

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

SEPTEMBER 10, 2018

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

ORD. 17-18 AN ADDITIONAL APROPRIATION ORDINANCE (STREET DEPARTMENT).

Duke Campbell, Muncie Street Department Superintendent, explains that this is an additional appropriation but he looks at it as “unappropriated monies” out of the NVH Fund. That fund has no bearing on the General Fund, pertaining to the taxes. Right now, they have in unappropriated NVH is \$2,722,924.75 that has been accruing since 2012. The stumbling block there, when working with state funding, is the fiscal year goes from July to July. It is difficult for them to create a budget from January to January because they do not know what the anticipated revenue is going to be each year. Having said that, the federal government has passed on more money to the states, therefore, the locals are getting a little bit more money. He is here to request \$1.2 million out of the NVH Fund and to fund the community crossings to the amount of \$770,550.00 and the other \$429,450.00 to be put in other services and charges. That way that could be used for paving and sidewalk work as needed. If this money is not spent, it will go right back into their unappropriated money.

ORD. 20-18 MUNCIE SANITARY DISTRICT 2019 BUDGET.

Debra Irvin, Financial Manager for Muncie Sanitary District, presents the purposed 2019 Sanitary District budget. She is willing to answer any questions the public may have.

ORD. 22-18 MUNCIE INDIANA TRANSIT SYSTEMS (MITS) 2019 BUDGET.

CITY HALL AUDITORIUM.

Rebecca Meadows, Director of Finance with MTS, presents the purposed 2019 MITS budget. She is willing to answer any questions the public may have.

A motion was made by Powell and seconded by Polk to Close the Public Hearing. ADJOURNED.

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

PLEDGE OF ALLEGIANCE: Led by President Marshall.

INVOCATION: Given by City Council MCS Board nominee WaTasha Barnes Griffin from Prayer House of Deliverance Church.

CITIZEN RECOGNITION: Polk explains each month a member of the Council selects a “Citizen of the Month” in which they think does spectacular things in our community. Tonight, he recognizes Larry Alexander. Mr. Alexander is a graduate of Ball State University, receiving his Undergraduate and Master’s degree and worked in the business office at The Star Press for twenty-seven years. In 2005, when the newspaper downsized and Larry was without a job, he went back to school to become a teacher. He received his teachers license and is now beginning his thirteenth year of teaching handicap students at Muncie Central. In 2008, he was hired to coach both the girls and boys golf teams at Muncie Southside High School. When the high schools consolidated into one, he transferred to Central. Since becoming the golf coach, the boy’s teams have qualified for three straight regionals. The last two years has had at least one member on the all-conference team and has also had a player qualify for the state tournament in the last three years. While coaching the girls team, he has led them to a sectional title in 2016, and four straight regional appearances. The last three years he has had players qualify for the North Central Conference, either as a player for their ability or their academics. This year’s team, so far, is undefeated 11-0 going into the last three matches of the season. Later this week they will be competing in their sectional, as well as all the surrounding county schools with a golf team. Larry has also been instrumental the past few years in bringing golf to both Northside and Southside with combined teams. Most of his current players were first introduced to the game of golf in the 7th or 8th grade, including all four senior members of this year’s Central girls golf team. The middle school program is all done on a voluntary basis in which he gets no compensation and gives up a lot of his time. His new adventure is to bring the game of golf to all six elementary schools in Muncie. He wants to not only teach the game, but also the etiquette and manners that golf teaches. Larry could not be present tonight due to playing in the North Central Conference tournament today in Noblesville. Polk will present this award to him at the Muncie Central Fall Sports Banquet in October. Polk also thanks Marshall for creating this award. He thinks it is outstanding the number of people in Muncie that have a huge impact in the way that the city thrives and flourishes with the number of people have that give so much back.

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 Gregory to approve the minutes from the August 6, 2018 meeting as presented. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

COMMITTEE REPORTS: Powell informs the Council that she and the remaining members on the Finance Committee met with the department heads to discuss the 2019 proposed budget. The meeting minutes she prepared as the Chairman of the Finance Committee were provided prior to the meeting.

