

MINUTES
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE INDIANA

APRIL 4, 2016

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

ORD. 12-16 AN ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE PARK FUND.
No comment.

ORD. 13-16 AN ORDINANCE MAKING CERTAIN ADDITIONAL APPROPRIATIONS IN THE PRAIRIE CREEK FUND.
No comment.

ORD. 14-16 AN ORDINANCE MAKING CERTAIN ADDITIONAL APPROPRIATIONS IN THE MVH FUND.
No comment.

ORD. 15-16 AN ORDINANCE AMENDING THE 2016 BUDGET AS APPROVED BY THE COMMON COUNCIL WITH RESPECT TO THE GENERAL FUND.
No comment.

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

PLEDGE OF ALLEGIANCE: Led by Councilperson Doug Marshall.

INVOCATION: Given by Minister Frank Oakman from the Desoto United Methodist Church.

CITIZEN RECOGNITION: This month's citizen recognition is presented by Councilperson Doug Marshall to Charles D. Hensley. Mr. Hensley attended Muncie Community Schools and graduated from Muncie Central in 1973. He attended Ball State University from 1973 to 1980. He was appointed to the Muncie Police Department March 23, 1977. Hensley graduated from the Indiana Law Enforcement Academy in 1977 Session 74-36. Hensley was assigned to Uniform Patrol from 1977 to 1988. He was promoted to Sergeant in 1988 and assigned to the Detective Division and Homicide Team. He was promoted to Lieutenant in 1993 and Captain in 1995. He was assigned to the Community Policing Program Muncie Crime Stoppers in 1996 which he still currently serves. He was assigned to the Uniform Division as a Captain from 2005 to 2010. Hensley retired from the Muncie Police Department in January 2010. Mr. Hensley has been rewarded the Red Cross Heroes of the Heartland R. Tiny Adams Lifetime Achievement Award in 2009. Hensley has been on the Muncie Police Reserves since July 2012 currently thirty- six years in law enforcement. Hensley was the Security Director at Simon Muncie Mall from November 2010 to April 8, 2013. Hensley was Muncie Northside Middle School Resource

Officer from 1984 to 2010 with 26 years of service. Mr. Hensley has been doing the Christmas Shop with a Cop Heroes and Helpers for approximately 20 years taking approximately 3,100 kids Christmas Shopping and some of the kids don't have anything. For 15 years they have taken 1,000 shopping for school supplies and approximately over 100 families over eight years for holiday shopping for their meals. Hensley was hired by the Muncie Community Schools April 8, 2013 as Chief Security and Operations, written and received \$340,000 in security grants for the Muncie Community Schools since his hiring. Hensley is on the Board of Muncie Crime Stoppers, Safe Kids of Delaware County, Delaware County Prevent Child Abuse Council and the Muncie Pal Club. Hensley has been married for 35 years as of May 2, 2016 to his wife Lynn Hensley. He has three children and three grandchildren. Councilperson Marshall presents Hensley with the award. Hensley states he got involved several years ago and got hooked by a little boy while shopping with him and he started heading towards the toys and the little boy heads toward the toilet paper aisle. He picks out a big bundle of Charmin and states his family never has soft toilet paper. Hensley states he couldn't quit crying when he stated this. Hensley states he picked out presents for his family and then shopped for himself and it won him over. He states his wife has been by his side the whole time. Hensley thanks everyone for the award.

ROLL CALL:	PRESENT	ABSENT
Doug Marshall	X	
Dan Ridenour	X	
Lynn Peters	X	
Brad Polk	X	
Jerry D. Dishman	X	
Julius J. Anderson	X	
Alison Quirk	X	
Nora Powell	X	
Linda Gregory	X	

APPROVAL OF MINUTES: A motion was made by Marshall and seconded by Powell to approve minutes from March 7, 2016. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 8-16 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA AUTHORIZING THE ISSUANCE OF THE CITY OF MUNCIE, INDIANA, ECONOMIC DEVELOPMENT TAX INCREMENT REVENUE BONDS IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO.

