

1. Time & Place
2. Pledge of Allegiance
3. Roll Call Members Present
4. Approval of the February 3, 2021 Meeting
5. Register of Claims
6. Demolition Contract Halteman Park 2600 Block W. Lincolnshire Dr.
7. 2020-HOME-BH-001-Amendment to Developer Agreement Greater Muncie Habitat for Humanity, Inc. Single Family Build for Homeowner
8. 2015-HOME-DPA-1-Amendment City of Muncie Community Development Home Investment Partnerships Program with PathStone Corporation Down-payment/Closing Cost Assistance Program
9. 2016-HOME-DPA-1 Agreement between Community Development Home Investment Partnerships Program with PathStone Corporation Down-Payment/Closing Cost Assistance Program
10. Innovation Connector Contract to administer Covid Small Business Grants
11. Memorandum of Understanding between the City of Muncie and the Muncie Sanitary District
12. Inter-local Agreement between the City of Muncie and Delaware County
13. Easement Documents for Beech Grove Cemetery 1400 W. Kilgore Avenue
14. FYI Notice to Bidders for Muncie City Hall Lobby area
15. FYI Invitation to Bid for Centennial Avenue resurfacing Improvements and Jackson/Riverside Intersection Project
16. Resolution No. 2021-01 Board of Public Works and Safety of Muncie, Indiana a Resolution Approving Form and Indemnity Agreement for American Electric Power Right-of-Way Use Permits
17. Amendment to the Sub-Recipient Agreement between the City of Muncie, Indiana and Friends Memorial Church
18. Adjournment

BOARD OF PUBLIC WORKS AND SAFETY
CITY OF MUNCIE, STATE OF INDIANA
February 10, 2021 MINUTES

1. Board of Public Works and Safety, City of Muncie, State of Indiana, at 9:01 A.M. President Gregory called the meeting to order.
2. **Pledge of Allegiance**
3. **Roll Call Members Present:** Linda Gregory, Lola Mauer, and Ted Baker
4. **Board of Works Minutes for February 3, 2021:** President Gregory entertained a motion. Ted Baker moved to approve minutes from the January 27, 2021 meeting as printed. Lola Mauer provided the second. Motion passed by voice vote.
5. **Register of Claims:** Craig Wright, City Controller responded I would like to bring to your attention on **Page #6** Board of Works Electric **Indiana & Michigan Power \$40,214.80** this is for the streetlights. **Page #10** Center Township Revenue EMS Department, Other Services & Charges **MFD-EMS-911 Services \$96,000.00** 911 Contract. One last item I want to bring to your attention is at the bottom of **Page #2 General Fund, City Clerk Other Services & Charges Star/Cardmember Services** Ron Lahodys Steakhouse – Office Expenses for office meeting **\$450.36** Craig reported that the wrong card was pulled out by the individual and that individual has reimbursed us.

Ted Baker and Lola Mauer had no questions. Linda Gregory received a phone call from Jerry Wise because he could not be here today. Question #1 Physicals for new hires for MPD & MFD for \$17,000 is this a quote situation or do we pass that around to other institutions and is Ascension St. Vincent Public Safety here in town or are they out of town. City Controller reported they are out of town. President Gregory asked is there a reason why we doing this out of town and not local. City Controller reported he would talk to the Police Chief and Fire Chief and an answer to your question.

Linda Gregory asked question on Page #21 Hardest Hit Fund, Board of Works we still showing a huge negative balance there any idea when we are going to get that one reconciled. Zane Bishop, Community Development Planner, the plan is to present that to the MRC at their Board meeting a week from tomorrow and have that payment made and have the account closed out.

President Gregory entertained a motion to approve. Ted Baker moved to approve Board of Works claims as printed **293 Records** for a total amount of **\$462,810.59**. Lola Mauer provided the second. Motion passed by voice vote.

