

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

SEPTEMBER 12, 2016

SPECIAL MEETING: 7:00 P.M. 1ST FLOOR CITY HALL AUDITORIUM.

TAX ABATEMENT COMPLIANCE:

RES. 22-12 A RESOLUTION APPROVING DEDUCTION FROM ASSESSED VALUE OF NEW MANUFACTURING EQUIPMENT IN AN ALREADY DECLARED ECONOMIC REVITALIZATION AREA. (PHILLIPS PATTERN AND CASTINGS, INC.).

City Council Attorney Joe Hunter states Phillips Pattern and Castings never filed a CF-1. The deadline was May 15th. The Statement of Benefits at that time was at 22 employees and is going to add 2 additional jobs. They are currently at 27 employees. Hunter adds that Council can make a Resolution to waive the deadline date and still find them in substantial compliance. Council President asks if anyone is present to speak. Controller, Jason Paul addresses the council and states that it was just an error on their end for not getting the paperwork filed in a timely manner. However, they have filed a copy with the Auditor and faxed Hunter a copy prior to tonights meeting. Councilperson Alison Quirk states she appreciates Pauls' honesty in the fact he admitted it was a mistake and they did what they had to do to correct it. She adds that it is good they are now at 27 employees which is higher than what the anticipated projected jobs were to be. Councilperson Linda Gregory asks what year this abatement cycle is and is informed by Hunter that it is from 2012. She recommends that they say they are in substantial compliance now and get the Resolution prepared for possibly next month or in November. Quirk adds that she would be willing to sponsor that Resolution. A motion was made by Gregory and seconded by Quirk that Phillips Pattern and Castings in substantial compliance. A roll call vote showed 9 yeas and 0 nays. Quirk states that for Pauls' clarification they found them in compliance but still have to follow through with the Resolution to waive the requirement for the filing deadline.

RES. 19-12 A RESOLUTION APPROVING DEDUCTION FROM ASSESSED VALUE OF NEW MANUFACTURING EQUIPMENT IN AN ALREADY DECLARED ECONOMIC REVITALIZATION AREA. (KEIHIN AIRCON NORTH AMERICA, INC.)

Hunter states that although they were notified by certified mail to be at tonights meeting, nobody from Keihin Aircon North America is present to speak on it. Gregory asks Hunter if he had had any type of contact with the company besides the notice to appear sent by certified mail and he states he did not. He also states that they could try to contact them again in hopes of bringing them in. The notice was sent certified mail and Quirk adds that's it was mailed 10 days ago and it was a holiday weekend. Gregory states she would be inclined to try to make contact one more time. A motion was made by Gregory and seconded by Quirk to postpone action. A roll call vote showed 9 yeas and 0 nays.

A motion was made by Marshall to adjourn. A roll call votes showed 9 yeas and 0 nays.

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

ORD. 26-16 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2017.
(MUNCIE PUBLIC TRANSPORTATION BUDGET).

ORD. 35-16 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2017. (CITY OF MUNCIE BUDGET).

ORD. 38-16 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2017.
(MUNCIE SANITARY DISTRICT BUDGET).

ORD. 27-16 AN ORDINANCE AMENDING ORDINANCE 28-15 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 2016.

ORD. 28-16 AN ORDINANCE 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.

ORD. 29-16 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE FIRE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

ORD. 30-16 AN ORDINANCE FIXING THE SALARY FOR THE CITY CLERK OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

ORD. 31-16 AN ORDINANCE FIXING THE SALARY FOR THE MAYOR OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

ORD. 32-16 AN ORDINANCE FIXING THE SALARY FOR THE CITY JUDGE OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

ORD. 33-16 AN ORDINANCE FIXING THE SALARIES FOR ELECTED OFFICIALS OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

Rick Yencer, 1663 Liberty Drive; states the only issues he has is with the Muncie Public Transportation budget, Ord. 26-16. With the millions of dollars that the city pays for in public transportation, it should be a 7-day service and not a 6-day service. There are thousands of people that go without transportation on Sundays. He closes his statement by saying that council needs to find a way to make that happen.

ORD. 36-16 AN ORDINANCE TO VACATE CERTAIN PUBLIC ALLEYS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (PETITIONER: MUNCIE SANITARY DISTRICT, THE CITY OF MUNCIE).