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

Todd Donati from Muncie Redevelopment Commission states this is a great opportunity for everyone in Muncie including those that live on the east side of Muncie. This will introduce the newest gateway and the opportunity for jobs and housing. They are extremely excited about moving forward and hope the council supports this. Ridenour asks if he can break down where the \$3.5 million dollars is going. Donati states about \$1.4 million will go towards Bunch Blvd

and the other \$1.6 million will go towards the costs of the extended roads that anchor off of that, which is the road that attaches to Bunch and goes east and west. This gets them to Hodson and that road will go to Hodson and it will be rebuilt from that particular road down to Jackson Street. The bulk will go towards sidewalks, streetlights storm sewers, electrical and also involve insurance costs, capitalized costs that will be involved to get through the 2 ½ years before the cycle of tax increment can be placed to pay the bond and it can't exceed the \$3.5 million. Ridenour asks if the cost of the shell building included in there. Donati states it does not. Donati states they partner with a developer and they carry the cost of the shell building, builds it, carry's the cost of the property and they promise to pay the interest each month while that shell building is in existence until it is sold to a promising developer. They in turn own the building eventually. Their commitment is basically the interest only. Ridenour asks if this will be the same company building that has done others. Donati states not necessarily because they would like to work with different companies if they can. Donati states there are very few companies that can handle not only carrying the load of a \$2.5 to \$3 million dollar building but carrying it for a length of time that could amount anywhere between 2 and 7 years. Most are guaranteeing to carry it for ten years. Then they have to make an assumption at that point of time what they need to do. Most of their buildings are under five years. They have the most successful shell building program in the state of Indiana.

Ridenour states it says in the Economic Agreement the \$3.5 million dollars is turned over to the company and it is defined as Kitselman Pure Energy Park LLC. Donati states that will not happen because they carry the cost of it and this is a terminology that it's turned over to them as far as they're the carrier. They hold on to the money entirely and they pay the contractors directly on any bill. They have an agreement and their part is expected like a new construction on a house. They send the bills in to him to review and he makes sure it is inspected properly and he pays the builders or contractors directly. They make sure they get paid properly and on time and only spend the money necessary at the time. In this situation they will work on Bunch Blvd first, which has to be done by November. They will start the other part once there is development prepared to happen in the park. They won't do the other part of the road for maybe six to eight months. Ridenour states presentation is very good and impressive but it looks like they are holding back about \$500,000 and that's to cover the interest. Donati states they do not hold back it is taken right away to cover the costs.

Ridenour asks Donati to clarify that there will not be additional tax revenues for 2 ½ years. Donati states there will not be any payments for 2 ½ years until the tax revenues start to come in when the building is built. Donati states that is part of the capitalized costs that is involved. It pays all the interest payments for the first 2 ½ years because it takes that long to build the buildings and start the taxes. Polk asks Donati to break down the repayment structure would be. Donati states the most you could go is 22 years because they have cap tiff area. Donati states in less than 25 years the tiff goes away. This started a year to 1 ½ years ago. They haven't agreed to exceed 22 years. It doesn't necessarily mean they will go out 22 years it depends on the rate they can get. They anticipate they could go 20 years and that would include the 2 ½ year capitalized structure and the remainder of what that starts to pay out. They don't like to take anything out past twenty years if they can avoid it. They would love to

go fifteen. Most banks don't want to give fixed rates for that long period of time. That is the reason why they get involved and back it because it gives a little bit more security to the bank. Polk asks if the payments will come out of that tiff district. Polk asks if that is the Muncie's south. Donati states everything is combined now. Anytime they do a project they don't look at any other parts of the tiff. They look at what that particular project can support. That particular project based on just the Danner building and the housing they are anticipating, those two projects alone will cover the cost of the bond. That doesn't include any additional development in the project. That is what is in the Economic Development \$17 million dollar investment and the \$9 million dollar investment. Councilperson Anderson states Donati gave a great presentation on Thursday and is thankful for the move coming in. Anderson states one thing that no one mentioned is the jobs. Donati states it wasn't about jobs but mention the three projects. Donati states it will create in excess of 250 jobs. Donati states at least 250 for the Danner project and they feel probably about 100 on the additional redevelopment of retail and that isn't counting the shell building.

