

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

JULY 2, 2018

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

PLEDGE OF ALLEGIANCE: Led by President Doug Marshall.

INVOCATION: Given by Community Minister Julia Corbet-Hemeyer from Unitarian Universal Church of Muncie.

CITIZEN RECOGNITION: President Marshall states he has been trying to get George Sheridan to accept this award for some time now and he has finally given in. He cannot think of anybody else that is more deserving of this award than George and Ann Sheridan. For over seventy-five years, Gibson's Skating Arena has been providing a fun and safe place for children and families to come roller skate and make life long memories. For the last fifty years, George, Ann and their children have been watching over the youth of Muncie and surrounding communities. They have seen grandkids and now great grandkids come through the doors to glide or race around the floor on eight wheels. From hosting Stevenson Elementary students for gym class in the early days to kids dancing on the floor in their socks in the seventies, the countless school parties and birthday parties, it is hard to find a family that hasn't passed through the doors of Gibson's. For many kids on the south side, Gibson's was their first job and they learned lessons that they still use today. The Sheridan family is honored to be included in the memories of so many families. Muncie City Council, July 2018 City of Muncie Citizenship Award presented to George and Ann Sheridan. Marshall thanks them for their generous commitment of time and support to the Muncie community.

George Sheridan appreciates the award. His wife, Ann, could not be here tonight but says the statute of limitations run out for all the men in the blue shirts (Muncie Fire Department). George thanks everyone, again, for the award.

Muncie Fire Chief, Eddie Bell, states Richard Brooks was born October 10, 1974 and graduated from Shenandoah High School, later on, Ball State with a degree in Criminal Justice and Criminology with a minor in Army, ROTC Military Science non-contracted. He also was a member of the Sigma Nu Fraternity and loves firefighters. There have been several times where firefighters came to his home and helped save his life.

Richard had dreams of being a firefighter or police officer. He put in applications at several different places and had problems when he was going on to a fire department as far as health.

He found out during his physical that there were problems and he has been fighting those problems ever since.

Chief Bell can recall doing this only two other times that he knows of. Mr. Brooks is going to be an honorary firefighter. Richard has what it takes to be a city fireman. He has a heart and he has education. Richard is a great guy and they are honored to present him with a plaque that reads today he is awarded an honorary firefighter for the Muncie Fire Department. President Chafin of the union also gives him a shirt, badge and a hat. Chief Bell thanks his guys on the department because they have visited Richard and established a great relationship with him. Richard is deeply touched and honored by this award and hopes everyone stays safe out there.

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 Anderson and seconded by Powell to approve the Minutes from the June 4, 2018 Regular Meeting as presented. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

Marshall notes that he spoke with the Council Secretary and plans to approve the Minutes from the June 7, 2018 Special Meeting at the next Regular Meeting on August 6, 2018.

COMMITTEE REPORTS:

2018 REPORT REGARDING REAL PROPERTY – MUNCIE REDEVELOPMENT COMMISSION

Megan Quirk, Attorney for the Muncie Redevelopment Commission, states that according to Indiana code, a Redevelopment Commission is to submit information to the legislative body of the city supporting the action of the MRC. The purposed action of the MRC is to take on any terms and conditions in which the MRC will have to agree to carry out the action of obtaining and disposing of properties. She provided all the code sections. Specifically, 36-7-14 Redevelopment of Areas needing Redevelopment generally, Redevelopment Commissions. Section 36-7-14.5 Redevelopment Authority and Section 36-7-25 Additional Powers of Redevelopment Commission. Those three code sections along with the MRC Residential Policy and Procedure Manual is what is enacted and continues to be the driving force behind any action that the MRC takes or any real property that they obtain or dispose of.

