

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

TUESDAY, NOVEMBER 12, 2019

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

ORD. 51-19 AN ADDITIONAL APPROPRIATION ORDINANCE (MFD).

Kevin Nemyer, City Controller, states this is an additional appropriation to cover a shortfall in the fire departments Center Township fund.

Jerry Wise, 326 W. Charles St. Muncie, Apt. 303, asks how much of a shortfall. Nemyer explains there are two lines, one equipment line is \$1,573,014 and the other equipment line is \$712,910. The first item was to cover the purchase of two fire vehicles. The second item was for turnout gear for the firefighters.

Andrew Popp, 2404 N. Hollywood Ave, Muncie, states those line items total at about \$2.2 million, roughly, yet here we are asking for an appropriation. It is the end of the year. Chief Eddie Bell had previously stated that he does not come before the council for any additional funds, that he did not need anything else and he that runs the fire department without asking for any help. Popp just wants to make sure that is clarified that Bell said he does not come up and ask for money yet here he is asking for \$2.2 million. Popp closes by stating that is weird.

Jerry Wise, again, asks if this is financed. Nemyer answers there is a big difference between cash and appropriations. This is money the department already have. Appropriation is permission to use that money. There is no extra money involved in this. Wise asks with that equipment, if the budget is fixed or set. Are we on budget then, with the \$2.3 million? Nemyer answers his questions from the audience.

A motion is made by Hampton and seconded by Peters to Close the Public Hearing. A roll call vote showed 9 yeas and 0 nays.

MEETING CLOSED.

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

PLEDGE OF ALLEGIANCE: Led by Councilperson Polk.

INVOCATION: Associate Pastor Glenn Greiner at Union Chapel Ministries.

CITIZEN RECOGNITION: Councilperson Powell congratulates the winners of last weeks election, as she sees many of them here. She appreciates them coming and having the courage to put their name on the ballot (which goes for everyone). That says a lot and she loves the fact that there were so many wonderful candidates. Powell also wants to thank President Marshall because this citizen recognition award it something he thought of when they came into office in 2012. Powell hopes it is something the council continues with the new members coming in. it is a wonderful way to start the meetings and it shows how connected we all are within our community and how many different styles and flavors go into our community to make it an amazing place. Over the past eight years, Powell has recognized women business owners, advocates for autism awareness, environmentalists, advocates to honor military personnel who have lost their lives, a great many number of people and tonight, her final recipient is a teacher, Julie Snider. Powell told Julie earlier today that she is a combination of her two earliest and most wonderful influences, her father, a teacher and her mother, a participant in city government and champion for social causes. Mrs. Snider teaches government at Muncie Central. (*As Mrs. Snider approached the podium, the audience gives her a standing ovation.) Powell explains that Mrs. Snider is very much worthy of a standing ovation. Born Julie Morgan, in Muncie, Indiana and attended St. Lawrence Elementary but moved to Ohio when she was in middle school. She returned to Muncie to attend Ball State University where she graduated with her teaching degree. She married Chris Snider and they will celebrate their 30th wedding anniversary this July. They have three children and two grandsons. Julie is a member of St. Lawrence Church and avid St. Louis Cardinals fan and a champion of many social causes such as affordable health care and earning a living wage. Powell chose her for tonight because she pours her heart and soul into the students that she teaches at Muncie Central. Julie began her teaching career at St. Lawrence Elementary and taught there from 1994 until 1998. In 1998, she took a teaching position at Muncie Southside High School and was there until the consolidation coming to Muncie Central in 2014. At Muncie Central, she teaches AP Government, Dual-Credit Government and General Government to mostly seniors. She is

the chairman of the Social Studies Department and has sponsored senior trips to D.C. and N.Y.C. for the last ten years. Last year, Mrs. Snider created the Student Advisory Board to meet with the school board about the students concerns. Powell works from MCS and her office is located at Muncie Central and you only have to listen to the morning announcements to recognize the level of influence and commitment that Mrs. Snider has when it comes to the students. Every announcement is "if you're going to go on the senior trip, go see Mrs. Snider... If you are going to do this, stop by Mrs. Sniders room." The level of commitment that she has to each and every one of those students, is astounding at Muncie Central. She is not afraid to dress up, as Powell saw a picture of her dressed up as the "Bill" from Schoolhouse Rock. She is not afraid to totally immerse herself to make that real for those students. Powell thinks that is a quality that we need with our students these days. Julie is passionate about teaching. Powell quotes Mrs. Snider, "It's really important to me that the students understand the value of civil service. They need to know that our city, state and country can only function well when people put others needs before their own. I also try to communicate the values of civic responsibility through voting, attending meetings, and e-mailing our representatives." Anyone familiar with these city council meetings, if you have come to them in the past, you are familiar with Julie. She brings her students to the council meetings so that they are not just learning about government, they are actually seeing it in action. She encourages them to get up and address the council and encourages them to take the cause. Powell thinks that is wonderful. Mrs. Snider encourages them to be involved and to be good citizens and that is something we need in our community. Powell is really proud to know Mrs. Snider from way back and is really proud that she is the teacher that she is and that her own children will have the opportunity to be in her class at Central. It is Powell's privilege and honor to award Mrs. Snider with the November 2019 Citizenship of the Month Award. Mrs. Snider thanks Powell as well as the rest of the council. She recognizes her students in the audience fulfilling their civic responsibility. This has been a really tough year to teach government because one of the things about teaching government is not necessarily teaching people how to be republican or democrats, you are actually teaching them the opposite, how to just be good citizens. It is hard for her on some days after reading the newspaper to go in and explain to her children what is happening. Mrs. Snider wants to remind everyone that they are watching you and watching you closely. When we come to a meeting like a couple months ago and one of the council members is attacked, its just that wishes to keep it civil. That is part of what civic means, right? Civility, remember what that means. We can all disagree as much as we want and have different opinions but we can still get along. We can still live in this awesome city and govern this awesome city the way it should be. The kids have to sit and watch national news all the time and see the fighting and dissention and division. We don't want that in Muncie. That is just a little reminder that they are watching and they love watching. They like politics and like hearing about it. It is kind of our responsibility to do it in a way that is responsible.

President Marshall wishes to recognize some people tonight; the newly elected Mayor elect, Dan Ridenour, council member elects, Troy Ingram, Richard Ivy, Jeff Robertson, Anitra Davis, Aaron Clark and Ray Dudley, City Clerk elect, Belinda Munson. Marshall stats Polk and Dishman will be staying on the council. All of these people need to be commended because you spend a lot of time away from your family and being out with the public. Everybody should be commended on the races that they run and Marshall is excited to see Muncie in the direction it is going under Mr. Ridneour and he wishes him the best of luck.

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 THE MINUTES: A motion is made by Hampton and seconded by Gregory to Amend the Minutes to correct inaudible and keystroke errors. A roll call vote showed yeas and 0 nays. AMENDED.
 A motion is made by Hampton and seconded by Peters to Approve as Amended. A roll call vote showed 9 yeas and 0 nays.
MINUTES APPROVED AS AMENDED.

COMMITTEE REPORTS: Councilperson Hampton states there was an Environmental Impact Committee meeting this evening at 5:00 with him and Councilperson Ridenour and Councilperson Anderson in attendance. The committee went over Ord. 49-19 which will be addressed later under 'New Ordinances.' Hampton states the committee did make a couple of changes in the ordinance, specifically paragraph 3 where it states "compiled by a recognized by an independent environmental expert" and change it to be more specific to "compiled by an independent professional engineer licensed by the Indiana State Board of Registration for Professional Engineers." They also added a fourth paragraph, "The Environmental Impact Committee may consult with local, academic, medical, or industry experts to help interpret technical data provided by the engineer." Hampton and Ridenour state that is the committee's recommendation.

Councilperson Anderson would like to ask a request. Due to the fact that the last council meeting lasted way past 1:00 A.M. in the morning of the next day, a lot of his constituents and others did not get a change to voice their opinion. Therefore, Anderson is requesting that they Suspend the Rules on Res. 18-19 and bring that to the top of the Agenda. President Marshall indicates they do not need a motion. Anderson knows that there is a lot of people here for and against the resolution and requests to have five individuals that would come up and speak for three minutes both for and against the resolution. Afterwards, the council can discuss their reasoning followed by roll call. Marshall clarifies having five in-favor and five not-in-favor as the discussion from the audience and then discussion from the council. Anderson confirms, yes and so that they won't be here until 1:00 again. Attorney Hunter states the council has the ability to control that. However, he does suggest that if they are going to limit it to five or three, whatever they decide, then they ask for either a show of hands or people to stand in the room that are for or against it. It is just a suggestion.

But first, Councilperson Polk would like to make those in attendance aware of a letter that was e-mailed to all members of the City Council as well as the Deputy Prosecutor and City Clerk. Polk thought it should be entered into record, as far as Reading Secretary, for him to bring that up. It is dated November 8, 2019 and states the following: "Mr. John P. Hampton, it has come to my attention that you pleaded guilty and were convicted Dealing in Marijuana, a class D felony, on June 19, 1998 in cause number 53C03-9709-DF-0573 and that the conviction was reduced to a misdemeanor on December 30, 1999. Likewise, it has come to my attention that you were convicted on Possession of a Controlled Substance, a class D felony, in cause number 07C01-1008-DF-0382, which conviction was later reduced to a misdemeanor. Indiana Code 3-8-1-5(d) provides that "A person is disqualified from assuming ... an elected office if in a: (3) ... guilty plea hearing, the person pleads guilty ... to a felony." This is likewise true if your felony conviction was "announced" as a result of a jury or bench trial. Further, Indiana Code 3-8-1-5(e) provides that reducing a felony conviction to a misdemeanor does not impact the operation of I.C. 3-8-1-5(d). You are thus ineligible to serve as a City Councilman under this statute. I demand your immediate resignation. Should you fail to resign, I will ask that the City Council set a hearing at its November 12, 2019 meeting and exercise its powers under City Code Section 32.06 and expel you as a result of your ineligibility to serve as an elected official in Indiana. Sincerely, Victor G. Whitehead. Delaware County Republican Party Chairman." The letter includes the list of names that the e-mail was sent to and Polk just wanted to read that. Polk states it is President Marshall's to proceed with. Marshall asks if Legal Counsel, Joe Hunter, received this letter. Polk states he did not, as he is not listed on as being a recipient. Polk adds that there was a 19-page attachment included with the letter as well.

Attorney Hunter states he looking this a little bit since reading the article in the newspaper. The problem with 3-8-1-5, although Hunter does not dispute with what it says, is that it lies with candidacy, not people that are already in office. There is a statute, I.C. 5-8-1-1 that allows for impeachment but what it states is that all state officers other than justices 5-8-1-1(a) all state officers other than justices of the supreme court or judges of the courts (which is interesting) or the Indiana tax board and all other judges, possibly attorneys, county, city, town and township officers are liable to impeachment for any misdemeanor in office. So, this is a situation where Hunter does not that either one of those statues applies. Additionally, the council rules allow for expulsion of a member but what it says is that the council shall have the power to expel any of its own members for violation of official duty. Hunter goes on to explain he does not know if that they have that situation here either. It depends on what the council wishes, then he can draft any type of legislation that they want, like what has already been done (pertaining to the ordinance censuring Gregory). He would say it is telling Mr. Hampton, at this point, would be not in line with any of the relevant statutes or our relevant ordinance and could be subject to challenge. Being so though the council has officially nothing on the Agenda, at this point and Hamptons term is going to end in 20 days, anyway, Hunter would be happy to listen to suggestions from any of the council members. It would be his obligation to try and draft legislation in the council wishes. There has not been one council member that Hunter ever told he was not going to do something or he can't do that. It is his obligation to do it. Right now, there is really nothing as far as an ordinance or resolution. The council rules really allow for three levels of procedure. The first level is the rules themselves. The second level is under section 32.21 which gives the power to decide all questions of order subject to an appeal through the council to the presiding

officer. The third level is to go to parliamentary law which is typically recognized as Robert's Rules of Order but there are other forms of parliamentary law. That even requires is that the Clerk sent notice to the person, the member that would be expelled and to trial. Hunter is open for input and suggestions but at this point, really there is nothing in front of the council to address, as far as this is concerned. It is almost a due process situation with notice and opportunity to be heard. Hunter would be happy to talk to anyone about it. There is 20 days so time to schedule a special meeting but he just does not think they can run into it right now. Marshall asks how the rest of the council wishes to proceed. Gregory states she thinks the counsel said he will act on whatever they as the council bring to him. He is not expecting anything tonight. They have one more meeting in which they could deal with this. Therefore, she thinks either as a group, small group, individually, if they want to take some kind of recommendation to their counsel, he can then follow-up with it. That is how Gregory took it in Hunter's explanation. Anderson agrees and adds that the letter was the 8th of November, therefore, too late to be added to the Agenda. Hunter states they could always Suspend the Rules. Again, Hunter will listen to anyone's suggestions as he is required to. That is his job. Gregory finally states that since there is no action before them, she suggests they move on. Marshall explains to the public that they are not hearing any more on this topic because there isn't anything in front of them. All of the council has agreed that if they want to take some legislation before Attorney Hunter and have it signed, they will hear it at the next meeting. But, there is nothing in front of them now to hear.

