

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



JUNE 3, 2024

PUBLIC HEARING: 6:45 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

ORD. 11-24 AN ORDINANCE TO VACATE A PORTION OF A CERTAIN RIGHT OF WAY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

Kathy Vannice with Ashton Land Surveyors, 325 West Washington Street, states the reason being here tonight is to ask for a one-block vacation of Dill Street (from Martin to North Street) for a future parcel of land that is to be developed into a community or sale ownership by future owners as more of a walkable community to and from work at IU Medical or Ball State University. They had hoped to be able to present a slideshow presentation of the planned layout which consists of 8 single-units and other buildings with a condominium/multi-family structure. There has been contact with the Neighborhood Association, Ball State University and the Delaware Muncie Metropolitan Planning Commission who have all provided letters of endorsements. Vannice is aware there may be a concern with the parking in this property but acknowledges the Code requires half a parking space for every bedroom and they far exceed. The 8 single-units will have 2-car parking in the garages with the ability to also park 2 cars on the driveway. The multi-family units are only 2-bedroom but will have 2-car parking garages with additional parking behind them plus 7 additional spots in the parking lot itself. This ordinance tonight, though, is seeking to vacate Dill Street for it to become more of a walking community. They have asked for a traffic count but Dill Street does not even qualify as a street that gets enough traffic that the area of planning keeps a traffic count on Dill Street because it's not a through street. The goal is to come from the alley off of Gilbert (on the south) north to North Street and (since North Street is a one way) going back east and then south into the second alley. It is doable and will make it so people aren't driving through the community.

No further comments. Public Hearing closed.

REGULAR MEETING: 7:00 P.M., 1st Floor City Hall Auditorium.

PLEDGE OF ALLEGIANCE: Led by Councilperson Powell.

INVOCATION: Moment of Silence.

CITIZEN RECOGNITION: Councilperson Gullion first met this Month's Citizen of the Month Awardee, Christiana Mann, when their children attended East Washington Academy at the same time. They are both supporters of Muncie Community Schools and although their sons were a couple years apart, Gullion watched her support students and faculty starting in elementary, to Northside, through Central and knew her as an involved mom, a hard worker, entrepreneur, and teacher. Christiana is an Assistant Lecturer of Hospitality Innovation and Leadership at Ball State University. Previously, she'd served as an adjunct faculty in the Department of Family and Consumer Science at Ball State; Doctoral Fellow in Wellness and Gerontology in the College of Applied Science and Technology at Ball State; and as an adjunct faculty member in general studies at Ivy Tech Community College. She also teaches the Impact X class as the Ball State liaison to the project. She's also currently a ServSafe Manager, Instructor and Proctor. And, she runs Three Bears Concessions, with her father, and if you haven't, you should try their shake-ups and ices from their food truck! She's received various awards throughout her career, continues to further her knowledge through educational and training programs and serves on various

