

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

MAY 1, 2017

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

PLEDGE OF ALLEGIANCE: Led by Council President Doug Marshall.

INVOCATION: Given by Joshua Cooper from The Bridge Community Church.

CITIZEN RECOGNITION: Councilperson Julius Anderson recognizes John S. Bailey Jr whom is married to Dr. Terry Whitt-Bailey, the Community Development Coordinator. Together, they share two children Jeremiah and Dena, and four grandchildren. The people of Muncie have known John as a giver and as a volunteer. Those that are close to him would say that he is very knowledgeable, in which, Councilperson Anderson agrees. John was born and raised on the south side of Chicago and received his Bachelor's in MBA Degree in Management Information Systems from Governors State University in Chicago. Others have told Anderson that John knows a lot about things and whatever he does not know, he will study it and perfect it. That is why John helped build eight habitat homes and even designed and fabricated a trust holder for them to move the trusts and make installments a lot easier. In addition, John has assisted eleven churches and either installed or upgraded their sound system. In the last few years, John has taken a great interest in the Whitely community and has overseen demolition of several houses on Highland Ave. in hopes to create a Pocket Park for the Whitely neighborhood. Councilperson Anderson was at the Muncie Area Career Center (MACC) when John was presented with the Whitely Community Council Certificate. John and his family are very involved in Ball State athletics, hosting meals and providing encouragement for the football team, and the men and women's basketball team. He also has been seen in plays on stage at the Muncie Civic Theatre including *Blues in the Night*, *Cinderella*, *Fences* and *Driving Miss Daisy*. John was employed at IBM in Chicago, Illinois for many years and in 1997, moved to Muncie. He was employed for ten years at the Ontario Systems, currently President of JSB which is an information technology consulting firm. He also taught computer information systems for more than fifteen years at Ivy Tech Community College at the Muncie, Anderson and Marion campuses. He is also a member of the Alpha Phi Alpha Fraternity, Inc. John is active in his ministry, Union Missionary Baptist Church, where he is a newly appointed Deacon. He has served on many boards including The United Way of Delaware County, Huffer Memorial Daycare, The Star Press Editorial Board and Muncie Fire Merit Commission just to name a few. Almost one year ago today on May 5, 2016, John suffered a stroke. That slowed him down, but it did not stop him, not one bit. He continues to do whatever he can to make

sure that the Whitely Park Project in this community is completed. Councilperson Anderson states that it is an honor and pleasure to present John Bailey with this award. He thanks John for his generous commitment, time, support and inspiration to the city of Muncie.

Mr. Bailey first thanks God for all that he has done for him because he could not do anything without God in his life. He would like to thank his late sister, Dr. Linda Keys, because she was the one who introduced him to the Whitely community, not only that, she also introduced him to the best thing to ever happen to him, his wife. John goes on to also thank his father-in-law for saying 'yes' when he asked for her hand in marriage. He goes on to thank all of his friends and family that are here and hopes his son (in the audience) will help him with the projects that he still has on the agenda. He is not through with Muncie. His belief is if you live in a community, it is your obligation to make it better. Everyone needs to pick up that piece of trash, or take part in little things here and there to make the bigger things happen. John closes by thanking the council for doing such a wonderful job.

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 Polk and seconded by Powell to approve the minutes from the April 3, 2017 as presented. A roll call vote showed 9 yeas and 0 nays.
MINUTES APPROVED.

COMMITTEE REPORTS: Councilperson Nora Powell states that Mayor Tyler has asked her to read a Proclamation this evening. She then invites up Mr. Don Finnegan to accept the Proclamation. The Proclamation reads as follows: Whereas, the freedom and security that the citizens of the United States enjoy today are a direct result of the continued vigilance given by the United States Armed Forces over the history of our great nation and the fallen warriors who pay the ultimate sacrifice and lost their lives while serving our county. Whereas, the self of sacrifice that such members of the United States Armed Forces and the family members that support them have reserved the liberties that have enriched this nation making it a unique community. Whereas, the month of May has been nationally proclaimed as Honor and Remembrance month for all of our fallen military of all generations, all causes of death and services branches. Whereas, the Honor and Remember Flag was conceived in tribute of those brave fallen heroes to ensure that their sacrifice was not in vain and that the nation would

