

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

**APRIL 3, 2017**

**PUBLIC HEARING:** 7:15 P.M., 1<sup>ST</sup> FLOOR CITY HALL AUDITORIUM.

ORD. 10-17 AN ORDINANCE TO VACATE A PORTION OF A CERTAIN PUBLIC ALLEY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

David Karnes, an attorney with Dennis, Wenger & Abrell at 324 W. Jackson St. Muncie, is present to request the vacation of a portion of a certain public alley approximately 150x10 feet directly to the north of the Wendy's located on W. Jackson St. It is requested that be vacated so the drive-thru area can be extended in an attempt to alleviate traffic off of W. Jackson St. Scott Gasser, an owner of the Wendy's Eastern Indiana Management Company, appears also. No other public comments made.

ORD. 12-17 ADDITIONAL APPROPRIATION ORDINANCE (POLICE PENSION).

No public comments made.

ORD. 13-17 ADDITIONAL APPROPRIATION ORDINANCE (PARK DEPARTMENT).

No public comments made.

ORD. 14-17 ADDITIONAL APPROPRIATION ORDINANCE (CEMETARY).

No public comments made.

ORD. 15-17 ADDITIONAL APPROPRIATION ORDINANCE (FIRE PENSION).

No public comments made.

ORD. 16-17 ADDITIONAL APPROPRIATION ORDINANCE (GENERAL POLICE & ANIMAL SHELTER).

No public comments made.

ORD. 17-17 ADDITIONAL APPROPRIATION ORDINANCE (GENERAL POLICE).

No public comments made.

President Marshall closes the Public Hearing.

**REGULAR MEETING:** 7:30 P.M., 1<sup>ST</sup> FLOOR CITY HALL AUDITORIUM.

**PLEDGE OF ALLEGIANCE:** Led by Council President Doug Marshall.

**INVOCATION:** Given by Pastor Royce Mitchell.

**CITIZEN RECOGNITION:** Councilperson Jerry Dishman starts by thanking President Marshall for creating this program. Over the years, he has met a lot of people in which he did not know what all they were about. There are a lot of people that go unrecognized by our community and Dishman appreciates Marshall for creating a special way to show them appreciation. This month Councilperson Dishman acknowledges Marilyn Carey for citizen recognition. She is certainly no stranger to City Hall or the community and she has spent most of her life serving for the city of Muncie and Delaware County. She has served on several boards including Senior Citizens, Muncie Public Library, Civic Theatre Authority, Muncie Community School, Delaware County Historical Alliance, Delaware County Mental Health, East Central Indiana Youth Symphony, Children Museum and the Friends of Bracken Library. She has been involved with the Muncie Stand Down at the Muncie Mission, Back to School Teacher Store, Martin Luther King Dream Team, Muncie Symphony League, and Chamber of Commerce Business Educator Partnership. Marilyn is a graduate of Muncie Central High School, “once a bearcat always a bearcat,” Dishman jokes, and an alumni member of Delta Gamma and Tri Kappa Sororities. She taught English and was a librarian at many schools as well as Technical Service Librarian at Eli Lilly. Something that many people surely already know, she is the widow of a gentleman that served three times as Police Chief of Muncie, two times as Delaware County Sherriff and two terms as Mayor of the City of Muncie and that was James P. “Jim” Carey. For Marilyn’s love and concern for this community and the people, this city will always be grateful for her. Her contribution will never be forgotten.

Marilyn takes the podium and thanks Dishman and Marshall for this wonderful idea. She had wondered when it evolved because she cannot recall such a program but thinks it is such a wonderful idea. It brings so many people into the light, especially the people that aren’t known for donating their time and their efforts to make this city great. We have a wonderful city when you stop and think about it, what other second class city has the kinds of facilities we do? Think of all the centers we offer, Ross, Buley, Motive Our Minds, etc. and such a wonderful public library system. Yet, all you hear is the down and out business. Marilyn believes we are better than all that. She recommends that we keep our chins up, don’t look down and focus on what we can do to keep on improving the city. She closes by thanking Mayor Tyler.

<b>ROLL CALL:</b>	<b>PRESENT</b>	<b>ABSENT</b>
Alison Quirk	X	
Nora Powell	X	
Brad Polk	X	
Julius Anderson	X	
Jerry Dishman	X	
Doug Marshall	X	
Lynn Peters	X	
Dan Ridenour	X	
Linda Gregory	X	

**APPROVAL OF MINUTES:** A motion was made by Powell and seconded by Polk to approve the minutes from the March 6<sup>th</sup> Regular Meeting as well as the minutes from the March 16<sup>th</sup> Public Hearing. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

**COMMITTEE REPORTS:** Phil Peckinpaugh, Director of the Muncie Animal Care and Services Department thanks the council for asking him to come up and speak in regards to Prevention to Cruelty to Animals Month, as well as updating the council on the yearly report after entering into the interlocal agreement. It is really important to note that in 2012 when this administration took over, animal control was very different than today. In 2012, there was a 49% euthanasia rate, so almost five out of ten animals were euthanized when they came in. It was not uncommon to have over 100 animals in a month to be euthanized. It has taken quite a lot of rebuilding to get to these statistics that he is about to share. In 2016, the shelter took in 2,542 animals, in which 907 were adopted, 418 were reclaimed and/or went back to their owners. The most impressive number that really speaks to his staff regarding their willingness to collaborate and work with other rescue groups is 1,140 animals in which they were able to partner with and transport to other facilities, leaving only 77 animals that were euthanized. The total save rate today is 97% with a euthanasia rate of 3%. They are continuing that trend for this year running at 97.46% so hopefully by the end of the year they could be at 98%. It will be impossible to achieve a 100% rating just because they take in animals that are terminally ill or hit by a vehicle, where the kindest most humane thing to do would be to euthanize them. The meaning of the word "euthanize" is to "eliminate suffering" so as long as they stick to that definition, then they would be okay. These achievements are all with the support and help from the city of Muncie and ACS definitely appreciates that. This is a great community full of animal lovers and Muncie and Delaware County should be proud. In closing, Phil informs everyone to come and see them at the shelter if interested in adopting their next best friend. There are plenty to choose from. President Marshall asks if they are holding any events coming up. Phil states they do have Yoga with Cats on April 20<sup>th</sup> and the third Thursday of every month. It is a really fun and popular event. Men, women and children are welcome to do yoga at the facility with cats in the same room. An average of 30-40 people attend each month. The cost is \$10 a person and that gets split with Exhale Yoga Studio who is kind enough to help out with the instructing. Phil closing by thanking the council.

