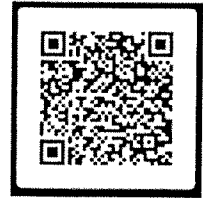


MINUTES
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE, INDIANA 47305



FEBRUARY 3, 2025

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

PLEDGE OF ALLEGIANCE: Led by Councilperson Green.

INVOCATION: Given by Councilperson McIntosh followed by President Mason reading a quote, "The very fact that this day does not prove that America is perfect but it does validate the ideas of our founding, that this country born of change, this country born of revolution, this country of we, the people, this country can get better." -Barack Obama, 44th President of the United States

CITIZEN RECOGNITION: Councilperson Garrett believes all members on Council do a good job of recognizing people that are more than deserving of this award. We have a great following and people just love our community so sometimes it can be a bit difficult to figure out who really needs recognition. His wife works for Judy Calhoun in Circuit Court #1 and blew him away when she told him about this. He faults himself for not knowing about this organization until now and thanks his wife and Judge Calhoun for bringing this to light so he can educate everybody tonight. Garrett's Citizen of the Month Award is going to the Isaiah 117 House. They are an unbelievably deserving organization that helps foster kids as they are coming from foster care to placement housing. His son-in-law is a product of this and Garrett loves him to death but claims he did not have this organization back when he went through it. When kids transition from placement to foster housing, Isaiahs House helps with this transition. They have a house where they allow kids to come and provide blankets, food, love and care. They give the kids conversation that they otherwise would not get. If it wasn't for them, it would be the Department of Child Services doing that work which could take hours or even days. Isaiah's House gives kids somewhere where they have access to loving people ready to talk and give them that peace of mind. It was quoted as this being the hardest time of that kid's life which he couldn't even begin to imagine. They work hand in hand with the courts and the Department of Child Services to make this transition as easy and smooth as possible for the children. He recalls one time when he worked as a Building Inspector for the City of Muncie and arrived at a home and had to call the Department of Child Services to come take a family away. It is, still to this day, the hardest day of work he has ever had and all he had to do was make a phone call. He didn't have to talk to the child or let them know that they wouldn't be with their parents any more. That is where the Isaiah 117 House steps in. They are non-for-profit so step in and do this out of the gracious of their hearts. They help the Department of Child Services with these kids so they aren't sitting in a room for hours upon hours, scared, hungry or wearing dirty clothes while waiting on a placement family. They provide a normal place to go where they get clean clothes, a snuggly blanket, and the attention that they deserve and need in that time. This is the most deserving Citizen of the Month Award that he has ever presented. Garrett holds up a plastic bag of donations mentioning he is starting the donations now. Isaiah 117 House held a groundbreaking on January 17th at a new building so seeks everyone's support. There is no better way to give your money than to know that a child is getting the care they need from coming from their parents getting place into their new home. There's nothing that we can do that does better than that. He likes to use the saying, "it starts with home." Help these children start at their new home. Please donate, please help, and please join in recognizing the Isaiah House 117.

A designated speaker on behalf of Isaiah 117 House, along with 13 other individuals, expressed this is just a glimpse of their volunteer and support team right now. They kicked off back in May of 2023 and the community support has been amazing since then. As it was mentioned, January 17th they had their groundbreaking and the weather was beyond freezing. She was hoping to have maybe 30 or 40 people attend but they had more than 130

people come out. That is just an insight as to where they are at as far as getting involved in the community. Just within the past year they have logged more than 2,000 service hours and more than 200 volunteers within the area. Coming up on February 18th they are hosting a contractor's lunch and invite anyone in the community with a hands-on building expertise (such as plumbers, roofers or tradesmen, etc.). They need community support to get this house built as quickly and efficiently as possible. Come on out for lunch and learn more about the Isaiah 117 House. Flyers will be left at the podium for anyone else wanting general information. Next month will be Councilperson Gullion presenting the Citizen of the Month Award.

MLK DREAM TEAM BLACK HISTORY MONTH ESSAY CONTEST WINNERS: Yvonne Thompson introduces Dr. Kendra Lowery and Rhonda Ward who invites each of the three essay winners to come up and read their award-winning essays. There were over 300 entries for this contest sponsored by the Martin Luther King Dream Team. There is a 1st place winner for elementary, middle and high school-aged students. The 1st place winner for the elementary division is Helen Fan, a 5th grader from Burriss Laboratory School. Her teacher is Becky Juday and the title of her essay is "Centered in Grace" focused on Misty Copeland. She discussed how Misty Copeland's achievements questions old ideas about race and who gets to perform ballet on stage, inspiring her to strive to fulfil her own dreams. The 1st place winner for the middle school division is Averie Pegues, an 8th grader from Burriss Laboratory School. Her teachers are Rob Jones and Alivia Pello and the topic of her essay is Claudette Colvin, who, at 15, stood her ground on a bus nine months before Rosa Parks. She highlighted how Colvin's story made a positive change during the Civil Rights Movement and pinned a point for young black women that they are not too young to fight for what's right and make a change. The 1st place winner for the high school division is Makayla Gipson, a 9th grader at Muncie Central High School. Her teacher is Morgan Leckie and the title of her essay is "Finding My Own Truth" focused on Sojourner Truth. She discussed how Sojourner Truth's speeches and advocacy taught her that using her voice for the better can change the world. She also noted that Sojourner Truth's legacy reminds people of the power of individual actions and the importance of standing up for one's beliefs. In conclusion, a big thank you goes out to Reed Levits and Northwest Bank who sponsored the essay contest with monetary prizes to the 1st, 2nd, and 3rd place winners.