forever remember the life they gave for their country. Whereas, each detail on the Honor and Remember Flag symbolizes an important part of the overall meaning of the flags message. The red field represents the blood spilled by the brave men and women in Americas military throughout history who willingly gave their lives so we all would remain free. The blue star represents active service in military conflict. This symbol originated in WWI but on the flag, it signifies service through all generations from the American Revolution to present day. The white border beneath and surrounding the gold star recognizes the purity of sacrifice. There is no greater price an American can pay than to give their life in service of their county. The gold star signifies the ultimate sacrifice of a warrior in active service who will not return home. Gold reflects the value of the life that was given. The folded flag signifies the final tribute to an individual life that a family sacrificed and gave to the nation. The flame is an eternal reminder of the spirit that has departed this life yet burns in the memory of all who knew and loved their fallen hero. Now, therefore, I the Honorable Mayor Dennis Tyler do hereby proclaim the month of May 2017 as a special time to show appreciation for our military and proclaim it as Honor and Remember Month. Mayor Tyler encourages all citizens to join him in demonstrating their gratitude to those who have given their lives during or after their service of the United States Armed Forces by proudly displaying their flags, ribbons, and participating in the display of the American flag and the Honor and Remembrance flag for the month of May 2017.

Don Finnegan, State Director of a non-profit organization states there currently are over one million people in this country that have died in action for our freedom. There are over 12,000 Hoosiers who have given their lives since WWII. That does not count the many that have died due to other reasons than just being killed in action. Part of the Honor and Remember program is the Indiana Run for the Fallen. This will be the third year of a 140-mile physical run from Fort Wayne to Indianapolis held May 12th to the 14th. On Saturday, the 13th they will be traveling through Muncie. This run comprises of 19 runners (mostly veterans but not all) with others occasionally jumping in. They run an 8.5-minute mile and stop at a pre-determined stop for 90 seconds to honor and remember the ones that has given their lives. He then mentions Jacob Sexton whom a veteran that in 2009 committed suicide in a Muncie movie theatre. His family will be out and they ask that he not be forgotten. It's not only about the hero's but it is also about the families; the ones that live Memorial Day every day of their lives. Mr. Finnegan then goes on to state the route and times to be able to catch the runner at one of their stops. They stop every mile and read out the name of a hero so they will never be forgotten.

ORDINANCES PREVIOUSLY INTRODUCED:

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

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

Audrey Jones, City Controller, states the first four of the additional appropriations ordinances were approved by Council, however, there was an advertising issue and that is why the DLGF

did not approve the budget. They did however approved the funding so she is requesting for the additional appropriation to approve the budget. Question called.
A roll call vote showed 9 yeas and 0 nays. ADOPTED.

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

A motion was made by Quirk and seconded by Polk to Adopt. Questions called.
A roll call vote showed 9 yeas and 0 nays. ADOPTED.

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

A motion was made by Quirk and seconded by Polk to Adopt.
Councilperson Anderson wants to clarify that the funding is actually there. Jones responds that the funding and revenue are both there, it is just that the budget was approved last October and there was an advertising issues so the state of Indiana did not approve the budget. They approved the amount to fund the budget but there are no such line items for the budget. The state reduced it to the year before. Questions called.
A roll call vote showed 9 yeas and 0 nays. ADOPTED.

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

A motion was made by Quirk and seconded by Polk to Adopt. Questions called.
A roll call vote showed 9 yeas and 0 nays. ADOPTED.

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

A motion was made by Quirk and seconded by Powell to Adopt.
Audrey Jones, City Controller, again states that this ordinance is for Capital Equipment relating to outfitting the newly purchased police cars. Also, she spoke with the Finance Chair and last year she had put \$18,000 too little and listed \$1,900 instead of \$19,000 for the Public Employee Retirement Fund for the Animal Shelter. That was her mistake so she is asking that there be enough to fund the PERF for the Animal Shelter. Questions called.
A roll call vote showed 9 yeas and 0 nays. ADOPTED.

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

This ordinance was listed on the May 2017 Agenda but was Tabled on April 3, 2017.
No action taken.