**ORDINANCES PREVIOUSLY INTRODUCED:**

ORD. 7-17 AN ORDINANCE TO VACATE A CERTAIN PUBLIC ALLEY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

A motion was made by Quirk and seconded by Powell to Bring Ord. 7-17 off the Table. A roll call vote showed 9 yeas and 0 nays.

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

Nick Tokar, attorney with Defur Vuran, 400 S. Walnut St. Muncie, representing the petitioners states he was present at the previous Public Hearing and can answer any questions anyone might have.

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

ORD. 8-17 AN ORDINANCE TO VACATE A CERTAIN PUBLIC ALLEY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

A motion was made by Quirk and seconded by Powell to Bring Ord. 8-17 off the Table. A roll call vote showed 9 yeas and 0 nays.

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

Nick Tokar, again, mentions he is here on behalf of the petitioners and will answer any questions anyone might have. Quirk questions if things are moving along as far as the timeline, with the rain we've experienced. Tokar stated that yes, rain is not an issue in the matter and that finishing financing is where they are at now. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 9-17 AN ORDINANCE TO VACATE (I) RESERVATION OF RIGHT-OF-WAY AND UTILITY EASEMENT AND (II) 10' EASEMENT PER PLAT LOCATED ON PROPERTIES COMMONLY KNOWN AS 605-617 W. MCGALLIARD ROAD, MUNCIE, INDIANA 47303.

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

Austin Tracy, Civil Engineer with Hamilton Designs, 1198 Fishers Crossing Dr. Fishers, is present on behalf of the petitioners and is able to answer any questions anyone might have. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 10-17 AN ORDINANCE TO VACATE A PORTION OF A CERTAIN PUBLIC ALLEY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

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

David Karnes, attorney with Dennis, Wenger & Abrell at 324 W. Jackson St. Muncie, along with Scott Gasser (Wendy's owner) was present for the introduction at last month's meeting as well as the Public Hearing. There was a request of a slight amendment to be made in the ordinance and David has passed out the corrected copies to members of the council. The only thing amended is the fact the BMH foundation actually owned the parcel at 104 S. Manning, which is now owned by John Gasser. So now, half that alley will go to John Gasser, and the other half will go to Eastern Indiana Management which is owned by both John and Scott Gasser.

A motion was made by Powell and seconded by Gregory to Amend. A roll call vote showed 9 yeas and 0 nays. AMENDED. A motion was made by Powell and seconded by Polk to Adopt as Amended. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED AS AMENDED.

ORD. 11-17 ORDINANCE TO VACATE CERTAIN PUBLIC STREETS AND ALLEYS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

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

Nick Tokar, attorney with Defur Vuran at 400 S. Walnut St. Muncie, appears with Jim Lowe from Ball State University on this ordinance which was previously introduced. They will answer any questions anybody might have. Ridenour mentions he was able to look up and see the assessed values on all the properties that have been purchased recently or over some time. That came out to be a little over \$1.5 million. Ridenour is unsure of the purchase prices, though. He is aware that this is a great project that will be great for Ball State and will help create additional jobs, but as a couple councilmembers have already stated that there is a concern. He would love to hear more about the economic benefits because the city would be losing, from his calculations, \$1.5 million of assessed value because it will now be a part of Ball State. Ridenour asks for the petitioners to re-state what is going to be happening that will be positive for the city. He thinks everyone is mainly in support of this, but wants it to be stated for the public and the record purposes. Quirk mentions that she has some information pertaining to Ridenour's request and had the opportunity to communicate with Mr. Lowe that this information would be good to have. Lowe states the information he shared with Quirk was for the particular area that is effected by the new building and what Ridenour was looking into could be the for the whole block area. Quirk states if Ridenour is looking at the assessed value, that would actually be different than taxes coming in and what is being paid. Ridenour states he did not know which were at 2% and which were at 3%. Quirk refers to the information provided to her by Lowe and reads it for the record as follows. The annual amount of taxes that were paid to the county were about \$15,559. This project will generate on building permit fees for new construction approximately \$30,000. That is just in permit fees. The \$62.5 million project will bring business during this construction. The various contractor jobs would be contracted out as well as materials being purchased for the project. This equates to nearly \$600,000 annually that will be spent for local contractors and that includes roof construction, concrete repairs, as well as goods purchased locally such as electrical, mechanical and plumbing supplies. The streets to be vacated would be Martin Ave, Beechwood Ave, and Dill St. in which they were already not in the greatest of shape. The cost would be avoided for the city in trying to maintain those or doing any kind of reconstruction. Lowe gave Quirk a very lengthy and detailed run-through which goes on to state that Ball State will construct a new pedestrian bike pathway maintained by the university but open to the public. It would be a benefit that would align with the Cultural Trail that will connect with the community campus, the Village and downtown Muncie. Ball State University incorporation with the Muncie Sanitary District and the city of Muncie funded and managed a project to extend a major storm water pipe along Dicks St. and University Ave. going north to Riverside Ave. The intent was to assist with the MSD and the city of Muncie with storm sanitary sanitation efforts in that area of the community. The cost of that project was around \$600,000. Ball State University is also assisting in this endeavor of funding by installing and maintaining an underground storm water retention system directly south of the purposed new building. This will aid in slowing the rain water runoff, storm water system and help prevent in overtaxing the system. The cost estimate for this work was about \$400,000. The Health Professions building is designed to allow for the expansion of their nursing program with an estimated sixty-eight additional students being admitted into the program. These are students that will likely live on campus their first year and then around campus thereafter. Students would buy goods and services in the Muncie community. Quirk ends her run-through by informing the new building would include clinical services that will be open to the

community which will include wellness, nutrition, speech, etiology and social work (just to name a few). Mr. Lowe informs that what they typically find with a big construction project is the local businesses benefit. Even though they may not be providing the big materials, some of the more smaller materials like a plumbing supply contractor or electrical supply contractor will help as well. After a building is built, the biggest expense is maintaining it. So, for the next fifty to sixty years for the lifespan of that building, operators are buying local services. It is estimated that a percent of a buildings value is what is put back into it annually.