Gregory refers to the residential section page 8 where it states the interior renovations must be completed to comply with Delaware County, and asks if that should say City of Muncie. Just below that it talks about how the individual buyers must reside in the home for three years. Is that after or in addition to the three years? Attorney Quirk states the MRC Residential Program which is essentially a very single urban homesteading type of concept. In that, it is Delaware County or Muncie Building Code that they need to meet those requirements before the end of the three-year time period. So, when a person comes into and is agreed upon and entered into a sales contract, they have three years to bring it up to all applicable building codes. From there, after those three years, if they are able to do that then the property gets transferred to the individual free and clear. Gregory explains she thinks it should say specifically "City of Muncie" instead of "Delaware County." Secondly, her question is if they have three years to get the repairs completed and then another three years living in the home for six years total. Attorney Quirk answers no, it is three years total. That manual has been enacted by the MRC since 2014. As they continue to move along within their hardest hit fund revitalization program as well as other opportunities that the city or MRC gets to rehabilitate different structures or redevelop them for productive use. Those are working guidelines that can be easily changed or amended. To make the amendment to the city code that is possible. Questions called.

Attorney Hunter has completed his review of the CF1 filings, also known as statement of benefits, for this year and there was approximately twenty, maybe twenty-two filings. He has nothing to bring before City Council this year, fortunately, for the second year in a row.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 10-18 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-4 RESIDENCE AND R-5 RESIDENCE ZONE TO THE BC COMMUNITY BUSINESS ZONE ON PREMISES LOCATED AT 3401, 3409 AND 3415 N. WALNUT ST. 207, 209, 211, 213, 221 AND 223 W. BERKLEY AVE., AND 3400 N. FRANKLIN ST., MUNCIE, INDIANA.

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

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

ORD. 11-18 AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF MUNCIE, INDIANA ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2018 (MUNCIE PROPERTY HOLDINGS, LLC PROJECT), AND THE LENDING OF THE PROCEEDS THEREOF TO MUNCIE ROPERTY HOLDINGS, LLC, AND AUTHORIZING AND APPROVING OTHER ACTIONS IN RESPECT THERETO.

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

Todd Donati, Muncie Redevelopment Commission, knows there was some questions last month during the introduction. He has invited Greg Hubler here to introduce himself, he is the new owner of Greg Hubler Ford Hyundai and can answer any questions the Council may have.

Greg Hubler, 2001 E. McGalliard, is here to answer any questions.

Quirk asks what the timeline is for this project at this time. Mr. Hubler responds their goal is to begin construction this month.

Question called. A roll call vote showed 9 yeas and 2 nays (Gregory and Ridenour). ADOPTED.

NEW ORDINANCES:

ORD. 12-18 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA, DESIGNATING AN AREA WITHIN THE CITY AS AN ECONOMIC DEVELOPMENT TARGET AREA.

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

Todd, Donati, Muncie Redevelopment Commission, expected a while back they would have some additional development that will be coming into play in the village. This is particularly along Martin St. at this point in time. They have already built one unit, he does not know if anyone had a chance to go down Martin St. to see that, but plan to do a duplication right next to it. It is hopefully and intended to improve the area and offer a different choice of livability for the campus. Their ultimate overall goal has been that if they can contain and bring in as much as the student housing they can into the village area and open up a lot of rental housing into the neighborhoods for a single family, then they can bring them back into the area. It is a start. What they are asking for today is the introduction to establishing the actual target area. A map was provided with several different areas that there is interest in. They would like to include all those different areas. It may not be the same company that builds there because there are other people that they are dealing with. It opens the opportunity for it to establish those areas. They would still have to come back to Council for the actual tax abatement itself. This is just establishing the opportunity for them to come into that area.

Marshall states he did go by there and it is a nice building. Donati agrees and adds there is parking in the back and it is contained. Marshall asks if it is leased yet and possible to take a look on the inside. Donati brings up Ryan Kelly with NextGEN Real Estate says they have two vacant units right now, the existing townhome is four townhomes and each are five bedrooms with five and a half baths. There are two vacant units until August 1st and members of the Council are more than welcome to come walk through them. He also references their website with plenty of pictures. Each one has a bathroom and there is a guest bathroom on the first floor. The goal is to focus on Martin St. and expand that area. There has been a lot of money invested in that road. They really want to bring that back and concentrate the students closer to campus. That is the goal. Marshall thanks Mr. Kelly from NextGEN for choosing Muncie.