committees and boards at Ball State and in Muncie service organizations. The reason Gullion chose to recognize Christiana tonight for this citizenship award, however, is for her devotion to addressing the issue of food insecurity in Muncie. Through her efforts, Ball State was awarded a grant from the Efroymsen Fund of Central Indiana Community Foundation, which has allowed Ball State's student-run restaurant, Allegre, to offer free meals to those in need. Any food not used during the Allegre meal services is then packaged for delivery to Muncie organizations that feed the hungry. The fact that she's helping feed people would be enough; however, bringing the food insecurity issue into her classrooms and teaching students that 1, hunger exists, maybe closer to them than they know, and 2, that they can be a part of the solution, takes her work to another level. Instead of going on about her, Gullion is going to provide some quotes from those who've worked closely with her and attest to her commitment. She even had to edit these quotes for time because people had much more to say about her. Christiana has served on the Soup Kitchen of Muncie board and volunteers with them. Loretta Parsons, the long-time director of the kitchen said, "She brings her students to the kitchen to help prepare and serve food so they have a firsthand experience of seeing the faces of food insecurity. During the pandemic she was helpful in guiding us with the CDC guidelines for quarantine. Christiana and her students helped us get sack lunches completed and food cooked when we started serving again during the pandemic. She even taught the board members how to make a nutritious meal within the guidelines required for meals served at schools. She was instrumental in getting us connected with Tonne Winery, for our Sip for Soup fundraiser, which has become an annual event, and is working on this summer's again for us." The Common Market is one of the recipients of meals in the city and co-owner Mike Martin says they receive 20-50 meals a week during the BSU school year. Part of the grant Christiana won covered a packaging and labeling machine that ensures the meals shared meet federal safety regulations in order for distribution. He also shared that Christiana along with her students and The Muncie Food Hub Partnership has been hosting a free Friendsgiving at the market for the past two years, which is open to the community. Lastly, Gullion read a verbatim from part of a letter from Dr. Sotiris Hji-Avgoustis, the chair of Applied Business Studies at Ball State's Miller College of Business, under which Christiana works: "Christiana has been instrumental in organizing and executing numerous food drives, fundraisers, and community outreach programs. Under her guidance, our efforts to combat food insecurity have yielded a significant increase in foundation grant support, especially with our partners at the Efroymsen Fund and volunteer participation, enabling us to serve more families and individuals than ever before. The Efroymsen support allows us to invite underprivileged community members to dine with us in our student-run restaurant, Allegre and package and distribute excess meals for delivery across Muncie to organizations that feed the hungry. Christiana is deeply committed to addressing the root causes of food insecurity. She has worked closely with local government agencies, businesses, and non-profits to advocate for sustainable solutions and policy changes supporting long-term food security. Her efforts have led to developing several community nutrition education programs. One of the most inspiring aspects of Christiana's work is her direct impact on the lives of the people she serves. She is known for her warmth, empathy, and willingness to listen, which has led to numerous heartwarming stories of how her kindness and support have transformed lives. For instance, one family shared how her nutrition education program helped them improve their health, while a Ball State student credited her mentorship for their academic success. These are just a few examples of the many lives she has touched." In summary, Christiana exemplifies the spirit of volunteerism and community service. Her contributions have provided essential support to those experiencing food insecurity and strengthened the fabric of our community. That sums it up better than Gullion could have expressed herself and invites Christiana Mann up to receive her award.

Christiana Mann thanks them for this humbling award because it takes a lot of people to work on this huge issue nationally and globally but locally 1 in 7 people are food insecure. That is 19,000 hungry people in Delaware County. Food insecurity by definition is not knowing where your next nutritious meal is going to come from. It is not that you don't have food, but, it's you don't have access to good/healthy food. We all know that good/healthy food fuels our body and souls. It is imperative for our children who are in school trying to get a good education to have healthy, nutritious meals. Lots of people are working very hard in our community and she is grateful to stand side by side with them. She is thankful for The Common Market for being an outlet for the student contributions with Allegra, for the Soup Kitchen of Muncie, Mr. Ball and all of the people that call her requesting her to come

pick up this food that's been stored and transported securely and improperly that they need to find a place for. She thanks all of her friends and urges each person to try to do something to help combat this problem.

Councilperson Powell invites Leo Furlong up to the podium announcing a local celebrity is in their midst this evening. He is a 6th grader at Burriss Laboratory School and won the Regional Spelling Bee in March which earned him a spot at the National Spelling Bee this last week. With his trip to Washington D.C., he gained all kinds of accolades, awards and gifts. They just wanted to let him know how much the Council appreciates his achievement, bravery and overall being a wonderful ambassador for our City. She congratulates his mom and little sister who are here as well. With that, she presents him with a gift certificate to Baskin Robbins. She informs how proud everyone is of him and his entire family and thanks him for making Muncie look good.

Next month will be President Dishman presenting the Citizen of the month Award.

ROLL CALL:	PRESENT	ABSENT
At-Large 1 – Dale Basham	X	
At-Large 2 – Ro Selvey	X	
At-Large 3 – William McIntosh	X	
District #1 – Jeff Green	X	
District #2 – Nora Powell	X	
District #3 – Brandon Garrett	X	
District #4 – Sara Gullion	X	
District #5 – Jerry D. Dishman	X	
District #6 – Harold Mason	X	

APPROVAL OF THE MINUTES: A motion was made by Green and seconded by Gullion to Approve the Minutes from the May 6, 2024 Regular Meeting. A roll call vote showed 9 yeas. MINUTES APPROVED.

APPOINTMENTS TO BOARDS AND COMMISSIONS: President Dishman opens appointment nominations to the Human Rights Commission. A motion was made by Dishman and seconded by Selvey to nominate SteVen Knipp.