Anderson invites WaTasha Barnes Griffin to address the Council. He would like to formally congratulate her on being their representative for City Council for the Muncie Community School Board. He explains if it would be possible to send the Clerk a monthly report on what is going on in the schools so it could then be forwarded on to the Council. She asks what day of the month the Council would like that report to be submitted. Anderson explains the City Council meetings are the first Monday of the month and the School Board meets every second and fourth Tuesday. Whichever way she would feel appropriate to get that information to the Council in written form so it can be recorded in the minutes. She is happy to do that and thanks the Council for their vote of confidence.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 15-18 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-5 RESIDENCE ZONE TO THE BV VARIETY BUSINESS ZONE ON PREMISES LOCATED AT 1904 N. WHEELING AVE., MUNCIE, INDIANA.

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

Chris Hiatt, President of Key Enterprises and owner of the property, gave a brief description last month during the introduction. This pertains to an 'out' lot of the growing Evergreen Edition and is continuous with about six more acres of variety business, like commercially zoned property. He is sure most people are aware of the construction on Wheeling. Mr. Hiatt has owned the property for the past thirty years and it was always a target to bring it in with the rest of the property. This effort was brought to the front burner by the city of Muncie acquisition of the right-of-way and desire to put a commercial entrance there. With that in mind, everyone came to the decision of rezoning that property. This got a unanimous approval from the Metropolitan Planning Commission.

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

ORD. 16-18 AN ADDITIONAL APPROPRIATION ORDINANCE PERTAINING TO THE PERSONNEL DEPARTMENT.

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

Sarah Beach, Personnel Director with the City of Muncie, is here to answer any questions anyone might have. Quirk informs to the Council that she had the opportunity to speak with Ms. Beach and knows the question was brought up at the last meeting of where the funds are

coming from. At this time, it will come from the General Fund. She knows this time of the year is when they will more than likely get more additional appropriations. They spoke about making an amendment because this is the first time they are putting money into this line item so for a starting amount, agreed on \$2,500.00.

A motion was made by Quirk and seconded by Gregory to Amend to read \$2,500 instead of the \$10,000.

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

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

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

NEW ORDINANCES:

Marshall shuffles the Agenda due to some small children that have patiently been waiting for their topic of discussion.

ORD. 19-18 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. (Real Estate – Single Family Residence)

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

Todd Donati, Muncie Redevelopment Commission, states this is to create a target area for two additional Habitat for Humanity houses. They have had a very busy year. The houses are at 1701 S. Jefferson and 1200 S. Madison.

Lindsey Arthur, Habitat for Humanity, explains they are focusing on neighborhood revitalization. It is all about the work of Habitat for Humanity at this point in time. They are working on construction of new homes where homes have been torn down and blight has been removed. They are happy to be partnering with their two home owners who happen to be present this evening, Nicole Watson and Kayla Whittenburg, along her children.

Nicole feels blessed and privileged to have the opportunity to be a homeowner for the first time. Her and her family are very grateful. They had a house fire and in return she was blessed with getting a habitat house.

Kayla, with her daughter Khylynn beside her, has lived on the south side of town for her entire life. She knows several people on the board and is thankful to be a part of the upcoming of this side of town. It is a great place to live.

Marshall goes to make a motion to Suspend the Rules to go ahead and Adopt Ord. 19-18 but Donati informs him that the Muncie Economic Development Commission has to sign off of the recommendation and there has to be an advertised Public Hearing on this so he doesn't believe that he can do that tonight. Marshall was just trying to hurry the process up for them.

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

ORD. 17-18 AN ADDITIONAL APROPRIATION ORDINANCE (STREET DEPARTMENT).

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

Duke Campbell, Muncie Street Department Superintendent, says his request is state monies in his budget. It is actually motor vehicle highway monies that they have accrued since 2012. They

currently have an unappropriated balance of \$2,722,924.75. What he is requesting is \$1,200,000 even, of which they will cover community crossing grant they were awarded of \$770,550, and the remaining to be put into other services and charges, \$429,450.00. That will leave them with plenty of operating balance in lowering their NVH payments in the future. For the people that wasn't here for the Public Hearing, Mr. Campbell explains they have to guesstimate how much they will receive from the state in January. The problem with that is the states fiscal year runs from July to July. When the gasoline tax was raised, that made them paid in arrears to January of 2018. Now, they have leveled off but there is still more than what used to be. He would like to receive this money to finish some roads that were not on the paving list. Right now, there are only four roads left for the 2017 – 2018 contract. What is not spent will go right into the unappropriated money that stays within their department. They try to spend money wisely, given the fact that they have to plan from July to July and also create their yearly budget in January. It is a tough task. He knew they would eventually have to ask for more money because of the simple fact that they got very aggressive in 2017 – 2018 with paving and sidewalk programs as well as some construction.

