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BOARD OF PUBLIC WORKS AND SAFETY
MUNCIE, INDIANA

1. Time & Place
2. Pledge of Allegiance
3. Members Present
4. Approval of the Minutes for the September 28, 2022
5. Register of Claims
6. Noise Exemption Revaluation
7. Temporary Parking Request from Cecil & Barbara Bohanon 901 N. Briar Rd.
8. Melise McDaniel 500 S. Celia Avenue
9. Employment Agreement between the City of Muncie and Linda Cook.
10. Stacy Marlow "Just Jeepin Delaware County" Christmas Parade
11. Adjournment

BOARD OF PUBLIC WORKS AND SAFETY
CITY OF MUNCIE, STATE OF INDIANA
September 28, 2022 MINUTES

OCTOBER 5, 2022

1. Board of Public Works and Safety, City of Muncie, State of Indiana, met in the City Hall Auditorium, at 9:00 A.M.
2. **Pledge of Allegiance**
3. **Roll Call Members Present:** Linda Gregory – Ted Baker – Lola Mauer
4. **Approval of the Minutes for the September 28, 2022:** President Gregory entertained a motion to approve. Ted Baker moved to approve minutes from the September 28, 2022 meeting as printed. Lola Mauer provided the second. Motion passed by voice vote.
5. **Register of Claims:** Craig Wright, City Controller, presented this week claims
 - ✓ Page #6 \$47,059.50 Delaware County Auditor inter-local agreement with county.
 - ✓ Page #9 \$15,677.56 Star Financial Bank monthly payment for police vehicles.
 - ✓ Page #9 \$27,900 Pridemark Construction basement renovations.
 - ✓ Page #15 \$15,600 Ruble Truck Sales MVH dump body.
 - ✓ EFT \$119,593.12 IU Health Plans.

Ted Baker had an observation on invoice report that we get and again at this time of year, we see a lot of negative balances which I am sure you are very well aware of them. Craig responded yes he was. Lola Mauer asked for clarification on Page #16 \$10,642 for finish building, can you remind us what that is. Craig reported that it is a donation from the EDIT Funds for Brothers to Brothers, they help the youth. Linda Gregory commented there are good many utility payments. I also noticed that Tuhey Pool had a lot of concession from earlier days. Craig mentioned that he had a discussion with one of my people on that and asked if there any particular reason why they are holding them until the end of the season. President Gregory entertained a motion. Lola Mauer made motion to approve register of claims **281 Records** for a total amount of **\$409,992.44** as presented. Ted Baker provided the second. Motion passed by voice vote.
6. **Noise Exemption Revaluation:** President Gregory reported that it is our intention to evaluate the Noise Exemption form that we have been operating under. Is there any comments for suggestions at this point?

Steve Hammer 804 W. Beechwood Avenue came forward to address the board. Is there any criteria that board has on approving these noise permits? Living a block off of Riverside and approve noise exemptions for 10:00 p.m., 10:30 p.m. for three to four hours and with the average student population of Ball State being under 21. By authorizing these parties, you are almost endorsing underage drinking. City Code 101.1 where it talks about prohibiting parties and it mentions underage drinking. I call BSU Campus Police to come over to the parties and they say they have a permit; I will now call BSU Campus Police to check for underage drinking by the city code. Such as event socials and fund raising concert is there no venue's for them to have a concert at other than the front lawn of a Frat house. Most of the noise exemptions say over 200 people. President Gregory commented that we do not do any permitting of parties per say all we do is noise exemptions, we do not have form for procedures for operating parties as such. Ted Baker mentioned that one of the things that we want to do is to be practical and we do not want to be too restrictive but at the same time, we want to be common since wise, so that means understanding what your neighbors feel by making sure your neighbors are aware of it. Any noise exemption that we do we have make sure that it is enforceable, who does it fall into the already

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overburdened police department wo we have to be careful that we don't put things on them are not reasonable, am I correct Deputy Police Chief Chris Deegan.

