

MINUTES
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE, INDIANA 47305



OCTOBER 2, 2023

PUBLIC HEARING: 6:45 P.M., 1st Floor City Hall Auditorium.

RES. 17-23 AUTHORIZING THE ENTRY BY THE CITY OF MUNCIE, INDIANA, INTO A BOT AGREEMENT AND RELATED DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS RELATED THERETO.

Audie Barber thinks this BOT ideal passed by Council in 2020 needs to be repealed and put on the backburner for more discussion. He doesn't even think half of the councilmembers received any plans on this project and feels we've went down this rabbit hole once with the solar farm – the same company. We should hold the Mayor and his Administration accountable to let the people, or at least Council, know what's going on with this. More information is needed on something like this before voting on it.

Greg Martz, GM Development, has a slideshow presentation about the project he is expecting to present tonight and asks if they would like for him to do that now or later while discussing the resolution during the Regular meeting. President Robinson informs his preference is during the Regular meeting when they have a little more time to discuss it. The rest of the Council agrees.

Kristopher Bilbrey reminds the Council that five of the nine councilmembers have been caucused by the party rather than elected by the people. Therefore, with the fact that we are just 36 days away from an election, he asks they greatly consider tabling this resolution this evening and letting the election take its course. Whoever is then the City Administration and whoever is elected to Council after that period can bring this back. This is something that has been talked about for several years so he doesn't understand what another two months is going to make a difference. He supports the Fire Department greatly and wants them to have adequate and safe conditions to live and work in but does not know if two months is going to make a difference one way or another. Also consider this is the second issue that has come before the Council relating to the build-operate-transfer. When this came before the Council in June/July of 2020, Bilbrey came before them asking to not move ahead with the BOT. After consideration on this, he would ask someone on the Council to possibly consider rescinding that BOT ordinance. It has only been used to kind of off-scape the Council and to run around them. The Administration isn't here this evening, which is interesting. On the evening we're asking this to happen and this close to the election, it is quite telling that the Mayor is not even here to talk about this.

Rick Yencer wants to talk a little bit about build – operate – transfer. That was a law that was set up some time ago to take a third party for schools and government and let them do the work and then operate it as long as they want. He notes he isn't sure of the details of this project but wants to throw a number out there. \$42 million is the indebtedness of this government. Now, the plan is to add another \$18 million or more and let a third party do it for them. A congressman announced just today that he wants to resign because they won't put a debt ceiling in Washington. After the pandemic, schools, government everybody is borrowing money. Our taxes went up in this community because the Muncie Sanitary District appointed board was allowed to build a \$17 million sanitation garage. Now, while it was probably needed, that added to the tax rate and indebtedness. For a government that only raised about \$30 million in taxes and another roughly \$25million for the General Fund, he recommends not to add to the debt of this community. Who knows who will still be here 20 years but our debt way exceeds what the Council is spending.

Mark Greenburg, Muncie Fire Department, has lived in the Muncie fire stations for the past 30 years. He encourages everyone to visit not just one fire station but all seven of them. He refers to a retired friend that had surgery just this morning to have his gallbladder and prostate removed. He has had two friends that didn't get to see retirement because they passed with cancer. He has another coworker right now that is wrestling with cancer,

currently winning the battle and will beat it. They have lost four retirees this year, half passing from cancer. He isn't saying that the firefighting business is a safe business because that is obvious when they sign up. However, the Council has the opportunity to make their living conditions better. Thirty years is a long time to work somewhere. Greenburg states he was one of the people invited to be part of the Building Committee so obviously will be in favor of it. He is willing to go into it a little deeper when they had the time but after hearing some of the things from previous speakers, he just wanted to touch make a quick statement.

Elizabeth Edgell wonders what the conditions were in the classroom when some of the fireman were cheating on their exams. She is tired of the public view Muncie gets by some of our elected officials, appointed officials and even people that serve the community. It is poor timing that it is happening now after this fiasco that still is not over with. She just feels like it is rewarding of bad behavior and knows it isn't all of them but it's a great deal of them and Muncie made the news yet again.

Sean Farris, Muncie Fire Department, reiterates Greenburgs comments: He has been on the Department for 16 years and a comment was made about "talking about this for years so what's another two months" well that's kind of the problem. We have been talking about it for years and nothing is ever done. Aware there is a lot of controversy on the build-operate-transfer and admits not being super well versed on it himself to be 100% honest. As a firefighter, he hasn't seen another plan to go forward. If this is something the Council doesn't like then he hasn't seen Plan B. They need new stations and repairs to the stations already there, as they are not in good shape. The Fire Chief Administration and Deputy Chief do the best they can to get repairs to the things that are done but it's not enough. The newest station is Station #7 which was built in the mid-80s while most of the others were built in the 1950s or 1960s. Station #1 was built in the early 1900s, he believes. The Fire Department needs something done to their stations and this is a step in the right direction to start getting some repairs done for the living conditions because they're not in good shape at all. As Mr. Greenberg said, if you have not been in them, you do not realize how bad some of them really are.

Mary Stilts states every time they get a call, these firefighters go out and put their lives on the line for any one of us. Any one of our houses could be on fire. They put their lives on the line for us so why are we not pushing to improve their living arrangements so they feel good and are healthy and able to come out and fight the fires of our homes. If the Council doesn't approve this, she is going to be disappointed in each and every one of them because the firefighters take care of us so we need to take care of them.

Zane Dixon is one of the newer firefighters having been on the Department for less than two years. One thing he wanted to bring up is they do have female firefighters in the Department who have no privacy. They all sleep in the same rooms and use the same bathrooms when there should be a completely separate area. On top of the health conditions they live in, it is just deplorable. There is mold, exhaust and soot everywhere and they do their best to provide care for the City of Muncie so he would like to see this move forward.

REGULAR MEETING: 7:00 P.M., 1st Floor City Hall Auditorium.

PLEDGE OF ALLEGIANCE: Led by Jason Chafin.

INVOCATION: Given by Councilman Jeff Green.

CITIZEN RECOGNITION: Councilman Green states tonight they would like to honor a business started back in the 1940's on the south side of Muncie. It is an iconic landmark that probably everyone in this room knows about. If you have lived in Muncie long enough, you know that the south side of Muncie has a unique business, unlike any other around in the area. Long ago in the 1940's when there was an airstrip that ran along 21st Street between Hackley and Mock (doubting if there is anyone or fairly few that remember that far back), three brothers named the Gibson Brothers had an ice business at the end of that airstrip. Their names were Marvin, Glen and Earl; Marvin being the pilot. They ran their ice business for quite a while until the 1950's when it was decided to use the ice rink there for winter months and using it as a roller rink for summer months. Earl and Mildred started the roller rink

permanently in 1950. It was a great place for people to go to exercise and get some entertainment. Green's own father was one of the hockey players back in the 1940s and was very good friends with George and Ann. They ran around and went to school together. Therefore, his own ties go back to this family a long way. The roller rink stayed a roller rink from 1950 up until the time George and Ann purchased the property in 1967 from their parents, Earl and Mildred. Ann and George owned it until they sold it to their son, Tom and Jennifer in 2019, who have owned the business since then. Green recalls his father taking him skating when he was little and teaching him how to skate. In turn, he took his children to learn how to skate and has now has taken his grandchildren. Gibson's is a wonderful place for the kids. During his time growing up, one place that was feared while at the rink was the "Jail" which Ann was very good at putting people there. He claims he was never one of the people she put in it but he had friends and knew other people sent there. You had to serve time out before you were able to go back and skate again. It taught kids discipline, to be responsible for their actions and to behave. Green is thankful we still have a business that is ran that way. Tonight's Citizen of the Month award goes to Tom and Jennifer Sheridan and family at Gibson's Skating Rink.

Tom and Jennifer thank the Council for their award and recognition. Jennifer notes for those familiar with the "Jail" bench, it was designed originally for George Jr. and Tommy. Tom wishes to thank the customers and everybody that has come and supported them throughout the years. They hope everyone keeps coming and it is much appreciated. President thanks Councilman Green and claims he doesn't think anybody from Muncie doesn't have fond memories of Gibson's Skating parties when we were in elementary school. He recalls taking karate classes there with George Sheridan and it is such a special place to our community.

ROLL CALL:	PRESENT	ABSENT
Aaron Clark	X	
Ro Selvey	X	
Troy Ingram	X	
Jeff Green	X	
Jeff Robinson	X	
Brandon Garrett	X	
Brad Marshall	X	
Jerry Dishman	X	
Roger Overbey	X	

APPROVAL OF THE MINUTES: A motion was made by Marshall and seconded by Ingram to approve the Minutes from the September 11, 2023 Regular Meeting as presented. A roll call vote showed 9 yeas and 0 nays.
MINUTES APPROVED.

COMMITTEE REPORTS: Chairman Robinson of the Finance Committee refers to their Committee Meeting on September 26, 2023, which was last week, to begin review of the 2024 municipal budget. The next meeting is scheduled for next Tuesday, October 10 at 6:00 PM right here in the City Hall Auditorium with the final meeting Monday, October 16, which will be a Special Meeting of the Council at 7:00 PM.

There has been some concerns about the date of the November City Council meeting which is currently scheduled for November 6th which is the night before the municipal election. Historically, the meetings have been moved to the following Monday during an election year (referring to the municipal election, of course, as they did not move it last year during the county election). He just wanted to bring that to their attention that they can change that date and still meet statutory deadlines for any public notice and things like that. He is indifferent to it but recalls a few other councilmembers asking him about it. He is happy to entertain a motion believing that is the best approach to make it a Council decision. If that motion is made, that would make the meeting November 13th rather than November 6th. A motion was made by Garrett and seconded by Ingram to move the Regular November City Council Meeting from November 6th to November 13th for the year 2023. A voice vote showed 8 yeas and 1 nay (Selvey). MOTION CARRIED. The November Regular City Council Meeting will now be held on November 13th

at 7:00 PM. President Robinson requests the Council Secretary get the public notice out in the appropriate time (published in The Star Press on October 18, 2023).

