

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

JANUARY 8, 2018

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

PLEDGE OF ALLEGIANCE: Led by Council President Marshall.

INVOCATION: Given by Pastor Brenton Hill with Foursquare Gospel Church.

CITIZEN RECOGNITION: Councilperson Anderson would like to present the month of January Citizenship Award to a young lady that will be ninety-eight years young in June. He just learned that she is in the care of Hospice and wants to present her with flowers. Her mind is sharp and her vision is clear. He thanks Councilperson Polk and Councilperson Dishman for allowing him to present this monthly award ahead of them. Anderson then asks for the granddaughter, Kathy Motley, and grandson, Tony Vargas, of Ms. Geraldine Springer to join him at the podium. Ms. Springer is a community legend. She was born on June 26, 1920 in Xenia, Ohio, and moved to Muncie in 1922 while attending Muncie Community Schools such as Garfield Elementary, Wilson Middle School and later receiving her GED. She and her late husband are the parents of three children: James Johnson (Detroit Michigan), Jean Pitts (Seattle, Washington), and Harriette Ware (Kalamazoo, Michigan). Geraldine and her husband were only children and now their family has grown six generations with over 100 grandchildren, including great grandchildren, great-great grandchildren and great-great-great grandchildren! Her mother was an evangelist and Ms. Springer taught herself how to play the piano at an early age. She was a minister of music for her local ministry. Under Mayor Cooley's Administration, she was an Assessor. In those days, you would have to go inside the homes of people and make an assessment by visually inspecting properties. It was a tough job. In the 1950s through 1960s, Ms. Springer helped voters at the polls in the #2 fire station located on Willard and Ebright Streets, at the time, in the Industrial neighborhood. She later moved to Whitely and helped with the poll voters there as well. With pride, she said that she has never missed a polling day in all those years. Working out of Precinct 12, she recognizes there has been changes involving politics overtime, for instance, the changes from paper to electronic ballots. Even those changes have not changed Ms. Springers position on how she wants to vote. She is all about party loyalty. Many people think they can't have their say about how things are ran or that their vote wouldn't matter but Geraldine Springer would differ with them. She is quoted saying, "If you don't vote, you shouldn't have anything to say." Anderson goes on to say the next time any of you ever think about sitting out an election or if you think your vote doesn't count, think about this woman who recognized that having your say

is part of belonging to this great nation. He then presents flowers and the award to Mrs. Motley. She thanks everyone for the award but most of all, to God be the Glory for the things he has done.

ROLL CALL:	PRESENT	ABSENT
Alison Quirk	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	

2018 RE-ORGANIZATION:

PRESIDENT: A nomination was made by Dishman and seconded by Quirk to nominate Doug Marshall as President. A roll call vote showed 9 yeas and 0 nays.

MOTION CARRIED. Marshall is declared President.

VICE-PRESIDENT: A nomination was made by Dishman and seconded by Peters to nominate Nora Powell as Vice-President. A roll call vote showed 9 yeas and 0 nays.

MOTION CARRIED. Powell is declared Vice-President.

READING SECRETARY: A nomination was made by Dishman and seconded by Peters to nominate Alison Quirk as Reading Clerk. A roll call vote showed 9 yeas and 0 nays.

MOTION CARRIED. Quirk is declared Reading Clerk.

CITY COUNCIL LEGAL COUNSEL: A nomination was made by Dishman and seconded by Peters to reappoint Joseph Hunter as City Council Legal Counsel. A roll call vote showed 8 yeas and 1 abstain (Quirk). **MOTION CARRIED.** Hunter is declared Council Attorney.

