

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

AUGUST 7, 2017

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

ORD. 31-17 AN ADDITIONAL APPROPRIATION ORDINANCE WITHIN THE GENERAL POLICE FUND.
No public comments made.

ORD. 32-17 AN ORDINANCE AMENDING, RESTATING AND SUPERSEDING ORD. 7-17, VACATING CERTAIN PUBLIC ROADS AND ALLEYS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.
No public comments made.

A motion was made by Powell and seconded by Polk to Close the Public Hearing.
President Marshall declares MEETING CLOSED.

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

PLEDGE OF ALLEGIANCE: Led by Council President Doug Marshall.

INVOCATION: Given by Albany Police Officer, Pastor Lowell Miller.

CITIZEN RECOGNITION: Councilperson Quirk believe the Citizen Recognition at each meeting has become a favorite for everyone because it is a positive opportunity to take a moment and recognize someone in the community. When thinking about who she was going to select this month, the choice was fairly easy. The person she had in mind so happened to be one of her neighbors who has gone above and beyond, Christina Smith. Born and raised in northwest Ohio, Christina attended Taylor University and graduated with a Bachelor's in Phycology in 1996. While a student at TU, she spent her summers and semester breaks working with inner-city youth from New York City, Nassau Bahamas, New York NJ, Tirana, Albania, and upon graduating, moved to Muncie. She worked at the Youth Opportunity Center (YOC) and attended Ball State University receiving her Master's degree in Counseling Phycology in 2000. After receiving her Graduate degree, Christina initiated an individual counseling program offering assistance to the Center Township Trustees Office in an effort to address underlining issues contributing to generational poverty. Christina has worked as a licensed mental health counselor in a private practice setting since 2002. She is currently employed with Still Waters Professional Counseling specializing in working with adolescents and adult clients working through brief loss, anxiety, depression, eating disorders and impulse control disorders. She lives

in Muncie with her husband, David, and two sons, Jonah and Judah. Christina and David have been married since 1998 and David is also a licensed therapist at Still Waters Professional Counseling. They love working, living and enjoying life alongside one another. Christina is deeply engaged in her Christian faith and attends the gathering in which she has served as an elder and regularly volunteers as part of the prayer and worship ministries. She has a heart for increasing the connections within the community and firmly believes that if we connect and fully see one another, we will learn to love one another better. This is key to seeing the community and the world transform. Christina looks for opportunities to connect with individuals within her neighborhood. In the summer of 2016, she initiated a “neighborhood story time” in her own front yard inviting families within the neighborhood. Her desire was that families within the neighborhood would deepen their connection with one another. Throughout the twice weekly neighborhood story time events that began in 2016 and continued on this summer, almost 100 different individuals attended. Christina also hosted backyard yoga for neighbors and throughout the month of July and the year 2017, has led neighborhood book studies and additional ways of connecting women throughout the neighborhood. In addition to these events, Christina and her family enjoy finding simple ways to connect individuals through neighborhood soccer and kickball games. Her family can also be regularly seen walking or biking through the neighborhood and gathering other kids or families along the way. Christina has a heart for Muncie Community Schools and neighborhoods and she and her family are dedicated at being engaged at a relational level with other families and staff within the Muncie community. She finds ways to volunteer and encourage educators within the school system. Recently, Christina has begun using her passion for writing. Her experience as a therapist and her heart for compassion and helping others feel known through the publishing articles to a recently open blog. Through this blog, Christina desires to encourage healing and community through sharing because she sees things as a therapist, a mother, a wife, a friend, a neighbor and a person of faith. Knowing Kristina, she does all of those things beautifully. Quirk goes on to state there has been many times they have ran into each other at the park, sat on the swings to watch their children play and tried to solve community problems. They make small steps but the thing that she loves the most is when Christina started this summer reading program thinking only a few kids would show up. It turned to be such a beautiful thing to see all these families and young kids sitting on blankets, having popsicles and listening to the story. It reminds her of a quote from Mother Teresa, that if we want to bring peace to the world, then go home and love your family. That is what Christina shows the world. She loves her family and the families around her and Quirk thanks her for her generous commitment, time, support and inspiration to the Muncie community.

Christina thanks Alison and the rest of the council for this humble and honored opportunity to receive this recognition. She goes on to state she wants everyone in the room to be encouraged. She loves Muncie but also acknowledges there are many other people who deeply love Muncie as well. She often catches herself engaged in conversation with them and can tell they carry hope for the city. They are praying for blessing, peace for unity and peace over the community. She can actually see many of those people in the audience. Her desire is whether it

is through storytime, simple acts of family gatherings on lawns with neighbors or just simply looking each other in the eyes, that we would grow to see one another more and love one another through that. Christina closes by again thanking the council.

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 July 10, 2017 meeting as presented. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

COMMITTEE REPORTS: Dr. Terry Whit-Bailey, Director of Community Development states her background is in the arts and she would do anything to support and encourage activities that happen for the city. About three years ago she brought an idea to the Muncie Arts and Culture Council and the Mayor’s Office to have a program that the community could celebrate. At this time, she would like to introduce the President of the Muncie Arts and Culture Council and also the President and CEO of Minnetrista, Betty Brewer.

Mrs. Brewer thanks Dr. Whit-Bailey and the council for this opportunity and then informs them Whit-Bailey is passing out some information. Most importantly she wants to make sure that everyone knows and recognizes that 2017 is the 2nd biannual of the Mayors Arts Awards. The inaugural was hosted in 2015 which was an amazing event with amazing nominations coming forth from many in the city. That year, eight awards were given to astounding artists, advocates of the arts, philanthropists, supporters, makers, etc. It is being done again this year, being every other year but they have their reasons. This year, the event will be on Tuesday, September 26, at Cornerstone Center of the Arts. The nomination deadline has been extended in hope of receiving as many as possible. It can be done online by going to MuncieArts.org and selecting the information on Mayor’s Arts Awards. There are eight awards available. The extension is to August 21 and the selection committee is already ready and standing by waiting to review. The committee consists of local artists and community leaders. It was a great time two years ago and they are very excited about this year’s event. There so happens to be a VIP reception and that information can be found online as well. This is being presented to the city of Muncie through Old National Bank. The VIP reception is through First Merchants Bank and First Merchants Private Wealth Management. Mrs. Brewer states she will be happy to give anyone

any more information if they need it and encourages everyone to attend. She closes by thanking council for the opportunity to address the event.

ORDINANCES PREVIOUSLY INTRODUCED:

NEW ORDINANCES:

ORD. 31-17 AN ADDITIONAL APPROPRIATION ORDINANCE WITHIN THE GENERAL POLICE FUND. A motion was made by Quirk and seconded by Powell to Introduce.