Dr. Charles Taylor provides a brief update on the Ethics Advisory Committee and gives thanks for the privilege of serving. President Robinson sent out an email to the Committee requesting Taylor try to get everyone together and organize the first meeting for which is scheduled Thursday, October 19 at 7:30 PM in the meeting room at Marion Hunt Library. An official Agenda has not been sent out yet but it is basically going to be an organization meeting, choosing their chairs and setting a schedule. So, they will be getting underway very soon. Robinson thank him and request he post that public notice at Marion Hunt within 48 hours before the meeting. Dr. Taylor confirms he will make sure that is done.

APPOINTMENTS TO BOARD AND COMMISSIONS:

ETHICS ADVISORY COMMITTEE

With the adoption of res. 12-23, amending the affiliation of certain appointments on the Ethics Advisory Committee, the vacant seat of an Attorney licensed to practice in the state of Indiana was amended to read a Member of the Clergy. President Robinson declares nominations open. A motion is made by Green and seconded by Selvey to nominate Dave Shipman. No further nominations. An all-in-favor vote showed 9 yeas and 0 nays. MOTION CARRIED. Dave Shipman is declared appointed to the Ethics Advisory Committee in the clergy affiliation.

VILLAGE REVIEW COMMITTEE

President Robinsons acknowledges an appointment to the Village Review Committee with their meeting currently scheduled for October 11. He is not sure the location or time but for anyone who might be nominated and selected for that Committee please be aware of that meeting. Nominations declared open. The members of the Village Review Committee shall have a degree and or professional experience in the fields of architecture, urban planning, landscape architecture, urban design, historic preservation, real estate or other similar fields. A motion was made by Robinson and seconded by Garrett to nominate Holly Juip to the Village Review Committee. No further nominations. An all-in-favor vote showed 9 yeas and 0 nays. MOTION CARRIED. Holly Juip is declared appointed to the Ethics Advisory Committee.

Councilman Overbey take a moment to recall he is being told that the 'City of Muncie' Facebook page is not currently live-streaming the meeting. Robinson notes there is a replacement filling in for Mark this evening, who is the one that usually does the live-streams of the meetings. A thumbs up is given from the control room so Robinson states they are good to go. *(*EDITOR'S NOTE: After the meeting, it was determined there was an issue with the recording and broadcast of the live-stream to the 'City of Muncie' Facebook page. The minutes rendered during these breaks are compiled from the account and notation of the City Council Secretary.)*

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 13-23 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES (MITS 2024 BUDGET).

A motion was made by Ingram and seconded by Garrett to Adopt. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 14-23 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES (MSD 2024 BUDGET).

A motion was made by Garrett and seconded by Green to Adopt.

Deanna Cox, Financial Manager for the Muncie Sanitary District, is present in case there are any questions regarding the Muncie Sanitary District 2024 budget.

Rick Yencer looked at this budget and it appears to have a tax increase. He knows until the state approves it that we don't know but the public should know because the property taxes have been increased in Muncie in the last few years. There was \$17 million dollars borrowed a couple years ago on that new Sanitation Garage. Again, he emphasizes the Council needs to put a debt ceiling on this government. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

NEW ORDINANCES:

ORD. 16-23 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-4 RESIDENCE ZONE TO THE R-4A RESIDENCE ZONE ON PREMISES LOCATED AT 1620 N. NEW YORK AVE. MUNCIE, INDIANA.

A motion was made by Green and seconded by Ingram to Introduce.

Eric Nolting, Nolting Investments LLC, is asking for the zoning change. He is seeking to provide more affordable housing in the form of rentals but specifically 1 and 2-bedroom units which are severely lacking in affordability in that area.

Councilman Ingram questions the rent for the 1-bedrooms per month. Nolting states it would come down to the actual construction costs. He currently has a few other 1-bedroom units and believes they go for \$700 or less at about 700 sq ft. He would like to keep it similar to that, if not a little bit larger, but definitely under the rate of say some apartments on the south side of campus that are one 1-bedroom/1-bathroom but sometimes go in the rate of \$1,400 to \$1,500 a month which is just outrageous for that size.

Councilman Garrett appreciates Nolting taking this on because we definitely need 1-bedroom and 2-bedroom homes. He refers to the minimal housing code and wants to make sure the citizens are getting adequate housing to rent and he is receiving the proper permits regarding electrical, HVAC, and plumbing. Nolting understands completely and assures all the work that would be done on this would be sourced to a local construction company. He doesn't have specific build plans yet due to obviously not wanting to front money for that without even knowing if it's approved.

Councilman Dishman asks about the parking plans. Nolting explains this specific lot is 50x270 so is rather deep and there is already a 2-bedroom/1-bathroom house on the front of the lot. What he is looking to do is just put another 2-bedroom on the back side of that lot. There is a drive that runs past the first building on that lot so there's plenty of room to provide at least two parking spots for each of those buildings. Dishman states that neighborhood has been destroyed by people turning it from R-4 zone to a multi-family dwelling. With the partying that goes on in that neighborhood, parking in the front yards, people complaining to the Police Department all the time, he questions what will be done about that. Nolting explains he cannot being there 24/7 to tell them to knock it off but will say the first rental he bought was the year after he graduated from Ball State and his leases have always contained language that specifies parties are not allowed and goes on further to define a party as "more than one guest per resident." That is to the extent of what he can do personally/initially. If someone starts complaining as homeowners or neighbors, he will then pressure the tenants to not have parties. If they continue then he would proceed with it being a violation of the contract and if he has to evict someone for breaking the terms of the contract then he does. Dishman is sure that MPD has been called in that neighborhood several times, maybe Ball State Police too. People have destroyed that neighborhood and it is happening all over this City with putting in multi-family dwellings in certain places. That invites drugs into the neighborhoods and he is not for this. Right up front. He was just questioning what will be done about the partying and parking in the front yards because it is probably going on right now, tonight. Nolting states he has only ever had one issue with tenants ever parking in the front yard and it was around 15-16 years ago. They received a ticket from the Muncie Police and that was the end of it. He recalls seeing it so knows that problem exists and thinks by clearly marking where the parking is to occur would definitely help. Dishman is aware of the different neighborhoods around that area. Gravel may get worn down and weeds start growing so it makes it harder to distinguish where you can and can't park. Nolting believes keeping up on that kind of maintenance would definitely help resolve the situation and is sure to screen his tenants rather well. Dishman recommends getting with Deputy Police Chief Chris Deegan to find out how many calls the MPD has had

in that neighborhood regarding noise disturbances, parties, etc. Dishman remembers that neighborhood years ago being a nice neighborhood. There are all sorts of family dwellings there and by doing this, he could put whatever the heck he wanted in there. It is not a nice peaceful neighborhood anymore and he doesn't like to see the multi-family dwellings because it destroys the neighborhoods but that is just his opinion.

Nolting states for 2-bedrooms/2-baths, there's just not as much common area to have a lot of people over to have those loud parties. Currently, he could build a 5-bedroom house if it were an empty lot and it would have a lot more open space but he doesn't want that. He has renovated several properties in that neighborhood because they were in a near dilapidated state and he would respectfully disagree. He thinks it is still a quieter neighborhood and notes having a lot of non-students and especially grad students flock to that area because it is quieter than the east side of campus. Unsure if it is just the older students wanting the quiet and are taking the grad student thing more seriously but three of his units in that area right now are non-students. One is a teacher in her late 20's and a family of five who all need affordable housing too. He is not targeting just students, assuming Ball State is the largest employer in the City and there is plenty of teachers, janitors, and anyone else wanting a short commute to work. He wants to make sure there is affordable housing that is a good quality for them as well.

President Robinson points out to the Council that the Delaware Muncie Metropolitan Planning Commission did deliver an unfavorable recommendation with a 5-2 vote in their Report to Council attached to the ordinance. The DMMPC has recommended that this has received an unfavorable recommendation for rezoning and the Planning Commission states they: "have given reasonable regard to comprehensive zoning plan, current conditions, and the character of current structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout in the jurisdiction and responsible growth and development." There is nobody from the Planning Commission such as Allen Wiseley and Lorey Stinton here this evening to discuss. For his own piece of mind, he would like to find out directly why that was an unfavorable recommendation and his guess is (speaking to Councilman Dishman's point earlier) it being a little bit different from what the neighborhood is. Nolting explains the next ordinance up for discussion is for a lot just north that received a neutral rating from the DMMPC. He doesn't know with certainty, and is certainly not trying to speak for the board, but his takeaway was that the neutral recommendation was because it is currently an empty lot and 1620 N. New York currently has a property on it that he does not intend to demolish. He believes that was how he felt was maybe the difference in the reasoning.

Sue Wyland lives in her own house in this neighborhood and walks to Ball State. She recalled being at the Planning Commissions Meeting and there as a question as to whether you can, even with an R-4A, have a dwelling on the front and a completely separate dwelling on the back. She believes Mr. Nolting was instructed to contact the Building Commissioner to see if that was legal and would like to know if that happened. Nolting advises he has not contacted the Building Commissioner on that particular issue. Obviously, the Building Commissioner would have to approve or disapprove any plans so if that hurdle were to be put in place then it would be dead in the water there. He has zero intention of tearing down the house that is there. If it cannot be done, it will not be done. Wyland had a further question. She understands if these are two separate houses. Often a duplex shares a common wall. Little houses are all right, her house is only 912 sq ft but these are only 700 sq ft and you can call that a cracker box. Nolting confirms on this particular lot, what he is toying with is about 850 sq ft.