Lowe goes on to answer the question that was brought up during the last meeting regarding the police and fire departments. On March 7<sup>th</sup>, they reached out to David Miller whom meets routinely about this type of subject and they went over the plans. Miller had suggested a few changes in radiances on the curves along the entry-way at the eastside of the building. Based upon those recommendations, some changes have been made. All-in-all, he was still pleased with the accessibility. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

#### **NEW ORDINANCES:**

##### **ORD. 12-17 ADDITIONAL APPROPRIATION ORDINANCE (POLICE PENSION).**

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

Audrey Jones, City Controller, states ordinances 12-17 through 15-17 had an issue when she went to do the adoption and the advertisement was incorrect. The revenue was recieved to support this budget, however, the advertisement was incorrect so she had to bring it in front of city council to ask for an additional appropriation to get the fund back. These four are already adopted budgets. Jones just had to do an additional appropriation for the states approval.

Gregory wants to be reminded of the source of the funding. Jones states this is property tax money or any miscellaneous revenue that was received in the budget packets last year. Gregory wants clarification that this isn't new money. Jones agrees that it is not. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

##### **ORD. 13-17 ADDITIONAL APPROPRIATION ORDINANCE (PARK DEPARTMENT).**

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

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

##### **ORD. 14-17 ADDITIONAL APPROPRIATION ORDINANCE (CEMETARY).**

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

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

##### **ORD. 15-17 ADDITIONAL APPROPRIATION ORDINACE (FIRE PENSION).**

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

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

##### **ORD. 16-17 ADDITIONAL APPROPRIATION ORDINANCE (GENERAL POLICE & ANIMAL SHELTER).**

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

Audrey Jones, City Controller, informs that the first of the two line items mentioned in this ordinance is the Capital Equipment for the Police Department. As discussed in former meetings,

the police cars were not fully funded to be completely equipped so an additional appropriation is needed for the cost of the new computers, light bars, and other types of things the cars would need. The second line item is the PERF for the Animal Shelter. Jones accidentally put \$1,900 instead of \$19,000 and odd cents so she is requesting an additional appropriation to pay the PERF. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 17-17 ADDITIONAL APPROPRIATION ORDINANCE (GENERAL POLICE).

A motion was made by Quirk to Introduce.

A motion was then made by Powell and seconded by Polk to Table. A roll call vote showed 9 yeas and 0 Nays. TABLED.

ORD. 18-17 AN ORDINANCE AMENDING 28-16 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 2017.

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

Audrey Jones, City Controller, states the city took over the maintenance of Tuhey Pool. It is no longer being contracted out and no salaries were fixed for those employees. That is what this ordinance would fix. Gregory asks if lifeguards and other personnel are already covered. Jones informs those employees are part-time that falls under the parks department. All the lifeguards are part-time. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 19-17 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE SSS STUDENT SOCIAL SERVICE ZONE TO THE BV VARIETY BUSINESS ZONE ON PREMISES LOCATED AT THE 4500 BLOCK OF W. BETHEL AVE, MUNCIE, INDIANA.

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

Todd Bower, 1910 St. Joseph Rd, Fort Wayne appears on behalf of Barnes Development and Belle Tire (the actual purchaser). They are seeking a re-zoning of the current Student Services zoning designation to a Variety Business in order to construct a new Belle Tire facility. It will be slightly over 10,000 square feet in size and projected to have fifty new employees. The construction value for the project is about \$1.5 million. Bower is aware of some neighbors in the audience against this and they have addressed some of their issues. He is willing to take statements or answer any questions anyone might have.

Chris Modglin lives at 3305 N. Allison Rd. which is right in front of the site location. Over the years, he describes other types of development has surrounded his neighborhood, pinning them in. Adding this facility would pin them in even more. It could potentially destroy property value in that area, which is his highest argument. Modglin and his neighbors were expecting a buy-out of a block or two but have yet to have any discussions with any city officials.

Richard Voke, 3505 N. Allison Rd. informs that this is the fourth time they had experienced issues with the property zone across from him. The first three times, there was no written agreement but it was understood that the properties and the field across the street would lump together. Him and his neighbors were under contract three times to be bought out which did not work out. He did not have any idea about this project until one day in December he seen people out measuring his yard. No one ever contacted him or his neighbors about any kind of

negotiations or going into a development. Voke cannot speak for everyone but can say that he doesn't know of anyone that lives on his street to be in support of this. Over the last few years, development has put a noose around his neighborhood and it keeps shrinking and shrinking. If someone is looking at a map, Allison Rd is one little strip and everything else that is surrounding them is commercial. If this ordinance is passed, Voke feels that there would be no leverage to have a buy-out and they would just be stuck. He feels that Muncie is not a growing community. There was another tire store a quarter of a mile away from this location that got shut down. From an economic standpoint, he feels this could generate jobs but also put someone at another location out of theirs. He is curious if this development company is going to own the property and lease it to the tire company or if it's the tire company that is actually building and financing it.

Todd Bower, again, answers Barnes Development is a related entity to Belle Tire. Belle Tire will buy, develop, own and maintain that property. There are over nine locations throughout Michigan and are working their way into Indiana. They own and operate all of those facilities. Quirk asks if there is anything currently on this property.

Voke answers that it is just an empty field right next to Best Buy.

Quirk goes on to question why it was zoned Student and Social Services.

Gregory informs her that it has been like that for forty-plus years.

Quirk then asks Voke why some of the other attempts for commercial development did not follow through.

Voke recommends Mark Sturgis answer that question.

Mark Sturgis, ADM Commercial Properties at 3410 Fox Ridge Ln, has been involved with this property for roughly fifteen to twenty years and it has been zoned before to allow the developers to develop it. A lot of the developers were trying to do a very large project including gaining access to the properties to the west (Toys-R-Us, PetSmart and Ruler Foods). That process took longer than what the developer had on the contract to be able to get the approval from each and every owner of that area. It just simply did not work out and some tenants were lost in the meantime. Sturgis also adds the development parcel is of a singular use, which he feels is better than having a larger shopping center in that area.

President Marshall reminds everyone that this is just for the introduction and the council will discuss this also in the next meeting. He then assures the homeowners that the council members will look into this.

Gregory states that on the map of the development shows the entry road is towards the south end of the property and asks what the plans are for the north end.

Bower states they do not have any definitive plans at this point. They are buying about five acres but only need about two for the actual property itself. There will be some support issues, storm water, utilities, that will cut into that remaining two and a half acres. They currently do not have an identified user. With the re-zoning, it would be something that might be another use but just depends on what the market needs are. That is one of the reasons why they really haven't looked at purchasing the neighboring properties to the west because they didn't see the use.

Gregory want to suggest something that might make it a little more pleasant for the strip of homeowners there and that is that the location facing them be landscaped in an attractive way.

