

MINUTES
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE INDIANA

APRIL 7, 2014

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

ORD. 6-14 AN ORDINANCE AMENDING THE 2014 BUDGET AS APPROVED BY THE COMMON COUNCIL WITH RESPECT TO GENERAL FUND.

No comment.

PLEDGE OF ALLEGIANCE: Led by Councilperson Jerry D. Dishman.

INVOCATION: Given by Pastor Josh Cooper from the Bridge Community Church.

CITIZEN RECOGNITION: This month the citizen recognition is given by President Anderson to Dr. Hurley Goodall. President Anderson states Mr. Goodall is a lifetime resident of Muncie, Indiana. He graduated from Muncie Central High School in 1945 and served the United States Army Corp of Engineers in the Pacific Theater from 1945 to 1947. After the war Mr. Hurley returned to Muncie and married his high school sweetheart Fredine Wynn and returned to his job during high school at the Muncie Malleable Foundry. At age 27, he was elected President of the U.A.W. Local 532. In 1958 Mr. Goodall was one of two African Americans to first serve on the Muncie Fire Department. Five years later the Mayor appointed him to serve on the Muncie Human Rights Commission. He was also the first African American who was elected on the Muncie Community School Board from 1970 to 1978 and the President of the Board in 1974-1975.

From 1978 to 1992, Mr. Goodall served in the Indiana House of Representatives. In 1980, the Indiana Black Legislative Caucus was formed with Goodall as its Chair. Of this time in the Indiana House, he says "I was most proud of co-sponsoring the bill that established Martin Luther King's birthday as an Indiana State Holiday." He recalled another proud moment when he was present in the U.S. House of Representatives to hear Nelson Mandela speak, "When I saw that strong, tall, straight shouldered man walk in, unbowed after 27 years of being incarcerated because he wanted to live free, I renewed the vow I had taken as a young man to never compromise my personal belief of what is right and what is wrong for expediency or favor."

Mr. Goodall also reminisced about the time he and Mrs. Goodall were invited to the Whitehouse in 1993. "As Mrs. Goodall and I danced in the East Room of the Whitehouse with President and Mrs. Clinton, I had to pinch myself to realize this was not a dream, that a young boy who grew up on welfare in Muncie, Indiana was a living witness that anything is possible if you only believe in yourself and God."

On January 11, 2007 Mr. Goodall was awarded "A Civil right Voice of Indiana". He was the second ever to receive the award and Rosie Park being the first. He was awarded the Sagamore of the Wabash by Gov. Frank O'Bannon. In 2007 he was awarded an Honorary Doctorate from Ball State University resented by President Jo Ann Gora.

Mr. Goodall co-authored "A History of Negroes in Muncie" in 1976 with J. Paul Mitchell. "Inside the House" in 1996 about his legislative career.

"The Other Side of Middletown," in 2005 Exploring Muncie's African-American Community.

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

APPROVAL OF MINUTES: A motion was made by Marshall and seconded by Barton to approve minutes from March 3, 2014. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

COMMITTEE REPORTS:

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 5-14 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, AUTHORIZING THE ISSUANCE OF THE CITY OF MUNCIE, INDIANA ECONOMIC DEVELOPMENT TAX INCREMENT REVENUE BONDS IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED THOUSAND DOLLARS (\$1,300,000) AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO.

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

Marshall states they will need to make some amendments. All Council received a copy of the noted amendments and they are highlighted in blue. A motion was made by Marshall and seconded by Barton to Amend. Attorney Joseph Hunter states if you look at the first two and a half pages are in the, whereas clauses, which means they are not in the operative language of the ordinance. On page three about three quarters of the way up it is technical changes of the language. There are no significant changes.

Gregory states on page four there is one that states 50% of incremental taxes. Todd

Donati states typically it is usually 100% of the taxes but in this instance they only

offered 50% and they wanted to make that more clear and the developer wanted to make sure it is clear. If it raises \$150,000 than they receive \$75,000 towards the bond.