ROLL CALL:	PRESENT	ABSENT
Dale Basham (At-Large 1)	X	
Ro Selvey (At-Large 2)	X	
William McIntosh (At-Large 3)	X	
Jeff Green (District #1)	X	
Nora Powell (District #2)	X	
Brandon Garrett (District #3)	X	
Sara Gullion (District #4)	X	
Jerry Dishman (District #5)	X	
Harold Mason (District #6)	X	
Dan Gibson (Legal Counsel)	X	

APPROVAL OF THE MINUTES: A motion was made by Selvey and seconded by Powell to Adopt the Minutes from the January 6, 2025 Regular Meeting. An all-in-favor vote showed 9 yeas and 0 nays. MINUTES APPROVED.

COMMITTEE REPORTS:

LAND AND TRAFFIC COMMITTEE

Chairman McIntosh has a report from the Land and Traffic Committee (consisting of fellow councilmembers Nora Powell and Sara Gullion) who met on January 22 to deal with some questions the citizens

had about the proposed annexations. They are still in fact-finding mode and a lot of the information came late so as a committee were unable to vote either positively or negatively on a recommendation. With that, he passes it along back to the Council.

ETHICS COMMISSION

Chip Taylor announces the first meeting of the Muncie Ethics Commission has been scheduled for Wednesday, February 12 here in the City Hall Auditorium at 6:00 P.M. There will likely be a second meeting in February on the 26th also here at 6:00 P.M. He just wanted to let the Council know they are about to get started.

BOARD APPOINTMENTS:

LAND BANK

Councilperson Gullion informed the Mayor appointed Jim Lowe to the Muncie Ethics Commission. With him being a City Council appointee to the Muncie Land Bank, that creates a vacancy. A motion was made by Gullion and seconded by Garrett to nominate John West. No further nominations.

John West is here to ask for nomination to the Muncie Land Bank whose mission is to acquire, preserve and repurpose abandoned property. He has been serving on the Land Bank Board in various capacities for the past 7 years. His role on the Board, as Chair of the Urban Planning Department and an Urban Planning Professor, is to try to make resources for the department available to the Land Bank. He believes they have run 6 or 7 classes that are focused on land bank issues and led to development proposals and properties that have been required. He really enjoys playing that role and when his students get to know what a wonderful place Muncie is. He really enjoys when their advice is taken seriously by a significant organization like the Muncie Land Bank. He also wanted to recognize the service of Jim Lowe who has been a fantastic colleague for the past 2 years. He thanks him for his service and thanks the Council for the nominations. An all-in-favor vote showed 9 yeas and 0 nays. MOTION CARRIED. John West is declared appointed to the Muncie Land Bank.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 31-24 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA ANNEXING CERTAIN TERRITORY TO THE CITY OF MUNCIE, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF, AND MAKING THE SAME A PART OF THE CITY OF MUNCIE, INDIANA. (Annexation Area No. 3 – City-Owned Parcel Near Farmington Neighborhood)

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

Mayor Dan Ridenour and Attorney Max Adams, Barnes & Thornburg LLP, are here to answer any questions. They've gone through this over the past couple of Council meetings as well as a Land and Traffic Committee meeting. If there is anything else the Council needs information on, they would be happy to provide it. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 32-24 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA ANNEXING CERTAIN TERRITORY TO THE CITY OF MUNCIE, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF, AND MAKING THE SAME A PART OF THE CITY OF MUNCIE, INDIANA. (Annexation Area No. 4 – Westminster Village)

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

Muncie Fire Chief Dan Burford recalls speaking to members at the Land and Traffic Committee as well as previous Council meetings. The biggest impact to City services with this annexation (Westminster) falls on the Fire Department with fire and EMS protection. He begins by asking if there are any questions he can answer.