Sarah Beach, Personnel Director for the city of Muncie, formally introduces to the Council the new City Controller, Kevin Nemyer. Nemyer states he looks forward to working with everyone. Beach goes on to state that this ordinance is being brought before them because this is a pretty serious issue that was brought to her attention in June, after the previous controller, Audrey Jones, had resigned from her position. Because of that vacancy, there was a time frame when Beach was helping the interim Controller get things ready for the budget time of the year. She was sending e-mails to different departments and making sure they were getting their budgets together for the 2018 year. During that process, she received a phone call from the Street Department asking her how much longer they were going to be expected to pay for the Code Enforcement positions within the city of Muncie. This prompted her to ask why they were paying for those positions in the first place. The Street Department informed Beach that they were told by the previous Controller that they had to continue to pay for them. Hence, the ordinance that is before Council tonight, which would provide a little bit of explanation. 'Exhibit A' is the Minutes from the December 1, 2014 City Council meeting and on ordinance 42-14, previous Police Chief Steve Stewart stood before Council, asked to have some language cleaned up under this ordinance and to put the code enforcement under the supervision of the Police Department. In the Minutes, Councilperson Gregory actually questioned him pretty extensively about it and asked specifically if these positions would be under the supervision of the Police Department, at which the previous Police Chief stated that they would be. 'Exhibit B' is the actual ordinance was passed the following month in which it became the rule that these positions go under the direction of the Police Department. 'Exhibit C' is the job description that she was told to change in October of 2014 in preparation of the ordinance that was put before Council. 'Exhibit D' is from the Controller's office. The first page is showing that in 2015, these positions were paid for out of the Police Department. The second page shows that they were paid for out of the Police Department in 2016 for three months of the year and then mysteriously, for some reason, went back to the Street Department. When Beach found this out she honestly looked and searched to find some reason as to why this happened and has been unable to locate anything. The Controller's office has no notes, nothing as to why this happened. It is also noticed that at this time there had been a transfer of money. It is concerning to her because these are two different pods of money, this is the General Fund and the Street Department which is funded from a completely different funding mechanism. They were moving around money and Beach cannot find anything where they ever came back before council and asked for permission to do this. What is most concerning to her is that one department is paying for employees that are being supervised out of a completely different

department. The ordinance is basically her trying to correct the situation and ask for additional appropriation to fund them back into the Police Department for the remaining part of the year. In the 2018 budget, they will be funded out of the Police Department. There are other issues involved with this that unfortunately is going to fall on the head of the new Controller, because Beach is not an accountant and does not know everything that needs to be done but there is money that needs to be rectified. This will be reported to State Board of Accounts. She feels that this is a violation of internal controls that are supposed to exist within the city of Muncie that have been ignored and she believes the authority of the City Council has been ignored. Councilperson Gregory questions in effect from March of last year through current, it is being paid for out of the Street Department and it was appropriated there. Beach says that is true and assumes it was being appropriated. She has access to look at some things in the system but doesn't have access to the Street Departments budget because it does not fall within the General Fund.

Gregory asks then at some point would their need to be an ordinance that transfers that money from Street Department to MPD. Beach states that is a good question and unfortunately Nemyer is going to have to get with the appropriate entities and figure out how to rectify this. She feels it is important to get this corrected and be completely transparent with City Council. Gregory asks if the amount of \$34,014 covers through the end of the year. Beach states yes and since this won't be approved until next month, it is for next month until the end of the year. There are two positions which also includes their PERF and all incidentals that go along with an employee's salary. Councilperson Peters questions about having to reimburse the Street Department back. Beach states that right now that is not what they are doing. They are just asking for an additional appropriation to fund them for the remainder of the year through the correct department. Beach states as the year goes on and now that someone that is in the position that understand things like this better than her, they potentially could have to come back before Council to still clear up what has happened here. Peters thanks Beach for the clarification. Councilperson Powell states that when they do find out what happened or access a paper trail, they would definitely like to know what happened and see that information. Powell goes on to ask if they have tried to contact anyone to get some sort of answer. Beach informs that both previous people that brought this before City Council and had access to it are no longer with the city of Muncie. That would be the former Police Chief, Steve Stewart and former Controller, Audrey Jones. Both have since resigned their positions. Powell states she wants to review the budget that was adopted last year. Beach again states she does not know what happened at all, other than they stood before Council and asked for them to approve something in which they did and within a year, it was reversed without coming back before Council. Councilperson Ridenour asks if there are any Code Enforcement employees within the Street Department. Beach states there shouldn't be any Code Enforcement employees within the Street Department and currently, they are not working in the Street Department, they are working in the Police Department, but the Street Department is paying for it, which is baffling. Ridenour states under what he thinks that is line item Motor Vehicle Highway, there is \$62,151 that was budgeted for Code Enforcement. Beach states he is probably right, they probably did budget it out of the Street Department but that is against the ordinance that was specifically passed. There are many hundreds of thousands of line-items that all have to be gone through to review and approve these budgets. Unless specifically looking for it and knowing it shouldn't

be there, how could it be known. Ridenour states there will probably be a reduction in the Street Department budget if they don't have it. He is unsure if that is the right amount. Beach states she is unsure as well because it is two separate funds and does not know if they are allowed to move money that way. She apologizes for anything she is unable to answer. Ridenour appreciates them for letting him and the rest of the Council know. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 32-17 AN ORDINANCE AMENDING, RESTATING AND SUPERSEDING ORD. 7-17, VACATING CERTAIN PUBLIC ROADS AND ALLEYS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. A motion was made by Quirk and seconded by Powell to Introduce.

Nick Tokar, Defur Vuran 400 S. Walnut St. Suite 200, is here on behalf of the petitioners of this proposed ordinance. Back in the spring, he was in front of Council regarding ordinance 7-17 which was enacted in April and by doing so, certain streets and alleys were vacated in the A.E. Boyce subdivision in the city of Muncie. The next step, he would then take that ordinance and get it recorded in the public land records and the Auditors office did not like the legal description of the map in which he provided and asked that he have a survey done and a legal description heard off of a survey. He has now done that and so the purpose of this ordinance would be to amend the previous ordinance to substitute the legal description for the streets and alleys that have already been vacated with the end result being an ordinance that can be recorded in the public land records.

