

**BOARD OF PUBLIC WORKS AND SAFETY  
MUNCIE, INDIANA**

1. Time & Place
2. Pledge of Allegiance
3. Members Present
4. Approval of the Minutes for August 9, 2023
5. Register of Claims
6. Community Development Quotes, Future Choices Parking Lot Improvements
7. Community Development Contract, Blood-n-Fire Ministries Windows
8. Community Development Block Grant Public Service Contracts
9. Review Noise Exemption Authorization, Oasis Bar & Grill Block Party (8/26/23)
10. MPD Exemption form for review
11. Noise Exemption Authorization, Rockie Jernigan for Labor Day Weekend Celebration (9/1/23 and 9/2/23)
12. Open Quotes for Cornerstone Wheelchair Lift
13. Street Closure Application, Village Promenade Move-in Days (8/18/23 & 8/19/23)
14. Adjournment

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF MUNCIE, STATE OF INDIANA  
AUGUST 16, 2023 MINUTES**

1. **Board of Public Works and safety, City of Muncie, State of Indiana, met in City Hall Auditorium, at 9:00 A.M.**
2. **Pledge of Allegiance**
3. **Roll Call Members Present:** Ted Baker – Lola Mauer – Linda Gregory
4. **Approval of the Minutes for August 9, 2023:** President Ted Baker entertained a motion to approve. Lola Mauer moved to approve minutes from the August 9, 2023 meeting as printed. Linda Gregory provided a second. Motion passed by voice vote.
5. **Register of Claims:** Craig Wright, City Controller, wished to bring attention to a few claims:
  - ✓ Page 6 \$9,078.00 Wash Multifamily Laundry Systems ARP washer for Animal Shelter.
  - ✓ Page 11 \$15,000 BHN, Inc EDIT Don McClain sponsorship.
  - ✓ Page 12 \$16,925.60 Delaware County Auditor July court cost due county.
  - ✓ EFTS \$176,5287.70 UMR

President Baker asked for questions or comments. President Baker entertained a motion. Linda Gregory made a motion to approve register of claims **239 Records** for a total amount of **\$374,028.84** as presented. Lola Mauer provided the second. Motion passed by voice vote.
6. **Community Development Quotes, Future Choices Parking Lot Improvements:** Allen Wiseley, Office of Community Development, requests this remain tabled for another week.
7. **Community Development Contract, Blood-N-Fire Ministries Windows:** Allen Wiseley, Office of Community Development, has the awarded contract to the low bidder, Pridemark Construction for \$20,820 to replace eleven (11) windows in both buildings of the Blood-N-Fire facility at N. Madison. Currently they are old, single-pane industrial windows that are original to the building and new windows should really help bring down utility cost. President Baker notes adding new windows is probably much safer as well since that organization feeds thousands of people in our community. Linda Gregory moved to approve the Pridemark contract with Blood-N-Fire Ministries. Questions called. Motion passed by voice vote.
8. **Community Development Block Grant Public Service Contracts:** Allen Wiseley, Office of Community Development, states award of funds have been received from HUD so preparing to award these four (4) public service contracts.

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A Better Way Services	\$43,000 to serve an est. 300 people
Christian Ministries	\$20,000 grant to serve an est. 50 people
The Muncie Mission (HUB)	\$72,000 est. to serve 900 people
YWCA of Central Indiana	\$58,000 est. to serve 650 people

Last year, A Better Way was granted \$56,450 and served 390 people; the reason they got so much more last year was due to an amendment to allocate additional funds. Last year, Christian Ministries was granted \$25,000 and they served 58 people. Last year, the Muncie Mission was awarded 40,000 and served 1,082. Last year, the YWCA also received \$58,000 and served 590 people. These funds come from the Community Development Block Grant (CDBG) the City receives every year from Department of Housing and Urban Development (HUD) from the federal government. As part of that, there is a 15% cap on what is so-called public services, which is what these are. This year especially but in past years it has been a focus to focusing on homeless services and homeless prevention with these funds. Questions called. Lola Mauer moved to approve the four (4) CDBG public service contracts as presented. Linda Gregory provided the second.