Andrew Popp wanted to come before the Council to reiterate the denoting of the Planning Commission giving an unfavorable recommendation for many of the reasons mentioned by Councilman Dishman, agreeing with that assessment. Growing up, that neighborhood was once a very quiet area and to his recollection, MPD has made a ton of calls there over the past several years. He points to the fact it's been given a unfavorable recommendation by the Planning Commission as well as an unfavorable recommendation here publicly by the sponsoring Councilmember Dishman, he would like to see the Council not proceed with this. Both the sponsoring Councilperson and the Planning Commission have spoken against it.

Cheryl Bryant, homeowner, states unlike Mr. Nolting, as a resident homeowner she is there 24/7. The students are not. As far as a small house not accommodating a large party, that's correct, because at the end of her street is New York Ave and because the house was too small, they just party and block the street with cars and bodies up to 100. The last big party a few weeks ago resulted in a couple of flatbeds coming through at 2:00 AM

that were called in by police. They had their big bullhorns and were trying to get the students to leave. The house size does not mean if you have a small house you can only have eight people. Some things in general to consider on these is the existing student population density. She is concerned with the boundaries on the east and west of Wheeling and Oakwood and then Bethel and McGalliard. That is all part of their Neighborhood Association. The people don't object the students, in fact, had a few that live and blend in. Too often they are transients. Freshmen are not supposed to live off campus. They should be there for no more than three (3) years at the most but the ones next door to her just come and go. It doesn't do anything to elevate the value of their homes or neighborhood. The second thing, she would say her lot is 50 ft wide by 170 ft. Most of the homes there have an approximately 50 ft wide lot. Building a box on the back on a house and sticking gravel behind there to park is not what their neighborhood looks like. Those houses where they either stick a second story up, if the foundation allows, or put the big box on the back for student housing then ultimately decide if the houses aren't full to sell them, well, that use isn't really attractive to a family. The third thing she wants to mention is whether the City could call someone who wants to add this housing to do a study. She used to work for a company that had health care facilities and if you want to build a new nursing home you had to do this study and present a bed need or you couldn't just open up. It's not like going out and building a coffee shop. She can't go build a nursing home so doesn't think he should be able to just put in student housing if there is no need. We would probably have empty dorm rooms as we know there are empty homes for students already. The houses are either for rent or for sale. It would be nice if they would have to do a study or survey showing that there is the need for such housing and consider again the mix of resident ownership and the student area.

Nora Powell is on the Planning Commission and has had the opportunity to walk that neighborhood recently. The reason she voted the way she did at the Planning Commission meeting was because when you change the zone of an area, you don't dictate what is happening in that area. While she can appreciate that someone wants to come in and develop and make something beautiful, we have to look at what that means for the entire area and those parcels of land. By changing this from an R4 to an R-4A we are completely changing what is allowed there. It doesn't mean that we don't appreciate Mr. Nolting is coming in and developing houses but if you change that zoning, he could sell those properties as early as tomorrow and someone else could come in and built up to the maximum amount of that zone which means 2.5 stories and several other different things. While she is definitely in favor of development and beautification, she thinks we need to be cognizant of what we are putting on those neighbors in that area.

President Robinson states this is the first time he has seen an unfavorable recommendation from the Planning Commission. As Councilmembers, none of them are really well versed in the zoning laws quite as well as Councilman Dishman. In instances like this and in speaking personally, he has to take the recommendation of the body that is the experts on this. As mentioned, this is the first time he has seen an unfavorable recommendation. It is certainly up to each individual in how they want to vote as this is just for introduction.

Councilman Ingram reiterates this is just for introduction and would prefer to do his own research on this. He plans to approve introduction of this ordinance in lieu of doing some research with the Building Commissioner's Office and some of that Metropolitan Planning Commission members.

Councilwoman Selvey questions Mr. Nolting if there was a reason why he did not contact the Building Commissioner's Office prior to this meeting. Nolting honestly did not take it as a recommendation to contact the Building Commissioner for that purpose. The question was brought up if it could be done. He stated he was not aware but that would be a determination of the Building Commissioner and did not take that as a please reach out to the Building Commissioner. That was not his takeaway and could be his mistake, and if it is he apologizes. Selvey asks Dishman if he can recall if Mr. Nolting was told to contact the Building Commissioner. Dishman states Mr. Nolting was wanting to build a 2-story which was a big concern. Nolting acknowledges concern on some other smaller lots that were tabled for the next DMMPC meeting on Thursday. The concerns were with building heights and so on and so forth and it was requested to provide some designs for those smaller lots. He has them all completed and submitted to Lorey with the Planning Commission. As far as the larger lots, he was not under the understanding of providing a rough idea of what will be put on there. All he is looking for is something really more of an auxiliary dwelling unit versus the full rezoning. However, his understanding with the request for an auxiliary

dwelling unit to be a variance you want to see specific plans when that is applied for. Since he was doing multiple properties at one time he was trying to consolidate his time and the Commissions in order to achieve that.

Councilman Garrett refers to the Structural & Zoning Inspector for the City in the Building Commissioner's Office. He advised if he would have contacted them that every question could have been answered about the rezoning and all that. Garrett was actually the Structural & Zoning Inspector for the City for a while. The Building Commissioner should always be the first stop. The rules have changed since he was last employed but assures they are up to date, are aware of all the codes, ordinances and aware of what requires a variance and what does not. That should always be the first stop. Nolting states that is fair. This property is different from the others in that it already contains a structure he does not intend to tear down. The others are currently vacant lots. That was probably the difference in his mistake of not reaching out.

Councilman Marshall seconds Ingram's motion. President Robinson notes a motion was already on the floor.

Chris Deegan, Deputy Police Chief, recalls Councilman Dishman bringing up the police response in that area and a few comments about parties and police responses. He can offer that information at the next meeting if that is the request of the Council. Just contact him via email or give him a call and he would be more than happy to provide it (although it may take a few weeks to put together). Questions called.

Councilman Overbey assures the vote is to conduct further research. President Robinson replies the ordinance is up for introduction so they will hear it again next month for consideration to adopt. An all-in-favor vote showed 7 yeas and 2 nays (Robinson, Garrett). INTRODUCED.

ORD. 17-23 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-4 RESIDENCE ZONE TO THE R-4A RESIDENCE ZONE ON PREMISES LOCATED AT 1700 BLK N. NEW YORK AVE. MUNCIE, INDIANA.

A motion was made by Ingram and seconded by Garrett to Introduce.

Eric Nolting, again, explains this is a vacant lot he is looking to develop into 2 or 3-units, not to exceed a total of 5-bedrooms between all of those units. Again, the 1-bedroom and 2-bedroom units are those lacking in that need and he is attempting to meet that need with an affordable and quality product. President Robinson notes it was pointed out during the last ordinance discussion that this came back neither favorably or unfavorably by the Delaware Muncie Metropolitan Planning Commission by a vote of 5-2 so there is no recommendation.

Councilman Green questions if Mr. Nolting resides in this neighborhood. Nolting answers no, he currently lives on the west side of Indianapolis. He and his parents were all Ball State graduates and he would claim Muncie as his adopted home. This idea came to him when he was a junior in college. He lived on Carson St just east of campus and inadvertently got his landlords mortgage statement at their address as he was ripping open the mail one day. When he noticed it, he thought to himself his landlord is severely overcharging him. Since then, he has wanted to provide quality and affordable housing. At that time, it was students but with age and practice of doing this for sixteen years, he has now rented a many families and single non-students who have mostly all been great. He enjoys doing it and providing that service and closeness to campus for whoever needs it. Green asks if Mr. Nolting plans to live in this neighborhood in the future. Nolting answers it is very possible. He is an air traffic controller and the reason he lives on the west side of Indianapolis is the proximity to the airport. With the properties he does have here in Muncie, he is not opposed to it. It would be more cost effective for him if he could self-manage. Being as far away as he is, he has hired a property manager but is sure to keep his hands involved being very active in texting communication to make sure things are going as they should and there aren't any issues. Typically, the property managers will leave information on move-in such as contact for maintenance. Nolting assures he likes to include his information to those tenants as well so if the property managers aren't keeping up on what they're supposed to be doing then the tenant can contact him directly.

Dishman questions if this property is going to be a 5-bedroom. Nolting instructs it is not to exceed 5-bedrooms. Dishman then asks if this is going to be a 2-story because it would not fit in with the neighborhood. Nolting does not know now specifically but recalls that question coming up at the Planning Commission meeting last month. He went through the entire neighborhood and there are many houses in that neighborhood that exceed 1-story. There are 1.5-story homes, 2-story homes, and even a 3-story A frame. The designs he has come up with

for the smaller lots earlier discussed are 1.5-stories so the 2-story does not exceed more than roughly half of the footprint of the first floor, that is by definition of a 1.5 story. The total height comes about 21 ft. Nolting has property in that neighborhood on Janney Ave. that has a finished attic that exceeds that in height. Therefore, what he is trying to do architecturally and aesthetically would fit with the neighborhood. He doesn't want to be eyesore or to pop out from everything else. He wants a smooth aesthetic transition and for there to be affordable smaller units. In order to make those more affordable, consolidating those units under one property is the easiest way to do that. Dishman wants to let everyone know that the property management company Mr. Nolting was using to take care of this rental properties was the same ones that was recently screwing around the people of Muncie. He said he planned to get rid of them. Nolting answers yes, when that new story broke last August he was with a new property manager by the beginning of September. He recalls having tenants where their water was shut off because BSU Rentals has not paid the water bill. Nolting did not find this out until he received notice it was being shut off. When that happened, he immediately called the water company, had it turned back on and started shopping for a new property manager because that was unacceptable. Dishman applauds him for doing that because so many people were done dirty by that property rental company. Nolting agrees and adds homeowners and tenants alike. He feels terrible for even signing on with them and if he had known there ever would have been a possibility of that outcome, he would have gone elsewhere in the first place. He adds he has not had any issues with the new company he decided to make the switch to.

