

MINUTES
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE INDIANA

JANUARY 5, 2015

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

ORD. 1-15 AN ORDINANCE AMENDING THE 2015 BUDGET AS APPROVED BY THE COMMON COUNCIL WITH RESPECT TO THE GENERAL FUND.

Controller Audrey Jones will speak on this ordinance when it is introduced.

With no one to speak on ordinance, a motion was made by Marshall and seconded by Barton to close public hearing. Motion carried.

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

PLEDGE OF ALLEGIANCE: Led by Garrett Amber from St. Mary's Troop number 39.

President of the Mayor's Youth Council Destiny Roberts sang the National Anthem.

INVOCATION: Was given by Co-Pastor of Shaffer Chapel A.M.E. Tonda K. Bell.

A moment of silence was given for Muncie Community School Teacher John Clark, who lost his two daughters in a traffic accident over the weekend. They were students at Cowan High School.

CITIZENSHIP RECOGNITION: Councilman Jerry Dishman presents this month Citizenship Award to Erin Wright. At a young age of 9 years old Erin Wright has already made a positive difference in people's life. She decided to create what she named socktober. At school she wrote a note to the students asking them if they want to help the homeless. She met some who supported her and some that crumbled the paper up and made fun of her ideals. That didn't slow her down. She continued to collect hats, gloves, scarves and other clothing items for the homeless families. With the help from her teacher Mrs. Thrasher, she brought her message to the other classrooms, the County Building, City Hall seeking donations. It was met with a great response. On December 3rd Erin met with Tracy from The Better Way bringing bags of clothing items for the homeless children in Muncie. Erin is the daughter of Donnie Wright and Lana Kissinger and the granddaughter of Park Superintendent Harvey Wright and Linda Wright. It was all her ideal and she thought one day she made it happen. She is recognized by the Muncie City Council.

President Anderson asks Aaron Kidder to come forward and introduce the Mayor's Youth Council. Kidder states a couple of months ago the City Council approved a resolution that made the Mayor's Youth Council a little more inclusive and opening the doors up and letting more people join. Thanks to the efforts of Destiny Roberts, she

was able to get the youth council reinstated. After a lengthy interview and application process the council is present tonight. Aaron Kidder introduces each member of the Mayor's Youth Council. Kidder states the council has been involved in the White River Cleanup, volunteering at the Unity Center, Feed my Sheep over the holiday and there will be more things to come.

ROLL CALL:	PRESENT	ABSENT
Doug Marshall	X	
Mark Conatser	X	
Mary Jo Barton	X	
Brad Polk	X	
Jerry D. Dishman	X	
Julius J. Anderson	X	
Alison Quirk	X	
Nora Powell	X	
Linda Gregory	X	

2015 REORGANIZATION:

A nomination was made by Marshall and seconded by Conatser for Mary Jo Barton as President. Nominations closed. A vote by acclamation showed 9 yeas and 0 nays. Mary Jo Barton declared President.

A nomination was made by Dishman and seconded by Polk for Julius J. Anderson as Vice-President. Nominations closed. A vote by acclamation showed 9 yeas and 0 nays. Julius J. Anderson declared Vice-President.

A nomination was made by Quirk and seconded by Marshall for Nora Powell as Reading Clerk. Nominations closed. A vote by acclamation showed 9 yeas and 0 nays. Nora Powell declared Reading Clerk.

APPROVAL MINUTES: A motion was made by Polk and seconded by Anderson to approve minutes from December meetings. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

COUNCIL ATTORNEY: A nomination was made by Marshall and seconded by Conatser to retain Joseph Hunter as City Council Attorney. Nominations closed. Joseph Hunter is declared Attorney for City Council.

COMMITTEE REPORTS: Quirk states when they put together the City and County Animal Control Plan that they talked about doing an annual report. Superintendent Phil Peckinpaugh states he will have a report for the council next month.

ORDINANCES PREVIOUSLY INTRODUCED.

ORD. 41-14 AN ORDINANCE AMENDING CHAPTER 113, SECTION 113.04, ADDING SECTION 113.04(B) OF THE CODE OF ORDINANCES OF THE CITY OF MUNCIE, INDIANA.

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

City Attorney John Quirk states this ordinance is requiring any mobile food establishment to be 150 feet away from the property line of another food service establishment. This would not be in affect during festivals such as the ribfest. This is geared toward the village area and downtown. Gregory asks if this is a 24/7 prohibition of temporary food service or is it only during normal business hours. Quirk states it is only during the course of business hours. Gregory states after 2am the vendor could have a cart out there. Quirk states it depends on if the business they are in front of is open or not. If the business is closed they could be there. Gregory asks if the business owner can have a cart out in front. Quirk states this would prohibit that but if they want to do that they can get a temporary permit. Gregory states there was an incident where a restaurant downtown had their cart outside the business. Quirk states it would be prohibited but opportunities would be available. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 42-14 AN ORDINANCE AMENDING CHAPTER 79, SECTION 79.16 AND CHAPTER 77, SECTION 77.34(B) SECTION OF THE CODE OF ORDINANCE OF THE CITY OF MUNCIE, INDIANA.