Anderson refers back to Res. 18-19 and believes they were at the point of identifying at least five people pro and five people against and allowing them to address their comments at the podium followed by the council discussion.

RES. 18-19 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE CENSURING LINDA GREGORY FOR A STATEMENT MADE DURING THE SEPTEMBER 9, 2019 MEETING OF THE COMMON COUNCIL OF THE CITY OF MUNCIE.

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

Mike Goodman, 2110 S. Grant St, Muncie, Indiana, states we have had a good city here and have come a long way. Goodman does not agree with the statement that Gregory made. He finds it out of order, out of content, a disgrace to the rest of the council members and a disgrace to this city that anybody would have a racist comment coming out of their mouth like that. He claims her apology was pathetic to the city of Muncie and its residents. He never accepted her apology as a citizen. He claims her behavior is not acceptable and anybody else that is sitting up there in leadership and looking him dead in his eyes, playing and manipulating the law of this city to justify their misconducts, he finds to be a disgrace also because they are better than that. As citizens and tax payers and voters expect better and more of their elected officials. The community doesn't expect any less. By god, when they vote, and put the people that ran for office officially in their seats, they need to set their racism and pre-justice aside. It is none of your business what their background is. None whatsoever. If you are doing these things illegally, you should not be sitting on the council, either.

Yvonne Thompson, Director of the Muncie Human Rights Commission, wanted to first thank Marshall and Anderson for the chance of meeting with the group to help put the resolution together. She is hoping that it is understood that there is accountability to the public from the city council and also hoping that people will recognize that we all have a voice and many times we need to be heard. We hope that the city council will hear the voice of the people. We thank you.

George Foley, Muncie NAACP, is for this ordinance. He directs Gregory stating he really does not know her or her heart and can't say that she is a racist but what she did was something he would call accidental racism. What made him feel bad about it was that she did not come forward right away and explain what she meant by "monkeys in the park." Him, being an African American man and being involved in the community, they have done a lot of great events in McCullough Park and that was just a foul comment that she made. He really wishes she had come forward right away and explained herself. He really thinks people would have forgave her for what she did. But, she didn't. Foley was at the last meeting and Gregory just didn't seem sincere about her apology. He thinks sometime we all have to be accountable for our words and actions and this time, Gregory should be accountable for the words that she spoke.

Teresa Long, 901 N. One St, states what was said is said. She is for the resolution because she would like for the next council that comes in to understand that our community is not having it. she thinks it should stand acknowledging that Gregory apologized. We are moving forward but for the next people that come in, if you try it, we are going to be right here.

Carl Malone, 1813 N. Riley, explains he was not at the initial meeting where the comment was made but he did read the article in the newspaper. He would like for Gregory to explain what she meant and why it was stated. The community is confused when there is a relationship between the City of Muncie Park department and monkeys in the park. He has been part of the Park department since 1983 and he has not seen anything that looked like a monkey, other than people of color. They do a lot of work and programming there. Kids have a chance to have lunch there and recreation there. Malone would like for Gregory to explain how she came about with that comment. He just does not understand. When was the last time she (Gregory) had seen a monkey in McCullough Park?

Gregory states that she meant no racial intent. She was referring to the monkeys that used to be in the park in the early to mid-1950's. They were at McCullough Park and Heekin Park. Gregory continues to explain they used to leave Garfield at recess and go out and look at the animals in the cages. Her comment referred to the monkey business that goes on in the parks, it still goes on. It went on for a long time. it was a stupid remark, she will give everyone that. it was not meant to be racial. She has apologized for that in every way she knows how. Malone replies the comment was very insensitive to the community. Gregory knows it was and it was not intended. Malone acknowledges she made her comment but he is for the resolution as it is prepared and is looking forward to the new council coming in. He thinks the new council needs to meet the laws and govern that new resolution that is put together, as well. Not only her comment but any council member that makes a comment going forward, that they are held accountable.

Becky Adams has been a friend of Gregory's for quite some time and can honestly say she has never heard her make a racist comment. In fact, (and Gregory may not approve of Adams saying this) she is a member of the Unitarian Church and if you know anything about the Unitarian Church, you know that those people do service. It is basically who they are. They are very open-minded, do service for the Muslims at the Awaken Dinner, have open drop-in for LGBTQ and if Gregory was a racist, she would be the loneliest member of the Unitarian Church. They are not racist. It is sort of like, Mary Donaldson coming in here with a bunch of profound swearing. We wouldn't expect that of Mary because it is against her character. Adams does not think we should expect it from Gregory. It was a mistake. Adams is a professor and has made errors when her brain and her mouth aren't in sync. She thinks that would not be in character with Gregory. She also believes that with the new election, we ought to move things forward. We ought to look about togetherness in the Muncie community and we ought not to focus on things in the past. Let's move forward. Adams then apologizes to Mary Donaldson for using her as an example of coming in here cussing being against her character (Adams did not know she was behind her in line to speak).

Corneze Donaldson, 1801 N. Elgin St, Muncie, is opposed to the censure of Gregory. He has known Gregory for many years and like what has been said before, they do remember when there were monkeys in both Heekin Park and McCullough Park. He admires Gregory for her transparency while on the city council. She has been someone that he thinks all of the new people coming on should try to emulate with her being prepared for the meetings and being due diligent. She has held meetings at Max's where anyone who wants to know about how she feels about anything, she is on that agenda, and willing to explain how she feels about that at those meetings. That is what we need to see, some transparency and honesty in our government. That is not her character. Like she says, that is why the police department has to run out there a lot of times because of some of that monkey business you see sitting over there in the edges of the park to try and keep that stuff down at a minimum. He thinks that is what she was referring to and he is opposed to the resolution. His wife also has something to say.

Mary Donaldson, 1801 N. Elgin St, Muncie, has been sick ever since hearing this and all that has transpired because she has known Gregory for so many years and has seen what she has done in the Whitely community. She has helped them to bring the Buley Center back to life when nobody else was out there doing that. she was doing so many other things in the community, as well, such as Motivate Our Minds. There is a whole lot of things she has seen Gregory do and she has just been troubled with what she has seen with all of this happening. She just thought it would be better if she wrote something because she would get emotional. She reads that she would like to defend Gregory's record. In her twelve years as a city council member, her due diligence, flexibility, communication and availability combined with her through research have benefited her constituents. She has consistently listened and striven to represent the needs and views of the community. She made an inappropriate, regrettable comment. Who among us is not guilty of a similar mistake? She has apologized. What community good would come from publicly shaming her further? Our council members truly care about Muncie, Donaldson believes that, and thanks each one of them for what they have done. Will this action serve Muncie's economic interest? Will members truly care about Muncie? Will families and businesses be drawn to a community within fighting among the city council? Will we allow personal hurt and vindictive actions to get in the way of progress? Donaldson hopes we won't.

Mike Sullivan, 2615 W. Purdue Ave, Muncie, states it feels somewhat like 1972 when he voted for George McGovern. None the less, he is here to defend his good friend, Linda Gregory. He was at that meeting in September and did not hear any racially insensitive remarks made. He was at that meeting. He does not doubt there was some muttering and it was not clear to him what was said. He does recall in October, the next meeting, that Councilpersons Marshall and Anderson both stated that they too did not hear what was said. So, the question because who did hear what was said, who made the presumed interpretation of what was said, who posted it on social media, and what happens when modeled, alleged racial accusations go viral on social media? Sullivan now thinks we have seen what happens. Truth gets lost in the action. To him, it is all the trappings of an orchestrated attack on the moral ethical character of Linda Gregory inspired by political opportunists. He wishes to make two points. First of all, context is important to understanding. The context of Gregory's statement was an award presentation recognizing an outstanding Muncie citizen who once cared for monkeys in a McCullough park zoo. Her, aside, referencing what was viewed as a racial slur was in fact a common expression used, not by African Americans for sure, by very common among white culture white people who have not been

denigrated by a racial slur and racism. Sullivan apologizes but that is truth so live with it. (This results in comments being made from the audience) Marshall calls order. Sullivan states when a white person says "monkey business," it is not racial and he is sorry. It is not racial. It may have been interpreted that way and he understands that given history and what was once faced of which Sullivan regrets but that is the truth of it. Context is important, in speaking to the council. The other point he wishes to make is that members of the council know Gregory. He seconds what Mary Donaldson just said. The council knows about Gregory's dedicated service to the city and communities. She has been a strong advocate of programs and activities that support the children and families of the entire city and, in particular, families and children of color, as exemplified by the Buley Center and MOMS. Can anyone on this council site one example of racial prejudice expressed or inferred by Gregory in the twelve years of council service. Not one, in twelve years. Yet, here we are, waiting for city council to vote censure on Linda Gregory about a modeled comment, not heard or taken out of context and exonerate everything we know and have witnessed over twelve years of service. She is not a racist, she does not use racist language. At Sullivan's church, which so happens to be the Unitarian Universalist Church of Muncie, Indiana, they aspire to trust the most charitable interpretation of events, rather than the least charitable. He would hope that the members of the council would do the same in this instance.

Carl Malone, again, asks how the council sees it. Marshall informs him that they are not allowing any more public comment on this matter and moving on. Anderson comments that they are getting ready to vote on it. Anderson continues that this has been a very sensitive issue, and in fact, he is receiving calls about it from California, dealing with this. Had Gregory come forward when they were trying to reach out to her and yet she felt when dealing with the NAAACP or Black Expo, said she didn't have to address it. She waited thirty days and now the people are so fired up about this because they had to wait thirty days. If she had cleared the air then, they would not be here now. That is the frustration if the people. We have to hold people accountable. We have someone in office now that can do what they want to do, say what they want to say and nothing ever happens. Do we have that here? Anderson addresses the council that they may or may not agree with him but he will say he wants this in place because people will try to come after Gregory. Ridneour asks what Anderson means by people coming after Gregory. Anderson explains the next group of elected council members.

Powell explains this is one of the more difficult things that has come before them as a council. She received emails and phone calls advocating on behalf of Gregory and, like tonight, they pointed out the advocacy that she has done within our community, Whitely Community Council, giving both her time and resources of Motivate Our Minds and the Buley Center. She also had conversations with people in the community that do not know Gregory on a personal basis. They have expressed anger and hurt not only by what was said and the delay but also by the councils delay in responding. For that, Powell is sorry. She has sat on council with Gregory for the last eight years and in that time, she has never heard her say anything offensive. But, there is no denying that something was said at a council meeting that was found hurtful and offensive by many members of the community. If a statement is open to interpretation and a listener is hurt or offended in the statement then it is inappropriate.

Ridneour has known Gregory for years and years and he never, never heard anything else that would indicate any type of racial bias. Clearly, Gregory said something that was the way she said it was insensitive, inappropriate and (he believes) accidental. He wishes tonight and at the previous council meeting, she had been as heartfelt as she were today when they spoke about this today, with tears rolling down her cheeks. That is what she saw. That is not what the public saw. He did want people to know that he knows she is sorry for what was said. This is possibility the most difficult vote that he has ever had. He thinks we need to have grace toward others. They need to have it when people out there speaking to the council and we need to have it when people are on the council speaking to the public. We are not seeing a lot of that on either side. We need to understand. Ridenour spoke to Anderson right before the meeting this morning and Ridenour told him that he hoped this is the best prayer (invocation) ever. If we go back to what we heard from the prayer today, we have the real answer. Ridenour also thinks they have to be held accountable for what they say. That is the important part. Ridneour honestly does not know what he is going to do. He knows, in his heart, that she is not a racist. He also knows that the public was frustrated with what came out and therefore, she was not re-elected. In his mind, again this is just his opinion, she has been penalized, she lost the election and he honestly does not know how he is going to vote at this point. This is a very challenging time. He wants to have grace and be forgiving but is not sure how to go about that, at this point.