Councilwoman Selvey is worried about the aesthetic and the renditions fitting in with the rest of the neighborhood. She asks if he will provide something to show what it is going to look like. Nolting responds he is not an architect so doesn't have full architectural plans. However, he did buy some inexpensive architectural software that he could use to draw something up. That is what he has done for the smaller lots, which will be coming up next month he assumes. Selvey comments that she is hopeful he will be more prepared next time because he is asking them to change the zoning of a neighborhood but he has not contacted the Building Commissioner on the other ordinance and then doesn't have a design for the Council to see to make that judgment if they feel comfortable voting. Nolting states that is fair. Selvey insists they are basing decisions on air. However, this is just for introduction. Nolting responds the setback and building requirements are identical to the R4 zone so nothing could exceed what already couldn't be built there now. The only difference is whether it is 1-unit or up to 3-units.

Sue Wyland states this property is just up the street and all of the arguments against 1620 New York Ave. pull for 1700 blk of New York Ave. It is the same size lot and so on. She points out the 3-story A frame that was earlier mentioned was not actually built in that neighborhood. It was moved when Centennial Ave was connected to Bethel and there were a few houses in the way of the curved part of what became the lane and this was one of them. That is why there is only one that is 3-stories because it wasn't supposed to be there to begin with. Questions called. An all-in-favor vote showed 7 yeas and 2 nays (Garrett, Robinson). INTRODUCED.

RESOLUTIONS:

RES. 16-23 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, RATIFYING THE ADDITION OF A LICENSED SOCIAL WORKER TO THE MUNCIE POLICE DEPARTMENT.

A motion was made by Selvey and seconded by Ingram to Adopt.

Chris Deegan, Deputy Police Chief, states this resolution is a product of a lot of work. It was born out of the idea when discussions began about Muncie's need for a crisis center and some of the addiction problems and social service problems the City deals with. The Mayor's Office, Controller's Office, the university and Meridian are all involved in the discussions on how to get something here to provide services to the people in this community. The university and the hospital both were instrumental in piecing this together. All Deegan claims he did was just provide the data points and somewhat of an operational plan of what the Police Department would think it would look like. They submitted for a grant through the Department of Mental Health and Addiction Services at the state level and the City was awarded a \$500,000 grant for the course of two years. That is going to cover all of the salary and benefits for a fully licensed social worker including equipment, retirement and an

additional police officer for Community Engagement. Those that are aware know MPD has recently started up writing a Community Engagement Division. Staffing is better now than it has been and they continue to advance in that area. This is something that any of the original councilmembers from the last election cycle know as Deegan met with all of them about it at some point. It is still a goal and hopefully this is the start for them to build upon. A lot of effort was put into doing the research as far as what this looks like because honestly, the City of Muncie has never done anything like this before. Other places have and Deegan is a firm believer of not reinventing the wheel when you don't have to. They site visited multiple police departments that have implemented a social work program and site visited multiple crisis centers. When talking about what this will look like in conjunction with the Crisis Center with IU Health when that gets completed, they have also developed policy procedures as well as a job description and what the requirements are going to be for this. It has all passed through Legal Counsel and with the Council's support and approval of creating this position, he will get it posted and start searching for our first fully licensed social worker for the City of Muncie.

Selvey confirms MPD received a \$500,000 grant but questions if one social worker is going to be enough. What are the schedules? Things happen at different rates. Deputy Chief Deegan states he never thinks anything will ever be enough for the Police Department. There is always a need but they have to start somewhere. This is a good start and they need to see what it looks like in how delivering these services to people. As far as the schedule is concerned, they work a rotating schedule depending where the Administration puts them. There will be on-call hours and the employee will be provided with access to a vehicle to respond after hours, if necessary. There is a lot that went into the development in this. Going back to the \$500,000 grant, Selvey questions if they could've hired two social workers with the same \$500,000. Deegan insists the grant was written for one social worker and one community engagement officer.

Councilman Garrett mentions the \$500,000 covering not just the salary but the equipment for both positions too. Deegan confirms.

Audie Barber asks if the social worker is going to be part of the Police Department and part of the Union. Is this positions going to be one more number in which the contract is limited to, so on and so forth? However, he is sure that the Police Department needs this. Deputy Police Chief Deegan assures this will be a civilian employee and will not be part of the FOP Union and will not be part of the numbers that count against the contract. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 17-23 AUTHORIZING THE ENTRY BY THE CITY OF MUNCIE, INDIANA, INTO A BOT AGREEMENT AND RELATED DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS RELATED THERETO.

A motion was made by Selvey and seconded by Green to Adopt.

Muncie Fire Department

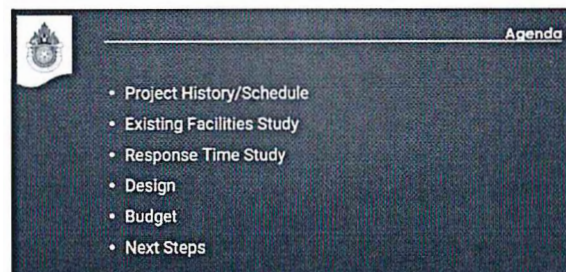
Station 6 Public Hearing

October 2, 2023



Beginning with the Agenda, Martz will start out by talking a little bit about the history and the process of getting here. Describing tonight is definitely not the end of the process but more of Step 1. Further details will be elaborated but so far, they have performed an existing facility study, a response time study and done a lot of work on design, budgeting work and further steps.

Greg Martz, GM Development, has a 12-minute presentation on this matter. He begins by explaining they responded a public request for proposals about two and a half years ago. He is here tonight to present the information from all that work that has been done in the last two and a half years working with the City of Muncie Building Committee so be advised – there is quite a bit of information.






Background Information

- March, 2021 – Public Advertisement and RFP Responses
- April, 2021 to November, 2021 – Existing Facilities Study
- December, 2021 to July, 2022 – Location Studies
- August, 2022 to September, 2023 – Design/Budgeting
- October 2, 2023 – Public Hearing
- Next steps
 - Financial Approvals (2-3 months)
 - Construction Documents/Permitting (3-4 months)
 - Construction Commencement (May, 2024)

The history of the process starts in March 2021 because that is when the public request for proposals was put out. Obviously, there has been years before that which these projects and the Fire Department in general have been talking about, potentially needing to do something with some of their stations. The City procured this underneath I.C. 5-23 which is the build-operate-transfer statute. Responding to that advertisement occurred in March 2021. He believe there were several responses but they were selected by the Building Community in April of 2021 to begin what the law describes as a scoping

process. The idea behind this is that you get a period obtain information (which is being presented tonight), taking however long needed in order to get it all together. It can be seen this has taken two and a half years to get the information that is being presented tonight. Tonight will be the closure of that scoping period and then moving forward with Step 2. After being selected, they worked from April 2021 to November 2021 doing an existing facilities study which is about a 340-page document. Martz will provide a very condensed version of the results tonight. And from there, they did a location study investigating all seven firehouses in the City occurring from December 2021 to July of 2022. Since then, they have been working on multiple designs, budgeting, and concepts for the Building Committee. The public hearing state was just accomplished tonight. There are steps after this so again, this is only the first step tonight. Being asked tonight is approval to move forward with the second step which is immediately talking with the City Financial Advisor to provide this information. They will take it all and present again, likely next month but may take more than that. Depending on what kind of financial strategy they were to recommend the Council, Martz estimates there will probably be two or three further future meetings and will be happy to attend those meetings as well. The meetings will be for advising on whether the City can afford it. As an example, if they come back next month saying the project was approved but there is no way to pay for it then of course the project would not move forward. Again, he just wants to be clear that this is only the end of Step 1 tonight. And Step 2 would be what he just explained. Simultaneous to that happening, Martz will present the designs, a schematic level about a 20% or 30% design level. Obviously, that means there still is 70% or 80% of design that still needs to happen and he would estimate that's going to take about four months which could begin simultaneous to the financial approvals. The goal is to be ready for construction in late spring of next year because that is the best time to put bids out and would provide the dry summer months to be doing the site work and so forth. In his opinion, the key here is to time the design and permitting somewhat simultaneously to the private financing approvals so that further information is available as they start making decisions on the financing but also getting in a position to start construction spring being the most cost effective time. Assuming that would happen, construction would start next May, probably being about a 13-month construction process. The Fire Department could then move in in late spring of 2025.



Existing Facilities Study

- Inspections of all seven firehouses were conducted between March 2021 and November 2021
- Inspections were conducted by approximately two dozen individuals, including construction, architectural, mechanical, electrical, plumbing, and structural professionals.
- Surveys were sent to fire department leadership at each station.
- 340-page study was completed November, 2021
- Results were used for committee prioritization

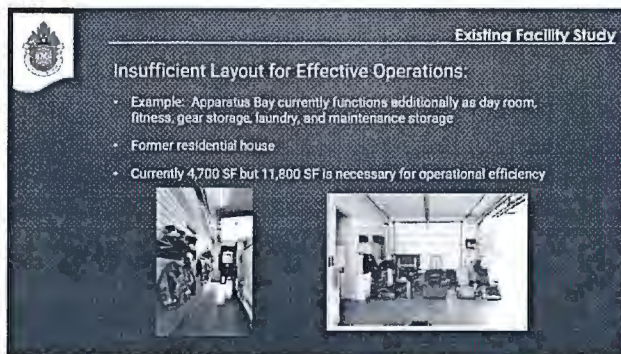
Following that agenda, the very first thing that they did after being selected was an existing facility study by going through all seven (7) firehouses. There were about two dozen professionals touring every single firehouse. It was a very intense type inspection. The types of individuals doing this inspection were structural engineers, mechanical engineers, electrical engineers, plumbing engineers, construction professionals and architects (such as Vohn Wilson who is here tonight). In addition to doing that kind of a survey, they also sent written surveys to the head employees of the Fire

Department and had them respond with what they thought were issues with each building or what they thought was going well. A document was comprised of the 340-page study that gives the results of both what the Fire Department thought and what the design professionals thought. This has all been published for the public to view. It can be seen that it was very close and actually kind of interesting to see the difference between the folks

actually living there and then design professionals that are looking at it. The reason they did this was so that the Building Committee could establish a prioritization. By reading the study, you can make a claim that we should be replacing all seven firehouses right now. However, that is obviously not going to happen. The thought here was to take this information, have the Building Committee then use that information to create prioritization.

