

MINUTES
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE INDIANA

SEPTEMBER 14, 2015

PUBLIC HEARING: 6:15 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

RES. 18-15 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA PROPOSING AN ORDINANCE TO THE DELAWARE COUNTY INCOME TAX COUNCIL TO INCREASE THE RATE OF THE COUNTY ECONOMIC DEVELOPMENT INCOME TAX, AND CASTING ALL OF THE COMMON COUNCIL'S VOTES IN FAVOR OF THE ORDINANCE.

RES. 19-15 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, PROPOSING AN ORDINANCE TO THE DELAWARE INCOME TAX COUNCIL TO IMPOSE AN ADDITIONAL COUNTY OPTION INCOME TAX RATE TO PROVIDE FUNDING FOR PUBLIC SAFETY, AND CASTING ALL OF THE COMMON COUNCIL'S VOTES IN FAVOR OF THE ORDINANCE.

Those who oppose to Loit and Edit:

Brian Shaw 1417 W. North Street states the only opposition he has to going with any local option income tax is he hasn't seen due process to find other alternatives to raising a tax. Shaw states he is a well employed individual and his wife is not and it affects their family where they have to put less money into their retirement because of a tax going in. If his wife had a professional level job and not a \$9 an hour job he wouldn't have any reservations. If people don't have the income to support paying a tax it will not do any good for the community. He has a rental property where people have struggled to get by. They have jobs in this community where they don't make a lot. If they had to pay extra in taxes there would be less for them to provide for their families. Shaw states for those that don't make a lot of money it is a problem and would like to see other options explored.

Chris Hiatt 918 W. University Avenue states in a general sense he sees this as a complete acknowledgement of utter failure in dealing with the budget of the City of Muncie. Hiatt states this will negatively impact the people that can least afford it. There are a lot of different options. Muncie is strapped with some challenges relevant to economics and percentages of exempted properties whether it would be the university, hospital and even democrat headquarters. There should be a consideration given to pilot program with payment in lieu of payment of taxes for the safety services for a large percentage of exempt properties that are being able to escape this responsibility. Hiatt states Muncie is already at a special level relevant to the state. Hiatt states there are 2,030 civil taxing units in the State of Indiana and Muncie is fifteen in the highest property tax rate. They are beyond the top 1%. They are in the 7/10th percentile of having the highest tax rate in the State of Indiana, therefore adding additional taxes whether it is income or otherwise is not a good economic development message. They

are hard pressed to bring any jobs into the civil city limits of Muncie, Indiana. Hiatt feels it is a bad deal and will have an impact on the ones that can least afford it. Hiatt states three years down the road or next year they will be back into the same situation. This was a situation primarily driven by the safer grant and going into that four or five years ago the message should have been on the wall.

Linda Michael 8000 S. Co. Rd. 560 East states they are business owners in Muncie and live in the county. Michael states if you pay attention to the economics in Muncie and Delaware County, there are a lot of people on fixed incomes, which means they are not making a lot of money. Michael states there are a lot of people in this community are on welfare. Michael states every year they have less and less business and the reason they do is because people are leaving. Michael states if the government continues to not pay attention to their budget and live within their budget they are being asked to dig into their budgets and wonder where they are going to pull the money from. Michael states it is time for the City and the County to pull together like the community is doing. They have to live within their budget. They should be able to downsize and be more conservative because they are losing people. They don't need as many people working in government as they do now. Michael states the council can make changes. They are being asked to do it and every so often they have to come up and beg because there is some kind of tax whether it is the wheel tax or something every year and they have to constantly compromise. Michael states if this is put into place they will see more people leave next year and go to communities that are more business friendly and more conservative. Michael doesn't see why the council that has lived here for a long time doesn't see where they are heading. Michael asks if they have really took a look at Muncie and seen how poor it looks.

Michelle Heritage states she has worked in this community for forty years and was born and raised in Muncie. The last few years have been the toughest not for them but for the council also. She doesn't want anybody else to lose their job any more than she wants to lose hers. Heritage states \$250 is a lot of money to her. That is her taxes for a half a year, money for car insurance and half a month's worth of groceries. She is open for suggestions of where she needs to cut and is hoping the council will do the same thing for their community. Heritage states the council was elected by the people to represent the people and not grow government. She doesn't want to see the firefighters to lose their jobs. At the same time where is she going to go because she doesn't want to lose her home?

