

MINUTES
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE INDIANA

JUNE 2, 2014

SPECIAL MEETING: 7:15 P.M., CITY HALL AUDITORIUM, 1ST FLOOR.

REVIEW OF TAX ABATEMENTS:

Attorney Joseph Hunter states there are a few companies that need to be addressed. Hunter states last year they called Allied Enterprises in and when they filed last year they represented they had 40 employees and they only had 27. The council found them in compliance after they made their presentation. This year they haven't quite met 40 but they are a little better and at 31 employees. Gregory asks what year is Allied Enterprises in with their abatement. Hunter states they received the abatement in 2011 and it is probably five years. Hunter states this process requires three meetings. If at this meeting based upon what they presented in their forms of compliance that they are not in substantial compliance then the council makes a motion and makes that finding. After that they send notice to the company for a hearing and let them come in and explain to the council why. After that if the council finds them not in compliance the council can terminate their abatement by resolution. This is the first step as represented in their statement of benefits. Allied was called in last year and they were a little lower than they were this year. They added a few jobs but not all the jobs they said they would add. They have clients in Europe and Asia. The council can make a motion whether they are or are not in compliance or do nothing. Gregory asked what their employment level they started out with when they first got received the abatement. Hunter states they had 38 and they have lost some. A motion was made by Barton and seconded by Gregory that Allied Enterprises is not in compliance. A roll call vote showed 8 yeas and 1 abstain (Conatser). MOTION CARRIED.

Attorney Joseph Hunter states in 2006 Sallie Mae originally represented their estimate was 700 jobs. They are at 635. Hunter states that was an estimate and they started from scratch. Barton asks if they applied in 2006. Hunter states it was granted by Resolution 13-06 and they are on their last two years. A motion was made by Gregory and seconded by Powell that Sallie Mae is in Substantial Compliance. A roll call vote showed 8 yeas and 1 nay. (Barton). MOTION CARRIED.

Hunter states Concannon's states in their statement of benefits that they had 73 employees at the time and he questioned that. They ultimately said they would create 73 jobs and that has not happened. They have 32 employees. They have created enough jobs to meet the criteria for the abatement but they were far short on what they anticipated. That is the difference of what they said and what their statement of benefits stated and the reality of what it is now. Hunter states the Resolution is 11-08 and they are six years into the abatement. Gregory states when she did the analysis the first year their numbers didn't add up. Whoever prepared the

reports for them wasn't clear of what was needed. Hunter states it's the same way now. Hunter states they showed him they have 32 employees but farther down the form it states they will have 63 new hires. There is something there that doesn't make sense. A motion was made by Polk and seconded by Gregory that Concannon's is not in compliance with the statement of benefits. A roll call vote showed 9 yeas and 0 nays. MOTION CARRIED.

Hunter states a couple of years' back the Dentist Dr. Rector came in and received abatement. At that point he had 19 employees. He represented he was going to create 20 new jobs, which is 39 and right now he is at 33. Gregory asked if it is 10 year abatement. Hunter states that is correct. He created the ten jobs required by the ordinance to meet the abatement but is short on what he estimated on his statement of benefits. Gregory states they are early on with this particular abatement. There is nothing that states they have to have their whole commitment in year one or two. Her feeling would be let it slide this year and look at it next year. A motion was made by Gregory and seconded by Polk that Rector Dental in substantial compliance. A roll call vote showed 9 yeas and 0 nays. MOTION CARRIED.

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

PLEDGE OF ALLEGIANCE: Led by Councilperson Mary Jo Barton.

INVOCATON: Given by Pastor Frank Wiles member of Union Chapel.
A moment of silence was given for the passing of Mr. Frances Lafferty.

CITIZEN RECOGNITATION:

Councilperson Gregory states Madison Jones and her first grade class from Longfellow Elementary went to visit the Muncie Children's Museum. As they were going through the exhibit they got to the train part. When Madison looked at it she was kind of puzzled. She asked one of the student teachers who was with her, "Why aren't there any black people in the exhibit". Nobody had a real good answer, not even the museum staff. Several people got on it right away and found some figurines and later in March, Madison and some of her friends went back to the museum and put the seven figures in the display. Madison put the first one in the display. Some were in front of McDonalds, Train Station platform and one guy was on the side doing some work. The neat thing is they could be moved around and be doing anything. When she read about this article in the newspaper she thought it was so neat and Madison would be the next person she would nominate. She is pleased to give her the plaque. Gregory reads the plaque and it is presented to Madison Jones. President Anderson states this story made national news.

