

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

MONDAY, SEPTEMBER 14, 2020

PUBLIC HEARING: 6:30 P.M., 1st FLOOR CITY HALL AUDITORIUM.

ORD. 27-20 AN ORDINANCE FIXING THE SALARY FOR ALL ELECTED OFFICIALS OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2021.

No public comment.

ORD. 28-20 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY APPOINTED OFFICER, EMPLOYEE, DEPUTY, ASSISTANT, DEPARTMENTAL AND INSTITUTIONAL HEAD OF THE CITY OF MUNCIE, INDIANA, INCLUDED HEREIN FOR THE YEAR 2021.

No public comment.

ORD. 29-20 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE POLICE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2021.

No public comment.

ORD. 30-20 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE FIRE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2021.

No public comment.

ORD. 31-20 AN ORDINANCE FOR APPROPRIATIONS TO LEGAL SETTLEMENTS FUND.

No public comment.

ORD. 32-20 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE CITY OF MUNCIE, FOR THE YEAR 2021 (MUNCIE CITY BUDGET).

No public comment.

ORD. 33-20 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE CITY OF MUNCIE, FOR THE YEAR 2021 (MITS BUDGET).

No public comment.

ORD. 34-20 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE CITY OF MUNCIE, FOR THE YEAR 2021 (MUNCIE SANITARY DISTRICT BUDGET).

No public comment.

ORD. 35-20 AN ORDINANCE TO VACATE A CERTAIN STREET AND ALLEYS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

Phil Tevis, FlatLand Resources, explains he is here to answer questions that may be asked of the council during the discussion of this ordinance in the regular meeting.

A motion is made by Robinson and seconded by Ivy to Recess.
An all-in-favor vote showed 9 yeas and 0 nays. RECESS.

REGULAR MEETING: 7:00 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

PLEDGE OF ALLEGIANCE: Led by President Polk.

INVOCATION: Given 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	

APPROVAL OF THE MINUTES: A motion is made by Robinson and seconded by Ingram to Approve the Minutes from August 3, 2020. A roll call vote showed 9 yeas and 0 nays. MINUTES APPROVED.

COMMITTEE REPORTS:

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 17-20 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-5 RESIDENCE ZONE TO THE II INTENSE INDUSTRIAL ZONE ON PREMISES LOCATED ON THE SOUTH SIDE OF THE 900 BLOCK OF WEST 1ST STREET, MUNCIE, INDIANA.

A motion is made by Robinson and seconded by Davis to Adopt.

Brian Allardt, 7705 W. Crooked Creek Ct, Muncie, a Commercial Broker with Caldwell Banker Commercial, is helping the buyer and the seller on this property. The buyer is wanting to put in a mulch operation and it is zoned Intense Industrial on the southern half of the lot which is against the railroad tracks. The northern part of the lot is zoned R-3 and they are asking to change that zoning to II Intense Industrial so it is all Industrial Zoning.

Councilman Smith asks Councilman Dishman how the vote was and what was the opinion of the Zoning Board. Dishman responds the vote was unanimously in favor.

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

ORD. 19-20 AN ORDINANCE AMENDING ORDINANCE 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 Davis and seconded by Ivy to Adopt.

Mayor Dan Ridenour explains they are in the process of trying to get some enhancements and are basically working with Heartland. The timing on this is pretty quick and they would like it for the Council to Table it for 3 weeks until the October meeting. There have been several communications today with Heartland and the Mayor thinks that would be beneficial to everybody concerned.

Mike Whitted, President of the Muncie Firefighters Local #1348, whole-heartedly agrees with Mayor Ridenour. They rushed the start of EMS and this is a big deal on the paramedics. Three weeks isn't much time for them to really take their time and make sure they are doing this right. Again, he agrees with the Mayor on Tabling this.

Kristopher Bilbrey states this is different news than what he heard just a little bit ago. He spoke to some of the councilmembers today and there has been different things – He just wants to say that he really feels bad for the men and women that are working in the EMS that have been doing a damn good job for the last year. We have patted them on the back a little bit but it seems like every step on the way, we have stuck them in the eye every chance we have had. He thinks this is absolutely reprehensible and he hopes and wishes that the Council would really consider what they are doing. Yes, three weeks isn't a long time and \$100,000 or \$150,000 isn't a lot of money in the grand scheme of things. He just thinks there is some breakdown along the way, somewhere, and the Council needs to consider it. Bilbrey continues to explain that he asked a question of the Mayor just 6 hours ago at a press conference and claims what he said here at the podium was completely different than what he said there. Bilbrey, though, has no right to ask the Mayor to come up and explain why there is a difference but thinks that he would like him to and the Council should want to know what the difference was between what he said this morning

and what he said just now. He also feels the men and women working EMS that the Council have all pretty much made a commitment to back deserve that. He thinks there are people that are working on the EMS now that if through craziness we lose, the city is going to be in a world of hurt. He would say that we are so far involved, whether this was hurried – and it was not hurried, they have been talking about this and this was dealt with for 3.5 years. It is really, really, really disheartening and he would be worried that we are this far along and through steps like this, if we fumble the ball and the program doesn't end up working out, that is not going to hurt the Council that sat here before them. They wouldn't be coming after Doug Marshall at that point, or Nora Powell, they would be coming after you (this current Council here tonight) and this Mayor.

Audie Barber explains this was Introduced last month, almost 6 months ago. It was Introduced by somebody being asked to do it. Now, 6 weeks later or so, we are backing out and deciding we want to wait another 3 weeks on this? Is this a political ploy? Can somebody not get along? Barber continues and states he believes 3 weeks is quite a bit of time. Are we going to be responsible for the citizens of the City of Muncie not having paramedic service between now and the 3 weeks, or whatever time frame we are looking at? He believes this time last year, there was discussion about the contract with Heartland being up soon, not knowing when it is exactly but questions if this is going to effect the contract with Heartland? Like the gentleman that spoke before him, in 3 weeks, you could charge another \$150,000 to the taxpayers to the City of Muncie because they are paying for the overtime of the firefighters. Everybody was complaining about the overtime (before they were all elected) and about the overtime that was being paid to the firefighters. Barber doesn't have a problem paying overtime, if that is what the Council decides they want to do. This was Introduced last month and tonight is the 2nd reading on this. He feels that the Council, as a whole, has an obligation to the taxpayers of the City of Muncie to take a vote on this tonight and to not Table it. He very strongly recommends that they go ahead and vote it on it, whether they vote no or yes, whichever way they were instructed to vote. He hopes that the Council as individuals are just that, individuals, and not taking the way they are supposed to vote from what somebody else tells them how to vote. Like he already said, it has been Introduced already and tonight is the 2nd reading, we need to vote on this. Do not Table it.

