

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

MONDAY, OCTOBER 7, 2019

PUBLIC HEARING: 7:15 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

ORD. 46-19 AN ADDITIONAL APPROPRIATION ORDINANCE (CONTROLLER).

Megan Quirk, City Attorney for the City of Muncie, explains this is for a position that has already been established but is not funded. What they are asking for is this appropriation to fund this position of Deputy Controller. The primary responsibilities are going to be compliance issues and making sure there is another level of checks and balances between the Controller's office and other department for the different federal grants the city has and other private grants that the city gets specifically.

ORD. 47-19 AN ADDITIONAL APPROPRIATION ORDINANCE (MPD).

Kevin Nemyer, City Controller, explains this is an additional appropriation for the police department for vehicles.

ORD. 48-19 AN ADDITIONAL APPROPRIATION ORDINANCE (COMMUNITY DEVELOPMENT).

Terry Whitt-Bailey, Community Development Director, recalls coming before council in June concerning a proposal for a lead hazard demonstration grant. CD has received that grant of \$324,742 and this would be for the appropriation for the position that is already in their salary ordinance.

A motion was made by Powell and seconded by to Hampton Close the Public Meeting. MEETING CLOSED.

REGULAR MEETING: 7:30 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

PLEDGE OF ALLEGIANCE: Led by Councilperson Brad Polk.

INVOCATION: Given by Bishop Adrian Leavell, Senior Pastor of Cathedral of Praise in Muncie. Councilperson Powell then asks for a brief moment of silence for the community regarding the loss of Kenneth Davenport. Mr. Davenport was the picture of the Muncie ballot running for numerous races. He loved his community and the word has come out that he has passed away today. She would like everyone to bow their heads for a moment of silence in celebration of Mr. Davenport and his love, compassion and passion for our community.

CITIZEN RECOGNITION: Councilperson Hampton explains how careful you have to be about some of the opportunities you are offered when you are the 'new kid' on council, so to speak. This is an opportunity that he is honored to be able to perform. Tonight, the Citizen Recognition Award goes to his friend, Mary Norris. The two became acquainted when her daughter, Madison, joined the Ross Community Center Judo Academy about four years ago. Mary threw herself into the role of "Judo-Mom." A Judo-Mom is not a lady to mess with, fiercely loyal, determined that her child would learn to face adversity, triumph over it and be better because of it. A Judo-Mom knows this perseverance will extend beyond the dojo. Madison Norris is on the principals list at school, not the bad list of kids that are about to get kicked out but the good list that says "Honor Roll" at the top. He is pretty proud of that. Dave Norris, along with the rest of the family in the audience, is a great Judo-Dad. He does all of the wiring for them at their annual judo tournament that the Ross Center annual conference, held at Southside. That is not what makes him such a genius, though. What makes him such a genius is he said "I do" thirty-two years ago to Mary. Along with Madison, Mary and David are parents of David (31), Ashley (29) and Bradley (15) and grandparents of Alexis (6) and Patrick (16 months). Hampton does not really know the older ones but 15-year-old Bradley is an intelligent and responsible young man. Hampton had asked him why he didn't practice judo and his answer was he had his own system of self-defense. Later, his mother told Hampton about his marksmanship skills. He hopes if they were to ever get into it, it is at 3 feet, not 30 feet. Mary is not a Muncie native, being Indy born, like Hampton and coming to this community 25 years ago. Judo-Mom is just the start for Mary at the Ross Center. Hampton asked for the executive director, Dr. Jacqueline Hanoman to come up and say a couple words about some of the other things that Mary has done. Hanoman states in addition to Mary being a fantastic Judo-Mom, Mary is a truly generous soul, a lovely person and a great inspiration to all of them at

the Ross Community Center and within their neighborhood. With her kindness and generosity with her time and will to help others in every way, she really touches the lives of many. In addition to supporting the judo program, she volunteers for pre-school or after school, collaborates with them in all of the community events, which are multiple, participates in workshops and is there for everything and anyone who needs her for. Mary is always smiling and encouraging others. Mary is, of all the people that she can think of, very deserving of this award. Hampton thanks Hanoman and explains in judo, there are two principles that they try to live by, the physical act of judo (redirecting another person's energy to throw them and immobilize them) and the other part in Japanese is called "Jita Kyoei" which means mutual benefit and welfare. Hampton can not think of another person who better epitomizes that principle of mutual benefit and welfare. It is about how they treat each other and Mary lives that every day. On behalf of the city of Muncie and the Muncie City Council, Mary Norris is presented with the October, 2019 Citizenship Award. Mary says thank you and does not what cry in front of all these people. She really appreciates this and is a big fan of the Ross Center and really appreciates the recognition. She thanks them again.

ROLL CALL:	PRESENT	ABSENT
John Hampton	X	
Nora Powell	X	
Brad Polk	X	
Julius Anderson	X	
Jerry Dishman	X	
Doug Marshall	X	
Lynn Peters	X	
Dan Ridenour	X	
Linda Gregory	X	

APPROVAL OF MINUTES: A motion was made by Powell and seconded by Gregory to approve the minutes from the September 9, 2019 City Council meeting as presented. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

President Marshall indicates at this time Councilperson Gregory would like to have the floor to address the public. Gregory explains she asked Marshall to give her a moment to offer an apology. She spoke words at the last meeting that were hurtful, offensive and made people angry. Gregory regrets that and is not going to repeat them because that just adds more to the hurt and divisiveness. She does regret having said that and being insensitive to people. She apologizes and hopes people will accept her apology and maybe at some point, forgive her.

President Marshall moves on to Councilperson Dishman introducing Tiffany Carrigan from the Little Red Door to give some history insight. Carrigan has the pleasure of serving as the vice-president and regional director at Little Red Door Cancer Agency, here in Muncie. Dishman asked her to be here this evening in light of October being Breast Cancer Awareness month. Her first point is how she physically sees most of the council members wearing pink. We all know cancer doesn't discriminate and surely most people here know someone who has been touched by cancer, whether personally or a family member. They know the important role that screening and early detection can play in both survivorship, treatment and outcome in general. At Little Red Door, they can help navigate that whole journey. They encourage people, because there are numerous screening guidelines out there, some starting at 40, some starting at 45, some starting at 50, is have a good, open relationship with your primary care doctor, make informed decisions about what screenings are right for you and go from there. That is for all cancers, not just breast cancer. If you or someone you know has had cancer, Little Red Door can provide support services that are anything from transportation to nutritional support. They just started offering therapeutic chair massages, chair yoga and therapeutic full-body massages for those in survivorship. You can learn more by going to their website at littlereddoor.org or if you just have questions and need some help finding a doctor or support services, give them a call at 765-284-9063. Marshall states many of the council members are, in fact, wearing pink in support of Breast Cancer Awareness month. He wears his pink in memory of his sister-in-law who lost a valid fight against breast cancer, Veronica Gates.

COMMITTEE REPORTS:

Councilperson Hampton has an update on the creation Environmental Impact Committee, which held its first meeting on October 1st. There were a few citizens in attendance but not as many as they had hoped, along with some input from the community about the ordinance that Attorney Joseph Hunter is helping draft, that will hopefully prevent situations like the Waelz incident a couple months ago. Receiving help from this council and this city in terms of bonding, TIF's and tax abatements, before any dollar goes out, the environmental impact study has to come in at the expense of the person who wants to develop here. He thinks that just ought to be the cost of doing business here for industrial development, not something more simpler like building a house. Industrial development needs to be looked at closely for the safety of our community. The committee is also looking into establishing a citizen advisory panel with a representative appointed by Ball Hospital, a representative appointed by Ball State University and a representative appointed by the Delaware County Health Department. These people will help the council with these environmental impact statements that help decipher some of the technical jargon, if you will, that would be more in their field of study than in the council's field of expertise. That is plan moving forward, at least for now. The next reading will be Tuesday, November 12, 2019 at 5:00 PM. For as long as Hampton is the chairman of the committee, they will have a monthly meeting. The goal is to hopefully set up a structure that people can work with in the future to help our community stay clean and green.

Councilperson Powell explains the Finance Committee report will come during the ordinance pertaining to the budget. The Finance Committee met several times in the past month to address the 2020 proposed budget. That report and those recommendations will come during that ordinance discussion.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 29-19 AN ADDITIONAL APPROPRIATION ORDINANCE. (PARKS DEPT)

A motion is made by Polk and seconded by Gregory to Adopt.

Matt Walker, Parks Superintendent, apologizes for not being present during last months introduction of this ordinance. He seen some of the councils concerns in the live feed and would like to cover a few things so that everyone understands where the department is coming from. They are here to ask for approval to buy five new lawn mowers. As some may know and some may not, the Muncie Parks Department mows 227 and ½ acres weekly. The current fleet has one mower that is three years old, two mowers that are six years old and the rest of the fleet is eleven years old. They are pretty old and getting outdated. Even though they buy mowers that are commercial grade, they suffer significant wear and tear. The department is at a point where the mowers and the maintenance on this equipment is becoming overwhelming and definitely not cost effective. One of the concerns was why buy mowers this late in the season. Buying mowers at this time of the year will save 15%-20%. The reason it does is because the dealers are ready to get rid of this year's models because new models are coming out. It is a more cost-effective way to buy mowers. It will also help with their start for next year because it lowers his maintenance cost throughout the winter. In the winter, they service, re-do, fix, weld, etc. An eleven-year-old mower can need a lot of work when it runs everyday and constantly. The other thing he wanted to let everyone know is in 2017, the Parks department wasn't given their second draw for the funding. That money was discovered in the first of 2018 and is in the cash account. Walker is not asking for any additional dollars as he has more than enough to cover these mowers but is asking to be allowed to use that money to purchase mowers. They went out and received three bids. The first bid was Bendle Lawn Equipment for five Ferris lawn mowers with 72 in. decks, 37 horse power engines at \$57,500. The second bid was from Roy Padgett Small Engines Warehouse for five mowers with exmark's with 31 horse power engines at \$63,195. The third was from OCI South (who sell scag lawn mowers) that were 35 horse power engines and 72 in. cuts at \$54,800. Walkers recommendation, since he has been doing this a little while now, is to go with Bendle Farm Equipment. The reason he would go with Bendle is because they sell Ferris lawn mowers with parts that are significantly cheaper. The other thing that makes these a better purchase is that they have 37 horse power engines. The higher the horse power engine, the better they mow and the better they do for the employees. He just wanted to answer some questions that were brought up at the last meeting and is willing to answer anything else anybody may have.

A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 30-19 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY APPOINTED OFFICER, EMPLOYEE, DEPUTY, ASSISTANT, DEPARTMENTAL AND INSTITUTIONAL HEAD OF THE CITY OF MUNCIE, INDIANA, INCLUDED HEREIN FOR THE YEAR 2020.

A motion is made by Polk and seconded by Powell to Adopt.

Kevin Nemyer, City Controller, states this ordinance and the following seven are all 2020 salary ordinances which have to be filed by November 1st.

Gregory has a comment for the audience so they know these salaries ordinances being discussed set the maximum salaries for all of the positions in the city. Theoretically, the city could pay people less than this amount (but don't or at least try not to) but this is the maximum that is being said is appropriate for each paid position.

Jerry Wise, 326 W. Charles asks where the public could find the salaries and what the (percent) increase is. Nemyer answers 2% per union contracts and all the salary ordinances are filed in the Clerk's office.

Tara Gudger, 1913 E. Kirk St, Muncie, adds that it may be a 2% increase but is there a way to see what it was plus the 2% or would that math have to be figured up independently. Marshall explains that once it is passed It is listed as correct with the 2% increase. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 31-19 AN ORDINANCE FIXING THE SALARY FOR THE CITY CLERK OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2020.

A motion is made by Polk and seconded by Hampton to Adopt.

Kevin Nemyer, City Controller, explains this is the salary ordinance for the Clerk's position with a 2% increase.

Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 32-19 AN ORDINANCE FIXING THE SALARY FOR THE CITY JUDGE OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2020.

A motion is made by Polk and seconded by Powell to Adopt.

Jerry Wise, asks if the raise is 2% across the board. Marshall answers yes, except for the council. Wise asks if that is customary. Powell answers it is part of the contractual agreement that the administration signs with each of their collective bargaining units. Those employees would receive a 2% raise in 2020. Wise asks for clarification that if the city loses money, there is still an increase in administrates. Powell asks for clarification. Wise states if the city loses money, like a business. Powell explains that is what the contract states. Mayor Dennis Tyler, from his seat in the audience, exclaims no, it doesn't! Marshall asks for him to come up and comment. Mayor Tyler states that is not what the collective bargaining agreements say. The collective bargaining agreements make it clear that if the city goes into deficit spending, there is no raises. Wise asks if we (the city) are in debt. Nemyer explains the city has debt but is in a very good position right now. Wise asks Nemyer how much is in the Rainy Day Fund. Marshall requests that all questions be addressed to the council and explains that all the financials pertaining to the budget will be addressed during the presentation of the finance report from the Finance Committee under Ord. 37-19, or better known as the proposed City of Muncie 2020 budget. They will present the cuts/increases that were made and what the final budget will be. They cannot spend what they don't have. It all goes in front of the DLGF and once they obtain that, they can then make additional cuts to it. that will all be explained when the Finance Committee gives their report. Wise asks if he should wait. Marshall adds that it is probably best. The council hopes that when the Finance Committee gives their report, it will all be made clearer. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 33-19 AN ORDINANCE FIXING THE SALARY FOR ELECTED OFFICIALS OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2020.

A motion is made by Polk and seconded by Powell to Adopt.

Anderson explains (to Wise) there is no raise on this particular council. Gregory adds or has there been for two decades.

Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 34-19 AN ORDINANCE FIXING THE SALARY FOR THE MAYOR OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2020.

A motion is made by Polk and seconded by Powell to Adopt.

Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 35-19 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE FIRE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2020.

A motion is made by Polk and seconded by Powell to Adopt.

Tara Gudger, 1913 E. Kirk St, has an issue since she started following politicians. She doesn't really do politics and instead works with children. Some things that are questionable to her (and she would like to ask questions of members of the council) is that when dealing with finances and nothing personal but does anyone here not see a conflict with Powell working to do... but is cut off by Marshall. She asks if that is not appropriate for her to ask at this time. Marshall indicates no. Gudger asks is there ever a time to ask that question. Marshall states that is something that will have to be dealt with at the election box. Gudger says she then knows what to do and appreciates it. Gudger adds since she can not talk about the personal connection, would she be able to say that we are currently discussing these raises and 2% but the fact that the fire department has over a \$2 million decrease and the police only has an \$81,000 decrease. How opposite is that? Both are great to the community. Marshall states that will be explained during the actual Finance Committee report. Gudger asks when that will be. Marshall replies just a few minutes. Gudger explains that is a huge discrepancy. Marshall, again, states they will address that in the report. Gudger appreciates it.

Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 36-19 AN ORDINANCE AMENDING ORD. 8-19 FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE POLICE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2020.

A motion is made by Polk and seconded by Hampton to Adopt.

Andrew Popp, 2404 N. Hollywood Ave, Muncie, has a question over all the financial ordinances over the collective bargaining that the Mayor got up and spoke on. The deficit spending, (if the city goes into, which apparently right now it has not, which that math does quite function, but sure) if and when we go into deficit spending, how will the public know these 2% raises are cancelled and how is it contractually fair when some of the departments are using more than others that we take away the raise from one department. He understands what's good for the goose is good for the gander but how is that determined if one department is using a vast, larger quantity of the money than another. Why not take a 2% raise from the City Controller's office (Nemyer is sitting right next to him so he just used him as an example) to fund overtime for another department? Marshall clarifies what Popp is wanting to know and Popp explains that if we go into deficit spending, how is it contractually fair if somebody is causing a larger portion of the deficit, to take away say the Controller's office raise when that has nothing to do with where the money is being lost from. For fair contract purposes, how are we taking away a raise. Marshall explains that departments have to come before council to move money. Any money that is being moved will have to come in front of the council. Popp states that was not his question. Marshall explains there is a clause in those contracts. Popp asks that it is for everyone across the board. Marshall states everybody that is under the contract. Pop states that was his question and thanks Marshall, who then apologizes for not understanding his question. Popp replies he probably just did not explain it well enough.

Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 37-19 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2020. (CITY OF MUNCIE BUDGET)

A motion is made by Polk and seconded by Powell to Adopt.

Kevin Nemyer sates this is the second reading of the Muncie civil budget.

Councilperson Powell states the Finance Committee met several times over the past month to first, receive information from the department heads and then to try and work through the deficit and shortfall that they had between the proposed budget and estimated revenues. The proposed 2020 budget was \$73,987,134. The estimated 2020 revenue, which includes both the income from property taxes and all miscellaneous revenue, was \$65,075,317. The committee confirmed these totals with the Controller, Kevin Nemyer via e-mail on August 15, 2019. The DLGF (Department of Local Government and Finance) had an estimate of the 2020 property tax cap impact of \$22,973,926. This leaves a shortfall of \$8,911,817 between the proposed budget and the estimated revenues. The committee notified Mayor Tyler of these shortfalls on August 19, 2019 and hearing no response from him, reviewed the actual property tax cap (not the estimated – but the actual property tax cap) impact for the last ten years, 2010-2019, and while we have seen that circuit breaker loss grow, the highest point it has ever been was this year in 2019. It has never gone above \$16,726,660. Powell spoke with the city's field rep, Ryan Burke, and one of the options he said that was available to the Finance Committee was make reductions based on a less conservative circuit breaker loss figure and that is what they chose to do. The committee chose to budget using a figure of \$18 million as a circuit breaker loss rather than the \$22.9 (million), which would still allow for a growth of \$1 million in the property tax cap impact for 2020. This allowed them to target a total of \$5 million in reductions. Before all of the council, there is a list of recommended reductions to the proposed 2020 budget totaling \$5,032,015. The total recommended reductions to the General Fund is \$3,555,601. The total recommended reductions from the other funds on Form #1 is \$154,007. This totals \$3,709,608. The committee also chose, just as they did for this year for 2019, to reduce the total overall health insurance appropriations by 20% for a total reduction in those collective line items of \$1,476,414. That will not affect the ability to pay claims in 2020 because the city has a balance of nearly \$4 million in that fund, according to the Cross Fund Report they received from Nemyer as of October 2, 2019. This is a grand total of reductions of \$5,032,015. Powell wants to be clear to the council, to those watching in person or at home, that this will not translate into an elimination of any full-time employees or their benefits. It will not affect any contractually obligated items going forward in 2020. There are line items reduced from the General Fund that which will be made whole by the use of non-reverting funds. Reductions were made from line items within the Police Department, Fire Department and Animal Control which will be made whole at the beginning of the year using those non-reverting funds available to those departments. A portion of the balance of the Rainy Day Fund was utilized, as well. The committee wants to make note that \$310,000 will be left in Fund #104 and earmarked to purchase a second set of turnout gear, given the (fire) department was not awarded the grant that they sought which would have covered this expense. All members of council received a copy of these reductions via e-mail this morning from Councilperson Gregory. Through their calculations, the beginning operating balance for 2020 should be about \$3,158,400 and because there are over 150-line items in the reductions, she will not go through it by line item. Powell confirms that the Council Secretary received the list, in which, she did.

A motion is made by Powell and seconded by Gregory to Amend Ord. 37-19 with the recommended reductions from the Finance Committee in regard to the 2020 proposed budget.

A roll call vote showed 8 yeas and 1 nay (Marshall). AMENDED.

Kevin Nemyer states he needs a copy of those reductions as soon as possible. Gregory states she will e-mail the spreadsheet to him in the morning. Nemyer thanks her and requests that no one on the council leave the building tonight until they sign Form #4, even if they vote no. The council confirms and that is for all three budgets as well.

A motion is made by Powell and seconded by Gregory to Adopt Ord. 37-19 As Amended.

Sarah Beach, Personnel Director, asks if there is a copy available for them to be able to post on the city's Facebook page. Powell states yes. Gregory adds that she will e-mail it to her in the morning and asks if that is satisfactory. Beach would like to be able to post it tonight. Marshall gives her his physical copy. Attorney Joseph Hunter states it is technically public record as of right now. Marshall has an e-mailed copy so Beach takes his hard copy. Beach confirms they will be posted tonight. Ridenour comments that those are just the changes and it is not the whole budget.