SteVen Knipp, wishing everyone a Happy Pride, explains this would be his first reappointment and is happy to answer any questions. President Dishman checks to see if Human Rights Director Yvonne Thompson is present, appearing she is not. Councilperson Selvey recalled working with Mr. Knipp on the Human Rights Commission during a term in which she served as President and him Vice-President. He is very dedicated and similar to their last appointment Kim Miller. He puts in a lot of time, takes it very seriously and cares about people. From her past experience working side by side with him she thinks they are in great hands under his leadership because he was nominated President during her last meeting. Councilperson Mason indicated he intended to nominate someone to the Human Rights Commission but after discussions his selection being familiar with Mr. Knipp, she insisted to go ahead and appoint *him* because he is good for Human Rights. Knipp thanks him and loves to hear that. He thanks the Council for their consideration insisting it is a privilege to serve the community in this way. Questions called. A roll call vote showed 9 yeas. MOTION CARRIED. SteVen Knipp is declared reappointed to the Muncie Human Rights Commission.

COMMITTEE REPORTS:

MUNCIE REDEVELOPMENT COMMISSION

Zane Bishop is 1 of 2 City Council appointments to the Muncie Redevelopment Commission (MRC). The second appointment is Andrew Dale. They both wanted to provide a brief update of what is being shared with the MRC in their time so far on the Commission. Last month, the MRC Executive Director Jeff Howe presented

(kind of) a net balance for the MRC through all accounts, including projected income and projected expenses through 2024 which is sitting at around \$2 million. The Storer Estates, Sportsplex, and former downtown Y properties are currently owned by the MRC but it is anticipated that they will be transferred to the Developers this year. It was reported to the MRC that The Markets on Madison development at the Southway Plaza has stalled. Right-of-way along Columbus Street and McKinley, just across from the high school, is being purchased to widen the road. The former Concannon's location at the corner of Columbus and Walnut had been presented to the Commission for the MRC to take an option to purchase the property. He and Mr. Dale both would rather let that go to a private sale and didn't want to take on expenses or lose any tax revenue. After a couple months, it was determined that it will actually go to a private sale. The specific details are unknown but it does sound like it's going to be in new hands without MRC involvement. It was reported to the MRC that The White River Lofts Phase II at the former site of the High Street Square and the buildings behind it no longer has a Developer, however, the City is moving forward with greenery and art installment at the point of Franklin and High. Muncie Parks have continued to be upgraded using in part the money from the MRC and that includes the Till Pond off Memorial and Tillotson as well as a skatepark at Westside. The City and MRC have been in talks with helping fund the Muncie Land Bank, specifically Bishop and Mr. Dale. Everyone voted for a small alignment toward them but they both in particular are pushing forward with trying to fully fund their ask. They believe that the Muncie Land Bank not only fulfills the mission of the MRC and what Redevelopment Commissions were initially established for but also that we need to deal with our existing neighborhoods, structures and existing built environment before necessarily looking outward. Those discussions are ongoing and both he and Dale are trying to continue those conversations. Angie Hibner, the new Executive Director of The Downtown Development Partnership, brought to the MRC's attention a few months ago a list of non-compliant ADA ramps downtown. He doesn't believe that to be on anyone's radar but she took it up on herself to bring it up and ask the MRC for the funds to fix those immediate needs. The funding was approved and he believes they're being installed and will continue to be installed this summer. She's also working on using the annual allotment that Downtown Development receives from the MRC planning a retail incubator space and program. They have been really happy with the work that she's been bringing to the MRC. Mr. Dale has been bringing up concerns that the Minutes of the of the MRC are not fully reflecting the discussions leading up to any action taken. Bishop, himself, brought up concerns about access of public information to the public and those have, in part, been addressed. He has also asked for a list of all properties that the MRC owns and doesn't have an idea for (properties not being held up in something) and that the MRC controls through other entities. He is currently waiting on that information and with that is willing to answer any questions.

Councilperson Selvey thanks them for helping fix the ADA ramps and asks about how much was spent. There are other concerns from other Neighborhood Associations that need help with accessibility for residents and she questions if the MRC is the appropriate place to go for that. Bishop recommends starting with the Mayor and Public Works Department first. He doesn't know the exact triage and believes Ms. Hibner came to the MRC because they were already funding Downtown Development and it's kind of a key focus area with other projects. He wants to say it was around +/- \$100,000. Selvey thanks him for coming and providing an update. She refers to him mentioning how he is working on access of certain information to the public and what he did this evening was a great example of that.

Councilperson Green refers to the stall of the Southway Plaza and request a little more depth on that explanation. Bishop insists he only has as much information that was given to the MRC but knows the City was in talks with them for a while but thinks it was more of a financing issue. He knows the City has or had planned to put some money into that property, specifically with MRC funds. When Bishop asked about that, the MRC Director did not know if that had already happened so he does not know the commitment that has already been taken. It is more of a financing issue with the Developer as far as he knows. Green asks if they know whether they are going to go through the MRC to do more work such as interior and in the parking lot area. Bishop doesn't believe, at this point, that any other work will be spent with MRC funds but when asked he didn't receive an answer as to whether or not money had already gone in.