Councilperson Garrett, in regards to the Westminster property, brings up hose cabinets and questions how many are there. Is it enough? Chief Burford explains MFD doesn't do inspections at Westminster right now because they don't provide *primary* fire protection. At some point, that would fall under the purview of the Muncie

Fire Inspection Department then he would be able to answer that question. To be honest, as far as a municipal fire department arriving, they don't rely on hose cabinets. He assures they don't rely on them at the dorms at Ball State just because they get disconnected and things get put in them. There isn't much chance of some litter or trash getting stuffed into one at Westminster but it is something they have seen at Ball State. Again, they don't rely on them but it is part of what is required of the facility. If the time comes where MFD responds to that area then their Fire Prevention Bureau will go out and do an inspection of the facility which only then will the Chief be able to give Garrett the answers he is seeking. Garrett mentions the neighborhood locating directly behind and the Villas both have fire hydrants located in the neighborhood. Chief Burford responds yes, they do and that is actually currently inside city limits.

Councilperson Dishman clarifies Gaston Volunteer Fire Department covers Westminster Village right now. Chief Burford responds that is correct. Dishman questions the response times. Burford replies Gaston is approximately 9 miles away and response would depend on if somebody was on station or not (which is data that can be utilized) but he believes (and what was put forth to him) it is about 16 minutes average response time from their station. However, the standards they go off of are not just the initial response time but also how long it takes for the first arriving compliment to arrive. NFPA standards say that your first alarm dispatch group should arrive within 8 minutes. With City of Muncie, the commercial response would be able to do that. Dishman then asks the City of Muncie response time. Burford further explains that falls right at the edge of the 5-7 window and is based on the station studies done last year for the new Station #6. Dishman clarifies that Westminster is better off with the Muncie Fire Department. Burford states they believe so, yes. Dishman confirms Station #7 will hold an ambulance. Burford says that will be up to whether they can appropriate the user fees into their budget but that is the plan. Dishman questions where a dispatched ambulance will come from now. Burford replies that response are currently is covered by Medic #5 at the Tillotson Station. It is primary for the whole northwest side of Muncie which obviously is the most expensive and most densely populated area. Dishman comments he would like to see the MFD cover that area for those people because minutes are life-saving. Burford is obviously aware of that and states it makes a big difference. The fact is if they can staff Medic #7 from user fees from this one piece of annexation then that benefits everybody in Muncie. That will improve EMS efficiency by 20% based off of one small parcel of annexation. Dishman is all for saving lives so wishes them all the best on future response times.

Councilperson Powell appreciates Chief Burford having those conversations as well as EMS Chief Miller. She requests he go over what they were discussing before the meeting about staffing and how the Districts might change if this annexation goes through. Like Dishman said, having Medic #7 around to help alleviate some of the issues for Medic #5 is really top priority for her. She wants to make the workload less for #5 and decrease some of their stress as opposed to even adding more area. It would be wonderful if Medic #7 were open but it was mentioned by Burford that sometimes that might not happen. So, she just wants him to reduce fears on letting everyone know how everything will change. Chief Burford explains that right now, the whole northside's primary response originates from Station #5 on Tillotson and Station #6 on MLK. So, they take those two engine companies first arriving territory and then they split Truck #7 which is where Medic #7 territory would go. Right now, on the northwest side of Muncie they respond outside ambulances into that territory almost 38% of the time because the area is so busy. That pulls Medic #6 out of Station #6 all the way across the City as well as Medic #1 from Downtown. Those are the ones that go to that area first and then it works its way around the city. Not only when Medic #6 goes out of its territory to go to #5's area, another Medic unit has to cover their area. It's a snowball effect. So, putting a Medic #7 in that would run and be #7 primary response territory (if he had a map, it would be easier to show) which divides down Wheeling to Bethel and goes up Bethel to McGalliard and then everything north of that location and to the west of Walnut becomes Medic #7's area where then Medic #5 takes everything to the south of Bethel down to the river. Even a good portion of Medic #6's territory now would be alleviated where Medic #7 would be the primary unit responding. When they ran the data based off the days a Medic #7 was in use this year, with having additional staffing during these low vacation and personal day times, they reduced the call volume. Given this is just a small parcel of time that they were able to get being only 9 days that that ambulance was in service. Annually, they decreased the number of times that Medic #1 was running. And by adding this it just confirms that being only when they responded out of their territory in to Station #5's area. Per

year, roughly, that would (based on these numbers) alleviate 474 calls. That is 474 times Medic #1, in a year, would be running to Medic #5's territory meaning in their Downtown first due station. It is 621 times for Medic 2#, which is the farthest unit from this area of annexation. It's going to alleviate 621 calls from that unit and that's because it's back filling up. Medic #3 was 110 call reduction. Medic #5, too, shows substantial numbers, alleviating 1,095 calls from that ambulance making them available to respond to primary calls in their immediate District. Medic #6 would have an alleviation of 584 calls. That is 584 times that ambulance is out of its territory responding to other calls. Be mindful this is only 9 days of data as it all depends on the time of year and where they are at as a department. But as this continues to grow, it is easy for them to pull more data. Perhaps, they would even look at maybe even changing some of the areas even more to balance out the whole city. The object is to not overwork a couple of their medic units and keep everything balanced with keeping everybody in their areas as much as possible. Now in speaking to the staffing... The very confident goal and belief of the MFD is that with this additional revenue being used to cover overtime would allow them to be able to keep Medic #7 in service. On the occasion that they could not get people to work which isn't a problem anymore now that they are back up to full staff but if something happened and they were instructed to reduce their staffing back down then they would remove Medic #7 but dispatch will automatically put everything back where it is today for that period of time. It's all set up to where those things move as the Department adds Medic #7 to use for the day of if they eliminate them, it adjusts for all of that to keep things as balanced as possible and keep response times as low as possible.