County Councilmember Scott Alexander states he has spoken with many people since this has come up that are not in favor of this. Alexander states the county council and all the towns will be involved too. They have all done what they needed to do to cut their expenses. The council made a good decision several years ago when they decided not to bring Loit into effect. The Mayor made a good decision when the county asked him to increase the Loit a couple of years ago. Alexander is asking the council to make a good decision tonight. Alexander states when they do this tonight they will not only be doing it for their own budget but taking \$8 million dollars out of the local economy. Alexander asks the council to think about that as they move forward. Alexander states somebody already mentioned this would affect the people that could least afford it and hope the council takes this into consideration. Alexander asks the

council to vote no to the Loit and Edit tax. Alexander states he hasn't heard what the Edit tax is for but can say on the County side they don't have a clue of what they're going to spend it for. The money will be spent on something and he is confident of that. Alexander asks the council to think about other options.

Those who are in favor of Loit and Edit:

Sergeant on the Muncie Police Department and FOP President and Sgt. Chris Kirby states as the President of the FOP they ask the council to pass the Loit for several reasons. In the same time frame the Police Department have received a 2% raise and social security has raised 35%. They are losing younger officers to bigger departments because there is no pay. Kirby asks they increase their manpower. He states the social environment they live in has become a dangerous job and has to begin with. With the things that have happened recently has even become more dangerous. Kirby states it is unsafe for them to work at low manpower and encourages the council to pass this and give them some relief.

Chief of Police Steve Stewart personally thanks the council for the support that has been given to the Muncie Police Department since he has been chief. Chief Stewart states one of the things he is charged with internally is to keep his officer's safe. In this day in age it is very difficult to keep these guys safe. It takes a lot of money. It takes great training and great equipment and those expensive items. Chief Stewart states he goes to bed at night worrying about their safety and wakes up worrying about their safety and hopes the council does also. Chief Stewart states in 2007 the Muncie Police Department was budgeted for 118 positions. That year they handled almost 72,000 calls. Last year they were budgeted for 103 positions and they handled almost 71,000 calls. Their resources have dropped but their calls of service have remained the same over the years. It has become more and more difficult for them to manage those calls in an efficient manner and a lot of those calls can't be handled by one officer. It may take two, three or four and sometimes the entire shift. Chief Stewart asks the council to support the tax increases. He states no one likes a tax increase but they have got to come up with some revenue to not only keep the officers here but keep them safe.

Delaware County Sheriff Ray Dudley states for them a part of it is different. They have a pension plan and it is a constant struggle to get the pension plan funded. The Loit tax, if supported, will help every year to sustain the pension fund from now on. That is \$1.2 million dollars the county doesn't have to worry about. The other portion of that is they have an aging fleet in the county with cars because they only get three to five cars a year put into service. Most of their officers drive around 3,000 miles a month in the vehicles. Dudley states after about five years they have about 150,000 miles on them. This puts a strain on their insurance company. Nobody wants them to drive a high rate of speed down a county road but the citizens expect them to get there in a timely fashion. They need good equipment. The other thing they have is technology. They have computers in every one of their cars and that is how they get the calls and that direct them to their calls. They need extra money for that now because they are trying to cut money in their budget. He is not just thinking about his department. He is thinking about the small towns. Their budgets have dwindled down more

than their budget. This money will trickle down to the townships and township fire departments who respond to areas where they all live. Sheriff Dudley supports the tax and hopes the council does also.

Rick Chambers, who is an insurance agent and has several clients that live in Muncie, states public protection classifications are obtained from ISO that provide their fire protection codes for their homeowners and their building property insurance. That information is basically given to all insurance carriers and you have a fire code on your home or business from 1 to 10. 1 is the best and 10 the worse. The Fire protection codes are based on how far a fire station is away from the property, whether you have a volunteer department or a professionally paid fire department, what is the response time, how many pumpers and tankers, how far away is the fire hydrant and are the roads paved. There are many factors that go into that. Chambers states Muncie recently received a fire protection code of a 4 as an average which is better than it was two years ago. Chambers states without public safety and you use volunteer's property owners insurance rates go up.

Jodi Moisen 500 W. Washington Street states she was a big outspoken about wasteful taxes. When she read about this and why it has to be done she doesn't see it as a frivolous increase. She owns a business and she doesn't agree with the woman that stated her daughter came from Indianapolis and horrified about how bad it looked. Moisen states her son lives in New York and he came to Muncie and was amazed of what progress the city is making. It's growing and attracting new people. Moisen tried to find a building on the main drag downtown and can't find one because the prices have gone through the roof and she can't afford it. It's because people want to come downtown. Muncie is doing things to make it a better community. The parks are improving and it looks great. She made an investment in it. She saw it doing good things and took money out of her own pocket and is opening a business. One of the things people doesn't realize in 2010 they had 7 meth labs, 2014 there were 148. When the big manufacturing jobs left Muncie there was a void there and unfortunately drugs became that void. Now isn't the time to shortchange something that will curb that. Moisen states she doesn't want crime to increase in the community but to decrease. Moisen states if they can keep the crime down and keep their public workers safe it will draw more people to the community. Moisen states businesses will want to come here. Moisen states you can't curb that off. Moisen states with meth labs there are fires and they could have explosions.