Councilman Clark asks Mayor Ridenour how long the current agreement with Heartland lasts. The Mayor answers the date that he saw was December 31, 2021. Clark clarifies that would mean that they would continue with their services. Mayor Ridenour states absolutely and adds that we are not going 3 weeks without any service to our residents. Clark confirms he just wanted to debunk that and continues and asks the Mayor if he has asked Heartland for any kind of termination agreement or anything of that sort because he had one that hit his email today. It didn't have Mayor Ridenour's name on it but it was sent to a councilperson. Clark didn't see anyone of the City Administration's name on the email or cc'd within that. Mayor Ridenour explains he was not copied on that and heard about it from a councilmember late Saturday evening. He came in and looked at his emails and it was not there either. However, he was able to get a copy of it and

contacted Heartland and has been working with them much of today to determine exactly what the processes were, what their expectations are, what our expectations are and if they had a little more time, they may have been able to get it all done today. Clark states he is fine with this, speaking for himself, as a short-term solution but to see a separation contract come through with an end of September date and the City hasn't even hired personnel yet; isn't that putting the cart before the horse? Mayor Ridenour states that is definitely not the direction they are wanting to go which is exactly why he is asking the Council to Table this. Heartland is under contract and will continue to serve the City. The Mayor has a verbal commitment that they won't even stop it on the 30th of September. Clark has one more question and asks if there is a fair hiring process, in 2 weeks, to hire EMS, paramedic personnel. Mayor Ridenour answers absolutely not. That is another reason. The City is not going to move forward with something that is not prepared. Period. They will not do it. Heartland is willing and able to provide the service and until we (City) are in a position to do it properly, we are not going to do it. He made that commitment to the citizens of Muncie when he was elected and the plan is to continue that particular process.

Councilman Ivy asks by Tabling this, it is to allow the administration to have further communication with Heartland, going forward. The Mayor states absolutely and adds that they have a meeting tomorrow, in person. It is just with all of the things that were going on today, they were not able to meet in person, one on one, face to face but there were multiple phone conversations.

Councilman Ingram adds to that, by Tabling this, does that mean we are moving away from civilian paramedics to try and renegotiate with Heartland. Mayor Ridenour states no. In Tabling this, he is trying to move Heartland away from September 30th which was their expectation. So Tabling this puts the City in a position where they can follow the proper procedures. Hiring will be through HR, period and that is the only way it will happen. When Mayor Ridenour got that document this morning, there was no way the City could do this properly for the City of Muncie. He reached out and asked Heartland and they gave their commitment that they would continue on and for as long as they are needed. That is one of the things that will be determined at tomorrow's meeting is how much time the City needs to be able to do it right. He hopes that by that first Monday in October, his expectation is that they will be able to report to the Council how the City plans to move this forward. That discussion has been had with a small group of people in the Mayor's office and they just today put together that plan. That is how it will be done.

Councilman Dudley refers to the contract with Heartland and clarifies the termination has to be a mutual agreement. Mayor Ridenour states that is correct and just because a councilmember receives one that had one signature, it did not mean that it was binding. He does, however, wants to make sure that this is a company that they City will do business with and that everything is on the proper level. The plan is to continue to need them whether we do civilian paramedics or not. There are days that (even with 4 or 5 ambulances) the City is unable to handle it. The City then calls on Heartland, Delaware County EMS and other agencies to help; just like the City is willing to go out and help them

on days when they are overwhelmed with the activity. Why that overwhelming activity comes and goes, he does not know. Then, there may be 7 days where the City doesn't hardly do any runs. Mayor Ridenour just wants to maintain a good relationship with Heartland for a lot of reasons. Number 1, they are a good company, right here, with lots of employees. Number 2, the City does business with them and they are a vendor. He just wants to make sure that the City is doing right by them and doing right by the citizens of Muncie. That is why he is asking for this 3-week delay. All citizens will continue to, if they need emergency services, have Muncie Fire Department ambulances drive up which will either have a Heartland paramedic on it or a Heartland vehicle, too, will show up. There is always going to be a paramedic going to those ALS runs, even during this delay.

Councilman Ivy just wants to make sure he is understanding correctly that the draft the council saw in their email about September 30th was not from a discussion between the Mayor and Heartland or the Fire Chief and Heartland. Mayor Ridenour responds that he can only speak for himself and that was not a discussion. He explains further that those dates and those times, again, was not discussed.

Councilman Smith asks who has the authority to do that (terminate the contract). Mayor Ridenour states not only does it have to be signed by the Mayor but it also has to go to the Board of Works because it is a contract. Smith wants the Mayor to state again that he did not send that email out. Mayor Ridenour confirms that he did not send that out. In speaking for himself, Smith explains that he wants Advanced Life Support, initial response and ambulances at every fire station. Smith thinks that should be the long-term goal but he doesn't think the City can get there without Heartland's support. They must help us through that transition if that is the end goal. Mayor Ridenour responds absolutely. Smith thinks we are headed in that right direction and asks for confirmation from the Fire Chief. Chief Miller raises from his seat in the audience and confirms that the department does need their support. Smith agrees that maintaining a good relationship with that vendor is important and if that isn't done, there are people that Smith hopes get taken care of if they need emergency services. Mayor Ridenour appreciates his comments.

Councilman Robinson wishes to go on record and say that the men and women of the Muncie Fire Department are more than capable of handling EMS and he thinks that they are doing a phenomenal job. He has been supportive of this and 7 of the 9 councilmembers, as well as the Mayor, inherited this program. The Muncie Fire Department can provide every bit as good, if not better, service than the service we have had historically. He just wants to make sure that he is on record to say he is very supportive and also very appreciative of the men and women of the Muncie Fire Department that provide this service. He has heard glowing reviews from many, many people and also has heard some not-so-great reviews but you are going to have that; by and large, he hears great things about the ALS service and Heartland paramedics throughout this community and he wants to be very clear about that. He appreciates those people and again, thinks they are doing a phenomenal job. Robinson then thanks Chief Miller and Mayor Ridenour for their commitment to being able to provide the best service and if they believe the best

service needs 3 more weeks to determine what that service is and the Fire Union and Fire Department themselves support that decision then, by all means, they have his support.

Councilman Smith reiterates that the Muncie Fire Department does an outstanding job every day, 24/7, 365. He appreciates all that are in this room and what they do for this community.