Dishman wishes to state his opinion. He has known Gregory for years and have never known her to say anything racial about anybody. He thinks that it has been taken out of text and it was wrong. He would probably make a motion to censure her because of that statement. It is not because he does not like her, or what she has did for our community but it is going to be for that statement. That is how he is going to vote, on that statement. He knows she did not mean it down in her heart but they, as a city council, have to put that in text to censure her for making a statement like that. like he said, Gregory is not a racist. He would stick behind her and have never ever heard her say anything out of the way until that night. He does not think she meant it that way.

Hampton knows that none of the council members takes any pleasure in this and if this were a motion condemning Linda Gregory's life, her beliefs, or her racism (allegedly), he does not believe her racism exists. He would not vote to condemn her life, she

has had a very honorable career in public service. This is a very sad note. No one takes any joy in this. What it is condemning is what she said that night, from this council, actually from the podium.

Polk, too, has served for twelve years with Gregory and has never heard any racial comments come out of her mouth. As most of the council has said, they are held to a higher standard. They work for you, the citizens of Muncie, Indiana, whether it be in their districts or at-large, they still work for the citizens of Muncie. That is who they answer to. One of the things that does bother him in this resolution, which he thinks is the way the resolution is currently termed and written is reflective of a term that the named individual, Ms. Gregory, will not be serving. It states that the council recommends that Councilperson Linda Gregory, should she remain on the council, she should not be placed on any Standing Committees by the Council President for the 2020 calendar years. That is kind of a moot point that obviously, she was not re-elected. Polk thinks that they are held to a higher standard, or at least, they should be. They work for the citizens and have to be very careful and choose their words carefully so that they don't hurt any other people that are listening to them and has elected them. To him, he does not think she meant to say it and maybe it was taken out of context but it was still out there and was still hurtful for several people, not just the Whitely community, but hurtful for the entire city of Muncie. It was kind of shocking that it happened but it happened and so the council now has to make this vote tonight.

Gregory, once again, apologizes for the remark she made. It was not intentional and it would never be intentional. She does not think racist thoughts so they do not come out of her mouth. She has lived what she thought was a good life being the kind of person who did good things for everybody, regardless of who they were. She will continue to do that. She thanks everybody who has spoken this evening, for her friends, who spoke in her favor against the censure and she thanks those that spoke to censure her. That is not an easy choice to make either. It is very difficult to set apart the person from the behavior. Obviously, the behavior wasn't good. She has tried to be apologetic and recognized her fault. Apparently, that is not enough for some people. In football, they have a penalty for piling on. They don't in politics. Maybe that is something we should consider. If she is supposed to be the lessoned for the next council, and other members have to vote 'yes,' to do that, that will be on their conscience. Questions called. A roll call vote showed yeas (Hampton, Dishman, Powell, Peters, Anderson, Ridenour, Polk) and nays (Marshall and Gregory). ADOPTED.

President Marshall declares a five-minute recess. A roll call vote showed 9 yeas and 0 nays. FIVE MINUTE RECESS.

After five minutes, President Marshall declares the meeting back in session. There was confusion on ord. 28-19 being on the Agenda under "Ordinance Previously Introduced" but Lacey, the council secretary, confirmed there was an Amended Agenda prepared. It was emailed to all the council members, posted online and provided to the audience members.

ORDINANCES PREVIOUSLY INTRODUCED:

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

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

Attorney Hunter recalls this was amended. A motion is made by Polk and seconded by Gregory to Adopt as Amended.

Kristopher Bilbrey, 318 S. Meridian St, Winchester, Indiana, states the council is getting ready to take a vote which Hampton can not do because he is sitting on this council illegally. Marshall explains that they went through this earlier. Bilbrey states he knows but if he gets this out now then he won't have to do it the rest of the evening because he is going to come up after every one or he can do it now. Marshall explains he will hear Bilbray's complaints at the end of the meeting. Bilbrey says no, he will hear it after ever ordinance or he can do it now. Marshall states he will just have Bilbrey removed. Bilbrey says to try and do that and see how that goes. Marshall is asking him one time, if he has something pertaining to.... Bilbrey says he has some documents to provide the council. Marshall says to give it to the clerk or the attorney. Bilbrey claims the attorney doesn't care and he provides copies to them. Marshall asks if he has any comments pertaining to the vacating of Wade Ave. Bilbrey states yes, he is afraid the council is going to vote on it and let Hampton vote on it and it is illegal. He has spoken with Matt Kochevar, the attorney with the Indiana Secretary of State's office and he advised differently than council attorney Hunter but Mr. Kochevar is not friends with Hampton. Marshall asks attorney Hunter how to deal with this. Peters comments whatever they can do to proceed on with this meeting. Bilbrey states he knows, we have talked the last hour about how horrible it was and that we need to go on. Marshall states he is giving Bilbrey one warning that he can speak on his issue at the end of the meeting. Bilbrey explains the referendum that happened Tuesday (election day) and why Marshall will no longer be sitting there, is because of decisions like this and that is sad. Marshall states the people have spoken, he is gone and congratulations.

Audie Barber, 610 W. 11th St, Muncie, Indiana, feels that the council should not vote on this and maybe Table it until the issue with Hampton is resolved. This is an issue that if they vote on this and it is found out to be that he is on the council and committed perjury when signing his candidacy. Marshall stops him and states he is going to give Barber the same warning he gave Bilbrey. Barber continues that Hampton committed perjury on his application and therefore, he is illegally and not to be allowed on this council. Marshall states Barber is being disruptive. Barber states he has a first amendment right to say what he needs to say. Marshall understands that first amendment right but he told him he will let him speak on his issues at the end of the meeting. Barber states this can not be voted on because Hampton is not a part of this city council. He is not a part of the city council according to state law. Marshall states everyone heard what the council attorney said. Barber says that the attorney is wrong and told them what they wanted to hear, just like what Marshall apparently told Barber on the phone the other evening, that if it were him, he would abstain from it. Marshall states this is it. Barber claims this needs to be brought up and voted on from Hampton to be removed. Marshall states Barber is out of order and asks if he can get somebody to remove him. Barber asks Marshall is going to have him removed from this public meeting? Barber does not think Marshall can do that. Marshall continues asking for someone to remove Barber. Barber claims that is not what Marshall said the other night on the telephone. Marshall asks for someone to please see Barber out of the auditorium. This results in numerous comments coming from the audience.

President Marshall declares a five-minute recess, seconded by Gregory.

A roll call vote showed 9 yeas and 0 nays. FIVE MINUTE RECESS.

After five minutes, Marshall declares the meeting back in session. He reminds everyone they were on ord. 28-19 that had a motion to Adopt as Amended and was seconded. Questions called.

A roll call vote showed 6 yeas and 2 nays (Hampton, Polk and Ridenour). ADOPTED AS AMENDED.

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 Peters to Adopt.

Kristopher Bilbrey, 218 S. Meridian St, Winchester, Indiana, states the council can not take a vote on this if they are allowing Hampton to take a vote on this. Hampton himself can not take the vote, the rest of the council members can, but he can not take the vote. Bilbrey will be back up next ordinance.

Audie Barber, 610 W. 11st St, Muncie, Indiana, is a citizen and at this time, if Hampton is allowed to vote on this, the council will be breaking the rules of the City Council, State of Indiana, the Secretary of State and also the Election Board, because Hampton obtained his seat under false pretenses.

Polk was hoping someone from the Street Department would be here so he could ask this of them but he will still state it. Polk wants to know why the work was done and here they are just approving it tonight. It has been done for over a month and why did this not come before them sooner than the working already being done.

Gregory suspects, and does not know, but suspects it was approved through the Board of Works. They can do a 90-day approval of traffic changes. She suspects it went through them before it came to the council. Gregory's question is, they have a number of other stop signs, speed limits, around the city that have also been approved (she assumes) by the Board of Works that the council has never had before them. Therefore, if you get a ticket in certain areas, theoretically, you can ignore it because there is no ordinance to cover it.

Adam Grimes, 1406 W. Abbott St. Muncie, Indiana, has a question. These all seem very vague on the order paper. Is there any way they can get paper copies of the ordinances to know exactly what is being talked about? He may be new but can speak for a few of the audience members on being confused on what any of this is. Melissa Peckinpugh explains the actual ordinances are available online to view at cityofmuncie.com on the "City Council" tab under "Packets." Powell reiterates that all of the ordinances are listed on the city council website and so one could go through and obtain copies of what the council or next council will have. That is something, in the future, that people can go through and see the entire ordinance that the council is seeing. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

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 Anderson to Adopt.

Eddie Bell, Muncie Fire Chief, is here to answer any questions and also give some facts as far as collections thus far. They started on September 30th and will give a brief snapshot of approximately one month of where they are at. Rachel Clark passes out documents to the council members.

Gregory asks if the ambulance billing services out of Elkhart the one they chose. Bell confirms.

James Freeman, President and CEO of Ambulance Billing Services Inc., Elkhart, Indiana, is working with the Muncie Fire Department in their billing for their EMS operation. To date, because a fee ordinance is not in place, no one has been billed but they have accumulated patient data and billing data from the hospitals to make a revenue forecast for the MFD. The council has before them a operational summary for the month of October and two major factors in determining ambulance revenue, number one is call volume and they estimate that MFD will do 6,300 transports per year. The other major factor is that issue called "payer-mix" which is how many people have Medicare, Medicaid, commercial insurances or are un-insured. By analyzing the payer-mix with the data that came from Ball Hospital, for patients that were transported there were able to use the Medicare Medicaid fee schedules and determine the potential reimbursement. They estimate on an annual basis, based on the current call volume and current payer-mix, that MFD will generate an excess of \$1.5 million annually. He would be happy to entertain any questions about that. again, this is information is based on actual live patient data in his thirty-five years of experiencing EMS billing. Ridneour asks what the actual billing for that period of time will be. He does not want a yearly, he wants for the period of September 30th on. Freeman replies the actual charges (amounts billed) are somewhat irrelevant because Medicare and Medicaid operate on a... Ridenour cuts him off and claims if they are irrelevant, then the \$1.5 (million) is irrelevant and he just wanted to know what the anticipated revenue for the runs that have already been done and once they are able to bill for what has been done. Ridneour does not want an annual figure and wants to know for that period of time. Freeman states \$130,340 and that is a very conservative estimate. They prepared to present worst-case scenario. Ridneour asks what that would be, is it Medicaid or Medicare. Freeman states Medicare and Medicaid operate on a fixed fee schedule. Ridneour confirms. Freeman continues they know how many Medicare and Medicaid patients were transported and at what level of service they were treated. They were able to apply those fee schedules to those patients. Ridneour confirms that they should have more accurate figures. What he is trying to find out is we know how many runs we did, Freeman said we know the details of those runs, what is the figure for those runs? Once this is approved, what will be the figure for those runs? He does not want an annual estimate or asterisks. Chief Bell states, again, that number is \$130,340. Ridneour states it just states average estimated. If they know how much the runs are, it seems like with Freemans thirty-five years of experience, we should be able to know what that will generate, once approved. Freeman states on a monthly basis based on the current number of calls that are being performed, again, you have to understand there are a number of variables in ambulance operations. Ridenour states there are no variables on operations we have already done since September 30th. He states he is just not getting through. Freeman explains they have not actually sent bills to patients. Ridneour knows that because there is no billing ordinance. Yet, we know who the runs were on, Freeman said he has already looked at the hospitals so they have told him what their fees and what all of those things would be. Ridenour just wanted an exact figure of this is what it will be for those runs, September 30th to whatever date that month. Freeman states for the month of October, \$130,340. Ridneour states this (ordinance) says it is the estimated average revenue. Ridneour asks that is the actual revenue that will be generated if this is passed. Freeman states based on the month of October, based on the live data. Ridneour states live data is what he was wanting, not an estimate. Freeman explains it has to be understood that if they send an insurance claim and for some reason that patient had their insurance terminated and they were unaware of that, they are not going to pay that. there are some variables in there. Freeman can not tell Ridneour to the penny but they are giving a good faith. Ridneour states this would be the billed amount. Freeman confirms. Ridneour states that was what he was trying to determine because is has asterisks and says "estimated" and Ridenour did not want an annual figure. We know what we did in that period of time, he just wanted to know what is that number and clarify that is accurate. Freeman hopes he answered Ridneours question. Ridenour confirms and states they eventually got there.