Jerry Wise 326 W. Charles, Apt. 303, states to Powell that she is great but asks her how much the city brings in for property tax. It is a simple question; how much we (the city) bring in from property tax. Not what we were supposed to or capped, just how much? Not sitting and not getting collected. Powell searches her paperwork while asking Wise to give her a second. Meanwhile, Wise asks if that is our revenue source. Powell answers there is a revenue source of property tax and miscellaneous revenue. The miscellaneous revenue includes the public safety LOIT. Wise asks what public safety what? Powell answers LOIT, Local Option Income Taxes. It includes all the different revenue streams. Wise asks how much that is. Powell refers the question to Nemyer. Ridenour jumps in and explains the property taxes are about 61%. Wise asks how much is 61%. Ridenour continues the state income tax is about 16%. Wise just wants to know what Muncie brings in for property tax, in dollars. Ridenour states it is around \$16 million. Nemyer states it would be around \$31 or \$32 million minus the tax cap so about \$18 million. Wise then asks how much the city gets back in grants. No one on council answers his question so he says never mind, forget about grants and asks how much the city spends. Gregory and Powell state everything but \$3.1 million. Wise confirms the city spends \$13 million and then saves for a rainy day, \$3 million. Gregory states no, the actual Rainy Day Fund has \$538,000 in it. Wise asks where the \$3 million goes. Nemyer states it is like balancing out your checkbook. Wise clarifies so that the city has \$3,500,000 at the end of the year. Nemyer states in the budget. Wise then asks if there is budget verses actual, ever. Nemyer states no, this is the budget amount. Wise asks if we know where we stand actually. Gregory states yes and holds up her reduction documents. Wise asks if we are hitting the budget. Gregory and Powell state yes. Wise clarifies so we are not spending more than the budget. Gregory states no. Powell explains that is why they targeted \$5 million. Wise asks targeted \$5 million for what. Powell states in reductions to close that shortfall. Wise clarifies for \$5 million less than the \$16 million. Powell states for \$5 million less than the proposed budget of \$73 million. Wise asks how we can use \$73 million when we are only earning \$16 million. Powell explains the property taxes plus miscellaneous revenues brings us to \$65,05,319. Wise asks if the miscellaneous is greater than the property tax by \$16 million. Powell states no. Gregory explains there is Motor Vehicle Highway Fund, Local Roads and Streets, there is wheel tax, EDIT tax, etc. Wise states \$16 million less 71. Powell explains DLGF Form #2 is... but is cut off by Wise stating he is just trying to understand where we stand. He understands the council may know but he doesn't and he pays taxes here! Powell continues to explain DLGF Form #2 is their miscellaneous revenue fund. Wise cuts her off and says he just needs something simple, an income statement or something, not line item by line item, just simple. Gregory holds up her documents and says there it is. Wise disagrees that it is too complex, and that is not simple. He ran a business for 40 years and it is very simple. Sara Beach, Personnel Director for the city of Muncie, interjects and states she would be happy to make a copy of the income statement so he would be able to see what the 2019 budget is and where all of the departments are. Beach would be happy to make that for him so that he could see where they stand with the actual 2019 and what they (Finance Committee) are doing is going through the budget for 2020 based on what estimated tax revenues and miscellaneous revenues the city is going to have for 2020. She would be happy to show him where every department is. Wise just wants to understand, the miscellaneous brings in more than the property tax, substantially more, is that correct? Beach is not the Controller so cannot answer that but it is all in there and he can look at it. Wise is just asking a question. Beach informs him if he wants to come and look at it tomorrow then she will have it ready for him. Wise states he will just come up tomorrow. Ridenour gives Wise his physical copy. Powell also requests to make a copy of DLGF Form #3 for him, as well, to show what the property taxes are and DLGF Form #2 which will show what the miscellaneous revenues are. She offers to make a copy for him and that will give him what the revenues are for 2020. Wise states of the \$16 million that is brought in, that is not just what is invoiced. Powell states unfortunately no, the \$16 million which are the property tax cap is what is in our constitution so far as a circuit breaker loss. It is the gray area between what our max levy would bring in and the property tax cap. Wise asks if it is correct that \$16 million is what is invoiced but we don't bring in \$16 million. Ridenour answers no, that is collected and refers to the top line of the documents he just gave to Wise. It is through October 1st, and it is what has been collected. Wise jokingly asks if Ridenour wants the documents back. Ridenour states he can obtain another copy from Nemyer and that he is always very accommodating. Powell adds she will make a copy for him, as well.

Kristopher Bilbrey, Meridian St, Winchester, explains the public sat through three budget meetings that were scheduled back in August and then through five more Special Meetings that were called by the Finance Committee and they talked about cutting several different line items. What he would like to know is, by a show of hands, who on the council takes, currently for 2019, insurance. Peters strongly raises her hand and states that for his information since he threw it out there, he never once came to her and asked her if she had insurance through the city. Yes, she does. Bilbrey says he was asking who didn't take insurance. Peters was referring to it being what he has been asking all over social media so just wanted to answer his question, she does have city insurance that she pays for at a very high deductible. Marshall asks Bilbrey what his exact question is. Bilbrey states the question is really simple. He would like to see and the public should like to see (they pay taxes for this) a show of hands of the council members that do not take insurance. This is not a HPPA violation, he is not asking for medical treatment. Councilperson Hampton states he

will just say it is none of his business what his health insurance plan is. Bilbrey asks if he is serious. Hampton states he is serious and that he does not take city insurance but it is none of his business how he gets his insurance. Bilbrey states Hampton doesn't take insurance, Ridenour doesn't take insurance, Polk doesn't take insurance, Marshall doesn't take insurance... Peters states he is already well aware of who does. Bilbrey confirms that so only two members take insurance and Peters confirms and that it comes out of their check, they pay for it and also pay a deductible. Peters asks if there is anything else? Bilbrey states that is perfectly fine and is something they are all allowed to take, he has no issue with that and they should all be able to take it. The issue he has is that why the city budgets for the entire council to take the insurance if only two members are taking insurance. Kevin Nemyer, City Controller, explains the amounts that are in each Health Insurance line item for each department, do not represent how many people are taking insurance in that department. They are set up in some God knows what formula that was made up decades ago that we still use and we portion a certain amount of health insurance to each department. Every month, we take 1/12 of that amount so they can move this money around as they want. The council had an idea last year to put it all into one-line item which met with a lot of oppositions, so it wasn't done and now, they have the different amounts in each department. The amounts in there, in no way reflect how many people have or do not have health insurance in that department. Peters thanks Nemyer for that explanation. Bilbrey states that is a fantastic answer for that question. Marshall adds that in the list of recommended cuts, that line item was zero-ed out. Bilbrey states okay, that is for 2020 but we are still in 2019. He was just asking to find out what was happening with that going forward. Lastly, he would like to hope that anybody asking questions tonight does not get treated as ridiculously as he was treated in just asking a question. He claims she (Powell) is making eyes, you're (Peters) is acting ridiculous. Just talk normally. Peters states she was actually answering his question that he had been beating around the bush for instead of straight asking her. Marshall calls order. Bilbrey closes by stating Powell does have a conflict of interest on the Finance Committee.

Audie Barber, claims that everybody knows him, 610 W. 11th St, states some information was brought to his attention about the Muncie Police Department, which is a wonderful department. They are on 12-hour shifts so are getting about four hours of overtime a day per person which comes up to spending of about \$1.6 million on overtime, alone. If they went back to an 8-hour shift it could cut back on overtime. Barber is Union and on forty hours a week. He is not getting overtime right now and it just happens but does get it from time to time. Four hours a day at five days a week is twenty hours of overtime per person. He thinks the city could save a lot of money by cutting the overtime out a little bit. He suggests to go back to the 8-hour shifts, instead of the 12-hour shifts because it could save a lot of money.

Tara Gudger, 1913 E. Kirk St, Muncie, asks if this is the proper time to ask the question that she asked earlier. Marshall states as long as she doesn't not get personal. Gudger states it wasn't personal in the first place. She works in education and in education, you have to be very careful of conflict of interest. There are forms you have to sign if you have a business on the outside. Her issues are if we know there is a personal connection and she is also Chief Finance Officer, or something to that effect. Powell and Gregory correct the term to Chairman. Gudger continues, Chairman over a committee and then we see this humongous amount of \$2, 088,000, like, where does that come from and who pulled that number? Gudger is just confused. Muncie has great police officers, not so great police officers, great fireman, not so great fireman, great teachers, not so great teachers, Gudger is a social worker, also not so great social workers. She is just trying to figure out how it was decided which group gets the larger amount of money and who gets the major cuts. Just like Barber had stated, they (police department) is getting overtime. Is that where all the cuts are coming from? Marshall explains what happens is it goes in front of the Finance Committee, which then goes through the budget and collectively decide where they think the cuts need to be made and then they bring it in front of council which then has the opportunity to add or subtract, if they feel necessary, and amend what their recommendations are and then finalize. Gudger states that is where her concern is because of Powell. Heading that, doesn't anyone see a discrepancy there? Powell refers to Gudger mentioning how in her profession, she has to sign conflict of interest forms. All council persons have to fill out their conflict of interest form at the beginning of the calendar year to state whatever conflict of interest they may have so that is on file. Even though she is the chairman of the Finance Committee, there are three persons on the Finance Committee and they all have input. Even within the Finance Committee, there is no one person that is making decisions unilaterally. Powell continues those recommendations, what was read off and given to each of the council persons, are just recommendations. They could be voted down, adopted or amended that way. No one council person can make a decision unilaterally about this budget. No one council person can make a decision which will change the budget. It takes a majority vote of five, at least. Even if one of them were to try and push something through, it would take four other council persons to make that an adopted ordinance. Gudger hears that and states Powell has been very vocal in the things against the fire department. Powell indicates she has been very vocal in the financial impact of different things within the fire department that she feels are not fiscally responsible for our city. She does not apologize for that. Gudger is saying a \$2 million cut and a \$80,000 cut just doesn't seem equitable to her, not even talking fair but using the words equitable so Powell understands where Gudger is coming from. Powell agrees and states that what the Finance Committee was tasked with is to make reductions totaling up to \$5 million so the revenues and expenditures would then come into line. In those Finance meetings, the committee went through line item by line item making reductions. When they had gotten done, (asking Gregory to correct her if she is wrong) they had only got to \$3.8 million. Gregory states not even that. Powell continues that they had went through every single line item within the budget making reductions. What they opted to do was to move any monies that they could, called non-reverting funds. The committee reached out to all the different department heads that had these non-

reverting funds. In the case of some things like the LOIT, each of the public safety departments (police and fire) both get \$1.45 million of that money to spend. The council adopted that tax in 2015 to help decrease the burden on the General Fund. What they saw happening were departments were not appropriating those into the line items. While other departments struggled, the committee cut part-time people out of the Mayor's office and Human Resources office. Other departments had reserves that they could pull from. The committee made reductions that would push that money through, as intended. That is all. It wasn't that they went in and took money. Those monies were used on those departments, as intended. Gudger guesses that the conflict of interest would be if the council wanted to be more transparent, since this is the way we are supposed to be moving in this next election is that you (Powell) would not be the person chairing that. That is just Gudger's opinion having been on several committees and currently serving on a board. When you have a conflict of interest such as that, that makes it personal then you should take the high road and step to the side but that is Gudger's personal opinion. Powell thanks and respects her for that. She understands without having all of the moving parts and would love to meet up and have a sit down to sort everything out. Gudger would definitely be willing to do that. Powell concludes that she has been the Finance Chair for seven years and it has only been an issue lately. Gudger adds that because of the things she has watched Powell do in this community, such as shaking and moving. Gudger is not even a political person and if she saw Powell doing that, she can only imagine what the other people who pay attention in politics have seen. Gudger could care less about what position you hold, she is all about people. In this instance, if she were Powell, in that position, as a person with some morals and values (not to say she is knocking Powell's morals and values) but would be like "hmm, I have a conflict on both sides such as this or that," without naming it. Gudger thinks it would be best for Powell to step aside and maybe once the next election is going, there will be some changes.

Dominyse Carey, 1904 E. 22nd St, Muncie, has a question for Powell. She refers to Powell talking about all the procedures, which the public understands, but why is she cutting \$2.4 (million) from the fire department. Carey claims that Powell has been after the fire department all year making cuts and cuts and cuts and continues to talk while she is talking which she finds very rude. The public gets 'how' but wants to know 'why' she feels the department doesn't need, at least, some of that money. Carey understands the taking from different places but it was like a little here, a little there and then a big chuck out of the fire department. Powell explains that was not a decision she made unilaterally but a decision that was a recommendation made by the Finance Committee after a lengthy series of meetings and the shortfall of over \$8.9 million. The committee did offer to let Mayor Tyler make adjustments to the budget and he had that opportunity to do so. Having not heard from him, the committee was tasked with that. Carey continues with the removal of the part-time employees from the mayor's office and asks who that was. Powell states they didn't take anyone. Carey interrupts and exclaims that Powell had just said that though, in her last statement. Powell explains the committee cut the funding for those positions. Carey asks if Powell feels like that is not needed. Powell states everything that was reduced is needed but unfortunately, we don't have the funding for those positions. Unfortunately, we are at a situation where we are fiscally strapped and so doing the most responsible thing that they can. Carey asks what the current budget is for the fire department and doesn't understand why Powell keeps digging through her papers. Polk does not know. Carey turns to Nemyer in the audience and asks if he feels like they are on track. Marshall states right now, the council has what was is proposed. Gregory has the current number if everyone in the audience can be quiet. Carey just wants to know how much the fire department has for this year going into this year and how much they have spent. Gregory, of the Finance Committee, reports going into the year, the fire department had \$8,849,619 in the General Fund. To date, they still have \$1,8509,625.56. They also have money in the LOIT fund, the income funds. Carey guesses but looking at that, taking away \$2.4 million, they are still technically losing because they have spent. Gregory explains they are not going to lose it because part of what hasn't been discussed that was discussed in the Finance Committee meetings is that there is the General Fund which is what the committee was cutting. There is other money over here such as LOIT, edit monies, other funds that are available that are not required to be used so the philosophy that they took was cutting the General Fund monies from certain line items, and there is money over here that can be reallocated/reapportioned in January. Carey asks if the police department or other departments also have these options. Gregory states for any department. Carey is getting back to still making this big cut to the fire department. She is aware that she isn't going to get the answer that she wants. Gregory states the department is not going to lose the money. Carey understands that but just wants it presented that people see what they are doing and Powell says it is not just her but she heads this committee and had been after the fire department hard all year. Back to her conflict of interest, the public sees that. Carey closes by wishing them a good evening.

Brian Jackson, 821 S. Butterfield, 2nd Vice-President of the FOP here in Muncie, would like to speak on the myth of the police department overtime that he just heard about. He just checked his bank account, it is not there so he guesses some people need to see to it because some other people are being misled. The police department has always worked 2,080 hours a year. That is 8-hour shifts at five days a week which equals 2,080 a year. When they work 12-hour shifts, their pay periods are still on 12-hour shifts, they would just be at 84 hours, instead of 80. They have worked in an 8-hour shift, a short shift, during every single pay period so they are still getting paid for 2,080 a year. He does not get overtime worked into his paycheck, at all, so he thinks people here need to understand that. Another statement he would like to make is first a question referring to the cuts being in possible Fund #104. So, if they cut General money from a department, the are omitting it with other money, is that correct. Gregory states that will be done in January or after the first of the year, at some point. Jackson asks that is what is coming next then. The council confirms. Jackson wants to make two statements. First of all, all members of the council are elected to represent the public. He does not see

how any of them can have a conflict of interest. The Mayor is standing behind him and there are plenty of candidates in the room along with appointed and elected officials as well. Jackson thinks you (the council) would have to have an interest to even be here and is the reason citizens want you up there. Keep that in mind. Also, he would like to know if anyone can predict the future and guarantee who will be elected to City Council next year, for sure, and which of them will and will not use the insurance.

Mayor Dennis Tyler, appreciates Marshall's comments about not getting personal and keeping this professional, however, there are some things that he thinks he needs to address as Mayor. He does not know of anytime in his eight years that any of his department heads have ever been fiscally irresponsible, referring to the comment being made by Powell. He thinks that was horribly disrespectful to the fire department and she did question their fiscal irresponsibility and we all know what that is about. There isn't any reason to talk about any of that anymore, just don't need to do that. Mayor Tyler refers to the comment just made by Gregory, that they would deal with all of this in January. He wishes to explain something to her and Ridenour who is running for Mayor, Dr. Bailey (points in the audience) is running for Mayor which, by the way, wasn't afforded a copy of this, was never afforded anything in writing on any cuts that he wanted to make on any of his departments, never. The fire department, with this budget had one, two three, four, five, six, seven, zero-ed line items, overtime, holiday pay, comp time, gear, on and on. What if the new City Council doesn't want to do whatever the current Finance Committee wanted to do with that Public Safety LOIT? What are they going to do then? They are about ready to make history on what they are wanting and attempting to do. The truth of the matter of this is, \$3 million in cuts in the General Fund, over \$2 million is the fire department. He knows where they plan to go get it, or whoever the new council is, and that is Public Safety LOIT, and the Center Township Fire Protection Fund, all to shut down an ambulance service that has been working in this city and is working very well at saving lives. It was not done to hurt anybody in the county, it was done to improve the services and the quality of those services. That is what this is. It doesn't take him and he is not an accountant, but he is sure you (points to Powell) could run the numbers and he is sure Polk could run the numbers (he deals with numbers every day) and he knows that if this passes the way it is tonight, there will be a very good chance that you (the council) will shut this down next year and you know that. That is just wrong. You are elected to represent the citizens of Muncie and that is all that the police department, all the fire department and all his other departments has ever tried to do, bring quality services, every day, into this city at a quality price. Hampton recommends President Marshall to remind the audience that the person speaking at the podium is the only person that should be speaking from the audience, they don't need a choir. Mayor Tyler reminds everyone that he has been a part of government in this city since 1965, as a matter of fact, Councilperson Hampton's dad gave Mayor Tyler his job on the Muncie Fire Department. He has never ever seen a budget for public safety that was completely zeroed out and expecting a new City Council to deal with it. That is exactly what the current council is going to do tonight. They need to seriously, seriously consider what they are doing. Marshall calls order and explains everyone is going to get the same courtesy at the microphone, let the current speaker speak and make no comments in the background. Mayor Tyler does not apologize for anything that they have tried to do to help this city and move this city forward. He just won't and he is not going to. What they try to do is do the right thing. This is a bad budget. The council really needs to seriously consider what they are doing and the burden they are putting on the next city council because they may have other ideas and they may want to work with their Police Chief or Fire Chief. They may want to use some of this money and the council is taking that opportunity away from them because if they don't do something with this budget, there won't be any holiday pay or overtime. This would be taking all of that away from them.

Powell points out that the Finance Committee sent Mayor Tyler an e-mail letter on August 19th which he did not receive.

Eddie Bell, Fire Chief for the City of Muncie, since 2012, is very offended by Powell saying that the fire department was not fiscally responsible. He will walk her through a few things and hopefully, she will see what he is talking about. Since 2012, the fire department has done everything that they were supposed to do. The council had given them a budget, year after year, in which the department has stayed within the confines of those budgets, year after year. Never once has Chief Bell stepped before her or anyone else up there (he would like to know) had to ask for anything for the Muncie fire department, then to please say so. Not one red cent had they come here to get from the council. All they had asked is be given a level playing field and not to bother them when they are doing things that is making the city better. They remodeled the No. #1 fire station and built a new training facility. They have purchased many things to make all seven of their fire stations what they are today. There is no reason for Powell to say that they are fiscally irresponsible. Bell's employees took a whole year off and didn't use line items. They came and told Powell that they left those line items because of the agreement to basically let it go until the end of the year where they could fill the new training facility with furniture. What did they do? He believes the next year, she cut that line out when he told her what they were leaving that money for. They are fiscally responsible and have done everything that they can to make this city what it is. Now, the other thing and he guesses he is speaking to the Finance Committee talking about transparency all the time but if we are then he, as a department head and all the other department heads should have had information on what they cut before they got here tonight. The Controller did not even have the information before they got here. Bell checked with the Clerk, who did not have the information before they got here, either. That is not transparent. That is pushing things through, just like he has heard others say. He asks why they would do that when the department heads don't even have a chance to even dispute what the Finance Committee is doing. Like Mayor Tyler said, Ridenour, Dr. Bailey, whoever wins next year, it is going to be a terrible situation getting started if this budget passes. It is going to be just terrible because it is going to be a mess, non-sense from January 1st on, trying to catch up. Powell wants to apologize for the way Chief Bell took her comment about being fiscally responsible because that is not what was intended.

She feels and didn't apologize for, she doesn't feel and hasn't felt that necessarily this issue that he is undertaking is fiscally responsible. She thinks that the fact we have used so much overtime in the last six days is an indication of that. Also, she agrees that Chief Bell hasn't come asking for additional appropriations but he has asked for incumbered monies to carry over. Chief Bell states that was from their budget. Powell agrees but is saying that those previous budgets Bell was referring to were passed by nine people, not just pushed by one person. She understands and appreciates him being a strong advocate for his department but she did not mean that he is fiscally irresponsible, she meant that this indicative she feels, as one person on this council, that is not necessarily in the financial best interest. That was all she ever tried to do is find out the financial impact. Powell just wanted to offer her apology. Chief Bell wishes to educate her a little bit. She came up with the number of \$21,000-\$22,000 that the department has used already. Powell states no. Chief Bell explains if they use, and just throws out a number, \$20,000 this year just for the fire-based EMS, they have more than covered that in this last six days. They are, right now, more than self-sustaining.