Donati states this park is a long-term investment. Quirk states the presentation was very nice. She would like to see some of the renderings information shared on the city website so if someone wasn't there they could have access to it. Donati states they can get as much information as they can on the website. Donati states they did have an Economic Development Commission meeting and today and it was unanimously voted on to allow this process to go through a revenue bond process. Donati states they have to go to the Redevelopment Commission on Thursday and they will hold a public hearing. They have sent out tax impact statements to the taxing districts. They will vote on a confirmatory resolution at that meeting. Ridenour states there are a lot of blanks on the agreements and the exhibits. Donati states that is all done through the Redevelopment Commission processes which takes place on Thursday. Donati states they are meeting Wednesday night to talk about a few more of the details. Donati states they will get file copies out.

Frank Wiles 701 N. Brentwood asks if they are going to put seven feet of soil on top of the whole area. He asks if they are going to relocate some street. Wiles states his question is they are going to put 7 to 9 feet of soil on the entire area due to contamination on the surface of the old wire mill. Wiles asks, "How long will it take that to settle and are they going to build roads on top of that". Are they going to build retaining walls? Wiles understood that they can't build housing on any part of that contaminated area even under seven feet of soil. Wiles states it was said there will not be housing or schools built there. Wiles asks, if they are going to raise the bridge. Is the core of engineer's levee going to hold the wall from falling into the river? These are questions that he wonders about. Donati states he can only answer to the roads because that is what the bond is referenced to. Donati states these funds are only for the roads and the roads will be impacted. There is a clay base that will go down and the roads will be elevated and that has nothing to do with what is going to be built on there. Donati states there is conversation going on all the time but they aren't going to debate that at this time. It is stated it is a well-engineered site. It is heavy metals and contaminants aren't going up but down and they are captured in the bedrock. The concrete is left there because it's in the flood plain. The dirt being brought in is compacted and will sustain roads. Donati states there is

some very sensitive information has to go through the process. They aren't going to debate it here in a public forum. Donati states if they want they could talk about those questions at another time. It is stated it is a well-engineered site. The contaminates are not trying to going up but all going down and at this point they are captured in the bedrock. The concrete is being left there because it is in the flood plain and is a very effective cap. The dirt that is being brought in is being engineered and brought in, compacted so it sustains roads. It's to bring everything out the flood plain. As far as the houses the go, the road is going all the way back to Hodson and there is already housing there. It is an engineered site. The site no longer needs a levee because it is above the flood plain. Wiles asked if this is going to be covered with 4 to 7 feet of soil and the concrete is left underneath it. The building it was built on is down to bedrock. Wiles asked if this is drilled through this is it disturbing the contamination. Marshall state, they are not engineers and Wiles asks the same question a different way. Donati states this is about the roads but they will be transparent as possible and have public input when they move forward and will continue to do so. Donati states, they do not have the proper people to answer the questions and would have had the engineer's present. Marshall states he is satisfied with his answer. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 9-16 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. (REAL ESTATE-SINGLE FAMILY RESIDENCE-401, 403 AND 405 EAST 9TH STREETS).

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

Todd Donati states the Economic Development Commission signs off on the application and an accompanying ordinance have been reviewed by the Economic Commission and they hereby forward this to the Common Council and has a favorable recommendation. This is another step in new housing development and asks the council to support this. Polk asks, "When is the anticipation start date"? Donati states immediately. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

NEW ORDINANCES:

ORD. 10-16 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-5 RESIDENCE ZONE TO THE BC COMMUNITY BUSINESS ZONE ON PREMISES LOCATED AT 603 E. ADAMS STREET, MUNCIE, INDIANA.

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

Russell Irving 725 E. Jackson is available for any questions. He states their desire is to put a farm to table restaurant right on the edge of the district. Irving states there will be some outside dining and restoration. Dr. Willard's house is the restaurant. Powell states she appreciates that he is doing something with this house and the structure has been sitting in their neighborhood for so long and has been such an eye soar. To see something productive to go into the building is very welcomed. Quirk asks if he has a timeline for his project. Irving states depending on all the hoops they have to go through it would be 2017. Irving states the inside dining will top off with 44 seats and outside dining will be somewhere in the 60's. Irving

states the dining outside would be seasonal. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 11-16 AN ORDINANCE TO AMEND THE TEXT OF THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE REGARDING MICROBREWERIES AND MICRODISTILLERIES.