Cheryl Williamson 4200 N. Manchester states in April 2006 her then 14 year old daughter was involved in an extremely serious car accident if it hadn't have been for the first responders her daughter wouldn't have survived the one mile ride to the hospital. If it hadn't been for the first responders her daughter would not have overcome the 1% chance of survival she was given. If not for the first responders her daughter wouldn't have graduated from high school, attended college or provide her with her beautiful granddaughter. If not for the first responders her daughter would not be gainfully employed making her mark in our city. Williamson states a monetary value cannot be put on a life. Williamson states a small tax increase proposed by Loit is worthy if it ensures first responders are available to aide in saving another citizens life.

Dana Salcosky states she is a rescue coordinator from our animal shelter. She states the high quality of service the community, the people and the animals receive from the shelter. If the budget is cut then their budget is cut and the tax doesn't pass and the community will suffer and the animals will suffer. She thinks this should be passed. She doesn't think people realize how important animal control is until you don't have it.

Myrna Robertson 1809 N. Faulkner Drive states she is present on behalf of the children in the community. Robertson states the Mayor in 2011 was approached by two young men Carl Malone and Richard Ivy about starting a summer youth program for their youth. The park and recreation was limited so they asked her program to be a part of opening up that program. The Mayor kept that in Advisement and started the summer youth program wanting to keep the children safe, their minds occupied and keep them in a safe environment in the community. They opened up a program during the summer of 2012 and they started out with 357 kids, in 2013 increased to 775 kids, in 2014 increased in 968 and ended up starting another partnership with the Unity Center and this year at the third week they are at 840 children and they are trying to get them mentors to keep them off the street. They have the Fire and Police Department. The way the State is going with better relationships with the Police and the Sheriff, they also had a Judge visit and mentor and talk to the children. The safety of children their children was increased and they didn't have a lot of vandalism during that summer. It was important that the summer youth program was started by the Mayor. They also partnered with the Park and Recreation. They had Judo, Karate, and Spanish classes, Reading, Tennis and Kickball. They have a lot of things going on for the kids in the summer and it helps keeps the children keep a safe environment for their community and help them become better citizens for the City of Muncie.

Steve Tomboni 7411 S. Co. Rd. 475 E. is in support of Loit and a business owner in town. He has also been the Executive Director for Tuhey Pool for the last running Tuhey Pool eight of the last eleven summers. He states Loit is important for the safety of Tuhey Pool. He asks the council to think of two numbers which are 52 and the other is 20. He states the guards saved 52 kids from drowning at Tuhey Pool and that is how important Tuhey Pool is. It takes 20 for someone to drown. If they want to look how important Tuhey Pool, it saves lives and saves money. Tuhey comes out of the General Fund and will be supported by Loit. He states Tuhey is an incredible community asset. Imagine safety personnel going to the river to rescue kids that don't have anywhere else to swim. A reasonable estimate from the EMA today will cost \$20,000 a day to look for a child. It gives the police and fire a place where they know where the kids will be and it keeps them out of mischief and that is a national statistic that has been verified for decades across this country. Tuhey has from 500 to 700 kids a day. It's the largest community daycare center in the summer. He has seen that with his own eyes. They had nearly 30,000 visits this summer. Will Tuhey Pool make any money? No but it serves a community asset. There is every walk of life at Tuhey Pool. By supporting the Loit they support the operation.

Bob Ball 720 E. Washington Street states they have been excited to provide over 55,000 hot meals during the holidays and through the start of the year to August. He states there are a lot

of food insecure kids in the community. If it wasn't for the startup capital from the city this program wouldn't have launched. He isn't a person who likes to raise taxes but to feed their kids they would like to have the resources to be able to do that.