Councilperson Anderson asks when it is believed that Bunch Blvd. would be completed. Tokar does not have the exact date in which that is supposed to be completed but would happily research it and get that information to Anderson and the rest of the Council at a later time. Anderson states bonds are supposed to cover that road to be completed. He knows construction is getting ready to start by the looks of the site, but was wanting to know so he could further the information on to his constituents. Tokar states generally the contraction is sequenced with the state road bridge project so there is the proper access that people will need for transportation. He informs there are proceeds that go towards the construction of the road. Councilperson Polk asks that on the new legal description, it is still regarding the same properties as ordinance 7-17. Tokar states that is correct and there is nothing new in that sense.

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

ORD. 33-17 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA AUTHORIZING THE ISSUANCE OF THE CITY OF MUNCIE, INDIANA, TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS (SUSTAINABLE MUNCIE CORP. PROJECT), AND THE LENDING OF THE PROCEEDS THEREOF TO SUSTAINABLE MUNCIE CORP., AND AUTHORIZING AND APPROVING OTHER ACTIONS IN RESPECT THERETO.

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

Nick Tokar, again states that this is taking a change in path speaking as a member of the Sustainable Muncie Corporation and asking to introduce ord. 33-17. It would provide for the issuance of \$4.5 million of taxable economic development funds, the proceeds of which would be made available to pay off existing debt obligations associated with the projects and to further improve the building to accommodate additional programming and tenants. The bonds

would be for a term of twenty-one years and bear interest at a negotiated rate not to exceed 6%. In addition to the ordinance, he had been asked to file an amendment with the effected of it high-lighted in yellow. It describes in more detail the way the bond proceeds would be used; for issuance costs to fund an escrow in the amount of \$200,000 to be held as a reserve for bond repayment. It describes the debt obligations that would be repaid and generally describes the improvements or class of improvements that can be made to the facility. There has been a lot of progress at the MADJAX building and Tokar invites up Jennifer Greene who oversees operations to explain more of what has been going on and some of the exciting prospects entailed for the building going forward.

Jennifer Greene, Director of operations and MADJAX, wants to fill people in as far as some of the programming and huge moves and leaps and bounds they've had in the past year. In particular, in 2017 they have since grown from just one founding maker, Tribune Showprint Posters, which moved into the building in May of 2016. Following Tribune, they soon welcomed Delaware Robotics Club, better known as PhyXTGears, which has had incredible competitions and winnings this year of building and engineering in robotics. In march of 2017, The Co:Lab operation, existing just downtown, was moved and expanded into the MADJAX space. Upon that move, that brought close to thirty-two businesses into the building that are all working or operating at their Co:Lab environment. In addition to that, they are also still housing the Book Arts Collaborative and also house a temporary lease with the Ball State architect cap class. They are also really excited to announce they are welcoming the Two Town Theatre Company as they sign their lease of next week. They will soon move in and start their maker studio which will consist of a set design shop and costume and design seamstress area. Outside of the tenants that are starting to take place there has been a lot of programming and community outreach as well in regards to events and programs, for example, housing this year's Spring Art event with over 300 artists and vendors. They are in discussions with many community events coming up in the fall, such as the Art for Kid's Sake with the Boy's and Girl's Club. Beyond that, there are some smaller programing coming out of the Co:Lab as well, they house GDG DevFests once a month along with verge events which is a platform for entrepreneurs and text start-ups to connect with other developers and investors. Her main focus in being present tonight is that it is hard to drive by the building and see it look somewhat closed down and not necessarily esthetically beautiful but she wants the community to know there are some really incredible things taking place inside. Most is based around building start-ups and prompting a sense of community and also establishing a new culture within downtown Muncie. An exciting thing about this facility to keep in mind when entering the facility is that it is easy to feel overwhelmed about the amount of space. On the other hand, she feels very excited because that means there is a lot of space for community and businesses to get their routes. A few of the tenants at MADJAX are present tonight as well and they would like to share their experience. Greene invites Kim Miller to address the Council.

Kim Miller, owner and operator of Tribune Showprint, which were the first people to move into the MADJAX building last year. They were really excited when they first heard about the project and the direction it was going which was way before they even bought it. It was when this project was getting ready to take off they made the decision to buy. Pertaining to what they do,

Miller states they are a letter press shop, in fact, the oldest continuously operating letter press shop in America. They make 14x22 show posters and state they made the Muncie Bike Fest posters seen throughout downtown. For them, being downtown is very important. They found it great to be in that culture and part of the arts that go on downtown. Unfortunately for them, a lot of the downtown buildings have basements. The larger presses that Showprint works on at 8,000 lbs. each and the medium to smaller presses go down from about 5,000 lbs. to 1,000 – 2,000 lbs. That is a lot of weight and cannot be placed over a basement without doing additional supporting work, which would have been out of their budget at the time. Also, they take special electricity so an industrial building was perfect and had everything they needed. On top of that, this specific work is not a very popular job position so being in a maker place where everyone else is also doing something very unique. This can be great because many people think different and have different ideas that can be discussed. A culture is there already and Miller states they love working with each other and everyone is always willing to help one another. It has been exciting to go from being the only ones there throughout last summer and then watching BookArts Collaborative come in. They support them because they do letter pressing and book binding. Having them right beside each other lets her help them if they ever need it. Gradually more and more people came in with more support and encouraging each other along the way.

Jennifer Greene was first introduced to The Guardian Brewery about two to three years ago when they entered what was called 'The Big Pitch Contest' throughout the innovation connector which she was then tied to. They came to pitch when they were just in the idea stages and brewing in their garage. As two to three years transpired, they watched them go through the stages of ideas all the way up to launching their start-up phase. They are a well-defined example of what a maker is. They are local and creating something that will not only create revenue for themselves but a business that is long-lasting and has a craft to it. The Guardian brewery is slated to move in as the first anchor tenant. Excitingly, that will take place around the first of September. Part of the model is to establish anchor tenants for the sole purpose of having some sustainability in revenue coming in. The strategy and thought put behind making the partnership that they did with Guardian means only good things to come. Greene invites Bill Kerr to address the Council.