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

Planning Commission Director Marta Moody states this is an amendment the planning commission wanted to clarify that microbreweries are a permitted use in the central business zone and variety business zone. It doesn't currently have a specific listing and would be treated the same as a restaurant or a bar. They felt it made a good statement to add a provision that talked about this. At the same time they did research on how to define that. They also worked with people in the business of micro brewing. Based on the research they came up with the proposed definitions in the ordinance that limits the operation of gallons produced on an annual basis and those that have to be reported to the Feds or appropriated agency. Moody states to add that listing of microbreweries and micro distilleries to the central business zone which automatically makes them permitted in the variety business zone.

Gregory asks what are the parameters of the central business district and how does this impact microbreweries and micro distilleries that are outside central business. Moody state there is one area outside of downtown. Moody states the central business zone is bounded by Wysor, the railroad tracks, Liberty and Madison. Gregory asks if it would impact the gearbox. Moody states it would because it is zoned variety business. Moody states the way the zoning ordinance works is they are inserting it into central business zone and the language in the variety business zone states under permitted uses all uses permitted allowed in the central business zone so it is covered. Gregory asks does that mean the ice plant is included also. Moody states that one is actually a non-conforming industrial use but it would be covered. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 12-16 AN ORDINANCE MAKING CERTAIN ADDITIONAL APPROPRIATIONS IN THE PARK FUND.

A motion was made by Powell and seconded by Marshall to Introduce. Controller Audrey Jones states they had to include the raises that were approved earlier this year. They have \$30,000 for recreation programs that Park Superintendent Harvey Wright is asking for and also \$10,000 for equipment for the parks department. Jones isn't clear on what the equipment is. Powell states it is for a truck that needed to be replaced. Gregory asks if it should be equipment instead of other services. Jones states that is correct. Ridenour asks if that makes other services zero. Jones states yes. Powell states when they met for budget hearings Wright didn't asks for any additional funding but his budget was cut. Wright approached her about money to be able to do the piers and things within the park system within itself. Powell states \$30,000 would be used for summer programming, which is a good thing. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 13-16 AN ORDINANCE MAKING CERTAIN APPROPRIATIONS IN THE PRAIRIE CREEK FUND.

A motion was made by Powell and seconded by Polk to Introduce. Controller Audrey Jones states she accidentally forgot to put in the secretary at Prairie Creek who has always held the position. It also includes the raises and some part-time work. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 14-16 AN ORDINANCE MAKING CERTAIN ADDITIONAL APPROPRIATIONS IN THE MVH FUND.

A motion was made by Powell and seconded by Marshall to Introduce. Controller Audrey Jones states this is for the raises and the capital outlay is for some vehicles that he has already asked the Board of Works to approve. He has the cash to supply it but doesn't have the appropriation to pay for it. Ridenour asks how many vehicles. Jones states she isn't for sure. Question called. A vote by acclamation showed 9 yeas and nays. INTRODUCED.

ORD. 15-16 AN ORDINANCE AMENDING THE 2016 BUDGET AS APPROVED BY THE COMMON COUNCIL WITH RESPECT TO THE GENERAL FUND.

A motion was made by Powell and seconded by Marshall to Introduce. Jones reads the ones that are not a part of the raises. The first is the Mayor's secretary who was given more than a 3% raise. Money needed to be transferred from one general fund item to cover this. There has also been a part-time secretary and they didn't budget for a part-time secretary and they are asking for a line item for part-time secretary. There is a raise in other insurance and a vehicle due to he hasn't had a vehicle for the first four years since he has been in office. The Controller's office, City Clerk, City Court, Building Commissioner are 3% raises. There is an increase in Human Resources due to an agreement with the Sanitary District they pay for the health insurance and they pay for the personnel director and specialist but they weren't being paid appropriately in comparison to those positions.