Gregory asks for understanding that this is not for new paving beyond what it was already planned for this year. She states by meaning this money is not going to go to pave roads that were not apart of the original plan. Mr. Campbell initiates they can still spend up to 20% of the 2017 – 2018 contract that is allowed by law. He says there is still time to get some roads in that weren't on the original list. This winter, they will sit back with their Pavement Asset Management Plan in place. It rates every road in the city of Muncie and is about twenty pages. In positiveness, Mr. Campbell says that Muncie has a very good rating on its roads at 42%. It is aware, though, that there are some bad roads. They are working on that. It is nice to have the money to do so. With the Wheeling Project (as Mr. Hiatt referred to earlier) it is and 80/20 match and once the LPA claim vouchers are submitted they will receive \$616,000 of that back. They have spent and paved for \$700,000 of right-of-way acquisition. That is another good factor. For the Councils information, Mr. Campbell received a phone call today about Main Street sidewalks and the Street Department has partnered with MITS which has a \$400,000 to do sidewalk work through downtown Muncie. They are now allowed to do connecter routes to their bus stops instead of just direct routes. The city has agreed to pay the match in which they both entered into a contract. That amount the Street Department will pay is \$80,000 plus repaying the design and engineering for that. It is win for the city. They will get \$400,000 for \$95,000 - \$97,000 worth of investment. He says that because a lot of people are asking due to trees pushing sidewalks up. This area will cover from the tracks on the south side of downtown to Wysor Street, from Liberty Street to Madison Street. Once this round is gone through, all of Muncie will be ADA compliant and very walkable. He is excited about that.

Anderson wants to be clear that this money is for the roads only and not used for overtime, because winter is coming and it is suspected to be a very rough one. Mr. Campbell answers that is absolutely right. They are holding off. If they will need more overtime money then they may be back. They went to four 10-hour days and it has helped a lot. They have had a crew on Fridays, each Friday that they could work which was overtime but it has worked out. It is less overtime and they are getting more done by keeping their patch crews in one area. This cannot be spent for wages, benefits or anything else. This is strictly for infrastructure. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

Mr. Campbell asks for a Suspension of the Rules, so that this gets passed tonight and does not have to go for a second reading. He feels it is worth asking. There is no urgency, he just does not know how long it will take DLGF to approve after the fact. He wants to be assured it is approved so they can move forward with more roads before the cold weather comes. No one on the Council makes that motion.

ORD. 18-18 AN ORDINANCE TO AMEND THE TEXT OF THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE REGARDING A NEW WHITE RIVER CANAL OVERLAY DISTRICT.

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

Marta Moody, the Executive Director for the Delaware Muncie Metropolitan Planning Commission, states this is an amendment to the zoning ordinance to create an overlay district for a specific area in downtown but is bounded by the White River, Hight Street and Main Street. There is a map included in the amendment that shows that area. This is similar to a few years back in which they created the University Village Overlay District in the area from McKinley to Dicks Street and Riverside to North Street. It is also similar in concept to the Corridor Development Standards that were created a few years ago along the major corridors for the city of Muncie. It creates standards that are over and above the regular setback and height limitations within the zoning ordinance. It creates standards that deal with site development, as well as building requirements (for example: it would create building form requirements saying that a certain type of roof or materials needs to be used during construction). The way this would work is the ordinance calls for the creation of a Review Committee that would review proposed developments. Whether that development is part of the city, private, or a public-private partnership, they would review the development plans to see that they were in line with what the new standards called for. They did have a Public Hearing on the proposal with notice going out to all of the property owners of record within the area defined. At that meeting, there were several comments that were taken and heard. Marta supplied a copy of some revisions that were a result of that meeting. Those revisions have been incorporated into the ordinance. She thought it would be easier for those that were especially at the meeting to see the changes that were made. There were several comments regarding the Review Committee. The way it was originally set up was a five-member group appointed by the mayor. The change is for a seven-member Review Committee and the members would be appointed one by the Redevelopment Commission (appointed by that commission), one for Downtown Development Partnership (appointed by that body), one by the Planning Commission (appointed by that commission), one from the Historic Preservation Commission (appointed by that commission), and the mayor with a few appointments, one needing to be a representative from and active in the Old West End Neighborhood Association. That has all been changed to and incorporated into the ordinance. There were also some questions about historic buildings and historic setbacks that might have been created by existing buildings. There was concern that something would affect those buildings so she put in some language that basically emphasizes that historic buildings should be protected to the extent possible. Also, that if you are doing a new development, your front setbacks should be in line with existing buildings so there would be more of a uniform character. They also added a general White River setback, from the top of the bank of the river was measured from the floodway line of the river because that is an identifiable line. That was to basically preserve that area for