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

City Attorney John Quirk states this deals with the code enforcement for the City of Muncie. In the past there have been two different codes or ordinances giving authority for the code enforcement. One of them is only the Muncie Police Department can enforce the overtime of code enforcement in regard with the parking meters and another that deals with other aspects of city parking. This combines them into the ordinances enforced by the Muncie Police Department. The reason why it is being changed is because there have been advances in technology and in particular with the running of tags and the information you can get from an individual's license plate. All that information is confidential is only available to a Police Officer. If an individual is not a Police Officer and they were to get that information and the state found out there could be penalties and repercussions from giving out that information to an individual. Barton asks if this is just pertaining to tickets. Quirk states this does just deal with parking tickets. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 43-14 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-3 RESIDENCE ZONE TO THE BV VARIETY BUSINESS ZONE ON PREMISES LOCATED AT 1724 E. 29TH STREET, MUNCIE, INDIANA. (APPLICANT-MUNCIE IMPORTS AND CLASSICS, LLC.).

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

From F.C. Tucker Ed Conatser states Muncie is in good shape with the youth they have today and the opportunity they were able to come to the City Council Meeting tonight. Conatser states he represents Muncie Imports and Classics on property at 29th and Macedonia. They have requested that part of the property be rezoned to Variety Business to bring it into compliance. Marshall states he will support this. He spoke with

Mr. Conatser on numerous occasions and he has given the information the best he could. He is bound by certain things that he can't discuss. He has answered any question he had. The owners have answered everything he had of them. They have assured that they are concerned about that intersection and they want to put something there they all as citizens would be proud of. Quirk shares that this did receive a favorable recommendation from the Planning Commission and this property is already surrounded by Variety Business. Barton states there was a Land and Traffic meeting held because there wasn't anyone present that had any questions. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 44-14 AN ORDINANCE AMENDING CHAPTER 154, SECTION 154.14, 154.15, 154.16, 154.17, 154.19, 154.21 AND 154.99.

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

Building Commissioner Craig Nichols states this is just trying to get their local ordinance more in line with the state statute. Quirk states she is excited the city is taking this on and it will be helping people and it's a good thing for their community. Nichols states he couldn't agree more. He states some of the ordinances they have need to be looked at from time to time to make sure they are current. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 45-14 AN ORDINANCE TO VACATE EASEMENT IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (APPLICANT-BMW RESTAURANTS).

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

Attorney William Hughes representing petitioner states this is an easement located on the property of Mac's Restaurant at 1121 W. McGalliard. They have notified all the utilities and they had no objection and hadn't heard anything from the other companies. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

NEW ORDINANCES:

ORD. 1-15 AN ORDINANCE AMENDING THE 2015 BUDGET AS APPROVED BY THE COMMON COUNCIL WITH RESPECT TO GENERAL FUND.

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

Controller Audrey Jones states they are asking to transfer funds from the Board of Works Interest to the Building Commission to add a new Inspector. At the last meeting there was an ordinance passed regarding the regulation of the outdoor seating areas, with doing that they need a position to inspect those areas. Gregory asks what does that leave for the balance of the interest and if it is adequate. Jones states it is adequate. Gregory states she noticed there isn't any health insurance dollars there. Jones states there isn't any in there but she can add them in. Gregory states they could amend it and add it in next month. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 2-15 AN ORDINANCE AMENDING ORDINANCE 27-14 FIXING THE MAXIMUM SALARIES OF EACH AND EVERY APPOINTED OFFICER, EMPLOYEE, DEPUTY, ASSISTANT, DEPARTMENTAL AND INSTITUTIONAL HEAD OF THE CITY OF MUNCIE, INDIANA, INCLUDED HEREIN FOR THE YEAR 2015.

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

Controller Audrey Jones states the Prairie Creek secretary has been amended to equal all the secretaries within the City of Muncie. The pay was lower than all the other secretaries. Superintendent Duke Campbell states he talked with the Controller about the position of secretary of the Street Department. She is a record keeper, contract keeper, keeps track of parking permits, potholes, payroll clerk, bookkeeper and she is also the Board of Works secretary. He is asking to bring her in line with the secretary of Beech Grove Cemetery. He feels as though he has a great person in there doing the tasks and it is tough. They get sued with tort claims all the time. It is asking a lot from someone by herself. Barton asks what her salary is now. Campbell states \$13.87. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

OTHER BUSINESS:

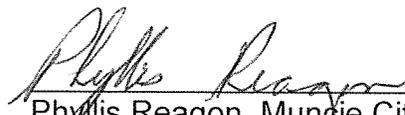
Human Rights Director Yvonne Thompson states they are partnering with the Collective Coalition of Concerned Clergy to bring about the 2015 MLK Day of Celebration. The theme is "Paving the Way for New Beginnings". This takes place January 19th and January 20th. There will be a community breakfast on the 19th from 9am to 10:30am. Unity March after breakfast starting at 11:00am at the multi-cultural center. They will have a breakfast for the kids and for everyone at 9am and 10:30am. In partnership with the Unity Center and the Boys and Girls Club they will have children's empowerment sessions from 10:30am to 1pm. There will be a community job fair at the student center from 10:30am to 1pm. There will be a food give away at the Unity Center from 1pm to 3pm. There will be Youth empowerment sessions from grade 7th to 12th at the L.A. Pittinger Student Center. Everything will commence on the 19th with the celebration being held at the Union Missionary Baptist Church at 6pm and everyone is invited. There will be a community choir and a recording star to come out and sing with the choir. On Tuesday, January 20th Dr. Mark Lamont Hill will speak at Pruis Hall at Ball State's campus. They are also taking donations for breakfast and scholarships for the city and the county.

President thanks Troop 39 for attending the meeting tonight. She thanks the Mayor's Youth Counsel. It is every important to the people of the future.

A motion was made by Marshall and seconded by Polk to adjourn. Motion carried by acclamation. MEETING ADJOURNED.



Mary Jo Barton, President of the
Muncie Common Council



Phyllis Reagon, Muncie City Clerk
of the Muncie Common Council