Powell asks if that \$130,000 cover the cost that the city will be incurring by operating this program. Freeman explains they (Ambulance Billing Services Inc.) are not involved in the expense side of the equation, only the revenue side. They can't address how the fire department spends money, only the income side. Chief Bell refers to the document just presented where there are intercept fees. Intercept fees are approximately \$32,000. Approximately 6% of that will come off. What he has done again, is worst case scenario and put everything out there. Every time there has been an intercept, he has put it out there, whether or not Heartland has went to the hospital or not. About 10% of those won't go so if you take \$6,000 off of that then you are in the ball park. Powell is not aware so is asking for clarification, will the city still have to pay that intercept fee if there is a transport to the hospital or not. Bell confirms no, they do not. If you take that 10% off of there and then they are looking at somewhere between \$75,000 and \$80,000 overtime. That is the worst-case scenario for this reason. They have four gentlemen going through EMT school, which was 8:00 to 4:00 every day through the month of October. They have four retirees burning out their time. Then, they have three replacements, one due to a death that can replace immediately. They do have a shortage there as far as that goes. What Bell has done is for the month of October, they are looking at about \$75,000 because of the overtime he figured from November 1 through November 20. The overtime rates are changing because they change on a monthly basis. They have approximately 54 times that overtime would be used in the month of November thus far which would be about \$32,000, as opposed to what they have used in October and currently, two thirds of the way through the month. Basically, they have been able to run those numbers out because they know

that many people are going to work through the 21st. Powell states another figure was provided to them by Mr. Chafin of \$85,000 for overtime. Powell refers to being told what would have been billed during that period of time but asks what the expenses would be for this month of providing that service. Bell explains they had start-up fees. To this point, their start-up fees consist of doing everything that needs to be done. They started with \$400,000 and have \$271,374.99 remaining in the account. Start-up fees include monitors, cots, everything that went along with supplies and all of that. They have basically got \$130,000 in start-up fees. Those monies were taken out of Fund #104. While they are at it, he will just go down the list so there is no misunderstanding. Fuel cost for the month of October is \$712.70. Maintenance is about \$450. They have had two brand new ambulances that they had to take back to the Ford dealership that was covered completely under warranty, the wiring harnesses were bad. Heartland, they have been through that, the pay there is \$32,100. Again, they will take approximately 10% off of that because all of the runs are put together on the ALS end. Supplies for the month and getting everything up and running which would take them through to approximately three months has been \$28,066.30. Under the start-up, they will also pay \$12,000 for the Medical Director that will be collected after they start the collection process. That is majority of the start-up fees. Powell asks if he suspects the city will make a profit or break even. Bell absolutely believes it will be self-sustaining. If you take just the numbers for overtime that they are running from November 1 through November 21 at \$32,000, again, it is significantly less than what they had in October because of the employees currently in school and off work. If they double that, it is going to be \$60,000. Powell asks why they opted to have the proceeds deposited into Fund #104 which is different than any other department. Bell states that was something that was done when they first came to council and council did not want to take a chance on the department. They were putting that money into the General Fund. That is when he told Powell specifically that if she didn't believe in them, they would do everything out of the Fund #104. They would take the gains and take the losses. That is why everything was put back over. Bell claims Ridenour asked at the last meeting if they would go fifty-fifty. Ridenour confirms. Bell states the department does not have a problem with that. But, that is exactly what happened when they came to council the first time, the council did not believe in them enough that they were going to make anything. Powell believes ord. 68-17 had the proceeds going into the General Fund. Bell does not believe so. Powell believes she actually made that amendment. City Clerk, Melissa Peckinpaugh goes to obtain a copy of that ordinance and the council continues with comments and questions.

Anderson wants to compliment Chief Bell as he has heard nothing but great things about the work, especially within his district. Thinking back to when he was first elected to the council, they did not have any of the fire department in district 6. We have come along way. Anderson thanks Bell for his hard work and that people are happy and satisfied to the fact that there are now emergency vehicles running. He wants them to keep it up and is aware of running into some turbulence but in the end, it is being proven (right now) that it is doing good. Bell thanks Anderson for the recognition.

Jerry Wise, 326 W. Charles St. Muncie, Indiana, asks if he heard correctly that there is \$130,000 for the month of revenue and \$80,000 of costs. Powell confirms it was \$80,000 in overtime costs, there was additional costs. Wise asks what those additional costs would be. Powell redirects the question to Chief Bell. Bell explains the additional costs are nothing more than start-up costs. When you start any business, there is going to be some sort of start-up costs. It took them the \$130,000 basically to get everything in place, to move forward. They have done that and came before council last time and let them know there would be start-up costs. Actually, there would be more start-up costs than that. They have been able to pinch every penny and do everything that they could possibly do to make sure everything that they do is very reasonable. Start-up costs, backboards, monitors, drugs, anything that they need to put in those ambulances is what they basically went out there and got to make sure.

Rachel Clark, the EMS Director, clarifies what Mr. Wise's question was and states the start-up cost was \$130,000 to get it started and then monthly. Wise asks if it goes into next year. Clark states a lot of these things are one-time items. There is numerous chit-chat among Wise and Clark and members of the council. Clark states the start-up costs are separate. Wise adds that those have to be applied every month. Clark states that is correct but, in this month, the revenue brought in was estimated at like \$130,000 and then it is actually broke down. Fuel was like \$700 and some dollars, so that is going to be a monthly average. Wise add that they would then add in the \$11,000 a month start-up costs. Clark states yes. Wise clarifies so \$102,000 against \$130,000.

Powell refers back to ord. 68-17 and states the money was put into the General Fund. Bell wishes to go with Ridenour's suggestion of fifty-fifty. Bell explains it is like anything else, if you are going to run something, some of that money has to come back to refurbish equipment, along with doing the maintenance and everything else to make sure that program keeps running. This is going to be more than self-sustaining. There has to be something in put back in to this if we are going to keep this running. That is just common sense. It is a great program, they have been able to go back into the community in areas that are burdened by railroad tracks. Also, they have received a lot of great comments. People have been coming up and saying that they are doing a good job with this. This is going to do nothing but help our city and the citizens here. Again, Bell hates that it has been turned into a political football. This was never meant for that. This was something that was nothing more than to help each and every person in this city and save lives. At the end of the day, that is what it should be. The political aspect should not be here. Peters wants to clarify on

their end that nobody thought the department couldn't do it, they just couldn't make the numbers happen. Peters acknowledges Bell being aware of that and them having that conversation in the past. Bell confirms.

Jason Chafin, Local #1348 Union President, assumes the council received his e-mails within the past couple of days with some information he was able to gather and obviously, the council received a large packet of information from him last month. He hopes the council members were able to review. Chafin just wanted it to be known he was here tonight and is willing to answer any questions anyone may have. Keep in mind he is the Union President, not an administrator so it was hard numbers from the administration or what they have. Chafin would like to speak to the fact that his membership (firefighters) have been working really hard and it has been a lot of change for some of them. They have been doing a phenomenal job. Chafin knows Mayor-elect Ridenour and the next council will continue evaluating this program as it continues each month and that microscope will be there which is welcomed and assumed. It would be part of their duty to do those things but to make sure we get to collect what we got now. Chafin wanted to address Ridenour touching on that \$130,000 being that estimation. He believes Freeman, the billing director explained it very well but just wanted to explain it the way he saw it which was the 46% in Medicare is a hard number. The 36% in Medicaid is another hard number. The insurance is 6% but is not a very hard number because they do not know what type of insurance, different billing amounts, that would be where a soft number would come in. The 12% self-pay is being assumed right now at 100% write-off. When Chafin's guys drop a patient off at the hospital, they get basically a patient sheet immediately right there at the transfer of that patient insurance information if they have been to Ball Hospital before. That will tell them right there, Medicaid, Medicare, self-pay, Blue Cross Blue Shield. Another thing the information sheet would tell them is if they have Medicare plan C or a supplemental health plan, this money here does not for any of those supplemental plans, therefore, making that number able to grow. A lot of the self-pays are people that have never been to Ball Hospital before and in that case, Ball will be inputting their name and address and general information while the EMT's are not going to wait around for insurance, they are going to go pack up their ambulance and go get ready for the next call. That would then be information that the billing company would get at a later time, on those 12% self-pays. Those are high risk because if the patient does not have insurance, there is a good chance that they won't respond to the bill and Chafin believes this is assuming that all of those are going to be 100% write-offs. That could be the case but again, worst case scenario, but probably not the case, which makes that \$130,000 that floor number.

Andrew Popp, 3404 N. Hollywood Ave. Muncie, Indiana, reads "the amendment to the ordinance for the City of Muncie, Indiana establishing designee fee schedule for the interlocal agreement for Center Township for fire protection services." He did not hear "ambulance service" in there and just wanted to throw that out there. The transparency was very nice and he appreciates that. He does, however, have a few questions on what they are doing with this. How much are we paying the ambulance billing service monthly and does that cost incur into the \$130,000? In the start-up cost, how much did it cost, if it did cost, to wire these lines and communication lines needed to run an ambulance service through the 911 dispatch center? In the \$130,000 start-up costs, does that include the ambulances that the city purchased? (Which Popp does not believe the city purchased ambulances and all the start-up gear for \$130,000.) And lastly, does the overtime rate that Chief Bell supplied include a potential for call-ins. Popp understands that Bell stated that could be doubled. He just wants to make sure the department will actually recoup everything. He also understands that there is a comment on the table, not a proposal, for fifty-fifty revenue deposits and asks if there is any other revenue stream that does not turn back to the General Fund? If there is, are there any specifics as to why that is? That is his list of questions and based on the answers he gets, he may have a few more. Bell jokes he should have written all those questions down but he will try to do his best to answer what he can. As far as the collection fee, Bell believes it is approximately 4.5% that goes up to 5.7% when everything is added in. There are no connection fees or anything of that sort, it is all billed in. The collection company was basically able to give the department the computers, the system, everything. Freeman interjects that ambulance billing fees are basically based on call volume so the fee is very slightly higher than what the county has stated what they are billing their billing company. The base fee is 4.5%. The company has furnished the Panasonic Toughbook computers for the fire department in which all four came to about \$12,000. They have furnished what is called the computer dated dispatch interface which connects the dispatch data to the ambulance recOrd. When they get a dispatch, that data goes into the ambulance chart and inputs the person's name, address, time elements, etc., that had a cost of about \$4,000. The company has basically paid that cost upfront and will recover that over a period of time in their billing fee. They furnish the charting software for the ambulances, which will be about \$14,000 a year. Those are all passed through at the company's cost in which they make no money on softwares, computers or on the CAD interface, but do the department as a start-up as part of their billing fees so 5.75% covers everything. The actual billing fee to retain their staff and provide their services, credentialing their people, all of the security precautions, the HIPPA training, everything that goes into a billing operation is covered in the 4.5%. The computers, the software and the interface with the dispatch center is added on to that at the company's cost. That is where that number comes from. Popp asks if it is 4.5% or 5.7%. Freeman explains 5.7% with the software and computers. Ridenour confirms the total is 5.7% which is \$7,494.55. Popp asks if that comes off the of \$130,000 that was said the city is going to collect if they collect all of it. Bell explains of everything that is collected, that comes off of. Popp