Mike Whitted, President of the Muncie Firefighters Local #1348, refers to the comments that were made earlier and thinks that some of the citizens were given bad information as he was given bad information and he knows the Mayor was given bad information. Everyone was all reacting on that. He then wishes to go on record to say when he was talking to the Council about possibly Tabling this, it wasn't trying to strong-arm the City or the Mayor into more pay benefits, it was about the safety of the firefighters. After talking with the Mayor and Controller today, they are all on the same page and have the same goal. If the council passes this tonight, it will put the City in one heck of a bind, financially. It has been figured that Heartland is not going away next month and that they are going to be here and help transition into this. It is definitely going to save money and we are not going to lose protection now that good information has been received about how it will go forward from here. Councilwoman Davis explains that Whitted has been open, honest and upfront every time that she has spoken with him about this. She appreciates that and thanks him.

Attorney Dan Gibson reminds the Council that there is a pending motion so that would need to be Withdrawn and voted on before making a motion to Table.

A motion is made by Davis and seconded by Ivy to Withdraw the motion to Adopt.

A roll call vote showed 9 yeas and 0 nay. MOTION WITHDRAWN.

A motion is made by Robinson and seconded by Dudley to Table.

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

ORD. 20-20 AN ORDINANCE FOR ADDITIONAL APPROPRIATIONS (FIRE DEPT – EMS).

A motion is made by Robinson and seconded by Davis to Adopt.

Trent Conway, City Controller, explains this is basically an ordinance to get the EMS Department through to the end of the year. There was an additional appropriation ordinance that was passed back in March that started the EMS budget. At that time, the City was only providing EMS service to around 2/3 of the city. As of April 15th, that service began being provided to the whole city and the administration have just been monitoring the budget. It has come to this additional appropriation that will be needed to get them through the rest of the year.

Councilman Smith questions if EMS is currently running in the black. Conway answers yes. Questions called.

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

ORD. 21-20 AN ORDINANCE FOR ADDITIONAL APPROPRIATIONS – FIRE DEPARTMENT.

A motion is made by Ingram and seconded by Ivy to Adopt.

Trent Conway, City Controller, explains this is an ordinance to appropriate money for the Fire Department. As the Council knows, a budget was not passed for 2020 so we reverted back to the 2019 budget. In that 2019 budget, the department did not have PERF appropriated correctly. Last year, an appropriation was done to pay it out of the COIT fund and as Conway has outlined in the ordinance, there is ample money to be able to do that again this year. That is how it is being proposed to fund that.

Councilman Ivy asks if that has been rectified in the budget for 2021. Conway answers yes. President Polk asks how many drivers that will cover. Conway states they are currently paying 5 drivers out of the COIT fund. That amount might not be for them but that is to get that line item up to where it needs to be. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 22-20 AN ORDINANCE OF THE CITY OF MUNCIE ADDING SECTION 30.14 TO THE CITY OF MUNCIE CODE OF ORDINANCES REGARDING INTERNAL CONTROLS AND MATERIALITY THRESHOLD FOR THE CITY OF MUNCIE.

A motion is made by Robinson and seconded by Ingram to Adopt.

Mayor Ridenour believes all of the councilmembers were part of the State Board of Accounts (SBOA) audit and that is exactly what this was about. There was already an ordinance that took care of part of the internal controls but it didn't give a dollar figure. What this does is requires if anyone finds something of \$1,000 or more (and they let them know) the Mayor or City Controller is to report it to the SBOA. It is setting a dollar figure that has to be followed. He also explains it wasn't approved yet but hoped it would be approved tonight and recommended it to the Sanitary District to file a similar type document setting a dollar figure so that anyone inside the Sanitary District sees something that is wrong and more than \$1,000, it gets reported to the SBOA. The Mayor is unsure of who those 2 people would be pertaining to MSD but for the City of Muncie, it is the Mayor or City Controller. Mayor Ridenour strongly encourages the Council to Adopt and vote in favor of this ordinance.

Councilman Ivy asks if this was a recommendation in the report that they as councilmembers received. The Mayor states yes, it was. He recalls his response being October 31st so they are actually beating that goal and having it done in September, assuming that the Council votes yes. Questions called.

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

ORD. 23-20 AN ORDINANCE FOR THE TRANSFER OF CASH.

A motion is made by Ingram and seconded by Davis to Adopt.

Trent Conway, City Controller, explains that this is just an ordinance to combine 2 funds that basically serves the same purpose for the City Court. Fund #747 and #268 both have the exact same title, Adult Probation Service Fees, which are the only fees that were deposited into those funds and can only be used by the City Court. After speaking with Judge Dunnuck and her staff, they would like for these to be combined, as well, as they don't see the need to have them separated. This ordinance would allow him, as the City

Controller, to transfer all of the cash out of #747 into #268. The current cash balance of #747 is \$314,407.29 and the cash balance of #268 is \$177,643.63. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 24-20 AN ORDINANCE OF THE CITY OF MUNCIE AMENDING CHAPTERS 77 AND 79 OF THE CITY OF MUNCIE CODE OF ORDINANCES.

A motion is made by Robinson and seconded by Davis to Adopt.

Nathan Sloan, Muncie Police Chief, explains this ordinance is about the parking regulations that they went over, in depth, last month. They are not asking for any additional money, just amending the system they already have in place that needs to be brought up to date. He is willing to answer any questions anyone may have.

Councilman Smith reiterates that Chief Sloan went over (in great detail) about the parking problem that we have and they greatly appreciate the effort it took to put that together. He recalls the Chief mentioning a Memorandum of Agreement possible with Ball State. Chief Sloan replies Ball State has their own parking enforcement. Smith continues where before a Ball State student can graduate, they have to pay their Muncie parking tickets. Smith then asks if that has been addressed. Chief Sloan answers that they have not moved forward on that yet and he was hoping to get this clarified first. Smith encourages Chief Sloan to do so and to keep up the good work because they are appreciating what the department is doing. Questions called.

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

ORD. 25-20 AN ORDINANCE OF THE CITY OF MUNCIE AMENDING CHAPTER 36 OF THE CITY OF MUNCIE CODE OF ORDINANCES.

A motion is made by Robinson and seconded by Ingram to Adopt.

Belinda Munson, City Clerk, explains one of the things she found when she came into her elected position was that parking had not been collected in almost a decade. She actually talked with Atlas Collections about it and verified that number. As of today, there is about \$215,000 that can be collected. Judge Dunnuck actually helped her research this and the amount was actually around \$400,000 but because of the statute of limitations, they had to write-off anything older than 2 years. It is really imperative and she feels like it is very important to get a process in place that her office can implement. She is not sure what happened as she wasn't here then but all she knows was it just fell by the way side and is willing to answer any questions anyone may have.