Gregory asks for clarification that this is student housing. Mr. Kelly answers yes, that is correct. Ridenour refers to the larger section on the map and then where Mr. Kelly property is at the bottom. Donati replies yes, there are two right there and one already built. The one to the north of that would be the property that they are going to be working on next. That is what the tax abatement resolution will be for. Ridenour asks if these properties are in a TIF district now. Donati states that whole area is a TIF area that was established back when they did the Promenade. It is also in an overlay district which requires a certain type of construction. They will also keep it at a high level. There are certain limitations they can do. Questions called.

An all-in-favor votes showed 8 yeas and 1 nay (Gregory). INTRODUCED.

ORD. 13-18 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE BC COMMUNITY BUSINESS ZONE TO THE CB CENTRAL BUSINESS ZONE ON PREMISES LOCATED AT 801 W. JACKSON ST. MUNCIE, INDIANA.

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

Ken Parson, President of Parson Mortuary at 801 W. Adams St. says this is a project that they were contacted by the MAB Paint Company to purchase their building. It was deserted and they were afraid it would be a detriment to their neighborhood. They agreed they would take the building and then shortly thereafter, the city came to them and wanted part of it for improving the intersection at Jackson and Kilgore. They were very positive about that and have been working with the city for about two or three years now trying to figure out what they need. They, however, do need some more space where they are and that is why they did that, for parking purposes especially. It was found that the zoning for it needs to be City Business for mortuary use. Their gift to the city is contingent upon them being able to use this part of the building. They are going to keep half of the building and give the other half to the city which they will dispose of and everything between the building and Jackson St. will be greenspace and everything from the building to Kilgore will be greenspace. The Townsend family across the street had the filling station and they had given that to city so it could really end up being a pretty area. They are very positive about it. His father loved Muncie and Delaware County and was here all of his life. He died in 1962, which Mr. Parson was a senior in college and came back to take over the business. They tried to do everything they can to keep the building up and first class to help that end of town. His father had a special relationship with Delaware County because his grandmother was Sophie Gilbert. He does not know if that name means anything to anyone but Goldsmith Gilbert founded Muncie and she was of that family. He always had a special place in his heart for Delaware County and there was nothing like it to him. He is kind of doing this for him too. He would have little funny things that he would say and Mr. Parson goes on to repeat one that had been passed down through his family. Goldsmith Gilbert homesteaded where Prairie Creek dumped into White River and that was where he originally landed when he came in when Delaware County was first opened for settlement in 1821 (something like that). As time moved on they had tried to determine where they would locate the county seat of Delaware County and there were three towns that were in the running, Smithfield, Granville and Muncie. Muncie won by two votes. By the grace of God and two votes, we would be standing somewhere else right now. That is why. He had a special place in his heart and for Delaware County so he would ask for the Council to give the re-zoning so they could give the property to the city and improve that area.

Anderson says that intersection has been an eyesore for quite some time. He was wondering how that is going to work out knowing that the funeral home owned that parking space behind but is glad Mr. Parson explained that the way he did. Anderson is very excited to see what is going to happen in that area because for a long time it was almost like a traffic jam, going nowhere. Anderson thinks putting in that roundabout will be a nice way to flow traffic. He also thanks him for donating his space.

Ridenour thanks him for being here and thinks that by the look of it, it is going to be beautiful. He had indicated when he first starting talking about having a need for parking but he knows he will be using building seven as storage. He wants to know if he resolved his parking issues. Mr. Parson answers yes, they are going to keep the alley and have ten feet of land between the

back of their parking lot and the alley and then they have the apron behind the building. They will gain about thirty feet between the building and their present parking lot which will give them three cars on each side and about twelve or so across the back. That will meet their needs.

Gregory asks what the timeline is for this project. Mr. Parson believes the city is ready to throw dirt. They are receiving bids on the tearing down of the filling station and part of their building they are not keeping. The whole thing is going to happen pretty quickly now, he hopes.

Donati states they have awarded a demolition contract that will take down the Marathon and half of his building. He is going to reverse his building so it will face the opposite direction and plan to remove everything, (side walking, concrete, pavement, etc.) that is on the northwest side of the area as well as the Marathon. They will be putting new sidewalks down as well as new green space and landscaping. He does not want to get ahead of Councilperson Anderson and adds they are not quite ready for a roundabout. That is the ultimate goal. They would love to have it today but it is a state highway and they have to go through a lot of hoops to get that done. They don't, however, want it sitting like it is so they plan to go ahead and make the investment. They are getting ready to award that contract which will be advertised in the paper and everything will be done by November.