There are many cases where they have given the entire \$150,000 towards the bond in order to capture it. This particular case they had to be clear. Anderson asks Council Attorney if he sees anything else to stop them from amending it. Hunter states no. A roll call vote showed 9 yeas and 0 nays. AMENDED. A motion was made by Barton and seconded by Marshall to adopt as amended. Gregory asks last month part of the presentation concerned that half of the amount of taxes would go for bond relief and the other half was going to sidewalks throughout the tiff districts. Donati states initially when they presented the new Tiff expanded area they presented also a lot of project areas and you can't collect allocation money but can spend allocation there. The Mayor made it clear he wanted to develop this Tiff in two parts, one to gain and develop business and the other to improve infrastructure throughout. Gregory asked if they have any idea how much money or feet of sidewalk they could go with that money. Donati states this particular project isn't the only one it pertains to. It would be hard to answer that question. This is the start of one and they want to try and maintain a percentage basis so they can rebuild and restructure the Southside of Muncie. Donati states that process is up to the Mayor and the Street Department. Gregory asks if it would be the MRC to decide. Donati states they only pledge the money for that purpose.

If the Mayor wants to bring that to them they would fall suite with that. Gregory asks what the cost of sidewalks would be. Donati states he doesn't have an idea. Barton thanks Donati and everyone involved in this. She states this is the first time everyone is her district has received something this huge. She does appreciate it. Once it starts it will be amazing and she appreciates it very much. Donati states the Mayor has made it clear that every area should be treated equal. A roll call vote showed 9 yeas and 0 nays. ADOPTED AS AMENDED.

NEW ORDINANCES:

ORD. 6-14 AN ORDINANCE AMENDING THE 2014 BUDGET AS APPROVED BY THE COMMON COUNCIL WITH RESPECT TO GENERAL FUND.

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

Controller Audrey Jones states when they were doing the budget process last year.

The Council approved 2% raises but the budgets had been advertised without the raises. They had to transfer the funds through the different departments to give those raises out. They are not asking for any more money or asking the state to issue a higher budget. They are just transferring funds from the Board of Works to increase the line items to give those raises as were approved last year. Gregory noticed the transfer funds are coming from Board of Works. One line item other insurance does not appear in last year's budget and asks if that is one where they moved other money within the Board of Works. Jones states they transferred money from the Election fee to other insurance in September. A vote by acclamation showed 9 yeas and 0 nays.

INTRODUCED.

ORD. 7-14 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-4 RESIDENCE ZONE TO THE BC COMMUNITY BUSINESS ZONE ON PREMISES LOCATED AT 1600 S. MADISON STREET, MUNCIE, INDIANA. (APPLICANT-THE CITY OF MUNCIE HOUSING AUTHORITY).

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

Attorney Gregg Huffman states the Housing Authority acquired the old Muncie Garfield School site from the Muncie Community Schools. Upon obtaining the title it involved in developing the property. They have leased a portion to Inspire Academy. They have leased a portion to the Unity Center. They have several other tenants they would like to move into the building once improvements have been made. One is a daycare center and the Housing Authority Offices. When they went to their financial organization they were told they would prefer making a loan to a property that is a Community Business Zone rather than the residence zone. They did discuss this with the Planning Commission and they did agree. Although they were grandfathered in they did discuss with the Planning Commission and they agreed that this would be better if the property would be zoned Community Business. On Madison Street on both sides of the street north of their property it is variety business and south of their property is variety business. They ask the council to approve the rezoning of the property. It did pass the Metropolitan Plan Commission unopposed.

Gregory asks what the difference between BC and Business Variety is. Huffman states there are differences between Central Business, Community Business and Variety Business. In Community Business there are fewer options that are allowed for the property. All of the things they want for this property are community oriented and community business would be the best for them. Gregory states they can't have bars or pawn shop. Huffman states they know they can't have adult stores. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED. Huffman states there is a certain need to move promptly on this and he knows normally there is not a suspension of rules on the same evening of introduction. He states no one in the community opposed the rezoning and asks the council to approve this. Anderson asks why they have to move so quickly. Huffman states the reason they need rapid approval is so their lender can proceed to approve their loan and they can start construction on those additional items in the building that need to be made more usable for the Unity Center and the other potential tenants. A motion was made by Marshall and seconded by Conatser to Suspend the Rules. A roll call vote showed 2 yeas (Marshall and Conatser) 1 nay (Polk). MOTION DENIED.

President Anderson states they will set up a special meeting.