Rick Yencer asks how the allocations were made given that there are other homeless providers in this community that did not receive funding and these look to be pretty traditional. Mr. Wiseley goes on to explain the way the selection is made. Community Development puts out the call for proposals for what is being done and accept applications through an open application process. They then have a committee that meets to review them and look at the total because again, this is a very hard number from the federal government as to how much their award they are allowed to spend for public service. That committee meets to allocate the funds. This year, there was only these four (4) applicants and in the past, they have had additional applications from organizations but some of them are no longer around and others (for some reason or another) chose not to submit applications this year. President Baker questions how this is publicized to the public. Mr. Wiseley informs legal notice is put out for public hearings as well as being included in their annual action plan, which is available on the City website. Motion passed by voice vote.

9. **Review Noise Exemption Authorization, Oasis Bar & Grill Block Party (8/26/23):** President Baker advises he took this very seriously and had lengthy conversations with Muncie Police Chief Nate Sloan. One of the things they are going to start doing as a Board is to work very hard to make sure that Chief Sloan and the MPD are well aware of what is happening. In discussions, that has been determined as the main thing they need to know because some of these events are during shift change. Second of all, they are going to be looking at any claims from the past, such as police calls, for whatever reason being a significant indicator. In light of responses from several weeks ago, they are going to try to refine this for public safety. Moving forward, applications need to be filed at least three (3) weeks before the date of event which will provide time for the Board to review the request. If the Board does not approve a noise exemption, they are not required to do that by any means. The City has standards. That does not mean the event cannot take place, the noise aspect just has to be toned down to the normal levels per City Code. After conversations with Chief Sloan, he was not in favor of approving the noise exemption authorization for the Oasis Bar & Grill. Records show 31 calls in 2022 and 20 calls so far in 2023. That does not mean the Oasis has done anything wrong, it just means there are things happening and Chief Sloan is just being very protective. The Muncie Board of Works & Safety Board is going to listen to the Police Chief and not grant this noise ordinance exemption. Again, it is nothing again the organization and this is completely for public safety.

Linda Gregory moved to approve the noise variance as presented. Lola Mauer provided the second. Questions called. Heather, Oasis Bar & Grill, explains they let a certain DJ come in in 2022 to play a few dates where things got out of hand. They have since not allowed that anymore. Some of the calls were incidents that took place in the street but the Oasis address was given to dispatchers. She does agree, their number one priority is to keep everyone safe and that is why they doubled security. They want to do this as an anniversary event every year as the Oasis is a Muncie staple. Also, they don't see it being as big as it was last year so don't foresee the crowd being as large. President Baker states they appreciate that but some of the thing is figuring out how to control what *does* happen. There has been many block parties where people think it is going to be small but explodes into a big event. How do they control

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that? In moving forward, each application will be reviewed separately. Again, this does not mean they cannot go forward with the event planned. It just means to work with the neighbors on how loud they can be. Heather mentions they haven't advertised for it yet for this very reason and that they've already rented a stage for the outside band. Linda Gregory advises they can have the event, but what they can't have is excessive noise. Be mindful of what the decibel level is and what is permitted without a variance. President Baker comments that another aspect is noise in the daytime versus evening/dark hours. Nighttime is when many of the problems start along with neighbors having an issue. Heather questions if they are suggesting changing the time. President Baker does not think the Police Chief will be okay with it. Again, this doesn't stop the event from happening. He understands the MPD's point of view being all for public safety. He is being cautious and looking at every little thing to make sure that any situation does not happen again because nothing was expected a few weeks ago. That was an eye opener for a lot of people. Motion denied by voice vote.

