

MINUTES
SPECIAL MEETING
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE, INDIANA

THURSDAY, FEBRUARY 13, 2020

SPECIAL MEETING: 5:45 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

PLEDGE OF ALLEGIANCE: Led by Councilman Clark.

ROLL CALL:	PRESENT	ABSENT
Aaron Clark	X	
Richard Ivy	X	
Troy Ingram	X	
Ralph Smith		X
Jeff Robinson	X	
Ray Dudley	X	
Brad Polk	X	
Jerry Dishman	X	
Anitra Davis	X	

Polk explains the reason for Smith's absence is his mother-in-law passed away this week and if we could all remember her in our prayers along with the entire family.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

Polk continues the only thing on the Agenda tonight is Appointments to Boards and Commissions., specifically, the Muncie Police Merit Commission and declares nominations open for one (1) appointment.

A motion is made by Robinson and seconded by Ivy to nominate Phil Miller to the Muncie Police Merit Commission.

Polk requests that the FOP President and the Police Chief step up to answer some questions and help make some clarifications. Nathan Sloan, Muncie Police Chief and Chris Deegan, FOP President, introduce themselves at the podium.

Councilman Ingram states he has received a couple on inquiries about whether or not the department has followed through with and in order to be approved under Title 36 and if they followed through with I.C. 36-8-3.5-4, where they had posted that position for three weeks, had their special meeting, had their secret ballot and had the majority of the department vote.

Deegan clarifies Ingram is talking about the transfer from Title 19 to Title 36. Ingram confirms. Deegan states the Merit Commission was already established so it was in the position of their lawyers. It was an amendment to an already established Merit Commission that wasn't required. It is the City's obligation to post the meeting, to hold the meeting and to essentially conduct the meeting. It is not at the requirement of the officers under Title 36 when establishing a new Merit Commission. So, what they did was at one of their lodge meetings they have, it was put under discussion and the lodge chose to do a show of hand vote where that was unanimous for it. There was probably twenty-five to thirty people present. Deegan believes there was discussion with the City Attorneys as well and he believes that is the stance they took. He is not going to speak for them (Attorneys) as they are not here tonight. Ingram states it is his understanding that, for some reason, if legally the department is not operating under Title 36 then they would still be operating under Title 19 and the City Council would not have an appointment to the Merit Commission. Deegan cannot answer that. Ingram asks if there is any legal counsel present tonight, in which, there is not. Ingram then asks when the next meeting is for the Police Merit Commission. Deegan states there was one two days ago. The next Merit Commission meeting will be on Tuesday of next week (2/18/2020). Deegan explains that he is thinking out loud here but if the department was operating under Title 19 then the Mayor would get another appointment and not City Council. It is from his understand that all of the attorneys that were involved in this process are all of the understanding the department is operating under Title 36 now. Ingram, explains his concern is that the council actually appointed someone to this Commission already and it turned out that they were unable to serve and he just does not want to go through that again. Deegan states he does not foresee any issues but, then again, he would have brought attorneys had he known that questions would arise. He believes, again, that all the legal teams involved were under the impression they were operating under Title 36, at least, that is what has been relayed to the officers. Ingram suggests to go ahead and do their appointment and then contact the Council Attorney and make sure they have done their due diligence. Questions called of the Police Chief or FOP President.

Phil Miller, 5801 W. Winterhawk Ct, Muncie, explains he is a native of Muncie and was born here in 1965. He served three years in the Marine Corp, mostly Camp Lejeune. Miller came home and got into enforcement graduating from the Indiana Law

Enforcement Academy in Plainfield in 1988. He has since been in a lot of social work, working in problem youth, at the prison in Plainfield and serving at the Muncie Mission for twenty-four years. There, he is the Men's Program Director and in charge of the Counseling Program.

The council thanks him for his service and interest in this position.

A roll call vote showed 8 yeas, 0 nays and 1 absent (Smith). MOTION CARRIED. Phil Miller is appointed to the Muncie Police Merit Commission.

ADJOURNMENT:

A motion is made by Robinson and seconded by Ingram to Adjourn. A roll call vote showed 8 yeas, 0 nays and 1 absent (Smith). ADJOURNED.



Brad Polk, President of
the Muncie Common Council



Belinda Munson, Muncie City Clerk of
the Muncie Common Council