ORD. 37-16 AN ORDINANCE TO VACATE CERTAIN PUBLIC ALLEYS AND STREETS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (PETITIONER: MUNCIE SANITARY DISTRICT, THE CITY OF MUNCIE).

A motion was made by Marshall and seconded by Powell to close the Public Meeting. An all in favor vote shoed 9 yeas and 0 nays. Meeting Closed.

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

PLEDGE OF ALLEGIANCE: Led by Councilperson Nora Powell.

INVOCATION: Given by Councilperson Julius Anderson.

CITIZEN RECOGNITION: Councilperson Julius Anderson honors Mr. Edward "Ed" McNeary for tonight's citizen recognition. Mr. McNeary was born in Memphis, Tennessee and came to Muncie, Indiana in 1949. He graduated from Muncie Central High School and attended classes at Ball State University. Eventually, he was drafted into the United States Navy. He is married to his lovely wife Ella and they recently celebrated their 48th wedding anniversary last month on August 3rd. They have two sons, Darryl McNeary a banker, in Ohio and Edric McNeary, a project manager for CDW (a computer firm in Chicago, Illinois.) They are proud grandparents of six grandchildren. Mr. McNeary's desire to fight for the rights of the people of color was developed from his own life experiences. As an African America young boy, he was always disappointed by the discrimination of African Americans. He experiences how blacks had to go to back doors in the restaurants to get food in Tennessee. Coming to the mid-west from Tennessee, he expected a better condition for people of color. He said "I saw the mistreatment and it stuck with me, after coming to Muncie. I saw a lot of discrimination against African Americans going on here too." Mr. McNeary worked at Ball Memorial Hospital after school. He experiences discriminatory treatments to the patients and he saw how the wards were separated for black people and white people. In the early 1960's he joined the NAACP (National Association for the Advancement of Colored People) and he is a lifetime member. He was elected 1st Vice President of the local chapter of the NAACP and served three terms (6 years) as president. During this tenure he helped to resolve many discriminatory cases. Mr. McNeary was proud that he could be a part of the NAACP convention when Muncie hosted its first state convention. The guest speaker was social activist and leader in the American Civil Rights Movement, Mr. Julian Bond. In 1964, Mr. McNeary became employed at General Motors. During his time there, he served on the labor and industry committee. In the early 1970's, he became the chairman of the Civil Rights department at General Motors. He was a political liaison working with legislators such as

retired State Representative Hurley Goodall, retired State Representative Allie Craycraft, and Reverend J.C. Williams. Mr. Goodall introduced Edward to the Indianapolis House of representatives Black Caucus. Mr. McNeary has been very involved in community service. He is a charter member of the Indiana Democratic African American Caucus and a past member of the Muncie Housing Authority. He has served twice on the Muncie Human Rights Commission, served on Mayor Cooley's Task Force on Unemployment Committee, was the past Chairperson of Affirmative Action of Delco Battery and in 1996, served two terms on the City of Muncie Tax Abatement Committee. He has dedicated nearly 50 years of service to the community as a leader fighting discrimination. Out of all the community service Mr. McNeary has been involved in, he is most proud of being a part of the City of Muncie Tax Abatement Committee and being a lifetime member of the NAACP. He is also proud of the recognition of Dr. Martin Luther King Jr's birthday as a federal holiday in the state of Indiana.

Mr. McNeary thanks Anderson for honoring him and making him feel like a movie star. All in all, with all jokes aside, he says it isn't about him but about the association he has had throughout the years. He and his wife both have had decent jobs, he was lucky enough to get a job with GM Corp. and she was a therapeutic dietitian at Ball State University. Mr. McNeary just wants to say to the City Council that it doesn't take a politician to understand what they are trying to achieve. When you think of Muncie Chevrolet, BorgWarner, Delco Battery, all of that tax base is gone and won't be back. He was lucky enough to put in almost 36 years at GM and those type of jobs won't be available here again. He wants to compliment council for the job they are trying to do with the small tax base they have. Mr. McNeary closes by thanking the council. Council President Jerry Dishman adds that Ed is well-deserving of this award.

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

APPROVAL OF MINUTES: A motion was made by Marshall and seconded by Powell to approve the minutes from the August 1st 2016 meeting. A roll call vote showed 9 yeas and 0 nays.
MINUTES APPROVED.