probably recreational use like on the north bank of the river with the White River Greenway. The standards set out more specific requirements dealing with site developments. It is all aimed at trying to promote a very pedestrian and bicycle friendly environment as well as buildings that are of a certain quality, design and material. The easiest example is to say by virtue of having an overlay district with these types of standards within this area of downtown, such as a metal pole barn. The design standards will help protect that type of investment. She is willing to try to answer any questions anyone might have.

Gregory states this Review Committee Meeting will be open to the public and Marta agrees. Gregory has heard complaints that nobody ever heard of when the meetings were for the Review Committee for the Village. She asks if effort could be made to make those meetings when they occur public so that if anyone wants to attend then they can. Marta agrees and says that they went for a regular meeting date and notified the newspaper of those regular meeting dates. Gregory recommends using the city Facebook page.

Anderson happened to attend that meeting and wants to know the secret of being able to satisfy and/or please those individuals who felt that they needed to remodel their home or put a lot of money into it because of this. Marta says anyone that has an existing building does not have to do anything. There was also some concern on wanting to make repairs or replacements, so she put a revision in that says no, these development plans and these standards do not apply regarding repairs, replacements, or a small addition that does not make an increase over 25% to allay those concerns. Anderson asked about a follow-up meeting. Marta said they did not have one. Anderson closes by referring to the public being very angry. Ridenour says several of them were at that meeting and it was quite vocal. He appreciates her listening to what was requested and making some of those changes.

Quirk knows this will be in effect after signing and with this being introduction, they would still have to have a second reading on it. That brings her to ask the timeline on it. Marta says as an amendment to the zoning ordinance, it would go into effect following approval by Council in October assuming that follows a regular schedule. It would then be incorporated into the zoning ordinance which usually since everything is digital, doesn't take a couple weeks until it is in effect. They're putting those provisions in the zoning ordinance is sort of the first step and plan on part of the developer or development, then she has no idea of what kind of schedules there are for people wanting to do something in the area. By virtue of these being in effect, then they would have to meet these requirements a couple weeks after its adoption. Quirk asks about the committee being put together and the time frame on it. Marta confirms and says that they would have to be in place and the different bodies that are making the appointments would have to meet to make their selections so it would probably take at least another month. It will definitely be by the first of the year.

Richard Mayse, 428 W. Washington Street, says his first point is how interesting it is on how it is decided on what blocks to add into this ordinance. Some of them seem to have no appropriation other than the Mayor's idea of what he would like to have as a White River Canal Project. By making this ordinance, it has been opened up to different funding's and different permits that are available for riverfront development. He would like to know how those things happen. Secondly, there are items in the ordinance that make absolutely no sense. One of them says that they would like to have parking on two sides of Liberty Street, Washing Street and Main Street. He asks which one should have parking on both sides of the streets. Has anyone

have any idea on how wide they are? People can not even drive down them now. Now there is an ordinance that wants to put bump outs in the streets to identify the parking. He would like to know how it was decided to go from Washington Street to Main Street to include in this White River Canal District. He sees no reason for it whatsoever. If it is going to be done, why isn't more of downtown Muncie toward the railroad and bring all of it in. We have so many different ordinances to do so little, while having so much to do. This causes us to take piecemeal. Let's do something else.