ORD. 11-14 AN ORDINANCE AMENDING ORDINANCE 31-11, 35-12 THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE FIRE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2012 AND 2013.

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

Controller Audrey Jones states she provided meeting minutes as well as prior salary ordinances to help explain what happened. Prior to her coming into office in 2007

payable 2008 the Deputy Fire Chief was supposed to make \$58,393.00 and in 2008 he made that. In 2008 payable 2009 the pay went down and she researched this went through prior meeting minutes and it states specifically the City Controller said no salaries had changed reduced or raised. They were paid incorrectly and she wanted to make it right to the Deputy Fire Chief's pay. Gregory noticed all four in section 3 there is a blank and asks if it is critical. Council Attorney Joe Hunter states they can actually amend it to say January 1, 2012 and January 1, 2013. A motion was made by Marshall and seconded by Powell to amend to say the first payday will be January 1, 2012 and January 1, 2013. A roll call vote showed 9 yeas and 0 nays. AMENDED. A motion was made by Marshall and seconded by Powell to Introduce as Amended. A vote by acclamation showed 8 yeas and 1 abstain. (Powell). INTRODUCED AS AMENDED.

ORD. 12-14 AN ORDINANCE AMENDING ORDINANCE 33-11, 37-12 THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE POLICE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2012 AND 2013.

A motion was made by Marshall and seconded by Barton to amend section 3 to read the first payday of this will be January 1, 2012 and January 1, 2013. Amended. A roll call vote showed 9 yeas and 0 nays. AMENDED. A motion was made by Gregory and seconded by Barton to Introduce as Amended. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED AS AMENDED.

ORD. 8-14 AN ORDINANCE AMENDING ORDINANCE 33-13 THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE FIRE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2014.

A motion was made by Marshall and seconded by Powell to amend to read the first payday of this will be January 1, 2014. A roll call vote showed 8 yeas and 1 abstain (Powell). AMENDED. A motion was made by Gregory and seconded by Barton to introduce as amended. A roll call vote showed 8 yeas and 1 abstain. (Powell). INTRODUCED AS AMENDED.

ORD. 9-14 AN ORDINANCE AMENDING ORDINANCE 34-13, THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE POLICE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2014.

A motion was made by Gregory and seconded by Barton to Introduce. A motion was made by Marshall and seconded by Barton to amend that in Section 3 the first payday will be January 1, 2014. A roll call vote showed 9 yeas and 0 nays. AMENDED. A motion was made by Marshall to Introduce as Amended. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED AS AMENDED.

ORD. 10-14 AN ORDINANCE AMENDING ORDINANCE 24-13 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 2014.

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

Polk asks in the section 3 this does say April 3, 2014 and shall be calculated before then at prior 2014 rates and asked why they are not doing the others the same way. He asks if it contractual. Controller Audrey Jones states they are asking the part-time people to go from \$8 an hour to \$10 an hour. The Mayor believes they need to offer their part-time people a decent wage. She states this is not the same issue. The Domestic Violence Coordinator is going from part-time to full-time but the hourly rate doesn't change. Gregory asks if that is enough money to bump that to \$10.10, which is what President Obama is recommending for the minimum wage. Jones states there would be enough money to do a transfer the money out of the Board of Works. Gregory asks if she would look at that for next year. Jones states she can bring it back to the next council meeting. It was agreed upon that it can be amended.

Chief of Police Steve Stewart states there is a request to make the domestic violence coordinator full-time. Several reasons are currently there is one coordinator to invest the crimes. The domestic calls are increasing. The Delaware County Police responded to 504 domestic calls last year. The Muncie Police Department responded to over 1,900. Increasing this position to full-time will allow the domestic unit to establish contact with the victims at an earlier time when they would be more corporative. The STOP Grant pays for 30 hours for this position. The city would be funding only 10 hours of pay. They will be Training first responders and dispatchers on how to handle the calls to build stronger cases for the Prosecutor. This will help free up the investigator to do what they need to do and in the same time allowing the coordinator to keep in contact with victims. A vote by acclamation showed 9 yeas and 0 nays.
INTRODUCED.

RESOLUTION:

RES. 8-14 A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT CONCERNING THE DOWNTOWN WALNUT STREET STORMWATER PROJECT.

A motion was made by Barton and seconded by Conatser to Adopt.

