

MINUTES
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE INDIANA

SEPTEMBER 8, 2014

PUBLIC HEARING: 7:00 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

ORD. 31-14 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2015. (CITY OF MUNCIE BUDGET)

City Controller Audrey Jones states before they get started she just wanted to let the council know the on Ord. 24-14 the Mits Bus Budget, the state changed their requirements this year and you have to submit form 3 to the state within the publication date which was August 29th. She submitted form 4 and did not submit form 3. She contacted the star press and they are going to run the ad again, which there will be a public hearing on September 25th at 5:00 p.m. She has contacted Mits and they are not going to be here and the public hearing will not be held for that budget. Next year they are saying there are not going to have her submit it to the newspaper and it will all be submitted to the state for public notification, but it isn't set in stone as of yet. It is a little different than what they are used to. Jones states she does not have anything to speak on of the City Budget.

ORD. 32-14 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2015. (MUNCIE SANITARY DISTRICT).

A motion was made by Marshall and seconded by Powell to close the public hearing with no questions being brought before the council. A roll call vote showed 8 yeas and 0 nays. Public Hearing Closed.

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

PLEDGE OF ALLEGIANCE: Led by the Spirit of Muncie Marching Band and Guard.

INVOCATION: Given by Bishop Keith O'Neal from Destiny Christian Church International.

CITIZEN RECOGNITION: Principal Tom Jarvis introduces Band Director's for the Spirit of Muncie. The band members were introduced. A member from the guard stated it was a lot of fun this summer. They did a lot of hard work. When you are brought into a new situation some people don't like change or can't adapt to change. The people in their band did and she thanks everyone in the band and guard to allow them for the great experience in winning this for their city. Councilperson Mark Conatser presents the Spirit of Muncie Marching Band and Guard from Muncie Central High School with this month's Citizenship Recognition. Powell congratulates Mr. Arnett on how hard they work and hours they put in along with the parents.

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 Barton and seconded by Polk to approve minutes from August 4th and August 11th of the Land and Traffic. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

COMMITTEE REPORTS: Barton states the Land and Traffic Committee met and there was a favorable recommendation to approve Ord. 20-14 and Ord. 21-14 as amended.

President Anderson changes the agenda around a little bit.

NEW ORDINANCE:

ORD. 33-14 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA APPROVING A LEASE BETWEEN MUNCIE'S EDIT BUILDING CORPORATION AND THE CITY OF MUNCIE REDEVELOPMENT COMMISSION, APPROVING A REVENUE DEPOSIT AGREEMENT AND ADDRESSING MATTERS RELATED THERETO.

A motion was made by Barton and seconded by Marshall to Introduce. Executive Director of the Muncie Redevelopment Commission Todd Donati asks of Ord. 34-14 be introduced also because these two ordinances go together.

ORD. 34-14 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA AUTHORIZING THE ISSUNCE OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2014 (HORIZON CENTER GARAGE PROJECT) AND APPROVING OTHER ACTIONS WITH RESPECT THERETO.

A motion was made by Barton and seconded by Marshall to Introduce. Todd Donati states he has representatives that will speak to the ordinances. Jim Borgman with Defur and Duran states they have been working with various local entities including the Civic Center Authority, Edit Building Corporation, Muncie Redevelopment Commission and occasionally the City of Muncie and advising on the structure. Jeremy handles the bond council work. They also have Bob Swince from London Witty and Terry Baker from HWC the project engineers. This is a tremendous project and great opportunity for the City of Muncie. As he listened to the young lady talk about how change is difficult and as they get older change is difficult and sometimes hard to happen. They learned how important it is to come together as one group. It is great to have downtown a first class hotel project available to them. From the point of the Bond it states they need a parking garage associated with the Hotel and

the Convention Center. Of the \$14 million dollars in project costs a little more than \$8 million will go towards the construction of a garage and a connector to the Hotel and Convention Center. There will be some project costs when they get to the Convention Center to connect that in. They all have heard the trains in the City of Muncie many times during the day, but if you're a hotel guest at night or at home at night it isn't always exciting to hear the trains go by. They have a quiet zone project to fund. Approximately \$5 million or as little as they can pay and that all comes out to \$14 million in project costs. There is \$2 million dollars in capitalized interest. Think of that as prepaid interest. They will borrow some interest to make some payments for the next six or seven years and some of that is attorney fees, which is about \$125,000 is the cost.