COMMITTEE REPORTS: The City Council Budget Finance Committee will be meeting and holding their budget meetings next week on September 19th, 20th and 21st in the City Council Conference room on the first floor of City Hall. The meetings will start at 3:00 pm on Monday, 3:30 pm on Tuesday and 3:00 pm on Wednesday.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 24-16 AN ORDINANCE AUTHORIZING AND APPROVING A PILOT AGREEMENT FOR THE WEST KILGORE RESIDENTIAL CARE FACILITY.

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

Todd Donati, Muncie Redevelopment Commission appears to speak on this ordinance and invites Darrin Jolas and Dave Cocagne from Vermilion Development to present a presentation and answer any questions.

Darrin Jolas, 3317 N. Bell Ave. Chicago, IL; addresses council stating they are proud to finally be here after the past 18 months of planning. He then begins to express some background of the firm. The name Vermilion has roots in central Illinois, and is Chicago-based and they have completed roughly 200 million of public-private partnerships. They have 175 million of student housing portfolios as well. What they are here to talk about tonight is the assisted-living portion of their work. Jolas then shows some examples of the work they have previously done in Indiana. Example number one is Sycamore Plaza on ISU campus in Terre Haute, a public-private partnership with the University foundation completed in 2013. It was the first national retailer to downtown Terre Haute in 20 years. Another project that is some-what local, is on the University Hall on the IUPUI campus. It was a partnership with REI Development and completed in the spring of 2015. It is primarily administrative offices and also the home of the School of Social Work. The last example shown is a project they are very proud of at the University of Chicago. It is a partnership between the university and the city to bring the first revitalization of 53rd street corridor, bringing retail adjacent to the campus.

However, tonight's main focus is a project called Silver Birch-Muncie. This is a 119 unit assisted-living project. Its located at 2500 west Kilgore and is an assemblage of two parcels that lines on the south side of the river. It is the former bingo parlor as well as a former bank building. The zoning is suitable, there has been some environmental that they have worked through with IDEM Engineers and can be well on a path of getting development started. There is significant demand, roughly 500 persons with disabilities over the age of 75 in the market area. This community will serve seniors a variety of different needs. They are looking at closing on the property in October and it will take roughly 13 months to construct the building. They look to lease the following 15-18 months or so after. Therefore, a grand opening could be as possible as Christmas of 2017. The site lays out in a pattern that pulls a portion of the building close to Kilgore Avenue with an entry drive and parking around two sides. This opens up the back of the site to the green space that is already existing but also creating some walking paths, trails or other miscellaneous outdoor activities. The facility will feature studios and one-bedroom apartments. Residents will have kitchenettes, their own bath, living areas, bedrooms, and a large amount of amenity space. Smaller intimate settings will also be available such as libraries, reading rooms, computer spaces, etc. The purpose of the building is truly to provide assistance with activities of daily living, so it is the service overlay that's helps with bathing, medication or activities in which assistance would be needed. By looking at this broadly and locally, there is a significant amount of Medicaid savings in this assisted living platform. A portion of the residents will be able to utilize this community that would otherwise be in a nursing home environment. In doing so it generates a large amount of value to the state of Indiana to see an expansion of assisted living that can accept Medicaid residents. On the

economic development side of things, once this structure is up and running it does have the service component to it. There are 35-40 full-time positions that will be filled for the operation of the building. The payroll is in the 1.3 million range including benefits for employees and it represents over a 22-million-dollar investment. Jolas states the most important thing here is the quality of life and the ability to provide for senior citizens in need in Muncie. The financing for this project is coming through an entity of Berkshire Hathaway called Affordable Housing Partners. They have joined with Vermilion and looked comprehensively at their projects and investing in the tax credits generated through the assisted living platform. Gardant Management Solutions which is the management company that will do the majority of day to day operations of this community. They have significant amounts of experience with these types of projects. Jolas then asks if there are any questions or comments he would gladly help assist to answer. Council President asks just to clarify that this facility is going to be assisted living only? Jolas responds that yes, it is a 119 apartment building with assisted living. It is qualified by the state under the residential care licenser. In each area of the state, there is what we call a triple A or area agency and those provide a wide variety of services to seniors. One of the things is screening seniors for services provided by Medicaid and that could be any home services or a facility like this one where they would move and live there. They do a functional screening in which they bring the individual in and say you have a certain number of "needs" (Medication, bathing, etc.) and say you qualify for the services in this type of facility. There is second qualification if you are going to go on Medicaid which is a financial qualification. Not all residents will be on Medicaid but ones that are, also have to go through a financial qualification process with what is known as FSSA (Family of Social Services Administration in the state of Indiana) which is a state Medicaid agency.