Bill Kerr, owner of The Guardian Brewery, is present along with co-owner, Jason Phillips. They started brewing beer in their garage around 2006, 2007 as a hobby. They really enjoyed the craft and the art of making beer. It is expensive and it is hard to just go out whatever you want to and try. They look at it as cooking, finding recipes that worked for them, starting off on a seven-gallon turkey fryer. Kerr has been in maintenance for fifteen years and has worked in Muncie for all of his life. He also has some electrical background and PLC programming so he actually built them a small brewing system which was thirty-gallons. At that point, friend would come over (to the garage) and try the product and love it. That is when they starting thinking what they could do to make this a business. After researching and having trouble finding the space to do this kind of brewing, mutual friends helped them get a location. Kerr recalls how nerve wrecking it was to open on the first day and to not know how the city of Muncie is going to react to their product but soon come to find they had many fans. He recalls being

approached by Jennifer (Greene) about this idea they had at MADJAX and he was in love with it. He loves the building, the sign, and he wants to be downtown. Since it is just him and his partner Jason, it is hard to find that capital and location that fits all of their needs. Running a brewer of their size and what they are aspiring to be takes a lot of power, gas and water, those type of infrastructure things. The whole proposal made sense to them. He is confident enough in their product and they have enough of a following in Muncie that they do have something special here and want to continue with that. Kerr states that he and co-owner Phillips are just normal working men, him working at the water company Phillips at Magna Powertrain, that has invested in over \$300,000 of their own money into this project. That being said, if they didn't feel confident about it, they would not have done that. He goes on to say how nice it is having space but also being able to work alongside other people doing something different, but still helping each other out. Tribune prints coasters, t-shirts and even posters for Guardian. More of that could happen in the future in this space and he is looking forward to where it could take them.

Jennifer Greene also wants to touch on the main vision and initiative for MADJAX called the STEAM movement. STEAM is based around science, technology, engineering, arts and math which is the full focus at MADJAX. To be able to provide opportunities for the community all the way from young students to professionals and families to be able to have opportunities that plug into those categories. With that is also the programming that MADJAX is working to align. Conversations with Purdue Polytechnic Institute and how they can partner with them has been in the process They want to launch some of the programming that they want the MADJAX initiative to be focused on, being a very strong robotics and engineering focus. Greene invites up Corey Sharp and Michael Swain with Purdue Polytechnic Institute.

Corey Sharp, Director of Purdue Polytechnic Anderson and resident of Muncie as well as Michael Swain, Director of Purdue Polytechnic Richmond and Ball State alumni are here to share with the council that they are interested in becoming a tenant and a program at MADJAX. Purdue Polytech Inc. is the Applied Engineering college and one of nine colleges at Purdue University. Much of what they do supports manufacturing and tech companies and they are growing in Muncie and Delaware County, getting more and more students from this area and they support many of the manufacturers that are located in the Muncie community. The workforce development needs are great in this community, and the goal gap continues to widen. Their mission is to close that skill gap and provide a better opportunity for their students and the community to have access to high-paying and high-wage jobs. They think their presence at MADJAX could do that and allow them to grow in central Indiana. Their primary focus for the MADJAX space would be 5,000 square feet on the second floor to support a robotics academy and a workforce development center. One is to develop that pipeline of young talent, there is already a robotics team there. How can that young talent be cultivated into future engineers in Muncie? It is really critical because advanced manufacturers (Magna Powertrain, for example) that have a lot of automation needs and a highly skilled workforce is needed to support those kinds of companies. Secondly, they need to work on their incumbent workers so will be providing four credit courses in industrial engineering technology and organizational leadership to help residents continue their education and prepare them for new

jobs in this area. Lastly, their presence would provide customized training for area employers. Like earlier mentioned, they work with a lot of area manufacturers with great and specific needs and they have the capability with the space at MADJAX to be able to offer customized training for many of the companies where it would normally be difficult to staff employees to Richmond or Anderson. Their needs could be met if they were close by in downtown Muncie. They are excited about the opportunity at MADJAX and referring to Green and the other makers that spoke earlier, they want to be a part of that maker culture. Their students, graduates, alumni are makers. They are the ones that are engineers and designers that make new products every day. This is an opportunity for Muncie to have a Purdue presence that could help cultivate that workforce and help drive economic development.

Betty Brewer, President of the Muncie Arts and Culture Council, 125 East Charles Street, states the Muncie Arts and Culture Council is the cities arts partner and as such has been engaged with MADJAX long before it had the name. MACC has done a number of programs there, including hosting exhibitions, performance art associated workshops and speakers from Indianapolis. What is most exciting for them now with the city of Muncie as the primary applicant, the MACC as the partner has received the first national endeavor for the Arts Grant of \$50,000 for an artist residency program. This would not have been possible without MADJAX which is going to host the studios for over a dozen visiting artists from all over the country. They will be hosting them in a residence which used to be known as Hope House, which also belongs to the Sustainable Muncie Corporation and without these components, they would have never been able to apply for the grant in the first place. A grant like this is frequently considered a gateway grant. Once you have received one and successfully completed it, you are very likely to receive more. With their closest partner being Ball State School of Art, there are tremendous opportunities with this project moving forward. This is a new national stepping stone for Muncie that she is really excited about and people will be seeing more and more as they partner with additional community members with these visiting artists from all over the country.

Arne Flaten, Director of School of Art at Ball State, appreciates the opportunity to speak to the council. He reiterates by explaining how extraordinary and exciting this opportunity is for his faculty and students. There are over 500 majors, a growing Graduate Program and MADJAX embodies the kind of that making. The brewery is part of it, the technology is a part of it and Tribune is a founding member of it. They are all very excited about this and he thinks of it has a once in a generation opportunity. To have this kind of space, with 87,000 square feet, where creative juices can get flowing and overflowing into the community. That is what it is about. Greene talked about Guardian Brewery being an anchor establishment to this, he thinks of MADJAX as being an anchor establishment for all of Muncie. The kind of thing that is going to grow by leaps and bounds. Flaten is really excited that the Mayor and various other people have thrown their energy into this. He closes by thanking and showing appreciation for the time and consideration.

Joy Boyce 4221 W. Warren Way, Muncie, Indiana along with her husband are huge supporters for the arts, both financially and as members (Minnetrista, Cornerstone) personally and business related. They are not against being in support of this but do question who are the

entities that make up the Sustainable Corp. Can they could be named by name? What is their financial obligation in this, or in other words, what will they get in return for this? Boyce and her husband are owners of property downtown Muncie and have been since 1930's. She feels like she can speak on behalf of other families that have put many years into downtown businesses. She is concerned, as a taxpayer, exactly who would profit from this. It also draws concern for property needed for parking. If all this business is coming to this building, she cannot imagine in her mind where these people are going to park. She questions if taxpayer's money is also going to pay for the parking downtown for this building. She states she has read different things in the newspaper and understands it is not always exactly right. She does not have the big picture though and knows this is only for introduction so the council is going to take it back and think about what they are going to do for all the people of Muncie. As it is known from the closing of schools, the city is losing population, so how can we pay for it? Is it going to be for those that still have businesses or are still paying property taxes? She questions if the burden will be placed on the citizens of the city or the Sustainable Corporation? Again, she is all for new business, the arts and wants the city to grow because this is still her home.