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 Dishman to approve minutes from May 5, 2014. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

COMMITTEE REPORTS: President Anderson introduces Nick Koons from Energy Systems Group to give everyone an update on the building. Koons states they have some miscellaneous carpet to do in the Merit Commission room and one small piece of base on the first floor. They have to do some miscellaneous painting around the vinyl base they installed isn't quite the same height. There is still some erosion around the building which is pending with some installation of lights provided by the owner. Some color illumination of the building. Once they are complete with that they will provide them with the final agreement. In regards to lightning they have a piece of art at the main entrance that they are providing some color illumination to that as well at the request of the Mayor. All third party inspections in relation to the façade have been conducted and approved provided to the vendor with some miscellaneous modifications. Some additional added items there are some lettering that goes over the entrance that states City of Muncie. They are being sand blasted, power coated and sealed. That was approved last week by the Building Commissioner. They are doing some due diligence for the Building Commissioner on review of the restroom exhaust. They have provided price options to the Building Commissioner for the roofing. The door hardware should have been completed today. They are 98% complete. Koon's states he will close out documents about 75% complete and will be handed over to city hall staff in one package. The City Hall staff have been incredibly accommodating to their team particularly the Building Commissioner Craig Nichols. Barton asks if he did repair the roof. Koon's stated they have provided several options to the Building Commissioner and it wasn't part of the agreement. President Anderson thanks Koon's and their company for their work.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 13-14 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. (REAL ESTATE-SINGLE FAMILY RESIDENCE)

A motion was made by Barton and seconded by Marshall to Adopt. Executive Director for the Muncie Economic Development Commission Todd Donati states they had a committee meeting tonight and it was recommended that this ordinance be adopted. Donati states the homeowner works second shift but they didn't think he needed to miss a night of work. Donati will answer any questions. Gregory asks when the dedication will be held. Donati states he didn't know. Anderson asks if this is the women's build. Donati states yes. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

NEW ORDINANCES:

ORD. 14-14 AN ORDINANCE AMENDING ORDINANCE 32-13, 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 2014.

A motion was made by Powell and seconded by Marshall to remove from the Table. A roll call vote showed 9 yeas and 0 nays. MOTION CARRIED. A motion was made by Barton and seconded by Powell to Introduce. Gregory asks if they didn't already introduce this last month. Barton states there was discussion but they never introduced it. A roll call vote showed 9 yeas and 0 nays. INTRODUCED.

Superintendent of Beech Grove Cemetery Tom Schnuck states he has been working on this for a couple of years with the Human Resource Director and the Union President Nate Burgess. It was made to fit their criteria because it is a union position. The union signed off on it and he asks for the council to pass the ordinance. A motion was made by Powell and seconded by Barton to Suspend the Rules. A roll call vote showed 9 yeas and 0 nays. MOTION CARRIED. A motion was made by Powell and seconded by Conatser to adopt. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

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

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

Aaron Kidder states an ordinance creating the Mayor's Youth Council was originally passed in 2002. It has existed in one form or another since then. Since they have been in office it has been defunct. Last year there was a young lady that met with Mayor Tyler and asked what they could do to get the council going again. There were a couple of changes that needed to be made. Kidder states some of the organizations that were originally in the ordinance a couple of 501(c) 3's don't exist anymore. They Mayor wanted to open up the age range a little bit. It was originally for High School students and they opened it up for students Grades 6-11. It would be a good program and appreciates the council consideration along with the changes. Gregory asked if this is amending an existing ordinance. Gregory states since there is one already on the books shouldn't they just amend this one. President Anderson states if there is one already on the books then they would need to amend this one. Gregory states they can do that next time. President Anderson states the Mayor is able to pick another candidate for the council. Kidder states he saw some language that speaks to the City Council involvement. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

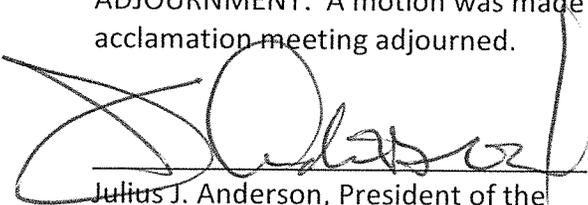
ORD. 16-14 AN ORDINANCE AMENDING SECTIONS 152.35(D) (1) AND ADDING SECTION 152.35 (D) (C) OF THE CODE OF ORDINANCES OF THE CITY OF MUNCIE, INDIANA.

A motion was made by Barton and seconded by Marshall to Introduce. Marshall states he spoke with the Building Commissioner and with the new technologies and geothermal there wasn't anything on the books to cover the drilling so the city can oversee some of the drilling going on. They are trying to step into the 21st century by doing this and he commends the

Building Commissioner for bringing them up. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

OTHER BUSINESS: None

ADJOURNMENT: A motion was made by Marshall and seconded by Powell 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