the east/west alley was vacated some years ago. The reason for the vacation is to simply improve traffic flow because there will be off-street parking for the apartments on both the north and east sides of the

building. They contacted Indiana Trust and Investment Management Company that owns the property to the north of the alley and they are in agreement and have no objections to the vacating of the alley. They have also contacted all public safety agencies and all utilities. Muncie Sanitary District did respond there is a storm sewer that runs in the alley. Comcast has overheadlines and Indiana American Water informed that there are no waterlines. It is apparent there are powerlines but they have not heard from I&M and they have not heard from Vectren or AT&T. The intention is to leave all those utilities in place. If they ever did need to move them it would be at the owner's expense. The alley only provides access to the rear of the church property, one cannot get anywhere else through that alley. This alley meets all the criteria within the state statute in that it won't hinder the development of the area, in fact, it will enhance it. It does not block any access to anyone's property or to any public building.

REGULAR MEETING: 7:30 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

PLEDGE OF ALLEGIANCE: Led by Council President Doug Marshall.

INVOCATION: Given by Senior Pastor of The Urban Light Community Church, Dr. Andrew Draper.

Council President Doug Marshall apologizes for not being present at the Public Hearing earlier due to him and the Honorable Mayor Tyler returning from Evansville. Muncie was one of three cities invited to come for the Indiana Economic Development Corporation. The other cities were Jasper and Fort Wayne. Hopefully, President Marshall states, some good news will be a further result of this.

CITIZEN RECOGNITION:

Councilperson Linda Gregory begins by stating that one of the nice things about being a Councilperson is that they get to, once a month, nominate someone in the community who is special. Dorica Young-Watson is one of those special people in Gregory's life. She is the manager of community engagement for Delaware County Circles at Second Harvest Food Bank of East Central Indiana. She works to involve the community in helping families move from surviving to thriving. She has been involved in this work (formerly with TEAMwork for Quality Living) for nine years. She began her work at TEAMwork as volunteering for a Ball State class, then as an intern. Once she graduated, she came to them full-time. Dorica provides training about working with people who live in poverty to all kinds of government, civic, church, business and education groups as well as the community at large. She is a national trainer for Circles USA and serves as a coach to other Indiana communities that use this model to help empower people from poverty towards self-sufficiency. Dorica holds a Bachelor's in Social Work degree from Ball State University. She has also received the state-wide Alumna of the Year award from Ivy Tech Community College and was recently named Social Worker of the Year by the National Association of Social Workers Region 5 of Indiana. It will be known in the fall if she is selected as

the state Indiana winner. Dorica believes that building relationships with people who need to increase their resources is the best way the community can help drive down the poverty rate. She spends her career and her personal life following the old Chinese proverb: Teaching people to fish, instead of just giving them a fish. She is very active in her church (Church of the Living God) and several community activities. Currently, she provides volunteer services to the Unity Center and devotes a great deal of time to activities of Hearts and Hands United (including back-to-school supply distribution and the winter coat drive). She is married to Eric Watson and is the mother of Jerren, Justin, and Jocelyn and grandmother of Javier. Dorica is a 1992 graduate of Muncie Southside and claims she still is and always will be a Rebel. Gregory congratulates Dorica for being such a fine person and Citizen of the Month.

Mrs. Young-Watson thanks Gregory for being so dear to her for a number of years and how much she appreciates this honor. She is so appreciative to be here and thanks everyone for coming. This work that she does is not only hard work but she claims it is truly "heart" work. It is something that she never imagined herself doing and now cannot imagine doing anything different. When she uses the term "heart" work, it encompasses so much more than just her heart because what it does is allows her to connect with other people's hearts. Gregory mentioned in her remarks about relationships and Dorica feels all relationships are so very important; relationships that transcend class and racial in economic lines, relationships that are genuine and relationships that allow us to know we are better, together. Human relationship is the sledgehammer that obliterates every societal difference. When we decide to connect with people, not by what we have that is different but really what we have in common. That includes the fact we are human and we are people that want to give back and help really change this world. That is what connects us, not those things that divide us. Referring back to her "heart" work, it is easy for your heart to be broken when you work with people and they don't always do what you need them to do, vice versa. That being said, she always checks herself at the end of the day and asks herself to answer four questions. Question 1: What went well? Because, when you think about what went wrong, it can bring you down really quickly. A negative has ten times the effect of a positive. Question 2: What would be even better if? That allows her to keep moving forward every day because she knows there is something more greater and better that she could aim for. Question 3: How can you have some intentional fun? Anyone that knows Dorica knows she takes her work home with her every single day so it is very important to stop and turn work off and have some fun. Question 4: How can one work smarter and not harder? We are so tired at the end of the day from running ourselves ragged from working so hard but there is always a way to work smarter. She believes connecting with other people allows that to happen. She thinks it is important for organizations to have reason why they are here and why they exist, and what empowers other people to be better and greater than what they ever thought they could be. That gave her the idea of having her own personal mission statement to "live each day with integrity, following her passion, being led by her faith." She closes in thanking the council.