reiterates that the 130,000 is not really what we collect off of because you (Freeman) are going to take 5.7% off of that. Freeman explains that is the standard practicing with every ambulance service billing company. Popp just wanted to clarify that the city is actually not going to get the complete \$130,000 because there are other fees involved in that. On to the start-up fees, Popp asks if that includes the ambulances that were purchased. Bell explains the ambulances that were purchased were purchased by lease that way there was no bill for the first year on any on the ambulances that they have had. There is no bill for the first year. Popp asks about the second and third years. Bell explains then, they would make a payment of \$77,000. Popp asks if that number is going to be per ambulance total for the entire. Bell confirms. Popp clarifies that is \$77,000 a year so that is, in fact, an additional cost. He just wants to make sure all the costs and numbers are put together so we can see what we are really paying for this and how long we are going to be behind before we actually start making money. We are assuming everybody is going to pay, they did not cover a 5.7% cost which maybe, the council has but the public certainly does not. The ordinance does not even talk about an EMS service in the paperwork provided to the public. He again, just wants to make sure we are seeing what is really going on here. Popp wants a working service and as he has said before, he does not want Heartland involved in it and that is just his opinion. You can take it for what it is worth, it is not worth a wood nickel and he understands that. What he is saying is that he wants to now, as a city, and somebody who pays into this tax base what we are really getting ourselves into. That is all he is asking. If we are looking at next year, we are going to add an additional \$77,000 a year. How much overtime we are spending in a year? He wants to see the plus and minus. We are assuming we are going to collect all this money. That is all he is asking. He is not trying to be up here and be a jerk. He just wants to know what we are spending, what we are making and what we are making is going to be assumed on that we collect everything. Chief Bell explains again, when you start a business, you do not know everything that you are going to bring in. They have looked at everything that they could possibly look at, including what Freeman is going to collect. Again, these are the numbers that they are bringing before the council. These are the numbers that have the outlook of over a year, just going off of the first month. They are not going to have overtime in a situation that they have every month like they do this October, for those thirty days. There are many different things that will factor in here. Everything that they have looked at still says that they are going to make money. They know that next year, there will be a payment for \$77,000 for the four ambulances. They know that there is going to be fuel. They know everything that is going to be there but at the same time, they have got the initial work-ups for the start-ups and everything. They have bought the monitors that have to be on the ambulance and the equipment that has to be on each and every ambulance to be state approved. They have all that. Anybody thinking that there wasn't going to be some sort of payment, nobody gives you anything for free but they looked at the easiest way for them to get started and for their start-up fees to be as low as possible by looking at the lease. They have a five-year lease and once that lease is done there will be nothing. Again, yes, \$77,000, Bell feels very comfortable about taking in that amount over the year and still being self-sustaining. Popp knew and is sure that everyone else knew there was going to be a payment. What he is saying is that nobody had that number. He understands there are start-up costs in starting a business but the department is using taxpayer dollars to start that business. Popp is one of those taxpayers whose dollars is being used to start that business and he does not feel comfortable in putting his money involved in this business when there are other needs in the city at this time. Someone from the audience shouts out that it is a service, not a business. Popp claims he is using Chief Bell's term of "business." Bell states he is going to use another term. When you are in safety services, it is saving lives and it doesn't have anything to do with the old mighty dollar, in his opinion. Business, service, whatever you want to call it, at the end of the day, they are here to save lives. Bell has been on the department for 34 years and that is what he has done the entire time and will continue to do until he retires.

Anitra Davis, 908E. 9th St, Muncie, Indiana, states she and some of her neighborhood association presidents contacted Chief Bell and Rachel Clark and had a meeting because they had concerns with the agreement and wanted to make sure that they had the ALS service coverage. They reassured them and they had talked about a lot. Everybody in the meeting was happy. Davis owns her home and has owned her home for over twenty years so is also a taxpayer and what she does know is that in the 6th district, there was one, two three minutes that it took to get to someone that was in need. Davis has a 90-year-old grandmother that lives in the 6th district and if you are telling her that you can get to her in one, two or three minutes, she is all for it. Davis wishes that she could ask how many people live in the area that now covers this ambulance service. (Numerous audience members raise their hands.) Davis states she is here to represent them because we need this service. She is for this service. If you can get to her or her neighbors in one, two and three minutes, we need that service.

John Quirk, 117 E. Main St., one of the City Attorneys, explains there has been a lot of information given tonight and he is sure the council appreciates that. However, he does not want them to lose focus on what they are looking at. That is simply establishing the fees for the service. The service is already in, running and doing a fabulous job. The problem is that they can't bill for it. Quirk explains to the council that if they pass this, they have the opportunity to bill. If they don't pass it, then it is free because the service is going to continue and continue saving lives and continue helping people in the city of Muncie. Either, they have the opportunity to bill, which is what is being asked of them to do or its free.

Polk totally agrees with that, however, it would have eliminated this problem if they would have had this ordinance in front of them in August so they could have passed in September before starting this program. Why it wasn't brought to them before August, that would have been nice. Chief Bell explains they weren't ready to bring it before the council then and brought it as soon as they had things in place. Polk states if they had it in place before starting this program then we would not be in this situation.

Kristopher Bilbrey, 318 S. Meridian St., Winchester, Indiana, states we are concerned about a lot of things tonight but we are not concerned about the fact that you have Hampton sitting next to you that can not vote. You (the council) are going to be voting on a lot more things that are important, yet there is also a meeting next month. Hampton can not be sitting next to the other council members and he can not be voting. Bilbrey is not an unreasonable person, some think and some don't but he does not particularly care what anyone thinks of him but you catch more bees with honey. When your government is broken, and he is not the one that pointed out it is broken, he is not the one that broke it. Some of the people may have, some of these people may not have but when the government is broken, we are either idiots that go along with it or we stand up and fix it. What is happening here is more broken local government and why you guys got beat.

Questions called.

A roll call vote showed 6 yeas (Anderson, Marshall, Dishman, Hampton, Ridenour, Polk) and 3 nays (Powell, Peters, Gregory).

ADOPTED.

*During the vote, there was discussion that it should have been amended to include the revenue deposit being split fifty-fifty with the General Fund and Fund #104. According to Ridenour, questions were called before the amendment. Peters claims this resulted in her reasoning to vote no.

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 Hampton to Adopt.

Todd Donati, Muncie Redevelopment Commission, along with Lauren Mathis, Baker Tilly, approach the podium. Donati wishes to reference Baker Tilly and this being their specialty, dealing with public and government finance. They are probably one of the largest in the United States. He wants to reference why she is here. He also wants to make a comment because he disagrees with the comment that was made about the ambulance service being a business. Donati pays out \$170,000 a year for police cars and he has also helped acquire a fire truck but can guarantee that the fire department nor the police department make money and he cannot believe that somebody can stand up here and worry about an ambulance that (hopefully someday, he does not need it) will be there. He is worried about what it cost to operate, that is just beyond him and he cannot believe that. Donati just had to make that comment because it shouldn't be looked at that way. One life is more important than any amount. Polk calls point of order and asks if the discussion is regarding ord. 45-19 or what. This results in comments being made from the audience. Gregory calls point of order, again. Donati explains this is a particular situation where they introduced it last month but he will repeat it again, this is not costing the city and additional months or time on these bonds. It is not adding any additional funds to the bonds. All this is doing is that they have consolidated all these bonds into a refunding, in order to save money. It is also including the two bonds that have not been funded yet which are approved. These are all active or have been approved. These particular two bonds are being waited on to see if they get this either approved or decided on so they can add this to that which is part of the funding so they can achieve the best rate possible on those particular bonds. All they are asking for tonight it to save money, not spend money.

Jerry Wise, 326 W. Charles St, Muncie, Indiana, asks if the bond rates have dropped. Mathis explains some of the interest rates have dropped. We also are in a period toward the end of the year and toward November and December there is a lot of extra supply right now. Mathis states they actually think the savings might be a little less than what they thought they were going to be when first here because of the delay. They did ask for a suspension of the rules in October, which did not occur. Brad Marshall asks what the rates are and what the expected savings are. Mathis answers the prior rate on the series 2019 A bonds which are pure TIF revenue bonds, were 4.5% and 4.1%. The estimated rate right now is 3.27%. The rates that were outstanding on the taxable series 2019 C bonds were 5.25% (this is a taxable bond so the taxable rates are higher) and 5.36% variable rate. The current estimated rate is about 4.53% and it had been 4.27%. There are some things that are up in the air such as whether they will be able to obtain an insurance, the rating and so forth. Based on where we are at right at this moment, the estimate is about \$880,000 of savings as opposed to the \$1.2 million in October. There is the ability to make a decision to do the new issue first and then set and wait on the refunding until next year but there is no guarantee that the rates are going to stay low so that is where they are at right now.

Ridneour states Mathis mentioned a word he does not remember hearing in October and that is "variable." Mathis states yes, one of the issues has a variable rate. Mathis explains that is one of the reasons they are doing this refunding. It also has the foot option so that would put them at some risk as far as in the year that hits and all of a sudden, those bonds could be put. Ridneour

asks what year that hits. Mathis does not recall right now at the top of her head. She wants to say it was 2026. All they would be doing now is by locking into this fixed rate, it would eliminate those kinds of risks. Ridneour refers to Mathis also stating this was the rate if we get insurance and asks what the rate would be then and when will we know. Mathis explains they are waiting on the rating so they have been working with the rating agencies on applications and have a call tomorrow. They should know within a couple weeks on that and then the same time, they put applications out to the insurers so they won't know that for a few weeks. Ridneour asks what the call is tomorrow. Mathis states the call is where they have the rating analyst from (inaudible) Global and they have a list of questions in which they will go over with them and answer those questions. Tomorrow's call is with Donati and they have had prior calls on the financial information for the city with the Controller and the Mayor. Ridneour states if they were to approve this tonight, it does not mean anything as far as what Mathis as told them, the end rate and savings doesn't mean anything if they don't get the rating that they want. Mathis explains that has already been built in to the rates. Ridneour asks if they assumed the best or worst. Mathis answers they assumed a rating of the tax increment of a triple B. Ridneour asks how it would impact the B issue, the new money, if they weren't to do the A and the C. Mathis states the underwriters felt that by putting it all together into a larger issue that it would attract better interest in the whole market and better rates. It is also possible to do the new issue separate and then the refunding separate as well. Mathis can only go with their advice that it might be better to keep it all together but if they need to hold off on the refunding, they can. The new issue needs to happen because of the Accutech notes that need to be taken out and the White River commitment that has already been made. Ridneour confirms that the underwriter what who Mathis was referring to. Mathis states yes. Donati explains there would be a huge amount of cost and delay if they separate these because they have already gone through all of the work and process. They would have to go out and start searching for new potential buyers for these bonds. That could delay because they are expected to close, hopefully in December. If this goes beyond December then their developers will probably have to pack up on the Riverfront Canal project and not come back until spring or maybe get caught doing another job somewhere else and this could delay that development which could cost them a tremendous amount of money on that aspect. They have demolition going on the 21st of this month on that particular project. There is a lot more than just separating these. There is a lot of issues and if they delay beyond the 90 days, in order to keep Accutech in operational mode, they had to put a 90-day ban on this because it got delayed in the process. They were hoping to come in last month and get a decision of some kind last month so they could move this forward. It got delayed because they could not get a vote last month. So, the ban that is in place and could expire at the end of the year which could ask for those funds to be hauled and they would not be in a place to be able to approve those or give them that bond. There is a lot of different aspects the come into play. The whole issue is, the fact they are not adding any additional money nor additional time. They are trying to do their due diligence in getting a variable rate, which they did in 2013 or 2014 down because it could go up or down or mostly up and secure some kind of savings while they are doing that. They know they are going to get that. Donati did entertain the insurers that came in from Florida. They wanted to drive around Muncie and were very excited about all of the new business in Muncie, the hotel, Convention Center and general opportunities that Muncie has. They were very excited about that and felt very comfortable and confident after they left that Muncie is in a good secure place. Donati is very confident that they will get that insurance process.

Jerry Wise, 326 W. Charles St, Muncie, Indiana, states it sounds like we are just rubber stamping this. If demolition is starting in December and this is the first time he has heard anything on Accutech. He asks if the city is pulling out of Accutech. Mathis explains those were already approved. Wise asks how much that is. Mathis answers \$1.5 million. Wise states again, demolition is starting in December sounds like rubber-stamping. Mathis states no, that has already been approved and this is not about that. They were just putting the new issues with the refunding so it will all be together.

Anderson asks how much money could have been made but was basically lost from last month to this month. Mathis answers the estimated savings is \$325,000 less than last month. Anderson is not in that part of the deal but had they made a motion to suspend the rules and vote it could have potentially saved \$300-and some thousand. Mathis states potentially because at that time, there was less supply in the market and they were trying to get into the market at that time. That was where those rates were. Anderson asks where they are at right now if the approved it tonight. Mathis states the estimate is assuming they could get into the market in early December. Anderson asks for how many years. Donati answers the years are all different. Anderson is all about making money but can't speak on the series part of it. He knows when money is being discussed, it is still money being discussed. Anderson confirms it is a fixed rate. Mathis replies it will be a fixed rate but first has to be bid.