Councilwoman Davis explains that although she wants the City to collect the fees that are owed, she would hope that there is some leniency for someone that has a very, very old ticket (like maybe a year old). She asks if there are going to be any extra penalties if they don't pay it in a certain amount of time and is just thinking about the current pandemic and people being laid off. Clerk Munson explains she has been reading a lot on the prior information and looking at the letters that were sent out. If they don't pay their parking ticket, there are fines that accumulate every month and it maxes out at 10 months. At that point in time, she is able to turn the unpaid fines over to collections. There also has

to be a process in place (due process) and it must go to the City Attorney for it to be able to go to court. Again, her and Judge Dunnuck have spoken about this. Clerk Munson is still researching something that she just read today and that is after 3 judgements, it can be ordered for the registration to be suspended. Again, she just read this today so discussed it earlier but there are different things that need to be figured out. All she knows is that there are no repercussions so people know that they don't have to pay their ticket and they don't. Councilwoman Davis understands and is hoping that there will be a grandfather clause; someone that has had their ticket that is older than a year, allow them some time to pay it and not start with 'you owed this for so long, and didn't pay it,' yes, they should have but we are just coming up with these things and saying we are going to be putting penalties in place, she just hopes that we allow time for them to say that you need to take care of this. Clerk Munson is willing and like she earlier mentioned, she has written off \$200,000 already through Passport, the company that the City is contracted with, and has already voided anything over 2 years old. She explains she should probably look back and see when she first discussed it with them because there are probably a few more months that could be voided. Within each month, there is more and more tickets that get voided. There just needs a process in place. If the City Attorney doesn't want to go after that then we can say we can start a year from now (like today and go back a year). She personally doesn't care how far back they go as she just wants something implemented.

Councilman Robinson suggest offering a holiday or 3-month-holiday where people that might have a large number of tickets and during the course of this period of time, whatever that time frame may be, pay a flat fee (like \$150) and move on. He agrees with Councilwoman Davis that those people who have always known that the City doesn't collect on tickets means we've set the bad example as a City. He doesn't want to penalize those people because we haven't been collecting. He worries about those people like Davis does. If that is something that could be considered, he would like to show that empathy and compassion with the people who are struggling. He thinks it could be a good thing for all of us and may bring in more ticket revenue without having to go through collections. Clerk Munson refers to the pandemic and states the office tries to give exceptions and isn't completely heartless. You can look at someone's record and see if this is a one-time event or a regular event. Robinson thinks it is great that she is doing this, though. This is something that needs to be done and has to be done, so, great job. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

NEW ORDINANCES:

ORD. 27-20 AN ORDINANCE FIXING THE SALARY FOR ALL ELECTED OFFICIALS OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2021.

A motion is made by Robinson and seconded by Ingram to Introduce.

Trent Conway, City Controller, make a comment about the next 4 ordinances because they are all salary ordinances. Since the administration is in the middle of their bargaining negotiations with Police, Fire and Civil, they went ahead and just submitted the

same as last year until they get those negotiations finalized and pay rates finalized, as well. He is willing to answer any questions anyone may have.

President Polk clarifies that if these get Introduced this month and ultimately passed next month, they would later on make the appropriate amendments to them (regarding the negotiations). Conway answers yes, that is correct.

Audie Barber is curious as to if there is a raise involved and asks because he has not seen the ordinance. President Polk informs him that it is the same as last year. Councilman Robinson lets Barber view his copy of the ordinance for a brief moment. Barber clarifies that, once again, the City Council is not getting a raise. Polk states yes. Smith comments that they deserve one, though. Barber goes on record to say that he thinks he possibly agrees. Robinson jokingly adds that we will see how Barber feels next month. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 28-20 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY APPOINTED OFFICER, EMPLOYEE, DEPUTY, ASSISTANT, DEPARTMENTAL AND INSTITUTIONAL HEAD OF THE CITY OF MUNCIE, INDIANA, INCLUDED HEREIN FOR THE YEAR 2021.

A motion is made by Robinson and seconded by Davis to Introduce. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 29-20 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE POLICE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2021.

A motion is made by Ingram and seconded by Ivy to Introduce. (*The ordinance number on the Agenda was listed as 29-30 which was the result of a keystroke error, the ordinance itself was numbered 29-20, therefore, no need to be amended.) Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 30-20 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE FIRE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2021.

A motion is made by Davis and seconded by Ivy to Introduce. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 31-20 AN ORDINANCE FOR APPROPRIATIONS TO LEGAL SETTLEMENTS FUND.

A motion is made by Ivy and seconded by Ingram to Introduce.

Dan Gibson, City Council Attorney, explains that after speaking with the City Attorney and City Attorney that was hired by the insurance company that is handling several pieces of litigation for the City right now that this ordinance is necessary in light of some recent federal orders setting some cases for settlement conferences simply to allow them to comply with that order to give the City the authority to have the money to settle, if

they are so inclined. The council held an Executive Session this evening prior to the Public Hearing to discuss some of the details, given as it is a confidential pending litigation but he would be happy to answer any questions anyone may have.

Audie Barber asks for a ball park figure of how much is being put into this settlement fund. He is informed that it is \$300,000.

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

A motion is made by Robinson and seconded by Ingram to Suspend the Rules.

Dan Gibson, City Attorney, explains the reason to Suspend the Rules is due to the fact that one of the settlement conferences is coming up here at the end of this month, **before the October City Council meeting.** It doesn't mean the money is being spent, it just allows money to be there to comply with the federal orders. Questions called.

A roll call vote showed 9 yeas and 0 nays. RULES SUSPENDED.

A motion is made by Robinson and seconded by Ingram to Adopt.

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

ORD. 32-20 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE CITY OF MUNCIE, FOR THE YEAR 2021 (MUNCIE CITY BUDGET).

A motion is made by Ivy and seconded by Dudley to Introduce.

Audie Barber requests that the Council Table this until they can have some budget meetings with the Finance Committee since there hasn't been any, whatsoever. Nobody has discussed the budget, as far as Council or Committee and recalls during the last few years having those meetings. He believes most the councilmembers said (before they were elected) that they would all be in on those budget meetings, yet, there hasn't been any. He, again, recalls most of them saying that they would want to be part of those meetings.