Councilperson Quirk has a number of different comments. Firstly, Vermilion came before the Economic Development Commission this afternoon and they received a favorable recommendation. Also, for the public and council knowledge, one of the questions asked previously was if they assessed actual need in the community and she found that they had. There was discussion of potential property of similar nature to go at the 12th street location and that to her knowledge is no longer going to occur. She then asks if there was someone from Gardant Management Solutions present. Jolas answers that no but he would gladly try to answer any questions. Quirk states back that she is a member of the Edit Building Corporation which oversees the Convention Center. They have a relationship with the new Courtyard Marriott Hotel which is also a training facility for people with disabilities. They have classes there for people with disabilities that then can go out and work in fields of hospitality or even hospitals. They hold graduation ceremonies for the people that complete these course and they go out and find jobs. If there was any way to make a this all come together that would be a win-win situation for the community. The program is through the Arc of Indiana and it's the Erskine Green Training Center. She assures that Todd Donati or anyone in the Mayors office would be more than happy to pass on that information. Jolas adds that their director head of marketing will do a tremendous amount of outreach to programs like that, like hospitals and other referral sources for residents. Sometime around the second quarter of next year they will be looking into those community resources.

Councilperson Doug Marshall states one of the things he would like to see is the contractors utilize our local workforce and to employ some minorities. Jolas states that local employment is

important from a flexibility standpoint. They are available and ready to be there on the job if schedules change. There is also a factor of cost saving as well.

Councilperson Dan Ridenour appreciates their presentation and meeting them earlier that morning and then asks to clarify where Gardant Management headquartered? Jolas states they are in Kenken, Illinois and manage over 40 facilities in three different states. All of Vermilion's six assisted living facilities are managed through them so they do have experience with the company. Ridenour then states that he heard them mention a \$1.3 million payroll and that does include benefits and so forth. So just an average for 40 people, around \$32,500 per person including benefits. Ridenour is curious as to what other positions would be required. Jolas states it is a wide variety of people with different skill sets. There will be a manager, an activity director, a marketing director, a resident services coordinator. There is significant component associated with meal preparation so there will be cooks and wait staff and things like that. Certain health care professionals from RN's to LPN's are also going to be available. So it really is a variety of different positions from credentialed duties to housekeeping. Ridenour asks what the rent ranges. Jolas answers it is constrained by state regulation. They are not free to set rent as they could if this were just a normal what is called market rate assisted living facility. It is in the \$700 a month range but does not include the services package associated with assisted living. And it depends on the acuity level on the graduated scale in the state of Indiana but that range is anywhere from \$64 a day to \$84 a day. Again, that is set by the state. If an individual doesn't have the money to pay for that, the federal government through a supplemental security income will pay for the room and board component and the state through Medicaid would pay for the assisted living services package. So even if a senior has zero dollars in their bank account, they can still move into this facility and it be paid for. Ridenour is pleased that many of the positions could be very beneficial for the graduating people in those training courses at the downtown hotel. He also is curious as to who owns this property now. Jolas states one of the two entities is the Shroyer Corporation (Bill Shroyer) with old First Merchants Bank and the tattoo parlor, and the second is the group that owns Clancy's Carwash and Village Bowl with the old Bingo hall. Ridenour jokingly mentions it not normal for all of the cities banks to have tattoo parlors next to them. Quirk adds that it would be a beautiful upgrade to what is there. She thinks it will enhance the community and hopefully energize other projects to take shape. Donati states that it is also along the river so it will also be a very scenic area. A woman in the audience wishes to make a comment but is unable to step up to the microphone so Donati states her comment that Ivy Tech is also another resource for employment training. Donati adds that all the positions will not be able to be filled with Arc of Indiana graduates but he does really like that idea and is glad Quirk mentioned it. It is a great resource and if given enough notice, they would fit the needs required and actually make it happen. Jolas makes on more comment as to another project they are working on in Michigan City, they have also indicated Ivy Tech as a resource so they are starting to build a relationship. Donati now addressed the Pilot Agreement with the amendments. On page 2, in the next to the last 'where as' where it says "and is attached here to as exhibit A" be moved down to the end of section 1. The other 'where as' is "as the common council finds that it is in the best interest in the city and its citizens to approve the purposed pilot agreement." Section 4 would be "the ordinance shall be in effect upon adoption and passage" and is corrected to say "and shall remain in full-force until replaced, emended by the common council with the approval of the