Mary Stilts, 712 S. Burlington Dr, Muncie, states some of the citizens here may not understand what they are looking at in overtime between police, fire and civilian employees. Just this year, the police department had \$283,686.13 in overtime, the Muncie fire department had \$194,381.14 and civilian employees with \$174,790.70. Let's talk about the years from 2016 to 2019. Stilts wants everyone to listen to these totals. For four years, from 2016 to current, the Muncie Police Department has spent out \$1,633,396.39 in overtime. That is a lot of money. The Muncie Fire Department, for the same years, spent \$603,662.19. That is \$1 million less than what the police department has spent. For those same four years, civilian overtime came out to \$598,513.25. Stilts believes there needs to be some overtime cut on the police department when looking at over \$1 million over what the fire department has spent. She thinks it is time to cut some overtime. She loves the police and understand they need hours and to be on the streets but when there is five police cars sitting in a parking lot and they are all just sitting there joking around, they are not patrolling our streets and looking for safety. Just a sample of this, a Sergeant made \$96,998 in 2018, while the mayor only made \$72,000. Wow. In the newspaper today, the Animal Shelter, was just left hanging. It is a no-kill shelter. This council passed the ordinance which would not kill animals to save space. The Animal Shelter is struggling and asking the public to bring cat litter, food, laundry, cleaning supplies, bleach, etc. because all of those rooms have to be cleaned daily. This council is dialing them if they do not get them some money. She personally will fight for this because it is not fair. Those animals did not ask to be bred and did not ask to have all kinds of wild animals running loose and not being taken care of and having babies every six months. The Animal Shelter is suffering from it, Stilts and her neighborhood are suffering from it with cats that come all over their house and spray all over their neighborhood. It is time to put a stop to that, to get the Animal Shelter going, to give them the money they need and get them on the road.

Melissa Blair, Director of the Muncie Animal Shelter, which Marshall stops her before she start speaking and clarifies that he worked very closely with her and tried to do whatever he could to make sure all the departments were taken care of. The only thing she is asking is and she just saw some of the cuts that were made, is how can they give an Animal Shelter for food and litter, zero dollars? Marshall asks her to repeat the question. Blair states zero dollars for food and litter for the Muncie Animal Shelter. Gregory states none was spent, to date, this year from last year. Blair states they are spending out of the Food & Litter line item. Gregory states not according to the budget. Blair asks if she knew why and it was because they (shelter employees) work their butts off to get food. It doesn't matter what was spent last year, they make amends for what they have to do to get the food in. They work very hard. Blair asks if the council wants to come help her unload some trucks and get food and litter since they sat up here and made cuts to the ordinance to give zero dollars. Why? No money. Zero. You (the council) should be ashamed of yourselves.

Emma Elisabeth Edgell-Herbert, 312 N. Calvert St, Administrator of the Delaware County Community Awareness Group represents 10,000 of the council's constituents. She finds the Mayor, coming up here to tell the council, about their financial stability is laughable. The only thing the public wants to hear from him is an explanation about his department heads that have recently been arrested in the FBI investigations. What we (the public) want you all (council) to do, because you're not doing a great job either, is to get on this budget, referring to Powell, and make it correct. You owe it to us. It is our money. Why? No one answered the lady before hers (Blair) question. Edgell-Herbert didn't know this and is shaken over that. That just blew anything she wanted to say away. Why is there not an answer to that from any of the council members? Gregory did answer. Edgell-Herbert asks what the answer was because she didn't hear it and didn't think anyone else did either. Edgell-Herbert reiterates because they didn't spend any money in that line item yet this year, give her a break! Do you really think that Animal Shelter didn't spend any money this year? Gregory states according to the official income statement. Edgell-Herbert asks so the shelter is really going to get zero dollars because of that. She sarcastically states that is awesome and great and asks if this is what you call government? Gregory explains the shelter found another way to provide food that didn't require tax dollars. Edgell-Herbert exclaims yes and they are supposed to be supported by this council, this city and this government. We (the community) are going to dig into this. Marshall adds that they (the council) want them (the community) to do so. Edgell-Herbert states the council can not even answer the question with how this can happen and what do they purpose to do. This is okay with everyone that these cuts are being made. That's ridiculous and so is a lot of the things going on. We're watching and we're voting.

Donnie Ruddick, 2312 E. 23rd St, states he lives in Marshall's district. He does think that the city is going after the fire department for no reason. The last time the city took their politics and got involved in it, the fire department closed one or two stations. The station right by his house got closed and recalls one instance where it took fifteen minutes for someone to respond to his wife, who is a diabetic. He would like to slap the b*tch that made it that way. Anybody that takes money away from one

department, especially if anyone up here is gaining anything from any of this, ought to be fired and thrown in jail. Another thing he does not like is the way this county and city has been for years, brother, sisters, uncles, cousins, all work for the city. Screw that! He would like to start an ordinance to say “nobody for five generations difference can work for this city.” If your mom works for it, five generations later, until then, members of the family can not work for them. There is all this family gatherings and cousins of brothers taking care of specific people. Screw that crap! This is coming from a taxpayer that pays your salary which you don’t deserve a 2% raise. Numerous members of the council exclaim they are not getting a 2% raise. Ruddick explains if they did, they would not get it. Nobody except fire department and police department deserve a raise in this town right now. Ruddick exclaims this town has gone to f*cking hell in the last two years and excuses his language (*this comment results in an uproar from the audience). Marshall states Ruddick is going to have to stop and step away because of the cursing. Ruddick leaves the podium commenting “see ya’ on the streets.”

Steve Smith, 4700 N. Broadway, Muncie, heard two things that needs corrected really quick. Several people that has already spoken, spoke about two officials running for Mayor which are Bailey and Ridneour. There are actually three, including Smith. Right now, he is more of a concerned citizen, more than anything. He knows the community is addressing the council why they do this and why they do that but he, personally, looked at the budget and showed up at the budget meetings of the Finance Committee. He looked over it for the last, maybe, ten years and what he noticed and what no one is talking about, department heads have been allowed to overbudget in their department. Now, we are throwing stones at individuals because they are taking the money back. He commends those that have done what they did because that is starting where they should have been at ten years ago and no one is saying anything. He does not care where they take the money from, the public should rather the council do it than the state. The state could potentially take even more that has been allocated to these departments because no one has had oversight. He saw, personally, there are line items that have no explanation nor department head to explain where this money is going. They are spending our tax dollars on stuff that we have no clue it is being spent on. Smith understands that we, the people, are supposed to know these things but we don’t. He has a young man sitting behind him (Jerry Wise) right now that is asking where this money is going. How do they allow the spending of money that does not know where it is going but the council does not have an idea either? Maybe the Finance Committee should have taken \$1 million from the fire department but if they have \$1 million on there and there is no accountability where that money is going and it is just sitting there, the money has to come from somewhere. Smith does not believe it is a personal vendetta against the fire department and believes all the departments have been overly budgeted and if we have to go deeper there should be someone on the council to oversight that. The second thing, he is just going to say it and people can hate him, whatever, but at least it will be exposed. If we don’t get more accountability on the department heads given accountability for this money, it is going to keep on happening. Silence. Smith continues it is quiet because some of the people that have done that are in this room. They have overspent, purposely because they know it will be covered and nobody is going to ask questions because the community is not here at these meetings. It is our fault too. For three times, he saw, in this room, so it is clear, the departments heads were not at the Finance Committee meetings to give account where this money was going. Silence, again. Therefore, if you don’t get an account, they would have to cut from somewhere. He is sharing that because he is a concerned citizen and he hopes the citizens make it clear that they will not allow that to happen in the future. We don’t allow, just people to say we need five men in a department and there to be no one to be accountable for that. That is his concern of a citizen. Although, pointing the fingers at whatever vendetta, is not his problem. As going forth, he is running for Mayor, also. So, there is a third person, just to clarify. Smith will not stand for all that craziness and his department heads won’t either.

Andrew Popp, 2404 N. Hollywood Ave, Muncie, firstly wants to say (and it was not preplanned) is that the public should have already received a copy of this (referring to the list of cuts given to Wise by Ridenour). Prior to the meeting start, there should have been one on every seat. The council is talking about numbers and citizens are coming up and asking questions where numbers aren’t readily available (even though the public is getting them) and they are not easy to understand. This is a discussion about how taxpayer money is being spent so this list of cuts would have been real nice to have. Popp has a budget that he keeps at his house that he makes for himself every two weeks so he knows where his bills are going. This is the city’s budget and if they want the public to understand it, the public needs to have it. As far as transparency goes, Ridenour gave up his only copy of the current budget that he has in front of him that he is supposed to be answering questions off of right now to Mr. Wise. Popp gives it back to him because it is his property now and thanks him for using it. Moving forward to the budget, here is what Popp needs to understand because there is a lot of numbers being thrown out and a lot of things that he (guesses) were missed coming to these meetings and watching everything on Facebook live because he does work night shift and it can be inconvenient at times for him to attend these meetings. Popp asks how much overtime has been spent for fire-based EMS as of right now. He asked Chief Bell to come up because he should have the answer being the fire chief. That is just how Popp see it, with Bell being the guy running the show, he should have it. Eddie Bell, Fire Chief, does not know the exact number but just threw twenty out there. For numbers sake, if they actually used \$20,000, he is saying the department is far ahead of that, as far as what they have taken in through claims and everything through the billing service. He does not know exactly what the number is. Popp has a second question with the ordinance that is getting ready to be proposed, the billing fees that haven’t been adopted and set up a legal ordinance to charge these people. We have set up a second-hand privately enterprise company, which he is sure makes the unions happy to have a private company running their billing, is trying to figure out if we have collected any money. Heartland has set up a contract through Board of Works (which from Pop’s

understanding this did not go through council) and is now charging people for products used on site. A transportation service that now has ALS but to his understanding, prior to this contract, took grandma from the nursing home to her doctor's appointment and back. Same with Eaton, they weren't out making 911 ambulance runs until this fire-based EMS was set up. Listen, Popp understands in trying to cover the city and has said on multiple occasions that he believes a fire-based EMS is an opportunity for this city when it is done right. However, he does not believe this was done right. How are we billing people if we haven't collected money? Chief Bell explains they have up until sixty days, actually it is probably a little bit longer than that, to actually collect money on runs that they have made. Bell believes it is ninety days they have to collect and can go ahead and bill that right at the current time. Popp confirms that we haven't collected any but we can bill. Popp explains these are the concerns he has by looking at this budget. One, the Animal Shelter probably needs their food and litter money. He does not know what they spend but they do a great service to the community. That probably should have been amended, however, he did not have a copy of the budget so did not know that was going on. Two, it was brought up and Popp asks for clarification, how much is roughly being subtracted from the fire departments General Fund money. Members of the audience express \$2 million. Powell states \$1.7 million. Popp states he thought \$1.8 something with the conversations that they had. Popp states they will just go with \$1.9 million and split the difference. That is being made by of the Fund #104 which is Center Township Fire Protection and other incomes and the LOIT Fund which is given to both MFD and MPD. The council confirms. Popp states so they are not actually losing money and asks how much is in Fund #104 right now. Popp asks if it has an excess amount of funds and if we have that number available. Gregory answers \$665,348.77. Popp confirms they have excess money right now that they could allocate to make up for that General Fund. Not saying that they should or shouldn't, but there is money there. Powell confirms. Popp then asks about the excess on the LOIT Fund right now from what was allocated last year or is that number available. Gregory states Fire LOIT has \$1,433,780. Marshall asks if Popp is wanting balance to date. Popp confirms. Gregory confirms that is as of October 1st. Popp reiterates as of October 1st, given today is the 7th, we have roughly \$2 million that is being taken from the fire department, they currently have in excess. His next question is in regard to the Lieutenant's position line item and where that money was reallocated to. Powell states they moved \$50,000 from the Lieutenant line item to overtime. Popp asks where their current overtime account is at, right now. Powell states it is in the red \$35,000. Popp confirms \$35,000 in the red and anticipating more overtime for the fire-based EMS. Here is how he sees it, and he wasn't here for all this and didn't attend the Board of Works meeting so didn't see all of that. This fire-based EMS has not come before council, officially, this year, until now. They didn't come for the ambulances, the staffing, the hiring of the EMS chief, nor did Heartland come before them to hire (her husband as) the liaison, since we are talking about nepotism. The EMS Chief's husband is the liaison for Heartland. Popp finds that to be incredibly interesting. That is just something he has noticed. A representative of Heartland gets up to address the council, which results in numerous muttering and comments from the audience. Marshall calls order. Powell makes a clarification to Popp. The LOIT money being talked about is not from what is within that current line item. The money that is being moved into play, in regards to Fund #106, which is the fire department LOIT, is the balance between the \$1.45 million. Popp can not hear due to all the chit-chat and conversing in the audience. Gregory states if people want to talk, they can leave. Marshall states they will stop here for a recess. A motion is made by Hampton and seconded by Gregory to Recess. An all-in-favor vote showed 9 yeas and 0 nays. FIVE MINUTE RECESS.

Marshall wants to address some things before they continue after the recess. We need to be respectful of each other when someone is at the microphone. We don't want to have any personal attacks and he is going to start cutting down on the time, a little bit, as he has been really free on letting people speak for a considerable amount of time. He asks that everyone keep their comments limited. He knows everybody's questions are important but there is a line of people wanting to speak and he wants to get everybody in so they can get this done. If you hear something, try not to be repetitive and respect one another. Marshall officially declares the meeting back in order. Andrew Popp, who was speaking before the recess, explains the last thing he wants to state is this, the people on the Finance Committee are taking a lot of scrutiny tonight and it is rightly so because the main reason most people are here is the budget that is being amended and being forth toward the council. He had the opportunity to speak to Gregory, which they have had several heated conversations in seems the subject matter of a Facebook video of his over a vote she mad a couple of council meetings ago. During the last council session, he had, while a friendly in manner but a fairly heated exchange with Powell out in the lobby over the topic of which he discussed. Popp recalls helping Polk's opponent in the primary campaign against him. Popp has no personal good ties with the three people on the Finance Committee, with the exception of him being good friends with Powell's son, Officer Powell on MPD. With that, this budget, from what he understands, the fire department will have the money through other funds if approved by the next council as it was laid out. The money is available to them, in opportunity. Popp just spoke with one of the Union guys from the fire department who showed him that they billed \$1,280 which is an approximate number on day one of fire-based EMS. They were able to collect, if collected, approximately \$12,000. If billed and payed, it is paying for itself. We didn't ask for Eaton, or Heartland. We asked for a fire-based EMS. That was the proposal. Again, we didn't want Heartland and we didn't want Eaton. We were not sure of the community that we wanted fire-based EMS. Its here. As he said before, this is an opportunity for the city, not for two private entities. The contract has been passed for Heartland and the specifics are out there. It is available for everyone to read. He knows that Powell posted it on her campaign page and the city had it posted on their Facebook. Everyone needs to go read this contract. If we allow Heartland to stay involved in this and don't get Muncie Fire ALS cardiac care and the other advanced services that we need to run a city-based fire-based EMS, then we might as

well change the sign, "welcome to Muncie, by hook or by crook." This budget right here, is what we need, pass it. if they don't pass it, when it goes back to the committee, he advised sending the exact same thing back. That would mean running this until the next council gets a hand of it. Popp will be here again for that budget, to say "welcome to Muncie, by hook or by crook."

Brian Jackson, 821 S. Butterfield Rd, wishes to make a couple statements about overtime, again and clarify some things. He is not in the Fire Union but will use them as an example. If your house is burning down at 6:45 in the morning, do you want to wait until the guys come on at 7:00 to go to your house and put the fire out. The guys that are at work are going to get overtime. It's a service and a necessary evil. The police department is the same way. When he came on the department in 2004, the department had 120 people and went down to 101 or 102 in the past and fought the city at an expense to their members of \$30,000 just to get 108 people, this year and 110 next year, which they are going to be hard-fought to fill those positions. Jackson is sure there is someone in this room (he is not going to turn around in fear of getting a tomato thrown at him) may have had to wait two hours to get their traffic accident done. Jackson is a crime scene investigator for the city of Muncie and there is not that many of them. He has collected a lot of overtime but would have rather seen his kid's birthday or gone to his anniversary party than be on a homicide scene for seventeen hours. If he had more help, he wouldn't have to have that much overtime money. He does not live in poverty but lives comfortably and can do without the money, as far as overtime goes. They need people just to be safe and they don't have it. There is a lot of good ideas around here and he understands that it takes money to fund those. Jackson asks that Popp please not spear-tackle him when he leaves here and asks how many pages the budget was. He states never mind because he knows it is a lot and pretty thick. If we printed off that document for everyone in attendance tonight, that would be a substantial amount of money just to fund this meeting. He understands that the police department cut out \$17,000 worth of paper costs but going to a paperless system back in 2009/2010. It's a service. If the police department were to cut back on service, there would be a huge public outcry and they understand that. The department is trying to recruit people and they are trying to staff the department where necessary. If they had 160 police officers, like they would love to have, he is sure everyone would like to have them and then they would not need as much overtime. The fire department is in the same boat. If we didn't live in Indiana with the thermocycles, we wouldn't need a big budget for the Street Department either. Jackson just wants everyone in here to understand that it is a service. He may not be a salesman but it is a service that is sold to the public through taxpayer dollars. It is a necessary evil. The only way getting around overtime issues is to staff appropriately and that is not being done.

Kathy Bland, 6104 W. Bethel Ave, would like to talk about the fire-based EMS. She does not know a lot about it but has been to a lot of the meetings. She believes a lot of the confusion and anger from this whole situation could have been avoided had the Mayor not set precedents, as he accused the council of, of bypassing the council and going to BOW. Marshall understands that is an important issue to Bland but they will be addressing the fire-based EMS under ord. 44-19 if she would like to hold her questions until then. Bland responds that she doesn't have a question, she was stating a fact. Marshall, again, tells her that will not be discussed at this point. Bland questions what all these other people have been doing and the fact that he didn't interrupt them. Marshall informs her those individuals were asking budget questions and they are still discussing ord. 37-19 which is in the budget. Marshall indicated after the recess that he was going to start cutting down on the time and keeping their comments limited. Bland states she does have a budget question, too, about the Animal Shelter. Everyone seems to be upset about the zeroed-out line items for that department. She volunteered at the Animal Shelter for a year and recalls the previous Director telling her that they don't ever have to pay for cat or dog food at the shelter, it is all given to them. Bland states that she expressed that was great and then started working there and refers to Gregory's comment that they did not put any money in the budget. Bland then asks if anyone has ever seen any receipts for dog or cat food purchased through the shelter. The council shake their head no. Bland states it is because they don't and they get it all donated. She recalls the volunteers having a truck (that they paid for using their own money) and every seven weeks would go over to the Indy Humane Society to get all the dog food the volunteers could load onto a truck within an hour. Cat food is limited. Chewy.com donates all of their food to Indy Humane and rescues and shelters all over the state of Indiana can make an appointment and go to get that for free. Bland states the Animal Shelter does need money for litter, she will say that. They receive 10-20 bags of litter and with 300-400 cats, there is no way that is enough. There does need to be something in the budget, she does not know if food and litter is in the same line (in which it is) but they do definitely need money for litter. When she first started out there, Phil and Melissa were actually taking up money from the kids that were making \$10.10 an hour to go out to buy their own litter. Bland was told by the current director now that the reason that was happening is because the Director was using the credit card for personal expenses and they had no money left. Marshall interjects and states that is another issue that they are not doing to go into. Marshall continues if she has seen something criminal then she needs to report it. Bland exclaims she did tell all of the council members and none of them have done anything, including the Mayor, who has covered it all up. Marshall explains he is not a police officer. Bland states that is what she is trying to tell everyone, if the Mayor had not let them get away with everything, this would have never been in that situation. Marshall, again, states none of them up on the council are police officers.

Pastor Jerry Blevins, Higher Praise Ministry, E. 26th St, Muncie, has a question about the ambulance service and asks if Marshall wants him to wait until they get to that specifically. Marshall states yes. Blevins has no problem with waiting and kindly thanks them.