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 Adopt.
Audrey Jones, City Controller, informs that this ordinance involves the positions to fund the Tuhey Pool. The Parks Department took over and there were no salary ordinances for those positions so this is asking for approval of the salaries so that people can be hired for those positions. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

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 Adopt.

Christopher Enright, 628 E. Parent Ave. Royal Oak, Michigan 48073 is here to request the re-zoning of the property from Student Social Services (SSS) to Variety Business (BV). The proposal of a potential Bell Tire store is on this property. Mr. Enright goes on to show a map with detailed illustrations on where the development is planning to go and states that they have received approval from the Planning Commission for the re-zoning. Bell Tire sells tires and does minor automotive repair. For business, the building would be open three days a week until 6:00 pm, two days a week until 8:00 pm, Saturdays until 5:00 pm and will be closed on Sunday. It is a low-impact business, in terms of the number of customers that visit the facility. As the property was developed it was screened with vegetation, especially towards the residents in that area. It has been accommodated from the Planning Commission and the residents to add some additional trees towards the north end of the property. With that, they are respectfully requesting the re-zoning.

Councilperson Quirk questions a part on the map provided and wants to clarify that the part with the additional trees is the specific area that is adjacent with the road and the residents in that neighborhood.

Council President Marshall calls on Councilperson Polk due to this being in his district to see if he has any questions or comments. Polk responds most of his questions have been answered but does question on how high the brim will be regarding the water run-off issues.

Mr. Enright states it comes up about 24 inches and then the trees are on top of that. All the drainage will be contained completely within the property and there will be no run-off whatsoever. Polk states he ventured to the area a few times within the past month and that was something he wanted to check on since the residents already have drainage issues in the back.

Councilperson Anderson informs this was challenging for him because the Planning Commission favored it but it was very challenging last month for this Council. He asks if anyone had gone back and spoken to the homeowners in that area in regards to the new plan.

Mr. Enright states a number of the residents were at the Planning Commission meeting and they all meet afterwards in the hallway to discuss the project. They had a number of concerns, mainly with the history on what has been going on in this area with previous development that has been approved but not followed through with. The only other issues were the screening details regarding the trees, in which he believes will work out quite nice and the residents will like it as well. Questions called.

A roll call vote showed 8 yeas and 1 nays. ADOPTED.

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.

This ordinance was on the May 2017 Agenda but according to the April Minutes, the Rules were Suspended and the ordinance was Adopted on the same date, April 3, 2017. No action taken.

NEW ORDINANCES:

ORD. 21-17 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. 606 W. MAIN ST. (Real Estate – Single Family Residence)

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

Todd Donati, Muncie Redevelopment Commission and Director of the Economic Development Commission passes out official recommendations to the council from the Economic Development Commission signed and voted on just earlier today for both locations (Ordinance 21-17 and Ordinance 22-17 in which he goes on to speak on them both). These are required to go through the Economic Development Commission for Residential Abatements, in which they are Habitat for Humanity Houses. They are brand new houses on vacant lots and are able to accommodate future homeowners as well as put back on tax rolls. Kyle with Habitat for Humanity is present along with Breanna as a future homeowner. Darrell, the other homeowner for the property in Ordinance 22-17 was not able to appear, but Kyle will speak on his behalf. Kyle Staton, Construction Director for Habitat for Humanity, approaches the podium along with future homeowner, Breanna. He states they are willing to answer any questions anyone might have.

Councilperson Anderson asks how much equity would one homeowner have to put in. Kyle responds by stating 250 hours. The houses are set to start sometime this month if a break in the weather comes and should be completed in about three months. They will be going in the place of a couple of houses that did not need to be there anymore so these will be nice new additions to the neighborhood.

Councilperson Polk mentions the value of the houses and where it is approximately put once finished. Kyle responds the houses always varies within the neighborhood but between \$65,000 and \$70,000 appraised value. Polk estimates that would be about \$1,300 for the two new homes coming back on the tax roll in three years. Questions called.

Councilperson Powell just wants to say congratulations. She thinks Breanna will really enjoy that neighborhood.