- 6. Accept of Bid for Halteman Pool Demolition:** Brad King, Community Development Office last week the Board opened up demolition bids for Halteman Park after our office reviewed the bids it is our recommendation to accept quote from Shroyer Bros. Inc. for \$27,900.00 they are prepared to carry out the demolition for their quoted price. President Gregory entertained a motion. Ted Baker moved to enter into Demolition Contract with Shroyer Bros, Inc. as presented and recommended. Lola Mauer provided the second. Motion passed by voice vote.
- 7. 2020-HOME-BH-001-Amendment Developer Agreement Greater Muncie Habitat for Humanity, Inc. Single Family Build for Homeowner:** Zane Bishop, Community Development Planner explained that Habitat was wanting to get their foundations in at the time before the freeze came in at that time we thought the address would be 1715 S. Jefferson because they were combining two lots. The official address from Metropolitan Plan Commission was 1717 S. Jefferson Street. President Gregory entertained a motion. Lola Mauer moved to approve address amendment as discussed. Ted Baker provided the second. Motion passed by voice vote.
- 8. 2015-HOME-DPA-1-Amendment City of Muncie Community Development Home Investment Partnerships Program with PathStone Corporation Down-payment/Closing Cost Assistance Program:** Zane Bishop, Community Development Planner raises contract amount to \$2,184.46 in increments not to exceed \$5,000.00 per request. President Gregory entertained a motion. Ted Baker moved to approve amendment agreement for PathStone Corporation as presented and discussed. Lola Mauer provided the second. Motion passed by voice vote.
- 9. 2016-HOME-DPA-1 Agreement between Community Development Home Investment Partnerships Program with PathStone Corporation Down-Payment/Closing Cost:** Zane Bishop, Community Development Planner explained this agreement is the same as the other agreement with an agreement amount \$9,561.57 to be dispersed in increments not to exceed \$5,000.00 per request. President Gregory entertained a motion. Ted Baker moved to approve Agreement with PathStone Corporation as presented and discussed. Lola Mauer provided the second. Motion passed by voice vote.
- 10. Innovation Connector Contract to administer Covid Small Business Grants:** Zane Bishop representing Gretchen Cheesman asked that this item be table until next week. President Gregory entertained a motion. Lola Mauer moved to table Innovation Connector Contract for one week. Linda Gregory provided the second. Ted Baker abstained from voting. Motion passed by voice vote.
- 11. Memorandum of Understanding between the City of Muncie and the Muncie Sanitary District:** Brian Stephens-Hotopp, City Engineer reported that the City and MSD have a common interest in the development of solar energy infrastructure projects. The City has identified Performance Services Inc., of Indianapolis, Indiana along with GM Development Companies LLC, of Springport, Indiana as having provided a responsive submission to the RFPQ. Has authorized the Contractors to provide design, budget and financing terms for Projects. The City and MSD shall each be responsible for any costs or charges associated with their respective properties or energy usage during the Design Phase or any subsequent development of Projects. MOU was approve by both Attorneys for MSD and the City of Muncie. President Gregory entertained a motion. Ted Baker moved to approve MOU between the City of Muncie and Muncie Sanitary District as presented. Lola Mauer provided the second. Motion passed by voice vote.
- 12. Inter-local Agreement between the City of Muncie and Delaware County:** Brian Stephens-Hotopp, City Engineer reported that is generally trying to address the maintenance and upkeep of roadways that are in our boundary areas. When the County and City have shared roads along the boundary who is responsible for what is essentially the heart of what we are getting at.

The **Delaware County Highway Department** is responsible for the following segments of roads:

- Walnut St. from Riggin Rd. to the north city limit boundary line.
- Butterfield Road from SR 32 to Memorial Dr.
- Fuson Road (CR 300 S) bet. Walnut St. to Madison St.
- Hoyt Ave. from Cornbread Rd. to the south city limit boundary line.

- 26th St. between Tillotson Ave. and Hoyt Ave.
- Proctor Rd. from Kilgore Ave/St. Rd. 32 to south Cornbread Road (CR 150 S)
- Country Club Rd. from the CSX railroad tracks to the north city limit boundary line.
- Tillotson Ave. between Cornbread Rd. and 26th St.
- CR 25 N west of Country Club Road
- Nebo Rd. from St. Rd. 332/McGalliard Rd. to the north city limit boundary line.
- Eaton Ave. south of the Muncie Bypass to the south city limit boundary line.

The **City** shall be responsible for the following segments of Roads:

- Wheeling Ave. from Airway Drive (Dice Acres) to Riggin Rd.
- Riggin Rd. between Everett Rd. and Muncie By-Pass.
- McGalliard Rd. from Muncie By-pass to the west
- Shirey Rd. between McGalliard Rd. and Centennial Ave.
- Centennial Ave. from Muncie By-pass to the west
- 23rd St. between Cowan Rd. and the Norfolk & Southern R.R. Tracks
- Cornbread Rd. between Perdieu Rd. and Tillotson Ave.
- Perdieu Rd. between Cornbread Rd. and Kilgore Ave.
- Morrison Rd. between Bethel Ave. and CR 350 N
- Benton Rd. from Bethel Ave. to SR 332
- Hessler Rd. between Benton Rd. and Morrison Rd.
- Bethel Ave. from Morrison Rd. to Benton Rd/CR 350 W
- Burlington Dr. from Muncie By-Pass to the south City limit boundary line.
- Walnut St. from S. Madison St. to CR 300 S

City shall, when treating roads for snow and ice control and applying pavement markings, treat bridges within its boundaries the same as it would the streets approaching the bridge.

City shall be responsible for minor maintenance of all traffic signals and bridge lighting within the County's jurisdiction. In exchange, the **County** will provide materials to repair signals and lighting with the County Jurisdiction.

City shall be responsible for snow and ice removal on bridges including sidewalks within City limits. In exchange, the **County** will provide, as needed, 75-Tons of product for snow and ice removal. The purchasing of such product shall include the option of a City/County co-op purchase.