SPECIAL GUEST:

Councilperson Julius Anderson invites the Honorable Mayor Denis Tyler and first lady, Vickie. Anderson then invites tonight's special guest, the 17th President of Ball State University, President Geoffrey Mearns and his wife, Jennifer.

Anderson states Geoffrey S. Mearns became the 17th President of Ball State University in May of 2017. He came from Northern Kentucky University, where he had served as President for five years. During his ten years at NKU, President Mearns led the development of a new five-year strategic plan, which led to substantial increases in retention rates. Among his other accomplishments, President Mearns secured \$97 million from the state to build modern health innovation center as well as \$8 million private gift to support simulation facilities in the center. Before leaving NKU, he served as provost and Senior Vice-President for Academic Affairs at Cleveland State University, where he led the most successful accreditation process in the institution's history and led a strong effort to improve retention rates. Before becoming provost, president Mearns was Dean and Professor of Law at the University of Cleveland - Marshall College of Law. He also practiced law for more than fifteen years including serving as a federal prosecutor in the U.S. Department of Justice. He earned his undergraduate degree in English from Yale University and earned his JD degree from the University of Virginia.

Councilperson Anderson welcomes President Mearns and his wife, Jennifer to tonight's meeting.

President Mearns starts off by stating he was once a trial lawyer and the first thing to never do was turn your back to the judge's chamber (where the council sits) but understands the custom here is to address the fellow citizens here in the audience. He thanks Mayor Tyler, President Marshall and council members for allowing him and his wife to address him this evening. He feels comfortable in this type of environment because he spent time growing up in it. He is the middle of nine children and his mother committed her time to serving the community that they lived in which was Shaker Heights, Ohio (a suburb of Cleveland). She spent ten years on the City Council and was the first woman to ever be elected as Mayor of Shaker Heights, she served two terms. That being said, he spent some time in council chambers as well as being out in the neighborhood campaigning and handling out leaflets. When President Mearns and his wife decided to move back to Shaker Heights, Jennifer decided to run for and served on the school board. In all seriousness, the reason he is grateful for the opportunity to be here this evening is to communicate the re-commitment of Ball State University to Muncie. The university has had a partnership with this city for nearly 100 years and was created as a result of the generosity of its citizens. We would not be here today without that investment that the city made in the university 99 years ago and ever since. President Mearns is here to say that going forward, the university will continue to be re-committed in greater efforts all across the campus to support the city. Their futures are linked together. Ball State cannot grow and thrive without Muncie and Delaware County thriving as well. He believes it is not only in their institutional interests to support the city but that they have a moral obligation to support Muncie. In closing, President

Mearns states this city can count on him, his wife, their family and the entire Ball State family to support the interest and endeavors for Muncie. He is thankful for this opportunity, looks forward to seeing everyone again and to listen and learn about how they can support us, our neighbors and the activities in the community.

Council President Marshall, on behalf of the council, welcomes President Mearns and states that they are glad to have him here.

Honorable Mayor Dennis Tyler wants to say he had the great privilege a few days earlier to spend about ninety minutes with President Mearns. He just wants to say that his commitment to community university is the start of an exciting new era for Muncie and Ball State University. Jokingly, Mayor Tyler mentions that Mr. Mearns also rides a bicycle, so they are looking forward to getting on the Greenway. He thinks they are a great family and that it is a great opportunity for the city of Muncie and the city council to all have this great partnership with the university.

ROLL CALL:	PRESENT	ABSENT
Alison Quirk	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 MINUTES: A motion was made by Powell and seconded by Polk to approve the minutes from the May 1, 2017 meeting as presented. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

COMMITTEE REPORTS:

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 21-17 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. 606 W. MAIN ST. (Real Estate – Single Family Residence)

A motion was made by Quirk and seconded by Peters to Adopt.