MUNCIE EDIT BOARD: A nomination was made by Anderson and seconded by Powell to reappoint Alison Quirk, Mike King and Jason Brooks. A roll call vote showed 9 yeas and 0 nays. **MOTION CARRIED.**

DELAWARE-MUNCIE METROPOLITAN PLANNING COMMISSION: A motion was made by Quirk and seconded by Powell to reappoint Jerry Dishman. A roll call vote showed 9 yeas and 0 nays. **MOTION CARRIED.**

MUNCIE REDEVELOPMENT COMISSION: A motion was made by Powell and seconded by Dishman to reappoint Sam Beasley and Dave Walker. A roll call vote showed 9 yeas and 0 nays. MOTION CARRIED.

APPROVAL OF MINUTES: A motion was made by Gregory and seconded by Powell to approve the Minutes from December 4, 2017 as presented.

Ridenour states as he was going through the Minutes, on page 10, he noticed some motions that were made regarding Ord. 68-17 that had roll call votes that did not include the names of the Council that voted nay. A motion that was made by Polk and seconded by Ridenour to Table (in order to assign it to the respected Committee to further understand and get financials) had a roll call vote that showed 4 yeas and 5 nays. He would like to have the names of those that voted nay to be added. The Clerk does have that information but it was missing from the Minutes. Later on, there was a roll call vote to actually send Ord. 68-17 to the Public Services Committee that showed 7 yeas and 2 nays. He would like the names of those that voted nay to be added. The public has been animated about this as is and Ridenour thinks everyone needs to know who voted for and who voted against these motions.

The names of the Council that voted nay to Table were Dishman, Peters, Powell, Quirk and Marshall. The names of the Council that voted nay to Send to Committee were Dishman and Ridenour.

A motion was made by Ridenour and seconded by Polk to amend the Minutes to reflect Councilperson names on a section in Ord. 68-17 from the December 4, 2017 meeting. A roll call vote showed 9 yeas and 0 nays. MINUTES AMENDED.

A motion was made by Powell and seconded by Gregory to Approve the Minutes December 4, 2017 meeting as amended. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED AS AMENDED.

COMMITTEE REPORTS: Marshall states they will have the Public Services Committee reflect their results from their meeting on January 4th when they get to Ord. 68-17 which pertained to the meeting.

ORDINANCES PREVIOUSLY INTRODUCED:

Marshall informs they will move Ord. 68-17 up on the Agenda and discuss it now.

ORD. 68-17 AN ORDINANCE ESTABLISHING FIRE BASED EMERGENCY MEDICAL SERVICES FOR THE CITY OF MUNCIE AND RESCINDING RES. 131-77.

A motion was made by Quirk and seconded by Gregory to Adopt as Amended.

Mayor Dennis Tyler appreciates the opportunity to speak on this and doesn't plan to take a lot of time. He believes there was an e-mail sent to members of the Council earlier this day of two separate incidents that they should take a serious look at. They are not scenarios and are real life issues at hand and asks that Council to please take a look at them. However, that is not what he is here for tonight. The idea for fire-based EMS for the city of Muncie is not something