Councilperson Gullion had a question and asked if the building was non-for-profit then the amount of taxes that were coming in were only about \$10,000. Chief Burford referred to the assessments in which they based it from and they are 42% of the 3% which would come to be about \$10,400.

Jason Chafin, President Local #1348, refers to the discussions he has been having with Council through texts and emails. He doesn't want to bother too much about this tonight but adds Chief Burford did a great job explaining this and won't repeat what he has already said. He does, however, want to add a little insight to the human factor in this. Some of these employees consider this important to their lives because they work at (per capital) the busiest Fire Department in the state of Indiana. The amount they do with 122 people, no one else does. When they can alleviate and add revenue from Westminster, provide said revenue to staff Medic #7, it is making people's lives better. When running Medic #5, those employees spend 24 hours taking calls. There might be an hour or two break somewhere in there but in general, it is a long and very hard day. This can help make their jobs a little better as far as that 24 hours they spend at work. In doing so, we are also making the citizens of Muncie lives even better too. That includes the people of Westminster. They will respond faster everywhere. In keeping those ambulances in their Districts, they can respond better to everyone else in Muncie. All areas will have better coverage. Going back to Garrett's comments, Chafin advises spending most of his career at Station #5 up until recently and recalls completing runs to Westminster as an add-on to the county coverage from the fire standpoint. They have done a phenomenal job when it comes to their extinguishers, hydrants, etc. and as Chief Burford said, MFD will inspect it if they were to get it, but were impressive at the time they responded as a complimentary unit. In closing, he references his previous emails acknowledging the Council knows how he and his staff feel.

Councilperson Basham brings up the revenue that was mentioned and questions its estimation. Chafin explains the revenue (since they are non-for-profit) would be the EMS user funds. They took somewhere around 285 calls last year to Westminster. These people are all on Medicare, at least, and some of them might even have better coverage than that. With the way medical billing works, they won't know what the revenue will be exactly until they start getting said revenue. He believes bottom level numbers were provided to be fiscally responsible which is \$100,000 up to \$177,000. Again, there is a good chance it is even more than that. They just won't know until they do it because they don't have access to private insurances. Let's just say the bottom floor number is \$100,000 of EMS User Fees that will be generated for the City. They will turn around and use those funds to cover overtime to help keep staffing levels at the needed level to keep Medic #7 in service all year and most days. It is a unique opportunity to annex one location, create those user fees, and add another ambulance, for everybody. Basham adds how he recently walked through Westminster and can attest they are very excited about fire service but also excited about having library service. Chafin agrees and explains a lot of the people living there are Muncie residents that have spent their life here. They just reside in their twilight years right outside the City of Muncie

border so can understand that as some of those individuals probably used the library for years. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 1-25 AN ORDINANCE AMENDING CHAPTER 159 FLOODPLAIN MANAGEMENT OF THE MUNCIE CODE OF ORDINANCES.

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

Allen Wiseley, Assistant City Attorney with Beasley & Gilkinson, was here last month along with Building Commissioner Rawlings who explained this ordinance. Every few years the City is required to update this ordinance in accordance with the new requirements from FEMA and the Indiana Department of Natural Resources on an order for property owners to get money to continue to participate in the Federal Floodplain Insurance Program. Without this program, the property owners in the City of Muncie who live within the floodplain would not be able to get insurance on their properties. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 2-25 AN ORDINANCE TO VACATE A CERTAIN PUBLIC ALLEY IN THE JOHN J. PERKINS ADDITION TO THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

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

Allen Wiseley, Assistant City Attorney with Beasley & Gilkinson, is here tonight representing Avondale United Methodist Church as well as Mr. Waters who is the Chairman of the Church Council. He recalls the Public Hearing held last month on this paved over alley that runs through the church's parking lot. It is where the handicap parking and wheelchair ramp are for the church so the church is just asking that this alley be vacated. All of the property owners next to this alley have signed off and all will continue to have access out to the public right-of-way. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

NEW ORDINANCES:

ORD. 3-25 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-4 RESIDENCE ZONE TO THE BC COMMUNITY BUSINESS ZONE ON PREMISES LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF W. MEMORIAL DR. AND S. SAMPSON AVE., MUNCIE, INDIANA.

A motion was made by Selvey and seconded by McIntosh to Introduce.