Todd Donati, Muncie Redevelopment Commission, is present to answer any questions.

A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 22-17 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. 610 W. MAIN ST. (Real Estate – Single Family Residence)

A motion was made by Quirk and seconded by Powell to Adopt.

Todd Donati, is present to answer any questions anyone might have.

A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 23-17 AN ORDINANCE TO ESTABLISH STANDARDS OF CARE AND GUIDELINES FOR THE CARE OF ANIMALS AT THE MUNCIE ANIMAL CARE AND SERVICES DEPARTMENT SHELTER.

A motion was made by Quirk and seconded by Polk to Adopt.

Attorney, Joe Hunter, states he has had a discussion with Phil Peckinpaugh regarding making an amendment to this ordinance. He suggests striking out Section 6: The Special Enforcement Provision, which is the very last provision of the ordinance. In his view, it is unnecessary and overly broad. There is a legal concept in the litigation regarding standing to sue, in which there are certain rules regarding that. There are some technical things about filing a lawsuit against a municipal entity. That is unnecessary because that always applies. Then, the language is overly broad stating “any person” because that is opening up a protentional door to whomever. As the City Council Attorney, he thinks that the certain language, in which he does not like, and states it should be amended now because it is currently being moved to pass. Hunter recommends to strike the entirety of Section 6.

A motion was made by Powell and seconded by Quirk to Amend (and strike out the entirety of Section 6). Questions called.

A roll call vote showed 9 yeas and 0 nays. AMENDED.

A motion was made by Powell and seconded by Polk to Adopt as Amended. Questions called. Phil Peckinpaugh, Director of Animal Care and Services Department, is present to answer any questions anyone might have. Councilperson Quirk informs she doesn’t have a question but would like to mention to Phil to potentially take a moment to explain to the public about how progressive this ordinance this for the Animal Care and Services Department and how they would, at some degree, be leading the path for others in the future. Peckinpaugh states this is probably one of the most progressive ordinances in the country. There is actually a gentleman that he is supposed to notify immediately after this meeting that is a three-time author specifically about what this ordinance pertains. This ordinance is basically establishing a very set specific guideline of a way to do things and holding the shelter from now to infinity (or as long as this ordinance exists) to a very high, do-able standard of care. That way, there will be no regressing to the way things may or may not have been before. It establishes a pretty high bar and is something the community should be proud of. Councilperson Gregory is curious as to why an ordinance is needed instead of just administrative policy. Mr. Peckinpaugh informs her there is and has been an administrative policy that they have, however, some of the things that weren’t being done, he knows for a fact, before this administration came into office. He thinks it is important to establish it via ordinance so it doesn’t regress to potentially the simplest of things that may seem like common sense to some people. For example, feeding the dogs every

day. That was not being done as a matter of policy before. So, by establishing an ordinance that will state whether the shelter is in violation of itself, he thinks it is important to have this in writing. Councilperson Gregory asks if there are penalties involved if another administration or supervisor fails to do some things. Mr. Peckinpaugh states at that point the council could make a determination as to what they would do. Gregory asks if that should be known by council before the ordinance passing. She goes on to ask if it causes grounds for dismissal, jail time, etc. Mr. Peckinpaugh wouldn't not think it would call for jail time. Gregory states that if it passes and becomes a law, whomever doesn't comply would be breaking the law. Mr. Peckinpaugh states there are a lot of ordinances that he wishes people would possibly do jail time for but no there is not a specific punishment in this ordinance, he believes it would be up to the council and the executive bodys' decision on what to do at that time. Councilperson Quirk informs that the way she sees this is a form of establishing certain policies but also communication so that is on record and people have it and the expectations are known. Mr. Peckinpaugh informs the shelter does run the Advisory Board as well.

Sarah Beach, Personnel Director for the city of Muncie, states if council does pass this ordinance and it becomes the code within the law of the city of Muncie, then anybody that would hold the position of the Animal Shelter Superintendent/Director, part of the function of their job is to follow the law. It then becomes a Human Resources issue at that point in time if they are not following the law and would have grounds for termination. Questions called. A roll call vote showed 8 yeas and 1 no (Gregory). ADOPTED AS AMENDED.

NEW ORDINANCES:

ORD. 24-17 ADDITIONAL APPROPRIATION ORDINANCE (CLERK).

A motion was made by Quirk and seconded by Powell to Introduce.