They are also given pilot money to fund those positions. They need to get those more in line with what those positions entail. The personnel director and her employee handle all the sanitary district and city of Muncie employees. The animal shelter, Human rights, Police department, fire department and channel 60 are all 3% raises. Gregory states when she looked at the original appropriations the line item for other insurance was for \$175,000 and did Jones move things from other line items. Jones states she shows over that and she would look at it and she might have had her assistant do this and will have an answer by the next meeting. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 16-16 AN ORDINANCE AMENDING 28-15 FIXING THE MAXIMUM SALARIES OF EACH AND EVERY APPOINTED OFFICER, EMPLOYEE, DEPUTY, ASSISTANT, DEPARTMENTAL AND INSTITUTIONAL HEAD OF THE CITY OF MUNCIE, INCLUDED HEREIN FOR THE YEAR 2016.

A motion was made by Powell and seconded by Marshall to Introduce. Controller Audrey Jones states this is what she was discussing this in the previous ordinance for the human resources director and assistant. Gregory asks if they have to approve maximum salaries before they appropriate in which case the agenda needs to be adjusted at the next meeting where Ord. 15-16 gets adopted before Ord.16-16. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

RESOLUTIONS:

RES. 9-16 A RESOLUTION OF APPROVAL OF THE 2015 CHANGES TO THE OFFICIAL ZONE MAPS FOR THE CITY OF MUNCIE, INDIANA.

A motion as made by Powell and seconded by Polk to Adopt. Planning Commissioner Director Marta Moody states this is an activity that occurs towards the beginning of each year basically to confirm the rezoning's adopted the previous year have been incorporated into the zone maps and there were only two last year. This was approved by the Planning Commission last month. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 10-16 A RESOLUTION AUTHORIZING MAYOR DENNIS TYLER TO APPLY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT AND A HOME INVESTMENT PARTNERSHIP PROGRAM GRANT FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (HUD)

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

Director of Community Development Terry Whitt-Bailey is present to talk about the entitlement dollars given to Muncie. Whitt-Bailey passed out the cliff notes version of the 81 page document that is 8 pages and it's a shorter version of what they are asking the council to approve this evening. Whitt-Bailey states as part of their process they are required by HUD to have citizen participation. In addition they are required to present the document to the council for their vote. Referring to page 3 on of the cliff notes version it shows how much money they are entitled to in their community. Their home investment partnership dollars are \$404,351 and those numbers have fluctuated from 2010 until now. There are provisions put into place by HUD that they are only allowed to use a certain percentage of those dollars in certain categories. This is not in the action plan submitted to HUD. It is an expectation they are already know which is the 15% for public services, 30% for public facilities and 20% for planning and administration.

The objectives are there but would like to go through the budget and dollars. Their recommendation to the council is paving of sidewalks \$190,000 and they also have public facilities where they propose on spending \$27,400 for each HVAC system. Pathstone is one that she wants to highlight because it is collaboration and that is one of the things they are trying to instill in their agencies and non-profits that it is better for them to work together. The \$125,000 is for four agencies working together and they are Pathstone, Eco-Rehab, Habitat for Humanity and Home Savers. They will be doing minor home repairs for those individuals so they can stay in their homes especially the seniors. In non-residential rehab Bridges is also working on collaboration with its homeless prevention network and they are starting out by repurposing their building so it will be a one stop shop for those who are in need of services such as homeless individuals or those who are at threat of being homeless.

Sustainable Muncie is in the process of repurposing that particular building for a speech and hearing clinic and they need an ADA Accessible Entrance and a wheelchair ramp will be provided for them. Clearance and Blight is \$263,708, United Daycare Center needs a new HVAC system and general admin and planning \$222,688. The most important part is the public