owner." That are the only corrections to this agreement. He states that he has copies with blue lines to show what was changed.

Joe Hunter addresses the council as to his problem is with section 4, "the ordinance shall be effective upon adoption and passing and shall remain in full-force effect until repealed or amended by the common council. Period." The council does not need approval from anybody to take action. He strongly suggests that from a legal perspective that they do not include that operative language in the ordinance.

A motion to Amend was made by Marshall and seconded by Powell on Ord. 24-16 under section 1, after the herein it state, "it is attached here to as exhibit a." And also, section 4 at the end it state, "and shall remain in full-force effect until repealed or amended by the common council."

A roll call vote showed 9 yeas and 0 nays.

A motion was made by Marshall and seconded by Powell to Pass as Amended. A roll call vote showed 9 yeas and 0 nays.

Hunter addressed council and states they now have incorporated the actual exhibit into the operative language of this ordinance but there are some additional amendments that now have to made to the pilot agreement.

Donati informs in the second line in section 2.6 it reads "throughout the time this pilot agreement is in effect" and should say "in addition and consideration for the city providing police and fire protection of this property throughout the time this pilot agreement is in effect." He mentions which is the most obvious. Further down, still in section 2.6, line 6, it will be corrected to say "the surcharge amount shall be due and payable at the same time that this annual in lieu of amount is due and payable as provided in section 2.3 above." In section 3.1, line 5, instead of "in lieu of payments" it should state "the Combined Payment Amount." The following line, after "termination," it says "and received credit for all in lieu payments already paid for such year" should be completely taken out. In 3.2 and 3.2A, where it says "in lieu of payment" just needs to show "the Combined Payment Amount."

A motion was made by Marshall and seconded by Powell to Amend the Pilot Agreement for Ord. 24-16 under section 2.6, line 2, to add after "protection of the property" to state "throughout the time the pilot agreement is in effect." Also, to add after "the Combined Payment Amount" to state "the surcharge amount shall be due and payable to the same time that this annual in lieu amount it due and payable as provided in section 2.3 above." After the next to the last line after "that the Project is" to add "completed and (before fully). Under section 3.1, after "applicable pro rate amount of" add "the Combined Payment Amount." Also under section 3.2 and 3.2A, change "in lieu of payments" to "the Combined Payment Amount." A roll call vote showed 9 yeas and 0 nays.

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

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

ORD. 25-16 AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF MUNCIE, INDIANA MULTIFAMILY HOUSING REVENUE BONDS (MUNCIE ASSISTED LIVING COMMUNITY PROJECT), SERIES 2016 IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SEVENTEEN MILLION DOLLARS (\$17,000,000) AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO.

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

Donati states they help an Economic Development Commission meeting for the purpose for making the recommendation to the council to support this 17-million-dollar bond. This bond is in the form of utilizing our tax exempt status. To get these we have no obligation or rating concerns to these bonds and it does no effect our debt ratio. More or less the tax exempt status would save potentially one to two points in interest rates throughout the process. It was fully recommended and he asks that council also support this so they can move forward with this project. Marshall asks if there are any amendments that need to be made and Donati responds with the answer no. Gregory asks what the cities obligation is if at some point down the road this fails. Donati answers absolutely nothing, no obligation whatsoever. It doesn't go against the bond-rating, debt ratio, it has no effect. This is just what the state requirements are in order for them to qualify for tax exempt. Marshall states to Gregory that he asked that question at the last meeting because the work force material and tax dollars questioned and they made it perfectly clear that our tax dollars would not be effected. Ridenour asks if the term has been negotiated because it says not to exceed 4 years. Jolas states it will likely be a 4-year bond.

A roll call vote showed 6 yeas and 3 nays.