Melissa Peckinpaugh, City Clerk, informs that this is for overtime. In March, the clerk and court offices switched to Odyssey, a different state-mandated conversion system. The new computers and necessary items were paid for through grants but with this years increased case-load and changing to this new time-consuming court system, they need additional overtime. She would really appreciate the councils' consideration for this. Councilperson Ridenour asks for clarification if the extra time is to simply learn to new program. Mrs. Peckinpaugh states no, and that the issue is that it is a lot more time consuming and there is a lot more steps compared to the old system. It mainly deals with misdemeanors, in which things have to be done by certain dates for the prosecutor's office and she simply does not want to get behind on that. She states that they are below, in the budget, where they have been in previous years by a lot. Councilperson Ridenour asks if she is asking for more overtime. Mrs. Peckinpaugh indicates yes but as far as the yearly budgets go, she cut a considerable amount, including overtime for this year, so she is just asking for some of that overtime back. Ridenour asks if this would require an increase in taxes, social security and Medicare. Mrs. Peckinpaugh states this is just hourly overtime. Ridenour says it seems like a percent would be broken off of that somehow. Mr. Peckinpaugh informs that the Controller's Office would specifically know and deal with that

information. Ridenour asks how many hours this would represent. Mrs. Peckinpaugh states that it would depend because all of her clerks are paid different. Right now, her deputy clerk that would be needing the most overtime is paid about \$15.00 an hour. Councilperson Gregory asks that since this is an additional appropriation, where does this money come from. Mrs. Peckinpaugh states she would have moved it around in her budget, however, they incurred some legal fees this year that they are going to be dealing with. She already moved and completely used her training budget so it would be taken out of the general fund. Gregory clarifies that it would not be coming from a specific place. Mrs. Peckinpaugh answers no. Questions called. An all-in-favor showed 9 yeas and 0 nays. INTRODUCED.

ORD. 25-17 ADDITIONAL APPROPRIATION ORDINANCE (ANIMAL SHELTER).

A motion was made by Quirk and seconded by Powell to Introduce.

Phil Peckinpaugh, Director of the Animal Care and Services Department, states that later in the meeting the council will hear Resolution 21-17 amending their Interlocal Agreement. Delaware County has given them \$30,000 to incorporate into their budget. These are the funds that Delaware County has given to the shelter and the board has made the decision to use those on personnel. Also, when they asked the City Controller to prepare this ordinance, she had prepared it for a full-time employee, which was far more than what they were given. Therefore, they would like to amend that amount to state what was given to them by the county for \$30,000. A motion was made by Powell and seconded by Polk to Amend to read the amount requested as \$30,000 total. A roll call vote showed 9 yeas and 0 nays. AMENDED.

Earl Clark, 2401 N. Walnut St. Muncie, is curious that since Delaware County has given the city of Muncie money for animal care, then would Muncie be responsible for services in Albany and Yorktown.

Sarah Beach, a member of the Animal Care and Services Board, states the Interlocal Agreement between the city of Muncie and Delaware County includes the city of Muncie and all unincorporated areas of Delaware County. Places like Albany and Eaton they are incorporated and have their own. We would not be allowed to go in there unless an agreement is made with that specific town. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED AS AMENDED.

ORD. 26-17 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE FIRE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

A motion was made by Quirk and seconded by Powell to Introduce.

Eddie Bell, Chief of the Muncie Fire Department, was not aware of this ordinance as far as it being before council this evening.

Joe Hunter, Attorney, reads the rule that "no ordinance or resolution affecting a specific department of city government shall be passed unless or until the department head of the department or its designee appears before the council." Meaning, the rule basically says that council could introduce the ordinance but not pass.

Councilperson Powel states that all this ordinance does is make the salary ordinance reflect the contract that they had passed earlier this year.

An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 27-17 AN ORDINANCE TO VACATE A CERTAIN STREET IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA (BIRCH STREET BETWEEN 8TH AND 9TH STREET).

A motion was made by Quirk and seconded by Polk to Introduce.

