

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

FEBRUARY 5, 2018

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

RES. 1-18 A RESOLUTION CONFIRMING THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA AND APPROVING THE DEDUCTION FROM ASSESSED VALUE OF NEW REAL PROPERTY IMPROVEMENTS (FOURTEEN91 Lofts, LLC).

No Public Comments Made.

A motion was made by Marshall and seconded by Polk to Close the Public Meeting.

MEETING CLOSED.

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

PLEDGE OF ALLEGIANCE: Led by Marshall.

INVOCATION: Given by Pastor Jonathan Mitchell from Kirby Avenue Church of God.

CITIZEN RECOGNITION: There are two Citizens of the Month for the month of February. Polk presents the award to Sean and Heidi Hale. They are the owners of two Muncie downtown businesses, Heidi J. Hale Designs LLC, and Olive & Slate LLC. Sean is from Salt Lake City and graduated from the University of Utah with a degree in Architecture. He was a professional services consultant for several years before focusing on network infrastructure, network security and software architecture. In 2001, Sean started a software company targeting health and wellness in the street. In 2014, he left to focus 100% on the growth of the business of wife Heidi J. Hale. He become co-founder in 2014 and Olive & Slate in 2017 with his wife Heidi, whom is a self-taught jewelry artist. She has sold her designs locally and online for the last fifteen years. In 2010, Heidi became pregnant with their third child and took a break from the jewelry making business. After their youngest son turned four, Heidi stepped back into the studio with an idea; stackable rings with the names of her children on them. Once members of their family, their friends and neighbors saw the new style rings, Heidi was working around the clock to fulfill all the orders that were coming in. They decided to create a website to sell the rings and within thirty days (and special thanks to a friend posting their website on Pinterest), they had found themselves with more orders that they could handle. Within two weeks, they hired eleven artists to help them fill all their orders. Three years later, Sean and Heidi currently employ thirty-one artists, have sold over \$7 million dollars worth of original designs and have a successful studio and storefront in downtown Muncie.

Along with their newest venture, Olive & Slate (a home décor, art and gift store), which is across the street from their studio, has brought customers to downtown Muncie from Tennessee, Ohio, Michigan and Kentucky (just to name a few). While many people from Muncie travel to Indianapolis to shop, Sean and Heidi are bringing those Indianapolis customers here to Muncie for the exact same reasons. The couple is looking to expand their operations but also stay downtown and are currently developing a fashion line of jewelry along with fine jewelry to compliment their artistry line. They both are involved in several organizations in Muncie and Delaware County including the United Way of Delaware County, The Muncie Arts and Cultural Council, supporters of Muncie Central High School, Muncie Civic Theatre, Feed My Sheep, and many more. Sean and Heidi love the downtown atmosphere, the commodity amongst business owners and the genuine excitement that the community has as they watch downtown blossom. They would not want their business to be anywhere else and have committed to Muncie that they will not relocate, no matter how large they become. Sean and Heidi support Muncie and downtown development in the many projects currently being worked on. They want to see not only downtown grow, but Muncie grow as well.

Heidi thanks everyone and wants to reiterate that her and her husband love Muncie and think that this is an amazing community. There are a lot of positives and they would not want to be anywhere else. Heidi feels everyone in the room feels the same way. The reason people come in and shop comes from creating the storefront, so people would be curious as to what they were in there doing. The storefront sales exceeded their wildest imagination, which is why they created Olive & Slate across the street. They did it once, they could do it again and they knew what the people wanted. She is encouraging to anyone wanting to or looking into opening a storefront or anything downtown. She and her husband would be willing to give pointers, insight on what they have learned, what they personally think, their opinion and are willing to help in any way. Not only are they creating their business but they also want to help others do the same. Heidi and Sean are truly thankful from the bottom of their hearts because they love this community and just want to see it thrive. In closing, Heidi points to the Muncie Police officers in the room and lets them know that MPD gets 25% off at Heidi J. Hale, along with other selective discounts for government employees.

Marshall presents the floor to Anderson. Anderson states that it is an honor to be able to discuss this topic. On Saturday, February 3, 2018, the Annual Black History Month kick-off "Raise Your Voice" was held at the Minnetrista Center. It was amazing. Tonight, the Council would like to welcome the young essay winners. He is aware that the High School Division Champion and the Middle School Division Champion are present but is unsure on the Elementary School Division Champion. Anderson goes on to address the audience of parents, teachers, or administrators to please stand and be recognized. The High School Division Champion, a senior at Central High School, Jenna McEnberg, reads her essay. The Middle School Division Champion is Isaiah Metcalfe from Southside Middle School, which suffered a moment of stage fright so Dr. Terry-Whit-Bailey stepped in and read his essay.