Bower responds by stating as a part of the development plan and what was approved to the Planning Commission, it does include a pretty extensive vegetated buffer along that side of the property. They would even be willing to cooperate with the homeowner's preferences, whether they want to put up a privacy fence or add additional trees. Those are all the things the developers would entertain.

Polk mentions the buffer for the north Alison Road and asks for a description of what that would entail.

Bower states they planned on installing a mound due to excess top soil. Along with it, there will be some fairly dense vegetation, trees and some shrubbery, in an effort to be respectful to those neighbors to the west. As part of that, they have moved all the service bays off the north and into the east side so there is nothing (doors opening or equipment running) that would be directly at those neighbor's doorways.

Ridenour states he went to the Zoning Variance Meeting this past week. He then asks if these plans follow all zoning ordinances in place or are they going to ask for setbacks, signs, decreased vegetation, anything like that.

Bower answers no. They have had a preliminary review and these plans comply with the current ordinances, the setbacks and the requirements. They are not anticipating asking for any variances or waivers from those development issues.

Ridenour mentions American Chevrolet and comments on how they put in additional trees in an area where they are not going to be in order to try and accommodate a more beautiful and attractive entrance.

Bower states at this point they have not contemplated any additional landscaping up through there, but would be willing to make changes and exceptions pertaining to what the homeowners desire.

Marsha Anderson, 3509 N. Alison Rd states she has had a problem with the zoning behind her. There is a lot of water issues and many of the homeowners had to have sump pumps. With excessive rain, it become like a river. She then mentions how noisy the area is and states that sometimes she has to sleep with a fan running to block out the noise from behind. They feel like they are on an island sitting there and had the understanding before that once it was zoned again it would all be bought at one time. The developer said that he approached the neighbors and Anderson informs that, in fact, no one said anything to any of them. It was all here-say and the surveyor that was telling them what was going on. Herself and other neighbors feel like they don't have any say in what is going on, that people can come in from other states and tell the citizens of Muncie what is going to go on in their own backyard. Referring back to the drainage issues, she explains how the current housing is sitting so low and she does not know how that can be fixed. Mentioning the landscaping, Anderson says that would be a good idea but it was previously fixed in the rear to appear more presentable but all those trees got sick and died of disease. She closes in questioning how long would that last for them to keep that up?

Powell asks for clarification if the developers did in fact meet with the residents.

Bower answers no they did not and if it appears he had mentioned that, he apologizes. They did not meet with the neighbors ahead of time as developing the plan because there was no intent to purchase their property. They had public notice through the Planning Commission action and obviously through this action. Because the property is so large compared to what the relative

needs are, again there was no intent to purchase that additional land. Twenty-eight neighbors were notified through the re-zoning action at the Planning Commission in which three neighbors showed up and voiced some of their concerns. Powell thanks him for clarifying. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 20-17 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE BP BUSINESS & PROFESSIONAL OFFICE ZONE AND THE R-5 RESIDENCE ZONE TO THE BV VARIETY BUSINESS ZONE ON PREMISES LOCATED AT 2617 AND 2621 W. MAIN ST. AND THE 100 BLK OF S. MANNING ST. MUNCIE, INDIANA.

David Karnes, an attorney with Dennis, Wenger & Abrell at 324 W. Jackson St, is here requesting the zoning change from the BP Business Professional Office Zone and the R-5 Residence Zone. This pertains to that 104 S. Manning property that was purchased from the BMH Foundation to be a Variety Business Zone because of the Wendy's drive-thru. They were told by the Planning Commission that because the drive-thru extends back on to those properties that would be required to have a Variety Business Zone to put more space for the cars to come on the property. They went before the Planning Commission and received a unanimous vote to recommend the zoning there. As it is known, they have also been working on the vacation of the alley which was brought before council on March 6<sup>th</sup>. Because of the time frame, they were unable to introduce this here at that time. So, they are back tonight on April 3<sup>rd</sup> to receive the adoption of the vacation of the alley as well as to introduce this. Because of that, they would request that if they were to approve, to suspend the rules and go ahead and not only introduce but allow for the movement of the adoption. They have not seen any opposition from the neighbors or have anyone that has requested to comment on this project and would like to move forward and deal with the Planning Commission on any other issues that may come about. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED. A motion was made by Gregory and seconded by Powell to Suspend the Rules to Adopt. A roll call vote showed 9 yeas and 0 nays. RULES SUSPENDED. A motion was made by Gregory and seconded by Powell to Adopt. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

**RESOLUTIONS:**

RES. 12-17 A RESOLUTION MAKING TRANSFERS WITHIN GENERAL FUND.

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

Melissa Peckinpaugh, City Clerk states this is within her budget and is willing to answer any questions anyone may have.

Gregory asks what type of training would she normally use this funding for.

Peckinpaugh informs her and her Chief Deputy Clerk attended the Cities and Towns Clerks Association Training last year and had hoped to take the entire office this year. However, some costs incurred that is needed to be spent otherwise. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 13-17 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 Quirk and seconded by Polk to Adopt.

Terry Whitt-Bailey, Community Development Director states in the essence of time the council received a full draft of the annual Action Plan for program year 2017. It is an eighty-something page document but she thought it would be easier to give a cliff notes version. (Two new staff members pass out hard copies to members of the council.) Whitt-Bailey goes on to introduce them as Kevin Neymyer who serves as Assistant Director and Margaux Dever who serves as Planner I and HOME Coordinator. These individuals work hard along with Brad King, another Planner in the office who wasn't able to be here tonight. Each year, Community Development comes before council around this time after they have had the opportunity to have a couple of public meetings and grant applications submitted to them and usually, they have the opportunity to hear from the U.S. Department of Housing and Urban Development as to what the entitlement grant would be. This is one of those years where the federal government has not given them the exact amount. They have seen this before of the last few years and was instructed by the State Community Planning and Development Office to guesstimate what they thought they might receive. Like most communities do, they just used last year's numbers. That is why a number is similar to a number from last year with the Community Development block grant dollars and HOME Investment partnership dollars. What will probably happen is those numbers will change but it will be based on a percentage that the federal government will give to the states who will then trickle down to the entitlement communities, Muncie being one of them. This is not something that hasn't been seen before. They are at a place right now where they won't be able to submit their final document until the federal government has made their decision on what they are going to do with the U.S. Department of Housing and Urban Development. In the meantime, the state is telling them to move forward as if they were going to get the same amount or more. What council has before them is a cliff notes version of what they have been doing. They have done everything the exact same way they would have done it before. Some meetings have been held and had a recommendation before council today. Their public service request that can be seen on page three of the document, which may have also been seen in the larger document of the eleven public service applications that they want to recommend to council. There were fifteen that were submitted. Whitt-Bailey thanks Council President Marshall for giving recommendations to them as well as Councilperson Anderson for spending time in helping make those decisions with the staff and Mayor Tyler who approves the recommendations. There were \$461,920 in requests for public service dollars and are only allowed by the U.S. Department of Housing and Urban Development to utilize up to 15% of those dollars for public service requests so that would be around \$159,000. That's why they are no able to always fund all of the wonderful programs and agencies that is here in Muncie. Inside Out (HVAC) and Bridges (generator) are two great organizations that are doing great work in our community. They wish they had more money to give them but are purposing funding for them. PathStone, who is one of the agencies the Community Development office is truly proud of that is doing a collaborative effort with other agencies that are known as ecoREHAB, Home Savers and Habitat for Humanity. These agencies really pull together not only their resources but also their expertise in really doing good work for our neighbors and people