David Heilman, with FlatLand Resources 1417 W. Washington St. has a letter of support from the 8twelve Coalition. Councilperson Quirk asks where they are at on the time frame of the project and how things are coming together. Mr. Heilman states that things are coming together pretty well. The subgrade has been graded and the hope is to have the ball fields completed by the beginning of August (weather permitting or any other underseen conditions that could expand that timeline). If completed on time, that would allow for a fall league if they chose to do so. If not, then they will be prepared for spring next year. Councilperson Peters indicates that it seems like they are moving along very well and can see the improvement every few days or so and just wants to tell them that they are doing a good job. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

Mr. Heilman requests a suspension of the rules and the adoption this evening. Reason being, there is specific equipment that would be needed for this road in which is already there. They would just like to be able to get a move on it while they can. No council members make a motion. Council President Marshall informs Mr. Heilman to come back next month.

ORD. 28-17 AN ORDINANCE TO VACATE A CERTAIN PUBLIC ALLEY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA (CHARLES F. WILLARD'S FIRST ADDITION).

A motion was made by Quirk and seconded by Polk to Introduce.

William Hughes with Beasley & Gilkison 110 E. Charles St. Muncie is here representing Liberty Lofts LLC. the owner of the property adjacent to this alley to the south. As what Mr. Hughes brought up in the Public Hearing, no one uses this alley except for the access to the Rainbow Cathedral church which is being developed into apartments. The vacation of the alley will allow for better traffic flow. They are vacating this subject to the right privilege of all public utilities that have facilities there to maintain those facilities and notwithstanding the vacation. He would be happy to answer any questions. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 29-17 BEING A NEW FLOODPLAIN MANAGEMENT ORDINANCE FOR THE CITY OF MUNCIE, INDIANA.

A motion was made by Quirk and seconded by Polk to Introduce.

Marta Moody, Executive Director for the Delaware Muncie Metropolitan Planning Commission, informs that their office serves as the liaison with the floodplain administrators for the city and county who is also the building commissioners and the DNR. The DNR and FEMA wanted all of their participating communities to meet their requirements so that the citizens of the community are eligible to receive flood insurance through the federally underwritten program. They do this so their citizens within the floodplain are able to get insurance. The last one was

adopted in 2011. FEMA and the DNR came out with a new model ordinance a few years ago but at the same time, they were working on a detailed flood study for a portion of Prairie Creek. They wanted to wait until that flood study was done to adopt a new ordinance. One thing she will say is that the new ordinance is primarily the same as the existing ordinance, however there were some changes here and there. They processed the new model ordinance and forwarded it to the DNR and FEMA for their approval in which they did, so now here it is in front of council. This is something that needed to be done in order to maintain the current status of the city of Muncie being a participating community in the flood insurance program. She is happy to answer any questions anyone might have. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 30-17 AN ORDINANCE ESTABLISHING CHAPTER 157.5 LAND BANK TO THE CODE OF ORDINANCES OF THE CITY OF MUNCIE, INDIANA.

A motion was made by Quirk and seconded by Powell to Introduce.

Megan Quirk, City Attorney, states that this ordinance is to establish a Land Bank, chapter 157.5 of the Muncie city code. It is essentially going to be a non-profit organization that has quasigovernmental functions. They are basing the rules of the land bank on Indiana code and also by laws, etc. as a nonprofit organization. The process they will need to go through both with the IRS and the state code will begin after allowing authority for the executive branch to establish this type of organization. Essentially what this will do is help with vacant properties. Once that is through the process as well as other distressed properties throughout the city, both with viable structures and non-viable structures to hopefully create an easier pipeline to get those back into productive use. Councilperson Gregory asks when it comes to being non-profit, is it in a sense of 501C3 or some other structure. Quirk responds that that is something they will need to explore. It will either be a C3 or a C4. It will be named the Muncie Land Bank and one of the great benefits of this is that we will be able to get grants. That will help with boarding up, mowing, demolition, those types of things along with any other source of funding along the way. The city has been working with the Assistant Professor of Urban Planning who is here tonight to brainstorm and come up with progressive programs throughout the United States that other communities are using to tackle their issues. There are many different tools that they could use in having this type of structure which would really be a benefit rather than solely a governmental entity. The Indiana code allows for the transparency and the requirement for accounting and etc. therefore, Quirk included a copy of the code with this ordinance to fully understand the way that the legislature set that up. Our Senator Tim Lanane was one of the one major people who introduced and drafted this for Indiana. She has had a couple conversations with him in order to get everything established and networked within the different communities. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

RESOLUTIONS:

RES. 17-17 A RESOLUTION APPROVING THE GRANT OF A PERMANENT SEWER EASEMENT AND A TEMPORARY SEWER EASEMENT TO THE MUNCIE SANITARY DISTRICT.