The structure will be the Muncie Edit Building Corporation is the entity that requested the city to issue the bonds. The request and have approved this \$16 million dollars to complete project as stated. Until 2021 they will have a different payment process and is a lower amount because they have an existing bond that is in conjunction with the Convention Center that is due to be retired in 2021. Until that time they could not use as much as the food and beverage tax as needed to pay this down significantly. They do have a group that came together and agreed how to pay the bond payments until 2021 and that will consist of \$30,000 from the Muncie Visitors Bureau, \$50,000 from the Muncie Redevelopment Commission and \$50,000 from Edit Revenues. It is \$230,000 in payments plus the 1.8% capitalized interest they are going to prepay to make sure they make their payments until 2021 until the food and beverage tax is freed up. When they get to 2021 they can make bigger payments on the bond they will have about sixteen years left at that point. From that standpoint they will continue to pay the bonds with the ongoing parking garage lease revenues between the Hotel and the Arc of \$100,000. They will have about \$280,000 from city edit money and this current amount they are paying from city edit money for the Convention Center bonds and isn't an increase. They will have net revenue from the public parking in the garage. The garage will have so many spaces that are public parking if anyone would like to park there for \$1 an hr. Those dollars will go towards retiring the bond if they need to. They have the food and beverage tax and it is estimated about the same they are paying for the bond. It will just carry towards the rest of the years. They always wanted to prepare for the thought they stop eating and drinking as much, but they are not going to but they have a program in place in case they have a shortfall from the current anticipated food and beverage tax. If they do not have any increase in the food and beverage tax so they are at the same level today with a little time value of money increasing it maybe half percent of projections. The City would pay the \$208,000 shortfall. If they are over that and in between there they will use extra food and beverage tax dollars. If they are somewhere between 1.8 and 2.1 they will split it based on the pro ration of the increased tax revenue over the 1.8. If they are \$100,000 over the city will pay \$50,000 to \$52,000 extra and the Convention Center will pay the same. All projections will be above that and they honestly believe they have a good restaurant and hotel and with the actual rate it is the tax will go up and the food cost will go up. If it goes down the tax will stay the same and they will increase revenue. This is how they will pay it beginning 2012 and it will go through the 25 year life and be paid off in full. The Muncie Edit Building

Corporation has already approved the financial proposal and the project and that is why their asking for the bond. The Muncie Redevelopment Commission has approved leasing the project pursuant to this financing structure. The Delaware Civic Center Authority has approved the pledge of the food and beverage tax as out lined in this financing structure. The Economic Development Commission has issued a report and stating the finding that the project will promote the use of the Convention Center will be a benefit to the financial health and general welfare of the City of Muncie. It has approved the financing documents for recommendation to the City Council for passage today. The council has specific resolutions to ask to confirm the Economic Development Commissions findings that the project will benefit the financial health and general welfare of the City of Muncie. Approve the proposed financing structure they just outlined for the council. Authorize the issuance of the bonds payable solely from police revenue as they have discussed and funded by the food and beverage tax and other sources. This is not a general obligation to tax liabilities of the City of Muncie. The bonds are not to exceed \$16 million dollars and not exceed term of 25 years.

The second ordinance is to approve the lease between the Muncie Redevelopment Commission and the Muncie Edit Building Corporation. Quirk asks if he brought the numbers with him that he shared with the Edit. He doesn't have them with him but will bring them to the next meeting. Quirk states people need to have the understanding that's the intention of the Convention Center as well as the Hotel. Arc of Indiana is an incredible program and they could have chosen to make this a non-profit project but they said no because they wanted to community members and be a for-profit project. They will employ a great number of people and there is economic numbers. It is real and they will get those numbers to the council. It's a significate economic benefit over a number of years it will be more than a bond payment.

Terry Baker with HWC Engineering states they will give an overview of the parking garage project and the quiet zone project. Everyone knows the parking garage will be located west of the new Hotel at the end of High Street. There will be approximately 400 spots. There will be twenty five handicap parking spaces. Between the Hotel and the garage there is an exit from the Hotel and a covered canopy in that area to allow people to move from the garage to the Hotel. They will also have one-way signs near the Convention Center. The first floor of the garage will be primarily handicap and there are approximately 100 spots on the next three floors. They will have two areas for bike racks. One more dedicated and locked down. There will be more limited bike racks if someone wants to use to lock their bike for the day.