that want to stay in their homes. Non-residential Rehab has to do with Historic Preservation with tuck-pointing for the Whitley Community Council, providing a place for food and additional administrative operations in a facility that they would like to purchase, as well as Cornerstone. In the consolidated five-year plan, for five years they agreed to set aside money to pay for paving and sidewalks. As much as they would love to clear all the uninhabitable or unsafe housing or commercial buildings, they only have dollars in the budget to demolish about fifteen to seventeen (maybe up to twenty) properties every year. Some uncommitted dollars, as well as additional old dollars for A Better Way which has already been put forward in a public notice with old dollars. They experienced a gravel-caused accident in their parking lot and really needed to re-do their lot but didn't have the funds to do so. Old funds were found to be able to pay for that. All in all, they are working with some great organizations and agencies with the dollars that is expected to be received from the U.S. Department of Housing and Urban Development. Whitt-Bailey states they are all willing to answer any questions anyone might have.

Councilperson Anderson comments on how much of a pleasure it was serving on the committee. But, he would in fact like to know if, providing we get the money, it was possible to next time present this presentation in a slideshow or some way the audience can visually see the information. Whitt-Bailey informs she would be happy to do that. The first year in 2012 she got really overzealous and gave her entire presentation which lasted about thirty minutes so she was trying to streamline it. She takes a minute to go through the public service because it is important for the community to know what the recommendations are. Again, this is based on their requests in addition to the amount that was recommended and those amounts are as follows:

Bridges Community Service	\$40,000.00
A Better Way	\$20,000.00
Motivate Our Minds	\$18,000.00
YWCA	\$15,000.00
Muncie Delaware County Senior Center	\$12,000.00
Roy C. Buley Center	\$10,000.00
Christian Ministries	\$10,000.00
TeenWorks	\$10,000.00
Alpha Center	\$8,000.00
Unity Community Center	\$8,000.00
Urban Light	\$8,000.00

Those were the public service recommendations in the packets previously handed out to the council. This information was made available online on March 15<sup>th</sup> and is also available in a hard copy at the Kennedy Library, Marion-Hunt Library, Mayors Office and the Community Development Office.

Councilperson Dishman asks how many blighted house have been demolished since the first of the year. Whitt-Bailey makes the comment that Brad King would be able to answer that if was here, however, next month can report on what is being done with the community development block grant dollars as well as dollars coming from the U.S. Department of Treasury. The first group of demolishes this year through the Treasury dollars was eleven. There are fifteen to

twenty properties completed with city dollars and she can get those numbers available and presented at a later date. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 14-17 A RESOLUTION APPROVING AN AGREEMENT WITH THE LOCAL 1348 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AFL-CIO.

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

Marshall asks Powell about sitting in regarding negotiations to this agreement. Powell states the negotiation between the Mayor's office and the Firefighters Local 1348 went very well, and was agreeable to what they were offered. The contract is available online. The included increases the employees and minimal areas and the demanding was at appropriate levels. Questions called. A roll call vote showed 9 yeas and 0 nays. APPROVED.

RES. 15-17 A RESOLUTION OPPOSING THE ADDITION OF MUNCIE COMMUNITY SCHOOLS TO SENATE BILL 567 OR ANY OTHER BILL.

A motion was made by Polk and seconded by Quirk to Suspend the Rules to Allow for Consideration of Resolution 15-17. A roll call vote showed 9 yeas and 0 nays. ADDED TO AGENDA.

Polk makes a motion and is seconded by Powell to Amend. The title should read "to any Senate Bill 567 or House Bill," not just Senate Bill 567. Also in #1 and #2 adding "any Indiana Senate or House Bill," again, not just Senate Bill 567. A roll call vote showed 9 yeas and 0 nays. AMENDED. A motion was made by Powell and seconded by Polk to Adopt as Amended.

Polk explains that Muncie has been added to Senate Bill 567 which would mean the state of Indiana taking over Muncie Community Schools. He feels it would be a detriment to the city of Muncie if that is allowed to happen. This resolution is asking the opposition of the adding of MCS to that bill and basically making a new amendment which will come for a full House vote. That is why it is very critical that this is done tonight so it can be forwarded on to the correct office and distributed to all 100 state representatives as well as the fifty senators at the State House. Basically, City Council is opposing the addition of Muncie Community Schools to any Bill, Senate or House.

Quirk asks if anyone has reached out to our local legislatures. Polk answers by requesting the mayor to come up and address this. He has talked with the two State Representatives as well as our State Senator from Muncie numerous times.

Mayor Tyler states that we were not made aware of this until late Thursday afternoon (3/30/17). Himself along with Representative Sue Errington, Representative Melanie Wright, Senator Tim Lanane and others had a few conference calls yesterday amongst their selves and others in Indianapolis as well as talking with the President of the School Board. Everyone went to Indianapolis today and made a great presentation on why we believe Muncie needs to be pulled out of Senate Bill 567. It passed 19-3 out of the Committee on Ways and Means. Since it is a Senate Bill it has been sent to the House for a hearing. Muncie only has tomorrow and Wednesday (4/4/17 and 4/5/17) to encourage the House to Amend Senate Bill 567 and take Muncie out. Mayor Tyler needs this tonight so it can be sent down tomorrow. He would like to get a "voice-vote" which is whoever can yell the loudest, but if not then we would need at least fifty-one votes. Muncie has a chance of being successful. Particularly when everyone from a community is interested in an issue, usually the General Assembly will listen. Right now, Muncie

has everybody. With all the legislatures, it doesn't matter if they are Democrat or Republican. The School Board as well as the Superintendent spoke in opposition to this as well as legislatures from surrounding areas.