Phil Tevis is present to answer questions. Barton states it says to improve a five block area of south Walnut and reduce flooding in that area. Tevis states that is correct. It is Main Street to the roundabout plus the storm water connection down Adams Street to the new big storm water project that will happen. Gregory asks if this is included also. Tevis states part of it is. Tevis states the alley and roofs are not included. They looked at that but there was a decision not to pursue that. Question called. A roll call vote showed 8 yeas and 1 abstain. (Marshall). ADOPTED.

President Julius Anderson asks John Mann to come forward and give them some information on the students present from all over Africa.

John Mann states he is with Ball State University Center for International Development. It is his pleasure to introduce their guest students that are here at Ball State University.

There have been staying in the local community with local Muncie families. These are the Africa Leadership participants. The students have been selected by various U.S. Embassies, such as Kenya, Zambia, Namibia, Zimbabwe, Nigeria, Botswana, South

Africa and Malawi. It is a program funded by the U.S. State Department and Ball State is proud to host these young leaders. They are at the University doing a program in social entrepreneurship and community development. They will be at Second Harvest Food Bank and will be distributing out food to the local Muncie community. They have partnered with Muncie Central High School to provide a day where the young leaders will shadow National Honor Society students. Mann thanks the Mayor for hosting the group. The Mayor allowed them to sit in on a Department Head meeting and the young leaders had some very good questions. Gregory asks how long are there here? Mann states they will be here until April 16th and then they will go to Chicago for a closing conference. While they are here they will be focusing on an action plan and developing a project and hope to implement it when they go home. Polk asks Terry Whitt-Bailey which ones were at the prom. Those students stood up. Polk states they were out on the dance floor the entire night. He welcomes them to Muncie. Mann states a couple weeks life as a Muncie teenager and they are thrilled. He wants to thank some of the local families that are present who are hosting some of the students. He can't thank the administration of Muncie Central High School enough. They are gone above and beyond to help them.

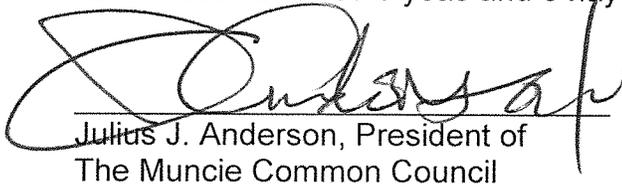
OTHER BUSINESS:

Jody Powell states she is a resident of Creekside Apartment and there is a major flooding issue on Elgin off of McGalliard. Whenever it rains Elgin street floods. Their parking lot floods and it isn't fun. It traps residents in their apartments. Many of the residents are missing work and unable to pick their children up from school. She has attendants to come in and help her and at one time they were unable to do so. She states the water was too deep to drive through. She states her husband likes to come home during lunch to make sure she is ok. The other day he wasn't able to get to her because of the flooding. The other day one elderly person in the apartments tried to drive through the water and the fire department had to get a raft to save him. It is ridiculous. The apartment manager wasn't able to be present tonight but did send a letter for the council. President Anderson asks to submit the letter. He states it is in his district. Councilperson Marshall works with that type of thing. Jody states her and her husband can be used as a contact person. She states she appreciates the council for helping them. Powell asks who she can speak with about updates. Marshall gives his contact number. Anderson states they will work with her and thanks her for coming. He states the Fire Department and Street Department is aware of it but they just have to figure out how to fix that drain.

Director of Community Development Terry Whitt Bailey states because the dollars were allocated later from HUD, those dollars were allocated to them about two weeks ago. They are giving them a sixty day window and they have things they are doing in order as they have prepared for them. The Community Development Block Grant for this year is \$1,162,474.00. Their home investment partnership dollars are \$428,366.00. They were able to increase their home dollars by 3% and their CDBG dollars are only decreased by 5%. She was asked to present to the council is the Mayor's State of the City Address, which will be on Thursday, April 17, 2014 at 7:30 a.m. They will follow up

with the City Council to get their RSVP to know what their needs are. There will be a continental breakfast. This is a free event and will be held at the Horizon Convention Center.

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



Julius J. Anderson, President of
The Muncie Common Council



Phyllis Reagon, Muncie City Clerk
of the Muncie Common Council