NEW ORDINANCES:

ORD. 26-16 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2017.
(MUNCIE PUBLIC TRANSPORTATION BUDGET).

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

Hunter states that he does not see where a council person has signed it or he has approved it, which is a requirement by ordinance of the city council. So giving the timing restraints of the processing of these budgets, he suggests someone make a motion to suspend the rules to waive those requirements.

A motion was made by Gregory and seconded by Powell to Suspend the Requirements of the council sponsorship and council attorney sign-off. A roll call vote showed 9 yeas and 0 nays. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 27-16 AN ORDINANCE AMENDING ORDINANCE 28-15 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 2016.

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

Sarah Beach, Personnel Director for the City of Muncie addresses the council and states this would allow us to create a new position within the city of Muncie as a Property Coordinator in the Building Commissioners office. There are some things that they need to amend. Under section 3, the first pay states "August 1" and should state "October 14." They would wait until the budget has been passed to fill the position so it there is a chance they would fill it this year but could also potentially wait until next year.

A motion was made by Powell and seconded by Marshall to Amend Ord. 27-16 Section 3 to state "October 14" instead of "August 1." A roll call vote showed 9 yeas and 0 nays.

A motion was made by Marshall and seconded by Powell to Introduce as Amended. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 28-16 AN ORDINANCE 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 Powell and seconded by Marshall to Introduce.

Audrey Jones, City Controller addresses council and states that all of the ordinances that she submitted for the salary have a 3% raise in them except for the Property Coordinator since that position would only be starting this year or next year. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 29-16 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE FIRE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

A motion was made by Powell and seconded by Marshall to Introduce. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 30-16 AN ORDINANCE FIXING THE SALARY FOR THE CITY CLERK OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

A motion was made by Powell and seconded by Marshall to Introduce. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 31-16 AN ORDINANCE FIXING THE SALARY FOR THE MAYOR OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

A motion was made by Powell and seconded by Marshall to Introduce. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 32-16 AN ORDINANCE FIXING THE SALARY FOR THE CITY JUDGE OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

A motion was made by Powell and seconded by Marshall to Introduce. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 33-16 AN ORDINANCE FIXING THE SALARIES FOR ELECTED OFFICIALS OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

A motion was made by Powell and seconded by Marshall to Introduce. An all in favor vote showed 8 yeas and 1 nay (Gregory). INTRODUCED.

ORD. 34-16 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE POLICE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2017.

A motion was made by Powell and seconded by Marshall to Introduce. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 35-16 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2017. (CITY OF MUNCIE BUDGET).

A motion was made by Powell and seconded by Marshall to Introduce. An all in favor vote showed 9 yeas and 0 nays.

Jones again addressed the council with 2 topics of discussion. The salaries went up 6% instead of 3% and that is because last year, the 3% raises wasn't in there so after transferring money from Board of Works to help cover those raises. So the 6% is actually a 3% raise from what they received this year. Also, she met with the cities insurance agent and she believes she can reduce the numbers that Jones submitted she can reduce them down 12%. However, they have a few more meetings and she wants to verify those numbers before submitting them to the finance committee and city council. Powell asks about the 6% and 3% raise confusion. Jones states that it is a 3% raise, they approved a 3% raise in December of 2015 so those are just 3% of what last years' salary ordinances are. The budgets reflect 6% difference because last year when they did budgets it did not include the 3% raise. They transferred the money to cover those raises. She believes it was at the January meeting of this year. Ridenour asks if there is a reduction of 3% in Board of Works on this years' budget. Jones replies no, there was not a reduction. Ridenour asks about the dollar figure for the insurance is. Jones responds it would be 12% of right around \$12 million (around \$1.4 million). Ridenour asks if they are on pace for that. Last year the increases were based upon all the saving they would save. Jones states the agent informed her they are 1 million to 1.5 million across the board of saving on health insurance. It is self-funded so she cannot provide actual number until December of this year. Ridenour states he just grew concern when last month in the weekly claims he noticed a 1.9-million-dollar payment for insurance in which it had not been that high in previous claims. Jones states they took the budgets for health insurance for the rest of the year out of the entire civil part so that they are getting close to the transferring period and she did not want money transferred form health insurance to cover a different line item. She went ahead and paid the insurance until the end of the year and whatever is saved will go into next year. No more health insurance come out for any city budget for the rest of the year. Gregory adds the very first part has two line items that were not there last year, local income tax for 2.6 million and the economic dev income tax for 3.5 million. She asks if that is a DLGF requirement that those two be on there now. Jones state the LOIT was changed to LIT which was not in the budget last year and then the edit budget was added in there just for transparency reasons. Ridenour asks what last years' numbers were for local road and street. Jones cannot answer that without looking at last years' budget but will get that information e-mailed to him and available for next months' meeting. She does include that the local road and street is not the street budget, but only state and federal funded projects. It is based on the revenue by the state.