They will have room for an electric car plus and will have the ability to add two or three more. There will also be some green storm water elements around the garage as they incorporate in the garage and the village project as well. People will enter the Hotel off of High Street. The ADA vehicle will turn right on the first level and there will be ADA sports. The bulk of the parking customers will go straight as they enter the garage and go up ramps as they enter the garage. They are on a nine to ten month construction schedule. They will start to see activity if not tomorrow than Wednesday. There will be a lot of early demolition work tomorrow or Wednesday. They will move on to

foundation. This will start right away but will be a slow back and forth construction. One of the things they need to do to get started is to beat winter conditions. They want to try and keep the garage heated. He states lastly he wants to talk about the local labor. They are fortunate to work all over the state the structure is something that is done all over the state. The quiet zone isn't as detailed as the garage. They have been working on this for months. They are working closely with the Federal Railroad Administration, Norfolk Southern and CSX. The quiet zone process is dictated and governed by the Federal Railroad Administration. They have a say in how this happens. The goal is to quiet the whistles. Their protocol is to have four sounds at every crossing. The goal is to reduce that and get rid of those. They still have to sound the horn if they see pedestrians and failure in the signals the railroad has. What happens is they lose some of their safety when they lose their horns. That is why they have to make up that risk they take in by improving the crossings. Right now Norfolk Southern and CSX are in the process of designing the improvements. They expect to have those done in a couple of months and will share that information. There are some local improvements with some sidewalks and some curbing where people can't jump across a lane. The other things that are important for downtown will be South Madison Street getting resurfaced. It will help people to get downtown. There will be resurfacing and sidewalks improvements all the way down South Madison. The Sanitary District will begin the study of the underpass to prevent the flooding there and make it better ways for people to get downtown.

There are two basic ways to build a garage. They built the first one in the village as a precast garage hidden from the elements by the raft of the housing. There is a lot of difference between the two. Both are high quality and both have their places. The reason the cast works well here is the greater need for openness and safety into the garage. There is a cost difference up front. The dimensions of the garage lay out perfectly so the cost of cast and precast are almost minimal. In addition the durability and length of lifespan they will get from this garage being opened to the elements of properly maintained will be much greater and the durability and maintenance costs will be much lower over time of construction. There is no right or wrong for each project. The cost structure is very close. There will be a lot more local materials purchased local.

Barton states this sounds like a wonderful vision for the City of Muncie beginning from Madison Street to downtown. She looks forward in seeing it started and completed. Barton thanks them for a wonderful presentation.

Marshall asks if there is somewhere the public can go to so they can look at some of the drawings they have. It was stated there are boards located at the Convention Center and in the Mayor's office. They can work with the city to get them on the city website. It was stated the Mayor said they are already on the website.

Executive Director for the ARC of Indiana Foundation and ARC Innovations Kim Dotson appreciates the opportunity of the support for the issues they are addressing this evening. They wanted a downtown with a Convention Center that was right for

expanding business. They wanted a business community that was supportive of their vision of bringing employment to people with disabilities. They wanted a community that understood the importance of a well-established respected hotel brand that will attract business meetings and conventions. It was very easy for them to choose the City of Muncie. They also chose Marriott to be their franchise because they stand the most respected brand by their guests. They stand for strong communities and have embraced their goals and mission behind their project. In being a Marriott franchise they have been some very high standards they have had to agree to in their design of the building itself. One of those standards has been the acoustics for the guest rooms. They have already done numerous things in the design of the building to help minimize the noise level. These things include non-operable windows, a certain type of noise reducing glazing done on the windows, a certain type of ventilation throughout the building. Installation of peak noise in the guest rooms and masonry exterior on the outside of the hotel. There are some things they have not she is failing to mention. They need the proposed quiet zone to help them reach their goals of the necessary noise designed criteria for the hotel. They realize this is no small endeavor. They have provided the City with \$170,000 to help pay for the study, which is needed for the quiet zone. They have also committed \$1.4 million payment to the quiet zone. They are required to have 1.1 parking spaces per hotel guests. They have a 150 room hotel they are building. They want a strong downtown business hotel that will attract new and repeat business for many years to come. The quiet zone and parking garage puts them on the path to see that this happens. They will be creating 129 permanent jobs which equal a \$1.5 million annual payroll. It is their goal to make sure it will be people that live in this community so there will be dollars spent and available for community business.

Nick Tokar states there will be approximately \$30 million dollars of private investment and a long-term economic impact of \$240 million dollars. If they remember \$5 million has been committed from the IDEC. In with-in 10 years the project will generate \$15 million dollars in new tax revenue. Tourism and Convention traffic is expected to increase 35% over current visits generating an estimated 42%.

Architect for ARC of Indiana Wayne Schmidt states they are doing everything possible in the building to enhance acoustic treatment and introducing white noise and quiet down and you don't hear the noise that otherwise come through. It is imperative that the quiet zone is in place. That is what will make the difference between a successful convention hotel and an unsuccessful convention hotel. He applauds the cooperative nature in spirit that the garage designers have displayed and working with their plan and complementing it and creating a unique combination of buildings that will serve well.