Government Affairs Director for Cities and Towns Brian Gould states when the property tax caps were first introduced by the legislature the argument behind them in addition to helping property owners save was that local governments need to run more efficient, find creative revenue streams, diversify the revenue sources. There is also belief that the property tax caps will level off within a few short years and that has not been the case for many communities specifically for Muncie who is about to enter the worst years yet from the property tax caps. Local leaders from across the State of Indiana have met this reality head on and have tried to do so as affectively as possible. These leaders elected by the citizens of their communities to make the difficult decisions balancing the wants and needs with the costs of providing those services. For some municipalities the result of the cap is to spend down their balances and for others to make small cuts to their budgets or finding ways to consolidate functions with other departments or localities. For those hardest hit communities that have lost 20% or more of their revenue stream since the property tax were put into place has meant massive cuts in public safety, infrastructure, parks and other quality of life, services that not only retain but attract individuals to the community. The reality is that small cuts and drawing down reserves will not be enough to maintain a community that provides services requested of its residents. There are many communities across the Indiana that are faced with one option and that is finding alternative revenue sources to offset the losses there needed to provide those basic services. The reality for several communities in Indiana similar to Muncie is efficiency, ingenuity; creative financing will not meet the needs of the majority of the residents. Comparing communities by population while easy to do will not be the best bet because there are many factors that go into a realistic and responsible fiscal plan when making comparisons to other communities. Mayor Tyler asks him to examine communities that are dealing with the same difficulties happening in Muncie. Gould states Terre Haute and Muncie are often referred to as sister cities when dealing with this issue. Both communities are hosting a major university with a history of a manufacturing community. Both communities have seen drastic reductions in revenue and have continued to see the impact move forward. Assessed values continue to climb and budgets shrinking each year.

PUBLIC HEARING: 7:00 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

ORD. 21-15 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2016.
(MUNCIE PUBLIC TRANSPORTATION BUDGET).

No Comment.

ORD. 29-15 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2016. (CITY OF MUNCIE BUDGET).

No Comment.

ORD. 31-15 AN ORDINANC FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2016.
(MUNCIE SANITARY DISTRICT).
No Comment.

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

ORD. 22-15 AN ORDINANCE FIXING THE SALARY FOR THE CITY JUDGE OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2016.

ORD. 23-15 AN ORDINANCE FIXING THE SALARIES FOR ELECTED OFFICIALS OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2016.

ORD. 24-15 AN ORDINANCE FIXING THE SALARY FOR THE MAYOR OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2016.

ORD. 25-15 AN ORDINANCE FIXING THE SALARY FOR THE CITY CLERK OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2016.

ORD. 30-15 AN ORDINANCE TO VACATE A CERTAIN PUBLIC ALLEY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (PETITIONER: JO-HAR.INC., GREG A. BOWEN, CHARLES R. BOWEN JR., RICKY LEE MOSS AND THE 5M GROUP LLC).

Nick Tokar from Defur and Voran represents summit run development who is seeking to redevelop the corner of 15th and South Madison Street to a Burger King. Representatives are present to show proposed development. His client has an agreement to purchase the property for redevelopment and this purchase needs to close this month and the proposed development is contingent on the partial alleyway being vacated by the council. The site for development is the former Joker's Wild property.

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

PLEDGE OF ALLEGIANCE: Led by Councilperson Alison Quirk.

INVOCATION: Given by Pastor Bruce Reynolds from Old Town Hill Baptist Church.

CITIZEN RECOGNITION: This month's recognition will be presented by Councilperson Brad Polk. Councilperson Polk recognizes Julie Snyder. Snyder is a Muncie Central Social Studies Teacher and Chairman of the Department. She taught at Muncie Southside High School for 17 years before being brought over to Muncie Central last year in the merger of the two high schools. Mrs. Snyder brought over two traditions from Southside High School. One is the annual prom dress sale and another is the Washington D.C. Senior Trip. Snyder is originally from Muncie and moved to Dayton, Ohio in her high school days. She moved back to Muncie to attend Ball State University where she graduated with a Bachelor of Science in secondary education. She furthered her education by receiving her Master's from Olivet University. She is married to Chris and they have three children Maggie, Luke and Abby. Five years ago Mrs. Snyder

observed several girls that needed prom dresses and couldn't afford them. To keep their costs down they asked Mrs. Snyder where they could get low priced prom dresses. Mrs. Snyder saw there were very few places for a student on a tight budget to purchase a dress they could afford. A few weeks later Snyder received 20 donated dresses the girls could pick from and purchase at a discounted price. It's so important for the girls and feels bad for those who don't go because they think they can't afford it. In this last year the 4th annual sale raised over \$2,000.00 and the proceeds from the dress sale help fund a senior trip to Washington D.C. and New York City. The seniors that go on the trip are offered to earn money for the trip by working the sale along with other fundraisers Mrs. Snyder head up. Last year at the newly merged high school there was about 200 dresses and it included shoes and jewelry. For four years Mrs. Snyder and a couple of other teachers give up an entire week of spring vacation, when they're supposed to be spending time with their family, they give that time up and take the students on a week-long trip to Washington D.C. and New York City. The Citizenship Award is presented to Mrs. Snyder. Mrs. Snyder states she does something she loves and it is a passion. Snyder states they took about ten or twelve students and it was great for them to mesh going on the trip. She will try to continue to do it each year but it gets expensive if anyone wants to donate. There are a lot of kids that show interest in going but do not have the funding. Polk recognizes Mrs. Snyder's current and former students.