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

ORD. 36-16 AN ORDINANCE TO VACATE CERTAIN PUBLIC ALLEYS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (PETITIONER: MUNCIE SANITARY DISTRICT, THE CITY OF MUNCIE).

A motion was made by Powell and seconded by Marshall to Introduce. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED.

Gregory asks if it is possible one of the Petitioners could be here at next months' meeting.

ORD. 37-16 AN ORDINANCE TO VACATE CERTAIN PUBLIC ALLEYS AND STREETS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (PETITIONER: MUNCIE SANITARY DISTRICT, THE CITY OF MUNCIE).

A motion was made by Powell and seconded by Marshall to Introduce. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED. An all in favor vote showed 9 yeas and 0 nays.

ORD. 38-16 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2017. (MUNCIE SANITARY DISTRICT BUDGET).

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

Hunter informs council, like ordinance 26-16 this was filed without a councilpersons signature and attorney approval. A motion was made by Powell and seconded by Polk to Suspend the Requirements of the signatures of a councilperson and council attorney. A roll call vote showed 9 yeas and 0 nays.

Debra Irvin, Financial Manager for the Muncie Sanitary District is here to answer and questions on the introduction of this ordinance.

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

ORD. 39-16 AN ORDINANCE TO AMEND THE BIDDING PRACTICES FOR PURCHASES ADDRESSED IN SECTION 38.06 OF THE CITY OF MUNCIE CODE.

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

John Quirk, President of the Board of Works as well as a city attorney makes the request that council not introduce this tonight. It has not only several errors but is also redundant and not necessary. Section A, B and D are all covered in the Muncie Code of Ordinances 38.06 as well as Indiana Code 5-22-8-1. The only change in this ordinance from 38.06 to the 39-16 is contained within sub-section C. That section requires any purchase between \$5,000.00 and \$50,000.00 that the mayor receive prices or quotes on that which is not necessary, that is all already covered by the Board of Works. They meet every Wednesday at 9:00 and read those quotes on the record so it would just be a burden to be placed upon the mayor. Also, with regard to the wording of the ordinance it specifically states in the title "An ordinance to amend the bidding practices" however that is incorrect. These are not bidding practices; these are "quote practices." Also, in the body at 'where as' it speaks about the "providing responsive bidders on all City of Muncie purchases;" once again, these are not bids they are quotes. There is quite a big difference between quotes and bids. That being said, he requests that they not introduce this as it is redundant and not necessary and provides a need from the mayor of the City of Muncie in which is already covered by the Board of Works under Indiana Code 36-9-6.

A roll call vote showed 3 yeas and 6 nays.

ORD. 40-16 AN ORDINANCE CONCERNING PAYMENT OF THE DEPUTY CITY CLERK ASSIGNED TO DOCUMENT PERPETUATION DUTIES FROM THE DOCUMENT PERPETUATION FUND.

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

Jones states the City Clerk has been very diligent in speaking with other local communities on how they deal with funding on positions. They were able to find an ordinance and get State

Board of Accounts ruling that they would not take any exception to using the clerk perpetuation fund to help fund a position. There is part-time money using to fund the other half of the position and in the budget fund for next year that these funds would help pay a full-time position. It is very similar to what the judge does with the probation fees. Gregory asks what source this fund comes from. Jones responds it is from ticket revenue and part of the court cost. An all in favor vote showed 9 yeas and 0 nays. INTRODUCED.

RESOLUTIONS:

RES. 18-16 A RESOLUTION URGING THE SPECIAL INTERIM COMMITTEE ON REDISTRICTING TO PRODUCE A FINAL REPORT THAT SUPPORTS COMPREHENSIVE REDISTRICTING REFORM.