Councilperson Basham thanks him for being here and proving an update of the MRC and questions who the others members are in addition to him and Mr. Dale. Bishop informs the Mayor's appointments are

President Isaac Miller, Shareen Wagley and Stephen Prybilla. Basham also requests a brief update on the skatepark. Bishop believes they were receiving bids but the last he heard they were unavailable although in the RFP process.

Councilperson Gullion refers to Bishop mentioning that the MRC would like to be able to provide the full ask to the Muncie Land Bank and questions what that amount is. Bishop responds their request was \$150,000 annually.

Selvey asks him to elaborate for public perspective just how supporting the Land Bank goes with the mission of the MRC. Bishop reads, "the main purpose of the MRC is to create opportunity for development, growth investment and jobs with the focus and the more blighted areas of Muncie. MRC overseas business development opportunities and is authorized to acquire and dispose of abandoned residential properties." He believes whether or not positive, Redevelopment Commissions have expanded over the years to be more involved with larger projects but the original state code was that it would mainly handle existing blighted areas and not just tearing stuff down to sit for a while.

President Dishman asks if there are any projects that have reached completion. He refers to the skatepark, Southway Plaza, and the Crisis Center fall through. What has even been accomplished? Bishop insists his appointment to the MRC started in February and he knows the MRC moved through a lot of action at their Special Meeting just before the February City Council Meeting. That included a lot of the projects he already named. In terms of what has been accomplished, he does know they have funded a lot of parks and a lot of those improvements have already been completed. Some of these are larger scale projects so there is not an expectation that they would be finished within 6 months to a year. He and Mr. Dale certainly have concerns that there is engagement more and speculative action when there is stuff that can be accomplished right now. He believes in the February Meeting they also received an ask from Delaware Dynamics to fund the demolition of some properties they own to expand their campus but, again, that's also a longer-term project. Dishman states the Parks Department has done an excellent job all over town. However, there are a lot of other projects that have been started but are not finished. Bishop is aware Phase 1 of the White River Lofts was an MRC project before his time on the Commission. He doesn't know the numbers in how it all worked out but it seems like it has been a successful project and significantly raised the assessed values of the of that property.

Selvey loves the Muncie Land Bank and recalls working on redoing the vacant and blighted home ordinance with Councilperson Garrett a couple years back and is aware of progress is being made there. To make the public aware, she requests an explanation of how supporting the Land Bank would actually save taxpayer money and help the Building Commissioner's office tackle some of these blighted homes. Bishop explains a lot of the vacant and blighted properties and even overgrown lots all run through the Building Commissioner's office to enforce but there are legal processes where landowners have to be notified and administrate all the details in order to lead to any action including mowing, boarding, and any eventual work on the property. With the Muncie Land Bank, they can just acquire those properties and do the same work but without having to notice the property owners because they *are* the property owner. They don't have to wait to take action with public notices and hearings because, again, they are the property owner and can work more directly. In addition, something that the Building Commissioner's office can't really do is find the end user to do something with the property, whether that is take over the vacant lot or rehab the structure. One of the key purposes of the Muncie Land Bank is they can vet and find good buyers. Not only do they secure the property in the short term but also can find a long-term solution in someone who will do something with the property to make it better for the neighborhood and eventually pay taxes on it.

Councilperson Garrett asks if the MRC has any hand in the Tillpond project. Bishop believes they are funding it in part, yes. Garrett asks where they are at with it and mentions it was finally recently mowed. Has there been any news of it moving forward or another phase? Bishop responds not that they have heard however an update was asked for at the last meeting yet they didn't receive much of a current status. Garrett thanks him and recalls working together with him previously when they were both employed by the City. He is an asset and greatly appreciated.

ETHICS ADVISORY COMMITTEE

Dr. Chip Taylor is here on behalf of the Ethics Advisory Committee to invite anybody interested in their work to come to their June Meeting on June 20 at 7:30 PM at Kennedy Library. Kennedy is a different location in which they have met in the past. Right now, they're in discussion of the enforcement part of the instructions that were given in the resolution. They are also beginning to take another look at the ethics standards that was put out for comment. They received some feedback so are taking a second look at those. He then thanks the City Clerk and whoever is in charge of maintaining the City Website. The Ethics Advisory Committee now has a page on the City Website under Boards and Commissions. You can find Agendas and Minutes just as the other boards and commissions there. President Dishman makes the comment he is going to try to attend. Dr. Taylor states great and recalls Councilperson Selvey attending a previous meeting. There is a small group of citizens that are interested in what is going on and provide a lot of good feedback and are glad to have all the feedback they can.

