

MINUTES
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE INDIANA

JULY 7, 2014

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

PLEDGE OF ALLEGIANCE: Led by Councilperson Nora Powell.

INVOCATION: Given by Director of Community Development Dr. Terry Whitt-Bailey.

CITIZEN RECOGNITION: The recognition award is presented by Alison Quirk to Molly Piazza. Molly is a community activist stepping up to help solve problems and make their world a better place. Last year she became the voice of many young children as she stepped to bring attention to the bus situation. She was concerned for other students and she wanted to do her part in educating the public about the public question. She made Vote Yes signs, wrote a blog, campaigned door to door and participated at other rallies at Central High School. Molly wanted for her classmates to have access to save transportation to and from school. She stood up to help others, which means a lot to her. Molly most recent project is Molly Bear Cares. Molly sat down with her mother and made a bucket list. Molly wanted to raise money to buy food for the children who might be hungry over the summer. Molly decided to sell her artwork and give profits to Second Harvest Food Bank. Molly and her mother started a Facebook page to help her sell her artwork. Molly had the original goal of raising \$800 and through her hard work and dedication she raised over \$900 to donate to Second Harvest Food Bank. She took a tour and learned more about Second Harvest Food Bank. She was able to help over 200 children have access to food.

Molly is currently raising money through Molly Bear Cares to buy school supplies for the Back to School Store. She has taken her project on the road and has worked with other local organizations to host events and bring awareness to her work. Molly had an art party at Tuhey Pool and was able to share her artwork with others and inspire others to start their own projects all while enjoying their community pool. Molly is truly an inspiration for other children as well as adults. We are fortunate to have her in the Muncie Community. She is presented her award. Molly states she is thinking about doing a baking project. Molly gave art out to eight states.

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

Councilperson Marshall did contact President Anderson to let him know that he wouldn't be present tonight.

APPROVAL OF MINUTES: A motion was made by Dishman and seconded by Polk to approve minutes from June 2, 2014 along with Special Meeting. A roll call vote showed 7 yeas and 0 nays. MOTION CARRIED.

COMMITTEE REPORTS: President Anderson introduces individuals from Pakistan. He states a speaker will come and give an overview. He states he is lucky today to speak a few words. He states they feel honored. They are here in connection with partnership with Ball State University and Israel ministry. This is a project for two years which is funded by the U.S. Department of the State. The purpose of the project is to improve research and schools knowledge of the faculty and students works. Their stay here in Muncie is going very good. They are engaged in research and have done some academy activities. They are meeting with the dignitaries from Muncie, business communities and the City Council. They are visiting some museums and culture of the people of the United States. They have been here for four weeks and will be here for four more weeks. He states they have been here and they really love the people of Muncie and the City of Muncie. He states the people of United States are very generous helping and friendly. The things they learn here will help them throughout and in their life. He thanks them for giving an open heart welcome. He states anytime they are welcome to come to Pakistan and they would be their host.

President Anderson states there is a vacancy on the Mits Board that of Diann Studebaker. There is someone present that would like to fill that position. Barton reads a letter from Mike White addressed to the City Council expressing his interest serving on the Mits Board. A motion was made by Dishman and seconded by Barton to appoint Mike White to the Mits Board. A roll call vote showed 7 yeas and 0 nays. MOTION CARRIED.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 15-14 AN ORDINANCE TO CREATE THE CITYOF MUNCIE MAYOR'S YOUTH COUNCIL.

A motion was made by Barton and seconded by Polk to Amend adding Section 6. A roll call vote showed 7 yeas and 0 nays. AMENDED. A motion was made by Barton and seconded by Polk to Adopt as Amended. Barton states Section 6 states the previous Mayor's Youth hereby will be repealed. Aaron Kidder from the Mayor's office states they have had the privilege to interview students and it has been a great opportunity. They look forward to the program. Powell asks how many members will be a part of the Council. Kidder states 7 members and 1 alternate. Barton asks if they will be meeting once a month. Kidder states they will have a caucus and they will meet

once a month. Anderson asks when is the date they want this to come into effect. Kidder states they have been taking applications for months. The schedule is by the school year. A roll call vote showed 7 yeas and 0 nays. ADOPTED AS AMENDED.

ORD. 16-14 AN ORDINANCE AMENDING SECTIONS 152.35 (D) (1), AND ADDING SECTION 152.35 (D) (1) (c) OF THE CODE OF ORDINANCES OF THE CITY OF MUNCIE, INDIANA.

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

Building Commissioner Craig Nichols is present for questions. Polk asks if anyone will be grandfathered in. Nichols states he is not under the impression of any geo thermal system that is in the process of going in that has not been permitted at this time.