ROLL CALL:	PRESENT	ABSENT
Doug Marshall	X	
Mark Conatser		X
Mary Jo Barton		X
Brad Polk	X	
Jerry D. Dishman	X	
Julius J. Anderson	X	
Alison Quirk	X	
Nora Powell	X	
Linda Gregory	X	

RESOLUTIONS:

RES. 18-15 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA PROPOSING AN ORDINANCE TO THE DELAWARE COUNTY INCOME TAX COUNCIL TO INCREASE THE RATE OF THE COUNTY ECONOMIC DEVELOPMENT INCOME TAX, AND CASTING ALL OF THE COMMON COUNCIL'S VOTES IN FAVOR OF THE ORDINANCE.

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

Councilperson Powell reads letter from Defur and Voran in support of the resolutions.

Controller Audrey Jones states over the past several years they have seen an increased amount of circuit breaker losses. The losses in 2010 to 2012 were \$26.6 million dollars averaging \$8.9 million dollars a year. In 2013 to 2015 the circuit breaker losses have increased to \$42 million dollars and that is an average of \$14 million dollars a year. In 2012 it was supposed to be the year the losses were to level out yet theirs have increased 72% in the last three years. This is the only option the General Assembly has made available to help supplement the losses. This

will allow them to capture about 21% of the annual \$15 million dollar circuit breaker loss they are seeing for this year. This will help them maintain their fiscal responsibility and the current services they provide. The percentage of the tax will be .45% which is not even 1% of your wages. This will cost someone that makes about \$25,000 a year \$2.16 a week. They are the only community who hasn't adopted the public safety Loit excluding places like Carmel, Fishers and Noblesville. They were receiving \$18.2 million dollars in property taxes in 2010 and last year they only received \$14.5 million. In the year of 2000 the population was 67,430 and in 2013 the population was 70,107. It is an increase of 2, 677 citizens. On top of the growth and population of Muncie their size has increased as well. In 2000 they had 24.82 square miles and as of 2010 they have 27.2 square miles to services. In 2000 they had 30,205 housing units and as of 2010 they have 31,958 housing units. Their workforce has fifty-seven less employees than what they did then in 2000. The only property tax backed bond the city currently has is the Tuhey Pool Bond and it was issued in 2011. The General Fund budget that will come before council tonight is \$433,392.00 less than what they approved last year. They aren't asking for any raises for next year. Jones states this is the only way they can supplement the circuit breaker losses and continue to provide the services required by the state constitution. They have not overspent or over-bonded and in fact when she became Controller in 2012 the operating balance was \$7.2 million dollars. At the beginning of this year it was \$8.5 million. They cannot maintain an operating balance with the losses they continue to incur from the circuit breaker.

Charles Jamieson 4501 N. Wheeling states he speaks on behalf of this tax measure primarily due to public safety. In 2010 then Mayor McShurley applied for a safer grant in an effort to offset a layoff of one-third of their fire department due to a revenue shortfall from the tax caps. The grant was won and the firefighters were back on the job. Now the safer grant is due to expire and Muncie's public safety need is greater than ever. The existence, production, sale of meth wasn't as prevalent five years ago as it is today. Hardly a day goes by when they don't open the newspaper or see a story on the news about Muncie for all the wrong reasons. It's not the kind of thing they want in their city. The Muncie Police and County Sheriff officers have done a good job busting the in home and now portable meth labs they still exist seemingly everywhere. While the police are on the front lines of the battle so is the fire department. These labs can be explosive in an instant. Their firefighters are required to be on scene for the meth labs. This puts them in danger not only for the risk of explosion but as they have seen recently gunfire. Keeping their public safety forces at present levels is an absolute must if they are to be successful fighting Muncie's and Delaware County's meth problem. Now isn't the time to cut the staff that protects them. Jamieson recently reviewed data from the National Fire Prevention Agency who lays out staffing guidelines for communities. The NFPA recommends a ratio of between 1.64 and 1.76 firefighters per 1,000 in population. Today fully staffed Muncie's fire department's ratio is 1.57 already below the recommended levels. Councilperson Gregory's comments in a recent interview are net-worthy. "I hate they have to do this but doesn't see any other way out. They can't continue to lose an increasingly amount of property taxes every year and have public safety. The effects of the property tax caps have come home to roost in Muncie and communities across the state. This administration's goal from the outset has been to improve quality of place in Muncie. Evidence of this can be seen

all around the community in the form of projects that are finished, underway or planned. Jamieson urges the council to support this measure.