Powell asks for Mayor Tyler to specifically explain why this issue is so important and if anyone from the public would like to call and voice their opinion on how to go about that.

Mayor Tyler states that it is very important to let the General Assembly know how the community feels about this issue, because they will listen. For them to know that there isn't any bickering from one side to the other is something that will matter a lot to them. Even if nothing can be done in the House, the mayor can almost assure that this bill would be decided once it goes back to the Senate. Then is when something can be worked out too regarding another route. There is time but only about three weeks.

Powell asks what kind of effect this would have on our community as far as MCS being included in this.

Mayor Tyler informs it would be devastating. Keep in mind, not only would they send an academic officer and emergency manager in, but the local elected officials and School Board within the City of Muncie would lose all control of Muncie Community Schools. There would be no role in it whatsoever. Right now, Muncie Community Schools is doing very well academically. We are B+ schools and graduation rates are higher than the state average, but many people do not know or talk about it. He can assure that the Indiana General Assembly did not know and it wasn't being discussed.

Anderson states he was given a phone number to contact the State House and was just wondering if there was time for people to still call.

Mayor Tyler states you can call all night long and all day tomorrow (4/4/17). The quicker you make the call the quicker you can make your wishes known. It is not known exactly when that bill will be brought down for a second reading so as soon as possible is the best time. The second reading amendment is the chairman of the House Ways and Means Committee.

Anderson wants to let the public know the phone number in which to call so the citizens of Muncie can get on that tonight and all day tomorrow and asks if anyone from the audience knows it.

Lynn Stallings, 2909 W. Beechwood Ave. Muncie states if you dial 1-800-382-9841 you get the switchboard and can ask for any representative you want.

Gregory states it would be appropriate to ask for Representative Tim Brown, the chairman of the Ways and Means Committee, because we already know our local representatives are in support.

Stallings states that when she called, she asked for Tim Brown and then sent a message to Greg Porter, the Minority Ranking member on the Ways and Means Committee.

Mayor Tyler states Tim Brown is a really good man from Crawfordsville that helped Muncie secure the \$5 million for the disability training center. Keep in mind when calling, we are not asking the state to give us money or anything along those lines, but to just allow us to fix this. We are just asking them to give us the opportunity to try and fix the problem and the mayor thinks we can. They will be back in session in nine months.

Powell mentions that even if someone doesn't have children within the Muncie school system, it's still very important to call and make their opinion known because this will affect the entire

city. Property values will go down, there will be a lot of repercussions within the community that would be very damaging.

Polk asks Todd Donati, the Director of the Muncie Redevelopment Commission, that if this happened how much would this devastate what he is doing in terms of moving forward with development within the city. Donati answers by stating it is hard enough dealing with negativity in the community as it is and just with the communication going on thus far it had already been devastating to them. For the state to come in and take over, most likely the first thing they will do is start closing schools. With that and going forward, it is going to be hard to deal with companies to come or stay within the community. They are doing studies right now trying to find out why or how to get/keep people here to stay and one of the top things is quality schools. This kind of negative congregation can't be attached to it.

Royce Mitchell, Ministry within the city, asks for clarification on what to say when they call the 1-800 number. Marshall answers they will probably ask basic standard questions like name and address and a form of contact. Gregory includes that if calling tonight or before office hours, you can just leave a message. She goes on to cite an example, "this is so-and-so, I live in Muncie and please do not take over Muncie Schools." For a more complex description you can just ask to please not include Muncie Community Schools on Senate Bill 567. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

#### **OTHER BUSINESS:**

Todd Donati, Muncie Redevelopment Commission, thanks the council for all they do. Just a few moments earlier he was remarking on information getting spread in a negative way and would like to comment on a recent post talking about the TIF spending in Muncie. He doesn't mind people sharing this information to the public but just wishes they would at least be accurate about it. There was a post made that stipulated that in 2016 they brought in \$3,132,015.00 with a spending of \$6,093,806.00. That left a negative balance in the TIF of \$2,961,791.00 and at the end of the year the TIF districts were down to of \$2,020,549.00. That is inaccurate information. Donati requests that any time somebody gets information that they are not certain about before it is disseminated into other areas, please call his office or the Controller's office. Both would be happy to answer any questions. He then goes on to explain to verify what the expenditures were. A total revenue and balance last year of \$6,453,444.00 and spent \$2,833,525.00 and a balance within the TIFs of \$3,617,919.00. What this information is telling you, when it is seen on listed public notice, that is bond payments being paid and payments from different bonds that were purchased. It looks like a lot of money going out and not as much coming in but that is a totally normal process. When dealing with the everyday TIF dollars, those are the second set of numbers Donati read off. He just wanted Council to know that information from that post nor the way it was sent out was not accurate. Post should be done with a little more credibility if going to supply certain information to the public.

Powell asks for a good phone number to contact to verify those numbers if ever needed. Donati states he would gladly give out his personal number 765-748-4235 as well as his e-mail

TDonati@muncie.com. He would be happy to answer any questions regarding someone being concerned or if they have questions on the numbers or how things are being spent. Having accurate numbers is what is best for all of us.