Mayor Tyler considered just recently or took lightly. He met with county officials in 2013 to discuss ideas around a fire-based EMS to do two specific things. One, provide the most expediate service (together in a partnership) to save lives with an even better response time. Second, to begin to correct the total fiscal unfairness to the taxpayers and citizens of Muncie, Indiana. County officials never responded to his proposal, however, they did increase the fees to Muncie citizens and taxpayers. The citizens of Muncie, in forty years, have received zero dollars the entire time that the incurrent agreement has been in place. Forty years, the citizens and taxpayers of Muncie have received zero dollars for a program that they participated in twenty-four hours a day, 365 days a year. Mayor Tyler gives a scenario to think about. The tone goes off sending a fire unit and an EMS unit to South Madison Street. Currently, a fire truck will arrive as a first responder with an ambulance, 90% of the time, arriving later. There could be several counts of wait time between the first responder, who can only try and stabilize a situation and the ambulance that can provide further medical and transportation to the hospital. Many times, the first responders assisted life support prevention before, during and after transportation. That is the end of the run, the tone and emergency is over, the billings go out from the hospital and Delaware County receives compensation. The city of Muncie and the first responders receive not one penny for everything they have done to assist in that life saving situation. Fire-based EMS will allow for ambulances located in the fire stations to also become first responders. This lies one step between the citizens of Muncie and the potential of life and death. Mayor Tyler goes on to say he read over the weekend and heard time and time again that minutes does not matter. Maybe minutes do not matter sometimes but seconds always matter and seconds become minutes when you are talking about life and death. The revenue on the fees provided by the city to the county currently has been expended 100% outside of the city limits which is entirely unfair to the taxpayers of Muncie that he and the City Council represent. Again, the citizens of Muncie have received absolutely no compensation back to the city the entire time that the current forty-year agreement has been in place. As an elected official for the citizens of Muncie, his responsibility is to those citizens who live in this great city as it should be for all city elected officials. Some people have stated that the current system is not broken but it is his belief that for Muncie residents and their families, it is horribly broken. There are valid reasons why cities all over Indiana and the country are moving to a fire-based EMS. Tonight, he is asking the City Council to Table Ord. 68-17. That would give the time to obtain additional information and to research how the city constructed an agreement that is not only safer but fairer to the citizens and taxpayers of Muncie.

Anderson recalls Mayor Tyler being present for the January 4, 2017 Public Services Committee meeting in which a lot of people in the audience and the rest of the Council was not present. As he is a member of the Committee, Anderson explains they listened to concerns from individuals concerning this ordinance. He would be in agreement with the Mayor on behalf of the Committee that they want to Table this ordinance.

A motion was made by Anderson and seconded by Quirk to Table.

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

A motion was made by Polk and seconded by Powell to send Ord. 68-17 back to the Public Services Committee. (Hunter, Legal Counsel, states even though it is Tabled it can be sent back to the appropriate Committee, even though it has already had a Committee Meeting.)

A roll call vote showed 7 yeas and 2 nays (Quirk, Marshall). SENT BACK TO PUBLIC SERVICES COMMITTEE.

ORD. 62-17 AN ORDINANCE AMENDING ORD. 50-17 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 2018.

A motion was made by Quirk and seconded by Polk to Adopt.
Kevin Nemyer, City Controller, informs this is the second reading regarding this salary ordinance. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 63-17 AN ORDINANCE AMENDING ORD. 51-17 FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE POLICE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2018.

A motion was made by Quirk and seconded by Powell to Adopt.
Kevin Nemyer, City Controller, states this is the second reading regarding the salary ordinance for the Muncie Police Department. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 64-17 AN ORDINANCE AMENDING ORD. 52-17 FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE FIRE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2018.

A motion was made by Quirk and seconded by Powell to Adopt.
Kevin Nemyer, City Controller, advises this is the second reading regarding the salary ordinance for the Muncie Fire Department. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 65-17 AN ADDITIONAL APPROPRIATION ORDINANCE PERTAINING TO THE PARK DEPARTMENT.

A motion was made by Quirk and seconded by Powell to Adopt.
Kevin Nemyer, City Controller, informs this is the Additional Appropriation for Tuhey Pool. Questions called. A Roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 66-17 AN ORDINANCE TO VACATE A PUBLIC ALLEY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (BEX FARMS INC.)

A motion was made by Quirk and seconded by Powell to Adopt.
Jason King, East Central Recycling 701 E. Centennial Ave, is present to answer any questions anyone might have. Dishman asks if Mr. King got in touch with all the neighbors pertaining to that area. Mr. King had communication with Minnie Guy, the landowner of the property adjoining to the alley. There are two eighty-year-old maple trees growing along the alley that has been overgrown with vegetation and he is interested in vacating it to be added to the two properties they had purchased to the north. There was an old house there which was recently tore down in efforts to clean up that area. Once the alley is vacated, they would maintain that area by keeping it clean and mowed. Gregory questions if this is the alley that goes all the way

north to Centennial. Mr. King states it is not the alley Gregory is referring to. She is talking about the long north-south alley but it is actually the short, east-west alley that is twelve feet by 100 or so feet. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 67-17 AN ORDINANCE AMENDING 27-16 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 2018.