service request. Whitt-Bailey thanks Councilpersons Quirk and Anderson for serving on their citizen advisory committee in helping them with those decisions. The total requests were \$528,310. Because they are only allowed to spend 15% of their entitlement they were only allowed to recommend \$165,000. The dilemma was before them because they knew they weren't going to fund all of the requests made to them. Public Service funding recommendations are Bridges \$20,500, A Better Way \$18,000, Motivate our Minds \$18,000, YWCA \$14,000, Teenworks \$12,500, Victim Advocate \$12,300, Habitat for Humanity \$12,000, Open Door \$11,250, Pathstone \$10,450, Roy C. Buley Community Center \$9,000, Boys and Girls Club \$7,500, Unity Center \$7,000, Alpha Center \$6,500 and Christian Ministries \$6,000. There are a lot of reasons why the numbers are the way they are. They are based upon the amount requested, based on the scores they received from the citizen advisory committee and based on the formula they put together in order to provide these dollars. Whitt-Bailey states if they had given 100% of the monies requested they may have been able to fund three. Their goal is to try and do what they can for these wonderful agencies. They have such great agencies doing great work for the people of Muncie.

The home investment partnership dollars there is a cap for admin and planning, which is 10% for home investment partnership dollars. Chodo dollars, which is Community Housing and Development Organization Dollars, are set aside for that and for the Muncie Area Career Center Build where a house is built by high school students in Delaware County for a single family and that is \$181,922 for both. Chodo Admin is capped at 5% which is \$20,000. Single or multi-family rental rehab, urban light and habitat for humanity, which is two separate projects is \$144,000, which leaves them with \$18,000 that is uncommitted at this time. They have until the 15th of this month to receive any comments about the action plan draft. The hard copy is available on the website, Kennedy Library and Maring-Hunt Library. Whitt-Bailey wants to draw the council's attention to three places on the action plan draft. There is an asterisk that states any previous projects that have been unused allocations will be transferred to infrastructure which is streets and roads. After the draft they thought they would change the word to may instead of will and that way if the city council wants to make a change or if there are other things that may be a priority than they don't have to work so hard to have public meetings and notices and hearings to change one word. On the Pathstone project where there were four agencies she left off one and that is Habitat for Humanity. Whitt-Bailey state the number of projects she thought Pathstone were going to do was 75 is actually 20 projects.

Ridenour states he appreciates all the work Whitt-Bailey has done. Ridenour asks if the reason why the funding was so much higher due to stimulus money. She states it's more federal. Whitt-Bailey states it's across the board. She states they are fortunate to see what the breakdown is statewide and they can compare themselves with other communities that receive entitlement dollars. That is why they must be diligent when they interact with the legislators here in the state as well as nationally to what HUD is facing. Ridenour states he was curious that other cities are seeing these exact same drops. Whitt-Bailey states they don't know what congress will do from year to year. They get excited when they only get a 5% or 7% cut because they know they can still continue to do some of the work planned. Anderson states he served on the committee for the first time and it is tough when you read the applications and agencies

need a certain amount of dollars and it's touch. Anderson commends Whitt-Bailey and her staff with the help agencies received for submitting their application. When they compare themselves with Anderson and surrounding cities they do a great job of grabbing that money to come here. Gregory states they are an entitled city and told how much they get by the size of their city. Whitt-Bailey states they do have to perform and part of their formula on how they entitle them is they look at past performance and they look at what has happened in the previous year and they look at what congress is going to give them and how they have spent their dollars. If they haven't spent their dollars they get dinged by HUD. If they are not spending their dollars they think they don't need the dollars. They will say if you're not spending it than they will not give them that much. There have been communities that have been penalized because of that. Her Assistant Director Kelly Harless will make phone calls and reach out to agencies and remind them they haven't spent their dollars yet. It's to assist the whole community in making sure they get those dollars from year to year. Gregory states back in 2008 because of performance in the prior year it took some fancy talking to make sure they received the money because they weren't going to get anything due to no reports at all. Assistant Director Kelly Harless created a spreadsheet and it helped them to know how many times she had to reach out to agencies to spend their dollars because they still want to be able to get their entitlement. They do like to follow the deadlines and there were a couple of applications that were submitted late. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 11-16 A RESOLUTION MAKING TRANSFERS WITHIN THE GENERAL FUND.

A motion was made by Powell and seconded by Quirk to Adopt. Controller Audrey Jones states she spoke with Judge Dunnuck and she would like to change the Public Defender to two contract positions. It does not go until the end of the month that's why the amount is different because the person stays until the end of March. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 12-16 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, ESTABLISHING MATERIALITY THRESHOLDS FOR REPORTING IRREGULAR VARIANCES, LOSSES SHORTAGES AND THEFTS.