Jason Chafin, President of the Muncie Fire Union, states a lot of people already talked about the budget process and the allocation of money. He understands it perfectly. There was allocated monies which they then shifted it around. His issue and

questions would be there being one non-reverting fund, which is Fund #104 out of Center Township. The way this city has worked for the last decade(s) is we don't have capital expenses. As a fire department, they don't have or nor do they have the ability on a year to year basis to budget for a \$500,000 fire truck or \$375,000 set of turnout gear. The MFD has one non-reverting fund that the Fire Chief, and next years Fire Chief will be able to use, or save, for capital expenditures. There is an agreement with Center Township on the usage of that fund in the mechanisms of long ago. Right now, under this current budget that we are all seeing tonight, there is contractual items like his holiday pay or his pension contributions from the city. The council is basically telling the Fire Chief or the next Fire Chief, that they have to go to the Center Township Trustee and sign off to say I (Chafin) need to have holiday pay, pension pay, overtime pay. Chafin knows them being aware of the collective bargaining process, but with eleven guys retiring this year, they all have severest time. Just the \$105,000 that it is sitting at now is inadequate. Chafin is separating that totally from the EMS overtime. So, we know that is an inadequate number. You are basically going to tell the Center Township Trustee that we've already budgeted this money for you, this non-reverting fund that the city of Muncie and fire department have, and hope that he or she says absolutely, I'll spend that however you guys want. You're risking my (Chafin) pension payments on Center Township agreeing to your budget model. Chafin doesn't believe he is wrong in this. Secondly, the committee needed to zero those line items out to cut the money to balance the budget for DGLF so this budget can be sent in and be approved. They had to pick line items somewhere to get it right. DGLF originally told the Finance Chair \$16.7 million and he believes she raised it to \$18 million. Powell states no, that DGLF originally told them \$22.9 million. Chafin states that is the circuit breaker loss. Powell confirms. Chafin asked that they still went with \$18, though. Powell explains DGLF gave them the option to use a less conservative circuit breaker loss. Chafin goes on based on the year 2018, aren't the numbers for 2020 even more conservative than last year? The last year we have a full year for would be 2018 because we are in the middle of 2019. So, in 2018, we have a full calendar year to look to see how much money we actually brought in in property taxes, after you look at the circuit breaker losses. There is that number, despite the fact that property taxes are going up because of an increased assessment over these last few years. We are using an even more conservative number to set the budget for 2020. Chafin questions if he is not right? Going forward, that \$18 million number is not a number that the Finance Committee had to have. That was not set in stone. It was an arbitrary decision made by the Finance Committee to say it's a conservative position and we will be safe with this number but we will have to cut these line items and hope we can reallocate them through other ways in January. That number, again, was arbitrary and it didn't have to be that number. If it didn't have to be that number, then items like his pension, didn't have to be in the hands of the Center Township Trustee and that whole process which is not what that non-reverting fund was designed to do. Again, later tonight when we get to the EMS ordinance, the council has before them Anderson Fire Departments' budget and can see the capital outlays that they have in their budget that the city of Muncie has never have had. There is one fund MFD had to do that with and the Finance Committee just allocated with his pension and other contractual obligations. Powell states the number for the circuit breaker loss was given to her by DLGF that was confirmed through the Controller was \$22,973,926. Powell looked up the actual property tax cap impact for the last ten years, just to get a good idea of what the estimated versus the actual is. The most we have ever had was \$16,726,660. It has gone up every year. We are one of those strange cities, there is only three of us in the state, that we continue to see an increase in our circuit breaker losses. What we did was she spoke with Ryan Burke, our DLGF rep, and he said that while they can't suggest that we go with a number lower than \$22,973,926, we are free to do that if that is what we want to do. So, we did use the total of \$18 million when the Finance Committee went over the budget and that meant they had to cut only \$5 million out of the budget to make the estimated revenues line up with the expenditures, rather than cut \$8.9 million out. That money in Fund #104, Powell agrees, is set aside through that ordinance but that ordinance allows it to be used for fire protection services. Chafin confirms there is procedure there. He has one last thing on the budget process because this is the way they've been doing it since he has been involved with the city of Muncie. He is aware of all three mayoral candidates being here tonight. If you were to talk to Chip Taylor or the guys at the Bowen Institute, the way we budget is 1940's. We need to update the way we do this because if we don't, we will be continuing using these numbers when we don't know what line items are coming back to at the end of the year. You really don't know those things. Yes, you can reallocate all these things back in January with all these other line items that don't end up getting spent coming December 31st of this year. Updating that model of how we budget would eliminate a lot of this confusion.

Duke Campbell, Street Superintendent, was not afforded the opportunity as a few other people to see this paper (list of cuts). He noticed that Public Works, called Public Safety by the Finance Committee, 220-line item MVH Fund, first asks if these cuts that are listed are the only cuts planned to make to the Street Department, if they are made. Powell states if adopted, those are the recommendations. Campbell asks that there is no other hidden info or anything else that might be cut. Powell states no. Campbell would like to make a statement. The Street Department has always been on budget or under budget as the council ought to know. There are reasons why, in some line items, there are some monies left. They are preparing for winter and have to operate that way. Going down the list and referring to part-time, with the limited staff that they have and the contractual obligations that they do have, when cutting out what they budget for (pretty much the same amount every year) and the Finance Committee cuts out \$20,000 of the \$75,000 which will be to detrimental to the department to get a few things done in the summertime and even the wintertime. They don't just plow streets, they clean sidewalks that they are all liable to clean to because its city property, for example. Parks, Canon Commons, Walnut streetscape, etc. would not be able to get done and Campbell can tell them that right now. He asks for the Finance Committee and council to rethink that. When it comes down to the other thing he noticed about

training fees, yes, they didn't use it but signal techs have to go, which are alternated every two years and have to get certified. It occurs one getting certified one year and another one getting certified the next year. The sign crew has not been to training for the last two years, he believes it was three years ago that they had to go because they have to meet federal standards and guidelines when it comes to those things and especially the signal techs. This is a big liability. The other line item, Other Services & Charges, which is anything they contract out. Those are not construction costs. Other Services & Charges are things like engineering costs. They budgeted \$105,000 but the Finance Committee cut it about in half as a recommendation. That leaves \$55,000 and the Street Department has projects going on where there are inspectors need to be paid (which sort of gets into the 221 account). That is not going to leave the Street department for an engineer to review drainage issues when someone wants to build or when some company comes in and they have to have all that reviewed. That is going to make it tough for next year. Campbell just wanted to bring that to everyone's attention. For the people in the audience, this has nothing to do with the General Fund, nothing at all. These monies come from the state and the only tax a citizen pays into the Street department budget is the wheel tax when you go to the license branch and pay \$25. Past that, the Street department doesn't even draw a red cent out of the General Fund. Campbell someone much have a crystal ball because if they can see these cuts working next year, they're a genius.

Megan Quirk, City Attorney for the city of Muncie, had some statements she wants to make sure that everyone understands, for the general public and people watching online as well. She wants to address the statements made by Kathy Bland that she had told people of wrongdoings and it was never investigated. That is not true. They did investigate it and the allegations that she made were found to be untrue. That was something that happened and it was done and that is what they had to do as an internal protection for the city for any sort of lawsuits or any other sort of employment-based lawsuits. Quirk would like to remind Bland too, that although public officials do have a higher standard, as far as with the defamatory statements that can be made to them that, sincerely, there are fine lines with that and Bland, sincerely, needs to make sure she herself understand those fine lines because what she was saying was wrong. The second statement that Quirk would like to make is that throughout this budget process, the Finance Committee has met and during that time period, there has been no public input. That means that the department heads did not have an opportunity to answer questions or go through things whenever stuff was starting to be cut. It was more of a working session and that is what she had observed while attending the meetings, as well as others. That is why there is this kind of questioning now, at the City Council proper meeting. The third thing that Quirk would like to remind everyone is when the Indiana voters decided to place the constitutional amendment for property tax caps, what the Indiana legislators decided to do is establish a public safety LOIT. What that money was put into place for was as an addition to the monies that the legislature could see cities struggling with to pay for public safety. It was not to replace what was in the General Fund or what was there for the public safety units, it was there to add to. Quirk just wants to make sure everyone understands that was the purpose of that money and the reason it was voted in as the way it was. Questions called.

Anderson confirms the remaining council members aside from the Finance Committee, just received the list of recommended cuts and haven't really had an opportunity to go through and dissect the recommendations. The audience has made some very good points. For him, he would like to (at least) chew on this for a little bit. He recommends possibly Tabling it. Nemyer informs them that they can Table it, but they will have to "continue" the meeting and not "adjourn" the meeting. There will then have to be a special meeting within ten days' notice. Anderson thinks that the people have something to say about this and have input. Marshall reminds Anderson that the Finance Committee has had how many meetings. Powell answers the initial first three where they received information from the department heads, which at that time, they did come in and give input on specific line items, then the committee had five working sessions with no input.

Gregory states they worked with 350-some individual lines that were General Fund impacted and they have probably 130-some lines that they actually made changes on. Part of their thoughts were that they didn't want to impact people, job positions (if they could keep from it) and thought Other Services & Charges were less important than people. Gregory is perfectly willing, even though they spent hours doing this, \$60 here and \$1000 there to get to \$5 million, to taking suggestions and changing these numbers. Just be aware, there aren't big line items where you are going to find another \$2 million to put back in the fire department lines the Finance Committee is purposing to come for re-appropriations next year but anyone is welcome to try.

Polk states that as a member of the Finance Committee, they did take this very seriously about not cutting, especially the public safety and really anybody but, he knows he has spoke with fire and police, as far as cutting individuals. We really need to look at adding more officers out on the streets to protect this city. If we don't do something like we (Finance Committee) had proposed, then he guesses it will force the hand of the next administration to have to make some cuts. That is not what they wanted to see and is why they proposed what they did as far as the amendments. It was a joint effort between the three of them on the Finance Committee, that they had decided (pretty much from day one) that they did not want to cut individuals and rather cut Other Services & Charges and things like that.

Ridenour appreciates the efforts of the Finance Committee and attended several of the meetings, although, he did have some meetings of his own on some nights so wasn't able to attend them all. His observation, again, with no input from the audience, in so many of the budget items, what was done last year was looked at and the decision was made to keep it the same. We didn't do that with the \$18 million. Actually, keeping it the same would have been \$16.7, and he asks isn't that what Powell said last year was. Powell states \$16.79. Ridenour confirms and that is a curious thing to him as they head into 2020. He also knows it was

recommended to cut out all of the Rainy Day Fund, so all \$538,000 that has been saved over the years is gone, as part of this budget. Ridenour sees many, many challenges and to have randomly picked an \$18 million (maybe its not random) but so many of the other items talked about to department after department and line item after line item with 'they used four so it looks like they will use five when the year is done so let's keep it at \$5,000.' We didn't do that with that \$18 million. He just would like some further explanations as to where the Finance Committee came up to the \$18 million. Powell explains the Rainy Day Fund wasn't funded for 2019 because that was removed by the Department of Local Government and Finance (DLGF) because we didn't have enough sufficient funds to fund our budget last year. That \$539,000 that was budgeted for 2019 was removed, not by council but by the DLGF for insufficient funds to fund that line item. We still had \$539,000 in that fund from the previous year. We took that \$539,000 that had been appropriated and put into the budget by Nemyer (Controller) to appropriate for next year to get us closer to that \$5 million mark because we would rather cut that out than to lose full-time staff. Ridenour understands that but his specific question was he would like a little better explanation on why \$18 million was picked instead of keeping the line the same as the other years because other departments were expected to stay at the same levels. He is just curious and doesn't know the rationale and would like an explanation. Powell states they increased the estimated circuit breaker loss because it has increased every year, being reviewed from Gateway. Ridenour asks what the increase over the last three years was. Powell states the increase from 2018 to 2019 was about \$500,000. Ridenour comments so it was no where near the \$1.2. Powell explains that is just for the General Fund. The total that the Finance Committee was given by the DLGF was \$22.9 and is what they expect you to grace for but the committee thought that was too conservative so they chose the \$18 million because it would give leeway. In 2012, it went from \$8 million to \$13 million. In 2014, it went from \$13 million to \$14.7 million. Ridenour asks specifically about 2017 to 2018. Powell states it was \$16.7 and then it went down to \$16.2 but went back up to almost \$16.8. Ridenour states looking at the last three-year average, \$16.7 plus \$16.2 plus \$16.8 makes it somewhere right around \$16.6 or \$16.7. Ridenour just feels like maybe there is something they can do with that \$18 million. He does not know, again, he is not on the Finance Committee and wasn't a part of that discussion but is just curious. Nemyer states they could use any number they want for the circuit breaker loss, it is just that the larger the number you have, the more that you will have to cut because the larger the number is how much more money you are not getting. Nemyer goes on they used a figure in the General Fund last year of \$14,756,000, he believes. Ridenour appreciates the Finance Committee cutting put the Health Insurance on City Council, he has been asking for that for years, so was happy to see that.

Attorney Hunter suggest to the council to take a look at the first page of this budget because it says right on its face that the adoption meeting date is Monday, October 7, 2019. Ridenour jokes that they have two hours and eleven minutes remaining. Hunter explains he guesses the council could continue this meeting but he does not know how the DLGF is going to treat that. What could happen is it revert to last year's budget and then it is left up to DLGF on what cuts to make. Gregory states that is the alternative. Hunter would not suggest that being a wise alternative. Anderson asks if this has happened before. Gregory answers in 2008, 2009 and 2010 and one of those was vetoed so it went back. Hunter explains the risk the council runs is taking it out of their own hands and put it in the hands of DLGF to do whatever they want. Hunter understands the dilemma Anderson mentioned but he does not know what to do about that. He can say he is concerned about the procedural logistics. One year, Hunter recalls, the statute didn't require this and this was well before any of the current council members were on the council, but they took it up with DLGF with respect there was no date the adoption was published at all. That was Mr. Gilkison and Mr. Clark along with Hunter who were the city attorneys at that time. Times, though, have changed since the last century. Hunter cautions the council that if they need to take another break and go over the changes, his real feeling is that there should be a vote tonight. That is just his gut feeling and what he suggests for the council to do. However, members on the council have every right to make a motion to Table this. Anderson asks for clarification of that then resulting in a Special Meeting. Hunter suggests how that would work logistically is the council would Table this, get on with the other business and at the end of the meeting, Bring it off the Table, and pick a date (right then) to continue this meeting till. That would be Hunter's best estimate as the best procedural vehicle to go about that. That way, it is actually off the Table but the meeting is continued and the council would have to pick a date and time before they leave tonight. Anderson explains he feels a little uncomfortable voting for it tonight but if they so chose to go ahead and make a motion and roll call, then everyone already knows his answer. Hunter asks if anyone has called for questions.

Gregory states they have several options. They could adopt these changes that the Finance Committee recommended, they could take out some of the cuts (particularly those in the fire department) that they expect to pull money back in and re-appropriate next year, they could vote no on the whole thing and go with the original budget (which will ensure that DLGF will come in and do a budget that is different) or pass no budget and go with last years. Hunter explains his notes state the council has already voted on the amendment. That is correct but Gregory states they could amend them again. Hunter states they absolutely could do so. Marshall explains he would like the council to do their due diligence and do their own job and not let DLGF do their job for them. Powell wants to also make note that the Standing Committee of the Finance Committee makes recommendations to the council as a whole but every member of council up here has the opportunity to make reductions and bring their own set of reductions to the meeting for suggestions and ideas. Powell and Gregory inform that these (reductions) can be changed. Powell asks Anderson what reductions he is considering. Anderson states it is surprising that some of the department heads didn't know what was going on. Powell states they had suggested in their meetings, that were live-streamed but she is open to.

Sarah Beach, Personnel Director for the city of Muncie, wants to address the comment about department heads not knowing and she thought it would be wise to explain why they don't know. Marshall wasn't going to let anyone else speak but decides to let Beach comment. Beach has been the Personnel Director since 2012. This is the first year there has been any public meetings from the Finance Committee, outside of where they meet with department heads. Everything else has been done behind the scenes and department heads have never known what the cuts are until they are announced here in these meetings. This is the first year, and she is assuming because transparency has become such an issue that there have been meetings outside of the department head meetings and they don't ask. They just go over the budget and say "in June you used 'X' amount of money so we think you probably aren't going to use 'Y' amount of money." They don't ask the department heads what they are using it for and don't usually seem to understand that they make a lot of their purchases at the end of the year to get them set up to start the new year where they don't need to make purchases in the beginning of the year. A lot of their finances are spent at the end of the year. None the less, the department heads don't normally ever know what the cuts are until they are made in the meeting they are having right now. Beach asks her fellow department heads if any of them know what these cuts were today. No. None of them knew until they were given this piece of paper by the Finance Chair, today. Were department heads asking for the cuts all day today? Yes, they were. They were wanting to know what the cuts were. They did not get them until this meeting tonight. That is why department heads don't know.

Marshall asks the Finance Committee if they stand by this reduced budget and if they do so to make a motion to vote on this. Gregory informs him that motion is already on the table now. Marshall asks the Clerk for clarification. City Clerk, Melissa Peckinpugh, explains the motion was made by Powell and seconded by Gregory. Marshall confirms there is a first and a second on the adoption of the amended budget and clarifies they have to take a vote. A roll call vote showed 3 yeas (Powell, Polk and Gregory) and 6 nays (Peters, Hampton, Anderson, Dishman, Ridenour and Marshall). DENIED. Powell asks for clarification, does that mean they will now go forward with the proposed 2019 budget. The Clerk informs her that is not her decision to make. Hunter states he thought he made that clear. It reverts back to 2018.

ORD. 38-19 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2020. (MUNCIE SANITARY DISTRICT BUDGET)

A motion is made by Polk and seconded by Anderson to Adopt.

Mark McKinney, Attorney for the Sanitary District, explains that last month, Deanna Cox was here to introduce the Muncie Sanitary Districts budget. She is the Billing and Financial Manager. Unfortunately, she could not be here tonight and is on vacation this week. What was done was Cox and the board sat down and tried to prepare responses to the questions the council had asked at the previous meeting. McKinney has been handed the questions and Cox and the board's answers to those questions. He can read the answers but did distribute copies to the council prior to tonight's meeting. Marshall requests for McKinney to read the questions and their answers. McKinney proceeds: Q: What is the money in "Repair and Maintenance of Equipment" used for? A: The \$350,000 number is used for the "Repair and Maintenance" of the Sanitation trucks and vehicles. The trash trucks are serviced on a weekly basis to keep them from breaking down. Example: replacement parts, greasing, repairs and inspections. There was a question about the fund numbers starting with "42" in the line item code came from the City of Muncie's New World software system and are categorized as some type of "supplies," the Muncie Sanitary District has no control on how the categories are described. Q: What are "Other Services and Charges?" A: The "Other Services and Charges" fund, budget amount of \$294,000, is used for a large number of items, including the contract with Cintas for the floor mats, the Sonitrol Security System, the fire suppression system, the cleaning contract, the contract with American Pest Professionals for the prevention of rodents/insects, alley maintenance, Cover-Tek and for IDEM permits, just to name a few examples of bills or invoices paid out of that fund. IDEM permits on several thousands of dollars each. The fire suppression system costs \$40,000 per year. Q: Did we bid out for disposal services? A: No, we do not. The "Disposal Service" fund, for the budget amount of \$2,597,500, started in 1998 when Dan Canan was the Mayor. The Muncie Sanitary District has a 10-year contract with East Central Indiana Recycling (ECR) which was just renewed last year. ECR handles the recycling program as well. ECR has invested \$5,00,000 in the recycling plant which has over 30 employees; this has enabled MSD to provide recycling services to the city free of charge. Q: What are we using the "Building fund" for? A: The Building fund (\$700,000) is used for the building and ground maintenance. MSD also uses this fund for two permits under the Indiana Department of Environmental Management (IDEM) in order to stay in compliance with fuel tanks and certain property issues. Because MSD has saved money on the cost of their fleet by using compressed natural gas (CNG) versus diesel, and MSD has also accumulated extra money from the sale of the CNG to outside entities such as the Muncie Police Department and Best Way Disposal, they are then able to fund projects without raising property taxes. That is something McKinney would like to call to everyone's attention. MSD is asking for the same budget that was passed last year with no increases in the amount requested. Q: How many employees do you have? A: There are 40 Sanitation employees (33 full time and 7 part time) that are covered in the Salaries and Wages funding 275-77. In 1999, MSD had 65 full time and 10-12 part time employees. Q: Why is the "recycling 275-99 salaries and wages" not included in the "275-77 salaries and wages" and is this all for one person? A: Line item 275-79 Recycling Salaries and wages was set up many years ago at the recommendation of the State Board of Accounts and Department of Local Government Finance. MSD has not filled that position in recent years, however, it appears MSD may need to fill this position in 2020. McKinney understands that once a line item is created it doesn't get eliminated and stays there. Q: What is "Advertising" for? A: It is used for advertising bid packets. That line item, is

currently \$0.00, however, MSD does anticipate needing funding in the future in that account. For example, MSD purchased new trucks in 2013. In the near future, they will need to start the replacement cycle again and will need to produce bid packets and advertise for the bids. Also, once a line item is added to the city of Muncie's New World software system, that line item cannot be removed per State Board of Accounts. Q: Why does the subcategory of "Office Supplies" have "office supplies", "repair and maintenance of equipment", and "repair and maintenance" underneath it, and why is \$350,000 needed in that category? A: DLGF has established that all fund numbers starting with 42 are categorized as "supplies." These accounts have been set up and managed this way for many years. After the questions that arose last month, Cox will attempt to, with DLGF and the State Board of Accounts, try and change the categories or subcategories so that it would make more sense for the next year. There is huge range of services and supplies that fall under this category. Q: Why is there \$370,000 budgeted for "vehicles?" A: The budget for "Vehicles" of \$370,000 is for the lease payments of four garbage trucks. The final question dealt with the 3% salary rate increase and in regards to that, the city of Muncie has given their employees eight weeks of vacation; MSD maxes out at five weeks after 25 years of service. Also, in some recent years, MSD employees did not receive any salary rate increases. This is sort-of a balancing of the benefits, McKinney supposes. That is the entirety of Cox's response.