Fire Chief Eddie Bell states the fire department isn't looking to hire more what they presently have which are 110 firefighters and they can get by with that. People have misconstrued that they want to hire another 16 firefighters. In 2006 they did have 120 firefighters and at one time had 132. They are well below NFPA standards. In 2010 they were down to 78 when there were layoffs. Former Mayor McShurley decided to accept the safer grant and brought their numbers back up to where they should be. At that time there were three fire stations closed and the response time was very slow. At that time if ISO were to come in they would have been a between a 7 and 8 in a rating. Right now they are at a 4 rating. The lower number the better. With that extra 3 points it would have been a 40% difference in insurance rates for the residents and commercial. This isn't just for the Fire department but the Police department, Delaware County and all the towns that have volunteers. Everyone needs to know this isn't just about Muncie Fire Department it is more than that. He disputes the gentleman before him that states the safer grant is a problem. The safer grant isn't the problem. They were lucky enough to get the safer grant 3 times. The last time they exceeded \$4.53 million dollars that came back to their budget that helped them. This time they will look right about \$2.4 million for the 16 firefighters they were able to bring back. He urges the council to support this.

Police Chief Steve Stewart states 30 years ago today he came on the Muncie Police Department. At that time the manpower levels were 127 positions. Today they have 103 officers. He can't begin to tell them the demand of their services hasn't decreased percentage wise. They have instances where they have to force people, draft them or order them to work over. The department is so overworked and underpaid. They're such a great department. Stewart states he takes to heart Gregory's comments in the newspaper a few weeks ago about the funding for the Police Department. Chief Stewart states he appreciates the entire council for what they have done for the last three years as Chief because they have always been supportive. He asks the council to approve the resolutions to help the Muncie Police Department.

Delaware County Prosecutor Jeff Arnold states what Chief Stewart stated that his department is understaff and overworked but would take them over any police department anywhere in the United States. He can see what they do day in and day out. He can also see what the Delaware County Sheriff's personnel do day in and day out. They are also knocking down doors and risking their lives every day and when they go to work they might not return. Because the County wasn't proactive the Sheriff's pension is \$2 million in the red. He asks the council to be a proponent for the City of Muncie and Delaware County. He has been a Delaware County employee in the Prosecutor's office for 29 years and no one on his staff has seen a raise in the last 8 years. They have taken 1,000's of meth cases and added them in their schedule and yet there is no money and it was because nobody in the county did anything proactive with the circuit breaker issue. Nobody wants to see taxes but this is the only alternative he can see for the City of Muncie and Delaware County to move forward and do something right. When that is done you have to pay for it. He heard commercials on the radio criticizing Mayor Tyler's plan

but didn't hear one solution but just criticism. That is what the County fell into since the circuit breaker hit and now they have been broke. Arnold asks the council to move forward and be proud of the city and county and move forward and not standing still. Question called. A roll call vote showed 5 yeas and 2 nays. (Gregory and Polk). ADOPTED.

RES. 19-15 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA PROPOSING AN ORDINANCE TO THE DELAWARE INCOME TAX COUNCIL TO IMPOSE AN ADDITIONAL COUNTY OPTION INCOME TAX TO PROVIDE FUNDING FOR PUBLIC SAFETY AND CASTING ALL OF THE COMMON COUNCIL'S VOTES IN FAVOR OF THE ORDINANCE.

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

Scott Alexander states I.C. 6-3.6-3-10 states local income tax towns may not adopt more than one ordinance in a year. Alexander states he hopes they look at this because today they are adopting resolutions to approve two separate tax increases. Alexander states this could be challenged. He states to prevent that may be the safety services side, which they are considering now.

Attorney Tom Pittman from Barnes and Thornburg was involved in the preparation of the resolutions. The applicable article in title 6 is 6-3.5 rather than 6-3. The code mentioned doesn't apply to the City of Muncie.

Scott Alexander states when they heard this was going to happen and he was on the phone with DLGF and they seem to be in a state of limbo with this new tax code. Alexander states this could be challenged but anything can be challenged. Alexander states the IC states this may have been overlooked in the legislature according to DLGF. Alexander states this does not exempt what they are talking about this evening. He asks the council to consider this.

Chris Hiatt 918 W. University states the 6-3.5 was the old ordinance has been superseded as of July 1 by public law 243-2015 which stipulates the local income tax council can't adopt any more than one ordinance whether it is an existing tax or implementation of a new one.