Joe Winkle, Chief of the Muncie Police Department, informs council on an update on where the department is at, currently an alarming stage with overtime already. There is an explanation and he just wants to it to be known now, in case he has to later come back, council wouldn't be hearing of it for the first time. MPD is budgeted with 104 officers, if all were here it would probably be adequate for them to staff and do all the things they need to do. Unfortunately, they have seven officers who are in a retirement transition period which means they are in the (Deferred Retirement Option Plan) DROP program. They are on the payroll however, they are not here to work. Also at this time, they have six people who are on a light duty status due to injury or extended sick leave. There are two officers currently at the academy and one on military leave. The department is not operating with 104, it is actually closer to 88 officers. When Chief Winkle came into office, there were about thirteen to fifteen people with less than a year on the department. The goal was to get those people trained properly so they pulled people from the Investigative Division, Drug Taskforce, and anywhere they could in order to get them on the streets and trained properly. They all went through a field-training program by someone from Indianapolis so they all were trained the same. That has worked very well for them, however, there was a nine-day span in February where there were three homicides. Not only is that taxing for officers, mentally and physically, but it is also a financial burden for their budget. That can't be their concern, obviously, their concern is with the families of the victims and solving these cases. As of right now, an arrest has been made in all three with the help of the Delaware County Police on one. It is aware that there is a heroin epidemic across this country right now and Muncie has not been safe from that. From January 1<sup>st</sup>, MPD has had about 150 overdose calls, ten are confirmed to be deaths by heroin or heroin with another drug involved. There are five or six deaths in which the toxicology reports have not yet come back. Meaning that number could be closer to fifteen or sixteen. People will have different views on this. The thought MPD had was to get the message out there for the people who need help. They have been in contact with CleanSlate, Meridian Services, and Brianna's Hope, dealt with some of the ministers from these places and have actually went out and talked with people on the street. The deaths are becoming an issue that can no longer be ignored. In the last six or seven days, MPD has had to take people back from Uniform Division and start actively enforcing this heroin problem. Chief Winkle says we can't arrest our way out of a heroin epidemic, however, there has to be some enforcement. Prior to this it was just rapid. In the last five days, they have served six search warrants, made six arrests for dealing and have taken several ounces of heroin off the streets. They are just getting started. The problem is, as they pull people from Uniform Division, they are lessening that side of the department and get into minimal staffing causing an overtime issue. Heroin doesn't work from nine to five so they are working as those cases go. If an arrest is made and there is enough to do a search warrant, they will do that and bring in the SWAT team. Most of the houses they have gone into have had

weapons in them. From a safety standpoint, they feel the SWAT team has to be involved. The problem is, this all adds up quickly. Between the homicides, the calling of the SWAT team, the hours that are worked and the heroin epidemic a whopping amount of almost \$90,000 has been spent in overtime and it is only April. If the department waits until May or June to start targeting this epidemic then they will be too far behind and not capable of getting caught up. They are taking a strong stance now and good things are happening but at a cost. All in all, MPD is okay but if in the future, they have to come back in front of council and explain why they are almost out of overtime money, Chief Winkle doesn't want to spring that all on them at once. He wants it to be aware of what they are doing and why they are doing it. His personal feelings may differ from others but he doesn't feel like the grief from a heroin overdose to a family is any different than a homicide. You lose a loved one no matter what the cause is. It is a traumatic experience and he doesn't think you can downplay someone's drug usage as a reason not to actively be out working on these cases.

Peters states that she lives in one of those neighborhoods and has seen a huge increase in police in her area and just wants to say thank you.

Winkles thanks Peters for that and says that when it comes to staffing, there was usually about eight officers per shift but has since been upped it to ten officers on afternoons. Honestly, that is generally not enough, according to Winkle, twelve to fifteen people would be a far better number. They gave up a couple positions in lieu of certain things in their contract. Any kind of drug or homicide investigation takes lots of time and hours. The department comps what they can but the chief can't make them use that and it is illegal to try and force that.

Dishman asks how the officers of the MPD handle situations where an individual may be on drugs and not aware of what they are doing or what is going on.

Winkle informs he has a brother that is an addict that is currently in East Chicago at a rehabilitation facility. As a family member, it is very frustrating. It is hard to explain that you can't get through to these people. A person has to want to get treatment, if they don't, they won't get better. He has seen his brother in and out of treatment as well as people of this community, therefore, has had a view from both sides. Heroin has been a problem here for a while but the magnitude of it has really increased in the last three or four months. There are people coming here from Dayton, Ohio and dealing the drug which is the only reason they are here. Those are the people that the MPD is after. For the people who are addicts, MPD will try to get them help the best way possible but handing out cards and just talking to them isn't really doing anything unless that person actually wants to change. At least they are giving those people an option and telling them there is help out there if they want it.

Dishman asks about special training for the officers pertaining to the drug epidemic.

Chief Winkle answers no, the officers do not get any specific training when it comes to drugs. However, they do have training on how to deal with people with mental problems. There has been talk about if the department should carry NARCAN (an opioid antagonist) but they are fortunate enough that EMS is generally right there and they do have it. Delaware County officers decided to carry it due to sometimes answering calls a long way away from the city,

therefore it being potentially beneficial. For the city police, they generally arrive on site around the same time as the ambulances do.

Marshall asks in a situation where the department comes in contact with a subject that is experiencing a possible overdose, could that person be charged with a crime for being in that state.

Winkle states regarding that, they have worked with the prosecutor's office on a couple different options. One thing that could be done is charge that person with Possession if it is in their system. The problem with that is how overcrowded the jail is. There comes a point in time where they have to make the decision on what they want to charge that person with, how long they will be able to be held, and as they get out potentially ending up right back in. The other side of that is if a person is Dealing heroin and can be tied to a death then they will try to charge that dealer with murder. Prosecutor Jeffrey Arnold is on board with that and part of his agreement. So, MPD is going after the dealers and hopefully within some of those arrests, the buyers will second guess their actions. They don't look at themselves as dealers. They look at it as a way of making money and not thinking of the fact that they are killing people out here. The council thanks Chief Winkle for this information and for everything he and the Muncie Police Department do.

Dave Ring, Downtown Farm Stand at 125 E. Main St. Muncie, along with his wife Sarah have a petition they want to bring before council. Marshall asks if they had filed a copy of the petition in the City Clerk's office prior to the meeting. Ring responds no. Marshall indicates all petitions must first go through the Clerk's office before review and states he will allow three minutes to speak. Rings agrees and goes on to state that this petition has over 1,000 signatures asking for the city to not fund the installation of the Fresh Thyme Farmer's Market. He has a few remarks prepared to present but would first like to thank the council for the time and opportunity to address local officials and participate in a legislative process. He also thanks his supporters that have showed up to tonights meeting and appreciates their time. Ring and his wife opened the Farm Stand in May of 2007 bringing organic food from local farms to Muncie residents for the first time in the city's history. They started the grocery store with only a \$10,000 personal loan and grew by only spending what they could afford and not taking a paycheck for over two years, not uncommon for a small business. Sarah worked in restaurants and he farmed part-time to pay the bills all while raising two small children. They created the organic food community in downtown Muncie supplying fresh, wholesome food to inner-city residents in an environment where everyone felt comfortable. They accepted EBT and SNAP benefits and became the only store in the downtown area which was classified as a food dessert at the time. Not only did people on the bus line have a place to get chemical free and nutritious groceries but downtown apartment dwellers had a place they could walk to get their essentials. Local organic farmers that were struggling to sell their products now had a place to sell their food in a system that took less time than selling it at a farmer's market. Ring heard from his producers that the Farm Stand helped stabilize their farms. They wanted to pay their employees a fair and livable wage, and thought if they could sacrifice and do that, then they would get better

service. That would make employees happy and it would urge them to build up a community as well. Their ideas worked and two years later in the fall of 2009, they expanded their square footage and opened the Farm to Table Restaurant and Deli with affordable prices that gave lunch seekers another option downtown. Their menu gave everyone that wanted to avoid fast food a quick and delicious place to go. Still they persevered succeeding in two businesses, restaurant and grocery, that statistically have the lowest profit margins and the highest failure rate. They have survived in the city that at that time had a declining population and job losses. They are not without their struggles and have complaints about parking, their location and one-way streets but still strive to educate people about the benefits of street parking in the central location in the city. In 2008 when a financial crisis hit, they survived due to being solid. Marshall thanks Ring for his time.