Kristopher Bilbrey, asks what was just whispered from Marshall to Polk, it is an open-door violation as this is an open meeting. Marshall states he had asked him if this individual gentleman owned a restaurant downtown. Bilbrey just wanted to double check, it is an open meeting. Marshall apologizes. Bilbrey jokes there is crazy stuff that happens sometimes like having people that can't vote and commit open-door violations and it is funny but a little ridiculous too. Keep that in mind. Also, Hampton can not vote.

Brad Marshall, wishes to have some verification on the delay that was referenced. We followed the normal order of business or was actually an asking for an amendment to normal business last month so it wasn't a true delay. The other questions he

has was brought up last month which is if there is a possibility to repay these bonds early and get out of these or are we going to extend the term at a savings. Mathis states we are not extending the term. It is possible to shorten the term but when that happens, it lessens the surplus. In this case, it is a matter of weighing that the surplus is used for redevelopment projects so there is a certain amount of coverage they would want to keep. It is possible to shorten it in a year or two. It partly would depend since they are working with the underwriters, it can be all structured when they get the actual interest rates so they could shorten that in a couple years if they have the significant coverage that they need. Mathis has mentioned, they want at least 125% but ideally need closer to 150% coverage. That is what they have been trying to work with and right now, they are right around there.

Powell confirms that the surplus they would be saving is going to get turned back into other projects. Mathis states it can be. The surplus is available to be used for redevelopment projects that are within redevelopment plans. Donati confirms they have nothing in place to do so. They will take the savings, if it is there and as it is processed.

Brad Marshall, 3809 Vienna, states with the refinance and restructure of the coverages, is the city in a better place to issue bonds in the future. Mathis answers yes, anytime there is more surplus that would allow revenue to do additional things. Questions called. A Roll call vote showed 6 yeas and 3 nays (Gregory, Ridenour and Polk). **ADOPTED.**

President Marshall declares another five-minute recess, seconded by with Hampton.

A roll call vote showed 9 yeas and 0 nays. FIVE MINUTE RECESS.

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

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

Kevin Nemyer, City Controller, explains this ordinance was introduced last meeting and was for a person that would be in charge of administering the grants, mostly through the Department of Commerce.

Megan Quirk, one of the City Attorneys, states in addition to administering the grants, it would actually be more of a compliance position where the person would be working with the different department heads to make sure that there is a checks and balances and that the legal compliance would be met within the different requirements for the Indiana State Board of Accounts, as well as any federal grant dollars that the city receives.

Kristopher Bilbrey, 318 S. Meridian St., Winchester, Indiana, wants to explain to the audience (Marshall asks him to address the council but Bilbrey states no) the importance of what he is doing is because when they try to sue him, or he (Hampton) tries to sue him for speaking the truth or when he files an injunction tomorrow to have him removed. See, Victor Whitehead was supposed to be here to get up and speak and Bilbrey is disappointed in the Republican Chairman, as well. But, somebody has to stand up to do the right thing. Bilbrey claims people might think he is ignorant and refers to City Clerk elect Belinda Munson in the audience shaking her head and states that it is ridiculous. Somebody has to do the right thing and if they are not going to do it, you (the public) needs to do it. This is what is happening, John Hampton cannot legally vote in this proceeding. Somebody needs to state that on the record each and every time.

Audie Barber, 610 W. 11th St., would like to go on the record and ask Hampton to resign his seat on the city council at this time. Also, he wishes to let the council know that Hampton is sitting on this council illegally and that any votes being taken tonight can be rescinded, including fire-based EMS billing and that means the people who are charged under fire-based EMS billing does not have to pay for it because Hampton has voted on it and Barber would like to see Hampton resign tonight. Hampton informs Barber that he is not going to see it tonight and to sit down. Barber asks for a point of order and points to Hampton. Barber will get his thoughts back together and will be back up to speak.

Matt Haffner, formerly 1414 W. Main, Muncie, Indiana (until this week) recalls all the shenanigans he has been reading in the newspaper. He does not like giving speeches and is not a man of many words so will keep it short and simple. From what he has read in the newspaper and watching the city council meetings since May, it seems as if the current council quit caring back in May. He has watched people threaten other people with violence with videos on Facebook and council members getting up and leaving during meetings just because they think they can. The citizens are the ones who's taxpayer dollars pay the council members' salaries. Council members are getting up and leaving and not getting stuff resolved. Haffner believes the city should take back their city and he is not a Republican nor a Democrat but votes for what he thinks is right. He has lived here since 1994 and this is the worst shenanigan charade he has ever seen. This city has been corrupt for so long and every time the community gets somebody they feel is right, they are wrong. Haffner claims he does not know Hampton but has watched several videos from other people, not just Barber or Bilbrey of stuff Hampton has said and Haffner guesses that since he is just a poor, old hillbilly boy from the south and probably doesn't know a whole lot, he will go back to his seat in the audience.

Questions called. A roll call vote showed 8 yeas and 1 nay (Ridenour). ADOPTED.

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

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

Joe Winkle, Muncie Police Chief, explains this is LOIT money that the department already had, they are just transferring it to purchase four used Ford Explorers from the Mooresville Police Department. They went down and looked at them and decided it was a good buy and will then outfit the department.

Kristopher Bilbrey, 318 S. Meridian St., Winchester, Indiana, has to say allowing Hampton to vote and needs to say in doing so, the rest of the council is out of order. This is out of order and the council is a joke for doing this.

Audie Barber, 610 W. 11th St., Muncie, Indiana, states if the police department needs these police cars, lets buy them but he would strongly urge that Hampton abstain from voting on this because once again, he is illegally on this council and any of these votes being taken are being taken illegally against the election board rules. Barber believes that the council is very much aware that Hampton is serving illegally and Barber believes that if they can push this, every council member can be held accountable for their actions tonight. Barber, once again, asks Hampton to resign or just turn around and look at the wall. Hampton states no and for Barber to sit down. Barber claims he is not talking to Hampton out of disrespect. Hampton states he has no respect for Barber. Barber exclaims point of order and to remove him. Barber recalls Hampton ordering to remove him during the Environmental Impact Committee meeting but found out he couldn't do so, therefore, remove him. Also, Barber is happy to say that the city of Muncie got this council correct on November 6th when they voted five new council members in. Barber wishes those that didn't win re-election a happy retirement.

Andrew Popp, 2404 W. Hollywood Ave, Muncie, Indiana, hates to come up here and beat the "John Hampton horse" and that is not what he is trying to do but he does have a question on what has been brought up. If this is found at these two are right and that this vote occurred illegally and they have to resubmit all these votes, would that mean in some capacity we would have to return these police vehicles? Popp is just trying to figure out what's going on. It is passed 10:00 and he is tired and guesses he is not following along correctly. He just wants to make sure he understands so would that mean we have to return these police vehicles and undo this and undo that. He is just asking because he doesn't know. He really doesn't want to be the guy and apologizes that he didn't want to come up here and beat a dead horse. Attorney Hunter advises them to stick to ord. 47-19. Popp states he is he just wants to know what's going on. Marshall informs him that time will tell. Barber confirms that it is unknown. Marshall indicates they don't know. Popp states "I don't know" is an acceptable answer, he just wanted to know where they stand. Popp states that is fine. Peters informs that she is not sure where they stand with it either on a legal aspect of it and she did, when they took the break in case anybody seen or heard or didn't know, she wanted to clarify that she did go down and ask him if he would abstain from all the votes for the rest of this meeting so they could get on with it. Peters informs that Hampton told her no, so, that's all she can do. Popp thanks them because he didn't know. Peters states she does not think they do either.

Adam Grimes, 1406 W. Abbott, Muncie, Indiana, states on a point of order, a council member cannot talk to a tax payer like that. He (Barber) is paying your (Hampton) salary and you are out of order by doing that. Grimes continues, he doesn't have a problem with Hampton serving at all. He doesn't care but tells Hampton that he can't address a civilian and a taxpayer like that. That is disrespectful and Hampton should resign. Barber steps back up to the podium and states he would like to ask the city attorney's advice on this, not the counsel attorneys. Polk states he had a question for Chief Winkle, on the police cars and asks what years they are. Chief Winkle answers three of them are 2016 and one is a 2015. He adds they have approximately 50,000 to 60,000 miles. Polk states that was then his next question, how many miles. Winkle explains they bought four from them six months ago and the good thing about that is they come equipped with the lights, the sirens, the mouse with the radios, the cabinets in the back, so they don't have to do much, as far as outfitting the outside and some of their radio stuff. Polk thanks Winkle for answering his questions. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

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

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

Kevin Nemyer, City Controller, explains this was also introduced last meeting and is for another position in the Community Development Department. It is funded by a grant. Polk asks for how long the grant is for. Terry Whit Bailey, Community Development Director, answers it would be until the grant is completed and it is further down under resolutions, res. 19-19 and so it's in until the money is spent. Polk asks if she knows approximately how long that would be. Bailey responds it depends on how quickly people will respond to the request. Polk refers to where it says that it is for \$15,000 for the budget classification, personal services \$15,0926 and asks if that is for the rest of the remainder of this year. Bailey answers it would have been for the rest of the remainder of this year, obviously, it's a lot less now because they presented it a month before and they were ready actually two months before so it would be a lot less. Polk confirms it would be for the rest of this month and December. Bailey states once they would actually get it going, yes.

Kristopher Bilbrey, 318 S. Meridian St., Winchester, Indiana, states Hampton still can't vote.

Audie Barber, 610 W. 11th St., Muncie, Indiana, explains he is a taxpayer, he owns his own house and his house is paid for. He pays his property taxes. He would like the council, at this time, to check through their counsel, and through the city of Muncie's counsel, to make sure that this meeting is being held legally. Barber continues this meeting is not being held legally. Hampton is a convicted felon, reduced to a class A misdemeanor, for selling marijuana, selling narcotics, whatever it was he was charged with. He was charged with a felony and admitted, in open court, that he was guilty of a felony. He did six months in jail and also was a professor at IU during the time he was selling the drugs in Bloomington. We've got a major problem here and if you (council) continue to vote and allow him to vote, the council is out of order, point of order, whatever. This is an illegal meeting.

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

NEW ORDINANCES:

ORD. 49-19 AN ORDINANCE CONCERNING REQUIRING AN ENVIRONMENTAL IMPACT STATEMENT AS A PREREQUISITE FOR CERTAIN ACTIONS BY THE COMMON COUNCIL OF THE CITY OF MUNCIE.

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

Audie Barber, 610 W. 11th St., Muncie, Indiana, explains they are going to keep doing this. He wishes the council would call a better attorney and get some better advice on this because they are totally wrong and he hopes and prays that they don't resend all these votes that the council is trying to get passed here at the end of the year. He knows some council members, most of them, aren't going to be here next year. The public has spoken, they have voted, so be it. Barber refers to Hampton and tells him he needs to get off the stage at this time. He needs to resign and get off my stage. Hampton tells Barber to sit down and that he has some amendments to the ordinance he would like to make at this time. Barber claims he has the floor right now and asks President Marshall if they are hearing him. Hampton explains during the Environmental Impact Committee meeting, they committee agreed on some amendments they wanted to make. Barber asks Hampton for his recognition. Hampton tells him no. Hampton continues, in paragraph 3, the committee has clarified it to read, "the environmental impact statement must be compiled by an independent professional engineer licensed by the Indiana State Board Registration for Professional Engineers." The rest of it be, "the cost be born by the person or entity seeking in the tax abatement of bond financing." The amendment continues by adding a 4th paragraph that reads, "The Environmental Impact Committee may consult with local academic, medical or industry experts to help interpret the technical data provided by the engineer." The 5th paragraph is then at the end referring to its full force and effect upon passage.

A motion is made by Hampton and seconded by Anderson to Amend. A roll call voted showed 9 yeas and 0 nays. AMENDED.

Gregory asks Hampton to provide the remaining council members that exact language by the next meeting. She wasn't able to write it down so wasn't really sure what she voted on. Hampton replies he will make sure she gets it.

A motion is made by Hampton and seconded by Anderson to Introduce as Amended. Questions called.

An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED AS AMENDED.

ORD. 50-19 AN ORDINANCE AMENDING ORD. 30-19 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 Anderson to Introduce.