Kent Thomas, 333 N. Franklin Street, Thomas Business Center, likes the ordinance. His son is in urban planning in Sydney, Australia, read through it and agrees it is a good ordinance. Like Mr. Mayse said, why are we piecemealing? Why not do the entire downtown? It has a lot of good points and businesses. The point that affects him directly, is the part that was slipped in after the public hearing. There is not public hearing on the section on the thirty feet from the river bank. It was slipped in at the Planning Commission meeting and it very negatively impacts his building. If he goes to sell his building now, the value would be taken down to almost nothing. He should not mention it but goes on to state how a representative of the city told him if he did not sell his property to them, he would make sure there was an ordinance put in place so his property would basically become worthless. That is exactly what he feels like this part of the ordinance is meant for, to make his property worthless so that when the time comes for him to get rid of his property or sell it, all they could do is make a park out of it. Mr. Thomas feels like there is no sense in that section being there because the federal government has established a flood claim that can not be built upon. They are on a bluff, not a levee, and there is no point in that ordinance being there.

Brad King, President of the Old West End Neighborhood Association, states the proposed overlay district encompasses the north-east corner of their neighborhood. In July, the association voted to support the overlay district. They welcome these guidelines to create a in-field design guideline. This is what historic neighborhoods should have. They also appreciate that they have added extra language toward historic buildings that are in the footprint. They worked with the Planning Commission and the city to get a seat at the table in which they do. They are very happy and supportive of this overlay district.

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

Attorney Joseph Hunter addresses the Council and states attached to his filing were the purposed revisions. Council agrees.

ORD. 20-18 MUNCIE SANITARY DISTRICT 2019 BUDGET.

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

Attorney Hunter states this was file-stamped August 27, 2018.

Powell states the filing deadline was extended because the meeting was moved in observance of Labor Day.

Ridenour said it does not meet what they said the schedule was but then they moved the meeting.

Melissa Peckinpugh, City Clerk, states the meeting has always been schedule for September 10, 2018.

Marshall states there was a Special Meeting where they discussed this referring to Ord. 71-17.

Debra Irvin, Financial Manager for the Muncie Sanitary District, is here to answer any questions from Council or the public.

Ridenour thanks her for their earlier discussion before the meeting and she was very helpful. Questions called. An all-in-favor vote showed 8 yeas, 0 nays and 1 abstain (Marshall).

INTRODUCED.

ORD. 21-18 AN ORDINANCE AMENDING ORD. 67-17 FIXING THE MAXIMUM SALARIES OF EACH AND EVERY APPOINTED OFFICER, EMPLOYEE, DEPUTY, ASSISTANT, DEPARTMENTAL AND INSTITUTIONAL HEAD OF HE CITY OF MUNCIE, INDIANA INCLUDED HEREIN FOR THE YEAR 2018.

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

Terry Whit-Bailey, Director of Community Development, came before Council in July with good news when their office received additional entitlement dollars from the US Department of Urban Development. Because of those additional dollars and additional dollars that they have in their administration line item, they would like to request additional compensation for their staff.

Gregory asks where we would fall on the list in the state and Terry responds the bottom, even with the raises. The raises that they received are the same raises that the other staff would have received. So, everyone knows when those were. Its been that way for a number of years. Ridenour would like to clarify Section 3, where is states the ordinance shall be in effect June 1, 2018 but Section 4 states the ordinance shall be in full force and effect from and after it approval by the Mayor. It is obvious Council has not passed this yet so that is going to be come time of June of 2018 so which is in effect? Terry responds their department is on a different fiscal year that begins June 1st which is different than most of the other departments that begin January 1st. the dollars that they get, when they distribute them to all of those recipients which also start on June 1st. Ridenour asks if it should be fixed to not be contradicting. Attorney Hunter states it is retroactive.

Sarah Beach, City of Muncie Personnel Director, states the reason it says it does not go into effect until the Mayor signs it means it obviously requires the Councils approval and the Mayor to then sign it. The June date is the date it is retroactive to. Once it is approved through the Council and the Mayor, then there will be an adjustment to the salaries going back to June 1st. that needs to be put in place for State Board of Accounts.