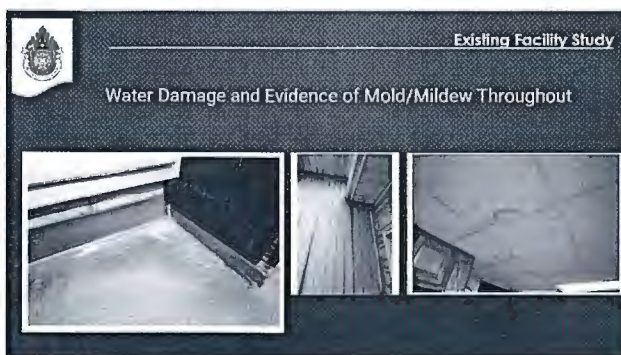
The result of that prioritization was at the priority project at Station #6 located at McCulloch Park having been there for many decades. The results of the study is consolidated here and the reason why this one immediately came to the top is imminent.

Looking at the layout, you can tell this was a residence at one time. It was a house that was probably built sometime in the 1940s and is only 4,700 sq ft.



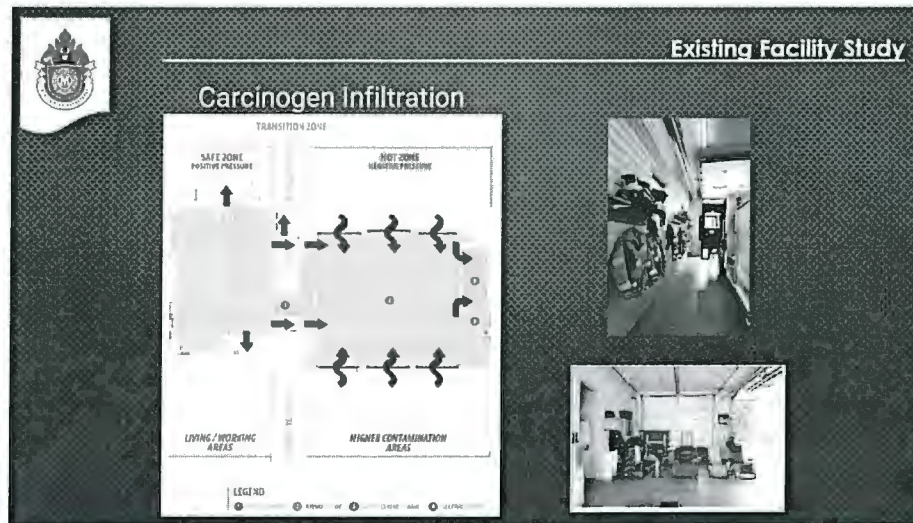
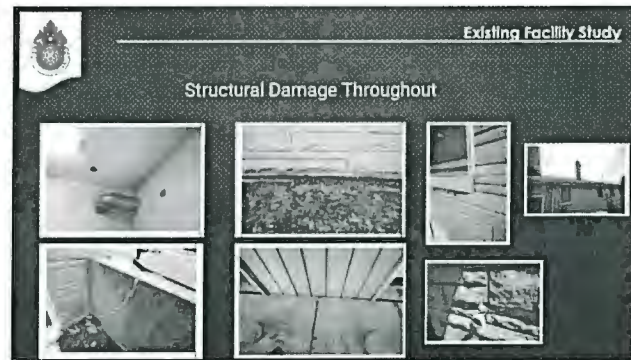
By subsequent interviews with the Fire Department, 11,800 sq ft is what is necessary for efficient operations. These pictures here are one example. The apparatus bay, which is strictly supposed to be used for the apparatus being parked, easily accessible for a fast in or fast out, but because of spacing is also being used as a dayroom, fitness center, gear storage, laundry, and maintenance storage. Any fire station they have ever built, in the 15 years Martz has been doing this, has had several rooms for each one of those. Yet Station #6 is using all of them that because of limited space in the apparatus bay itself.

One of the more egregious issues (and this just is how things have changed over time) is there is no separate restrooms, locker rooms or sleeping area for the men and women. Surely everyone knows this but it is going to continue to become more and more of an issue. Of the seven firehouses, Martz would say Station #6 was the one that had the most egregious issues.



There is also water damage and evidence of mold and mildew throughout the building. These are just a few of the pictures. The entire envelope of the building is has penetrations and you can actually see the outside from the inside in multiple areas.

It is the same with structural damage. The top left corner doesn't look like much but that is actually one of the sections where you can literally see straight outside from the building.



This is the big one. You can see there is a hot zone which the bay area and is supposed to be negative pressure. In modern firehouses, you're supposed to have a negative pressure area there and a gap in between and then positive pressure in your living area. What this does is keeps the carcinogens that firefighters are bringing in from their runs which then gets on their clothes in a specific area. The idea is to design this in a way where everything that has visited a fire stays in this hot zone. Nothing contaminated should be entering the living zone. Even by trying to take care of that like how they are here by keeping their gear on hooks (as it can be seen hanging on hooks in the bay) but the issue remains that this stuff is all in the air. By not having this kind of air pressure situation, the air itself actually starts feeding carcinogens into the living area. Anyone that has visited this firehouse can actually tell when you enter the living area just because we're not around fires all the time and can smell it while firefighters might be used to the smell. A test was done and the air is actually the exact opposite of what it is supposed to be. There is a negative air in the supposed safe zone that's literally just pulling the carcinogen air into that living area. It is a very dangerous situation and the result of just bad mechanical systems by the residential mechanical systems there. It is not at all how it should be done in a modern firehouse. There's multiple areas of concern but this is the one that probably took this to the very top.

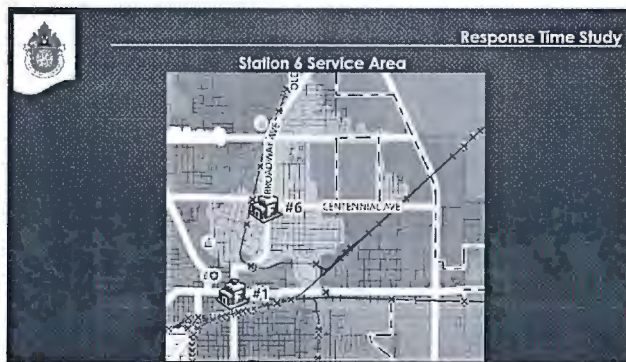
Existing Facilities Study

Station 6 Prioritization:

- Water Infiltration and evidence of mold/mildew throughout
- Privacy concerns with bathrooms/lockers/bunks
- Structural Issues throughout
- Insufficient space and floorplan for proper operations
- Carcinogen Infiltration

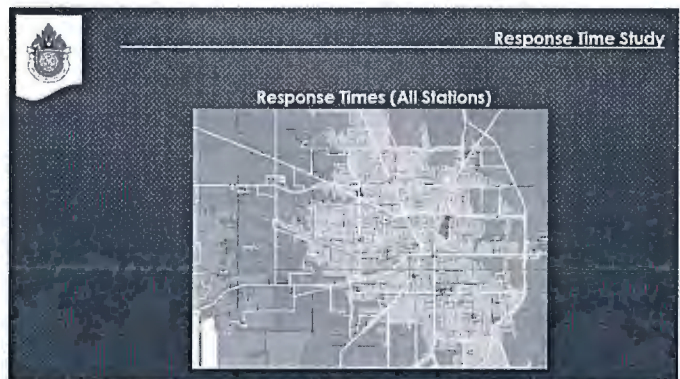
Here is an overview of everything Martz just discussed so doesn't spend much time on this slide.

They then went from prioritization to a response time study. A response time study shows how fast a specific firehouse can get to a fire in certain areas of the City. This study was separated into green, orange and blue areas which are considered good. Purple and red areas are where they are probably not getting there as fast as they should. Usually, seven (7) minutes is the key. It was ran on all seven firehouses and in fact we did something like 35 different variations of this. So much detail goes in to this and just to load one takes about 24 hours. That is the computer just thinking through all of this stuff. This took months to put together.