Hampton considers this nothing but a lawyer's dodge and also saw there has been a bit of fluff that MSD gave tonight and has lots of questions about this budget. Hampton thinks one of the problem's this city has is for too long, MSD has been beyond scrutiny. For all of this money that MSD is spending, this is a damn thin document and apologizes for his language. Starting with line item 413026 of \$4,200 of Life Insurance and asks who gets or is the beneficiary of this life insurance. McKinney asks if that was a question that was asked at the last council meeting but is interrupted by Hampton. McKinney explains he did not write this document that Hampton called a lawyer dodge. McKinney is just reporting it. Secondly, McKinney explains that he cannot answer any questions about the budget that was not brought up and addressed by Cox and the board. Period. Hampton requests to Table this until there can be a Public Services Committee Meeting and question the board personally about some of this stuff. By looking through this budget, yes there is office supplies, office supplies, office supplies. There is no list of vendors, therefore, have no idea where this is going. Hampton personally knows that MSD had \$5,000 in employee and city gift cards that the State Board of Accounts said MSD had no accounting for. Hampton explains that is a little tiny slice of this big pie. McKinney states that is inaccurate. Hampton states it is not inaccurate because he was at the meeting. McKinney states it is inaccurate representation and to stick to the facts. Hampton continues with line item 432021 Travel of \$10,000 and asks who is getting paid to travel and where are they going. McKinney states employees have to travel for conferences, training, there is all sorts of travel that occurs. Hampton states in this day of online technology, the only thing being missed by not going to these conferences is hospitality rooms. Why not put them (the employee) on a Miller bus if they need to get there. \$10,000 is way too much for the rate payers and tax payers of this community to put up with. Hampton doesn't make no secrets about it and considers the MSD not much more than an access pool of corruption. Hampton wants to know with the consideration of building a \$17 million edifice to Bill Smith's ego out there on Waid Ave and asks wouldn't that be better spent doing something about the failing retention pond at Exide. McKinney suggests to stick to the facts. Hampton exclaims he is sticking to the facts. Marshall calls order and states to address questions and answers on the actual ordinance that is in front of them, which is ord. 38-19.

A motion is made by Hampton to Table until there can be a meeting of the Public Services Committee, as Chairman, Hampton will call that meeting as soon as he can confirm that the other people involved and of course the Sanitary Board can attend. Attorney Hunter states normally, those are non-debatable but he did not hear a seconded. This is the same issue with respect to this budget, as it was with the city budget. The third page has exactly what the city budget has, which is an adoption date of tonight. They would treat this the same as Hunter suggested with the city budget. If there is a motion and a second to Table, it is non-debatable and needs to be voted on. Hampton withdraws his motion and is ready to vote. Questions called.

Gregory has a comment, in the course of analyzing potential cuts, the Finance Committee was looking at all of the funds that the city has access to. In that report, there are several that are MSD funds. Gregory didn't pay a lot of attention to them but noticed that a lot of them have very healthy balances and she urges (and maybe they are all designated restricted funds that can't be used for anything else but, and if that is the case, fine) that the Sanitary Board review those funds and if possible, to re-appropriate any of those funds into operating funds so that the impact to property tax payers could be lessened next year. Gregory urges them to do that because from a PR standpoint, it is kind of like "wow, they are dinging us bigtime." She thinks if the Sanitary Board could review that, it would be worth their effort. McKinney states that is reasonable and doesn't think anybody would have a problem with that. He does not know those particular funds and wouldn't know if there was an increase in property taxes for next year. Gregory is just saying if any of those funds can be moved into operating or the retail part of the business can be moved into the General Fund part of it, she encourages MSD to do so because utilities keep going up and up and up. If they could make it easier for people, she thinks it is something they ought to do. McKinney does not know if this is necessary for the people that know what they are doing on this but if Gregory could identify those funds and send an e-mail to Cox and let her answer that. Gregory will do that.

Peters recalls being the person that asked about the 3% increase and voted down their budget last year because of that same reason. She just wants to state the fact of why she will be voting how she will be voting. Peters claims the fact that city employees get 2% and Sanitary District wants 3% does not seem fair to everybody else that gets out and works just as hard, if not

harder and puts their lives on the line. Everybody should be on the same pay. McKinney agrees, except that they (MSD employees) haven't taken raises over the past few years and they don't get as much vacation.

Anderson directs to McKinney the question of how long the city has been approving the Sanitation's budget. How far back does that go? McKinney believes the District was created in 1967. Marshall makes the comment he had asked Hunter that same question and recalls it being fairly recent. Gregory states it started within the last two terms. Hunter states there was a period of time when this council did not approve the MITS budget nor the Sanitary District budget but then that changed and (it seemed to him) it was somewhere around 2010, maybe 2012. For those that came onto the council in 2012, he doesn't recall if they always done it, approved it, but it is getting late in the evening and his memory is failing him. Gregory does not think it was before 2012. Marshall states it has been within the last eight years. Anderson states his point being, he knows it is a separate entity but they should have total control of their own. The council shouldn't have anything to do with it but, as the city, he guesses they are overseer. Anderson claims the (council) doesn't know the day to day operations which they go through, at least, he doesn't. He thinks they, not necessarily stand on their own, but if the council has to do something, they need to be a part of what is going on in there, not just when they bring forward a budget that the council picks apart because they deserve those raises, if necessary. Hunter states the rationale behind that was to put at least some oversight in the hands of elected officials, not appointed officials. Anderson understands. Hunter adds that none of those people are elected, they are all appointed positions, none of the board members of the Sanitation District or the MITS board are elected officials. That was, as he recalls, the rationale of it.

Hampton asks that on the term "advertising" and understands advertising for bids, that is great, but what he wants to know is how much is being paid for those billboards on SR 67 and Interstate 69. Hampton maintains there is nobody who has one in ten thousand vehicles in this country that uses that compressed natural gas. If an owner or operator, driving down Interstate 69 sees that billboard and says "oh, thank God, there is a station, I'm almost out of gas." They don't make those decisions on the fly. They got an app on their phone that tells them where every single one of those stations are. Why are we wasting money advertising for that station? Also, as part of that advertising question, Hampton asks if the department is still doing Bob & Tom slots for the Muncie Sanitary District gas station, the most expensive air-time in the state. Is that still going on? He does not know because he does not listen to them at all. McKinney states he has no idea. Hampton states okay and moves on. There is a line item 422023 for \$55,000 for Tires and Tubes. Actually, Hampton thinks that is very reasonable for all the trucks and vehicles at the Sanitary District but then you get down to line 422023 Tires and Tubes again for only \$650. Whose car is that for? Marshall asks if these questions are on the budget that is being discussed right now. Hampton states absolutely, every one of these line items are line items out of this budget. McKinney asks if Hampton asked that question last month. Hampton states no. McKinney states okay, there you go. Hampton guesses they won't be hearing the answers tonight either. Marshall states they are going to move forward. Hampton would actually like to amend this and strike line item 432021 Travel for \$10,000 from this budget. McKinney states Hampton does not have the authority to strike anything from the budget. Hampton has been advised that is not necessarily true. Marshall asks Hunter to explain. Hunter states it is a document that is before the council that the council can amend, if they shall choose to do so. Any council person on any ordinance is able to ask to have it amended. Hampton thanks him. Hunter states to be honest, he looked at that specific question about whether they could or couldn't and he couldn't find that they could not, nor any authority that says that they could not, which reverts back to their rules. They have a document in from of them and move to amend it. Hampton moves on that motion and asks for a second. No one from the council seconded. Hampton answers his own question with a "guess not." Questions called. A roll call vote showed 5 yeas (Anderson, Dishman, Gregory, Ridneour, Polk) and 3 nays (Powell, Peters, Hampton, and 1 abstain (Marshall). ADOPTED.

ORD. 39-19 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2020. (MITS BUDGET)

A motion is made by Polk and seconded by Hampton to Adopt.

Rebecca Meadows, Director of Finance with MITS, is here to answer any questions anyone may have along with Mike White, the City Council appointed representor from the MITS board, confirmed by Marshall. Questions called. Hampton asks how she did such a good job over there. As Marshall asks for roll call, and the Clerk starts calling roll, Mr. Rick Yencer shouts from the auditorium aisle on his way up to the podium. Marshall tells him that he has already started the roll call but Yencer continues up to the podium. White jokingly states that Yencer is coming up to state he is going to tell them that he is giving MITS the extra \$600,000 so they can run on Sunday. Marshall tells Yencer that this is the second time the council has dealt with this issue, they start do roll call and Yencer is dramatic. Yencer claims he just turned 65 and needs a little time getting up. Marshall states Yencer can still tell him from his seat that he has a question, before Marshall calls for roll call. Marshall asks Hunter if since he has already called roll, if he has to listen to Yencer's comments. Marshall then asks for roll call, again. Yencer shouts to remember the people being left behind on Sunday. Numerous comments come from the audience to let Yencer talk and to pay attention to what is going on. Marshall addresses that he gave Yencer a chance and Yencer could have informed Marshall that he wanted to speak instead of just getting up and not saying anything. Yencer did the same thing the last time he got up and spoke. Yencer (now from his seat) will say the same thing time after time, he (Marshall) needs to give people a chance. Marshall decides to let Yencer speak but claims that Yencer could have told Marshall from his chair that he wanted to speak because, again, he did the same thing last meeting. Yencer asks if they remember the song, "stand up and shout!!!!!" and just wanted to make one thing clear in this marketing study that the bus service

provided him. The changes, in this order, of what people want is more services in the evening, increase Saturday and Sunday service. Yencer was here back in 1980, when the city took this over and the first thing they did was give it to private company. Over those years, this service has not drastically changed. Yencer was also told by a board member, that it is only going to cost \$600,000 out of the (what is it) \$8 million that they are spending now. White confirms it is \$7 million. Yencer then asks the Finance Committee if they reviewed this budget. Powell and Gregory confirm no. Yencer states okay, so given who he has talked to and where he has worked, in both faith and inner-city neighborhoods, people want this service. The very least that can be done, in this case, is to test it.

White states in the study, it was very clear that the fourth and fifth priorities dealt with more service. They are already sticking this large foot into a very small shoe. In order to get more service, there are two choices. One is \$614,000 more, which is what they calculated it would take to run a Sunday service. Or, they start cutting out hours. That one, White is very reluctant to do. The idea of cutting three or four hours off of some of these routes means that in the morning or in the evening, somebody is not going to get there. They (the MITS board) want to try Sunday service. They just haven't figured out how to come up with the money yet. They are welcome to any suggestions. \$600,000 may not sound like a lot but to them (MITS), it is about 9% of their budget. There is no place else to cut and if anymore is cut, MITS employees would be leaving. Yencer suggests taking the buses out of Ball State. The university runs their own buses and he has seen city bus, Ball State bus, city bus before. Again, talking to Ball State might remedy this problem too. Hampton states Ball State buses don't bring anyone downtown, though. MITS facilitates Ball State students, utilizing downtown businesses, our county building, etc. That is made possible, for a lot of people, because they can get on a MITS bus. In some cases, they can throw their bicycle on the front of a MITS bus and go half-way on the bus and the other half on their bike. Hampton doesn't think it is a good idea to cut service during the week. He sympathizes with people who have a hard time getting somewhere on Sunday. A lot of times if you are going to go to church somewhere, you can have a friend at church come pick you up. White addresses Yencer stating that the board agrees on this issue. There are too many buses running in the city and if he (Yencer) can figure out how to convince Ball State to (maybe) work a little closer with the city. The board has sent their administration to Ball State on multiple occasions and he is not going to get into speculation as to why but does say the answer from Ball State has been no.

Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 40-19 WITHDRAWN (9/9/19).

ORD. 41-19 AN ADDITIONAL APPROPRIATION ORDINANCE. (MPD)

A motion is made by Polk and seconded by Gregory to Adopt.

Audie Barber, 610 W. 11th St, states this is about \$100,000 the police department is trying to get and wants an explanation why the department wants this money at budget time.

Mark Vollmar, Muncie Deputy Police Chief, explains they are wanting to buy five police cars that are used from the city of Mooresville Police Department. That totals about \$82,000 and then they have to purchase cages and radios and tablets/computers for each car. These cars already have lights, siren bars and gun locks so the only question is that Mooresville may only be able to sell four cars instead of five, so, the department has looking into Andy Mohr and Ford in Plainfield (maybe) to buy another car. That is what that money is for.

Peters confirms this is coming out of the police departments own LOIT money and just coming in front of council to be able to move it from LOIT to this area. Vollmar can't confirm that. Gregory states this was for vehicle repairs, not new vehicles. She asks if this has changed from last month because last month, Nemyer states it was for vehicle repairs. Vollmar states yes. Gregory explains that this was the ordinance introduced last month but there is a new ordinance (ord. 47-19) that is for \$95,000. Barber states if they need cars, that is fine. He just wanted to know what they were spending the money on. That was all he wanted to know. Peters believes that ord. 41-19 is for repairs. That is coming out of their own LOIT. Then, ord. 47-19 which will be coming up in a few minutes is probably the one Vollmar is referring to for the purchase of. That also is coming out of the police departments LOIT. It just goes before council to make sure that moving around of the money is correct. Vollmar, again, states Nemyer would have to answer that. Ridenour states this is not the first time he has seen vehicles purchased from Plainfield and asks if there is a Ford dealer in town. Vollmar states yes, but Ford in Muncie doesn't have used police cars. The department wants to purchase used, not new. Ridenour knew Vollmar said the department was looking into five but if they had to get four was looking at a dealer and confirms that dealer has a used police car. Vollmar confirms. Questions called. Gregory reminds everyone this is for vehicle repairs.

A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 42-19 WITHDRAWN (9/9/19).

A motion is made by Gregory and seconded by Polk to Recess. An all-in-favor vote showed 9 yeas and 0 nays. FIVE MINUTE RECESS. Meeting will pick backup at 10:40 pm.

A motion is made by Dishman and seconded by Gregory to Bring Ord. 28-19 Off the Table.

A roll call vote showed 7 yeas, 1 nay (Hampton) and 1 abstain (Marshall). MOTION CARRIED.

ORD. 28-19 AN ORDINANCE TO VACATE WAID AVE. IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (MUNCIE SANITARY DISTRICT)

A motion is made by Polk and seconded by Gregory to Introduce.

The council all talk amongst themselves and determine this ordinance was never introduced.

Mark McKinney, Attorney for Muncie Sanitary District, states this was addressed at a public meeting a couple of months ago during the BorgWarner meeting. McKinney was here for the public meeting but left in the confusion and didn't realize he needed to stay for the regular meeting. McKinney is back to address this and thanks the council for taking it off the table. The District did ask to modify the original petition, slightly. As can be seen on the diagram, there is a small sliver on the west side of Martin Luther King Jr. Blvd. The engineers believed this was originally maybe a fall-out right hand turn lane onto Waid but regardless, it is off the roadway and so the request is there be a motion to modify the previously introduced ordinance or amend it to allow for the addition of that sliver of the west side of MLK Jr. Blvd. Marshall asks if McKinney has a copy of that diagram. McKinney states he has already passed that out and prepared a draft so the council could see what the changes were, specifically, if anyone is interested. Gregory asks if McKinney can inform the council what the District wants amended. McKinney states by looking at the graphic. Gregory asks Hunter if the council needs to amend graphics. Gregory then asks McKinney if the text in the ordinance changes. McKinney states yes. Gregory asks for a copy of that change. McKinney provides copies.

A motion is made by Gregory and seconded by Powell to Amend Ord. 28-19 as provided in the new text in Sec. 1, Sec. A and B, to replace the boldfaced unlabeled two-lines in Sec. 1 of the prior version.

A roll call vote showed 7 yeas (Dishman, Powell, Peters, Anderson, Ridenour, Polk Gregory), 1 nay (Hampton) and 1 abstain (Marshall). AMENDED.

A motion is made by Gregory and seconded by Powell to Introduce As Amended.

Marshall asks if McKinney has anything else to add. McKinney states one thing he would like to add and refers to the yellow portion of the graphic. Questions called.

Carl Malone, 813 N. Riley, asks Marshall that when Gregory made her comment earlier at 7:00, citizens didn't have a chance to address it at that time right then and there. Marshall states he discussed with a few members of the council and everyone will have the chance to speak at the end of the meeting. Malone exclaims that means those people would be last after being called "monkey." The community should have had the opportunity to address it right then and there, if Gregory's apology was sincere. Marshall states they will allow comments at the end of the meeting. Malone asks why anyone was allowed to address her apology when she made it. Marshall states these comments have nothing to do with the ordinance in discussion right now. Malone explains it is almost 11:00 PM and these people have been here since 7:15. Marshall apologizes profusely. Malone again, tries to explain that half the people that wanted to address Gregory has done left. Marshall apologizes. Malone asks why the public was not allowed to make a public comment when she made her apology. Marshall states he will allow people to make public comment. Malone adds that at the end of the meeting and last, again. Marshall states that is where it falls under on the Agenda and apologizes. Malone states Marshall is not answering his question explaining that Marshall allowed Gregory to make her apology so why the public didn't have the opportunity to comment. Marshall states that is the way... but is cut off by Malone before finishing. Malone exclaims it is not the way it is but the way that he (Marshall) is running it tonight. Gregory made that comment so the public should have had the opportunity to make their comments. Marshall, again, states they will allow for the public to make comments. Malone, again, states at the end. Marshall asks why it matters if the statement is made in the beginning, middle or end of the meeting. Malone states Gregory didn't make her apology at the end of the meeting. When she made her apology, the community should have had the opportunity to make their comment right then and there. Marshall will let Malone make his comment but it is going to be at the end of the meeting and apologizes for the inconvenience but that is the way it is going to be done.

Questions called. An all-in-favor vote showed 5 yeas (Anderson, Powell, Dishman, Peters and Gregory), 3 nays (Hampton, Ridenour and Polk) and 1 abstain (Marshall). INTRODUCED AS AMENDED.

NEW ORDINANCES:

ORD. 43-19 AN ORDINANCE AMENDING CHAPTER 80, SCHEDULE I, ONE WAY STREETS AND ALLEYS, OF THE CODE OF ORDINANCES OF THE CITY OF MUNCIE, INDIANA.

A motion is made by Polk and seconded by Gregory to Introduce.

Duke Campbell, Street Superintendent, states this ordinance deals with Washing Street from Monroe to High. There was some misinformation out there. The Mayor has had several neighborhood meetings with the East Central Neighborhood Association (Campbell still calls it Kimbrough) and the misinformation was that this is going to affect the neighborhood. It does not affect their neighborhood. Campbell adds that there has been too many one-way streets in Muncie for people to try and navigate. One of the biggest problems in Muncie is having two one-way highways going through the city. That makes it very difficult to begin with. It was the Mayor's undertaking and they have changed four streets now to two-way and Campbell has not heard anything negative about

the change. This passed through the Board of Works and Campbell is asking for the council's consideration and favorable vote on this ordinance. Question called. Gregory does not understand Part 2 where it states Washington between Monroe and Ohio the direction is east but is that one-way or two-way. Campbell states that is staying one-way. Hunter adds it is only two-way from Monroe to Ohio. Campbell states the ordinance should say that from Monroe to Ohio is not going to be changed. It is still on the list of one-way streets. Campbell explains the ordinance is meant to deal with and Gregory cuts him off by stating she understands. Campbell states the County Commissioners have done their part to move the sidewalk back to allow for parking there. It was a big undertaking and he thinks it is working quite well. There was actually a resident or two that said hey, I wish I could jump out on Washington but having said that, he likes it and hasn't heard any negatives.

Brian Shaw, 600 E. Washington St, President of the East Central Neighborhood Association, thanks Campbell and the Mayor for listening to the concerns of those in the neighborhood. The residents asked to keep that one section one-way just due to safety concerns and increased traffic. They were open to the idea of making it two-way with some accommodations like speed humps, speed bumps, new curbs, things like that which could help with safety with increased traffic and it just wasn't in the budget to do that. He thanks them for keeping it one-way because there were several people in the neighborhood that have requested that it stay that way. Shaw thanks them for listening.

Questions called. An all-in-favor showed 9 yeas and 0 nays. INTRODUCED.

ORD. 44-19 AN AMENDMENT TO THE ORDINANCE OF THE CITY OF MUNCIE, INDIANA, ESTABLISHING AND DESIGNATING A FEE SCHEDULE FOR THE INTERLOCAL AGREEMENT WITH CENTER TOWNSHIP FOR FIRE PROTECTION SERVICES.

A motion is made by Polk and seconded by Hampton to Introduce.

Megan Quirk, one of the City Attorneys for the city of Muncie, explains this was drafted in conjunction with the Center Township Protection Services Agreement which, for everyone's knowledge, the city of Muncie is in the middle of Center Township. This fee schedule is exactly the same one that Delaware County just recently approved. The thought behind it is to have the city of Muncie's fee schedule to mirror the Delaware County fee schedule so that is the going rate for these types of services. Moving forward, we would be able to have those types of fees incurred for the different services within the city of Muncie and Center Township.

Eddie Bell, Fire Chief for the city of Muncie, wants to make everybody clear that Delaware County already has this fee schedule in place. The fire department is not changing anything, all they are doing is adopting this fee schedule. Now, that is the same fee schedule that when Delaware County operates within the city and has to call Level 3 staffing in, other ambulance services (like Salem Township or Eaton), they charge the very same rate. Anybody that operates within the city limits is charged that very same rate for any ambulance services that helps with Delaware County EMS. The department is asking no more than just to be added in to that.