(Attorney Hunter makes an inaudible statement.)

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

ORD. 22-18 MUNCIE INDIANA TRANSIT SYSTEMS (MITS) 2019 BUDGET.

Powell states this ordinance was filed after the August 27, 2018 deadline. A motion is made by Powell and seconded by Polk to Suspend the Rules to allow Ord. 22-18 be added to the Agenda. A roll call vote showed 9 yeas and 0 nays. RULES SUSPENDED.

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

Rebecca Meadows, Director of Finance for Muncie Indiana Transit Systems (MITS), is appreciative and thanks the Council for a Suspension of the Rules, she did file it one day late. She is happy to answer any questions. Anderson asks about the propane vans that she recently came before council to address. They did receive them and they are very nice. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 23-18 AN ORDINANCE RESCINDING ORD. 2-17, WHICH AMENDED CHAPTER 155 SECTIONS 20(B) AND 42.

A motion is made by Powell and seconded by Gregory to Suspend the Rules to allow Ord. 23-18 be added to the Agenda. A roll call vote showed 9 yeas and 0 nays. RULES SUSPENDED.

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

Powell explains this is introducing an ordinance to rescind those changes to the City Code which would have established what they called the Rental Registration Program. At this time, they are sponsoring this ordinance to rescind that.

Brad King, President of the Old West End Neighborhood Association, asks after a Public Meeting about the Rental Registration where landlords came in and said that the city was not using the tools on their books which was the Affidavit of Occupancy, is gutting? The Council confirms. He asks if we are walking away from code enforcement? Powell says that is a question for the agency that is going to enforce this Rental Registration Program. Brad asks if the code enforcer has asked for this to be removed. Powell answers no, she is asking how the Rental Registration Program is going. This was adopted in February of 2017 and has actually not been implemented at this time. It is involved in law suits and is not progressing as expected and so they are sponsoring it. Brad asks that the Council is removing it because it has not moved forward as expected. Powell states that is correct. Brad thanks for the clarification.

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

RESOLUTIONS:

RES. 14-18 A RESOLUTION MAKING TRANSFERS.

Quirk explains that she spoke with Polk who was the Councilperson that sponsored this resolution. After conversations with a number of different people, the mayor actually had City Attorney John Quirk make a statement at the last meeting that he was willing to find some sort of possible solution that could be agreed upon. After speaking with City Controller, Kevin Nemyer, at the Finance Committee Meeting and realizing that the funding they thought was in that line item was not there. He understands that and can explain if somebody has any questions about it. Also, there was realization that those monies were intended for health insurance. She reached out to different people to see if there was another opportunity for them to remedy the tax sale situation. At this time, Todd Donati is here and they believe that the Muncie Redevelopment Commission had the opportunity to reach out and get the property out of the tax sale situation. Quirk has spoken with J.P. Hall, who was unable to be here tonight but has been participating in the neighborhood meetings, that if they get it out of the tax sale then the city is willing to work with the neighborhood to then see what is next. Even if they did the transfer of the \$20,000, that still would not allow the city the opportunity to make it a public park right away. There are other things that need to be taken into consideration and Harvey Wright, Parks Superintendent, is here to explain that. The first thing they want to do is neutralize the situation and get it out of the tax sale. Mr. Donati has reached out to Mr. Carla Pudy and he is in agreement to giving the property back to the Muncie Redevelopment Commission if the city pays the tax debt. If having it become a city park is what the

neighborhood feels like they really want then there are a number of different things they would have to do, as far as making changes within the city budget. Harvey has put together numbers of what it would cost to make that happen. She knows through speaking with J.P. that the neighborhood has also looked into doing a 501C3. If they do that then there are other opportunities that could happen alongside that.