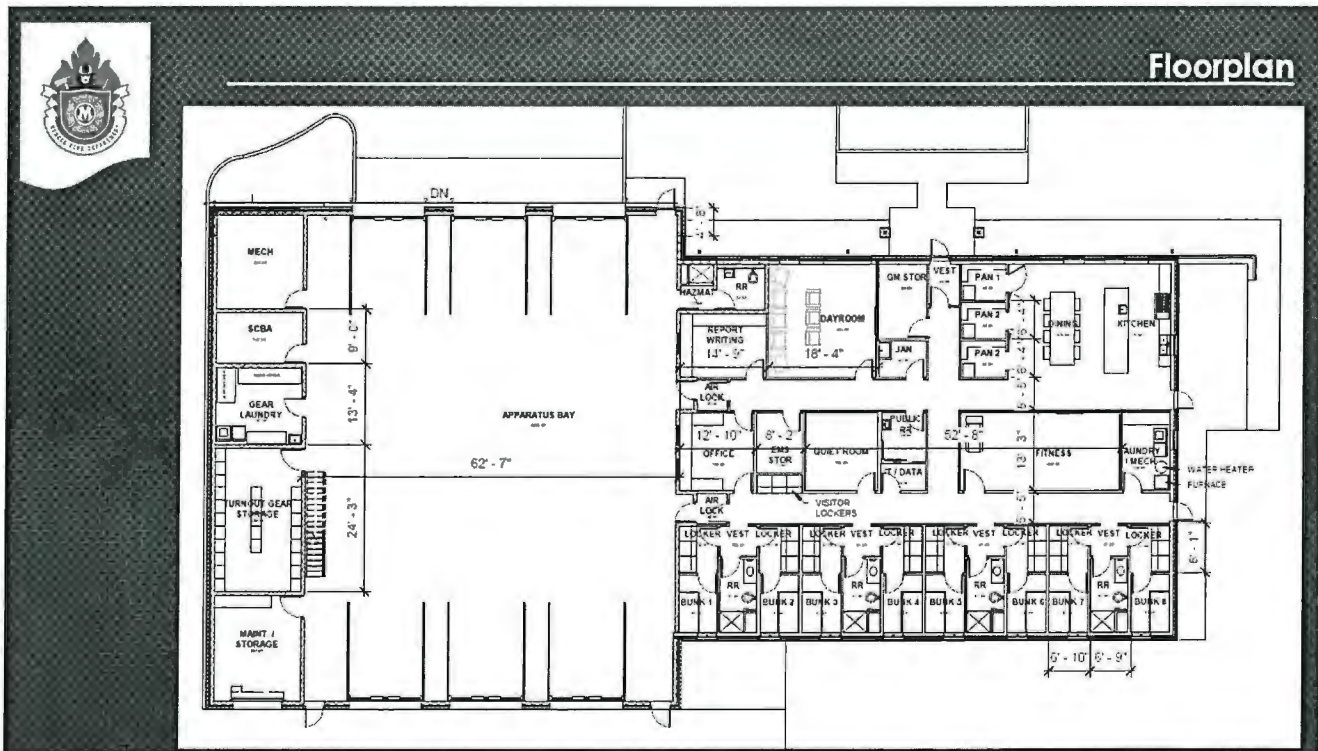
This is the Station #6 service area and again green, orange and blue marks areas of it being a primary service provider. This is only showing Station #6, pretending it is the only firehouse in the entire City. It can be seen what a massive area and how well positioned the building already is so this is the big plus of Station #6, the location is terrific.

As another perspective, this is the response times of all the firehouses, all seven put into a model. It can be seen that the majority of the City is pretty well covered. You can also see areas where it's starting to get purple and so forth. Martz refers to another model where they pretended that Station #6 didn't exist and only went off the other six stations. It is amazing how important this firehouse is and how much of the northeast side of the City that one firehouse out of seven is performing.



Since it would be better to hear from the architect himself regarding the designs, Martz goes on to introduce Vohn Wilson who has been handling all the ideas for the site. The Building Committee has been absolutely fantastic to work with. Martz recalls asking them hundreds of hundreds of questions and them being really responsive. There is a lot of effort that has gone in these next couple of slides. Because of the way these location studies came out, they felt the best location for building was right next to the current site. What is great about that is the Fire Department can continue operating.

There will be no need for shutdown during construction so they could literally move out one day and move in the new facility the next day. This is not final, by any means, and the site plan would be put together in Step 2. They at least wanted to show a concept that it would easily fit on the remaining area that is next to the site.



Vohn Wilson, Public Safety Studio Lead RQAW, will be walking through the concept for Station #6. The left, larger side is the apparatus bay and the apparatus bay spaces which would be the hot zone Martz earlier mentioned and then the smaller right portion is the living quarters. Starting off with the apparatus bay on the left there are three bays. The top left would be space for mechanical. Directly below that is the SCBA which is basically a tank fill room. Below that is the gear laundry room consisting of gear extractor, dryers, a residential washer and dryer for rags and anything that they wouldn't want to get mixed in with all the other laundry and living quarters. Then there is a little bit of room for work with counter space and a utility sink. Directly below that is the turnout gear storage which houses all their gear. This concept includes twenty-four lockers providing three shifts of eight workers, which is what the station is built for as well as room to grow for the next ten to twenty years. Directly below in the bottom left is the maintenance storage with a rollup or coiling door for easy access if they have any mowers or whatnot. To enter the living quarters, there will be two airlocks which are important to keep that hot zone hot by pressurizing those airlocks and living quarters so even if the doors are open the air moves out into the apparatus bay and vice versa. The top left of the living quarters actually includes a hazmat restroom with a shower which is accessed from the apparatus bay for anyone that needs to decontaminate or shower before entering the living quarters. Directly below that room is the report writing room, which has a window directly into the apparatus bay. Moving directly to the right from that room is the dayroom, which has a room for eight recliners. Directly to the right of that is some quartermaster storage and below that is the janitors closet. To the right of that is the entrance to the station. In the top right corner, we have the kitchen/dining and three individual pantries for the three shifts. That area has access to the outside patio. Directly going down from the kitchen and dining to the far right in the middle we have the laundry room for the quarter laundry. To the left of that is a little area for fitness. Continuing left we have a public restroom and IT closet. To the left of that we've got a quiet room which more or less serves as a mini dayroom for those that don't want to be around everyone and can go be a little more secluded in the quiet room which is also known to be used for studying. To the left of that, we have some more storage for EMS. To the left of that is another office. Then, down below in the very bottom we have essentially a bunk suite that you enter and can either go left or right and immediately come to a locker room which has three lockers (one per shift) and directly below that is a private bunk on either side. Its locker, locker, bunk, bunk and then those two share one common restroom in the middle. Multiply that by four and you've got eight bunk suites.



This is a very conceptual rendering of what this thing could possibly look like based on the Committee feedback. They were looking for something more traditional with kind of a residential feel. In this design there is a stone wainscot at the bottom, brick above that and the arched gables on the roof. On the left side in the middle there is a gable that kind of protrudes out towards the viewer which acts as a canopy for the entrance to the building. Over the apparatus bay doors there are arched with stone sweeps over the top which gives it that traditional feel. There is also a few windows for the left which also have an arched theme. This concludes Mr. Wilson's presentation.

		Budget	
Firehouse 6			
Demolition of existing Firehouse	\$ 50,000.00	Electrical	\$ 998,805.60
Moving Costs	\$ 3,500.00	Paving/Site Concrete	\$ 255,061.20
Site Survey/Staking	\$ 3,466.67	Flag Poles	\$ 3,884.00
GL Insurance	\$ 8,619.00	Unsuitable Soils	\$ 50,000.00
Reserved for Future Use	\$ -	Permits	\$ 30,000.00
Testing Services	\$ 20,999.33	Sitework	\$ 447,957.00
Survey & Layout	\$ 45,188.00	Civil Utilities	\$ 46,143.93
Underlayment	\$ 26,164.67	Waterproofing	\$ 21,259.33
Masonry	\$ 253,440.00	Preconstruction	\$ 25,000.00
Wood Framing	\$ 466,318.67	CM Staffing/Direct Labor	\$ 813,481.93
Rough Carpentry	\$ 336,178.27	Project Technology/BIM	\$ 19,933.33
Architectural Woodwork/Casework	\$ 145,155.40	Safety	\$ 15,000.00
Siding	\$ 132,000.00	Construction Liability	\$ 39,000.00
Thermal & Sprayed Insulation	\$ 29,770.00	Performance and Payment Bonds	\$ 69,333.33
Roofing	\$ 281,207.33	Architectural Design	\$ 479,925.00
Waterproofing	\$ 10,400.00	Reserved for Future Use	\$ -
Firestopping	\$ 5,806.67	Builder's Risk Ins	\$ 15,299.23
Joint Sealants	\$ 40,633.67	Furniture/Appliances	\$ 85,000.00
Doors, Frames & Hardware	\$ 103,428.00	Magnetrip VES	\$ 57,000.00
Glass & Glazing	\$ 220,833.20	Equipment	\$ 71,008.60
Overhead Doors	\$ 198,507.75	IT/AV/APS System - Wiring and Devices	\$ 104,000.00
Drywall	\$ 174,650.67	Contingency	\$ 175,000.00
Acoustical Panel Ceiling	\$ 47,019.27	Retainage	\$ -
Flooring - Tile, Carpet, Resilient	\$ 135,316.13	General Conditions	\$ 160,160.00
Resinous Flooring	\$ 72,969.00	Overhead and Profit	\$ 127,443.77
Painting & Wallcovering	\$ 101,163.00		
Specialties	\$ 38,091.73		
Reserved for Future Use	\$ -		
Signage	\$ 25,000.00		
Window Treatments	\$ 8,316.53		
Reserved for Future Use	\$ -		
Fire Suppression	\$ 95,000.00		
HVAC and Plumbing	\$ 759,224.00		
		Firehouse #6 Total:	\$ 7,948,063.22

The next slide being presented is the budget back to Mr. Martz. He doesn't necessarily expect the Council to look at all these line items other than just to note that there was a lot of work that went into this. He did not want to put just one number on the screen but roughly \$7,950,000 is what it will cost for what all was seen tonight. That is all inclusive so is not just the construction of the building but also the furnishings, design fees, site work, and demo (assuming the ultimate decision of the existing building). This is what they feel like, with everything it presented tonight, would be what it would end up costing when it comes bid time. The nice thing about this process is that they are presenting this budget tonight but again there will be a bid that will still happen in early spring of next year.