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

ORD. 69-17 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MUNCIE, INDIANA.

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

There is no person present to speak regarding this ordinance.

A motion was made by Gregory and seconded by Polk to Table, until a representative from the Sanitary District is present to speak. A roll call vote showed 9 yeas and 0 nays. TABLED.

ORD. 70-17 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA, DESIGNATING AN AREA WITHIN THE CITY AS AN ECONOMIC DEVELOPMENT TARGET AREA.

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

Forest Bowers, Muncie, questions what the "Target Area" is pertaining to. Quirk reads the description from the ordinance and states: *It is an ordinance for the city of Muncie, Indiana, designating an area within the city as an Economic Development Target Area. Whereas, the City of Muncie Economic Development Commission has recommended that the Common Council designate an area depicted in Exhibit A (hereto as the "area") as an "economic development area" pursuant to I.C. 6-1.1-12.1-7 as amended. Whereas the Common Council has reviewed such recommendations and determined that such designation with further the economic development and redevelopment purposes for the City of Muncie.* Quirk then goes on to explain there is a section mentioning the findings as well as a copy of a map that was provided. After clarification, it was determined that this ordinance pertained to apartments in that general location. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

NEW ORDINANCES:

RESOLUTIONS:

OTHER BUSINESS:

Jim Schenkel, 300 S. Brittan Ave, Muncie, Indiana, is part of an organization called The People of Praise and they initiated a program of events surrounding an international event called "The Week of Prayer for Christian Unity." This year, there are two prayer services scheduled, one on

January 18 at The Church of the Living God with Pastor Woodgett during the noon hour. The second event will be on January 24 at St. Mary Catholic Church at 7:00 PM. He explains they are trying to cross the lines and break the chains to get people interested in being united and working and serving together. They have been successful the past three years and expect a great turn out. It is very good for the city of Muncie that people unite in faith, race and gender together.

Anderson informs the Martin Luther King Jr. Day of Celebration 2018 will be Monday, January 15, 2018. There is a free breakfast at the Student Center in Ball State Cardinal Hall from 9:00 AM until 10:30 AM. After that, engage on a walk from the Student Center to Schaffer Towers and then back. That evening, a celebration at Union Missionary Baptist Church will take place at 6:00 PM. There will be an advertisement in the newspaper. They would like for anyone to attend. It will be a great day of celebration and if nothing else, come and get the free breakfast at Ball State.

Jim Schenkel, again, states he serves on the events committee that Anderson was just discussing and would like to add to let everyone know that breakfast is going to be packed so come early.

Powell commends the first responders, public safety, all of DCEMS, the MPD, and the MFD because of the horrible weather in the last week. The streets were very clear and the city kept moving. She appreciates everyone for going out in weather no one else wanted to and making sure everyone was safe.

Mike Harris, with an office on Mulberry Street in Muncie but resides in Greenfield, is a certified financial planner. He graduated from Ball State University with a Degree in Finance and from Indiana University with his Masters in both Finance and Accounting. He is here to present a comparison of financials for the purposed Muncie EMS verses the actual financials for Delaware County EMS. This was brought to his attention a little while ago and he wanted to do a comparison to see if the numbers really made sense. Page one includes 2016 financials for DCEMS (he did a survey for other years but 2016 was a pretty average year) which was broken down into the number of runs, dollar amount, percentage of financials for each month including amount invoiced, amount written off, amount sent to collections and amount of actual payments that were received with additions and subtractions to account receivable. For 2016, the annual dollars invoiced per run was \$444.27 for 19,776 runs. Dollars paid per run was \$166.50. Page 2 includes the Medicare and Medicaid fee schedules updated to 2017 numbers as well as counts for self-paying commercials and various types of runs that are able to be done. There are 2016 totals for each of those. It is noticed that Medicare and Medicaid make up 77.58% of the overall runs and 77.18% of the overall charges. Only 8.5% of the runs and 9.4% of the charges were self-pay with the rest being from commercial. The Medicare and Medicaid figures are set figures which are not negotiable. Page 3 includes a copy of the purposed Muncie