Todd Donati, Muncie Redevelopment Commission, has had at least three Council members contact him, most importantly Quirk, communicating back and forth and trying to figure out how this can be resolved. He appreciates her efforts on that. In doing so, he did mention it to her that the Muncie Redevelopment Commission would be happy to step in and acquire the property back from the tax sale. He did talk to Mr. Carla Pudy and asked him if he had any interest in development of that property, in which, he is in development but really had no interest. He confirmed, mainly like everyone else that gets into tax sales, his interest was to acquire the property. If it doesn't get bought back then they will continue to do something but they mainly do it for the interest and the money. That is the way the system is. There is a 10% fee that is paid on that money. Donati believes it is \$18,500 and the MRC would call a Special Meeting. He has discussed this with his members which are interested in doing this, this is not done on assumption. The property has to be acquired back before September 29th or it will default to Mr. Pudy. He hopes that if they do this, they find a solution that will benefit everyone.

Quirk knows there is some park equipment that is already there but just had it evaluated and that equipment is not certified. The equipment, as of right now, is not safe to play on. It is a residential playground.

Harvey Wright, Muncie Parks Superintendent, was asked to put a project list together with the work that would have to be done just to get it ready for a park. With pool and building demolition (\$35,000), ground prep and repairs including the tennis court (\$15,000), parking lot repairs (\$3,000), fence removal but not necessary (\$4,000), old playground removal (\$1,000), new playground equipment (\$75,000), a new shelter (\$5,500), utility repairs pertaining to the pool (\$10,000), two new signs (\$5,000), and picnic tables and benches (\$2,500) brings a total of \$156,000. He was asked what it would take to operate or take care of the park maintenance-wise and after it opens the yearly cost to maintain would be \$60,000. That amount contains mowing, maintaining plants, weed-eating, restroom maintenance and cleaning.

Marshall asks how it will be known that if they dug the pool up, there could be chemicals in the soil. Mr. Wright states they do have the chemical building over there and it would have to be checked. On behalf of the city of Muncie and the Parks Department, whatever they can do on whatever the decision is, they will definitely do.

Quirk explains her intentions for this is just to try to find a solution and get people to come together. She realizes this isn't going to be an easy fix but if enough people work on it, they can figure something out. It is sad that it is not a pool anymore but she gets it. She did the best she could with her busy schedule. She feels this neutralizes the situation to allow everyone to come together to handle the next step.

Polk knows the neighborhood association has determined as a group, they will do whatever it takes. The first thing is to get it out of the tax sale which he believes is going to happen thanks to those that helped. The city already owns the property so there is no reason to not pay the taxes and get it in our possession. We can do something and work together. Muncie's motto is

“imagine the possibilities.” It is important for the city to make a youthful area out of what could become a very detrimental piece of property. It is very encouraging. Lots of neighborhood association members are neighbors he spoke with directly and they did petitions with. There are at least over 200 petition signers, electronically or door-to-door and everyone is very in supportive of making it something. It is encouraging that we are moving forward with this now and he thanks everyone for their efforts.

Rachel Hunt, 3911 N. Redding Rd, Treasurer of the Halteman Village Neighborhood Association, wants to let everyone know that they are 501C3 as of about a week ago. They have the tax i.d. number and are very appreciative of the efforts that have been made. They are ready and willing to do whatever they can to help in that.

James Shovey, 4101 N. Manchester Rd, President of the Halteman Village Neighborhood Association Inc., would like to give the Council a story of success from a 501C3. About twenty years ago, there was a group of men who wanted to see baseball in Muncie. They asked the city for exclusive rights to the baseball diamond at Thomas Park. These men, who never amounted to more than nine members, got a 501C3 and asked the neighborhoods, communities and businesses to donate time, money and equipment to support the baseball diamond. Since that time, Thomas Park has a complete press box recently appraised for over \$60,000. It was all donated and done through hard work from the members of the Indiana Premier Baseball Association. Last year, they put in a \$20,000 nine-inning score board. There are two nice storage buildings with bull pins on the side and managed to pave the parking lot. This was all done with a group of men who have absolutely no financial investment in the building or the properties, but just because they liked baseball. Imagine what they could do with the property in Halteman Village with a whole bunch of neighbors whose property values will go up. Being a 501C3, they will be able to get tax deductible donations.

Polk withdraws Res. 14-18 and will let the matter move forward as described tonight with Quirk, Mr. Donati and Mr. Wright. WITHDRAWN.