TILLOTSON AVENUE

Councilperson Powell states that usually Rob Keesling from AEP would be here to do a Tillotson project update. This one is kind of important for District #2 and District #4. The next traffic shift will take place this Wednesday, June 5. Tillotson will be 1 lane between Riverside and the south side of Euclid. The intersection at Petty Avenue east of Tillotson will be closed so you will not be able to cut through that neighborhood to get to campus if you're coming from west of Tillotson. They expect that phase to last through August so plan routes accordingly. With that, if you so happen to make it into campus, Ball State is doing a project at the intersection of McKinley and Riverside will be closed in the middle of June. She will make sure to give the Clerk the graphics she has been sent so members of the public can look at either the City Facebook page or at Councilperson Powell's Facebook page. She received it today and will send the remaining councilmembers the information as well.

NEW ORDINANCES:

ORD. 11-24 AN ORDINANCE TO VACATE A PORTION OF A CERTAIN RIGHT OF WAY IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA.

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

Adam Branscomb, Fairmount Properties, is here on behalf of Ball State University who is working on a large-scale reinvestment redevelopment within the Village. Several of those projects have already begun and a couple of items have been before this Council and various other bodies here in Muncie. He introduces their home building partner, Trademark Construction, who has representatives here tonight. They had a slideshow presentation they were wanting to present but unfortunately are unable to do that so he has distributed copies to Councilperson Powell and is happy to provide electronic copies to them via email. They are here tonight to talk about site #5, as there are 5 sites they are redeveloping in the Village. Site #5 is particularly exciting because it is in keeping with many aspects heard from a lot of the community input sessions held over the last 18 months or so. And that's the creation of for sale owner-occupied housing within the Village. Most everybody recognizes that area is very student centric today with a lot of student rentals. With that, they are extremely excited to be presenting a plan to develop 25 (give or take) for sale homes. These would be a mix of detached homes with nice two-car garages as well as attached townhomes. There will be great public green space and walking paths with plenty of parking. However, the request tonight is specifically the partial vacation of Dill Street to create a nice Village Green Central within this residential community.

Kathy Vannice, Ashton Land Surveyors, provided a quick synopsis earlier at the Public Hearing but wants to go into further detail about the parameters of where this property is located. Martin Street is on the west; North Street is on the north; on the east it *would* be Dicks but this is half a block in so there at the alley; and Gilbert Street on the south. An ALTA land survey of the property has been done. There is a combination sewer with a 2-inch waterline within that right-of-way, however, the waterline doesn't have enough pressure to be able to service the new homes. This results in having to come from the further waterline at the corner of North and Martin Streets and bring it across on North and then south. Gas and Electric are all on the perimeter or in the alley so nothing is else is

in actual Dill Street. The verbiage of the ordinance says that it is not vacating any of the rights of the utilities as they sit today. Also, as we all know, the combination sewer has to be used for sanitary only and cannot be used for storm. There is a storm structure on the design and it goes up to North Street and exits into a storm sewer that is already in play. Again, these are 8 homes on the south end with 2-car detached garage with room for 2 more cars in the outside driveway. The townhouses on the north will be 17 units for multi-family with parking garages underneath. There will be 7 extra parallel parking for several units and 3 will have regular parking. There is an area for a gazebo and if they are able to close the deal then a walking path. It will be closed for traffic but not for foot traffic. She hopes that explanation helps get them a better understanding of the details.

Councilperson Basham confirms there currently being no structures on the property so in the short term there won't be any traffic impacted. Vannice states that is true for both the points he made. Right now, there are no homes on these premises. The other thing was she reached out to planning for an area impact of traffic and Kylene Swackhamer from the Muncie Delaware Metropolitan Planning Commission is in attendance to speak on the impact of traffic as well as their endorsement. There are additional letters from Ball State and Riverside Normal City Neighborhood Association. City Clerk Belinda Munson requests copies of the letters for the ordinance file.

President Dishman asks if there are any landowners upset about this. Vannice responds no, the Neighborhood Association provided a letter of endorsement and one of the nice things about the group here tonight is that they have been very open attending open meetings and meeting with the Neighborhood Association so they can all see the idea and plan. This has been really transparent.

Councilperson Garrett assumes the Neighborhood Association would be behind this with the for-sale homes, as nice as they're going to be, helping increase other property values. That is nice to see.