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

ORD. 22-17 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. 610 W. MAIN ST. (Real Estate – Single Family Residence)

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

Councilperson Gregory informs that on Darrell's behalf she wants to say he is one of the most recent CIRCLE graduates. Circles is a program that is now ran by Second Harvest that help people who are highly motivated to get out of poverty. They go through a 16 to 20-week program where they analyze what has gotten them into poverty and how they are going to get themselves out. He is the third of the Circles Leaders that has managed to get a house through Habitat while the other two were rehab houses. Therefore, she is pleased to see this being done with new houses again. It is getting good housing stock in the hands of people who are

first time homeowners with a lot of support. Gregory believes this is one of the better things that they do as a community.

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

ORD. 23-17 AN ORDINANCE TO ESTABLISH STANDARDS OF CARE AND GUIDELINES FOR THE CARE OF ANIMALS AT THE MUNCIE ANIMAL CARE AND SERVICES DEPARTMENT SHELTER.

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

Phil Peckinpaugh, 901 W. Riggins Rd. and Director of the Animal Care and Services Department states this ordinance is nothing that they are not doing right now. It just establishes a guideline and a certain level of care that cannot be gone below. If something ever was to happen to Mr. Peckinpaugh, then the shelter administration has to keep going on the same current path so the work they've done cannot be regressed.

Councilperson Gregory understands that this is primarily directed to the city-owned facility but the language is broad enough to where it would cover any other facility engaged in this because it states "as well as a public or private facility." Mr. Peckinpaugh clarifies by stating that following where Gregory is reading, it states "that receives public funds." For example, that would be if the administration twenty years from now decided to privatize the Animal Shelter, they would still receive government funds and still have to be held to these same standards. Gregory asks what if in the situation of another facility violated this standard, should there not be some kind of enforcement procedure. Councilperson Quirk informs there is other enforcement procedures. Mr. Peckinpaugh states that in this ordinance, all practice can be halted at the shelter. Gregory clarifies that this is not amending any current existing code. Mr. Peckinpaugh answers no, this is an all new ordinance that composes a lot.

Councilperson Quirk reminds everyone this is for introduction only so if people do have questions or concerns there is time to make amendments to the wording and such. Mr. Peckinpaugh states he is really passionate and happy to talk about it so if anyone wants to stop by his office or give him a call they are more than welcome to do so.

Sarah Beach, Animal Care and Services Board Member, states they reviewed this as a board and the reason they feel it is important is because they feel like Phil and his board has devoted a lot of time over the past several years to bringing the standards up in this facility. Phil doesn't really toot his own horn sometimes but he really is nationally recognized for the way he is running the facility along with the lowering of the euthanasia rate and simply the care he has provided for these animals. He has demonstrated that this can be done. They would like to maintain the level and not let it slip in any shape or form. Questions called.

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

RESOLUTIONS:

RES. 16-17 A RESOLUTION DESIGNATING THE AMERICANS WITH DISABILITIES ACT COORDINATOR AND ADOPTING PROCEDURES.

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

Councilperson Gregory states the form that talks about the 'county department or location,' should state 'city.'

Yvonne Thompson, Director for the Muncie Human Rights Commission also appointed ADA Coordinator, informs her that they can get that error corrected.

Councilperson Anderson asks Mrs. Thompson to bring everyone up to date on this. She responds it is more duties for the Human Rights office. Basically, the ADA Coordinator is the one contacted if there are any issues dealing with structural or procedural concerns with any of the city buildings. There is an implementation plan that has been put in place so that has already been taken care of. This is regarding issues that just deal with this building. ADA concerns would come to the Human Rights Office. Councilperson Anderson asks if there was a complaint that brought this about. Mrs. Thompsons responds she honestly doesn't think so because they have been dealing with ADA concerns so it is not new for their office. They were just asked to take on that responsibility. The county has their own specific person as well. Questions called.

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

RES. 17-17 A RESOLUTION APPROVING THE GRANT OF A PERMANENT SEWER EASEMENT AND A TEMPORARY SEWER EASEMENT TO THE MUNCIE SANITARY DISTRICT.

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

No one physically appears to speak in favor of this resolution.