- 10. MPD Exemption form for review:** Continuing conversations, documentation is currently being refined on behalf of the Police Chief. The Board now would like the Police Chief to sign off on the revised noise exemption applications with three (3) weeks' notice ahead of time. Also being requested now is if there is going to be hired security and all the names and contact info for all those of security ahead of time simply because if there is a comment, question or something that happens during the event. It is mostly to do with communication. Be advised these forms will be finalized and approved in the upcoming weeks and then posted online, in the Clerk's office and at the Police Department. No formal action taken.
- 11. Noise Exemption Authorization, Rockie Jernigan for Labor Day Weekend Celebration (9/1/23 and 9/2/23):** Rockie Jernigan requested a noise exemption and provided photographs that show an idea of how the property is set up. There will be security and no one under 40 will be allowed entry. The security is not officially hired but will be working the gates, food, portable toilet area, and the stage. He is upset about the event that occurred a few weeks ago acknowledging he was throwing an event the same day and recalls having a nice turnout with no police calls. He may have had one or two calls on the noise but assures they turned it down when told to do so. He guarantees people cannot float in from the street and they have kept this controlled many times. President Baker refers to the ordinance stating that after the second call the location can be fined within a year period. Also, he questions how they keep track of the number of people entering and exiting the event in a fenced in area. Mr. Jernigan replies wristbands. He hates to say it but it is really the younger crowd that has problems and goes back to his event being 40 and up. It states so on the flyers and everything. You will not be allowed in. He assures it is more family and people that everyone there knows. They do not wild out. They will have a DJ and Mr. Jernigan is even a DJ himself, "DJ Rock." Linda Gregory states he may not be aware but recently when they have approved these for Mr. Jernigan, they have been cutting the exemption part at midnight. So, that would change the details on the application from being eight (8) hours to six (6) hours. Again, it doesn't mean they have to close down, it just means that there is no noise exemption after midnight.

President Baker refers to conversations with Police Chief Sloan who does not recommend approving this noise exemption either, just for the sake of pressing pause and making sure things are in order. Again, that doesn't mean this event cannot go on, it is just how loud it can be. Mr. Jernigan assures this will be controlled and they have never had any kind of violence. He understands the police have their concerns and so forth. It was one officer that came one time saying he was getting calls on the noise that took him away from other areas including Ball State. This is the second year going on and everyone is very well-mannered. There is no such establishment for people 40 and older and this allows them to get out of the house. He and Charles Weatherly get together once or twice a year and hold something where people actually go and feel comfortable enough to being inside an area that is closed off.

Linda Gregory moved to approve the noise exemption. Lola Maurer provided the second. Before voting, President Baker suggest he, Mr. Jernigan and the Police Chief get together and find out what will work. They do not want to stop the fun. It is just what *could* happen. When there is a serious event leaving multiple people with critical condition injuries, it really wakes up a community. Motion denied by voice vote.

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- 12. Open Quotes for Cornerstone Wheelchair Lift:** Linda Gregory reads the following quotes.

Oracle Elevator – 5534 W. Raymond St. Indianapolis	\$42,250
American Elevator, Inc. – 2030 600 S. Anderson	\$36,146

Allen Wiseley, Community Development, advises this is for public facilities so is the same funding source as the windows for Blood-N-Fire. Another part of the CDBG, just a different side of it. At the request of Mr. Wiseley, the board takes this matter under advisement.

- 13. Street Closure Application, Village Promenade Move-in Days (8/18/23 & 8/19/23):** Carey Grimes, General Manager at Village Promenade, apologizes for the delay in requesting the closure two (2) days before the event. This is their annual/yearly closure for move-in. They will be requesting the closure of Dill Street from University to North Street. She did request extending it this year from not just Friday but to Saturday as well due to the high amount of move-ins scheduled for Saturday. President Baker confirms this is mostly for public safety. Lola Mauer asks the times. Ms. Grimes states Friday is from 8:00/8:30 AM to 9:00 PM and then again Saturday at 9:00 AM. The Board verifies the paperwork and police approval. Ms. Grimes explains Officer Amy Kesler and Officer Justin Peters along with Officer Mike Pyles will have availability that day as well as another back up if needed. She adds there will be a food vendor in the area as well and that location is already blocked off. The Board approves as long as he is up to code by health and licensing. Lola Mauer moved to approve the street closure application. Linda Gregory provided the second. Questions called. Motion passed by voice vote.

- 14. Adjournment:** There being no further business President Baker adjourned meeting at 9:33 a.m.

We will meet next Wednesday, August 23, 2023

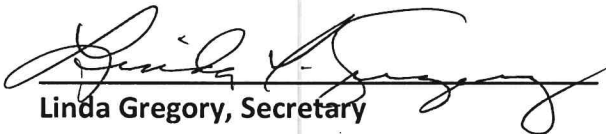
**Board of Public Works and Safety**



Ted Baker, President



Lola Mauer, Vice-President



Linda Gregory, Secretary



Lacey Jones, Recording Secretary