Councilperson Powell echoes the Fairmount Group has been very communicative with the Neighborhood Associations. One of the things Powell wanted the fellow councilmembers to know is that when she was first approached about this, she instructed them to go back and talk to both Police and Fire Public Safety to see if there would be any impact in services for the residents. There was absolutely nothing hindering that so they did their due diligence in that regard and there weren't any issues. Basham makes the comment it being easier now to understand why they are known as the "Cadillac standard."

Kylene Swackhamer, Muncie Metropolitan Planning Commission, submitted a letter with general support since they have been involved in the early review and discussions of the development plans of this site. The letter is in general support of the vacation of that section of Dill Street. She has another letter in regards to the traffic flow. They do not foresee any negative effects and as Ms. Vannice said, this section of Dill Street is categorized as a local road so there has been no traffic studies, locally or from INDOT, because of the low volume in the area. It is not on their list to do local traffic counts in a revolving manner. She has also attached a few maps of traffic flow to show the higher amount of traffic flow that is north and south occurs on McKinley Avenue, Nichols Avenue, and Linden Street. Therefore, it's not within this immediate area of Dill Street. With that, she just wanted to be here to offer her office's support in the vacation of the street as well as the development plans. Questions called. An all-in-favor vote showed 9 yeas. INTRODUCED.

ORD. 12-24 AN ORDINANCE AMENDING ORD. 24-23 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 2024.

A motion was made by Selvey and seconded by Green to Introduce.

Craig Wright, City Controller, apologizes for Mayor Ridenour being unable to attend this evening due to his mother having a heart attack today. She should be okay but the Mayor is with her, as he should be so please keep them both in your thoughts and prayers. Wright continues, the City decided to go ahead and give the workers a 10% raise that was offered because they felt like they deserved it. The increase has already started to be paid out and this is the salary ordinance making that amendment.

Councilperson Basham asks when it started. Wright answers May 1.

Councilperson Powell asks why this (the salary ordinance change) wasn't done prior to spending the additional monies. Wright refers to "I.C. 36-4-7-3 that the compensation fixed under the section may be increased or decreased by the Executive during the budget year for which it is fixed." The Mayor brought it to the Controller and said to go ahead and do this and make it begin May 1. As far as getting the salary ordinance together, the May City Council deadline had already passed for filing. Powell claims that state statute does allow the Executive to increase salaries but there are still procedures to be followed which is to amend the salary ordinance so that the ordinances is in line with what is being paid out. She does agree that state code allows them to increase salaries during the budgetary year but it doesn't allow them to violate City Code. Wright claims they just followed the Indiana Code and are here now with the salary ordinance for Council consideration. The Council has the prerogative to not pass the increase if they so choose. Powell assures her question was just why proper procedures weren't followed. Wright, again, states it was brought to his office and the Mayor wanted to go ahead and give the raises because they needed it as our employees are grossly underpaid as it is. Powell agrees.

Councilperson Gullion asks for clarification when Mr. Wright states it was 'brought to him.' Wright responds the Mayor insisted they go ahead and do this. She confirms the Mayor approved the increase before taking it to Council.

President Dishman asks if this salary ordinance is for everyone. Wright answered all except elected officials. Dishman confirms the Street Department received their raise. Wright states yes. Dishman asks when. Wright responds they gave 10% across the board the first week of May.

Councilperson Basham clarifies that all Muncie City workers, except elected officials, have been received this raise since May 1. Wright states yes and adds it doesn't affect part-time.

Dishman asks if the Street Department has settled their contract. Wright states no, they are still in negotiations with a meeting coming up. Dishman asks how they can come up with these raises if it isn't even negotiated yet. Wright, again, refers to I.C. 36-4-7-3. Dishman claims it isn't right when the employees may have wanted more. They have an open contract and it isn't settled yet so how can they provide raises when they don't even have a contract? Wright explains the contract expired December 31 of last year so they have been in negotiations for this year and the Mayor decided to go ahead and approve the 10% which is what Police and Fire received.

Councilperson Garrett asks if they are allowed to know when AFSCME discussions are going to be resumed. Wright confirms with Deputy Mayor Ivy sitting in the audience they the next date is set for June 12.

Councilperson Selvey asks if doing it this way is going to set the stage or are they making it a procedure that from now on anytime they give Police and Fire a raise it will be across the board. Wright answers no, they just felt like it was fair. Selvey questions what then would make it fair next time. Wright understands her perspective.

Gullion refers to Police and Fire getting the same amount but asks when their 10% pay increases started. Wright claims their contracts were settled earlier in January at the beginning of the year.