Next Steps:

- 10/2/2023 – Approve project to move forward with final design and permitting
- 2-3 Months – City's Attorney/Financial Advisor creates financial plan for future council approval
- Design/Permitting/Bidding Completed in approximately March, 2024
- Early Spring, 2024 – Final documents are approved/executed
- Late Spring, 2024 – Construction commences
- Early Summer, 2025 – Construction complete

Finally, the next steps. Again, tonight would be concluding Step 1 which has been a very long step, being the longest of the remaining steps. If the Council were to adopt this resolution tonight, they will literally first thing in the morning call the City financial advisor to deliver all this information and let them begin their analysis. Assuming they're ready to present at the next council meeting then they will be at that meeting. Basically, they will be in front of the Council as soon as they're ready to lay out their plan and then likely two or three Council meetings after that coming back in front of them again. Hopefully, all with the goal of starting construction in late spring.

Councilman Overbey would like to make a statement. His name is on the resolution and has had talks with Councilman Clark, Chief Burford, and many other people. The filing deadline was coming and he wanted to jump in and help the firefighters. There is nobody that sits on this Council that knows more, been around the Fire Department more, and has dealt with that fire station more than him. This very day, he lost his wife and had to do CPR until the Fire Department arrived. They worked her to the hospital but it didn't work out. He has also had to call the Fire Department because of his dad who lived with him the last two years of his life. Overbey recalls being around the fire station when it was closed and doesn't think anybody can say he hasn't been a friend to public safety. He was at, but didn't go through it himself, the Fire Ops 101. In looking at this he has to say he has a lot of questions. He recalls sitting down with Councilman Clark and laborers, which he has been an Operating Engineer for 35 years himself. In showing his ignorance, he is not that familiar with BOT (build-operate-transfer), running into many questions about it and what could happen or be done about it. He recalls telling people he was talking with he wants to hear and know more. At the end of the day, he is a laying duck meaning he will be out of office come December. One thing that bothers him a lot is the timing on this. He has asked and has been the one asking the questions. Several Administrations have known this problem was going on in Station #6, which is in his District. He knows better than anybody what it is like not to have that fire station. He wants to know all the ins and outs of it in particular because he wants to give good answers to these people when they ask him these questions. He wants to tell the laborers that they are guaranteed jobs. They spent a lot of money on a lot of things and he recalls asking if it was needed. Fix this fire station. Overbey hasn't been in it for a while but knows what it was like. He asked firefighters up and down the ranks what their thoughts are on this and there's a lot of mixed feelings. Some of them, of course, said other stations are worse or just as bad. It made him think, why aren't we trying to fix this? This has been going on for a long time so why haven't we done anything about it. He cannot answer those questions. He just wanted to put that statement out there for the people to know. He came in here with the mindset to listen and learn. What bothers him is not having local labor. He recalls Accutech being subcontracted out and that he received all sorts of calls asking him why the Amish was working there. It was before his time so he cannot provide and answers but assures it bothers him too. We have many local people in this community with skilled trades that have to go an hour+ away to work when we have jobs right here. If he does not see guarantees that local labor is going to work, he doesn't want to see it dropped but these firefighters need their station fixed. There is no doubt about that and he is very sympathetic to that but just wants to make sure they cover all the basis, that local

labor is included and they have everything in order to do this. Again, it is the timing of it and he doesn't like that. It shouldn't be a political thing and that is the perception of it. He has had people tell him that Mr. Martz is Councilman Clark's cousin and this and that. Overbey states he will stand up for Clark, having a lot of respect for him and there is nothing nefarious there. He has cousins in Case Construction and JD and Overbey has known them longer than Clark has because he is a lot older. They do a good job for the City and Sanitary District and there is no problem with that.

Councilman Dishman claims Overbey touched on a lot of the stuff he was going to say but back when that fire station flooded out, there was a meeting at the Buley Center to find out what they can try to do to get that station back together. It has been about two Administrations ago. Dishman brought up the fire station that is shut down and the railroad tracks right there. At that point, the closest station there would be Station #1 and Station #7 to tend to the Whitely and Morningside area. He recalls they didn't even have a sign out saying that fire station was closed due to water damage. If people would have come up needing help, they would have seen there was nobody there and could have saved their time if a simple sign was placed. That was back then and we are talking now. Dishman has seen the water in that basement when it flooded. It was nasty musky looking stuff. Instead of the City going over there and taking the trash pumps and trying to pump all that out, they let it sit in there for a month or so. That was deplorable. He was very instrumental in helped getting that firehouse back open and remembers Overbey hounding him because he was his councilman at the time. They got together and was able to get it back open. He believes the other one they were able to open back up was Station #4 by Cooley Park as he recalls two were initially closed. He never, ever, wants to have under coverage for that area again (Station #6) but this Administration has never contacted Dishman personally about this. He would hands on like to see what these new fire stations are going to look like and maybe go visit one in Greenville or Greenwood and see how those are built. Again, this Administration never contacted him about this and this week is the first he has heard of it. They are needed and that one at Station #6 is deplorable. Dishman wants to be sure the Fire Department knows he is all for these new buildings but needs to go look and see for himself what is going on. He is not going to vote for anything that he doesn't know what is going to take place. If he would have been called up to the Mayor's Office and informed of the plans then he might consider voting for it. However, he wants to go and personally see those fire stations with his own eyes. That doesn't mean he is against it and assures he is not but just wants to go look at those fire stations for himself to see what kind they are.

Councilman Clark asks how many firehouses under BOT has Martz with GM Development constructed. Martz answers probably around 30 – 40 firehouses and about 150 BOT projects. He is very familiar with that statute and would be happy to address that. Clark goes back to Councilman Overbey's concern about labor and confirms they have constructed in all parts of the state and some locations are more favorable to organized skill trades than others. He asks how the BOT process works for that consideration. Martz understands these comments exactly because the state legislature has essentially attacked unions for 20 years now and there's almost no tools remaining to assure that you can union or local labor for that matter. This is the last remaining statue that you have to do that. Where it can be uncomfortable is that the law is used how ever you intend to use it. There are some communities that could use this law as a way to keep union labor from being used but the flip side of that coin that this is literally the only law that you can use to ensure that local labor or union labor is being used. So, it is really nice in that the power is up to the Council. State legislature has this one law here that allows the City government to use it the way they deem. He would encourage them to use it for good and not bad. Use it in a manner to ensure that local and union labor is being used.

Councilwoman Selvey makes the comment it was stated that politics is not involved but she is seeing politics in progress right now and wishes to address this in a different scenario. She visited the fire station today and it was embarrassing. There is no way anybody would send his or her child in there for school or whatever reason. She doesn't want to say how bad it really is and asks everyone to go visit, please. It is sad that we allow people to sleep in that fire station. She has concerns. The firefighters there were having dinner so she sat down with them to look at everything. She likes the design but confirms it was mentioned that 20% to 30% of the design is already complete and there is anywhere between 70% to 80% that is not yet completed. Martz states that is exactly right. Selvey wants more information about the 70% to 80% and asks what specifically he is talking about.

Martz explains design is normally three phases. First is schematic design which is where we are at right now where you essentially put lines on a piece of paper to better understand the scope of the project. What happens next is called design development which takes it from a 30% design to a 60% design. There, they are trying to talk more about what kind of mechanical systems will be put in place such as electrical and plumbing systems, etc. There is then another budget check at that time frame. At the stage from 60% to 100% they'll finally have construction drawing which is when enough detail has been collected that they can now bid it out. Selvey wants to talk more about the last phase. It was mentioned that they sent a survey out to ask firefighters what they wanted in their fire station and Selvey questions how many responded from Fire Station #6. Martz answers it was three as it came from the Department's leadership (Chiefs). Selvey suggests to not only talk to the Chiefs while within that 20% to 30% and to talk to actual firefighters and EMS workers too that are not ranked and see what they want. She had conversations with the Chiefs as well as the firefighters and believes they both have different needs. She would appreciate if they expanded their survey and talked to them one-on-one. Also, Selvey asks if anybody on the Council knows how many people they have had the most at that fire station. She believes that number is four yet this would be a building for eight and questions if they will be able to staff it. Are they going to build something and not be able to afford to put firefighters in that building? However, it needs to be built. Is there a way it can be scaled down? Martz says yes, there is a way but if they are going to scale it down, the part that's easier to expand in the future is the bay area. Actually at one point, they were originally looking at four bays for this fire station but already scaled it down to three. The living area is more difficult to scale later but is possible. Selvey refers to the designs and confirms that they will reach out and talk to the firefighters directly and see what they like so when the final design comes to Council for approval, the needs of the firefighters are met. She does not care to go look at someone else's fire station. She wants to know that the firefighters right here are getting their needs met. Martz comments Selvey is hitting it right on the head with what the next phase is. The original surveys were intended to prioritize the ranking of the stations that should be looked at. The next phase of design is exactly what she is describing, in fact, she couldn't have described it better. Going into this next phase would be now concentrating on this one specific firehouse and working with those employees, the people that are actually living there, and confirms they will be involved in that 30% to 60% design. Selvey appreciates that and recalls that most of them said to her that they wanted to be a part of this.

Councilman Ingram refers to the inspections done and asks if there were their inspectors or of an independent inspector hired by the City. Martz answers they were their engineers so most of them were from RQAW, which is on Vohn Wilson's company. They were the employees who would be putting the design together for the project. Ingram asks about the location studies performed and if it was by their internal studies or commissioned by the City. Martz responds he paid for it being completed by Schneider Geomatics. Ingram makes the statement that there is no question on whether or not this needs to be done. His only hesitancy is with the build-operate-transfer and some of the language in this resolution. Just like a lot of the people in the audience, this is the first time he has seen pretty much all of this information and to be perfectly honest, he would like to see the facility and location studies and be involved in the design and budget, too (if that is Phase III Martz was discussing).