Jason Chafin, Muncie Fire Union President, wanted to express his support for this ordinance, on behalf of not administration (past, present or future) but on behalf of his firefighters that he represents. They can talk about yesterdays past processes, side-steps, etc. but we're here today and the present and future is what needs to be talked about. His firefighters are eager and willing in providing these skills for the citizens of Muncie and Center Township in general. What he is not asking for the council to do tonight is to endorse this service. What he is asking for the council to do is introduce this. Over the next month, until the next meeting to come back to finalize this, he asks that everyone does their homework. Chafin is sure that Chief Bell would then have more and better numbers to go off of, come November, when it will be a month of being into this program. There will be more information available then. Chafin request to introduce this tonight. He drafted a packet and provided it to the entire council. He knows there has been a lot of misinformation. Everybody has an opinion about this and most people haven't even researched it. This is a complicated issue that doesn't keep people from having opinions because that is their right but some people have basically outright lied about this issue. Most of all, there has just been confusion because of it being complex. That is why he prepared this packet, on behalf of Local #1348, for the council to have over this next course of the month to ask questions on and learn from. The first section is a couple of op-eds that Chafin had written and public writings that the council may not have seen. The second section is some of the stuff that has went on with the Interlocal Agreements over the last several months as the city and county had worked towards getting an ALS intercept and Interlocal Agreement. It gives some real e-mails, real letters, as there is a letter in the packet from September 29th where the County Commissioners had agreed in principle to the Interlocal Agreement and it show the county's response to the Intercept Agreement. Again, we all know, Heartland was chosen for the Intercept Agreement and by the city and their contract was awarded through the Public Works. That was \$150 an intercept. As can be seen from the paperwork in this packet, DCEMS offered back \$250 an intercept and said that is what Anderson does, therefore, is what was preferred. That is \$100 more. The only reason that Anderson charges that much is because they don't want to do it. They want to stay in the city of Anderson so they don't want to go to Elwood and Alexandria to provide ALS services unless have to so they charge an outrageous rate and keep it as a last resort so they don't have to leave their citizens of Anderson. So, to quote Anderson, again, was misleading

and ended up being \$100 over the Heartland quote. Again, Chafin feels sorry for his DCEMS colleagues because he would like to be working alongside them on the streets right now, personally. But, that was a decision made above their heads that had ramifications because as city citizens, we shouldn't be charging \$100 extra for an intercept over what everybody else charges. All three documents are in the packet. Chafin is the Union President and not privy to every communication, but the ones he was and letters he was privy to were included in this packet for the council to review. He also recruited some national statistics about the fire services role in the EMS and how that has increased over the last ten years. Over the last couple of years, we have heard a lot about the Anderson Fire Department and if they make money, etc. so he wanted to try and clear that all up. There is a case study provided in the packet, of the Anderson Fire Departments services that they provide, the revenues that they generate, don't generate, every number that could possibly be done. As the Union President and as a firefighter, some of the budgets he has looked through make him excited because he sees where they (Anderson) buy fire gear every five years and on a rotating basis, out of their EMS fund. Chafin sees where they (Anderson) purchase fire trucks literally almost every year. If they skip a year, it is because they are saving for an extra-large truck the following year. They buy a new ambulance every year. These are the kind of things that we have never had as a Muncie Fire Service. Those are the kind of things they want. Chafin explains it is no news that with the tax caps and everything else the city cannot give the department everything they want to. So, the department has to do this extra work and put in these extra calls to get this opportunity for themselves. There is a section in the packet on overtime costs because, obviously, the council is the fiscal body and concerned about finances. There is another section in the packet where Chafin pretended this program has been up and running since 2016 and used real data. He used a sample for both 2017 and 2018 and every single day of 2018, if this program was running, how many overtime shifts would have been called and the exact costs. The next section is from the billing company themselves that shows the breakdown of different payments and the fee schedules for different types of runs. Again, it is complicated. There is ALS1, ALS2, BLS, non-emergency, emergency, all these things, so it is complicated and every patient is going to be a little different. That is why you don't really necessarily have exact numbers until that bill comes in but you can get pretty close using that billing services and company's actual data and collection rate for each individual type of call. Chafin believes the breakdown is about twenty different call types. He had two days' worth of data, just because he started preparing this last Wednesday, of actual data of what the fire-based MES had done on Monday, September 30th and Tuesday, October 1st. Again, it is not statically significant but hopefully by the next meeting when this get discussed for the final vote, there will be even better numbers available. Those early snapshots and obviously, knowing a little bit more (because it did just start Monday) show that the amount of calls being taken fall right under the billing estimates from the billing associates. They took 52 calls those first two days and if they estimate the money that would be generated yearly on the medical billing company, Muncie was two calls over that, those first two days. 9,000 calls a year is 25 calls a day and Muncie was two calls over that, as far as transports go. We are right on pace with those numbers and the overtime costs for those days will be far eclipsed. The (estimated) math is in the packet. Chafin hopes that this packet gives the council most of what they would need but they are welcome to contact him along with Chief Bell, Chief Clark or the county. Talk to everyone because so much of the general public has been or is so misinformed on so many different things. Of course, everyone has an opinion but what they need for the councils opinion to be is the educated one, where they researched it and did their homework. Chafin knows Ridenour has done a lot of homework on this along with Powell, Gregory and Polk. They all do their research. Chafin closes by stating he asks that the council introduce this ordinance tonight and do some homework for next month.

Aspen Ruddick, 2312 E. 23rd St, has a quick question for Chief Bell. Delaware County has where if they don't transport, they don't bill. Her main question is on the billing situation with Heartland EMS and the BLS firetruck ambulance that comes on scene. If a BLS truck arrives on scene and then determines that they need the ALS backup, is this patient receiving two different bills, one from Heartland and one from MFD or is it one bill that is together. To her, that is kind of concerning if that person is on a fixed income and depending on what insurance will not pay and or will pay. Chief Bell states from his understanding, there can only be one bill from one agency. If we (MFD) is on scene and ALS intercepts, MFD will bill and then give them the intercept fee.

Pastor Jerry Blevins, Higher Praise, 2126 E. 26th St. asks if he can talk now. This sounds like a church board meeting. This is the second City Council meeting he has attended and he wants to thank everyone for letting him come tonight. He would like to talk about this ambulance service. If people remember right, back in the summer, there was a lady on Batavia and 12th Street that got in a car wreck and crossed one lane, went down the other. She had to be cut out of the wrecked car and she ended up passing away. This was one of his church members. Where his church is located at is where he likes to call "in the tracks." He has two comments about in the tracks and out of the tracks. If the fire department got there and done everything they needed to do, if he understands correctly, the ambulance was delayed by a train or something, but was late getting there. The other point he wanted to make is that they used to use the Muncie Mission Chapel for a church on Sunday night. One of the ladies there suffered from seizure and had one on this particular evening. Blevins states they called 911. The fire department was immediately there and had everything under control. About six to eight minutes later, the ambulance showed up. She didn't need transported. Another example he would like to

make is that he lives in Indian Village and four years ago, his granddaughter was pregnant with their first great grand-baby. One day, she and family members thought she was suffering from a heart attack while pregnant, they, again, called 911. The local fire department was there and had everything under control. The only thing they couldn't do was transport her. They had to wait for the ambulance to get there. Come to find out, when a mother is pregnant, the baby will sometime lay on the gallbladder and that gallbladder won't reactivate. Blevins states with how important it is that lady that had the seizures is supposed to have a magnet and when she goes into a seizure, rub the magnet over her but she didn't physically have it on her at that time. What he is saying though, is the first department was there and the ambulance was way late. By the time the ambulance got there, the fire department had everything under control. Blevins is a combat veteran who has served his country and is glad he did. No one owns him anything. What is a life. Blevins begins to tear up and asks again, what value do you put on a life? In Vietnam, they got medics and after Korea, learned something that when the helicopters come, they were able to be treated right then. How many seconds does it take for that individual to go down in (what is it) cardiac arrest, or an auto accident? What is a lifespan before the medics get there? Maybe he is not explaining it too good but what he wanted to ask was what is the price of a life. Blevins has friends that didn't get to come home because the people to save them couldn't get there to them on time. When he looks at this and listens to everyone, he is glad and thanks everyone for our freedom to have these discussions. The bottom line is, what is the value of a life.

Polk did not see a fee schedule included in the ordinance and asks if there is anyway the council can get one between now and the next meeting. Chief Bell states certainty. Polk prefers it in the next week or so, so that they can go over it.

Ridenour has a number of things and just wants the council to know some of the (what he guesses) he would call his due diligence that he has been trying to do on this. After the Waelz facility, he decided never again is he going to do that. He is going to make sure that he looks into everything. He is not going to say what he said to these people or what they told him but he had meetings with Jason Chafin and a couple meetings with Jason Rogers. Ridenour, the day after finding out about it, immediately called Heartland, had a good phone conversation and went and toured their facility. Ridenour states he didn't know anything about them. (Ridenour is fighting a cold and explains he is not getting emotional because it sounds like he is crying.) He went to Heartland and was impressed with what he saw and heard but was extremely disappointed that the agreement is not with Delaware County EMS. It is nothing personal Mr. Jackson (Heartland), who Ridenour appreciates being here tonight. Ridenour also talked with Rachel Clark, speaking on the phone a number of times but this being the first time he actually sat down with her. Ridenour also talked with Jan Kornilow, and good luck getting information from him, being very secretive. But all in all, Ridenour had good and long conversations with Dr. Bird at IU Health. Ridenour continues there were conversations with some County Commissioners, Delaware County council people and Muncie city council people. He still hasn't decided but is probably going to vote for introduction because the council needs to do the best job possible of research before making final decisions. He will tell everyone one thing that he is considering is taking these fees and splitting them fifty-fifty with part going into the General Fund (because there are some problems that needs to be addressed) and then part of it going into Fund #104. He may look into doing something like that and would like to get the Finance Committee's opinion on that. What Ridenour was told by some of the people was that this would be the right thing for the city to do. What he was told by other people is this is a horrible thing to do. It is important that they, the council, do their due diligence and make the right decision when this comes up in November. That is just his opinion. Ridenour does have the fee schedule and got his copy from the county along with the ordinances that are listed in this. In Ord. 44-19, the clerk quickly gave him the documents from 2013 and 2014 that are referenced and he went to the county for the others. He just asks that they do their homework, do it right and make a proper decision when this comes about in November. That is his recommendation to the council.

Peters states when this was very first brought to them, yes, she is totally up for voting to get this introduced and she feels the same as Ridenour about certain things. The funds all going into Fund #104, she has a problem with. The reason being when all the info about this program first came about, it was going to be offset the wear and tear on the fire trucks, Peters has had people call her and ask her why fire trucks are still responding following the ambulances. The other thing is it was supposed to help offset the General Fund. They definitely need to look into the way of moving that around however they need to do it and not just into Fund #104 and leaving it sit or to be moved around however. Chief Bell states first of all, when they brought this to the council, the department was in a situation where they said they would split the money fifty-fifty. But, after several of the people on the council basically said that "we don't think this is something that is going to be good for the city, we don't think that it is going to be self-sustaining," was when Bell came forward and said the department is willing to take that chance and if they don't make enough money, they will take it out of the Center Township Fund. That is the only reason it made it to the Center Township Fund was because nobody up here thought that it could be self-sustaining. Peters states she and Bell have had that conversation before. She can only speak for herself and she does not think that she ever thought it couldn't be, she just wanted numbers that prove that it could be. Peters, again, refers to the many discussions she and Bell have had and the fact that she just wanted to clarify those two things on this.

Dishman agrees with Pastor Blevins and states everybody is playing games and this is a matter of life and death out there. He was driving around the river the other day and a train stretched across the tracks, completely stopped, and he had to sit there for ten minutes. He ended up following it all the way down to Tillotson and it was stopped across Tillotson, as well. People have complained about this recently and nothing has been done. Right here, we are talking about someone's life. The ambulances are strategically placed and those tracks should not be a big deal but it is right now. He has always asked that question, how much do you value a life? Could you put a price on a life? Everybody is playing politics with it right now and Dishman hates that. Bell agrees. Dishman just wants to get this done and over with so that they don't have peoples lives at steak. When ambulances are coming in from Yorktown and Eaton and even New Castle, that is disgraceful when there is an ambulance service here that can't provide that kind of stuff. Bell states that is basically why the fire department has done this. They put their ambulances in these areas that they thought needed help as far as getting there in a decent amount of time. Someone spoke the other day and said that they were rushing into it, which, they are not. When you are strategically placed throughout the city and decide to pick three stations that are going to most effect the ambulance running then that makes a difference. It is not that you are overdoing anything. What it is, is having good placement. That is where the department put those stations, inside the tracks. Dishman states he wasn't for it when in involved a bunch of ambulances because that is a lot of costs. We are only talking four ambulances that were already bought. Bell confirms. Dishman adds that they are in the places where they need to be and seen one on Bunch Blvd. just today. Quit playing politics with this and get it passed. This is unreal. While there is foolishness going on, someone is going to lose their life over somebody playing politics.

Hampton agrees with Dishman and Pastor Blevins on this and that is you can't really put a price n a life. He has the same concerns with the sustainability of this and the finances. He does hope he can get the answers to those questions. They have talked before about this and that has been one of his concerns, like Peters said, the lack of data. Hampton has another concern too and that is maintaining the integrity of the merit system within the department. Bell states they have a great Merit Board, Dale Basham is a great President and does everything that he can do in the best way that he can do it. Bell states he looks to Basham for leadership, as far as everything that goes on from a daily to monthly basis. That is what they are going to do. They are going to follow Basham's lead. Hampton is specifically concerned about, (and this is no disburse on Commander Clark – he knows she is competent, a good person and her heart is in the right place) but promoting from Battalion Chief from outside the department when there is men and women that have seniority and qualifications do that. Bell explains that the problem is they don't have anybody on the Muncie Fire Department that has her skillset, training abilities or has ben in her field. That is exactly why they stepped outside the department and sometimes stepping outside the box has to be done to get the person to bring in to do the best job. When Bell went out and looked to fill the positions, he made sure to get someone that is competent and going to lead this fire department in the right direction and do what it needs to do to make sure that the citizens of Muncie are protected to the best of their ability.

Pastor Jerry Blevins, Higher Praise, 2126 E. 26th St, again, refers to the accident on 12th St. where she had to be cut out of the vehicle, if the ambulance had gotten there a little faster, could she have been saved. The other thing he mentions is the women he knew that went into seizures. The fire department had everything under control. He mentions the incident when his granddaughter almost had a heart attack. The fire department had it under control. There is one problem here. That problem is they couldn't transport. Patients have to wait six, eight minutes. If his granddaughter was seriously having a heart attack, they would have lost her. He doesn't believe in suing but the rest of the family would have persuaded it. Referring to the woman that had seizures, even though they had everything under control, they couldn't transport her. Turns out, it was something much deeper. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 45-19 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, AUTHORIZING THE ISSUANCE OF CITY OF MUNCIE, INDIANA, ECONOMIC DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF FINANCING AND REFINANCING CERTAIN ECONOMIC DEVELOPMENT PROJECTS AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO.

A motion is made by Polk and seconded by Anderson to Introduce.

Todd Donati, Muncie Redevelopment Commission, along with Lauren Mathis, Baker Tilly , Indianapolis, hopes this introduction will be short and sweet. Basically, this is a refinance. It is a process where the MRC is doing their due diligence on in trying to save money. There is no increase in any bonds or overall costs. There is no increase in the years. There is no difference. All of these have been approved and were approved by this council. Nothing is changed on those approvals. The only thing being done is the taking of a lot of these different interest rates and banks and some of these interest rates were variable rates and they are being consolidated into one rate, which means saving money. Donati gives a comparison to what this savings is; they recently did a bond for Accutech for \$1.5 million and doing this pays for half of that bond. Nothing else is changing. They are not asking for council to do any additional costs for any additional years. They are just asking for approval on the restructuring so the MRC could save that interest costs. Donati supplied an information sheet to explain and apologizes for the numbers on it being small. The coverage part of it is

important, as well. They have to maintain certain coverages in order to satisfy the original bonds that were in place. They are actually satisfying those coverages and by doing this and consolidating they are actually increasing those coverages and making that little bit better. When he says coverages, it means that they have enough money coming in by a larger margin than 100% to cover all these bonds. The bank just wants to make sure that gets done, even after expenses.

Peters asks, each time they go to refinance, how much it was to do the paperwork, either \$200,000 or \$250,000. Donati asks if she is meaning the original bonds or this one. Peters states to re-do these bonds, they have to pay again. Donati states yes, they have to pay one fee that they have to pay for the bond council and the finance but that has already been taken out. They are still saving that money, that Donati had given the savings, after issuing the bonds. Peters states they had just passed the river canal project and she sees it is already back in here. Lauren Mathis, Attorney with Baker Tilly, states that wasn't issued yet so they are just consolidating it at the same time. Donati states the Accutech bond and the White River Canal Project bond has not been funded yet but are a part of this (included) to get the rate down. Peters saw in the ordinance where it said it was going to be refinancing previous to the bond and had up to ninety-one days to pay that back. Peters asks for clarification as to what that is. Mathis explains they were allowing for a note to be issued but the only note that was issued was for the Accutech bonds. So, when they do these bonds, they will take out that note. There was potential to do one for White River Blvd but they didn't because it will just be done in this bond issue, assuming the council approves it. Donati explains why they did that which is because it takes longer than anticipated and they did not want to hold the money up along with the Accutech project so they went ahead and did a ban on that for ninety days so that they can get through this process and get that paid back. That pays that ban off. The city did a ban on, which is a note that it is anticipated to be paid off by the bond. It is a normal process but, they (Accutech) would have had to sit and wait for another ninety days and we (MRC) did not want them to do that.

Gregory states some of these are older bonds and a couple are fairly new. What year were they into those that overall refinancing says not to exceed 25, she assumes it will be 25. Mathis states no, it cannot go longer than the original term so none of the terms are being extended beyond the original terms. Donati confirms that they are not changing any of the terms. If it is going to be paid off in ten years, it is still going to be paid off in ten years. There is going to be a lot of different terms for it but nothing is changing. Gregory understands. Donati does ask a grave favor of the council mainly because he did have the original ordinance (and it is his fault) but since this can be complicated, they want to make sure they didn't have a lot of amendments (which were going to be had) and is why they did not go through with it last month (ord. 40-19). With introducing it this month and it is very important to keep this timeline going and because the council is not meeting until Tuesday, November 12th, it goes into where they have to get this out to get the quotes on the rates. They will not allow these quotes to go out until there is an adopted ordinance. So, because these have already been approved already and this is restructuring to save money, Donati asks if the council would please consider suspending the rules tonight to vote on this. They would like to go out and start quoting these rates to get this process completed. Anderson goes to make that motion but the council has not voted on introductions yet.

Ridneour refers to Cardinal Square being in 2013 so that \$5 million is going to be paid off in the same time frame. Ridneour adds it is being combined with another one that was a couple of years later, he believes. Mathis explains the leases stay the same, the bond term stays the same but will look blended when the bonds are issued but they are not extending the terms of each of those issues longer than the original term. Ridneour asks if it will be one. Donati explains that cannot be done, if they have already been approved and they can't spend anything without going back through the entire process. Mathis explains they are consolidating because they have the same security and both taxable bonds, they are putting Sustainable Muncie Corp. together with Cardinal which will be Series C which is why those are in a column together. Then, they have Map and Hilcroft together, because those are tax-exempt, so those would be together. Ridneour views himself as a financial person but is just trying to figure this out. He states those two in C total (what it says on page 2) \$9,470,000 but what the actual borrowing is going to be is \$10,510,000. Mathis states no and explains that was a maximum perimeter that was put in there but the actual estimated borrowing for the Series C is right now \$9,540,000. The ordinance allows for maximum parameters so it had \$10,510,000 as the amount. Ridneour states that was what he was provided. Mathis states that is what is in the ordinance but she is telling him what the estimated amount is that they need right now based on these interest rates to refinance this it would be \$9,540,000. Ridneour states the council had not been provided that and asks what the rate is. Mathis states there is different rates for each of these so for example, the taxable rates is 4.27%. Ridneour asks what it was in 2013. Mathis answers it is a variable rate but 5.36% currently and the other one is 5.25%. Ridneour asks if the council can amend this down to where it is in line with what she says it is going to be. Mathis states the whole reason there was a maximum set is the fact they aren't going to issue more than they need to because for refunding, you just can't. There has to be an escrow set up and it literally pays off the bonds. At the time of doing this, there is things they don't know like looking into getting a surety reserve, which is a decision that is made by insurers that will also be impacted by the rating. All those things could affect the amount, the rating and so forth. That is why they are trying to set parameters and then once that information is available, do the pricing. Ridneour confirms it is \$9.54 plus because they are definitely going to have a surety bond. Mathis

explains they don't know that for sure though. They are trying to get a surety bond. Donati adds that they hope to get one, but first needs a good rating. Mathis adds that they would have the surety to cover the reserve. Ridenour refers going over of the other ones as well but it was \$4.9 million. Mathis states \$4.6 is a maximum from the bond council but they are estimating \$4,065,000.