Deputy Chief Deegan came forward and reported that if there is no noise exemption the Police Department enforces and we do not have any issue doing that because it will resolve problems for us. As I mentioned a couple weeks ago that when they have exemption it makes it difficult for us to shut down the event and if they do not I get a slew of police officers up there in a matter of minutes to close it not have to deal with it the rest of the evening. That was the main purpose for us to come up here to begin with, once we drag on beyond the midnight hours as if they say nothing good happens after midnight. A couple of the noise exemptions from the past weekends, haven't been just a couple hundred people we are nearing the thousand mark on people at some of these venue's, I received another email about it over the weekend but it does present a safety issue. Ted Baker suggested we look at adjusting our policy on the Noise Exemption application. Deputy Chief Deegan volunteered to come up with a draft we as the Police Department and I can work with the Fire Department suggest that the Board take look at it before moving forward. Just a modification of existing form and Ted Baker would like to work with you on this modification. We would like this to be practical, enforceable but also not too restrictive but use common sense. President Gregory is most interested in the length of time and as you suggested midnight is an appropriate time in my book, map would be good as well as what type of noise such as gigantic speakers on all four corners of the property will they exceed the ordinance of 40 decibels. Deputy Chief Deegan explained that he has ordered some decibel readers and plan to speaking the City judge to discuss what the enforcement rules would be, we started on our end and I can work with legal and put together kind of a draft on what it should look like for safety purposes and get back to you guys.

7. **Temporary Parking Request from Cecil & Barbara Bohanon 901 N. Briar Rd:** Mrs. Bohanon mailed her request to park in a no parking zone to the office. President Gregory noted they are have an Econ Dept. drop-in get-together on Saturday, October 15, 2022 from 4 p.m. to 10:00 p.m. approximate number of cars 10 to 12. President Gregory entertained a motion. Ted Baker moved to approve temporary parking for 901 N. Briar Road as presented. Lola Mauer provided the second. Motion passed by voice vote.
8. **Melise McDaniel** owner of 500 S. Celia Avenue Two commercial offices with apartments upstairs. My issue is that the rear door abuts up the property line, which causes a problem for the commercial units to load or unload from the property such as carpeting or whatever. There is two to three foot clearance to the property east of mine; I am having issues mowing my property as well due to a little hill since the property was surveyed. All am asking is just a few feet of easement from the City. Adam Leach, City Engineer reported that the city could not issue easements on things we do not own because an easement is a convance of a right so you have a right to the property in the first place. It is not our property and we do not have the right to give it away. Adam suggested that she talk to her neighbor, purchase an easement from them, and have that document recorded at the Delaware County Courthouse. Melise does not want to purchase property from them she wants permission to use their property when she is mowing her property and once in a blue moon be able to back up a van to remodel their offices because they unable to use the front door.
9. **Employment Agreement between the City of Muncie and Linda Cook:** Deputy Chief, Chris Deegan requested extension of employment agreement with Linda Cook to provide special Police Subcontractor Assigned to the Sexual Molest Abuse and Response Team (SMART SPS) Job Duties for the Muncie Police Department. Six months ago, an employment agreement was presented to the Board and that agreement is nearing expiration. I am here today to extend employment agreement for another six months with Subcontractor Linda Cook. President Gregory entertained a motion. Ted Baker moved to extent employment agreement between the City of Muncie and Linda Cook as presented. Lola Mauer provided the second. Motion passed by voice vote.
10. **Stacy Marlow "Just Jeepin Delaware County" Christmas Parade:** Stacy came forward to present her paper work for a street closure. On December 10, 2022 from 6:00 p.m. to 7:00 p.m. (Linda Hayes, Recording Secretary reported that her paperwork is at the office to be added to next week's agenda). President Gregory asked Stacy to present her request and we will then sign off on the application at next week's meeting which you will not need to be present. Line up starts at the Southway Plaza parking lot where the parade will turn north onto Madison Street to Wysor Street, east on Wysor Street to Martin Luther Jr. Blvd north on Martin Luther Jr. Blvd. to McGalliard Road, west onto McGalliard Road to Grantville, north on Granville to Muncie



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Mall (former J. C. Penny's parking lot) for finish and great Santa Clause. Signature of approval of Nathan Sloan, Muncie Chief of Police and Robert Mead, Muncie Fire Chief.

11. **Adjournment:** There being no further business President Gregory adjourned meeting at 9:38 a.m.

We will meet next Wednesday, October 12, 2022

Board of Public Works and Safety


Linda Gregory, President

Ted Baker, Secretary

Lola Mauer, Vice-President

Linda Hayes, Recording Secretary