Tom Bracken, 1246 W. Warwick, understands the burden the council members carry in trying to generate economic development. That is a very important role that is played and has been going on in Muncie for a long time. He knows the Ball Brothers were recipients for economic development dollars and land. He does not envy their job in trying to make the calls on what economic developments are wise on behalf of the taxpayers of Muncie but he thinks it should at least be acknowledged that what is on the table here is not economic development. \$4.5 million is a huge amount of money and it represents, quite honestly, nothing short of a huge transfer of wealth from not only the concurrent taxpayers but future taxpayers of this city for the benefit of a precious few, possibly private, businesses. It was very interesting and innervating to hear the story behind Guardian Brewery, and he applauds their efforts in risking some of their own capitol in creating a buyable business for this city. The history of economic development typically is to bring business that aren't already here in Muncie to our city from somewhere else so they can add to our economy. What is happening with Guardian, is not that. Its transfer of an existing business from and existing facility in Muncie to another location and doing nothing short of lavishing taxpayer money on them. Bracken asks the council to think about the message that sends to other entrepreneurs in the city who have risked their own capitol also and aren't receiving even a fraction of that benefit. He is specifically talking about Elm Street Brewery. He thinks that somebody needs to stand up for them because they have risked everything on their business and what is purporting to do is completely dilute and potentially washed out of everything. He does not think that should be unsaid. There are always two sides to every story and we all want to be boosters to Guardian and he doesn't not want to see them get harmed in any way, but the message that sends to Elm Street is nothing short of a slap in the face. Bracken again states he believes the focus is on the wrong building but applauds all the efforts, arts, makers, robotics, and welcomes Purdue's involvement. He just believes the selection of the building was poor because it should have never been invested in the first place. He regrets sincerely on the behalf of the taxpayers that over \$1 million has been put into it already. Anyone that drives by there has to be wondering if \$1 million worth of value has been put in and yes that money is gone and it doesn't look like it went into that building.

The reputation is damaged in his opinion but it is in the power of the council to damage it far more. He hopes they will think seriously before they do that.

Councilperson Quirk states that for the next meeting she recommends doing an explanation for the public as to what the financial investment is for those people who would be using space within the building. Her understanding is, for example, that the anchor companies would be paying back their rent. If a better job of explaining that could be done she thinks the public would be appreciative of that. She also thinks it could be a good investment of their time and knowledge to have an explanation of some other renovations that have taken place. A number of people have had an opportunity to go into the building to see what changes have taken place and maybe those are things that people can't see when they drive by. Economic development is about bringing businesses but that is not all that economic development does. It also is making our workforce better and stronger. Quirk has sat in a number of meetings and listened to different companies say there is a shortage of workforce that has the capabilities to do the jobs that they need. She thinks that growing our workforce development and making it stronger is a form of economic development. She also believes that if we look at the visitors, for example the artists coming from other communities, in which would bring people. The visitors that are coming are economic indicators within that itself. Those people are specifically stopping somewhere to eat, possibly staying overnight and going into our shops, which also brings economic development into our community. Those are just a few things she recommends be outlined to make a clearer picture for the public.

Councilperson Gregory would like the following: a full set of financials for Sustainable Muncie Crop. (including profit and loss, assets and liabilities), a list of current leases with the amount and the amount space, the amount of space that is available, the rates, the potential for clients to fill that, the staff and board (she understands there has been some turnover which is a concern), a budget of how the \$4.5 million is expected to be spent, what the annual bond repayment is, and who is liable for it. If it is Sustainable Muncie, then the financials had better show that it is capable of producing that annual payment. Gregory noticed there is no statement in this like there was in at least one other bond the council has had in recent years that falls back to taxpayers. She does not know who is responsible for it according to the ordinance document and at this point, she would have to have that information in order to support it. She is in favor of the arts and thinks MADJAX is a neat place but the information provided is not enough to make her say yes to \$4.5 million dollars.

Council President Marshall addresses some of the questions from Councilperson Gregory, and asks who would be responsible in getting that information for the council.

Nick Tokar states that would generally fall on the board and he could ask Greene to assist in pulling together those documents with the accounting employees they work with. President Marshall asks that those be e-mailed to the members of the council as soon as they are available.

Councilperson Ridenour informs that at 6%, the interest on \$4.5 million is \$22,500 a month. At a 4% rate, it is \$15,000 a month. The principle would take \$214,285 per year to pay it off in

twenty-one years. The financials would have to be strong. What Ridenour does for a full-time job is approve and deny loans and this is certainly not one that could be approved. He would be saying it sounds great, he would love to help but he does not have income documentation. There are no such things as stated -income loans anymore. He was able to go pull the 990s for Sustainable Muncie Corp. for 2015 but that was before the \$1 million First Merchants loan. Ridenour thought was supposed to be paid off at the end of 2016 (so shame on them for not checking up on it). It is listed in the now amended part C, that there is \$1.762 million dollars in current debt that is to be paid off out of the \$4.5 million. There is a lot of financial information that is needed to be known but he loves hearing about some of the tenants and what some of their organizations are. He is very thrilled about Purdue in that prospect but would really like to know what is the monthly nut to crack on the facility. Is there a way that this could survive without doing the expansion at this time? He tells people on the lending side all the time that they can't do so much at the time (if someone wants to buy \$400,000 or \$300,000 but you qualify for \$180,000). Sometimes you just cannot get everything you want right away. As the board goes over those financials, he hopes they think about those monthly numbers and determine if \$4.5 million too much money. He is not guaranteeing that they are all going to support a lesser amount but apparently there is \$1.762 million already spent (some are lines so he is unsure if those lines of credit have been activated in full but that is what the amended section says). He is looking at Greene because she is the one that is going to have to obtain this information. Those are some of his concerns, some things were echoed and he appreciates what Councilperson Quirk and Councilperson Gregory already asked for in which he believes would be excellent things to have.