Andrew Popp explains he has had a good amount of time to review this proposal, as well as the ordinance and he feels there are several questions to be asked both positively and negatively about the budget. He has had communications with many councilmembers about this and he, too, really wants to have the budget hearings. He would rather listen to department heads input on their own departments budget and how they are able to produce such and such money. Also, if there are any cuts being made, he wants to hear the department head explain why that line item needs cut. If there is a raise, he wants them to explain what they are going to do with that money. After last year, which was an abnormal situation, he thinks the process continuing normally and having the normal budget hearings would be great. He is discouraged and recalls looking back through previous years and did not see where a budget was introduced without having at least 1 budget hearing. His question is for Councilman Ivy, being Chair of the Finance Committee, and asks if he has a date set for a budget hearing on this prior to the next Council meeting where if this was to be Introduced, it could then be Adopted. Councilman Ivy responds that the Finance Committee does have a date set and the public notice on that will go out this week, whereas the meeting, too, will be next week. Popp thanks him. Questions called.

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

A motion is made by Robinson and seconded by Dudley to Recess for 10 minutes. An all-in-favor vote showed 9 yeas and 0 nays. RECESS.

After the Recess, President Polk wishes to acknowledge Mrs. Julie Snider and her class of Government students from Central High School. They stand to be recognized and Mrs. Snider explains her students have started a civic engagement project where the kids start doing some civic engaging. She felt the best way to get everyone involved would be attending a City Council meeting. She requires them to attend at least 1, per semester and hopefully next semester, they will get up, talk and present something to the Council. President Polk jokes about it earning them extra credit. Mrs. Snider states no, unfortunately, attending will not earn them any extra credit. Polk jokes with the students in attendance and tells them that he tried to earn them some extra credit.

ORD. 33-20 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE CITY OF MUNCIE, FOR THE YEAR 2021 (MITS BUDGET).

A motion is made by Ingram and seconded by Dudley to Introduce.

Amy Howell, Director of Finance at MITS, and Amanda Price, Assistant General Manager of MITS would both like to present the proposed budget for 2021, at no increase from 2020. They are willing to answer any questions anyone may have.

Councilman Ingram reiterates that there is no increase to this. They state yes. He continues, this is the same appropriation as presented in 2020/2019. Howell confirms that is correct.

Julie Mason is the newly appointed member of the MITS Board, appointed by the City Council and she is just recommending the approval of their budget as they are engaging in a lot of community involvement and getting out there more and more so that people can see the various services MITS has to offer. This includes free rides and various programs. Again, she highly recommends the approval of the MITS budget.

Akilah Nosakhere, head of the Muncie Public Library and on behalf of MITS, wants to personally thank them. Last year, they wrote a grant to get a shelter for Kennedy Library and although that grant was not funded, MITS came up with a shelter and provided it to the library free of charge. They are so happy to have that there for the riders that come across town to go to the library and also the shoppers in that area. She thanks MITS and supports their budget. Questions called.

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

ORD. 34-20 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE CITY OF MUNCIE, FOR THE YEAR 2021 (MUNCIE SANITARY DISTRICT BUDGET).

A motion is made by Robinson and seconded by Ingram to Introduce.

Deana Cox, Financial Manager for the Muncie Sanitary District, is here to Introduce the proposed budget for the Sanitation Department for 2021. She is willing to answer any questions anyone may have. Questions called.

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

ORD. 35-20 AN ORDINANCE TO VACATE A CERTAIN STREET AND ALLEYS IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

A motion is made by Robinson and seconded by Davis to Introduce.

Phil Tevis, FlatLand Resources, is here on behalf of the Sanitary District. He adds that 35-20 and 36-20 are both related to each other. 36-20 (hasn't been Introduced yet) is actually an amendment of an ordinance that was signed by the previous Council. During making this amendment/corrections which were required by the Assessor's office it was discovered that a couple alleys and streets were not vacated as a part of the previous 28-19. In order to make all of this work, you have to start with first vacating the streets and alleys.

President Polk states he drove by there this past weekend and they've already starting construction. Tevis states that is correct. Polk then asks about the building incorporating the alley that needs vacated, as he noticed Wade Ave. was mentioned but wonders about the alleys. Tevis states yes, there are multiple parcels and lots there along with existing properties that U-Haul had. The answer is yes because it is a large site but he can't speak on the building because he does not have those plans with him here tonight. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 36-20 AN ORDINANCE AMENDING ORD. 28-19 ENTITLED AN ORDINANCE TO VACATE WADE [SIC] AVENUE IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

A motion is made by Davis and seconded by Ivy to Introduce.

Phil Tevis, FlatLand Resources, states this is the same thing but he can speak on it, specifically, if there is a question.

Councilman Smith asks if they do not approve these alley vacations, what would happen to the construction. Tevis answers it won't actually stop the construction that is already underway. He explains the previous Council approved this vacation and the Assessor's office was missing a couple technical components which then led to the discovery of everyone thinking a road and alley had been vacated because all the deed records indicated that it was but they could not find the City Council records that it was done in the 1950's or whenever. Questions called.

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

ORD. 37-20 AN ORDINANCE OF THE CITY OF MUNCIE AMENDING SECTION 32.33 AND SECTION 32.39 OF THE CITY OF MUNCIE CODE OF ORDINANCES.

A motion is made by Ingram and seconded by Ivy to Introduce.

Councilman Ingram states he actually sponsored this ordinance and would like to say a few things about it. He thinks that it is going to help make their job easier, as far as these long meetings (he holds up his packet claiming it is going to be a long night). Having 2 meetings a month will allow the chance to split some things up and also help put the Council in front of people that want to speak and have issues or concerns more often because some people might not be able to make the first meeting of the month but able to attend the second meeting. It is just something he thought would be a good idea.

Audie Barber thinks this is right. Two meetings a month is more suitable for our population size and most of the councilmembers, once again, when they ran for office agreed that the late night meetings are an issue and would be open to 2 meetings a month. Also, going to 2 meetings a month may help endorse a raise for City Council. That is where it all comes in and addresses Councilman Smith. Councilman Robinson jokes if they are doubling the meetings does that mean they are doubling the pay. Dudley jokes that for the second meeting, they are going to find out when Barber is working so they can have it then.

Councilwoman Davis agrees with Ingram. She just wants to add that she is a planner and has planned ahead for time off for the remainder of the year. She doesn't want people to think that she is taking her job lightly and that there may be a couple of those meetings that she may not be able to attend because she is going to be out of Muncie. That is only because she didn't know and scheduled around the beginning of the month. She doesn't want the citizens to think that she takes her job lightly. Ingram adds that anyone that has seen her work knows she doesn't take her job lightly. Davis thanks him. Ingram adds that she takes this very seriously and thanks her for her dedication. Davis thanks him and jokingly makes the comment that he is going to get a raise. Robinson seconds that and adds that Davis is the hardest-working woman on the council.