Sue Wyland has shopped at the Downtown Farm Stand since it opened. She just wants to speak on something that hasn't been talked about much in the various comments on Rings petition and that is trust in what you are buying. Ring visits the farms that he buys from and knows their philosophies and practices. For those that come from out of area, he relies on third party certification and fair trade and follows what the Cornucopia Institute is doing. Cornucopia is headquartered in Wisconsin and is a watch-dog group on operations that claim to be organic and are usually certified as USDA Organic. They do fly-overs and take aerial pictures. Some examples include the ten thousand hens for an egg operation in which no hens are visible outside and similarly the one thousand dairy cows where no cows are to be seen in the pasture, in fact, there isn't even a pasture for them to be in. Both of these things are illegal if USDA Organic certified. For some reason, the USDA decides not to investigate. That type of thing doesn't happen with the Downtown Farm Stand. You know what you're buying. It has been bedded by Dave or someone he trusts, which would be those third-party certifications. The more corporate places like Fresh Thyme and the organic sections of Marsh, Target, Wal-Mart are probably buying from these places as part of their organic products and are unaware that they are being victimized by greenwashing. The consumers who buy it and think they are making the right choices do not realize they are being hood-winked. That just doesn't happen with Farm Stand. They are building trust for the consumer in what you buy.

Ruthann Burkey, 1803 E. 15<sup>th</sup> St. Muncie, is also a big fan of the Downtown Farm Stand. She signed the petition. She believes the Muncie Redevelopment Commission has a final say on how the economic development dollars are spent as well as no opposes within the council in regards to Fresh Thyme. She does not think it is right that an appointed committee has complete control over millions of dollars when the elected city council that is supposed to control the per strings of the city. The Rings had over 1,000 people sign the petition given tonight. The overwhelming majority of people are Muncie and Delaware County residents that want local business not to be hindered in any way. The people that signed the petition are asking the MRC, Mayor and the City Council not to not subsidize a big corporate competitor, but for council to speak up and show support so the MRC can hear that they do not agree with

their economic development plans. The people that signed agree that they aren't concerned about the competition, in fact are welcoming of it, but believe in the principle of a level playing field and for businesses to pay their own way. The community believes in seeing what Muncie can create for itself and keeping as many profits as possible within Delaware County. The people that signed all believe in the community and know that local people are actually invested in and care about what goes on. She requests that the Meijer Corporation and Fresh Thyme pay their own way forward. If the Downtown Farm Stand is affected by this then so is local farmers.

Lana Ring, 12660 E. Eaton Albany Pike, is the daughter of Dave and Sarah Ring who own the Downtown Farm Stand. She informs that her and her family went into a Fresh Thyme grocery store in Indianapolis and found that many of the products were not organic. Much of it was the non-organic that came from the big companies. She thinks the Farm Stand helps the community and has the most healthiest food in the city.

Ari Hurwitz, 4200 E. Blue Grass Dr. Muncie, is a member of the Indiana Coalition for Public Education Delaware County. The message he wants to give is about sustained and complete community involvement on these issues. He really would like to thank Councilperson Polk and Mayor Tyler for bringing up the current issue because that is a catastrophic one. He will definitely be sending out an action e-mail tonight to members of his group to make sure they are calling and e-mailing as well. He wants to make a call for a more sustained and engaged community because this is not the first nor the last bill of the State House that has a drastic effect on MCS. When you think about a bill or amendment that is put forward by an out of district legislature against the entire legislative united front of Muncie, it brings you questions. Sue Errington commented on what people hear about Muncie, what other representatives think and the information with the amount of negativity that is out there. It is very unfortunate that people are losing faith and losing hope in the elected school officials and then pointing fingers to the community. When people lose hope, they lose their voice. Parent, teachers and leaders all understand there is a need to be united and act now to have that be sustained. It is the only way to guarantee voices from all sections of the community. The ICPE group is very actively working to engage with representatives from parent-teacher communities in every school in the district so they can contribute the discussion of action items and then give those to their constituencies. Personal connection means everything and having eighty people e-mailing is great but 180 is better and 60,000 would be really wonderful. The group is also working on engaging with community, neighborhood, organizational, business, and local government leaders so they can participate in a discussion of action items. Each member of council as well as the mayor's office has been e-mailed with a copy. He thanks Councilperson Ridenour for agreeing to meet at a later time this week and thanks Councilperson Polk, Powell and Mayor Tyler for working on finalizing a time to meet. The group would love to work with other members of the council as well. Their Facebook page is Indiana Coalition for Public Education Delaware County where they post very rapid responses and stories along with

contact information for people you should get in touch with. The more people that are united and engaged the larger the voice of the community is. The school system is affected by every single thing that has been talked about tonight.

Terry Whitt-Bailey, Community Development Director, states all members of the council received a flyer for the upcoming State of the City Address. They wanted to make sure that this was announced at the City Council meeting because this is the Mayor’s yearly report to the council and the city. It will be held at the Horizon Convention Center on Tuesday morning, April 18<sup>th</sup> and doors will open at 6:45 a.m. with breakfast served at 7:00 a.m. followed by the address and program at 7:30 a.m. This is a free event that is open to anyone and everyone within the community. They are using the Eventbrite invitations so to RSVP you must visit <https://muncie2017.eventbrite.com>.

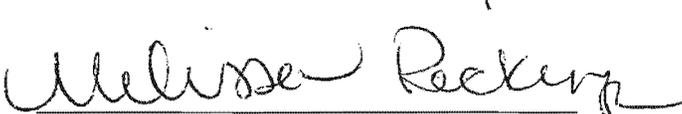
**ADJOURNMENT:**

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



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Doug Marshall, President of  
The Muncie Common Council



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Melissa Peckinpaugh, Muncie City Clerk  
of the Muncie Common Council