A motion was made by Powell and seconded by Quirk to Bring off the Table.

A roll call vote showed 9 yeas and 0 nays. BROUGHT OFF TABLE.

A motion was made by Powell and seconded by Dishman to Adopt.

Mark McKinney, Muncie Sanitary District Attorney, believes this came before council last month but was not a resolution McKinney and Malapit prepared noting a spelling mistake in the title.

No one from the city or Sanitary District spoke last month so he is here tonight regarding this easement of the ongoing sewer separation that goes on a triangle of property on the southwest corner of the Muncie Fieldhouse (also known as the beginning of the Fallen Heroes Memorial Bridge). Questions called. A roll call vote showed 8 yeas, 1 abstain (Marshall) and 0 nays.

ADOPTED.

RES. 20-17 A RESOLUTION MAKING TRANSFERS WITHIN GENERAL FUND. (BUILDING COMMISSIONER)

A motion was made by Quirk and seconded by Powell to Adopt.

Rick Lorrison, Interim Building Commissioner, states that after looking into the budget, it seems like they are going to have a short-fall on the part-time due to the extreme amount of securing properties and everything else. They are trying to find it available in the budget to put into part-time so they can finish out the year. Questions called. A roll call vote showed 9 yeas and 0 nays.

ADOPTED.

RES. 21-17 A RESOLUTION AMENDING RES. 3-12 APPROVING AN INTERLOCAL AGREEMENT FOR A JOINT CITY/COUNTY ANIMAL CARE AND SERVICES DEPARTMENT.

A motion was made by Quirk and seconded by Powell to Adopt.

Phil Peckinpaugh, Director of the Animal Care and Services Department, states that this was the Resolution he had previously referenced. It is just amending the Interlocal Agreement so that from now on, the county is contributing \$30,000 more a year. Councilperson Gregory states that she does not see where the language that was amended is different from the language it was before. Mr. Peckinpaugh informs her that the amount of money is what is different. It should be going from \$120,000 to \$150,000. What council has in their packets is the original document of the resolution, not from the original Interlocal Agreement. It already has the amendment on it. Gregory states it would just be helpful to have that rather than another copy of the same resolution. Mr. Peckinpaugh states that copy came from the county attorney John Brooke. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

OTHER BUSINESS:

Councilperson Gregory would appreciate support for the Muncie Symphony Orchestras Festival of the Green. It will be this Saturday at 7:00 P.M. and free for anyone that would want to attend. Feel free to bring lawn chairs, pack a picnic and friends and family. Gregory informs that she will be running as one of the three super conductors who get to conduct a piece (if they win). The other human candidate is Alan Wilson but they do not know who the mystery one is and that it could be anything. She closes by stating that she physically has the vote forms for casting, every vote is \$1.00 and she hopes to see everyone Saturday.

Councilperson Powell states that some of the other council members have gone to the Fire Ops 101 where they learn more about the Fire Department. However, she recently had the opportunity to go on a ride along with one of the Muncie police officers. The department invited the entire council to go if desired. She spent some time on the main streets of Muncie and claims it was very interesting, not just by the calls she witnessed herself but the calls she heard over the radio. To hear some of the things that these employees deal with daily was very eye-opening. She encourages all the other councilpersons to do a ride along if they can because it gives a very different perspective of these employees. Powell goes on to mention that Animal Control should even have ride alongs as an idea. All in all, it gives a different perspective of when they come before council and ask for things that pertains to some of the things they encounter. Powell thanks Police Chief Joe Winkle for allowing this experience and states the officer was very friendly and even quizzed her on a few topics. Chief Winkle states that invitation still stands with everyone on the council.

Beth Kroehler, Assistant Director of the Muncie Public Library, enlightens that today is World Environment Day. Muncie Public Library has been trying to be good stewards of the environment and created a Green Committee to help in this effort. Some of the many things they have done is being a distribution point for the blue recycle bags from the Muncie Sanitary District, created the solar powered car port at Kennedy, planted a community garden at Marion-Hunt, having readily available bicycle repair stations, bat boxes that the local boy scout groups have created and (still being manufactured) a protocycler that will reuse and reclaim the plastic material from 3D printers. However, today, they will no longer be doing single-use plastic bags when people need something to put their library material in. They, again, partnered with the Muncie Sanitary District for the new go-green bags and will be handing them out as long as the supply lasts. Each of the council members then receive a green bag.