A motion was made by Powell and seconded by Marshall to Adopt. Controller Audrey Jones states this is required by state law. She states they are required to report any losses. Jones states they haven't had any losses to report on but if they did have any they would have to report on it. Jones states she worked with the council attorney Joe Hunter and they made the threshold of \$500 on a reporting basis and it doesn't mean if they make a theft of less but this is what they are required to State Board of Accounts. They also added equipment so it isn't just a dollar amount. Marshall asks if this is just state law and there is nothing going on. Jones states that is correct and that everyone in the state of Indiana is required to pass a resolution on materiality. Ridenour asks how they came up with \$500. Jones states she was looking through the suggestions with the state and different communities of sizes the variances could be \$100 to \$500 with a smaller community where they only bring in \$20,000 a year and report on \$100. They get audited every year and they will report that \$10 was missing. Jones states \$500 was a

legitimate amount if they were in between audits. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 13-16 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, APPROVING MUNCIE CITY COURT ADOPTION OF THE STATEWIDE CASE MANAGEMENT SYSTEM CALLED ODYSSEY AND APPROVING THE MEMORANDUM OF UNDERSTANDING WITH THE INDIANA SUPREME COURT.

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

City Council Attorney states the county and city are on a reporting system called doxpop and you have to pay a fee you can look at your case or someone else's. The county switched over to odyssey which the Supreme Court put into the Indiana Gov. data base and it's easier to access and a lot cheaper. It's a case reporting system. Hunter states he made the resolution interlocal type of agreement. It's not something that is statutory required for the council to approve but he wanted the council to see the agreement they are entering into between the Supreme Court and the State. Hunter states the County is starting using the Odyssey last week. Hunter states he doesn't know the timeline. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

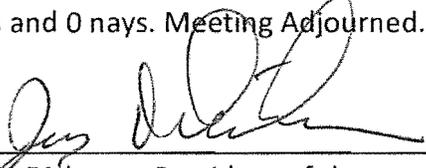
OTHER BUSINESS:

Margaret Niccum 3401 N. Cowing Park Lane states she is outraged with the lack of respect Marshall showed to the taxpayer and would think he would welcome to the answers to the questions. Marshall states he asked the question three times and he studies before he comes to the meeting.

Burriss Library Student Demetria Bohanon states his class has been focusing on traffic pattern and traffic flow. The intersection they focused on what Tillotson and McGalliard. Their class distributed questionnaires throughout Ball State University asking drivers how they felt about the intersection and driving on it. A significant portion of the surveys showed people would find inefficiency and become stressed out at the intersection. They began by assessing the amount of time people spent at the intersection when attempting to turn left onto McGalliard off of Tillotson. They begin by using cameras purchased with money from the Robert P. Bell Education grant they received through the Community Foundation of Muncie and Delaware County. They gathered data and contrasted it to cities with similar population and traffic flow. This shows the intersection has an issue with inefficacy and also safety. They contacted the Muncie Police Department and a lot of the traffic stops in that area a large majority was attributed to people running the turn arrow lights and making illegal turns. They believe changing the straight lane going on Tillotson into a left and straight lane providing two turn lanes for people to go more efficiently and reduce the time they have for waiting. Bohanon presents a written report to the council through the data they found from their surveys.

Quirk states she travels that intersection at least six times a week and asks when he started his study. Bohanon states they started in November through several months. Quirk states it has gotten worse in the past couple of weeks. Quirk states when they got the green light to cross Bethel going toward McGalliard the line waiting from the stop light at McGalliard to Bethel was a long time. Quirk states it was at 3:30 p.m. when school was letting out. Bohanon states that is what they found through the video-taping is a lot of time they did find that traffic was backed up traffic would come to a halt and no one would be able to go anywhere. The council commended the students for their time working on the study and for being present tonight.

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



Jerry D. Dishman, President of the
Muncie Common Council



Melissa Peckinpaugh, Muncie City Clerk
of the Muncie Common Council