Lori Fry 3804 West Riggin Road states she is a member of the Civic Center Authority and serves as their treasurer. They receive the food and beverage tax money by statute it is to be used for the promotion and use of the Convention Center. It is her belief that anytime for profit businesses want to invest in their community it is a good thing. There are many components to this new hotel and teaching institute and project the impact will benefit not only the downtown but all of them. Ultimately this bond isn't just about train whistles and parking spots. It's about progress. It's about making our

city and community a better place to visit, a better place work and a better place to live. She has already put her name on the dotted line in support of this bond as have all of her fellow CCA Board Members. She asks the council join and do the same.

Quirk states Fry is a board member who doesn't take things lightly. She does her research, educates herself and always put a lot of work in everything she does and appreciates her when she offers an opinion because she knows Fry has done her homework.

Bruce Frankle 723 East Main Street was asked to speak on behalf of the Emily Kimbrough neighborhood development and committee and the east central neighborhood association. He speaks in favor of Ord. 34-14 the quiet zone, ARC, Marriott and the garage that is supported by this ordinance will not only help Muncie in general but a great benefit to downtown. It will make more viable the Horizon Convention Center. He is in one of those residential doughnuts that surround the downtown which seemingly doesn't have a direct benefit but the indirect benefit is significant. They are here talking about \$1.4 million dollars the ARC is contributing to the City. It will be used by the city for improvement along the Madison Street corridor all the way from their southern border to Wysor Street and of course the terminus of that is the East Central Neighborhood. The improvements along that corridor are an economic development project that will generate jobs that will generate retail and commercial uses that will help their tax base and their employment. Maybe overlooked at a large extent is to make our streets more walkable and bike able friendly to the residents to the area. If he mentioned the word complete streets everybody on council has heard that before two years ago. Two years ago they brought in Barbara McCann who is the Director of the complete streets national coalition has written a book on this subject. If they are not familiar he will brief them at another time. He states he isn't clear on an ordinance that didn't have an adoption date to amend the comprehensive zoning ordinance regarding the new corridor development standards. They could be improved in term of complete streets. He is please to assist anyone in terms of formulating the proper language for it. The benefits for a complete street, the Madison Corridor obviously a public health benefit. They're going to have better exercise. There is a personal finance feature of this in terms of diverting money away from the purchase of new automobiles and their maintenance and cost of operation, including their fuel. They will save on household budget. There is increased development on Madison Street once it is improved. It's a gateway to Muncie itself and it is important to improve the gateway for economic development purposes.

David Helm from Muncie Music Center states he is in favor of the quiet zone. He states Saturday night they had a concert at Canan Commons and six trains came through. When they were about ready to play the orange blossom special, which they call a train song, Michael Cleveland stated he knew they were in Muncie and knew there were trains. They prepared for that. They had electricity and all the maintenance issues. When he came before council and received tax abatement he states he was going to a part of that stake holder. Just south of \$1 million dollars he has a building there and he will be there another 19 ½ years. They have concerts and recitals inside their store and

addressed that when they built that. He states they do have to address it and it is high time. He was called this morning to say if he wanted to make comments to come to the meeting. The Muncie Central Band will be there next Saturday night and they will be doing a petting zoo for little kids to try out instruments. When they are there are there when they play the Central fight song the last thing he wanted to hear for a train whistle. When he built the building he was aware the trains will be there and that is fine. He understands that but if they could address that as part of the ARC Hotel.

John Bowles 2000 N. Forest Ave states he is a retired banker and has participated in many different ways of redevelopment downtown. He participated in the Development of the Central City Redevelopment Plan in the early 80's, Development in the addition of Horizon Center, Development of the I & M Company, which is now Star Bank and City Hall. Founder of the Heart of the City Development, which was the fore runner to the current Muncie Development Downtown Partnership, Development of the parking Lot on the old Goodyear property, which allowed them to development the Old Ball Stores Furniture Store, which is now the Mitchell Place, The removal of the old Walnut pedestrian plaza and turning Walnut Street into a traffic caring street. The Development of the First Façade Grant Program, The Development Canan Commons and served on the Civic Center Authority at one point. He is a member of the Muncie Economic Development Commission. Sometimes their efforts seem like baby steps and other times they seem quite large.

Bowles states the two projects will be giant leaps for Downtown Muncie. The Development of the railroad quiet zone and the development and construction of the parking garage to support the Horizon Convention Center and the proposed ARC Courtyard hotel. He has worked fifteen to twenty years on trying to establish a quiet zone and has run into roadblocks every time they worked on it. The Development of the quiet zone is an extremely important of the development of the hotel. The Development of the Hotel will make the Horizon Convention Center will make a viable Convention Center that will attract groups from outside of Muncie, which means it will meet its original purpose of Economic Development and he encourages the council support of both projects and they are important to Muncie.