Marshall then turns the floor over to Powell to introduce some employees of a new business within the city. Powell states that some e-mails were going back and forth earlier this month from a new business coming to Muncie trying to get all the Council members together. That was pretty difficult so she suggested having them come to the City Council meeting to introduce themselves. She welcomes the gentlemen from Belle Tire.

Ray Turner alongside Rocky Turner and Brandy Glascamp, states after hearing those truly inspiring essays from young Muncie students, its not the only, but one of the reasons they are so excited to be here. They are *just* another tire shop but very excited to be in this location. Ray and his two fellow employees got the opportunity to have breakfast with Mayor Tyler this morning and met some incredible people. "Community" is the one word that comes to mind when they talk about Muncie in Detroit, Michigan (where their corporate office is located) and how inspiring the community really is. He would love to get a copy of those previous essays and take them back to their next board meeting to show the types of communities they are going into. Belle Tire is a third-generation family owned business, originally from the Detroit area. The company has around 100 stores and Muncie will be number 99. This location is unique for them because their goal as they come into smaller towns is to create jobs. The other two Belle Tire employees (managers) accompanying Turner are Muncie residents for thirty plus years and both graduated from Central High School. It was important for the company to choose people from the community. The employees you see when you come to the building that are changing your tires and brakes are also the same people you go to church with and see at the grocery store. Their paychecks will go back out into our community, which is very exciting. They are working on some different discount programs for everybody. The one they are most proud of is for all first responders receiving 10% off on everything, on top of promotions, because they cannot be thanked enough for all that they do. Belle Tire also plans to support Ball State as well as a lot of local charities so be on the lookout for some events over the next couple of months. They have picked five local charities here in Muncie that they will be donating to. If there is a Boys & Girls Club or Youth Center that could use something fun like a fuse ball or air hockey table, they would love to get involved and make a donation.

Turner states when he was approached and asked about a tire store in Muncie he thought there are plenty of restaurants and tire stores here but it is the community that makes this location so great. There is a lot of good people here and it is a blessing to be a part of it. Glascamp states he will be Mr. Turners Assistant Manager at the store, which is actually located over by Best Buy. A few weeks ago, they were talking to one of the other businesses in town and were had asked "Why such an elaborate building to sell tires?" which they do not know the answer to that to be completely honest. Look at Concannon's being an elaborate building to sell donuts. They take pride in the community and their properties and so forth around Muncie. He and Turner have been best friends since third grade and have worked side by side for many years. What they care most importantly about is taking care of this community and the people of Delaware County. They are looking forward to taking care and providing their services to the community so be sure to drop by and see them. Opening day is Monday, February 12, 2018.

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 January 8, 2018 meeting as presented. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

COMMITTEE REPORTS: Marshall invites up Megan Quirk for some appointment recommendations that need to be made on a Land Bank.

Megan Quirk, City Attorney, states in July of 2017 an ordinance was passed by City Council enabling the Executive of the city to establish a Land Bank under the Indiana Code. That is what they have been trying to develop. It is a separate quasi-governmental 501C3 non-profit organization. There needs to be appointments made from both the Executive Branch and the Legislative Branch of the City Government. There is one appointment for the County Treasurer and whether or not there is an optional two more appointments that would be at the digression of the Board of Directors once everything gets created and the by-laws are passed. Her suggestions to City Council for their appointments regards the way the Indiana code is set up. They are specific/special from other types of Boards or Commissions that the City Council has appointments to. In this specific Land Bank section of the Indiana Code, the individual needs to be a resident of the city of Muncie and also demonstrated competency in an occupation or discipline that is relevant to the primary purpose of a Land Bank. That makes it difficult to find individuals but they have three that are willing and wanting to step on board. It is a quasi-governmental non-profit organization so there will need to be fundraising and marketing, those types of things to be able to effectively run this non-profit organization. The three people suggested to the Council are: Terry Whit-Bailey, the Director of Community Development, who is also a community leader and very active in knowing about different housing programs and certain needs within the community. Brad King, specifically in his role as Historic Preservation Officer for the city of Muncie. And lastly, Marta Moody, Executive Director for the Planning Commission for the County. All three individuals live in the city of Muncie and have the competency in their occupation and discipline to be able to have relevancy within this Land Bank.