Gregory asks if there will be benches for people to sit. Donati confirms there will be benches, lighting, and a new sidewalk across the area. He will send them all a drawing so the Council can see.

Anderson says that came up in one of his transportation meetings. Donati adds it is their ultimate goal, they just cannot move as fast as the state.

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

ORD. 14-18 AN ORDINANCE FOR ADDITIONAL APPROPRIATION FOR MUNCIE PUBLIC TRANSPORTATION CORPORATION.

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

Rebecca Meadows, Director of finance at Muncie Indiana Transit Systems (MITS), says this ordinance represents the local share for the purchase of six propane vans and one low-floor heavy-duty hybrid bus.

Dishman asks when she says propane and refers to the station on Centennial. Mrs. Meadows replies it will be LPG and the station he is referring to is CNG.

Gregory asks again where this money is coming from. Mrs. Meadows states their Transit Improvement Reserve Fund, a fund that they have that is restricted for capital purchases.

Polk asks how many passengers are allowed in the vans. Mrs. Meadows says they are all the same and believes they sit, like, fifteen. It will be used for MITS Plus, the demand response service. Question called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

RESOLUTIONS:

A motion was made by Powell and seconded by Quirk to Bring Res. 7-18 Off the Table.

A roll call vote showed 9 yeas and 0 nays.

RES. 7-18 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, APPROVING AN AMENDMENT OF THE DECLATORY RESOLUTION AND ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED MUNCIE ECONOMIC DEVELOPMENT AREA.

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

Todd Donati, is here if anyone has any questions. He went through this last month.

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

A motion was made by Powell and seconded by Quirk to Bring Res. 9-18 Off the Table.

A roll call vote showed 9 yeas and 9 nays.

RES. 9-18 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AND COUNCIL 962 AFSCME LOCAL #3656.

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

Megan Quirk, one of the City Attorneys for the City of Muncie, says this is the collective bargaining unit AFSCME agreement with the city of Muncie. The Council all received a copy of the document. Questions called.

A motion was made by Powell and seconded by Polk to Amend to Incorporate the New Contract as Exhibit A.

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

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

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

A motion was made by Powell and seconded by to Bring Res. 10-18 Off the Table.

A roll call vote showed 9 yeas and 0 nays.

RES. 10-18 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH THE MUNCIE FIREFIGHTERS IAFF LOCAL #1348.

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

A motion was made by Powell and seconded by Quirk to Amend to Incorporate the New Contract as Exhibit A.

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

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

Megan Quirk, one of the City Attorneys for the City of Muncie, is here with the amended contract between the Muncie Firefighters Local #1348 and the City of Muncie.

Jason Chafin, President of Local #1348, adds that he is glad the Council got the amended contract. His membership approved of the changes this month, which has been a long process.

He thanks everyone involved, Mayor Tyler, Chief Bell, Deputy Chief Granger, Kevin Nemyer, Sarah Beach, Megan Quirk, all the guys on his team, and the Council.

Powell states that the Council agrees the firefighters are very deserving and trust the revenue will be there. She goes on to thank both units.

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

RES. 11-18 COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION REAL PROPERTY TAX ABATEMENT.

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

Todd Donati, Muncie Redevelopment Commission, says this is involving the NextGEN BSU Townhomes LLC request. Once the area becomes a target area then this will qualify and allow them to begin construction on this process. He sent pictures of the building and all the interior so they can see what kind of quality it is going to be.

Gregory asks how often they do tax abatement that have no promise of jobs. Donati state that they do target areas which are established for this type of use. It happens when you mix used housing or when you do housing of this nature where it is rental. Gregory asks how often this takes place because this is the first one she recalls of. Donati informs they did one for the one of McGalliard Rd. that was a target area and a housing project in which they gave tax abatement to. They also did one for the Promenade that was put in the Village. Gregory says those has jobs involved, though. Donati says some did have retail jobs. Gregory says this doesn't create jobs at all.