Executive Director of the Muncie Downtown Development Partnership Vickie Veach states she is on the board of ARC Innovations that own the new Hotel. They received a letter from Dr. George Branham to read to the council.

Dr. George Branham MD 1113 Warwick Road states he will be in Chicago and is unable to attend the council meeting. He states approval of the bond offering to move the project of making Muncie a quiet zone for train traffic is an absolutely necessary step towards improving the city's environment to expand the residential and business opportunities in our town. He has lived in Muncie since 1966 and has been extensively involved in the medical profession including Ball Hospital, Ball State University and in multiple civic organizations and businesses. He has seen Muncie decline with the loss of jobs and businesses. Most recently he has been encouraged by the many collaborative activities among several civil civic not for profit entities, businesses,

citizens and believe Muncie has begun to believe in its future again. He believes that consequently this bond offering is the crucial next step in the revitalization in our city. He knows this is a complex expensive process effecting many different citizens and neighborhoods but it needs to happen. Based upon his current knowledge it appears the plan involves issues of safety, appearance and noise. Many businesses have left downtown because there are not enough potential customers including visitors in that area. Downtown can again become the center of prosperity but this will not happen without creating the quiet zone. The ramifications are huge but he strongly supports the approval of the bond and moving ahead.

Vickie Veach states ARC is bringing this to our community including a training center with the hotel. It's going to change how Muncie is perceived by the rest of the United States and definitely the State of Indiana. They have an opportunity to leave a legacy for the City of Muncie. All of us leave a legacy it's a question of what kind.

The Vice-President of the Industry Neighborhood Association Ronald states this project was presented to them in the town hall. The boundaries of the Industry Neighborhood are running from South Elm to Macedonia south of the tracks. Madison Street is the train tracks to Memorial Street. This directly affects the neighborhood. The Economic Development that will come through there. The ecstatic's of improving the quiet zone and the green space that will be created and along that south side there is a lot of overgrown trees and weeds. This will improve that area not only for the area but the city. With the project including Madison Street you will be saving a lot of money for those residents on the south side of town can spent their money with the redevelopment coming in. They are in favor of it and thank everyone that is involved with the project.

Chairman of the South Muncie Community Development Corporation Mike King states they are here in support of the ordinances. He states the quiet zone and the impact of redoing Madison Street from the Gateway by the South way Plaza all the way through downtown is an economic development infrastructure improvement like no other they have had in a long time. When they work with the Chamber and the City of Muncie to try and attract businesses along South Madison Street and even 29th Street. From one aspect it's great for downtown but will benefit the south end of town. He asks for their support. They are improving the sidewalks and bike lanes. There is a lot of infrastructure improvement that will happen on that roadway. He hopes the council will support it as the citizens on the south side do as well.

Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

RES. 15-14 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA APPROVING THE ISSUANCE BONDS OF THE CITY OF MUNCIE REDEVELOPMENT COMMISSION AND RELATED MATTERS.

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

Director of Redevelopment Commission Todd Donati states this involves four Tiff districts that will be participating in the process and payment in this. There are several projects. In each individual Tiff District you get into a project, which consists of bonds.

Donati states in this case it would have created four different bonds and basically four different processes. He asked Bond council to establish a process where they could do one bond, handle all the projects they need and pay for them based upon the usage within the Tiff. He presented council with a spreadsheet and they will see where the money is anticipated to be spent. There are several one projects. One of which is the Muncie Mall and they are out of space at the Airpark and they are working with Airport Authority on a land process. There is about 80 to 85 acres they are trying to work with them on. If they get that process done they will build a road there and do some infrastructure and improvements in that area to be able to development additional investment and economic development and capital investment within that area. It will give them a tremendous amount of space to expand on and not only does that take a field for just crops no but they will turn it into something that will be millions of dollars of potential tax revenue and jobs. The other process is a few things they have to clean up in the village. These projects will consist of some extra work they are doing. They will be in support of the Martin Street job which will be creating a ride and walk path all the way to the river from the village. They also had to equip the parking garage with some apparatuses. They are also helping them with their on street parking meters and a number of things their working on in the village. One of the bigger ones is the Central City and it consists of a roof that will be replaced on City Hall. If they don't replace the roof in the condition it is than there will be damage to all that was spent on the inside of this process.