Jacob Wagoner is the listing broker on the building representing for the East Central Indiana Regional Planning Commission and explains this area is zoned multi-family already but the purpose of the zone change would be to refurbish the building so apartments can go back in as well as some commercial space on the bottom. The building is in pretty bad shape and he believes this would be good for it in addition to the area. Councilperson Dishman informs the Council that the Planning Commission gave this a 7-2 (absences) favorable recommendation. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 4-25 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-2 RESIDENCE ZONE TO THE BV VARIETY BUSINESS ZONE ON PREMISES LOCATED AT THE SOUTHSIDE OF W. WILLIAMSBURG BLVD., ~385' EAST OF N. MORRISON RD., MUNCIE, INDIANA.

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

Steve Servies, on behalf of the Developer, requests this be continued for a month to give a little more time to prepare some additional documentation. There were so many people that had questions at the Planning Commission meeting that they requested information that one typically wouldn't have for a rezone and it just gives them a little more time to bring something to the Council. President Mason notes the recommendation from the Planning Commission was unfavorable. Servies replies yes.

Councilperson Selvey questions if there was a reason why they didn't bring those plans forward before all this. Servies responds that typically for a rezone you do not have plans or anything like that. They can prepare a concept plan to show what they had but, again, typically when doing a rezone, one doesn't go into plan development or anything like that until confirmation of its approval. It could cost the client to waste a lot of money by doing that. President Mason confirms with Legal that they could Table this. Attorney Dan Gibson advises yes, if someone makes that motion, however, with the many people in attendance to discuss this tonight he recommends hearing them all out first.

Jim Lowe, a resident of the Robinwood Neighborhood, has property that is adjacent to this property under consideration. He has sent all the Council emails and wishes to read one for the record. We are opposed to change in zone for this particular parcel. It was just heard the recommendation from Planning Commission being 7-0 unanimous for unfavorable recommendation. It was a good meeting with some good discussion. This land north of us has a long history of zoning requests. In 1991 Variety Business was considered. In 1991 a plan unit development. In 1995, another Variety Business. In 2012, another Variety Business. There is a sequence here... And now in 2025, yet another Variety Business. As a result of these multiple zoning requests, we've been subjected to an intense increase in Variety Business north of our neighborhoods or BV Variety Business zoning encroachment from McGalliard south up to our backyards. To give a glimpse what used to be, Mr. Lowe expresses when he built his home in 1989 there wasn't any Lowes or Walmart yet. They all knew it would be Variety Business at some point in time but not right up to the backyards. The neighborhood is zoned R-2/R-5 and many years ago Mr. Lowe served on the Planning Commission and the Board of Zoning Appeals so knows that good zoning should limit allowing Variety Business land next to residential land for homeowners and that's a large portion of their income and anticipate a good quality life. Having been there since 1989, he has heard the noise and negative impact to lives created by the activity many numbers of the businesses that have opened and closed in that area. Noises at all hours of the day at high dBA levels from a local business has led him to start working with MPD Chief Nate Sloan to figure out how to rectify the situation. There is trash in the yards that come from these businesses, all night light, pollution, smells from semi-trucks and noise from dumpsters being emptied at 4:00 in the morning. There are loudspeakers used by the various business to call their employees, concerts held at the musical instrument store on the weekends and at late hours of the night, high-pitch piercing noise from a healthcare supplier offloading oxygen from their high-pressure storage tanks. These are things that you wouldn't think of that impacts our lives. They have pedestrians trespassing through yards, sometimes people running to escape capture after shoplifting. You may recall someone being shot and killed several years ago in Walmart's parking lot and then 5-10 years ago a motorist was killed at the intersection of Williamsburg and Morrison so a big traffic situation started to occur in that area. Our concerns are not reacting out of fear of what might be. It's a reality and is taking place now and will only anticipate with the further encroachment of Variety Business. So listed in the application is the intent to build a gas station and hotel but, as you know, once the parcel is changed to Variety Business, anything listed under Variety Business can be built. With no plan you can build anything at that location. Variety Business permits BL Limited and CB Central and these permitted uses are liquor stores, taverns, television towers, adult entertainment, adult bookstores, shooting galleries, gas stations and the proposed hotel. In our community, if we do not maintain a quality place for homeowners then nobody is going to want to live here. The result is less businesses that will be sustainable over a period of time. He is hopeful the Council will take under consideration the negative impact that Variety Business will and has had on our quality of life living in Muncie and ultimately oppose the request.