Attorney Tom Pittman from Barnes and Thornburg states this is the fourth citation he has heard this evening. Pittman states he isn't finding anything on what is being purported. Pittman asks the code be repeated. Hiatt states Indiana Statute IC 6-3.6-3-10 public law 243-2015 implemented July 1, 2015.

Quirk states it was brought up seeking additional revenue for non-profits. Mayor Tyler has worked with Ball State and they have significantly increased their contribution they make but still because of the property tax caps and circuit breaker losses they still encounter losses that are beginning to grow. The other thing is the last resolution the dollars that will be coming in will go into the general fund to help maintain services. Question called. A roll call vote showed 7 yeas and 0 nays. ADOPTED.

APPROVAL OF MINUTES: A motion was made by Powell and seconded by Marshall to approve minutes from previous meeting on August 3, 2015. A roll call vote showed 7 yeas and 0 nays. MINUTES APPROVED.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 16-15 AN ORDINANCE AMENDING 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 2015.

A motion was made by Powell and seconded by Marshall to Adopt as Amended.

Controller Audrey Jones states this is for the signal tech that was working part-time for them. They couldn't hire him as a contractor because he didn't have any insurance. To cover any issues that were going to happen such if he gets hurt to be covered by insurance he had to be hired as an employee and not a contractor. Question called. A roll call vote showed 7 yeas and 0 nays. ADOPTED.

ORD. 17-15 AN ORDINANCE OF ADDITIONAL APPROPRIATION. (MVH FUND).

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

Controller Audrey Jones states they had a bad winter and with the overtime doing repairs to the streets along with an aging fleet. Some of their street paving bills issued last year didn't come in until this year so their budget has to go up. Question called. A roll call vote showed 7 yeas and 0 nays. ADOPTED.

ORD. 18-15 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 2015.

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

Controller Audrey Jones states this is for the Mayor's secretary. The Mayor currently does not have a secretary and she has been sharing her employee with the Mayor's office. They will be moving that employee to the position and doesn't feel they should take a pay cut. There is a 20 cents difference. Question called. A roll call vote showed 7 yeas and 0 nays. ADOPTED.

ORD. 19-15 AN ORDINANCE TO AMEND THE TEXT OF THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE REGARDING TEMPORARY, DETERIORATED AND INACTIVE SIGNS.

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

Director for Planning Commission Marta Moody states last month she stated they may be doing revisions with the ordinance after they had a meeting with business and property owners who might have concerns with it. They decided that they would like to have additional meetings to get input and make changes. This would take some time. By state statute certain action needs to be taken by the council. This doesn't leave them enough time to go through the process to make provisions. Moody proposes the council withdraw the existing ordinance and they will have the meetings and introduce a new ordinance. Council Attorney Joseph Hunter states in order to withdraw a change in a zoning code it states any matter except ordinances to amend the comprehensive zoning ordinance may be withdrawn from consideration from consideration

by the councilmember without a vote. A motion should be made to withdraw and a vote needs to be taken. A motion was made by Dishman and seconded by Gregory to withdraw. A roll call vote showed 7 yeas and 0 nays. MOTION CARRIED. (WITHDRAWN).

ORD. 20-15 AN ORDINANCE OF THE CITY OF MUNCIE VACATING ALLEYWAYS BETWEEN HIGH AND SEYMOUR STREETS IN THE CITY OF MUNCIE, INDIANA.

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

Muncie Redevelopment Commission Todd Donati states this is the alleys that are right behind where the old Muncie Mission use to be. This will allow them to expand that parking lot and create a park like setting in the area. Polk asks if it is where the billboards are located. Donati states that is part of it. One runs north and south and one runs east and west and it serves no purpose. Question called. A roll call vote showed 7 yeas and 0 nays. ADOPTED.

NEW ORDINANCES:

ORD. 21-15 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2016. (MUNCIE PUBLIC TRANSPORTATION BUDGET).

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

Question called. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

ORD. 22-15 AN ORDINANCE FIXING THE SALARY FOR THE CITY JUDGE OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2016.

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

Controller Audrey Jones states there are no raises from this year to next year in the 2016 salary ordinances. Question called. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

ORD. 23-15 AN ORDINANCE FIXING THE SALARIES FOR ELECTED OFFICIALS OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2016.

A motion was made by Powell and seconded by Marshall to Introduce. Question called. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

ORD. 24-15 AN ORDINANCE FIXING THE SALARY FOR THE MAYOR OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2016.

A motion was made by Powell and seconded by Marshall to Introduce. Question called. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

ORD. 25-15 AN ORDINANCE FIXING THE SALARY FOR THE CITY CLERK OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2016.