A representative from ESG Mark states there has been a series of initiatives that they have done that they are familiar with regarding the mechanical systems, lightning systems, building exterior grounds and landscaping and basically a refresh of the facility. One thing that came apparent with the work they have done thus far they saw the necessity of the roof. The building exterior work it became apparent the roof matches up to the effuse system which is the building exterior or skin. There are a lot of issues regarding potential water infiltration ongoing issues that were execrated by this last winter so they had increase snow fall and more snow on the roof. It created some additional issues and weakness they had in the roof system. They worked with different contractors. They are coming up with a low cost option with a 20 year warranty. This really puts the cap on the project and at this point the facility will serve them for another 20 to 25 years. The thing they didn't want to make improvements and then have new roof damage. It's a good system and will last a lifetime. They are going to remove the old roof and replace it with TPO and it's a membrane roof with a twenty year warranty. They will install new gutters, down spouts, ice and water shields. It will serve them well. This is the final recommendation. The council has made some very wise moves and diligent in terms of their research and process.

Nick states the metal roof has all the peaks and valleys. Typically a recommended application because all the peaks and valleys allows water infiltration. The existing roof is near the end of its life expectancy and soon it will fade and have rust spots. The TPO is like a membrane roof. Conatser asks if the roofing issue was looked at when they first starting evaluation this because when you are looking at water damage that is where you start. The original focus was the mechanical system and the lighting system

and it grew into the exterior on it. It really wasn't the original focus. They did some preliminary review at that time and knew there were some leaks. Gregory states they are not going to have this paid off by the time they are due for another roof. It is stated there will be some warranty to protect for that initial time and ongoing maintenance that will be done. Their recommendation would certainly have a recommendation at time. The warranty will be for twenty years. Donati states this pretty healthy bond and will be forecasted out for twenty years. He states part of the central city Tiff will be the street scape. He asks Phil to come up and explain the association of that with the Tiff and what it would do for the community.

Phil Tevis from Flatland Resources states and they have a power point to show. The boundaries of the downtown are Main Street to the North and the roundabout to the South. One of the major caponet is return two way traffic to Walnut Street. That opens a north south road through their town from one end of the city to the other. One other is two Gateway's one on the Southside and one on the Northside. Both sides of the Gateway become a part of the park itself. Quirk asks it would be possible to have a printout version. Tevis states Vicki has one but it is also on the website. Donati states there is some work they are doing on the south. They promised the Mayor the commission to put this Tiff together to establish an opportunity for not only Economic Development but infrastructure improvements to the sidewalks. For safety purposes they have that in hand. Barton asks if he said the memorial drive issue was up for adoption. Donati states this is a different type of bond.

Dick Weigle states on the sidewalk portion they have worked with Duke Campbell and the Mayor looking at getting some sidewalks down south of Sutton Elementary basically from Memorial down to 16th. They have some sidewalks that are in bad shape. They would like to at least get some sidewalks for the children to walk safely from those neighborhoods to Sutton safely. It involves curb replacement and fixing some drainage work in those areas as well.

Donati states these are a numerous different projects and most of the times you see the Tiffs' go for handouts. They have been able to set aside some funds to do some internal processes for infrastructure improvement and it will benefit the quality life for the community in what they're doing and where they are going. Gregory asks what the impact on the tax caps is. Donati states it's a precap process. The property tax backup will not be used. What this does it give them more strength in their bonding capacity to get a rate that is sufficient to carry them through a long term? Not many bond banks in any situation want to do a twenty year fixed rate and this is what they are trying to work on. It doesn't affect the bond rating itself and only gives them the opportunity to establish strength in bond capacity. The Tiff itself is strong enough to handle that process but when you can cut half percent they would have that tax backup and it is very beneficial.

Polk states he is excited about what is going on and they are all good projects but is concerned over the next twenty years where are they going to be. He states four years they were dead broke. They made slash cuts and couldn't put \$5,000 into this building

and now they are putting over \$1 million into it. Donati states with bonds. Polk states if it doesn't work out it will come out of the taxes. Donati states they first go after the Tiff and they have plenty of funds that are generated annually and then if the Tiff can't cover this that is when they go after the property taxes. In anticipation you have people in place. What the Mayor has done with City Hall is he didn't use general fund money; he used opportunities where it is called the Pilot Tax which is payment in lieu of taxes which the Sanitary District is paying into. So it doesn't affect the General Fund. The City will operate regardless of how this process works. They are using the opportunities that are given to them through Economic Development process has taken full advantage of these all these tiff's have deadlines. They are going to go away and they are trying to take advantage of utilizing while they have them and putting these dollars back into the community and building the community while you have the strength to do so. Ten years from now for some unforeseen reason you are not as strong as you are today. The Tiff will not affect that and they still will have the general fund and your still not going to be obligated through the general fund to make those payments. They will actually be stronger than weaker. All these things they are putting in place they are taking some from each pot. Polk states eventually the Tiff money will dry up. Donati states most Tiffs' have a 25 year maximum once they go to bond. The Cardinal Tiff has a 25 year maximum because they have the garage bond. The legacy Tiff's which are central city and the Muncie Mall Tiff, which did not have a life on them now have one for 25 years. All these Tiff areas will come to a conclusion at some point. Question called. A roll call vote shows 7 yeas and 2 nays. (Polk & Gregory). ADOPTED.