RES. 15-18 A RESOLUTION APPROVING CERTAIN AMENDMENTS TO THE DECLARATORY RESOLUTION AND ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED MUNCIE ECONOMIC DEVELOPMENT AREA. (ALLOCATION AREA NO. 2)

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

Traci Lutton, Muncie Delaware County Economic Development Alliance, states this approves an amendment to the economic development area for the consolidated Muncie Economic Development area. The amendment is specific to an area shown on the maps. There should also be a list of parcel numbers. For the record, this is just south of downtown bounded by Second Street to Willard Street and Mulberry Street to Jefferson Street. This is a multi-step process, started with the Muncie Redevelopment Commission last Thursday. A Resolution for the amendment was passed by a unanimous vote. Subsequently, it went to the Planning Commission last Thursday evening, another unanimous vote affirming that the amendment does align with the plan of development for the city of Muncie.

Gregory states the additional documents were not provided with the filing.

Council Secretary confirms that what was provided at the time it what has been forwarded to the Council and there was not a map or list of parcel numbers.

Ms. Lutton apologizes that information was not included.

Marshall asks about the time frame regarding this. Ms. Lutton responds there is not specific time frame. It is a multi-step process. A motion is made by Marshall and seconded by Peters to Table until the proper paperwork has been received to make a decision. A roll call vote showed 9 yeas and 0 nays. TABLED.

OTHER BUSINESS:

Brain Shaw, 600 E. Washington, President of the East Central Neighborhood Association, has been talking with some people in the neighborhood and feel there should be a stop sign put in place at the new restaurant on Adams and Monroe. People try to race through Madison and get down to the next stop sign, which could create a problem with the people coming and going to the restaurant. His children walk that street and he tells them to be extra careful. Earlier the comment from Gregory about using Facebook as a way to publish information is a good thing. We live in the 21st century and should get on board with e-mail lists, text updates, subscription lists, etc. so someone like him can subscribe to the City Council and get all their updates. That is just something to think about. Also, Yolanda Carey is trying to get a meeting going with the neighborhood association to talk about the two-way traffic situation for E. Washington. He also feels a potential ordinance or budget should be in place for extra crime protection, nuisances, absentee landlords and things like that. He refers to last month when Belinda Munson talked about the hotel problems in that area. He took it upon himself to be a leader and go out and clean up that median that is there. In there, he found drug needles, used condoms and various other things. It is a problem. The clientele there is a problem. He had to chase off a kid that threw a brick at his car window that was parked in the parking lot by Cornerstone. He has had people steal things off of his porch, as well as throughout the neighborhood. They are looking at some sort of increased police presence. Marshall states for a fact that the Building Commissioner, the Health Department and Child Protective Services was at the hotel last week. A strong presence is being made. Powell states after the recent rash of thefts last summer, he spoke with Muncie Police Chief Winkle who had increased patrolling. Mr. Shaw says the last thing he wants to address is the increase in panhandlers. It is not a problem to tell people no. He made the mistake of giving someone \$5 one day and came home from work one day to find that person in his house. People that are in need should not ruin it for everybody but how do we tell. He is all for making sure people are fed and not spending their panhandling money on alcohol or drugs.

Forrest L. Bowers, 1205 N. Brentwood Lane, states the mayor's office has requested an RPO for Emergency Services for the city of Muncie. Should they accept one of these proposals, what are the legal obligations that the City Council have to fund such action. In other words, are the obligated or mandated to fund such service. Marshall answers if it gets accepted, in which there is nothing going on right now. It has not yet been brought to the Council therefore, he cannot give any information because he is unaware. He is sure if something gets added then yes, the Council would have to fund it. The Council still has control. There is still an ordinance in place

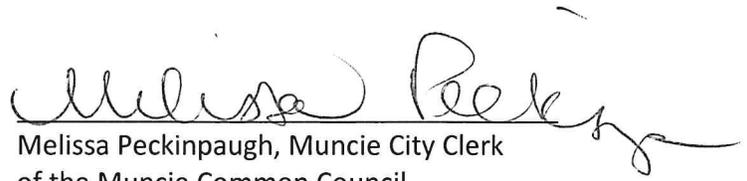
that would have to be rescinded before it could even go that far. The ordinance that is in place right now is what gives Delaware County EMS the rights of the city. As a Council, they would have to rescind that before they begin to do anything.

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