Powell asks if this is retroactive to January. Wright answers no it is not. Powell asks if it was discussed to possibly suspend the rules and ask the salary ordinance to be considered and amended at the last meeting so it would be in compliance with the City Code. Wright claims they didn't ask for that, no. Powell asks if he discussed with the Mayor to have a Special Meeting so the Council could address it and take action to be in compliance with the City Code. Wright did not.

Nate Burgess, AFSCME President Local #3656, comes before them tonight requesting the Council Table this. Of course, they do need a raise but they also need a whole contract brought to Council first, not just bits and pieces. The 10% was offered at the end but had consequences the workers did not accept and that is about as many details he is willing to share. Powell refers to Mr. Wright mentioning their contract expired and asks if the expired contract has an evergreen clause. Burgess answers it does; the City's position is that it expired but the employees' position is that it did not. Powell asks him to explain for those that aren't in Unions what an evergreen clause is. Burgess enlightens if you and an Administration cannot get along or come to terms then the evergreen clause just follows what is in place year after year after year instead of being against the clock where a "bad Administration" could just wait you out and your contract is done and over. They do have an evergreen clause. Powell clarifies if their contract they are working under expires December 31 and they haven't settled negotiations, the evergreen

clause will carry that contract for them to work under that contract for a set period of time. Burgess states that is correct and recalls the McShurley Administration where the evergreen clause was used all 4 years of her mayoral term.

Garretts asks if there are any ongoing or current arbitrations that would be under this evergreen clause right now that that would not carry over into the new one if they didn't want to recognize that. Burgess states paperwork has been filed on arbitration but as far as what he found it on its bad business to share until it's done and over. He claims Mayor Ridenour reached out and as earlier mentioned there is a meeting on June 12 so is really hopeful most of this can be put to bed.

Powell takes a moment to make sure that Mr. Burgess and his membership understand that her objection to what happened, in regards to the raise, has nothing to do with the fact they haven't earned the raise. It is the fact the City is not complying with city ordinance and is spending money that hasn't been approved to be spent. It has nothing to do with the fact they are working very hard and have earned every penny of that, it's more of a rule of law.

Selvey asks if Mr. Burgess is able to tell them, as Council members, what the biggest hold up is. She assures he doesn't have to go into details. Burgess insists their upcoming meeting is June 12 and he doesn't want to put his foot in his mouth. Again, he is hopeful.

Powell asks him to clarify why he is requesting they Table this. Burgess states he would much rather his whole contract come before the Council instead of just bits and pieces and as he earlier mentioned that 10%, it had consequences when it was offer that the employees were not good with. They have not had a chance to see if those consequences are still there or not so it is possible those consequences are gone and they will bring back a contract they anticipate the Council will approve. Powell assures there is a possibility if they were to adopt this ordinance the Union and other civilian workers could be out 5 months' worth of the 10% salary increase. Burgess states that is correct.

Basham asks if Tabling this would impact the raises that have already been received and in some cases spent. Burgess guess if they want to come and take the money back they possibly could. Powell believes that is a question for the Controller, Craig Wright. Mr. Wright, from his seat in the audience, claims they have no intentions on asking for it back. Powell asks Wright if this is Tabled then will the Administration continue to spend money they aren't authorized to spend. Wright approaches the podium explaining the Administration would like to continue to pay these amounts. Yes. Powell claims there is a State Board of Accounts finding right now and asks if that is correct. Wright replies no, not according to the Indiana Code. Powell responds no, they are spending money that is outside of the ordinance. Wright states they factored in appropriations on the pay increases when preparing the 2024 budget and suggests they may not even need an additional appropriation to cover it. Powell insists she isn't asking about needing an additional appropriation; what she is saying it ordinance 24-23 sets the maximum amount of hourly wages they are allowed to pay these employees. They are now spending 10% more than that which has not been appropriated nor set in place by a salary ordinance so yes, unfortunately, this would be a State Board of Accounts finding at this point in time. Wright refers back to I.C. 36-4-7-3. Powell insists she can forward him the email from the State Board of Accounts Field Rep. Wright states okay and thanks her.

Gullion asks the City Council Attorney if they are still outside City Code if they continue paying these amounts and the Council Tables it. Attorney Dan Gibson states it is the Administration's job to pay the employees and the Council cannot control if they are going to do it or not. Tonight, the Council is being asked to approve what the Administration has already started doing. This is only up for Introduction so he recommends introducing it and not Tabling it until they've had the chance to have their meeting. If the Council needs to Table it next month then (because they aren't approving it tonight, just introducing it) further action can be taken next month one way or the other.