Steve Smith, 4700 N. Broadway, Muncie, wants clarity that this is basically taking all the bonds that has been taken out over the years, squishing it into one fund and saying they will all be paid off and people will have no ideals what those bond funds were anymore. Smith reiterates, two bonds that are going to be put together, Greenway and another one, so those two bonds will be put together, get a loan for that amount, save money but won't know what we took money out for, and will just have a balance of \$9.6 million to pay off. Mathis explains this is like refinancing your house so you do it at a lower interest rate that lowers the payments and that is what they are trying to do here. Whatever it paid for, it is still paying for that same project just at a lower rate. Smith states when he refinances his house, his house is still at 4700 N. Broadway, but these different funds, or things that have been appropriated through the years, that most people don't even know what those bonds went for. Now, here it is that the administration is going out, we are basically putting it into one pile and say that the administration that comes in after will have to deal with that \$9.6 million. Mathis states no, no, no. All they are doing here is there is a trustee that manages these funds, they make the payments on the bonds just like Smith would make his house payment. There is going to be a trustee and these bond payments will still go through a trustee and they will pay off the bonds. It is just that the bonds are at a lower amount so they will make less debt service payments a year, just like he would be lowering his house payments. The projects are built, Cardinal Square which was one of them, Map North, Hilcroft Services, those were the projects, they are still there, they are not hanging, that is what the bonds pay for. These bonds are just a refinance of those bonds. Smith asks if that would also include the ones that are coming in. Mathis states the new bonds that were approved by council, are going to be issued with a series and they are for the White River Canal Project and also the Accutech Project.

Jerry Wise, 326 Charles, Muncie, is concerned with how many bonds we (the city of Muncie) has out there, ten, fifteen, twenty. Mathis states that is not exactly relevant because they are reducing this number of bonds so whether there are ten bonds out there and this is taking it down to six, it is still taking them down. Mathis will have to check her documentation. Wise then asks where the savings goes and asks if it goes back to the council. Ridenour states no, the MRC. Mathis states they are not general obligation bonds, these are tax increment bonds. They are paid from tax increment. Wise states instead of \$50,000 a month, it is being taken down to \$40,000 or some number. Mathis states they are reducing it by almost \$1 million of gross savings. Wise asks where that \$1 million goes. Mathis states it saves the tax increment revenue which is used for Redevelopment Commission projects. Wise asks for clarification it has nothing to do with the budget. Mathis confirms, it has nothing to do with the budget.

Polk asks how many TIF districts this would impact. Mathis explains the MRC consolidated so this really is just the consolidated TIF area. Polk asks that Hilcroft being up north, MADJAX and Accutech downtown, is all one TIF. Mathis nods. Polk just wanted to state it for the public. Wise confirms it is \$50 million in bonds. Mathis states for the whole city, that includes equipment, truck loans, etc. She, again, states these bonds are not paid by general property taxes, though, they are paid by tax increment. Wise makes comments from his seat. Mathis reiterates the question is \$50 million of bonds, the majority of these are paid from tax increment, not general obligations by the public. They are paid basically from developer type projects. Wise asks if they are being paid for. Mathis states of course they are being paid for.

Brad Marshall, 3809 Vienna Woods, knows one of the things you can look at when refinancing a home is lower the payments or reduce the time and asks if a reduction in time of these bonds been considered since they are operating on this budget already. Mathis answers they are trying to keep a level lower debt service. They could do it different ways but this way is basically keeping it level and lowering all the payments over time. Mathis continues they have to keep a certain level of coverage so if they could all look at the schedule provided, it showing the level of coverage so if they would shorten it. There is a number of bond issues and the schedule shows the revenue and the different bonds that are out there. If they shorten them, it makes those earlier payments bigger and they have a certain amount that they are trying to keep a certain coverage here of around 140%-150%. B. Marshall asks what the required coverage is. Mathis states 150% coverage in order to do additional bonds. That is why they are working around to try and keep a certain level and if they shorten them, it makes the payments increase and the coverage go down. B. Marshall asks if bonds were closed out early, is there opportunity to close TIF districts early, as well? Mathis nods no and explains these bonds will have optional redemptions so if they can build up enough TIF they can pay them early. Donati adds that they have done that before, to save money. The discussion of lowering the cost, when Donati said that they were saving roughly half of the Accutech bond, which does not have enough capital increase from the renovations to pay for that bond so it comes directly from the TIF, anyway. Basically, by doing this, it actually pays for that extra half of that bond that they were going to have to cover anyway. Normally, if they do a bond, a lot of times the increased tax revenue pays directly 100% of that bond, not all of them, but in the Accutech state, since it is a renovation with not much of an increase. They are still doing \$1.5 million but it will probably get enough to cover about half of that anyway. In doing this, not on purpose, but it actually pays for that other half. So, it is a benefit in that

aspect. These all sunset and once that sunset expires, they can not do any additional bonds. If they are down to 17 years on a TIF, they could never exceed that, even in any bonds. They would have to stay within that 17 years or less.

Ridenour refers to the comment about wanting to be at 150% and asks if it is 150% and above. Mathis explains to issue additional bonds there is literally (like written in the documents) a certain coverage level is needed to issue more on parody. In the KPEP bonds, there was 150% coverage bond. They are right there, right now with all of this possibly. Ridenour states we are currently at 176% according to the schedule provided by Mathis and after this is done in 2020, we would be at 139%, according to the same schedule. He is just curious if this would be the next administration at a disadvantage. Mathis states all she can say is they are reducing the payments so that means they are increasing the coverage. If they do not do this, then the coverage would fall even lower. Ridenour confirms we are just in a position where we have challenges and Mathis is saying it would be below 139%. Mathis states no, you have to look at the whole strip of these coverage estimates. Ridenour was just commenting on the number Mathis just referenced the coverage. Mathis is saying all these numbers would be less if the debt surface is higher, the percentage goes down. If they don't do this refinancing then coverage is worse and they will be below 139% because debt surface is higher compared to revenue. By doing this, they are lowering debt service compared to the revenue which is what is making these coverages better than they were. By saving a gross amount of \$1 million, obviously, that is lowering these payments which is helping the coverage. Ridenour asks it being \$1 million in savings over what time frame. Mathis states gross, over the life of these bonds. Ridenour confirms so 21 years. The last part is being paid off in 2041. So, they would have to go 21 years to save the \$1 million. He asks how much it is per year. The \$250,000 that they are spending to redo these could have paid for the turnout gear (fire department). There are all kinds of things that can be done. Mathis explains this is net of that money being paid. It has nothing to do with the General Fund. Ridenour understands and states sometimes there is just choices that should be made but he is just asking questions. Mathis explains they are just trying to reduce the city debt that is paid from this particular source of funding, which does not affect the General Fund.

Steve Smith, 4700 N. Broadway, asks if the city does not do this, it will put us in such a position where we can't really borrow from our TIFs. Or, when we do refinance, it will bring the debt down so that we can. That is what Smith wants clarity on and directs his attention to the council. He wants to know when we refinance this, will that systematically allow us to borrow more money so that we can go into more debt. That is what it seems like to him. This is getting ready to be a balloon payment so they better refinance this or they will be in trouble to where they can not do certain things. He wants clarity to say that if they refinance this, then it is going to help us better our community, compared to just trying to cover up some stuff. Donati states everything is not a cover-up and they are not intending to borrow additional money. They don't go after bonds unless they have a project that supports that bond. They are not going to go out and do this and then go out tomorrow and say "hey, we just got an extra \$1 million so we are going to borrow \$2 million." That is not what this is for. They are trying to do their due diligence to be able to save money where they can to cover additional costs that they would normally have to pay out of pocket. Obviously, it seems confusing to some people that they are trying to cover-up something. He does not understand where Smith is coming from. Smith explains just for clarity, he wants it stated on record, on camera, that this is not putting us in a situation where we have already borrowed from our TIF districts. That is already a problem because we know we are 174% over where we should be. We (the community) want clarity! When he says 173%, he refers to us already borrowing too much money. Mathis exclaims no, no, no. That is misinterpretation. Smith continues, 2041 is when we will pay off this debt. That means his kids will pay taxes on this. Mathis states they will not. It is being paid from the TIF district. It is not being paid by the general property taxes. That means it is coming from the commercial properties that have grown in this area, only. Smith states it is known that the city of Muncie has to draw more people in to pay this down. Mathis states no, that is not true. Smith explains for eight years, there has been the opportunity to do this so why is it just now trying to get refinanced. Mathis states rates are very low and it is a good time to do it. Underwriters are interested in trying to make this happen. They are not always the financial advisor but have come in and are trying to help Muncie save money, reduce costs and reduce debt service payments. President Marshall states he has given both Smith and Wise plenty of time to talk but they need to move forward on this. Questions called. An all-in-favor vote showed 7 yeas and 2 nay, (Ridenour and Polk). INTRODUCED.

ORD. 46-19 AN ADDITIONAL APPROPRIATION ORDINANCE (CONTROLLER).

A motion is made by Polk and seconded by Hampton to Introduce.

Megan Quirk, City Attorney, explains this is to fund the Deputy Controller position for the rest of 2019. It is her understanding that the position is included in the 2020 budget for the Controller's office. The council confirms it is not, because the budget was voted down so it will revert back to the 2019 budget. Quirk reiterates, it is then to fund this position. What this position needs to do is primarily be a compliance officer for the city of Muncie. They have gone through many evolutions with the U.S. Department of Commerce, who grants the city of Muncie \$2 million for the Muncie Industrial Revolving Loan Fund. We have gone through different audits and what not with State Board of Accounts over the years where they are very concerned that we do not have enough

people, actual people not software or processes, but actual people going in and doing the checks and balances for the different grants that the city gets as well as with the Muncie Industrial Revolving Loan Fund and the Muncie Redevelopment Commission. All of those accounting processes need to be redone and revamped going through the Controller's office. They also have smaller grants, for example, one to the Animal Shelter in 2013 and because the then grant administrator did not do a follow-up reporting with the corporation that gave the grant then the city was kicked out of receiving that grant for the next three years so they could not apply for those grant dollars until 2016. Those are the different types of compliance issues that we need to make sure are taken care of. The Community Development has their own compliance and requirements through HUD. This person would not be dealing with those HUD dollars because that process and administration is set up separately using those HUD dollars. We are talking about the dollars that come from other sources, such as the U.S. Department of Commerce, the funds that come in with the Muncie Redevelopment Commission, the funds that come in through private grants or organizations, INDOT, those types of grants. Powell asks if this position was paid out of EDIT funds recently. Quirk answers no, this position has not been funded since prior to 2012. The position has been established along with a job description with the addition of the compliance aspect of it to make sure that we are in compliance with the requirements that we are having to meet with different grantors. Peters asks if this is a full-time position and this is just to over the rest of the year. Quirk answers yes but there has been no advertisement for it yet. This is why it is coming before council first, to ask for the additional appropriation. Prior to 7:00 PM tonight, that position was included in the 2020 budget but because that did not pass, here we are. Polk reiterates that this position has not been filled yet. Quirk confirms no. Polk asks when they anticipate advertising, would it be after the November 12th meeting. Quirk states it is not funded for next year. Quirk explains this has to be done from the grantor. If we are not in compliance, for example with the U.S. Department of Commerce, they will not grant us the \$2 million for the Muncie Industrial Revolving Load Fund. That is where we are at with this. We have been trying over the years to work. We have always had budget issues and it is at a point in time (Hampton and Gregory both know, they were in that interview with State Board of Accounts, this year) where we can not rely on technology or another employee or contact employee because quite frankly, when you have contract employees, you can not have any oversight over them like micromanaging or supervising. The Department of Labor has very strict standards on that. We need someone that is accountable, has a supervisor, and has checks and balances with the other departments. Polk confirms this would just be for seven weeks at \$11,512 for that time. Quirk confirms. Polk states that is pretty good money, \$1644 a week. Quirk explains it is a big job and we need someone with a legal understanding and a background to be able to read leave contracts. This is not a support staff person or someone to answer the phones. We need someone who actually is educated in this area and has the ability to read these contracts and understand and often negotiate with the different department heads and different grantor organizations to be able to do and meet the requirements necessary. Questions called.

Sarah Beach, Personnel Director, is not real sure because she is not looking at the ordinance but it was probably included in that the cost of the added benefits to it. Polk reiterates he was talking about was just salary of \$11,512 and then there is Medicare, PERF, FICA, life insurance, health insurance. There is a total of \$18,183. Beach explains the position will not get paid anymore than what has already been approved in the salary ordinance that the council passed last year for 2019. It would not be paid any more. It is a full-time position so they would be eligible for benefits.

Jerry Wise, states the city was over budget for this year and this is adding to that with a new position. Quirk answers yes, but because they have had sincere issues with meeting compliance standards of what is received from the federal government, from the state of Indiana and from other grants or organizations. It is, at this point, and Quirk has been lobbying (if you will) for the past four to five years of getting someone in that actually knew what they were doing to be able to do these compliance procedures to be a checks and balance to make sure that we are able to meet the legal compliance of what we are supposed to do under these agreements. Quirk continues there is a very real possibility this city would lose the U.S. Department of Commerce Economic Development grant for the Muncie Industrial Revolving Loan Fund if we do not have this person in place because that is one of the requirements that they said this city needed to have. State Board of Accounts, through that interview, said the very same thing on various different other state and federal grants that this city had. Hampton asks that because we have lacked this person so far, is there an estimate of what we may have lost in grants because of non-compliance. Quirk states it is really hard to tell. Hampton specifically asks if we have lost grants because we are non-compliant. Quirk states yes, we have lost a grant from Petco. Because of that contract employee that was in that position before did not follow-up with the grant reporting. There is money that we are still catching up on and that is with INDOT and Department of Transportation grants. We have things that we are finding that are coming and we are like "what in the Sam hell is going on" and that is because someone did not do their job two to three years ago. That is a big issue. We can not rely on software for someone who has specific jobs tasks to be able to take those accounting tasks that they are skilled for to be able to change that into compliant. It is two different skill sets. Hampton states if the city loses two to three grants a year due to this non-compliance, that is a significant amount of money. Quirk agrees. Hampton states it does take a very special qualification. It seems like when compared to what is lost by not being in compliance, it is not that much. Quirk asks for them

to please understand that this does not take or replace each department head or people within the departments because there is some grant applications that are fairly easy to do. If you, for example, can get a grant from Petco for \$40,000, that is great. But, to be able to have that same person then remember to do the follow-up reporting after it has been spent, that is what needs to be made sure that is in compliance. That is where a lot of non-profits, especially, that is a huge hurdle to overcome to make sure that those things are followed-up correctly so then there is no reason for someone to say “you didn’t do the final reporting, we are not going to take your application in the future.”

Sarah Beach, Personnel Director, just wanted to address Mr. Wise’s comment on the city being overbudget. The city is not overbudget. She explains that there is a budget set for next year. The budget we are in right now, we are not overbudget. We are in compliance with the budget that was adopted. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 47-19 AN ADDITIONAL APPROPRIATION ORDINANCE (MPD).

A motion is made by Polk and seconded by Peters to Introduce.

Kevin Nemyer, City Controller, explains this was what Deputy Chief Vollmar talked about during ord. 41-19.

Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

Terry Davis wants to know why the council did not do anything when Gregory said what she said. The entire council was sitting there when she said it, so why didn’t they do something and why is she still sitting there. Marshall claims he did not know what her statement was. Davis asks for clarification that Marshall really did not know what it was. Marshall states no, not until she said it. Davis asks why something hasn’t happened since she said it. Marshall states he is allowing everyone to talk at the end of the meeting. Davis states just that, the end of the meeting. It is five hours into a meeting that could have been over in two and a half hours if the council did not keep going over the budget, the budget, the budget. Davis exclaims to get it together and that this is ridiculous.

ORD. 48-19 AN ADDITIONAL APPROPRIATION ORDINANCE (COMMUNITY DEVELOPMENT).

A motion is made by Polk and seconded by Powell to Introduce.

Terry whit Bailey, Community Development Director, as stated in the earlier part of the meeting, they received a grant for \$324,742 from the Lead Hazard Reduction Demonstration and Healthy Homes funding. With that, they would like to have the additional appropriation through those dollars to fund a Planner 2 position. There are no additional dollars that are being spent from any other funding, other than the grant dollars they received. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

RESOLUTIONS:

A motion is made by Hampton and seconded by Gregory to Bring Res. 17-19 off the Table.

A roll call vote showed 9 yeas and 0 nays. MOTION CARRIED.

Todd Donati, Muncie Redevelopment Commission, states a representative from the company was here earlier. This is a tax abatement request from Philip’s Pattern & Casting Inc. to add new additional equipment that will help retain as many as 27 jobs and add an additional new one for a total of 28 jobs that will be involved. Obviously, with a tax abatement, this is in an already approved revitalization area. That is why it is by resolution. The amount of the personal property assessment for the last business was \$770,000. We are not talking a huge amount or additional amount of equipment but it is going to help maintain some jobs that he could lose if he doesn’t get this equipment. Questions called. A roll call vote showed 9 yeas and 0 nays. NO MOTION.

OTHER BUSINESS:

Mia Moore, 1025 N. Elgin St, Muncie, sat here all-night listening to everyone go back and forth about budgets, the fire department and police department, which she has friends on both sides. She listened to everyone go back and forth about Powell and her connections and arguing over the Sanitation budget for someone who used to work and collect checks from the Sanitary District, but Moore’s issue is with Gregory, specifically the comment she had made about McCullough Park. Moore lives in Whitely. She walks to that park, work-out and runs up and down the hill, attends events like Muncie Homecoming and basketball tournaments and while there, she looked around and didn’t see any monkeys. She is confused on where the monkeys were at that Gregory made that comment about. Moore felt it very offensive. At the beginning of the meeting, Gregory apologized and said she was sorry but for Moore, she doesn’t think Gregory was sincere. The simple fact that we live our life on social media with Twitter, Facebook, Instagram, Snapchat, etc. when Gregory made that comment and looked back at it within a couple of hours, Gregory could have

posted something. Gregory could have gotten a connection through the Star Press (Moore can give her that e-mail, if she would like) or something to say she apologized for her comment. Moore is so tired of everybody sitting around watching stuff happen but will not say anything. Just on Saturday, Moore was at an event and someone made a comment that was racial and did not make no sense. Somebody on this council, sat there and did not say anything to a woman that was being disrespected. Its silly. We have to stand up and learn to take responsibility for the actions and the stuff that comes out of our mouths.

Kristopher Bilbrey, states no one is here for their health. It has been a long meeting but the council has to understand that whether they like what anybody out in the audience is saying or not, or whether somebody is here from Muncie or Winchester, wherever, you people are sitting in the seat that you signed up to. You could all easily resign. You could all easily not run for re-election. So, the attitude that is given when people from the public, whether they live in Muncie or Winchester or outer space, when someone comes here to speak to you, the level of respect that you guys have refused to show, and it doesn't matter about what is going on politically or what someone said, or this or that, you signed up for a seat. There are council people packing up over here but the meeting is not over yet. Here is the deal. If you guys are too rude to sit where you are sitting, step the hell down from the seat. There are people out here who will do your jobs without the attitude. What the level of respect the council has shared here tonight has been absolutely ridiculous. Bilbrey refers to Hampton not being on council for three months and is just a placeholder that has had a major problem with everything going on and has been just as absolutely disrespectful. The comment that Gregory made a month ago, Bilbrey made a statement of it that night. He reached out to her on September 18th and she said nothing. The comment Gregory made at the beginning saying sorry, he just doesn't buy it either, and guess what, he is white.

Anitra Davis, 908 E. 9th St, comments that there has been a lot said tonight so she is going to keep it brief. She does want to address that she wants us all to understand what "monkey" means in the black community. "Monkey" was used as a form of a way to dehumanize black people. If you understand that, you can understand the anger, bitterness and how upset people are about this situation. Davis can not accept Gregory's apology tonight, only because she had plenty of time to address this. Davis is disappointed, more than anything, because she feels like Gregory is an elected official and is supposed to represent her (Davis). Davis feels like if she is a "monkey," Gregory can't represent her. If that is how she truly feels, she needs to step down. Davis tried to show the upmost respect to all of the council members because they have a difficult job, they really do. Davis will be up there soon so she respects all that they are doing. Accountability is what the public wants. When you do something wrong, or say something wrong and address something wrong, you need to be held accountable for your actions. Tonight, you (Gregory) are being held accountable. People waited until the early, wee hours of the morning to have their points be heard. Davis just wishes that Gregory respected her constituents so much more by addressing this earlier. All the text messages, all the emails, everything that was sent to Gregory from other organizations (that Davis had heard of) and there was no response. Gregory needed to address it, immediately. Davis also wants to address the community in how proud she is. The days of being silent about overt racism is over. We are going to come and hold people accountable for their actions. If you say something wrong, if you do something wrong, we are going to stand up about it. There will be no more silence. We will not stay silent about anything. There you have it.

Yvonne Thompson, representing Muncie Human Rights Commission, states everything has really been said, referring to Councilperson Gregory. The only thing that Thompson can bring up is that there is an ordinance in the city of Muncie code, Section 32.6 that says members can be expelled. It is 2/3 vote of the council that can do that. The thing of it is, the council is held accountable for their actions. Thompson is disappointed in what Gregory said but more so that she didn't say anything to anybody until tonight. The NAAACP contacted her. Thompson also sent Gregory an e-mail. Gregory states it wasn't to her. Thompson adds that it was about Gregory, though. Thompson wasn't going to let that slip and wanted Gregory to know, they are not going to let those things slip. It was very disappointing, that she represents all of us (the community) and she let that slip out of her mouth. How dare her, she ought to be ashamed of herself and should resign.