EMS plan presented at the Public Services Committee Meeting last Thursday evening. Page 4 includes some adjustments he made with real-life numbers, in hopes to bring reality to this. Mr. Harris adjusted the average collection per run down to exactly what DCEMS is, \$166.50, and at the end of the year the revenue brought in was just under \$2 million at \$1.98 million. He also made an adjustment on payroll taxes because 9% payroll taxes were assumed which isn't accurate (actually 7.65% between FICA and OASDI). With that number increased, it decreased an expense. The fuel numbers were also at an unreasonable estimate. DCEMS fuel numbers were \$55,000 for the year of 2016. Muncie is purposing less trucks with means fuel numbers are going to be less. This resulted in him taking 75% of that number since they run on an average of eight trucks. That amount is \$41,250. The bottom shows this plan has a total revenue of \$2 million and a total expense of \$3.4 million. That is a loss every year of \$1.4 million, on top of financing the \$2 million to purchase the equipment. On the proposal from Muncie, the very first reason was that we will make money. That is flat out wrong. Number two, a guaranteed revenue stream, but, revenue doesn't matter. It is the net income or loss in this case. The salary expenses alone will be more than the money that will be brought in. Mr. Harris appreciates the Mayor for response times being number one on his list. It was, however, reason number five on the proposal of safer response times which also hasn't yet been proven. He states that is not his area of expertise and for them to figure that out. The last point to make is how the Mayor said the city receives zero dollars from DCEMS. He does not know if that is right or not, he was not given any numbers on that. What he does know is that DCEMS saves \$1.4 million for the city every year based on these financials.

Jane McDowell, 2005 N. Horton, Muncie, states Dr. Eliades (person that was called to speak before her) left after the EMS ordinance was tabled. For her information, she would like to know which council members are on the Public Services Committee (Polk, Dishman and Anderson). She questions if they will receive information. Anderson states they will be having discussions now that there is a vote they will be having to make soon. She thinks it should be remembered that medical care is done in a teamwork sort of way and that teams of professionals that have worked well so far. During discussion last month, there was talk about having some sort of contract EMS for paramedics and the public doesn't know if that means some sort of a temp group would be there or if they would be hired. If the city of Muncie was to hire these professionals, they would have to be paid well. Their shifts would probably not align well with all the firefighters and EMS workers which would make less of a teamwork effort. When minutes or seconds are talked about, also is whether or not the paramedic and EMT technician can read each other's minds. No one has complained that DCEMS response time is grossly out of normal so she thinks that is something to look at. Whether the financials are appropriate that were just presented or if there are other financials that come up, Muncie will increase its debt. She, as a small business owner, would like to see the streets in better repair and a system that actually works well.

Jason Rogers, Director of DCEMS, would like to make two points. The first point is that the Mayor is correct. Delaware county has been handling EMS calls for the last forty years that has been paid for by county taxes in which the city sits inside of. They have not charged the city in that forty years and received that service at no cost. The other thing is that the Mayor made the comment about the Fire Department doing first responders calls when the city has not done first responder calls for forty years. He does not think some of those statements are accurate. Mr. Rogers will entertain any questions anyone may have at a later time and if at any point anyone has any questions about the financials of DCEMS, he is more than available.

Anderson has one more comment to make regarding the Martin Luther King Citizenship Award this Saturday at 10:00 AM at Muncie Central High School. If the opportunity is there, he asks that everyone please attend.

ADJOURNMENT:

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



Doug Marshall, President of
The Muncie Common Council



Melissa Peckinpaugh, Muncie City Clerk
of the Muncie Common Council