President Polk is concerned about the workload for the City Clerk and Council Secretary, along with the filming of the meetings. By having them work 2 meetings a month, that might require additional funding for the jobs they do. It is going to double the Secretary's workload, doing 2 sets of Minutes a month. That is just something to think about. Long meetings occur usually in September and October (budget season) but other than that, meetings are usually not that long as he doesn't think we have gone over 2 hours (aside from last month when there was a 45-minute presentation that wasn't planned for). It is worth thinking about in regards to the cost and when it comes to the Council Attorney in doubling his work load as well. Those are some things to think about, to question and to discuss.

Belinda Munson, City Clerk, states that during COVID-19, the Council was only addressing emergency-related items during that time. Part of why we are so backed up now is because of everything that was put off during the quarantined months. She, personally, doesn't think there will be need for 2 meetings a month.

Councilman Robinson reminds everyone that this is just for Introduction and the vote to adopt it will be next month.

Councilman Ivy adds that there was a lot of effort put into researching the liability of having 2 meetings and, out of respect for those that did that legwork, he feels it should at least be seriously considered for Introduction. Questions called. An all-in-favor vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 38-20 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. (S. JEFFERSON ST.)

A motion is made by Robinson and seconded by Dudley to Introduce.

Zane Bishop, Muncie Redevelopment Commission, explains there are 2 resolutions before Council tonight to provide tax abatement on residential structures being constructed currently on Jefferson and Mulberry Streets in the South Central Neighborhood. The Muncie Redevelopment Commission unanimously supported this decision at its August Regular Meeting and Habitat is also here to speak about it.

Eileen Oaks Molter, Muncie Habitat for Humanity, introduces herself along with Jennifer and Brandy whose houses will be on Jefferson and Mulberry Streets. Those houses are both part of the 8Twelve area initiative which they are working on with a lot of other partners and are highly invested in this area. Jennifer and Brandy are both single mothers and first-time home buyers and this opportunity will be constructive in helping them build capital and stability for their families. Over 3 years, this tax abatement will include about \$2,000 that they can put back towards their family's health and well-being and making their house a home. These homes are both located in the 8Twelve area and a part from the already large investment in this area, each home costs about \$100,000 for them to build, along with the time of the volunteers and sweat equity hours put in by the partnered families. The partnered families will actually buy this home, which a lot of people aren't aware of. They get a non-profit, no interest mortgage for the appraised value of the home. Everything that Habitat can do to help, they want to help with and appreciate the Council's reflection on this topic.

Jennifer Wilson introduces herself as the Jefferson Street homeowner and just wants to say thanks to Habitat for giving people the opportunity to become a homeowner. This is one of her dreams and they made it come true for her so she is very appreciative and very grateful for the program. Councilwoman Davis refers to the comment about Habitat making it come true for her but really, she made it come true for herself and congratulates her again.

Brandy Cook introduces herself as the Mulberry Street homeowner and just wants to thank Habitat, too, for the opportunity for the people that didn't think the dream of owning your own house could come true. This will really help her family grow and she just wants to say thank you, very much.

President Polk asks if right now, those areas are vacant lots. Molter responds yes, these are completely new builds from the ground up. Polk confirms in 3 years they will be paying taxes. Molter states yes. Polk compares \$3,000 on land versus a \$100,000 house is quite a difference in tax revenue for the City and thanks them.

Councilman Robinson adds that Habitat does such great work in the community and particularly, the 8Twelve area. He thanks them, again and explains this is exactly the type of stuff they all as councilmembers should all be supporting and helping make a reality. Questions called.

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

ORD. 39-20 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. (S. MULBERRY ST.)

A motion is made by Robinson and seconded by Ingram to Introduce. Questions called.

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

RESOLUTIONS:

RES. 18-20 A RESOLUTION FOR TRANSFER OF APPROPRIATIONS (POLICE DEPARTMENT).

A motion is made by Ingram and seconded by Ivy to Adopt.

Trent Conway, City Controller, states they found out that they were able to purchase several police vehicles through the COVID-19 grant funds that were received from the state. The police department would like to make this transfer to help them out throughout the rest of the year to cover their other insurances, vehicle maintenance and other ancillary charges. There was a pretty big uptick in tort claims that have come through and are just now being pushed through the system along with several expenses so that is the other insurance. Referring to vehicle maintenance, he recalls it being mentioned when they did the General Fund appropriations that they had quite a few vehicle maintenance bills come in from the prior year so that would help cover that. The other services and charges consists of ancillary funds that is needed for services that they have. He is willing to answer any questions anyone may have. Questions called.

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

RES. 19-20 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MUNCIE ASSIGNING AN AREA WITHIN THE JURISDICTION OF THE CITY OF MUNCIE REDEVELOPMENT COMMISSION TO THE DELAWARE COUNTY REDEVELOPMENT COMMISSION.

A motion is made by Robinson and seconded by Davis to Adopt.

Andrew Dale, W. Petty Rd, Muncie, serves as 1 of the 5 Commissioners of the Redevelopment Commission and is 1 of 2 Commissioners appointed by the City Council. He wishes to share a brief story as a citizen knowledgeable of and concerned with the question at hand which involves allowing another governmental entity to access and benefit from the City of Muncie's incremental tax revenue. Over an extended period of years, in short, of approving this resolution weakens the City's ability to build on its own future because the City's own tools are being loaned out to others. When speaking of another governmental entity, he is speaking of the Delaware County Commissioners. The same 3 individuals responsible for relocating our justice system and who have opened the door for the exodus of downtown legal and service sector businesses. As the City Council is aware, the

Delaware County Commissioners and the Mayor recently agreed to exchange properties, specifically 3 RMC parcels totaling 37 acres assessed at \$288,000 located adjacent to the new Delaware County Justice Center and 6 Muncie downtown parcels totaling 5 acres assessed at \$83,000 owned by the county, which in part will benefit the City's White River Canal District project. The request was made by the County Commissioners on July 2nd at a meeting of the MRC. The MRC agreed to the land swap by a 4 to 1 vote with Dale not being in support of the land swap. Oddly enough, at the MRC's June 18th meeting, that being before the MRC's land swap vote, the Mayor asked, by way of the City Controller, at the MRC's meeting to decertify the Bison Ridge TIF District where the MRC's parcels were located. It was made clear the because there were no plans for development of the parcels that the TIF District should be retired. This was dubious because the Mayor and the County Commissioners had long been working on the land swap. As the sole dissenting member of the MRC, Dale's decision was based on several factors: the lack of information provided by the Mayor which would have helped the MRC make a more informed decision, the wide disparity of assessed property values involved in the swap, the County Commissioners inability and unwillingness to share what the intended uses were for the MRC's property, that south side residents deserve to be included in the planning process much like the Mayor has chosen to do regarding those who live near the Storer School and finally, most importantly, Dale voted against the request because he is concerned by what he has noticed as a risk version approach to economic development by our Mayor. Simply put, allowing others to pick our unripe fruit diminishes our harvest. Dale strongly recommends that the council Table this resolution to take the time to determine what the most advantageous outcome can be for the citizens of Muncie and especially, those impacted by this decision, the citizens specifically of southwest Muncie.