At this point, Ingram would like to table and push this to the Public Works Committee which is chaired by Councilwoman Selvey and fellow members Councilman Overbey and Councilman Clark. In that time, he would like to get all the information shared with the rest of the Council and for the City Attorneys to get with Council Attorney to go through this resolution with a fine-tooth comb because he believes quite a few amendments need to be proposed. A motion was made by Ingram and seconded by Garrett to Table and send to the Public Works Committee. Councilman Garrett states he seconded because there is no one that loves the Fire Department more than he does and he believes they can amend this so they can ensure the backing of the City and next City Council. A roll call vote showed 5 yeas (Overbey, Ingram, Garrett, Dishman, Robinson) and 4 nays (Green, Marshall, Clark, Selvey). **TABLED & SENT TO PUBLIC WORKS COMMITTEE.**

Councilman Clark notes that on February 17, 2023, Vohn Wilson forwarded the entire facilities assessment to every member of the City Council so suggests those saying they haven't seen any information at all should double check their inboxes. Robinson confirms he has an email from Clark on Wednesday, February 15, 2023 at

12:19 A.M. with the floor plans and renderings. His email has been incorrect in the past so maybe additional emails came to an incorrect email.

OTHER BUSINESS:

Audie Barber thanks them for tabling res. 17-23 to make sure that it is going to be done right. He agrees that we need new fire stations but we need the ones we have remodeled. The City of Muncie for a long time has not maintained those buildings in which they need maintained. Barber refers to the AFSCME contract about being mislead. When asked last month if negotiations was still going on, it was said that the last negotiations between the City of Muncie was 8/1/23 and last month was September. At 4:30 PM this evening, the AFSCME received an email from the City to open negotiations back up. That answers Robinson's question from last meeting. Barber then claims there is a problem with the Street Department right now with one person resigning Friday, one guy turning in his 2-week notice (when he does not recall) and another one doing so just today. We're losing three Street Department employees that are pavers. The Mayor has stated we have an "in house paving crew" but it was just cut in half because these guys are overworked and underpaid. They cannot continue to do what they're expected to do so they're quitting their jobs after five, ten, twenty, or even thirty years. They are quitting their jobs because they cannot keep up with the pace it takes to pave roads. They were offered a 4% raise which is about 80% across the board through the union. That is the reason there has been no negotiations. Down to three people on the paving crew, we do not have a patch crew. We have maybe one or two people on the patch crew now. When it is time to start filling potholes again, if they hire somebody, so be it. If not, the next Administration that comes in is going to be in a crisis finding employees to work. There was a \$20,000 side by side sitting out here at old county jail underneath the canopy all weekend long. Anybody could have loaded it up to steal it. There are possibly eleven people, including two secretaries, that work for the Street Department with five Working Forman's managing eleven people. All five of these Working Forman's get take-home vehicles. He suggest they start cutting this budget back down a little bit. This is a problem. We have too many Chiefs and not enough Indians. In closing, he hopes the Council all read the resolution that was proposed tonight.

Linda Bixler lives over near the intersection of Nichols and Godman. She lives in what was the old Covalt Dairy so it has a historic character. It used to carry little milk bottles and glass on horse-drawn carts and it was renovated into a complex. She thinks they are a good community, of a model really, of cooperative and peaceful diversity. In the complex, for example, they have a number of Afghan people who came over and helped the US military fight the Taliban. They are hard-working and lovely people that came over to save their own lives and that is only one example. She lives in a nice, big standalone apartment that faces Paul Davis and the railway tracks. There are little businesses there and her apartment actually looks like a business. Across on the west side is a big grassy area and one tiny corner of that grassy almost prompted her to come here sooner but that problem has been taking care of (for a time that one section had trees and was not being regularly mowed and grew to six feet tall). As she started to research who owns it, they came in and ravished a tiny forest there leaving gigantic holes and huge rodents (beavers) and she discovered it belonged to the Ball Foundation. She graduated from Ball State forty years ago, quick and dirty masters and was really surprised given the beauty and pristine nature of Ball State. When she confronted them, they came by to look and since then have kept that corner very neat. The fourth corner is caddy-cornered from her apartment and she is right on the intersection. She will not apologize that when she first moved in four years ago that she did call the police a number of times if people were constantly drinking or possibly doing drugs, trying to take care of any issues. She has learned her lesson with age that you cannot just ignore it and so that area is now a nice community with nice people there. On the other side of the railway tracks, there is a bar where students sometimes walk and frequent. She believes it has a school bus in the front. It is part of the White River Plaza, sort of a quirky artsy area, and across from that is Water's Edge Village where she briefly worked. Surrounding it is kind of the White River Parkway, which is pretty. Then, on the other west side, it goes towards Tillotson and that community which is a nice area. There is Tally on the east side and then Charles on the North and she likes that area because it is close to Ball State and bike-able. The area is kind of like an isosceles

triangle and has been an eyesore for four years. Sometimes it has two gigantic piles reaching to her shoulder or head and very wide of what could be sand, pebbles, or even tar. The whole area is not paved and has rocks and gravel and the only grass that grows there is accidental. President Robinson tries to interject. Bixler understands but refers to someone else talking three or four times and she is almost done. She will get through this quickly. Understanding this is an introduction of an item but there is no reason that their area should not be a community center for the community. When she looked at voting she believes it is the Ludington Community. It is true that the railway tracks come across and there is great opportunity to help numbers of people that happen by. She and others are trying to keep it beautiful by picking up trash regularly. Those businesses in that area keep that it pristine and Ball State is now taking care of their issue. However, she wants to know, because it is a train area and has called on this a number of times, who is in charge. She was told it is the City. President Robinson states the Muncie Sanitary District. Bixler continues that most of that big grassy area is owned by the electric company. Why choose their community? It is a place for trash to go with children walking home from school buses. The Council has done amazing things for the area in their covenant partners and mentions she lived in the Old West End when she first came to town. She would have never thought that could be resurrected into a nice cute little park but it was. One area was fixed up on Washington and Madison as well. Some of the nicest areas, nicest benches and things in this community happened to be in areas where people don't need them such as outside the golf course on Walnut and outside the County Building and old Justice Center. They are trying to keep it all clean. Anything would be better than what is happening now. It should have grass. Robinson encourages her, since that land is owned by the Muncie Sanitary District that MSD also has public meetings every other Wednesday at 12:00 PM here in the City Hall Auditorium. Bixler states she has gone to one of those meetings before. Robinson advises with the MSD being the landowner, the Council has no jurisdiction.

Akilah Nosakhere, Muncie Public Library, states the Library Board passed their budget on September 15 and the state legislature made it mandatory in 2020 for them to share their budget with the City although the City has no responsibility to what the library does. She is just here to present the Council Attorney the budget that had been approved by their board through the public hearing for their records.

Jeff Hager thanks everyone on Council. He is impressed with them being first time elected officials and the information they asked. The citizens derive from the questions that are being asked. He appreciate what they have done in coming together. Unfortunately, he thinks it was bad for the Mayor to put the Council in this situation, being first time council people. He claims the Mayor done it as a trick as a politician and even sat in the Council seats so knows is aware of the rules and done it intentionally. Hager is glad that it is time to check him. He has punked the Council for seven months. He isn't here tonight and you know why? Because he thinks he can go around them and has been doing that. Hager now hopes he has learned his lesson. If the vote comes on the firehouse issue, he hopes Councilman Clark will abstain from voting. Clark asks on what grounds. Hager states he will let him figure that out. Clark asks for Council Attorney Murphy to address. Council Attorney Murphy states he was asked to review an issue for conflict of interest and confers with the prior determination that there is no statutory conflict of interest and Clark would not be prohibited from voting on the issue.

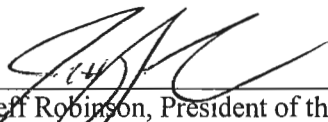
Brad King, President of the Old West End Neighborhood Association, mentions it being October so he is here to invite everyone to the Historic Beach Grove Cemetery Tour, October 14 from 3:30 PM to 7:30 PM. It is put on by the Old West End Cemetery in partner with Beech Grove Cemetery, the only cemetery in town that is on the National Registry and one of the handful of cemeteries across the nation. It's a walking tour about 1 mile with stops that will highlight the historic figures throughout. There will be some actors at some of the stops and this year will have the steampunk consortium returning to do some tea dueling. When you get done with your tour, you can have a tea duel. They will also be having a trivia game on the inside thanks to a new partnership with Delaware County Historical Society and Muncie Public Library. He hopes to see everyone in line to tour this great cemetery. Robinson mentions he has attended this tour in the past and it really is a great time. King notes it is always the

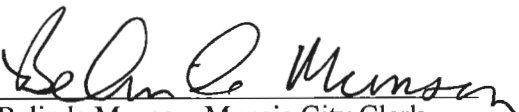
second Saturday of October and wishes to explain the best time to attend. Robinson calls point of order and thanks him for his comments.

Andrew Popp appreciates the comments given in support of the Fire Department tonight. He appreciates work that went into this and hopes a few of his questions are able to be answered in his 3-minutes. There was mention of a Committee that had been formed and Popp asks when the committee was formed roundabout. Robinson believes that would be a good question to ask at that Public Works Committee meeting since the resolution has been tabled so per parliamentary procedure as well as Council rules, once an ordinance or resolution is motioned with a second to table there is no further discussion on that issue. Popp assumes and hopes there was a Council appointee on that Committee/Commission and that they gave regular updates. He knows there was mention to something in February yet here we are in October. Another thing Popp wants to point out is on the ordinance 16-23, it is unfortunate that with a negative recommendation from the body that governs the zoning and a very negative review by the sponsoring councilperson that it was still passed 7-2 for introduction with the inclusion of the sponsoring councilperson that spoke so negatively about it. Lastly, it has not been mentioned but the last day to register to vote is October 10. Just go to the indianavoters.com.

ADJOURNED:

A motion was made by Ingram and seconded by Overbey to Adjourn. A vote by acclamation showed 9 yeas and 0 nays. ADJOURNED.



Jeff Robinson, President of the
Muncie Common Council

Belinda Munson, Muncie City Clerk
of the Muncie Common Council