Gregory asks for clarification that these are not paid positions. Quirk confirms no, they are not paid positions and they will be expected to fundraise.

A motion was made by Quirk and seconded by Powell to nominate Terry Whit-Bailey, Brad King and Marta Moody to the Muncie Land Bank Incorporated Board of Directors. Anderson comments those nominees are very sharp people and he is quite excited. Questions called. A roll call vote showed 9 yeas and 0 nays. ACCEPTEED.

ORDINANCES PREVIOUSLY INTRODUCED:

No Ordinances Previously Introduced.

NEW ORDINANCES:

ORD. 1-18 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA ESTABLISHING THE MUNCIE POLICE DEPARTMENT LOIT ACCOUNT AND DESIGNATING CURRENT ACCOUNT AS THE MUNCIE FIRE DEPARTMENT ACCOUNT.

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

Kevin Nemyer, City Controller, informs that this would separate the LOIT funds to the Muncie Police Department and the Muncie Fire Department. The current account #105 will be for the fire department and the new account #106 will be for the police department.

Gregory asks why this is necessary. Nemyer answers to make it easier for the police and fire departments to know their expenses and balances.

Ridenour asks if there are funds in there now and how will those be divided. The ordinance notes the disbursements will be divided equally and he is just curious. Nemyer answers that the disbursements of what is received from LOIT will be divided evenly. As it is now, part of the balance belongs to the police department and part of the balance belongs to the fire department. The Controllers office has to do calculations when inquired at any given time to tell each department how much they have. Separating the account would save a lot of time. Powell reiterates Nemyer by stating that right now, both police and fire have balances within the LOIT fund and those balances would carry over into these funds and in the future, disbursements would be divided equally. This just allows the Controllers office to keep them separate to easily look into what the expenses and balances are at any given time.

Forest Bowers, 1205 N. Brentwood Lane, Muncie, believes by his understanding, that what is being stated in this ordinance is that if you receive (for example) a dollar, instead of making it 40%, 50% or 70%, you just divide it 50/50 between the city police and fire departments.

Nemyer confirms that is correct and how it is being done now. Bowers asks if that is how it is being done now then why change it.

Quirk explains that by her understanding, the need for this ordinance is because both departments don't necessarily spend the funds at the same time. Because say if the Controller went to the account and there is (for example) \$10,000.00, that does not mean that each department has \$5,000.00. It would be based on what their expenses have been. They are establishing two separate accounts so that they will know exactly what the police department has spent and has in their balance verses what the fire department has spent and has in their balance.

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

RESOLUTIONS:

RES. 1-18 A RESOLUTION CONFIRMING THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA AND APPROVING THE DEDUCTION FROM ASSESSED VALUE OF NEW REAL PROPERTY IMPROVEMENTS (FOURTEEN91 Lofts, LLC).

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

Todd Donati, Muncie Redevelopment Commission, states this resolution is a continuation of the declaratory resolution (res. 35-17) that was presented and approved in December. Since that time, the City Council has also passed an ordinance (ord. 70-17). The Tax Abatement Committee met and approved this area and the abatements that go along with it. This confirms the declaratory resolution (res. 35-17) that was already passed, that there were no changes needed and it was presented as written.

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

OTHER BUSINESS:

Mayor Tyler would like to speak on something that he feels is extremely important in our community, Muncie Community Schools and Ball State University. Last year, the General Assembly, as things started unraveling for the school district, passed some legislation allowing Ball State University to have the right of first refusal to any and all properties that Muncie Community Schools may determine if they want to open up for bid or sale. Towards the end of last year, they put a number of properties out for bid. Anyone that wanted to try to purchase them, could. Mayor Tyler then passes out the paper document (that Ball State University had in the file according to the state statute) on the right of first refusal on any properties they were choosing to allow other entities to bid on. Over the past year when all this started, there has been many different conversations on how we could all be good partners, help Muncie Community Schools, work with Ball State University and get things together that could actually help. What the Muncie Redevelopment Commission did was make a determination after understanding what properties Ball State may or may not be involved in, or want to be involved in. And there might be some things they might want to try to do to help Muncie Community Schools, not just by purchasing properties, but also, maybe, getting an opportunity to try and do something with the buildings that needed some repair. Three of the properties that the Redevelopment Commission got involved in was Mitchell, Storer and Sutton School. They did that for very important reasons, one being Ball State had filled out documentation, the waiver of the right of first refusal. It then made some sense to them what it would hopefully do is give the opportunity to put some property back on the tax rolls that had never been on the tax rolls. They put the bids in for that. The Executive Director of the Redevelopment Commission and the Mayor were invited to a Neighborhood Association meeting last Wednesday, in which, they participated in and found to be a very good meeting. Unfortunately, some horribly bad things happened after the meeting and over the weekend. A lot of misinformation and miscommunication went out to a lot of good people. Unfortunately, it puts President Mearns,