Carrie Milliner, President of Eagle's Nest Association, states this consists of 24 families and stands before Council on behalf of the residents who strongly oppose the rezoning requests that would allow a gas station and a four-story hotel to be built directly behind our one-story condominiums. The residents of Eagle's Nest chose this neighborhood for its quiet residential character and sense of security it provides. Many of the residents are elderly individuals ranging in the age of 70 to 98. Unfortunately, due to health limitations, most families could not be here tonight but stand together united in our opposition to the rezoning. The development would have a devastating impact on our community. Traffic on Morrison at Williamsburg Boulevard is already congested. Adding a gas station and hotel would only make this worse. Increased traffic means more noise, pollution, and a greater

difficulty for emergency services. The bright illumination from the gas station and hotel would reflect directly in to our homes disrupting our privacy and quality of life. Many of us moved to Eagles Nest specifically for its peaceful environment. The towering presence of our four-story hotel looming over our one-story homes will be unacceptable. It would overshadow our properties, diminish our privacy as well as our property values, and fundamentally alter the character of our neighborhood. The residents of Eagles Nest have worked hard to build a safe and comfortable community and urge the Council to consider the profound impact this rezoning would have on lives. On behalf of Eagles Nest families, she respectfully asks the Council to deny this rezoning request.

Connie Wygant, resident of Eagles Nest, is here with a prepared statement. I'm here on behalf of my neighbors and myself to express our strong opposition to the zoning change application submitted by Mr. Surmukh Singh for property in the 4300 block of Williamsburg Blvd. We feel the change in use from R-2 to Business Variety for the purpose of building a hotel will adversely affect the residents and homeowners of Robinwood Estates, Eagles Nest, and those homes on N. Morrison from Wedgewood Lane down to the Auto Zone/bank lot. The presence of a hotel towering over our modest one and two-story homes will not only destroy the aesthetics of our neighborhood but also negatively affect our quality of life. First, the increase in traffic to an already dangerous and heavily use section of N. Morrison Rd, poses safety concerns for pedestrians and motors alike. Secondly, the presence of a hotel in our midst will not only disrupt our peace and safety, it has the potential to cause health concerns for residents. Light pollution from Illuminating large buildings, like hotels, has been scientifically proven to disrupt our circadian rhythm and suppresses our production of melatonin. These then lead to sleep disruption, fatigue, increased anxiety/and other mood disorders, eye strain, memory disfunction, gastrointestinal problems as well as an increased risk of cancers, heart disease, obesity, and diabetes. Light pollution will also affect our resident wildlife neighbors, the deer. Currently, there's family of deer that daily visit our neighborhood to follow their foraging path. They make their way from the woods at the Universalist Church through Eagles Nest and across the rear of the properties and meadows south of Williamsburg before finally returning to the woods. The presence of deer in our neighborhood is a source of peace and pleasure to witness. A hotel will surely destroy this aesthetic experience. A hotel in our neighborhood will not just affect our health and safety, it will affect our wealth and worth. The character of our neighborhood will change from a safe and friendly walkable place to one where people are afraid to answer their doors, welcome a stranger, or venture out after dark. When a neighborhood loses its character, its livability declines, vacancies increase, property crimes increase, vandalism rises, marketability plummets and property values decline. When these things happen, property owners lose pride of ownership and neighborhoods decline. The property owners of this neighborhood (Eagles Nest, Robinwood and those across Morrison) are middle class citizens. Our homes are the biggest investment most of us will ever make in our lifetimes. We care for our homes responsibly so that our homes will care for us someday. We need our homes to approve value, not decline. Mr. Singh's application to rezone his residential property, which he bought knowing full and well it was residential, is the only one reason to approve the request. He states the properties on three of his four borders are zoned Business Variety. Indeed, they are. However, this reasoning completely ignores that there exist multiple owners and residents bordering his rear property line. Additionally, these properties are part of a well-established neighborhood consisting of dwellings consistent in design, structure, and use. What affects one of our neighbors' properties affects all of our properties. We strongly believe that the interest of our residents and property owners far outweigh Mr. Singh's plan to build the hotel in our midst. There are alternate landscapes in Muncie that are better suited to hotels than Williamsburg Boulevard. Please consider denying Mr. Singh's rezoning request. Side note about the deer, under the urging of her 7-year-old granddaughter who put it in her own words, "but Grandma, the deer are people too."

Charles Truitt, President of the Robinwood Neighborhood Organization, says they are hearing a lot of concerns that have been gathered. There have been neighborhood meetings, door-to-door conversations, emails, all sorts of different communications have occurred and the neighborhood is a buzz with all of these concerns. Basically, we could boil these down in three major things: light pollution, noise pollution, and probably the most consistent thing, just the traffic and danger involved. To better explain, this is right before you get to the main entrance of Walmart and if you have ever tried to turn left out of Williamsburg then pack a lunch because you're going to be there all day. Again, we can repeat these things over and over again but there is a lack of any kind of a

vision or picture of what this will be like. There was really no additional information provided at the Planning Commission Meeting either, just the one piece of information stating the plan is to say 25 feet away from the property line. That is what's required by statute. Given its almost March and we are the state of Indiana, he asks everyone to close their eyes and picture a basketball court with the 3-point line going all the way around. That is 22 feet. If you take a step or two back, maybe to where Caitlin Clark shoots from, that is 25 feet. When talking about something on paper, everything look's one way but imagine 25 feet from your back door. There is all this activity going on such as lights and traffic. Imagine a gas station and its Midnight or 1:00 A.M. and someone arrives in a car that seemed to have misplaced its muffler. That is what you'll hear in the middle of the night since these types of operations tend to go 24/7. With that, 25 feet is not a lot of space and our residents deserve to be able to enjoy the peace and tranquility of their own homes. This *is* the biggest investment most of us will ever make in our lives so, as representation of the Neighborhood Organization, he humbly requests Council deny for the request for the rezoning.