Question called. A roll call vote showed 7 yeas and 0 nays. ADOPTED.

NEW ORDINANCES:

ORD. 17-14 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE BP BUSINESS AND PROFESSIONAL OFFICE ZONE TO THE BL LIMITED BUSINESS ZONE ON PREMISES LOCATED AT 1712 & 1714 W. ROYALE DRIVE, MUNCIE, INDIANA.

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

Representative from Coldwell Banker and Commercial Lunsford Monty Brown represents the seller. The purchasers are rezoning it with for the purpose of construction of apartments which is not allowed under the existing zoning.

Steve Justin states he is one of the purchasers of the property. They envisioned developing this property as a combination of apartments and commercial office space.

Dishman asks if they own the little house. It is stated it is part of the track of land. He states initially they will not be tearing it down but as they develop the site that may be removed.

Quirk asks when the public meeting was held through the Planning Commission if there were any concerns expressed from neighbors of the public. Justin states no. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

ORD. 18-14 AN ORDINANCE OF THE CITY OF MUNCIE AUTHORIZING THE TRANSFER OF FUNDS FROM THE ADULT PROBATION SERVICES FEE ACCOUNT.

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

Controller Audrey Jones states a representative from the court was supposed to be here to speak on ordinance. It is to transfer some money from one fund to another but doesn't know what it is specifically about. Dishman states he spoke with the Judge and it is to be used for training. Jones states this isn't an additional appropriation. Barton states the Judge or Probation Officer should be at the next meeting and asks Jones to let them know. Jones states she was told this was for training but there were no specifics. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

RESOLUTIONS:

RES. 12-14 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA CONCERNING THE TAX ABATEMENT AUTHORIZED BY RESOLUTION 13-12.

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

Council Attorney Joe Hunter states the legislature has passed an additional statute. They granted abatement to the Muncie Music Center and they didn't file their CF-1 last year or their 322RE, which is a notice that states what the value of the property is. Both of those forms have been filed. He was in compliance and the error needs to be corrected first. He has paid his property taxes this year on the property. The intent on this ordinance is for him to start his abatement next year. Gregory questions how they can catch a non-filing. He has always taken the attitude over the years that it isn't his responsibility or the council's to tell the business what they need to do or when they need to do it. Obviously this one was caught when he received his tax bill and there wasn't abatement on it. He states to some extent when the businesses seek tax abatement it is on them to make sure it is done in the right way. He states in the documents they sign they understand what the requirements are. An inadvertent error occurs all the time. Hunter states the Department of Local Government Finance can administer regulations in quote you can waive non-compliance for equipment but not real estate. If you read the statute it doesn't not distinguish it. You can waive compliance with any of the procedural aspects of the tax abatement statute. Gregory asks if he did view the CF-1 they filed in May. Hunter states yes and they are in compliance. Gregory asks if this would allow all three years of their abatement.

Hunter states he paid his taxes this year but he did lose last year taxes payable this year. Barton asks if the Tax Abatement Committee meet with these businesses. Hunter states the board hasn't met this year. Hunter states that is another issue. When they do the abatements they should be reviewed by the tax abatement committee first. He will remind Mr. Donati they need to meet. Hunter states the real concern is what they address in the statute if it will halter or affect the budgeting process. The reason for that is if you had abatement for a huge facility and it is thousands of dollars. It will affect the budgeting considerations because of the estimate of what the revenue will be. That is another matter. If they get this in place before the budgeting process you will know if they will be able to incorporate it into their revenue and budget which was like \$5,000. Quirk states her position would be it appears somewhere along the line there was a mistake or error and they have done their part to correct the error. A roll call vote showed 6 yeas and 1 nay (Gregory). ADOPTED.

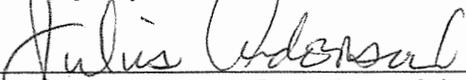
RES. 13-14 A RESOLUTION APPROVING THE APPLICATION FOR AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANTS AND CORRESPONDING INTERLOCAL AGREEMENT.

A motion was made by Barton and seconded by

Council Attorney Joseph Hunter states they do this every year. He technically drafted this ordinance years ago. It is a yearly thing. It is a grant. Barton asks if this is done every four years because it states in the resolution applied for every four years. Hunter

states it's the authority to apply for the grant. Question called. A roll call vote showed 7 yeas and 0 nays. ADOPTED.

A motion was made by Powell and seconded by Barton to adjourn. By acclamation meeting adjourned.



Julius J. Anderson, President of the
Muncie Common Council



Phyllis Reagon, Muncie City Clerk
of the Muncie Common Council