City shall, for repair, replacement or installation of guardrails, be responsible to provide materials and call for utility locations, in exchange, the **County** will provide labor and installation.

If the **City** shall secure funding for restoration and preventative maintenance for the section of McGalliard Rd., including from Shirey Road to approximately 2,600 feet west of Shirey Road, which is currently included in the County's road inventory, the **County** would be supportive of the prescribed road improvements.

The **City** and **County** shall coordinate all paving or major projects on boundary roads and reach an agreement for joint efforts on a case-by-case basis. A typical scenario would generally involve the City providing the materials cost and raisers for structures, while the County would provide the labor and installation of material for boundary roads.

Either party may terminate this Agreement upon thirty (30) days written notice.

President Gregory entertained a motion. Lola Mauer moved to enter into Inter-Local Agreement as presented and discussed. Ted Baker provided the second. Motion passed by voice vote.

13. **Easement Documents for Beech Grove Cemetery 1400 W. Kilgore Avenue:** Brian Stephens-Hotopp, City Engineer reported that is an easement for AEP there is currently already overhead utility poles and lines within this facility it was presented and approved by the Beech Grove Board. They are preparing to do some work on their infrastructure for your reference this is on the northeast corner of St. Rd. 32 and Nichols Avenue to the south side of driveway. Any damage to the stonewall and/or fence will be restored back to existing conditions. President Gregory entertained a motion. Lola Mauer moved to approve right-of-way request as presented. Ted Baker provided the second. Motion passed by voice vote.
14. **FYI Notice to Bidders for Muncie City Hall Lobby area:** Brian Stephens-Hotopp, City Engineer reported that we are seeking bids for the Lobby Area of City Hall, which includes renovation and security improvements. The notice to bidders went out to several contractors and is posted on the cities website. Opening of quotes is March 3, 2021.
15. **FYI Invitation to Bid for Centennial Avenue resurfacing Improvements and Jackson/Riverside Intersection Project:** Brian Stephens-Hotopp, City Engineer the legal ad is to be published February 10 and February 17, 2020 with a pre-bid

meeting at 12:00 p.m. in the Mayor's Conference Room and posted on the cities website as well. Opening of bids is March 3, 2021

- 16. Resolution No. 2021-01 Board of Public Works and Safety of Muncie, Indiana A Resolution Approving Form and Indemnity Agreement for American Electric Power Right-of-Way Use Permits:** Brian Stephens-Hotopp, City Engineer reported that AEP had submitted a right-of-way permit application and there was a question about the indemnification language. Our City Attorneys decided that the best method to move forward would be for the Board of Works to pass a Resolution that would allow AEP to modify their indemnification requirements for their permits. Just because it is not just isolated to this specific project but probably most of their permits moving forward. The indemnity agreement provisions of Section 96.5 (A) (3) are hereby waived for permits issued to American Electric Power, provided that each such permit shall include and be subject to an indemnity provisions in substantially the following form:

In consideration of the issuance of a Right-of-Way Use Permit as requested by the undersigned applicant, the undersigned agrees to indemnify, defend, and hold harmless the City of Muncie, Indiana, its officials, agents, and employees from any liability due to loss, damage, injuries or other casualties of any kind, to the person or property of anyone on or off the right-of-way arising out of, or resulting from the issuance of the permit or the work or activity connected therewith, or from the work or activity undertaken thereunder due in whole or in part to the negligent acts or omissions of the applicant, his agents, contractors or employees or other persons engaged in the performance of the work or activity, or the joint negligence of any of them. This indemnity obligation shall include all reasonable expenses and attorney fees incurred or imposed on the City.

President Gregory entertained a motion. Ted Baker moved approve Resolution 2021-01 as presented. Lola Mauer provided the second. Motion passed by voice vote.

- 17. Amendment to the Sub-Recipient Agreement between the City of Muncie, Indiana and Friends Memorial Church:** Stephanie Hutchison, Community Development Office presented amendment to the Board for the 2020 Cares Act Contract for Friends Memorial Church. The original contract stated that Friends Memorial Church would use CDBG funds for staff to run their food pantry. The new funding would be used to purchase equipment (2 freezers, 2 refrigerators and large carts). This amendment is entered into between CD and Sub-recipient as of the date of February 3, 2021 with respect to the Original Sub-recipient contract between the parties with an effective date of September 9, 2020 to May 31, 2021. President Gregory entertained a motion. Ted Baker moved to approve amendment to the sub-recipient agreement as presented and discussed. Lola Mauer provided the second. Motion passed by voice vote.

- 18. Adjournment:** There being no further business President Gregory adjourned meeting at 9:26 a.m.

We will meet next Wednesday, February 17, 2021.

Board of Public Works and Safety

Linda Gregory, President

Lola Mauer, Vice-President

Ted Baker, Secretary

Linda Hayes, Recording Secretary