Frank Wyle, 701 N. Brentwood Ln. Muncie, is here to invite everyone to a meeting. Jason Harp is the 4th district city councilperson in Fort Wayne. They were recipients of the Regional Cities Award and Mr. Harp is going to be at Kennedy Library on Monday June 12, 2017 at 6:30 P.M. as a guest of the Muncie 912 Tea Party. As he mentioned, Fort Wayne is a recipient of that award

and Mr. Harp has developed a sense of how effects that these awards are going to have on individual liberty, private property and freedom. Mr. Wyle read a letter that Mr. Harp put in the newspaper. He goes on to state there has been a similar regional development authority in northwest of Indiana since 2005. They spent approximately \$700 million in over ten years in Gary, Hammond and other communities with little evidence of any success at all except in commandeering local properties, businesses, public funds and institutions to do projects. At Fort Wayne, there had been no discussion about what they received but the public has been told they will receive some kind of jackpot of \$42 million dollars. What hasn't been made clear is the obligations that come with that \$42 million. Fort Wayne gets to match those grant dollars with tax payer and private money and a separate eight-year contract with the regional development authority. President Marshall thanks Mr. Wyle for his time as to him reaching the three-minute deadline.

Margaret Niccum, 3401 N. Cowing Park Ln, wants to elaborate more on what Mr. Wyle shared about the invitation to the Muncie 912 Tea Party meeting. Mr. Harp is currently a city councilman in the city of Fort Wayne, District #4. One of the things he suggests is that the Indiana public is being asked to put its faith in an elaborate multi-year plan to create a regional development authority, much like the one that has been in place in northwest Indiana since 2005. The RDA will run by an appointed board that cannot be removed by local officials or the public. Armed with borrowing authority, taxing authority and the power of eminent domain capability, Jason suggests in his article that we may want to hold the regional city's applause. Mrs. Niccum then hands out a copy of his article along with an invitation to the meeting.

Tanika Steans, President of the Unity Center 115 S. Madison St. states that they were told they would have to close their doors on June 24, 2017. They are getting displaced and were completely blind slighted by it. They have good traction with moving forward with their programming and with where they want to go but will no longer have a home after the 24th. Mrs. Steans states she has documentation in which she is willing to share that prove they should have a place. It actually shows a Unity Center Heekin Park project that was supposed to take place but was never established and they need to figure it out and get to the bottom of what is really going on. She does not want to have to turn away over 200 kids this summer as well as their senior citizen programs. All of their many projects going on are positive and helping the children and families in the community. There has however been some negativity going around but it has nothing to do with the Unity Center. They just want to make that clear of who they are what they are trying to promote within the city and that when that day comes everybody understands that the Unity Center is not closing. They are still the Unity Center, just without a home, and need the help of any capacity to be able to tell their story and have all citizens of the community come together to make sure they do have a building. Mrs. Steans states that she has reached out to Habitat for Humanity, the 8twelve Coalition and the Ross Center to hopefully partner up and work together. They are all about collaborations and that is what they are willing to do. It is unfortunate that they could lose all their programming because

of a building. They are making tremendous strides in contributing to this community and hopes that anyone that would be willing to would listen further.

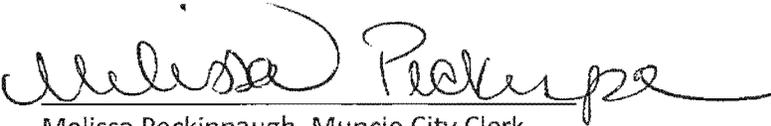
Mayor Dennis Tyler approaches the council and wants to make them aware that this past Saturday evening he and his wife, Vickie, had the honor of hosting the first Mayors IFTAR in the history of the city of Muncie. That is the month-long celebration of Ramadan for the Muslim community. It took place at Minnetrista and the room was full. What was so special about it was that the timing was about two hours after the terrorist attack in London. Men and woman from all religions and all faiths throughout this community attended and it was very special. A beautiful pole with everyone's thoughts and names that had well over 1,000 students signatures was presented as well. There was a Proclamation from the city of Muncie recognizing the month of Ramadan and the Mayors IFTAR.

ADJOURNMENT:

A motion was made by Powell and seconded by Polk to Adjourn. A vote by acclamation showed 9 yeas and 0 nays. ADJOURNED.



Doug Marshall, President of
The Muncie Common Council



Melissa Peckinpaugh, Muncie City Clerk
of the Muncie Common Council