Dan Ridenour, Mayor of Muncie, had no intention of getting up and speaking but wants to discuss some things that were mentioned. Number 1, they did go through all of those details with the Muncie Redevelopment Commission and the vote was 4 to 1. The MRC did ask the 4 to 1 to do this. There is plenty of history of cities and counties working together and quite frankly, Mayor Ridenour thinks it is important for a city and its county to work together. If you look at a certain Ford dealership, a certain under construction Hyundai dealership, both of those are in a county Redevelopment Commission area and inside the Muncie city limits. When Muncie City Government went to the County and asked if they would please let them help these dealerships come to town, the Delaware County Government said yes, they will. They allowed those tax revenues to go into that particular TIF District (one set up by the Muncie City Council for that particular purpose). It is actually inside a Delaware County TIF District and they allowed that. It is a practice when cities and counties work together, a development can happen. With the Bison project, the Controller and himself – that particular project didn't get passed by the previous Council. The Mayor and City Controller would prefer if there is not a project (and there was not) to have that tax revenue, rather than going into a TIF District, go into the City's General Fund and our school district. That is one of the reasons they recommended that the MRC consider shutting down the Bison Ridge TIF District. They have not taken the final steps to make that

happen but he just wanted to explain that the reasons are because they prefer that tax revenue going not to a TIF District but to things such as the schools, the libraries, the General Fund, MITS, MSD, etc. That is where those dollars go when there is not a TIF District. He just wanted to explain that and states he is not here recommending the Council do whatever it is that they want to do. He is just here to explain that the Muncie Redevelopment Commission did discuss this at great length in a public meeting and voted 4 to 1 in favor of it. The Mayor encourages the Council to consider that as they consider this particular resolution.

Councilman Dudley states he has also done his research on this. It appears that this is actually taking up part of District #3 which is Thomas Park/Avondale area. The research that Dudley saw shows that the county is going to make a pretty good profit off of this area once this happens. He explains he has an area in his district that they would love to have a little bit of that money go towards and that would be the Thomas Park area. He and the Mayor have already been working on some stuff in the district. That is going to work out wonderful for another area but the Thomas Park area hadn't been taken care of at all. What Dudley would like to do is Table this, get with the County Commissioners and work out a deal where they are going to put a little bit of money into his park. That would be something he would consider.

Councilman Clark refers to Sec. 1 mentioning an 'Exhibit A' but there is nothing included that is titled 'Exhibit A.' Other councilmembers reflect the same. The Council Secretary confirms that all document that was originally included with the ordinance was, in fact, included in the Council packets.

Councilman Robinson asks if there is anyone from the county present tonight that is willing to speak on this.

Councilman Dudley mentions that with a land deal this important, somebody from the county should be here to talk on their behalf.

Dan Gibson, Council Attorney, wants to simply remind the council that if they are going to go forward with the Tabling of the resolution, there was already a motion to Adopt so that motion would need to be withdrawn, do a voice vote and then make a motion to Table. Also, Gibson would recommend that before taking any action on a resolution that incorporates an 'Exhibit A' defining the area that is being assigned and know what 'Exhibit A' looks like.

Councilman Robinson reiterates that was going to be his point and Clark's point, as well, that without 'Exhibit A' – Robinson never feels comfortable with resolutions because it is 1 reading and they vote to pass it or not. Being that the next Council meeting is 3 weeks away, he can say personally, Commissioner King has reached out to him and they've met and talked about this project. Robinson voiced his concerns with the Justice Center leaving downtown and his concern is that a commercial development goes there and further takes away from the downtown core like law firms, bail bondsmen and things like that. There is certainly some concern here without a plan on how we are going to replace the Justice Center once it goes away. Commissioner King was very receptive to Councilman Robinson's concerns and gives him credit on that as they talked through some of those concerns. He

would second Dudley's motion to Table for 3 weeks if that is the motion he is going to make and if they get the votes to withdraw the adoption.

A motion is made by Robinson and seconded by Davis to Withdraw the motion to Adopt. An all-in-favor vote showed 9 yeas and 0 nays. MOTION WITHDRAWN.

A motion is made by Dudley and seconded by Robinson to Table. A roll call vote showed 9 yeas and 0 nays. TABLED.

RES. 20-20 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION REAL PROPERTY ABATEMENT.

A motion is made by Robinson and seconded by Ivy to Adopt.

Dan Ridenour, Mayor of Muncie, states there is a local business, Bethel Pointe, that he has been in some discussions with and they are looking to expand. He provided all of the Council some drawings, sketches and plans and also some tax abatement paperwork so hopefully, they have all had a chance to review it. They currently have 96 full-time employees, 48 part-time and are looking at adding 21 new employees with this new investment, being over a \$3 million investment. When they originally built that facility, it was built with the east-west wing to its full length and they also built the far east north-south part and the center north-south part but for financial reasons, they hadn't yet built the far west north-south part. He realizes that for those people listening, this explanation probably sounds a bit weird. Those drawing show how that is going to be. They are adding a number of rooms to the facility, making it even more effective for the residents that would use that facility. It is adding primarily single-family rooms. They are looking for a 5-year tax abatement at the schedule that is mentioned in the ordinance (so it is not a 5-year full) at 100% year 1, 80% year 2, 60% year 3, 40% year 4 and 20% year 5. The rest of the \$3.9 million (and that is an estimate, he doesn't have it right in front of him) is coming from their funds. They love our community and are going to add additional jobs. The Mayor then clarifies that the amount is actually \$3,139,977. They are ready to start as soon as the Council begins and he would encourage the Council to consider approving this resolution but he would also think it needs to be sent to one of the Standing Committees to review the tax abatement and believes that would be the proper procedure. Depending on when that meeting is held, the company will be here for that meeting to answer any additional questions. All in all, they are a very good company, have been here a very long time, employ a lot of people and want to employ more.

Councilman Ingram questions if they would be granting an abatement to all the existing property, as well. Mayor Ridenour answers no and states that is an excellent question. This is only abating the addition. So, the existing property will stay in the tax revenues. Ingram then refers to adding of 20 additional employees. The Mayor states yes.