Ryan Kelly, NextGEN Real Estate, says obviously there is some construction jobs involved in that. They actually sub-contract the actual property managing that and right now have ten other homes. They rehab substantially at Ball State. This project creates a real challenge because it is in the University Overlay District which has restrictions and people doing what they are not supposed to be doing. Adding stone masonry and extensive landscaping, a product can be seen that is far above some of these other locations. The construction costs make that real difficult to pull off. The rents at Ball State are just not what they are at IU and Purdue. It makes those types of projects very challenging from the cost standpoint. They do have a property management company so indirectly there is jobs provided from leasing agents to accounting to maintenance. All those come along with that overtime. It is just not directly employed by their company. The management company uses C&M Property Management and thinks they manage 150+ homes. There are indirect jobs from their investment made at Ball State.

Gregory is just concerned giving a ten-year tax abatement to a private entity that is going to be using it for university houses. Donati says they try to encourage investment. That is what the tax abatement is established for. They do the same thing for residential housing. There are no jobs created, they have to create a target area, and it is typically in this format. We do not have to compete with Ball State housing, they actually make it very difficult for these types of companies to come in and compete with them at all because they lock these students into two-year deals in the dorms. It makes it hard for them to compete with Ball State. With the type of quality they would have to do, this levels that playing field allowing them to make the

investment. Otherwise, we would have empty lots, which can be seen in the Village. We do not want to see empty lots.

Ridenour refers to the application for tax abatement for Real Property it says 219 and 223 N. Martin but on the Statement of Benefits for real estate improvements, the next page, it says 219, 221 and 223 N. Martin. And the two on Beacon St. that were provided have 215 and 217 N. Martin which are not included in the other two forms. He is trying to get a field for exactly what they would be abating. Mr. Kelly states in phase one they actually re-parceled or re-numbered those lots. It is for 219 and 223, just those two parcels. Phase one has been for 203 through 214 or 213. This request is for 219 and 223 N. Martin. Ridenour clarifies that is yet to be built. Mr. Kelly responds yes, they are not asking for anything for phase one. That has already been completed. Ridenour has found eight different properties that are built by private individuals in the Ball State area that are not asking for these abatements. He just would like for things to be a little more fair. Mr. Kelly asks if that is just in the Overlay area or in general. Ridenour states just in general, on Wheeling, Ashland, Beechwood, Riverside, Neely, Rex, Abbott and another one on Abbot. Mr. Kelly says that the none of those reside in the Overlay area and that is the difficulty of all the extra requirements. Ridenour states those particular individuals spent their own money and paid the full tax amount. Ten years is just a long time. Mr. Kelly says their goal is to revitalize it and bring it back on the tax roll. The construction cost for this project is substantially more. In calculating what the abatement asks it is about \$120,000 for ten years. They are trying to monetize that because construction costs since phase one has increased over 25%. That is why they are here now. They are trying to bridge that gap and get their contractor down to subsidize some of the abatement to make the project work. Otherwise, financially, it is not feasible at this time and he does not see construction costs going down or rents going up.

Anderson has mixed feeling about this, apart from the housing. The university is just taking out rolls and rolls of houses that was on the tax pays which the city does not get anything back from either. Mr. Kelly says they spoke with Ball State which actually prefers higher end housing and construction housing. When parents are coming to town, it is a sales pitch to them to try to bring their kids on campus. Their goal is to show a better product than in some of the other locations and he does not think Ball State sees it as competition, but a way to attract students. Quirk thanks Mr. Kelly and NextGEN Real Estate for investing in Muncie and being willing to put the better materials into that. Yes, people can go in and tear a house down and build something but that doesn't mean it is going to look nicer or be of good quality. She appreciates somebody willing to make that investment because she believes our community does deserve that.

Donati wants to clarify that he deals with Ball State every day on the Village and they came to the MRC and asked them to figure out a way to encourage this investment in these areas.

Questions called. A roll call vote showed 7 yeas and 3 nays (Polk, Ridenour and Gregory).

ADOPTED.

OTHER BUSINESS:

ADJOURNMENT:

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



Doug Marshall, President of
The Muncie Common Council



Melissa Peckinpaugh, Muncie City Clerk
of the Muncie Common Council