RES. 16-14 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA APPROVING AN AMENDMENT OF THE DECLARATORY RESOLUTION AND ECONOMIC DEVELOPMENT PLAN FOR THE MUNCIE MALL/AIRPARK ECONOMIC DEVELOPMENT AREA.

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

Todd Donati states this is an amendment to the original resolution to allow expansion of spending within the Muncie Airpark Economic Development Area. He asks for an amendment to this. When he put this together and processed them. The Muncie Redevelopment Commission and the Planning Commission still had to vote on these. When it went to the Muncie Redevelopment Commission they ask to amend this resolution to add information to it. He is asking the council to amend in the second whereas. Gregory states they don't have to amend the whereas. Donati states he is asking to amend this but if they don't have to do it that's fine. Anderson asks Council Attorney Joseph Hunter if they have to amend this. Hunter states the whereas is not an operative language. It's informational. Question called. A roll call vote showed 7 yeas and 2 nays. (Polk & Gregory). ADOPTED.

RES. 17-14 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA APPROVING AN AMENDING OF THE DECLARATORY RESOLUTION CITY REDEVELOPMENT AREA.

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

Todd Donati states they want to be clear in the amended version that when they borrow the money for the Tiff bond they can spend the money for the roof. Question called. A roll call vote showed 7 yeas and 2 nays. (Polk & Gregory). ADOPTED.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 19-14 AN ORDINANCE TO AMEND SECTIONS 90.09(B) (2), 90.09(D) AND REMOVING 90.09(B) (4) OF THE CODE OF ORDINANCES OF THE CITY OF MUNCIE, INDIANA.

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

A motion was made by Marshall that there needs to be an amendment which is section 4 and it should read section 90.09(B) (4) shall be removed and seconded by Quirk.

A roll call vote showed 9 yeas and 0 nays. AMENDED. A motion was made by Gregory and seconded by Marshall to Adopt as Amended. Barton asks what was 90.09(B) (4) reads upon payment of adoption fee the person shall receive a coupon which must be applied towards the spay/neuter the adopted animal. The person must have the animal spayed or neutered within 30 days. Failure to comply is in violation of this chapter. Marshall asks if they are doing this so they can be spayed or neutered before they are adopted. Peckinpaugh states yes. A roll call vote showed 9 yeas and 0 nays. ADOPTED AS AMENDED.

ORD. 20-14 AN ORDINANCE AMENDING CHAPTER 80, SCHEDULE I, ONE WAY STREETS AND ALLEYS OF THE CODE OF ORDINANCES OF THE CITY OF MUNCIE, INDIANA.

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

Todd Donati states Barton mentioned they had a committee meeting on this and made recommendations to approve. Question called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 21-14 AN ORDINANCE AMENDING CHAPTER 80, SCHEDULE IV, PART II PARKING METER LOCATIONS OF THE CODE OF ORDINANCES OF THE CITY OF MUNCIE, INDIANA.

A motion was made by Barton and seconded by

A motion was made by Marshall to amend and 2 will be 3 in this ordinance and add 2 and it will read any previous ordinance in conflict herewith are repealed and 3 will state this ordinance shall be in effect from and after its passage from the council with

signature of the Mayor. It is seconded by Quirk. Gregory states this is without having to specify the green zones and everything else. Barton states parking meter locations.

A roll call vote showed 9 yeas and 0 nays. AMENDED. A motion was made by Marshall and seconded by Quirk to Adopt as Amended. A roll call vote showed 9 yeas and 0 nays. ADOPTED AS AMENDED.

ORD. 22-14 AN ORDINANCE AMENDING ORDINANCE 5-14 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 AUTHORIZATIZING OTHER ACTIONS IN RESPECT THERETO. A motion was made by Barton and seconded by Marshall to Adopt.

Todd Donati states this is the Muncie Senior Living facility. The problem there was a delay is because they have a new Muncie South Tiff District that did not have enough coverage area. When your bonding they want to make sure if's it not paid they have enough of what they isolated and covering some of the other areas of the Muncie South Tiff area. He received a phone call from Developer Mark Waterfield and he assured him this project will be started in October and completed by September 2015. Barton states that's the senior living and nursing part and not the three retails. Donati states the yes and the retails will come at a later time. This never involved the retail. It's a retirement center and six independent units in three different buildings. Barton states in her understanding there were three different retail stores. Donati states there are three different retail businesses but that's in a different phase. Question called. A roll call vote showed 8 yeas and 1 nay. (Gregory). ADOPTED.