Councilman Robinson reflects an average salary of what he believed to be around \$50,000. Mayor Ridenour states yes and that they said it would range from \$22,000 to \$150,000 which would be the salaries. They pay 71% of the health insurance, the employee

pays 29% so, again, it is a very good company. Actually, this will be adding 21 jobs, according to what they have on their paperwork.

Dan Gibson, Council Attorney, states this is just a preliminary resolution so the proper process would then be holding a Public Hearing before the next meeting and then a confirmatory resolution being then presented for adoption. Because this is an economic revitalization area related abatement, it needs to go to the Tax Abatement Committee. Gibson believes the Council can still go ahead and adopt this tonight, refer that to the committee and also schedule the Public Hearing before the October 5th meeting so that they can keep the process moving and keep the project going. A recommendation that is so inclined to do so is adopt tonight, refer it to Councilman Ivy and the Tax Abatement Committee for a meeting and then consider for adoption next month the confirmatory resolution.

President Polk is sure that they would want to break ground as soon as possible, before winter sets in and it is a little easier to dig for a foundation now than wait until January or so. Questions called.

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

President Polk clarifies that he will be sending this to Tax Abatement and for the Council Secretary to reflect a Public Hearing scheduled for 6:45 PM next month prior to the October meeting.

OTHER BUSINESS:

Akilah Nosakhere, along with the Assistant Director, Beth Kroehler who is also the Library Board Treasurer. They are here to talk about recent legislation that was passed by Indiana legislators that took effect July 1st. During the past few weeks, she recalls sending information to the Council President and other members about this law. It is Public Law 88 and the expressed intent is to clarify the process for reporting and communication between the entities at the local government level. They want to foster communication and collaboration among government units that are reliant on the same property tax base. It started last year, in the Senate and then this is what has come out of it this year. It was signed by Gov. Holcomb in March and became effective July 1st. It is Public Law 88, having to do with library administration. Basically, this law clarifies the threshold calculation of cash balance of the total tax supportive funds as a percentage of the budget based on certified numbers in Gateway. The second thing it does is requires that criminal background checks become a policy in all of the libraries throughout the state. That is something that Muncie Public has always done. It also adds a library card to all children in the foster care system throughout the state of Indiana. Going back to this clarification of the threshold and what that means for the Muncie Public Library, historically, their fiscal body has been the Delaware County

Council. Through this new law that took effect July 1st, and reading what it says (as they read it over and over again to make sure it was correct) announces that their fiscal body, will go from the Delaware County Council to the Muncie City Council. What they have here tonight is a reporting form that they send to the Department of Local Government and Finance saying that the Muncie City Council is the fiscal body for the Public Library. If they ever spend beyond their means, or allocated monies, the City Council would be there to do a binding review of their budget. However, they have never done that and **don't intend to do so. It is just a small formality and she does have the document here that has already been signed by their President of Library Trustees and it just needs President Polk's signature.**

Julie Mason is speaking in reference to the Census 2020. The actual campaign evaluations will end on the 31st of September. She wants to update everyone on where we are at right now. They are now passing out postcards to all the children in the City of Muncie and also Delaware County schools so their families are aware of the process and to get their census submitted. Also, some door hangers will appear in some of the neighborhoods to actually try and get those people to fill out their census. She explains that if anyone would like a numerator to come to their business or workplace, they will do so to get as many people to get it done as they can. She wants to emphasize that it is about counting people, not about who you are or what color you are, nationality, etc. It may be a part of the process but it is not the whole process, again, it is about counting people. Another item they have is a slip to go over a yard sign. She has around 200 of them and is requesting for people to please, put a sign out. When she spoke to Council last month about getting people to fill out their census, the numbers for Muncie were at 58%. Since then, we have only increased 1.X%, putting Muncie at 59.2% of the self-nomination as of September 13th. Not completing the census loses money. For example, at \$2,700 per person and we have approximately 27,000 people that are not counted. At \$2,700, that is approximately \$74.9 million lost. That money that could go towards various programs and such is just lost. Mason, again, needs each and every one **to get serious about it and get people that haven't done it to do so.** President Polk asks the audience how many people have not done their census and jokes that they are not allowed to leave until they do so.

Councilman Robinson also asks that everyone in the room that has social media, get the census information on there and ask your neighbors, every single person on your **friends list (even if they don't live in Muncie, they live somewhere else)** and encourage them to take the census because this is really important. Also, he thanks Ms. Mason for

the hard work she has been doing and he mentions he has been seeing her all over the place.

Audie Barber explains that as most people and the council are aware of, there was an issue with a member sitting on Council last year that should not have been on the Council. Barber filed a lawsuit, won the lawsuit and according to the Judge, this individual was not allowed on the Council. There was an appeal filed and as of August 21, 2020, the appellate court upheld the verdict and Barber would like to see the City of Muncie or the City Council try to reclaim the money that gentleman was paid that he should not have been paid for. Barber had made a statement the other day during the Board of Works meeting that the money these people owe the City of Muncie, needs to be gone after. We need to set an example of these people. We can't go back 150 years or back to the beginning of the City of Muncie but we've got to set a precedent from this point on. If you are up there (on Council) illegally or if you give your time to somebody else to where they can draw a paycheck off your comp time, that is illegal. From this point on, we need to set a precedent that we are going to go after you folks if you do it wrong. It doesn't matter if it is the janitor at City Hall, a councilmember, an elected official, the Mayor or whoever. Barber is not saying anything bad about any of the people that is in office now but from this point on, we need to make an example over the last year and go after these people and get this money back for the City. Barber spends hard-earned tax dollars here to the City of Muncie and pays his property taxes. He makes a pretty good income so he pays a lot of local taxes and spends a lot of money in the City of Muncie so he would like to see it gone after. Some people say, "well, it is only \$4,500" but that is \$4,500 that can be used on something else in this city. He just thinks that is something that should be worked on, be made a precedent, and to go after these people that owe money.

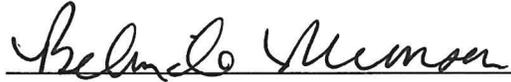
Councilman Robinson wishes to recognize that today is the first day of Muncie Pride Week. It was originally going to be in-person events all week long but because of COVID-19, they've had to go online with virtual events. He encourages everyone to go online to Muncie Pride on Facebook and enjoy some events and help celebrate our friends in the LGBTQ+ community.

ADJOURNMENT:

A motion was made by Robinson and seconded by Dudley to Adjourn.
A roll call vote showed 8 yeas and 1 nays (Robinson). ADJOURNED.



Brad Polk, President of
the Muncie Common Council



Belinda Munson, Muncie City Clerk of
the Muncie Common Council