A motion was made by Powell and seconded by Marshall to Introduce. Question called. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

ORD. 26-15 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 2016.

A motion was made by Powell and seconded by Polk to Introduce. Question called. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

Councilperson Powell is informed that Mrs. Snyder's Social Studies class is present and explains the council are presenting and going through all of the salary ordinances for the City of Muncie for the year 2016. The class stands and is recognized.

ORD. 27-15 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 2016.

A motion was made by Powell and seconded by Marshall to Introduce. Question called. A vote by acclamation showed 6 yeas and 1 abstain. (Powell). INTRODUCED.

ORD. 28-15 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY APPOINTED OFFICER, EMPLOYEE, DEPUTY, ASSISTANT, DEPARTMENT AND INSTITUTIONAL HEAD OF THE CITY OF MUNCIE, INDIANA, INCLUDED HEREIN FOR THE YEAR 2016.

A motion was made by Powell and seconded by Marshall to Introduce. Controller Audrey Jones states there is a raise for the probation officer that is mandated by the state. Question called. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

ORD. 29-15 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2016. (CITY OF MUNCIE BUDGET).

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

Controller Audrey Jones states their General Fund budget has been cut \$433,392 from the approved budget last year. The other budgets were able to cut a little bit in Health Insurance because they went to HSA's so the estimated cost of what health insurance would be have gone down a bit unless someone has changed plans from single to family. Question called. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

ORD. 30-15 AN ORDINANCE TO VACATE A CERTAIN PUBLIC ALLEY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA. (PETITIONER: JO-HAR. INC., GREG A. BOWEN, CHARLES R. BOWEN JR., RICKY LEE MOSS AND THE 5M GROUP LLC.)

A motion was made by Powell and seconded by Marshall to Introduce.

Muncie Redevelopment Commission Todd Donati states he would like the council to support this. They should have also received a letter from Mike King who through his chairmanship of the South Muncie Community Corporation supports this. This removes an eye soar and asks if they would act upon this today. Donati states there is a time limit and a contract has been expired in June and expires at the end of this month so they can close on this and begin construction. Representatives of Summit Run are present. It is clarified that it states Summit Run Development, they are franchisees and they have run the stores in Muncie since 1970. If they are fortunate to move ahead and purchase the property, they will be signing a 20-year lease with Burger King to operate a restaurant at that site. They are looking for the vacation of the alley so they can have a drive-thru that will allow safe entrance and exit off the property. They are committing to using 25% of the property to be used for greenspace. They have looked at this area for years and encouraged by the Mayor's vision for the Southside of Muncie and

they would love to be a part of that. They have to be assured they can fit a Burger King on the property and that is why there is a timeframe. They will be installing new sidewalks on 15th and Monroe Streets. They have contacted the architects' and secured the necessary variances and this is the final step for them to move ahead. They anticipate this project to be a \$1.7 million dollar investment to South Madison Street. They will be employing 35 people to run the restaurant. Question called. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED. A motion was made by Marshall and seconded by Quirk to Suspend the Rules. A roll call vote showed 7 yeas and 0 nays. MOTION CARRIED. A motion was made by Marshall and seconded by Quirk to Adopt. A roll call vote showed 7 yeas and 0 nays. ADOPTED.

Quirk thanks them for the development. She is excited about this and it will be an asset to their community. Dishman thanks them for putting another Burger King in Muncie. Dishman states the one that is in his district on McGalliard is beautiful. Powell concurs.

ORD. 31-15 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2016. (MUNCIE SANITARY DISTRICT BUDGET).

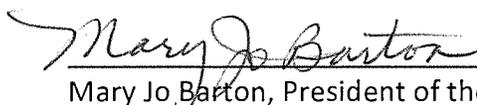
A motion was made by Powell and seconded by Quirk to Introduce.

Financial Manager Debra Irvin is present for any questions. Question called. A vote by acclamation showed 7 yeas and 0 nays. INTRODUCED.

OTHER BUSINESS:

From Barnes and Thornburg Attorney Tom Pittman clarified that IC 6-3.6-3-10 is a new statute that does not become affective until January 1, 2017. Current law permits the increase of Edit and imposition of a public safety Loit in the same year. Government Affairs Director for Cities and Towns Brian Gould has reviewed also and concurs with Attorney Tom Pittman. Council Attorney Joseph Hunter also agrees with Pittman.

A motion was made by Marshall and seconded by Powell to Adjourn. Meeting Adjourned.



Mary Jo Barton, President of the
Muncie Common Council



Phyllis Reagon, Muncie City Clerk
of the Muncie Common Council