the Mayor, the Redevelopment Commission and Muncie Community Schools in a horrible position. Mayor Tyler then hands out paper documents of the e-mail communication that President Mearns earlier today authorized and the Vice-President of Ball State, Bernard Hannon. The reason Mayor Tyler informs he is here tonight is to make it clear as to what he is going to do on behalf of Ball State University and Muncie Community Schools. Ask the Redevelopment Commission to hold an emergency meeting to discuss whether or not to move on with the purchase of those properties. Mayor Tyler is not sure if it is in the best interest of anybody to purchase those properties other than Ball State University. Even though they followed the law and waived the right of first refusal on all of those properties, he is not sure that the Redevelopment Commission should not sit down and talk with everybody involved and to just see if this is in the best interest of everybody. Mayor Tyler then states he is willing to answer questions if any of the City Council members have any or try and address any comments.

Anderson informs this information is all new to him as well and asks what the initial plan with the properties would be. Mayor Tyler answers he is not sure that there is a plan now. He thinks everyone thought that everybody had very good plans moving forward. The Mayor thinks Ball State did their due diligence for Northside School, as well as the Administration Building and some others. The city was looking at what they thought (with the Redevelopment Commission, other partners and Muncie Community Schools) would be in the best interest for Mitchell School, that neighborhood, Storer, that neighborhood, Sutton and that neighborhood. Again, unfortunately, over the weekend, a lot of misinformation went out. Mayor Tyler thinks they all need to have a sit-down conversation and if people really want to buy those buildings that said that they did but waived their right of first refusal then they need to buy the buildings. If that is what they want to do then the Mayor is good with that. Marshall asks for clarification it is regarding all three buildings. Mayor Tyler confirms, yes, it is all three buildings. The Mayor would also like to make a strong recommendation to the Redevelopment Commission that if they don't give up one, they don't give up all three. If they are not going to follow the light of the law and have chosen not to do that, then the law needs to be followed on all three and not just one. This has really come at an unfortunate time because these are tough times with the legislation that is helping move forward. We know that legislation is going to pass, that is not good for Muncie Community Schools. The city has tried to be a good partner with Ball State in working through this legislation along with Representative Errington and Senator Lanane in hoping and thinking that everything was in the best interest of this community. Unfortunately, the way things transpired over the weekend and heading into today, that just didn't happen. Mayor Tyler states he will be asking the Executive Director of the to call an emergency meeting of the Redevelopment Commission to have discussion on that later this week. He plans to invite Muncie Community Schools, the Emergency Management Board, Ball State University and anybody that wants to attend. Hopefully, they can work something out. Mayor Tyler closes by thanking the Council for the opportunity address this.

Marshall has some flyers to pass out regarding his 8th annual free skating party at Gibson Roller Skating Area, 2610 S. Mock Ave, Muncie. It is free and at no cost at all to the public and kids. The only funds that would be needed is for is skate rental and a storage locker. There will be drawings for boys, girls bicycles and a Play Station 4 at the end of the night. Everyone is more than welcome to attend.

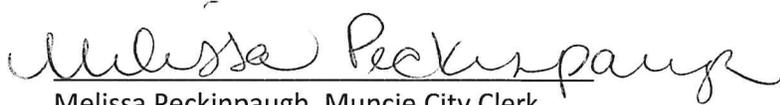
Forest Bowers, 1205 N Brentwood Lane, Muncie, notices that this is the second meeting he has attended, in which both times, the Council has not approved the Minutes from the December 14, 2017 Special meeting and the January 4, 2018 Public Services Committee meeting. Attorney Hunter recommends to not make a motion to approve the minutes if they are not in immediate possession and to just wait until the next meeting.

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 Peckinpugh, Muncie City Clerk
of the Muncie Common Council