Councilperson Anderson invites back up Corey Sharp, Director of Purdue Polytechnic Anderson, back to the podium to answer some of his questions pertaining to his technology background. He asks Sharp what Purdue has to offer as it relates to the financial part of it, specifically if there are any grants. Sharp states they were considering a three-year lease with a two-year option, and still are negotiating the lease rate. They are also securing private grants to help sustain effort here in Muncie as well as working with local manufacturers to do already developed classes and programs here in the Muncie community, creating that revenue stream to sustain effort. They can also provide assistance in economic development. Purdue currently has a facility in Anderson in which Sharp works with that community on a daily basis with economic development activities and could easily provide that sort of service for the city of Muncie as well. When looking at a manufacturer potentially moving into the community, they are looking at specifically engineering talent, skill technical talent and finding programs that could meet their needs. They have been very successful in doing that in Anderson and believes they could help us do the same in Muncie. Muncie has a lot of great institutions that help attract and retain businesses but theirs is niched specifically to the advanced manufacturing and technology companies. Anderson comments that students from Muncie are going to Anderson for these programs. Sharp confirms they do attract students from Muncie and Delaware County over to the Anderson location and want to further grow that. They need to find ways to stay here locally and their presence here by having the opportunity offer four credit courses, certificate programs and customized training allows that beginning entry point for a student to pursue a Purdue degree locally and a high-wage, high-paying job. Most of their

graduates move into quality-control engineering positions, design engineering positions, management and supervisory positions. On average, their students are making over \$50,000 a year when they graduate right out of college. It also helps that incumbent worker who is already an adult student who is working and going to school at the same time and by having access local, it cuts down on drive time and allow them the flexibility to at least start their education here in Muncie verses having to drive to Richmond or Anderson. One of the things that is fantastic about the Muncie community is that it does have a manufacturing legacy in which they want to continue to build upon that. He has always said their graduates could leave Purdue as a job seeker or as job creators. Their vision is that some of these students that go through this program are going to be job creators and a space like MADJAX would give them the opportunity to do that.

Councilperson Polk states they would need the financials and a business plan would be helpful. He knows when he worked with the Small Business Development Center that they would not even talk with anyone unless they had a business plan. He thinks that any bank, credit union or anybody that would loan money, would want a business plan. Hopefully since the next meeting is five weeks away, that would be enough time to get that done. If not, he knows the Small Business Development Center here in Muncie can work with them on doing that. Cutting down to the chase, Polk questions if there is enough income or something else out there that is going to be paying back this bond. \$4.5 million bond over 21 years, depending on the interest rate, is a large amount of money per month. By looking at just leases, paying that back would be hard to do. That entire building would have to be full of people that are paying the leases, in effort of paying that bond off. If a summary of that information could be put into the business plan on how that is going to happen so council can make a decision for the local taxpayer.

Councilperson Powell says the facility is beautiful and she likes the industrial look of it and inside. She is appreciative of Tribune and Guardian as well as all the other businesses that are coming to the downtown area and choosing Muncie. As everyone else on the council has talked about, \$4.5 million is a lot of money to start wrapping your head around. She repeats the fact that they will need the financial statements, how many tenants currently are there and what are the rents generated at, how many tenants are committed that will be moving in once the facility is completed and what would those be if all those spaces are rented. Like Councilperson Polk mentioned they question if there are any additional monies that are generated through grants or other opportunities that would help pay off that bond payment. Some of these companies were already located in Muncie and just moved there. But, is there any startup businesses that will be moving into the new job creation? She mentions again the needing of a business plan and invites up Mr. Donati to explain how exactly the backing of the bond payment works.

Todd Donati, Muncie Redevelopment Commission, states to make it clear, that they are not promising money to supplement any business, period. This is going to Sustainable Muncie Corp. to develop the building that will attract these businesses. They are not supplementing any businesses. He does not know where that is coming from but they are not trying to chase anybody out of business or the downtown area. They are actually trying to grow this

community. He also addresses the point mentioned earlier which was incorrect that economic development is not just bringing business and like what Councilperson Quirk mentioned, it is also taking care of the business already here and helping it grow. The way this is set up is the bond will develop the structure, the bones, support mechanisms in the building. That is an 87,000-square foot building. A typical building, if looking at it at a standpoint of replacement costs, would cost probably in the area of \$70 to \$100 a square foot. That is close to \$10 million. Anderson alone, when they talk about polytechnics, Purdue and all the maker programs that they have, has invested in the neighborhood of up to \$15 million that wasn't supported by businesses but was supported by TIF and CRED. When it comes back to this particular dollar amount, they are setting it up to be supported by the leases itself, the revenues that come in, the sponsorships that come in and the grants that are created and obtained. If he had the information in front of him he could provide the substantial amount of money that has already been invested in this from private and entrepreneur and philanthropy programs (one of them being the Ball Foundation). This is a community and group effort. A thing that is going to be happening throughout the state of Indiana and Midwest. The makers program is here and it is what the city needs to be in order to be competitive. Donati goes on to inform that there were twenty to thirty committee members that for a year, worked on this and worked out all the details to even start this program. Then it was turned over to a board that is a non-profit organization, so, when it comes to who is going to make money its nobody. It is for the benefit of the development of businesses, jobs and creation of growth in the community. There is no profit that is going to be made by anyone. It is going to be re-invested back into the community, back into the building and what they hope would be a prosperous opportunity. With that being said, it is very difficult to specifically say who is going to pay for it. It is one simple thing, done by the development, the committee, the community, and the group that is supporting this. He would be happy to provide projections they have put together. Donati straight up says that the council will not see good financials because of the business just getting started. He will say, however, in most businesses that they come to council and ask for bonds for, not once has anyone ever asked for financials, except for this one time. The projections are based on what they anticipate will be in the building, what they see in tenants, resources and revenues. It will cover the bond payment. It may be hard to see that, especially for Councilperson Ridenour as a banker looking at the worst-case scenarios. They are not in the business as a bank, they are in the business to develop business.

Councilperson Powell goes into it further and questions if the leases and rents do not cover the bond then who will? Donati states the way the bond is set up right now is they currently have a waiting list of people that are wanting to come into the building. They probably could have rented it out three times but the problem is the delay. They came in for \$1 million dollars at first to get this project started and rolling. They fully anticipated that they would come in for more additional funds, just did not know when. In that situation, it has actually been longer then what they thought it would take. The construction part of it has just been slow because the growth in this community is substantial and it is hard to get somebody to work on the construction in a timely manner. The million dollars getting paid back is a line of credit. They have a \$300,000 building that was purchased in that loan. The revolving loan fund that was afforded to Sustainable Muncie to get Guardian kicked-off (because they knew this would take

a while). That will be backed and supported and they will keep continuing to make it work one way or another.