David Roof has lived in Muncie for about 15 years and is here in opposition to the zoning change. He has emailed everyone on Council so believes most of his views were expressed there and actually lives a few doors down from Mr. Lowe who has already expressed his concerns perfectly. He works at Ball State and think a lot of the faculty do not live in the area which is something that's really frustrated him. He loves living here in Muncie and is an advocate for Muncie. Every time he is on a search committee he likes to introduce the candidate to a realtor to show them Muncie and all we have to offer. He and his wife have raised three children and he loves going for walks in the neighborhood with his son and, again, is just here asking Council to deny the request to change the zoning.

James Glick, Robinwood resident, sent all members of the Council emails and appreciates their time and service. As physical proximity was mentioned, he encourages the Council to take some time to go out to the neighborhood and walk around. Imagine you're a homeowner and someone is proposing to build a four-story hotel in your neighborhood. Ask yourself, "Does that really fit the neighborhood? Does that really fit the profile of a solidly middle-class community in Muncie?" He has been in Muncie since 2006 after relocating here from Philadelphia, Pennsylvania. He came here for peace and quiet and can go back to West Philly for the hotel experience. He really encourages Council to spend some time and go to the Eagles Nest Community. He feels for those folks as they are right there. Ask yourself if that is where you'd want to have a community and just be mindful. Serving as Treasurer of the Neighborhood Association, he can recall when they were fighting the annexation to the City for (what he thinks) were these kinds of reasons. Having said that, he is very proud to be part of the Muncie Community and for their representative of District #4. He walks past her house everyday while walking his dog. He works from home as a financial risk consultant and this is just not the place for a hotel, gas station, and God knows what else.

Kylene Swackhamer, Planning Commission, confirms the change is actually R-2 and not R-4 to the BV Variety Business Zone correcting a typo made on the agenda.

Councilperson Garrett thinks Mr. Lowe did a phenomenal job in saying smart, good zoning. They have to think about all four corners when doing smart, good zoning. They have to think about both sides, both front and rear and thanks him for bringing that up. Having been a Zoning Officer in the past, he assures that is a very logical and great way to describe that.

Councilperson Selvey, as an At-Large councilmember, expresses that anybody willing to come and do business with Muncie is welcome. They welcome people to come and spend money and create businesses but they also care about our neighborhoods and what they look like is more important than the business side. She wants to make it known that they fight for their citizens and care for their homes, health, and safety and don't decide on decisions like this lightly. She appreciates the neighborhood all the way from Eagles Nest to Robinwood, wow! They have been so active and the Council has heard them loud and clear. The emails did not stop coming and what a role model for other communities and neighborhoods to let the Council know what they think. Sometimes that helps with the decision making and makes their conscience decision better and easier to make.

Councilperson McIntosh reiterates Selvey's comments since he, too, is an At-Large councilmember. He cares about our neighborhoods too but it grieves his heart to think about or see the southeast side of our town.

There is plenty of room for hotels and opportunity to bring in new businesses from that aspect but everything seems to be going on in the northwest crowding out these neighborhoods. That is his concern but he cannot tell the applicant how to spend his money. Muncie is a lot bigger than just the northside. Selvey agrees. Garrett notes a great southwest side as well. Questions call. An all-in-favor vote showed 0 yeas and 9 nays. DENIED.

ORD. 5-25 AN ORDINANCE AMENDING CHAPTER 77 (PARKING REGULATIONS) OF THE CITY OF MUNCIE CODE OF ORDINANCES (PAYMENT LOCATION AND DISTRIBUTION).

As the Sponsoring Councilperson, McIntosh moves to Withdraw. WITHDRAWN.

ORD. 6-25 AN ORDINANCE AMENDING CHAPTER 77 (PARKING REGULATIONS) OF THE CITY OF MUNCIE CODE OF ORDINANCES (BURRIS LABORATORY SCHOOL PARKING).

A motion was made by Powell and seconded by Gullion to Introduce.

MPD Chief Nate Sloan refers to Burris Laboratory School and how there isn't much parking there and most of it is Ball State parking which is really expensive. Over the years there has been a system put in place, an agreement, between Burris and MPD Parking to allow those students to park in certain areas. With him this evening is Principal Ben Magga to help explain how that process works at his school.