Kevin Nemyer, City Controller, is very happy to let the council know that this is the easiest ordinance they will have tonight. Basically, there's a misprint in the salary ordinance. This ordinance corrects that. The office administrator rated should be \$17.34 for the 2020 salary ordinance.

Polk asks how much it was in the old in the ordinance. Nemyer thinks it was probably but doesn't remember the amount and thinks it might have been \$15.34. But, Nemyer would have to look. Polk asks that Nemyer look into that since it's just introduction. Nemyer confirms. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 51-19 AN ADDITIONAL APPROPRIATION ORDINANCE (MFD).

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

Kevin Nemyer, City Controller, explains he has two things. He thinks his earlier explanation perhaps muddled the waters a little bit and he would like to clarify that he used the term shortfall or shortage, that referred only to bookkeeping entries, journal entries and did not refer to the cash situation. There's no cash that has been short. It is there and it has always been there. All we need now is just the permission, the appropriation, to do that, to spend that. It will join all the other appropriations, previously, which we call the budget. It won't fix the budget, there is nothing wrong with the budget. This will add to the budget, being an additional

appropriation. The second thing Nemyer wanted to touch on, the amount (he has been told) for the second item, which is the turnout gear, is actually \$379,610. Gregory asks if that means this needs to be amended. Nemyer confirms. Gregory confirms they can amend it next month. She then asks where this money is coming from. Nemyer answers it is coming from the cash account, they just don't have the appropriation yet. Gregory asks if it is in general funds, then. Both Nemyer and Megan Quirk confirm no. That is Gregory's question, what account. Nemyer states their cash account. Gregory does not know what their cash account is and asks what fund that is referring to. Nemyer confirms it is the Center Township fund. Gregory thanks him and asks if that is for both items. Nemyer confirms, yes.

Ridenour states, as of November 4th, he received the Cross-Fund report and it showed that the ending balance is nowhere near enough to cover these two. He doesn't quite understand. He asks that Nemyer says it is coming from Fund #104. Nemyer states yes, from their cash account, yes. Megan Quirk understands where Ridenour's question is coming from. He is talking about the purchase of Capital Equipment which goes through the Board of Works. What they are asking for tonight is for the permission to do the accounting transfer in the general ledger books from the current cash account into the Center Township fund. This is an accounting exercise because within the budget, it's only budgeted for \$440,000 per year. But, the cash balance is very different. Ridenour confirms for the cash balance, the ending balance, as of the day before the election (because that's when he had this pulled) was \$622,358.16. He thinks it's down \$3,000 now, after he and Powell had talked. That is the actual cash balance so he does not see how we have \$1.8 million dollars. Nemyer explains that purchase has already been made. Ridenour asks so that is part of this \$1.6 million. Nemyer confirms, yes. Ridenour states that has already been spent. Nemyer states yes. Quirk explains they are asking for permission for an accounting transfer accounting wise. Gregory asks what happens if the council says no. Quirk states we still have purchased the vehicles and then State Board of Accounts would question it and then they would show them where the actual purchase occurred and that this transaction was there. Quirk continues, by law, we have until the end of each year to make sure that the accounting processes are correct. Powell explains that was not the opinion of the gentleman from State Board of Accounts. Quirk states this is where we're at right now so whether or not Powell has a different agreement or understanding than she does, her understanding is, for accounting purposes, to ask for this appropriation. This is the correct way to do it. Powell has an e-mail from the State Board of Accounts. Quirk states what they are asking of the council tonight is not to give their legal opinion or her legal opinion. What they are asking for is to do the appropriation and if the council does not feel that's appropriate, then that's how their vote is. But, they are asking to get permission to do this accounting transfer. Ridenour wishes to do a follow-up, he shows spent out of that account thus far, \$1,689,000 and some change. So, he could see where one of these might be in there. Ridenour then asks that the turnout gear is not in there yet so it's going to be taken out of the \$622,000. Ridenour clarifies that the turnout gear, they are actually getting approval for on the finance arm of the city government, first. Then, for the vehicle/vehicles/ you did not get permission. Ridenour is looking at Nemyer and saying you because he is and Nemyer replies he is the only one that knows how to do additional appropriations. Ridenour just wanted to clarify that part of it was asked for in advance and part of it was clearly not. Nemyer states that is right. Powell asks if it is a crime to spend money that has been appropriated by the council. Nemyer answers no, not if the appropriation is done before, in the same calendar year. Again, Powell states he has an email from State Board of Accounts that said that is not accurate. Nemyer states he has one that states the opposite. Ridenour comments they have had that a couple times tonight.

Jason Chafin, Union President Local #1348 is not going to speak to the processes of how this it went about and what was right and wrong as far as when the money was spent and when the truck was bought and all that stuff. He just wants to state a couple facts, right now, his guys are driving trucks that have a broken frame while another truck is sitting in the back of their station (No. 1). He wants his guys to quit driving a truck with a broken frame and wants this truck to be driven. He is not sure what's being waiting on right now for them to be able to drive this truck. He is assuming it is this action tonight but he doesn't know. But, He doesn't like his guys driving around in a truck with a broken frame. Second, Chafin explains he called around earlier today with fire gear that he has trouble getting over his boots because the pants are so shredded at the bottom. They snag and shred everything he pulls up his pants. So again, as Ridenour said, they are asking for the financial arm to buy the fire turnout gear. Again, he is not going to make excuses for procedures, he just knows where his guys are at and he just wanted the council to know that.

Andrew Popp, 2404 N. Hollywood Ave., Muncie, Indiana, just wanted to clarify a lot of. Popp is not going arguing that they need this gear or not. He is not a firefighter but doesn't want guys to drive around on trucks with a broken frame. Popp doesn't drive a vehicle with a broken frame. It just seems like two or three times now, things have come up and has they come at the appropriate time or been done at the appropriate time or way or in the appropriate order, it would have made a lot more sense to everyone involved. It would have saved a lot of headache for what could be coming. The numbers that Mayor elect Ridenour has says that that the money's not there because it's not, they've already spent it. So, they're not asking for permission here. It seems like they're more begging for forgiveness. Questions called.

An all-in-favor vote showed 7 yeas and 2 nays (Peters and Polk). INTROUCED.

RESOLUTIONS:

RES. 17-19 A RESOLUTION APPROVING DEDUCTION FROM ASSESSED VALUE OF NEW MANUFACTURING EQUIPMENT IN AN ALREADY DECLARED ECONOMIC REVITALIZATION AREA. (PHILLIPS PATTERN & CASTING, INC.)

A motion is made by Polk but no one seconded to Adopt.

Todd Donati, Muncie Redevelopment Commission, explains this was an error made by the council where there was no motion made. If the council did not make the motion and this thing failed then the council needs to contact the company immediately because they are under the impression that this was passed last month, because it was voted on. The council just didn't make a motion with a seconded apparently through an error so he hopes that one of the council members calls the company immediately and lets them know that it didn't pass and to stop whatever they're doing, as far as buying equipment, due to an error that the council made. Ridenour does have it in his notes that the vote was 9-0. Melissa Peckinpaugh, City Clerk, explains there was a vote but no one on the council made a motion to adopted it, though. There was a motion to bring off the table. The council members confirm it was Tabled. Peckinpaugh confirms it was brought off the table. Peters comments that nobody seconded it, just now. City Council Secretary, Lacey Jones, confirms what Peters is talking about occurred just now but was originally referring to last month. The motion was made to bring it off the table that then followed by a vote. After that, they went right into the presentation of the resolution. Once Donati was finished with his presentation, there was a vote, all while there was no motion to do anything. Polk comes back to Res. 17-19 before moving on to Other Business and asks if that is something that they can go back and do correct, since they already voted on it. It is like they are penalizing the local company for their mistake. Attorney Hunter states his notes just reflected the vote tally. As the council may recall, this was at the end of a long meeting that lasted nearly six hours. Hunter asked the Council Secretary if she listened to the actual tape and said yes. So, apparently there wasn't a motion made to actually adopt. Gregory asks if she could make the corrected motion to re-vote on that. Hunter answers yes, a motion to reconsider, which is the same.

A motion is made by Gregory and seconded by Polk to reconsider Res. 17-19 because on the error in October. A roll call vote showed 9 yeas and 0 nays. RECONSIDERED.

A motion is made by Gregory and seconded by Polk to Adopt. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 19-19 INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY LEAD HAZARD REDUCTION DEMONSTRATION GRANT AND HEALTHY HOMES SUPPLEMENTAL FUNDING OF THE CITY OF MUNCIE.

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

Terry Whit Bailey, Community Development Director, came before the council several months ago with permission to apply for this grant through ICDA. They did receive the \$325,000 and they have requested, it's a requirement that they come before council to get permission to receive the grant through ICDA.

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

RES. 20-19 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, APPROVING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED MUNCIE ECONOMIC DEVELOPMENT AREA. (CONSOLIDATED MUNCIE ALLOCATION AREA NO. 1)

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

Todd Donati, Muncie Redevelopment Commission, explains this is an addition to the house cleaning process they went through last year, they removed a number of residential properties. Because they consolidated years ago, this brought in a very old TIF area, which had a lot of negative property values. They were removing those because they negatively impact the tax base, itself. That is the way the residential were. There were twenty-four parcels which include things like property that redevelopment owns, not-for-profit properties that negatively impact the tax base itself. It is just a little house cleaning. They are not asking for any money or any new TIF area. This is just taking out some parcels. Polk asks what area this is, if he were to look at it on a map. Donati answers they are all over, they're scattered all over but mostly there are some out in the mall area. he realizes he should have brought those in because when he went to the Planning Commission, they went ahead and made several maps for them. Donati recalls Dishman being there and seeing all those maps. Donati looks through his papers to see if he has a list with him but doesn't know if he does. He states they are scattered. Some are in the airpark, Muncie mall area, south Muncie and in the downtown central area. There is probably three in the downtown central area and several of them in the airpark area. Then, there is probably about half a dozen in the Muncie mall area and south Muncie. Donati states these do not affect anything tax wise, this is just taking them out.

Gregory is not real clear and asks by taking them out, is that excluding them from the TIF district. Donati states that is correct. Gregory clarifies they are then just in limbo. Donati states they cannot be utilized. They are existing properties that are never going to be utilized for TIF and if they do go to get expanded, they can't use them in TIF anyway because they removed them. Gregory asks if they are residential. Donati answers no, these are actual non-for-profits, three or four of them are the Redevelopment Commission owns, they are just getting them out of the area because they negatively impact it. Gregory understands. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

OTHER BUSINESS:

Kristopher Bilbrey, 318 S. Meridian St., Winchester, Indiana, with his last three minutes of the evening wishes to say that if the council or anyone goes back through this entire thing and chop up the times he has been here and the things that he said and puts it all together, the time comes to not very much. So, anybody that thinks that he has drug this meeting out by bringing up a point of order that is pretty important to them. When the council seems nearly confused on almost everything else that you do, it's something that you all are going to have to understand., Bilbrey appreciates Peters for stating that she talked to people and she doesn't know what's going on and doesn't really seem like she understands the law and then he even appreciated her other comment saying she doesn't know what's going on. It doesn't seem like anyone on the council does. No one knows what is going on. That does not mean that Bilbrey doesn't or that doesn't mean that other people out here don't. So, he just wants to make sure that when we're getting pissy that the meetings are going on this long, it's mostly because of you all's confusion and how you your ineffectual government is broken and ridiculous. So, when people are speaking to you that might know what's going on, you're not too big to listen or to take a little bit of advice or help every so often. You guys, in a referendum during the last election, just last week, were sent a message. Bilbrey is sure it stings and great that you all ran and thanks for your service. But, at what cost has your service been? He tells them to look at what they are leaving behind, those that are walking out of here. They can't surely be proud. Bilbrey continues that those have probably done some great things but also some majorly screwed up stuff too. This has been three minutes, he is willing to say the rest of his communications has probably been about that long. He would say that he spoke maybe ten or twelve minutes of this entire meeting. The rest of the confusion and all of the other chaos has mostly been on the council members shoulders. Bilbrey states Hampton still cannot be here. He clarifies that he can be here, in the audience. He just can't vote. Bilbrey closes by stating we will see what happens.