Councilperson Dishman questions Sharp, Director of Purdue Polytechnic Anderson, on who financed their building. Sharp informs them it was the city of Anderson which financed it through a \$13 million CRED bond and a \$2 million TIF bond. CRED stands for Community Revitalization Economic District and the way Anderson structured that was when they attracted a car dealership to move into that district, they were able to reclaim those sales tax dollars of up to three quarters of a million dollars a year bases upon the states sales tax of the car sales. That in essence is what pays for that bond. Dishman clarifies that it went through the Anderson City Council and they produced \$13 million in CRED and \$2 million in TIF. Sharp agrees that is accurate. Dishman states that kind of money sure sounds like they are dependent upon them. Sharp agrees and states they are very dependent on them because of the changing economy, the need for more innovation and skilled workforce. It is critical for communities the size of Muncie to be able to compete and believes everyone could agree on that. They were very fortunate in Anderson to have the opportunity that they have had and are already seeing the economic growth. What makes the project in Anderson special was the fact that it was not just Purdue in that facility, there is also startup companies that are located with them. One of those companies is Go Electric which just signed a partnership with DD Dannar here in Muncie. That talks about that regional impact of what Purdue can do. In working with Go and with Danner, they helped broker that partnership and Purdue hopes to do more to help support the manufacturing community that needs more talent. Anderson City Council did back their vote at the time of passing unanimously. Sharp encourages members of the council to look outside of the borders of Muncie to see what other communities are doing. He is very blessed to live here in Muncie and work in Anderson and he has for most of his entire life. He thinks both communities have great opportunity and prosperity ahead of them and is fortunate enough to think that Purdue could help in moving forward. Councilperson Dishman appreciates the fact Purdue wants to do something like this for the youth because there is nobody to train kids to go into the workforce. They have done away with machine shops at Ivy Tech. For instance, the machine shops were looking for CNN operators and they said that if they have the basis, they can train them how they want. Therefore, they cannot find the right, qualified people. He just wants to see a system that will take the young people and educate them at the fullest extent of their ability and that way they can get into the work force. He appreciates Purdue making the effort to make that happen and understands some Muncie students do travel to Anderson for that education. Sharp confirms that they attract students from all over Delaware County. Dishman states he wants to keep that here in Delaware County. Sharp understand and states they are committed that if they get the opportunity here in Muncie, they would do more improvement and engagement with kids and partner more with Muncie Community Schools. Sharp shared with Mayor Tyler that during the last several years they have hosted a program that engages high school youth in what they call the Iron Egg Launch. It basically puts together students from different concentrations and they build launching systems to shoot eggs across a football field, the challenge being to not break the egg. This event has occurred at Delta but imagine if it was able to be done in downtown Muncie in Canan Commons. That would be a way to inspire and attract kids to opportunities and get some Muncie manufacturers on board

to sponsor that event. To get students to take their skills and continue education and want to work for us. That is the type of opportunity Purdue is trying push for this next generation and it is the generation that is in the work force right now.

Councilperson Powell states if the leases don't materialize and if something is not where it needs to be then again, how will those bond payments be paid?

Todd Donati, Muncie Redevelopment Commission, states there will be a pledge from the Redevelopment Commission through TIF up to \$100,000 per year as well as a pledge through EDIT funds up to \$100,000 per year that would be there to support it. There will be a requirement of about \$348,000 (he is unsure of the precise number) that will be put into a reserve to cover any short falls. That will stay there for throughout the entire term of the bond. The bond payments are about \$348,000 roughly but he does not have those numbers because he wasn't anticipating coming up to speak. Pertaining to how these leases will get paid, they will be putting capitalize interest costs that will pay for the bond up to February 2019. What that is going to do is allow time to build out and get leases started before the bond payment is due. When it comes to who is going to be investing, a good example of that is Guardian paying back any investment costs that they have put into that other than what they would have normally done. Purdue will invest close to \$190,000 on their renovation of the 500 square feet on top of their lease. These people are paying for their own buildouts other than what they would normally put as what is called white-box walls or standard structure, which is what any renter would do.

Councilperson Peters states she did a tour of the building and enjoyed it. She understands the concept of it and is a fan but with many questions. On the construction projects, Peters questions if they are takings bids. Donati states that is up to the Sustainable Muncie Board. Peters goes on to state she would like the total income if at full capacity. Other than that, everybody has already asked a lot of the questions she had. She does ask if everything is caught up to date pertaining to the construction or if there are still outstanding bills owed. That is not included in the highlighted part that was amended.

Nick Tokar, member of the Sustainable Muncie Corp. states there are bills that are owed to the contractor. He does not know the exact number at the time but it would fall in the amendment under the payment for improvements. Councilperson peters states there is no amount there and thanks Mr. Tokar for the clarification.

Councilperson Powell asks if the outstanding construction could be added to the list of things that would be supplied to council before the next meeting to review. She again addresses that if there is a gap of \$148,000 and the worst-case scenario is nobody shows up, then that \$148,000 would come from where? Todd Donati states it would come from the reserve. Powell questions how much reserve is done a year, Councilperson Ridenour informs it is \$200,000. Donati states that would have to be a position where there would be no activity in the building whatsoever. If the building shuts down tomorrow, there is still a value on the building. That risk is taken in any particular business. It was taken when they financed and created the Innovation Connector and Co:Lab. These businesses all are thriving, continuing to grow and here for a purpose. Other example of organizations that took a risk are YMCA and YWCA. At some point in

time they did not have financials and needed to be served a purpose. Powell states she is glad that those have all succeeded but still needs to ask questions about this particular one. She is straight forward and asks if they will come back at a later time and ask that this is guaranteed through property taxes. Donati states it could come into play, however, there is a train of process. The city would have to run out of TIF money, it would then have to run out of EDIT money, because he guarantees that those two entities will pick up any shortfall before it would go to any tax relief. In other words, they would have to shut down EDIT, shut down MADJAX, shut down Sustainable Muncie Corp., shut down and spend all the reserves, have no leases and shut down any TIF revenue that would come in before it would get to property taxes. Powell thanks Donati for the clarification.

Council President Marshall states some people was asking about their tax money and he tries to look at it this way: if we don't try to educate our workforce, tax dollars are going to go on government assistance for those people. He also took the tour along with several other companies and informs that Muncie does have jobs, just not the qualified people to give them to. They do not have the skill level and set to do what we need and if we don't do something, tax dollars are eventually going to have to help people survive. He would much rather help people better their lives and get skill sets then for them not to. He addresses Mr. Bracken, whom spoke earlier, who is in the line of education and questions why wouldn't we want to educate these people and make them a good member of society. That would return in people getting those jobs, buying those houses, and doing all the other things they need to do to raise their family. That is what he feels is important.