Assistant Principal Magga explains as it currently sits now, students who wish to not pay a \$100 or more parking pass on campus can apply for a parking permit on City streets. As that process goes now, they fill out the form which is then brought to him to take a look at those students on an individual basis and then sign off approval on the basis of attendance, grade, behavior, etc. That form is signed and dated by Principal Magga and then goes to the school resource officer who then sends it off to the City of Muncie to process on their end. In talking with the Police Chief, they plan to work on a process to kind of clean that up a little bit through electronic means rather than just a sign, photograph, and a picture. He is here to support the ordinance and really nothing about the ordinance that's being proposed stands in great opposition to what it is that they currently do. If anything, it just codifies some more of the boundaries and sets boundaries in to place a little bit more than currently as well as defining the processes already put in place. There really is no major change in what is being done and what is being proposed versus what is being done currently.

Selvey asks about the kids that cannot afford the \$100 fee. The school is going to decide who is going to be assigned the City parking. Chief Sloan confirms. Selvey refers to that assessed money and where it is going. Chief reiterates and explains no, this doesn't have anything to do with that. They are just being given the right to park there without being ticketed. It is blue permit parking and 2-hour parking and neither one really works for students. The process is now that the plates are sent over to Muncie Police and it is input in the system so when the officers drive by and scan those cars, it tells them they are supposed to be there. This just gets it on the record as a process. Questions called. A roll call vote showed 9 yeas and 0 nays. INTRODUCED.

OTHER BUSINESS:

Charlize Jamison reads a quote by Edmond Burke from 1795, "The only thing necessary for the triumph of evil is for good people to do nothing." Over the last few weeks and months there has been an attack on something that we hold very dear and have a history and holding dear and that's diversity, equity and inclusion. DEI has now become an ugly slur for many people in this country. A couple of little ironic things; we're celebrating Black History Month at the same time there are those that are making efforts to rid anything that remotely resembles diversity, equity, and inclusion. It wasn't planned but three wonderful essays by the youth of our community were presented earlier this evening and those kids said it way better. DEI is not a slur. Diversity, equity, and inclusion is not weakness. It's one of our greatest strengths. Several councilmembers and audience members would be considered DEI people. Even the person speaking right now. Many in the community would fall under the description of DEI. It's wrong. It is hate-based. If it were her, she would be making a motion for a resolution, if not an ordinance, that says the City of Muncie rejects this effort and strongly encourage them to stand up against the hateful voices in our nation's capital, in the Oval Office, and in our state house. It has no place in a state that

prides itself on Hoosier hospitality. It's becoming more and more Hoosier hostility, based on the direction we're going. She strongly encourages somebody to craft a resolution that stands up to the trend that's happening in our country.

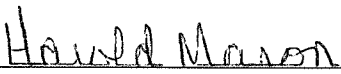
Steve Craig recalls this past Tuesday Councilperson Green was at the Southside Neighborhood Association meeting and said something that he has tried to get confirmed ever since but hasn't been able to. Our neighboring cities and counties are gathering up their homeless population, putting them in vans and bringing them to Muncie and dropping them off. He has not heard this anywhere else and was wondering if any of the other councilmembers could confirm.

Yvonne Thompson, Director of the Muncie Human Rights Commission, was just wanting to let the Council know that the Human Rights Commission is working with individuals in the City to help get information, resources and support for immigrant situations that are taking place here in our school systems, churches, and places of business. She just wanted to let it be known there are people that are working to help bring some comfort and peace of mind. They are working to help get people strengthened and just to help them to be able to be who they are. We know we have undocumented people here but would like to ask that the resources and the funding that our Police force (and whomever) would want to take on that particular situation with undocumented immigrants that they would hope that those dollars will be spent wisely to help. The Police Department already has Social Workers and Community Engagement Officers in place that has helped tremendously to help make Muncie more welcoming place. It is much appreciated but it is also known that there are people very uncomfortable right now with the weather we are experiencing. Again, there are people that are working to try to make things a little more comfortable. She thinks we're all a little uncertain which means we need to work together. Human Rights needs to work closely with the Police Department and people just need to work together and be neighbors instead of enemies. She just wanted the Council to be aware that there are people that are working to help Muncie an even more welcoming place.


Selvey explains how she is an immigrant herself so understands the best way to work with this is to actually work with immigration attorneys and, from the Human Rights Commission, encourages them to see if attorneys here in Muncie would do some pro bono work and be proactive. Even if here undocumented, paperwork and procedures are available for them to get back on track. There are ways to help and the law and communication with attorneys and finding the right people to help legally would benefit out a lot. Thompson states they have been in contact with some lawyers in Indianapolis and one here in Muncie at Beasley & Gilkinson along with City Attorney Aubrey Crist. They are working on it.

ADJOURNED:

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



Harold D. Mason, President of the
Muncie Common Council



Belinda Munson, Muncie City Clerk
of the Muncie Common Council