Tara Gudger, 1913 E. Kirk St, also wants to address Gregory. Gudger was completely offended by what Gregory said. She tried to listen to it over and over and over again thinking maybe, she didn't hear it correctly. Gudger likes to tell people that at 47 years of age, she is not her ancestors. Her ancestors put up with a lot, lynching's, losing jobs because of the color of their skin, being called boy, n****r, all those things but she is not that person. For Gregory to sit up here, representing all the people in the city of Muncie, specifically her district, is just disrespectful. There is just no other way to say it. Anytime you refer to animals in an area where there are black people, and you use "monkey" is never going to fly. Gudger does not understand what could have even made Gregory's brain fix her mouth to say that because if she were to talk about somebody's story working in a park many years ago, (Gudger has heard this story, her mom was there when there was a bear in the hill and all that mess) but if I am going to refer to animals still

being there, I would never have used a “monkey.” Gudger thinks that whatever is in Gregory, she will have to deal with that and God. There is no helping her with that. But she just wants Gregory to know that for Gudger, as a woman of color, completely disrespected by her, a woman who was voted into this council. Gudger hopes that the people out here, today, and everywhere listening, know that they need to not vote for Gregory. Gudger agrees with Thompson, that Gregory needs to step down. Gudger does not want a person like Gregory representing her and the people out here if that is her views and how she feels.

Forrest Bowers, 1205 N. Brentwood Lane, Muncie, states he is deeply disappointed in what transpired this evening/this morning and from what he is hearing. Bowers will pray for all of the council and for all of this community. Goodnight.

Kathy Bland, 6104 W. Bethel, had a long three-minute speech to make tonight but since everything that has happened she decided to change that up a little bit. First and foremost, the reason she came tonight was she wanted to apologize to Councilperson Powell. at the August 5th City Council meeting, Bland gotten up and spoke about her information being run on the IDAX through the Indiana State Police from someone here in Muncie. There were some other reports that had also been done and had been proven that it was from the Muncie Police Department and Powell’s son was one of the ones that did it. To Bland, when she received that email on August 2nd, she thought “why else?” Bland has not done anything illegal and doesn’t have speeding tickets so why would someone run the information so it made sense. Bland had contacted Powell and three other council members about the things that were going on at the Animal Shelter and was frustrated because no one really gave her any ideas. Bland realizes that the council members are not police and can not go arrest people but she felt that people just looked at it for a second and then did what they had to do to satisfy her and dropped it because it is an election year. Bland was wrong. She never stated exactly that Powell did it but it was implicating that she went through the records and it ended up being a deputy on the Sherriff’s Department here in Muncie. Bland spoke with Sherriff Skinner on Saturday who told her that he talked to the deputy and he said he could not remember. It was ran on January 28th at 11:39 at night. Bland is never out (until tonight) at 11:39 at night, she is always in bed by 10:00, may not be asleep but is always in bed. There is some reason that was run and it was ran illegally. Bland does not know why yet and is not going to report it when it is done because frankly, she doesn’t care anymore. She just wanted to apologize to Powell. Bland will pray for the city because after hearing what she did tonight, it is horrible what is going on. The fact that Bland is an honest citizen and what she has said is the truth. She will submit to any lie detector test, anywhere they want or do whatever they want to her to do but what he has reported to this council and to every organization around is the truth. Hopefully, the FBI, which she has also reported to them and they are the only ones. If she had lied, she would be arrested.

Terry Whitt Bailey, 3605 W. Pettigrew Dr, stands before them today to express her concern and displeasure in the actions of an individual who accompanied Councilperson Ridenour to a neighborhood association function this past Saturday. During the event this individual used an extremely derogatory term, “house n****r” when addressing Bailey on two occasions. Not only did he use the term in a disparagingly manner, he was admonished by two members of the clergy for this slur. He also made those remarks in the presence of Ridenour. Not only did he not say anything, he left the facility. The neighborhood association president came out to address him, personally, about the incident. When Bailey exited the facility, instead of addressing her, he chose to leave the neighborhood association function. Bailey has since seen Ridenour on three occasions since that incident on Saturday and he has not apologized for the behavior of his supporter. Bailey is actually not as concerned about the actions of his supporter as she is concerned that he did nothing to correct or diffuse the situation. This is most concerning and disturbing to her and should be concerning to the people of Muncie. Bailey claims how Ridenour says its time for leadership, but Saturday did not prove that. He did due diligence on the fire-based EMS but not on his volunteers. Shirley Chisholm was right when she said “racism is so universal in this country, so widespread, so deep-seated that it is invisible because its so normal.” If we continue to allow racism to rear its ugly head and not speak up when it happens, we are not showing leadership and perpetuating the evil that it is.

Shameka Gordon, 417 E. 7th St, refers to the bible saying what you put in your mouth goes into your stomach and then out of your body but what is in your heart will come directly out of your mouth. The biggest lie that was told to her as a kid was sticks and stone may break your bones but words will never hurt. That was the biggest lie that was ever told her. Words can either build you up or tear you down. What Gordon has heard and seen tonight has tore some people down. Referring to Gregory, Gordon encourages her to watch what she says in the position she is in. Gordon has a leadership position at her church as a Minister and can not go around talking about people or calling people racial slurs because of the title that she holds at her church. It is not even about a title. It is about being respectful to people and the people around you. Gordon has a dance team and has to be a mentor to them. If we don’t stand for something, guess what, we will fall for anything. Referring to African Americans as “monkeys” is plaque. Find something else to say. They said it a long time ago. As a Christian, Gordon is taught to forgive and that is something that she is working on.

Though, she is human so honestly, tonight has been rough. She is never hardly up this late on a weekday but it was worth it tonight to stand before Gregory to let her know that Gordon did not appreciate that comment she made. It was hurtful. It came out of a bad spot. Gregory can say sorry all day long but if Gordon dropped a glass that broke, she can't just look at it and say sorry. That does not put the pieces of that glass back together. The glass is still broke. What we see here tonight is still broke. After she (referring to Gregory) said it, nobody made her explain herself that night. Nobody made her explains herself that night. Right now, to Gordon, there is nothing that Gregory could say outside of that there still might be possible "monkeys" running in McCullough Park. Say what you mean and mean what you say or don't say anything at all. One thing that was said to her that was good, if you don't have nothing nice to say, don't say it at all.

Audie Barber, states he was at the meeting last month when this comment was made and posted something on Facebook right after the meeting. He is glad to see the community come out for it. Barber would like to read something else from a statement he read last month, "What a fiasco. I left because I felt unsafe. I can't believe Nora reconvened the meeting." It goes on to say "Audie Barber was one who ran for City Council and was defeated. His father was involved in the sell of a flea market and other shady stuff. Wonderful bloodline." Quoted from Councilperson Linda Gregory. She does not deserve to be in that seat. Barber has a pen and can get a piece of paper from the Clerk and is asking Gregory one more time for her resignation from the council, immediately.

Brian Shaw, 600 E. Washington St, wants to say thanks for getting the packets up on the city website. Sharing information like that can help diffuse a lot of situations if done better in the future. Way back when the EMS thing first came up, he was up here saying come out and talk to the neighborhood associations about this and let's engage and talk about a plan. Shaw never saw any of that surface. Its disappointing because people then want to make points or counter points about issues, you can get accused of being racist when you're not racist or classless when you're not classless. Obviously, these ambulances are going into places where they are in need but also in some of the poorer communities. Shaw states you simply don't see these going in on the north side of town. Shaw states he is not being racist or anything like that. He is concerned that the issues came up as race because the community weren't informed enough about this situation. The information that was passed out tonight (the ordinance), Shaw would like to see more information like that come out so people do not get attached for being racist or classless when they have concerns about things. Shaw has voiced some concerns about this in the past when someone came up to him and asked if he was racist because he don't want it to be in the black neighborhoods. Shaw claims he is totally not, so, what's up. It hurts because he loves all people. Shaw wants to see us work better as a community. Let's reach out, work together and pray for each other.

Adrian Leavell, 3900 N. Riggin Rd, was invited here to do the prayer, not realizing what he was coming into, just learning of the things said last month. He explains he is breathing a little heavy because he had a transplant last year and is going through some complications. He has been in this city for over 25 years, been a Pastor here for over 22 years, raised his children here and he has enjoyed living in Muncie but is so disappointed today, to hear that we have digressed to this. Hearing the things that have been said, he thought we had grown further and from the involvement that he has had in the community, served on several boards, Human Rights, Open Door, currently chairman of the Housing Authority, and he thought it was important for us to work together and respect one another. He is so disappointed and speaking as a Pastor, as a concerned citizen, as a person that is very concerned with the things that not only we are saying but we are also doing. Leavell wants to explain a formula that every councilperson should live by. This formula has helped Leavell throughout his life and it will help the council as well. That is responsibility plus accountability equals credibility. When you take responsibility for the things you say and the things you do and you be accountable to your peers and to those people that you (the council) are here to serve. That is when the words that come out of your mouth is credible. You can say sorry but you need to live with what you say. So, if you live by responsibility plus accountability, then when you speak you are credible to the public. The scriptures say the greatest among you is a servant and when you took on this position as council members, you have taken on the position to serve. When Leavell goes to the Housing Authority, he doesn't get paid for that. He is on the board(s) because he wants to serve people and see people be better, as well as making himself better. He admonishes them to remember that they are here to serve and appreciates those that are serving with the right heart.

WaTasha Barnes Griffin, 308 N. Manngrove Ln, Muncie, comes and stands on behalf of Indiana Black Expo. She happens to be the Muncie Chapter President. The mission of Indiana Black Expo is to be a voice and vehicle for the African American community. On September 24th, they wrote a letter to Councilperson Gregory and it states, "Dear Councilperson Linda Gregory, Greetings on behalf of Indiana Black Expo Muncie Chapter. We are reaching out to you today to gain understanding on the statement that you made at the September 9, 2019 City Council meeting where you said there are still "monkeys" in the park. This statement has us concerned. We hope you understand that without a statement from you, the African American community is left to its own interpretation. It is

our desire to bring this to a resolution and your help is needed. We are simply requesting clarity on the statement and a formal public apology. We believe this matter can be handled in a respectful and meaningful way. We appreciate your help." On September 25th, the response was "WaTasha, I just responded to Pastor Woodgett with the same email text and I won't repeat the same thing to you. I plan to make a statement apology at the next council meeting. I do apologize for the hurt I've caused by an ad-lib comment I made that didn't say what I meant or what I felt." As a leader of Muncie Black Expo, Griffin deserves that same explanation that Gregory gave to the clergy, the same explanation that she gave to Woodgett. When Gregory said what she said, whether it was appropriate or not, accountability right then right there. Griffin knows the masses have said the same thing but stands here as a candidate for council and as voted by the community, they have an obligation to answer to them, they have to right then. Thirty days later, Gregory apologizes.

Robert Scaife, representing the Concerned Clergy here in Muncie and coming on behalf of Pastor Woodgett, who spoke to Scaife and asked if he would fill in for him tonight since he is out of town. He did let Scaife know that Councilperson Gregory did reply to him and her statement was that she meant that there was "monkey business" going on in the park. Scaife does not know what Gregory meant by that. His thing is, he is just listening and wanting to know what her context was and why she said it. He is already leaning towards the negative because of the comment. He does find it offensive, unprofessional, inappropriate and insensitive and he just thinks she should be held accountable to her actions just like anybody else. We are here and didn't plan on going anywhere. Scaife adds that he is a night owl and can stay up late. He states we can be here until 2:00 in the morning, we just want our voice to be heard. He is not going to say that Gregory is a racist because he does not know her, but it was a racist comment. Obviously, Gregory has other issues, he does not mean with race but probably with Mr. Barber. Scaife believes as a leader, you have to operate with a level of integrity, especially being a leader in the city of Muncie and leading our city, there needs to be integrity across the board. Again, he is not going to say Gregory is a racist but it is probably an issue with her integrity because if it wasn't just directed toward Africans American's but she made comments against Mr. Barber, who is a Caucasian man. Obviously, Gregory has a problem with character issues and the board needs to do something about it. The council needs to act and really consider what is going on and how they want to bring this community together, they want to unify us but it needs to start here, somehow, someday.

Dominyse Carey, 1904 E. 22nd St, continues to beat this horse. She is disappointed and angry with what Gregory said, not only because she personally visits this park but because her child's father staffs this park. He works there so would be one of those "monkeys" cutting that grass. It is rude and disrespectful. We are not just going to keep taking it. Carey doesn't want to tell Gregory to watch what she says because she wants her to say what she means. Gregory meant that. That is what it is. If Gregory feels that way then make it open and don't come to our neighborhoods asking for our vote because we are not going to vote for you. You cannot keep using us when you want to and that goes for anyone on the council. Carey continues, not only is she a minority and a woman but also lives on the southeast side of Muncie, the forgotten areas of Muncie where the new ambulances would be serving and most people typically don't visit those areas unless they have to. People talk about McCullough Park and Heekin Park, how many times have any of you actually been in those parks besides the people that live in those communities or been to events where you didn't have to go to and shake hands and smile because they want votes every couple of years. We won't vote for you. We are not stupid. We can see through that. Carey is highly educated with a Master's degree in nursing and is working on her doctorate degree and she may be very young but speaks for a lot of the younger people. The younger generation is going to be the ones taking over for you (points to the council). If you want us to have some respect and to vote for you, you need to watch what you say. Carey will never vote for Gregory, ever, she blew that and blew it for pretty much all the black people in Muncie. We want you to step down. It goes to all of the council, though. Carey is so sick of getting on social media and seeing people who do not come to meetings who just see other people commenting or tagging each other. Stop. All you guys do is insight stupidity. There are so many stupid people on social media that do not come to meetings, do not do their research, don't have any kind of education or experience and you are just in sighting that so stop it. Carey will vote for whoever, whatever part they are in, it does not matter to her. What matters to her is the person. She wants them to be involved, not because they want her vote, but be involved in the community because we matter. We want grocery stores on our side. We want stores that are open 24 hours besides a gas station. We want people that care because we matter. My life matters. Black lives matter. Women matter. Whatever, however you feel, just remember that we exist over there. We live in a day in age where you can not just say whatever you want or you can say whatever you want but you are going to suffer the consequences of those actions because we are going to address you. When it comes to the fire-based EMS, Carey is for that. Referring to people saying they didn't have forums but if you don't live in those areas, although it does kind of affect you, the forums are held in those areas because those are the people that it directly effects. Carey called the police department two weekends ago and had to wait an hour and a half for them to get there. She called them three times. That is ridiculous. These things matter. Carey knows if you live by the hospital, they are probably there and if you live anywhere near Ball State or north and west of

the tracks, you get whatever you want. You all are complaining now but we have been here longer and we have been having these problems longer.

Aaron Neff, 2737 N. Winston Dr, with the Anthony-northside Neighborhood Association, and states they had numbers here earlier to talk about the Bethel and New York intersection. There are safety issues they are concerned with there. He will address that at a later time. He emailed the council an invitation. They are trying to save a historic structure in their neighborhood at the intersection of Cowing and Wheeling. Structures need to be 50 years old to be "historic." These are so old, they could have been torn down and completely rebuilt. They are almost fifty, again. We are trying to preserve them as they are the entrance way into the neighborhood on that side. We are needing some help to tear the stones down on Saturday, November 2nd, if anyone can stop by that intersection. They can park at Dr. Harkens or along Cowing. Just thirty minutes to an hour to come help them tear the stones down, they can restore them and hopefully a new right of way put back in there next year.

Pastor Jerry Blevins, Higher of Praise, 26th St, states one of the dangerous things ever said was don't give a preacher a microphone. Its late, Blevins missed his supper but it was worth every bit of it. The bible teaches us two important things. We are held accountable and responsible for our actions. Blevins has three biracial grandchildren; four biracial great grandchildren and he loves every one of them. What he is saying tonight is, he had the honor to work with Dr. Ralph Abernathy (asks if anyone has ever heard of him) after Vietnam. He taught Blevins some things because he was brought up in Kentucky where you drive down a certain part of town and refer to people as "porch monkeys." That is how he was brought up. There is something inside of him that said that wasn't right. He would go by the AME church and they would sing that one song "precious lord, take my hand, lead me on..." There was something that moved his spirit. At 14 years old, he left home and then went into the army. Where he went, his sergeant was a two-tour Vietnam, and he was African American. To this day, Blevins wishes he could see him again. He taught Blevins something about life. He taught him that god loves color. If you don't believe God loves color, look at your clothes. Everybody is wearing a different color. As he became a Pastor, he started studying and came across Genesis where the bible said that we are created in his image. As Blevins looks at this room, he does not see colors the way we do. He sees it how god sees it. Blevins is created like you, those in Christ Jesus are created in his image. Therefore, he tells the church that he is a good-looking hunk. We need to stop this and turn to god and see each one for what they are.

Carl Malone, has a question for the rest of the council. How many has met with Gregory to discuss the sensitivity. Malone wasn't here last month to hear the comment. Anderson states not directly with Gregory, but there has been meetings concerning bringing Gregory in. Malone states that is concerning because as a team member, and a leader of a team, you have to hold your captain or captains accountable. For her to make a comment and the team not hold her accountable, tells a lot about the council. Marshall states he spoke with Ms. Thompson and he was doing his investigating. Malone states it was stated here in front of everyone, from what he was told. Marshall did not hear the comment because Gregory was speaking towards the audience at the podium. Malone states the last six to eight years, they have worked with the Parks department and had funding through the council and our kids were kept safe in Heekin and McCullough Park. We were there daily. None of those kids look like a monkey. That is a safe place. If you were taking about the other business that takes place in those parks, then that should have been stated. But to refer to the community in that park where monkeys hang out, the ones that hang out there, he thinks it is known who they are, they need to be addressed. Maybe those are "monkeys." But those kids that has been in that park for the last eight years go to that park for a safe reason. Malone feels like the council needs to hold Gregory accountable and let the community know when there is a meeting where they can discuss it and move forward. Right now, we are all frustrated.

Anderson states he was here last month when the comment was made as Gregory was giving the citizenship award, which was a good award to Mr. Charlie Richmond. The way she said it, she was reading and talking fast and then she said that part. There are "monkeys" in the park. It made Anderson jump a little bit. There is a lot of people who had a lot to say that had to leave but Anderson's phone started ringing off the hook. When it came back to him, he had to readdress it because he was informed the words "black monkeys" was said. Anderson had to debunk that because Gregory did not say "black monkeys." Anderson assumes some people out there probably heard that but she did not say that. He spent a lot of time debunking that. Here is something, that there was an email that went to all of the councilmembers to bring Gregory in along with President Marshall, the Mayor, and City Council Attorney so they can address this. For some reason, he assumes Gregory wouldn't comply, but that meeting did not happen. When Anderson seen her at the NAACP meeting, he thought perhaps this could be it but evidently, nothing ever happened. He is glad this discussion is being held. Its not that he is not a part of it but he was doing stuff on more of a professional level. Yes, that touched him. He is constantly asking questions or getting back information. Anderson does not recall when they had monkeys in the

park but evidently, there is some truth to that. As she said, there was animals being held in the park back then. Anderson had never known that, not being from Muncie. Never the less, he knew it needed to be addressed. When certain people started calling him about that, he was working to see what could be done with Human Rights and trusted individuals within our community to see how this can be resolved. Anderson states to Gregory, had she addressed the issue right hen and there, we would not be here tonight. If Gregory had of just came forward and said this was what I meant, this was meant by that, because she didn't say it in a hateful way. She was just giving out information but it wasn't hateful. It should not have been made like that but never the less, we could have addressed and in dealing with this, he asked the council attorney what they should they do. Anderson did not want to do a resolution but here we are right now, early in the morning discussing comments in which Gregory made that has offended not only him but our whole community. Anderson is not going to beat her up over it but its sad. If she had came forward and begin to address it, something could have been done about it then but waiting thirty days later and then apologizing, most people went home with that same feeling. Here is another thing, we should have addressed this earlier when Mr. Malone said Gregory had a chance to make a statement, people should have been able to come forward because a lot of people think we pushed it to the back. That was hurtful because there is a lot of people that had something to say that ended up leaving because right after Gregory made her apology, we continued with council business and the public couldn't say anything. That would have been the better result. Anderson is not mad. Marshall adds that should not be put on him because he spoke with Anderson and asked when they should do this and was told to do it under public comment. Marshall states everybody wanted to speak tonight and he has to follow protocol. If Marshall doesn't follow protocol then there is going to be people that said he treated this person different than he treated somebody else.

Christa Garrett, 601 E. 7th St, states Marshall has been treating people disrespectful all-night long. Black people, white people, it doesn't really matter. The whole crew is disrespectful. This is not what she does. She is not a political person and stepped into the political realm to help some of her friends because she believes in them and believes that this needs to change. However, Marshall has been disrespectful all night. The whole council has been disrespectful all night. Garrett apologizes but she disagrees with her community. She does not care whether Gregory responded five seconds after or fifty days later, it doesn't really matter, she (Gregory) shouldn't be here. Gregory is the voice of our community, sitting here representing me and she is calling me and my community "monkeys." She shouldn't be here. The council should all hold her accountable for that. Garrett has the upmost respect for Anderson but she is sorry, he is speaking too late tonight. Anderson explains this is the only time to get Gregory in a group, together.

ADJOURNMENT:

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



Doug Marshall, President of
The Muncie Common Council



Melissa Peckinpaugh, Muncie City Clerk
of the Muncie Common Council