Councilperson Powell thanks Todd Donati for walking her through that because this is a large number and they do need to have an understanding of that and she appreciated him answering her questions. In regards to Purdue, she has had several conversations with Sharp about how valuable economic of having them in the building would be. In the future, as Mayor Tyler shops our community with different businesses and people that are coming from outside of Indiana, to have that Purdue name at the table would be a valuable tool. They do recognize the benefits that Purdue would be able to offer and the resources they would be able to provide to our Muncie Community School kids. There is so many valuable assets that surround this project and she doesn't think anyone on the council would like to see anything fail. She invites anyone to actually take a tour of the building. She states it is beautiful inside and appreciates everyone for sticking through this process of questions.

Councilperson Gregory wants to know when the Public Hearing for this bond is. Donati states it would not be through City Council but through the Economic Development Commission who is who presents this. The MRC will be establishing a lease program that will be oversee making sure that this operation functions properly in that aspect of it.

President Marshall recommends everyone to get the proper individuals information before the meeting is over. Since this was lot to take in tonight and if they have any additional questions over the next few weeks, they can reach out to the proper entity. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 34-17 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC.

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

Todd Donati, Muncie Redevelopment Commission, states this went before the Economic Development Commission and it made a unanimous approval for recommendation to come before the council to establish an ordinance that will create a revitalization area to allow this program to move forward. This is the third one this year for Habitat for Humanity. They are a 8twelve coalition to improve this area in an abandoned lot. They will be putting about 1,400 square feet of house here and Autumn Campbell is the lucky recipient.

Autumn Campbell, 3919 N. Everett Rd, Apt B, will graduate in December with her associates degree in early childhood from Ivy Tech and she currently works at Glad Tidings as a three and four-year-old teacher. She has two young children herself that attend Cowan Elementary School. She has a very strong faith and being a single mother, realized she has to do better for her children. She went back to school and is the first one to graduate from college in her family. While in school, she stumbled across Habitat for Humanity. She always wondered how to become a Habitat Family but also thought it was a hand-out and not a hand-up and wants to inform everyone that it is in fact a hand-out. She still has mortgage, property tax and everything that everyone else has, just no interest on her home. She finds this amazing as she has been working to improve her credit. Before going to school and pursuing her life, her credit was in the five range and is now in the seven range. She has worked year after year going without when all these people (“tax-time ballers” is what she identifies them as) go and get the nice cars and tvs. She had nothing and wants her kids to understand that even though they don’t have the expensive car or tv, they will have a nice home. She is trying to teach her children that being responsible. Sometimes you can’t have everything you want but they will have a safe sound home thanks to Habitat and her opportunity at Ivy Tech. With tears in her eyes, she thanks everyone for this wonderful opportunity.

Jenna Ashby, Director of Impact with Muncie Habitat for Humanity, states there is no way she could top the speech from Autumn but explains that they will help fundraise all the money to build her house upfront and then she will repay in interest re-loan back to habitat over the next twenty years. They appreciate the way the tax abatement allows her to fully grow into that payment. Jokingly, states it will not be anywhere near \$4.5 million dollars and she is not sure they will even hit \$1,000 at the end of the fourth year when she is fully paying her property taxes. They appreciate all the support from the community and all the hard work that gets put in. It is part of the 8Twelve Coalition area which is bounded by Madison, 8th Street, Memorial and Perkins. There is a pretty heavy investment that is going on in that area with lots of resident engagement. Her home is being built at 1420 W. Memorial which is where a home that had been tore down through Community Development a few years ago. They are able to rebuild on that same property.

Councilperson Polk states in section 1 it has the address listed at 420 W. Memorial and wanted to make sure that it is in fact 1420. Todd Donati informs that error was probably on him and will need to be amended.

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

RESOLUTIONS:

OTHER BUSINESS:

Councilperson Anderson informs he is a frequent viewer of channel 60 and is curious as to why it has recently been blurry with lines through it and he is embarrassed. Here they are making these decisions and people have trouble watching it. He recommends it be upgraded and wants council to look at it and see what they think. President Marshall jokingly asks if Anderson hasn't liked the way he has been looking on tv.

Mayor Tyler addressed that it is not us. A few years ago, there was an agreement put together between the city of Muncie, Ball State University and Burriss. The issue is somewhere in Burriss between them and Ball State. They have had Comcast working on it as well as AT&T trying to figure out exactly what the problem is. Somebody somewhere, they think, cut wires. Probably what should happen as they go forward is to bring it all up here (and points to the sound room). One challenge in the past is that when school was on summer break, they could not get ahold of anyone to be let into Burriss. He assures Anderson that he does not look bad on tv, but it has nothing to do with us. Anderson clarifies he thought it was the sound room that produced the station.

Gail Heiland, 1515 W. Harbor, has been a resident of the city since 1970 and has raised a family here. She sent all members a packet of information. She feels peaceful neighborhoods are important and in the noise ordinance, page 1, item 6, it speaks about disturbing the quiet comfort and oppose a person in any office any dwelling, hotel, or any type of residence or person in the vicinity. This is exactly what the artillery shell fireworks do. Her idea is to include them in the noise ordinance instead of having them excluded as fireworks. They produce a sound like transformers blowing and come sporadically through the ten days they have been alluded to have (often later than earlier). She wants some peace in her neighborhood. She does not know about any other people who have been subject to these disruptions of sound that disturb everything.

Dishman states he is the councilperson for her area and had some people call him that the rockets were coming down on the roof. He got ahold of code enforcement and there is some kind of law in which as long as they aren't doing any damage, that is allowed. As far as the noise ordinance, the police department will deal with anything after midnight. He understands and agrees something should be done because it can be a disruption. Heiland recommends amending the noise ordinance.

Mayor Tyler strongly agrees with what she is talking about. The ordinance that was passed is very set on when fireworks can and cannot be set off. The challenge is would these that she is talking about is being enforced. What Councilperson Dishman is addressing is that it is impossible to enforce where it is landing or ends up. It doesn't give the information on who is

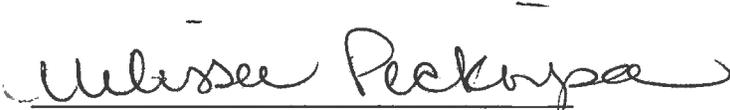
breaking the law. Many veterans are suffering from PTSD, as well as many special needs children all over the city that crawl under their beds when these start going off. It doesn't make any difference if it is during the 4th of July, a week or two before or a week or two after. They are disturbing to those neighborhoods. It has nothing to do with free enterprise, giving somebody the opportunity to sell them and make a living; it is the disrespect of the people that have to suffer from it. He states if there is something that could be written up and approved by a city attorney, he will gladly sign it.

ADJOURNMENT:

A motion was made by Marshall 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