Audie Barber, 610 W.t 11th St., Muncie, Indiana, again, is a taxpayer in the city of Muncie. His house is paid for. He has a opinion of the Attorney General that he thinks the council attorney should look at and maybe reconsider. Again, this the opinion of the Attorney General but Barber would like to put into the minutes of this meeting. "This letter responds to your request for a legal opinion regarding Public Law 113-2005, (SEA 18) and its amendments to the Indiana code 3-8-1-5. That section of the code sets forth grounds for the disqualification of candidates for and electees of specified elected officers." Barber states the council has really messed up here tonight. Barber then asks Hampton to step down off his illegitimate council seat. Hampton states blah, blah, blah. Barber claims Hampton just interrupted his three minutes. Hampton does not care. Barber states he can't hear Hampton. Hampton does not care is Barber can hear him or not. Barber states once again, Hamptons rude and inappropriate behavior should also be considered for removal. When Barber first came here six or seven months ago, he was pretty irate at times and he has learned over time. Barber claims Hampton will never learn. Barber continues explaining he called Mr. Craycraft, the president of the Democrat Headquarters, also known as 214, and he basically said that he doesn't believe what Barber had to say. He looked back at Hampton who then admitted to Mr. Craycraft that he is a convicted felon reduced to a class A misdemeanor and according to the state law, he cannot hold this office on this city council for any city office, state office, federal office, anything. Hampton cannot do it and Barber is putting this in minutes. He would like for the attorney to maybe look over this again and maybe give an apology for not taking him off the board tonight.

Don Morris, 1909 S. Rosemont, Muncie, Indiana, a taxpayer and homeowner and is here in regards to his daughter, Ashley Morris Mullins who has been missing in this town for six years. The Muncie Police Department has done nothing but corrupt his case for the last four years. He feels Sherriff Skinner is trying to do something. He knows not all of the council members know the situation here, regarding his daughter and granddaughter. But, a taxpayer of Muncie, that at one time had several businesses around this town, being \$467,000 in back taxes and Morris wants to know what happened that money because it's off the paperwork now. So, what happened to this \$467,000? That this criminal took his daughter and granddaughter to Florida, all the while the city council stood by and let this happen. He has been a citizen here for 28 years and he wants to know why this is happening and why it's happened to other people in this town. He can tell everyone why, it is because of the corruption. He claims Ray Dudley did not follow the case

because the guy was related to the guy that Morris is accusing of doing this to his family. He states everyone knows the name well, Daniel York. Everyone knows him. He also burned that building on Willard and Walnut. He also burnt another building that had a young lady in it, named Heather Musick. Morris continues there being so much corruption going through this town that it sickens him to live here. It just sickens him because there are younger generations coming up witnessing this criminal activity that keeps going on around here. He asks what it is going to do to our city. Not only has Morris lost a daughter but he has lost a granddaughter too, because this city didn't stand up and fight for him or fight for his rights. He refers to John Quirk being here earlier and that being his lawyer. Quirk come out of the courtroom saying he was sorry, they didn't make it to the courtroom and that this was all done in a judge's chambers, twice. Morris has \$7,000 in attorney fees and no answers on what's going on with his loved ones. Who would want to be in his seat? who would want to sit there where he is at and have no help for six years? Now, they are trying to say he is a predator and put this back on him. All because people don't want to do their jobs. That's not fair to him. Ask anybody in this town, Morris has stood up for everybody. He has roofed people's houses, including sheriff's houses. He took care of people that didn't have money and fixed their houses. He is not going to stand for what's going on around here in our government and the city council. It's just not right and it's just not fair to him as a taxpayer. But, the council just sends him to the side and says we are not worried about your case. Mr. York ran off to Florida with your granddaughter and possibly killed his daughter but nobody wants to find out. Nobody wants to do the research to see what happened. Everybody can say what they want to say but Mr. York is responsible for his daughter's disappearance and took his granddaughter. John Quirk was his lawyer and came out of the courtroom/backroom and said it was fraud. Morris asks where his representation was after that. He just thinks it's a disgrace to the whole Muncie Community that this is going on around here and his daughter's case isn't the only case. There is several. Delaware County was known for the most missing people in the state of Indiana. Morris asks if that is fair to the people. He thinks it needs looked into.

Denise Moore, 3414 N. Virginia, Muncie, Indiana, apologizes for possibly breaking down during her comment. Standing before the council, they may probably see and older, short, overweight woman. What the council can't see on the surface is that she is a victim of cyberbullying. At the age of 63, she never imagined it would happen to her but it did. Not only was she cyberbullied, she was body shamed. She was leaving a public forum for the city council candidates on October 17th. As she was leaving, a photo was taken of her. That photo was then posted on Facebook with the following comment, "I need better foundation garments." For those of you who want to see it, Moore has copies. The reason she felt a public comment to the city council would be appropriate is that this attack on her came from a department head of this city's administration. Other appointed persons of this administration and other now-elected persons have liked the post. This behavior from our appointed and elected personnel is simply unacceptable. She was shocked, embarrassed, humiliated and mad all at the same time, when I saw the public post. She was in total disbelief cyberbullying could happen to her. Even with the very supportive family and friend base, she has struggled with her emotions following this attack. She now has a crystal-clear understanding of how one feels. The feeling of worthlessness, feeling exposed, isolated, total helplessness and depressed. The number of people that viewed the post, liked the post and laughed at the post also intensified these feelings. It leads to an intense feeling of humiliation. We as a community should expect more from our leaders and appointed office-holders. Moore asks how do we teach our children and the youth that this type of behavior is inappropriate when it is our leaders, spokespersons and elected office-holders who are participating in it? We need to set better examples. We need to stand against cyberbullying, body-shaming and any other forms of bullying. This year has shown her that several adults have crossed the decency lines using social media. Things have been posted and or said online that she believes would never have been said face-to-face or in person. It is it is up to us as adults and as a community to stand against this type of behavior. Bullying has social and emotional consequences, whether we experience them or not. It's up to us. The parents, educators, leaders and legislators to redraw those lines for our community and most importantly, for our youth. Moore stands in front of the council, to show the ones bullied that they are not alone, to show the ones doing the bullying, that what they are doing is not acceptable. She stands here asking the council, all of them, to help effect this change. Let's debate the issues, let's talk policy, let's agree to disagree on paths to take. Let's reintroduce the ability to have a healthy debate and disagreements so our children in our community can see we can all get along. Let's fight for a more decent citizenry and one that all of our children can participate in and learn to advocate in. Let's fight to hear issues that affect our community, not just the spiteful personal attacks that a few seem to be so willing to give. Let's fight to be better humans. Hampton states to be clear that the individual bully that Moore is referring to is Sarah Beach.

Andrew Popp, 2404 N. Hollywood Ave., Muncie, Indiana, states he wrote down his name under other business regarding a completely different topic than what he is going to go over. He refers to Powell, Marshall, Hampton, Anderson, Gregory and Peters and thanks them for what they have done for the city. Popp apologizes that Mr. Donati has left and apologizes for using a term that may not have been the most sensitive to the topic. He was just using the term given to him by the Fire Chief who referred to it as a business so Popp did the same. He apologizes if that offended people, as that wasn't his intent. Popp continues, knowing that he is

up here a lot, he asks questions a lot and people don't always appreciate that. Listen, Popp explains he is here to stay. He is going to be the same annoying guy he was at the first council meeting, just slightly more educated and won't spend twenty minutes asking questions. Popp recalls speaking with many, if not all, of the council members that is going to be on the next council or that is leaving the council. He is still call and say hey, listen, he is sorry but he is going to call or send text messages or emails. Popp states it is important for him to be involved, His family brought him here when he was two years old from Ohio. He recalls he didn't know what Muncie, Indiana was when he got here. Mrs. Snyder, who already left and was the recipient of the citizenship award tonight, literally drug Popp to register to vote when he was 18 years old. Actually, his 18th birthday fell on Election Day and it just so happened to fall on Election day this year as well. Popp spent it outside, in the cold with Marshall, who gave them snacks, was very courteous and made it a very cordial afternoon. He recalls they had a campfire going, City Clerk candidate, Melissa Peckinpaugh was there, doing a heating dance. It was a good time for all around. That being said, he wishes that Mr. Donati was still here so he could tell him his apology formally. As Ridenour knows, Popp put in for the MRC position because that's something he feels passionately about. He wants to help bring in new business in housing and construction projects that are properly vetted and properly talked about and not circumvented the system which seems to have been the entire topic of tonight's meeting, how one entity or the other can do what they're supposed to do but take it completely around and then ask for permission afterwards or not ask for permission at all. With that said, Popp thanks the council for the opportunity to talk.

Adam Grimes, 1406 W. Abbott, Muncie, Indiana, is probably going to take all three minutes. He just wants to say he is not here only as a Ball State Student but also as a hopeful permanent resident of the city after he graduates. He wasn't going to talk about this first topic but after the outrageous remark made by Hampton, he must say something. Grimes is not going to pretend like he knows the legal details behind the background but Hampton said, very clearly, that he does not care what a taxpayer thinks, he does not respect the taxpayers, that is unacceptable. The council talked earlier tonight about being held accountable for the statements they make. That should apply evenly to all of the council members. Hampton should resign for just that statement alone. Grimes is not pretending to know, again, what they legal details are around it but if you do not have respect for the people you serve and you need to resign. We pay your salary. Grimes asks all of the council members, if he continues to refuse to resign that they table a resolution to at least censure, if not remove him from the council, just for that statement at the next meeting. If the council wants the respect of the citizens, the council has to respect the citizens. That's it. Secondly, Grimes would like to discuss the EMS interlocal agreement which will eventually come before the council or its successors. He has no issues of the city service, in fact, he thinks it is a good idea. It is just disappointing that a private EMS service with only one ALS pickup truck and one ALS ambulance was chosen for ALS coverage over Delaware County EMS, when Delaware County EMS already had more trucks than the primary ALS service within the city limits and they are on the back-up list, all the way at the bottom. When they already have trucks in the city, you have to call trucks from Eaton down to the South Side instead. That is ridiculous. City EMS was first proposed two years ago, so why wasn't an impact study done of the various ALS options. He continues, why wasn't there enough time to work out the details between the city and the county. They said the county didn't respond for a month. It shouldn't just be railroaded through the Board of Works in a month. It should come to the legislative body, it is not a power of the executive to just do what they want with our money. Third, it is this councils job to represent the citizens of the city. It's come to his attention that citizens have had their names run through IDACS illegally by city police officers. Grimes continues, even the most basic criminal justice student, including himself, knows that this is illegal and wrong. This continued to happen, even after the memo was sent out by the City Police Chief, which was not enough, in his opinion. He hopes this council would, at least, send a letter, if not make a resolution, condemning these illegal activities and the administration within the police department for not taking further action against the officers running these illegal checks, which, whether done intentionally or not, it does imitate the citizens of the city. Finally, and this is a little bit less serious than the other ones, Grimes would like to address the intersection of Bethel and New York Avenue. This is a five-way intersection and despite road markings and stop signs, he sees people running stop signs, going straight from turn lanes, turning from straight lanes, the whole works. He urges the council to look into this matter further. Not only are the streets in the block area blocked about half the time, when students are out partying on Saturday nights, ambulances and fire trucks can't get through. This is especially if someone is choking from alcohol poisoning. That is a big danger. There are accidents that go unreported and he is not saying it is because they are all drunk but that may be the case in a few because they're not going reported.

Brad Marshall, 3809 Vienna Woods, Muncie, Indiana, wanted to thank all the council members. He knows this is a tough place to be, he is sure. He also wanted to thank all those that ran, those that won and those that didn't. It's also a tough place to be. The only reason he is here tonight is, and he doesn't know if this is the place to do it but he wanted to get it in front of somebody, is that he is concerned about the Muncie Sanitary District, outside of the things that are going on and being investigated. The item that he is concerned about is their relationship with the Delaware County Regional Wastewater District and Liberty Perry Regional Wastewater

District. Right now, the Delaware County Regional Wastewater District is looking at building a wastewater plant. They are moving forward and this past year and their payment to the Muncie Sanitary District was about \$1.2 million and the Liberty Perry payment was about \$800,000. He is concerned that if they move forward, without an agreement between the Sanitary District and Regional Wastewater, that money is just going to be lost and the taxpayers are going to pay for it.

ADJOURNMENT:

A motion is made by Gregory and seconded by Hampton to Adjourn.
A roll call vote showed 9 yeas and 0 nays. MEETING ADJOURNED.



Doug Marshall, President of
The Muncie Common Council



Melissa Peckinpaugh, Muncie City Clerk
of the Muncie Common Council