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

Linda Hanson, League of Women Voters Spokesperson addresses the council and states redistricting after each federal census is intended to equalize the population of congressional and legislative districts providing for one person, one vote (1964 – Baker VS Car). Redistricting is the process used by government bodies to redraw the boundaries of electoral districts. In Indiana, the general assembly draws the United States Congress and the general assembly district maps. The process takes place every 10 years using data from the U.S. Census Bureau. Indiana's current system of having legislators draw district maps creates the ultimate conflict of interest because the process is unrealistic to expect politicians not to exploit it for political advantage. A 2014 study by the University of Chicago found that Indiana house districts are among the most gerrymandered in the nation. The process of gerrymandering is the practice of drawing districts to benefit a particular party or candidate. Both Democrats and Republicans engage in gerrymandering because the party in power draws the maps. It is a problem for everybody. It leads to uncompetitive districts. In 2014 44 out of 100 candidates for the Indiana House and 10 of the 25 candidates for the state senate had no opponents. It leads to low voter turn-out. Why vote if there is only one candidate? Indiana's voter turn-out rate of 28% in 2014 was the lowest in the country. It also leads to unfair electoral advantage for the majority party. In 2012, Democratic candidates received a total of 999,219 votes, Republicans received 1,342,237. In a translation of those figures, if the districts were fairly drawn, democrats would own 43% of the house districts with republicans holding a 57% majority. With gerrymandering, Republicans held 69% majority which climbed to 71% in 2014. In such a situation, consensus building and compromise become necessary. The current system allows legislators to choose their voters instead of voters choosing their legislators on election day. While population requirements must be met, lines deliberately include or exclude groups of voters based on political affiliation. Through their credit, the 2015 General Assembly created the Special Interim Committee on Redistricting. It is composed of legislators and citizens who will work until December of this year. There are many citizen groups supporting an independent districting committee. To demonstrate that support resolutions will be presented in Anderson, Michigan City, Lafayette, West Lafayette, South Bend, Valparaiso, Vincennes and hopefully, Muncie as well. All of our votes need to count and we need to ensure elected officials will work for all other constituents.

Councilperson Brad Polk mentions that this needs to be done on a local level as well as state level. He totally agrees with Hanson as to 10 years ago, it was the other party in control. Citizens know it goes back and forth.

A roll call vote showed 8 yeas and 1 nay (Polk).

RES. 19-16 A RESOLUTION ADOPTING THE UNIFORM INTERNAL STANDARDS FOR POLITICAL SUBDIVISIONS.

Hunter informs the council that due to some copies not having a councilperson signature, to be safe and suggests to make a motion to suspend the rules.

A motion was made by Powell and seconded by Marshall to Amend the Indiana Code number as it should read 5-11-1-27(g) in accordance with Indiana code 5-11-1-27(e). Also, the year should read June 30, 2016.

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

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

OTHER BUSINESS:

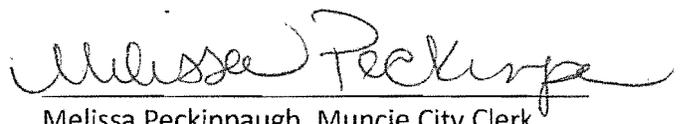
Mark Kinman, 2800 W. Memorial Dr. addresses the council with an issue regarding City Hall. Mr. Kinman has been appearing at City Hall periodically for the past few weeks for an unexplained reason and uses the entrance facing Walnut Street, which is the only one that is handicap accessible. It is also where City Hall employees gather to smoke on their breaks. It is aggravating that he and other disabled citizens have to walk through the employee's cigarette smoke just to gain access to the building. He states there are "No Smoking Within 8 Feet" signs posted on the door but they are not hardly legible and they are never 8 feet away from the entrance. He hopes there is something that can be done about this.

Beach makes the additional comment that Mr. Kinman is absolutely right and that this is a problem she had had with the city employees. She assures him that it will be handled as early as tomorrow morning.

ADJOURNMENT:

A motion was made by Powell and seconded by Marshall to Adjourn. A vote by acclamation showed 8 yeas and 0 nays. ADJOURNED


Jerry D. Dishman, President of
The Muncie Common Council


Melissa Peckinpaugh, Muncie City Clerk
of the Muncie Common Council