A motion was made by Gregory and seconded by Polk to Table until a representative of the city or Sanitary District is here to talk about it.

A roll call vote showed 8 yeas, 1 abstain. TABLED.

RES. 18-17 A RESOLUTION APPROVING DEDUCTION FROM ASSESSED VALUE OF NEW MANUFACTURING EQUIPMENT IN AN ALREADY DECLARED ECONOMIC REVITALIZATION AREA (NASG Indiana, LLC).

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

Todd Donati, Muncie Redevelopment Commission, states they had a committee meeting last week and by approval, made the recommendation to move this forward to the council. This is the former Indiana Stamping which is now called North American Stamping Group. This building could have been vacant in which they had the opportunity years ago to move to Tennessee but negotiated with council in getting things taken care of. The news now, they are here to add additional equipment estimated to be about a \$4.9 million increase in personal property to that facility. It is going to take six to eight months for delivery and hope to have it ready the first quarter of 2018. A piece of the roof will actually have to be removed to get some of that equipment in so they are working out those details now. Currently, they have 43 employees and this will add 8 more jobs that pay around \$35,000 a year. They think this is an important issue especially as manufacturing a lot of time is downsizing but in this circumstance, they are upsizing. Jim Cook is present to answer any questions anyone might have.

Jim Cook, Selma, Controller of North American Stamping Group and has been affiliated with this facility for many years. He states new work is coming in and is going to take some additional equipment over and above what they currently have. The equipment/necessities needed consists of a large stamping press, feeding equipment, specialized machinery and additional manufacturers to operate that equipment.

Councilperson Gregory thinks that is a plus that this would add jobs, but wants to know the time table on adding them. Also, one of the council responsibilities is to monitor compliance with abatement promises and is wondering if Mr. Cook can give her an idea of how solid those jobs are and how solid the business is. Mr. Cook states they already have the business, making automotive metal stampings. The parts actually line up on General Motors vehicles. It is the next generation of the pick-up and SUV's for GM. They are currently at about \$19 million in sales and 43 associates. This would take them to about \$25 million in sales and 50 plus associates. They will probably start adding some people later this year even though the equipment will take some time to get here. Jobs will probably be added late next year adding some maintenance employees with some second shift positions. The press operators will be hired closer to the date of that equipment being able to be ran, although, will be hired a few months early for training purposes. All the equipment will be in place around Spring of 2018. Gregory checks to make sure that they would be able to get their abatement process done efficiently and such. Mr. Cook responds he has had experience with abatements and has always complied with what he had in the past. He even invites everyone on the council to come out, visit the facility and take a tour to see what they do. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 19-17 A RESOLUTION MAKING TRANSFERS WITHIN THE GENERAL FUND.

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

Phil Peckinpugh, Director of the Muncie Animal Care and Services Department, states this is just taking money out of his part-time budget to fund a part-time contract employee that writes all their grants and rescue coordination. It is not a new position. Questions called.

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

OTHER BUSINESS:

Council President Doug Marshall announces that May is National Motorcycle Safety Awareness Month. A "Look Twice, save a Life" motorcycle ride will be held on May 7, 2017 starting at the Muncie Fieldhouse. Registration begins at 11:00 am and kick-stands up at 1:00 pm. The local chapter is donating money to a group that is doing a lot of awareness around Muncie.

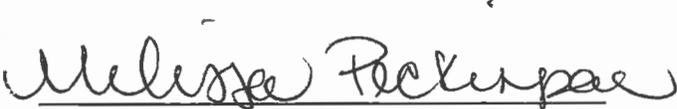
Yvonne Thompson also announces that RACE (Reconciliation Achieved through Community Engagement) will have a meeting at 6:00 pm in the City Hall Auditorium on May 2, 2017. It will be dealing with what is called Prevention of Violence Against Houses of Worship. There have been some incidences here in Muncie and are just wanting to take come precautionary measures to get places of worship equipped and in contact with people that have the expertise to know what to do. Mrs. Thompson states everyone is invited.

ADJOURNMENT:

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



Doug Marshall, President of
The Muncie Common Council



Melissa Peckinpaugh, Muncie City Clerk
of the Muncie Common Council