NEW ORDINANCES:

ORD. 24-14 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2015. (MITS).

A motion was made by Barton and seconded by Powell to Introduce. Barton states is this not being introduced tonight. Attorney Joseph Hunter states they still can introduce it. Controller Jones states she told the representative from Mits to be present for a public hearing on September 25th at 5pm. Hunter states they can introduce this now and hold the public hearing and pass it in October. The only reason for the public hearing is they have to meet the publication deadline. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 25-14 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 2015.

A motion was made by Barton and seconded by Marshall to Introduce. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 26-14 AN ORDINANCE FIXING THE SALARY FOR THE MAYOR OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2015.

A motion was made by Barton and seconded by Marshall to Introduce. Question called. Gregory states there are three pages lacking sponsoring pages. Controller Audrey Jones states there an attorney and councilperson signed the forms and it's a copy issue. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 27-14 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 FOR THE YEAR 2015.

A motion was made by Barton and seconded by Marshall to Introduce. Controller Audrey Jones states prior to this last year Gregory asked her to combine some of the ordinances. She didn't change the elected officials but did add the appointees from the City Clerk's office and the City Court office. Polk asks if there is any pay raise on this. Jones states only the Probation Officer because of her years of service and qualifications. This is for 26 pays for Police and Fire and for elected officials. Gregory states it isn't in the ordinance and wants Jones to check it and they can amend it next time. Jones states she doesn't believe it's mandatory. Hunter states it never has been before and it isn't necessary. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 28-14 AN ORDINANCE FIXING THE SALARY FOR THE CITY CLERK OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2015.

A motion was made by Barton and seconded by Marshall to Introduce. Barton asks if there is a raise. Jones states no. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 29-14 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 2015.

A motion was made by Barton and seconded by Polk to Introduce. Controller Audrey Jones states on page 2 on the longevity it needs to be amended to \$42,810.22 and this is what they are currently making. A motion was made by Polk and seconded by Conatser to amend the base pay to \$42,810.22. A roll call vote showed 8 yeas and 1 abstain. (Powell). AMENDED. A motion was made by Marshall and seconded by Dishman to Introduce as amended. A vote by acclamation showed 8 yeas and 1 abstain. (Powell). INTRODUCED AS AMENDED.

ORD. 30-14 AN ORDINANCE FIXING THE SALARY FOR THE CITY JUDGE OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2015.

A motion was made by Barton and seconded by Polk to Introduce. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

ORD. 31-14 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2015. (CITY OF MUNCIE BUDGET).

A motion was made by Barton and seconded by Marshall to Introduce. Question called. A vote by acclamation showed 9 yeas and 0 nays. Controller Audrey Jones states when Polk stated the city was broke 4 years ago. When she took the position of City Controller she had the same concerns. She went to the State and was worried about their budget. She was told the City had never been broke and the County hadn't given the city their tax revenue on time and that is why the city had to borrow money. INTRODUCED.

ORD. 32-14 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2015. (MUNCIE SANITARY DISTRICT)

A motion was made by Barton and seconded by Polk to Introduce. Financial Manager Debra Irvin from the Muncie Sanitary District is present for any questions. Question called. A vote by acclamation showed 8 yeas and 1 abstain. (Marshall). INTRODUCED.

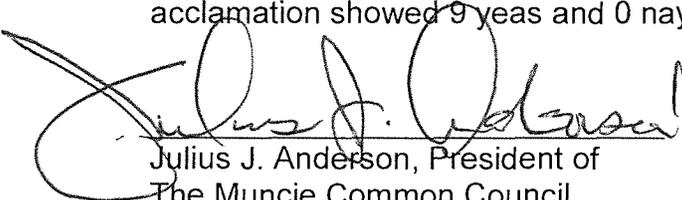
ORD. 35-14 AN ORDINANCE FIXING THE SALARIES FOR ELECTED OFFICIALS OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2015.

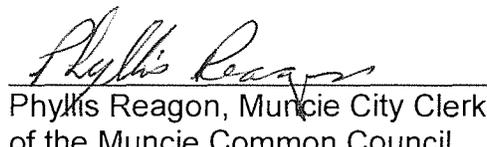
A motion was made by Barton and seconded by Marshall to Introduce. Question called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

OTHER BUSINESS:

Marshall stated there was a gentleman by the name of Mr. Rednour was questioning about information being put on the website and he has spoken with the clerk and they are working on that.

A motion was made by Marshall and seconded by Polk 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