City Clerk Belinda Munson states her office and the City Court office aren't part of AFSCME and she just wants to verify that both are included in this since it doesn't specifically state the 2 offices. Numerous mutters from the Council claim she is correct. She just wanted it on the record.

Audie Barber claims the contract/negotiations will soon be open again for this years contract that has not even been renewed yet. Again, that means the contract they don't have will be up December 31. Once the contract

is settled, the City Administration is going to have to go back and pay these workers backpay so the Council needs to keep that in consideration too that these people have worked for 5 or 6 months without the raise that everybody else in the City has received. Look out for the employees. The administration can fight for themselves but the employees need the councilmembers to fight for them. Questions called. An all-in-favor vote showed 9 yeas. INTRODUCED.

ORD. 13-24 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE F FARMING ZONE AND II INTENSE INDUSTRIAL ZONE TO THE MHP MOBILE HOME PARK ZONE ON PREMISES LOCATED AS 2800 W. MEMORIAL DR., MUNCIE, INDIANA.

A motion was made by Basham and seconded by Green to Introduce.

Debbie Arnold, Manager at Freedom Acres, states the mobile homes were put in 1973, according to her records, before the zoning act. Mobile homes are there now and they have been trying to get this switched for years. Her company bought them out December 28 and they are just trying to get it all straightened out. Questions called. An all-in-favor vote showed 9 yeas. INTRODUCED.

OTHER BUSINESS:

Daisy Dale states given that records requests aren't being provided, members of the public and even some elected officials apparently, is generally curious what can be done because there are people who have had to jump through hoops trying to find information, even coming close to having to send formal complaints to Indiana's Public Access Counselor just figure out how to navigate something that should already be accessible if what is being asked for is partisan emphasizing the fact that this also impacts historic preservation too. For example, aware that members of the community are interested in researching how redlining has affected Muncie and trying to find early zoning ordinances would be entirely relevant to that. For instance, after making a record request for 3 downtown master plans dating back to the 1960's which took over a month and a half for the City to ultimately report back they didn't have any of it. One of them was under the archives at Ball State but with the vast majority of City documents, we can't expect it all to be salvaged like that. If we have Departments that are overwhelmed like HR, what is the possibility of appropriating more funding so that they could focus more on record requests? There could be an effort to digitize more documents, maybe better efforts for bookkeeping or archiving.

Steve Craig comments about the Southway Plaza referring to Mr. Bishop from the MRC talking about it earlier and Councilperson Green speaking up about it at the Southside Neighborhood Association meeting this month. 'Stalled' isn't good enough. People want answers and they don't want 'stalled.' Ongoing projects in the City being stalled just isn't good enough. If we start something, we want it done and want to know why it's not getting done.

Powell informs she contacted Mayor Ridenour and asked him about that project because there was another question about the beautification there. Craig assures they were supposed to install some playground equipment as well. Powell agrees and relays what she was told was that won't be done until the Developer actually makes a move. Unfortunately, it's stalled.

Marty Stilts wants to commend the councilmembers for working together a little bit more in comparison to the beginning of the year. All the counselors need to remember to lose that 'D' and 'R' when coming into a meeting. They are no longer a Democrat, Republican or Independent; they are a representative of the voters of Muncie. She appreciates the effort they have put in trying to do that. Southway Plaza is horrible and we need to get on them. The last thing, nobody mentioned tonight, which really impressed her, is the retreat that is set up for June 7, 8 and 9. A lot of people been getting a lot of hassles/complaints online while many asked if it was legal. After talking to people and understanding more about what is going to be going on, she respects and appreciates everyone for trying to work together, if they can attend. It will really help in learning which Department you have

to go through to get something done. A lot of people don't realize you have to go to the Building Commissioner to get an overgrown or abandoned yard mowed. The newer councilmembers, especially, don't know those types of things and this will give them the opportunity to learn. For all the naysayers that think this is all a joke, it may be or may not be but let's give it a chance. For those that are in support of it, all the better. It gives all of us a chance to find out what's going on in all the different departments and gives the Council opportunity to learn where to go.

Audie Barber recalls how it was earlier mentioned that the City lost the contractor for the second phase of the White River Lofts so the money the taxpayers of Muncie has been spent on the building, tearing them down, fixing the concrete, etc. is now going to be home to greenspace instead. Maybe as a Council they can determine why the City lost the contractor there and find out what is really going on with it. Everybody has said tonight this Administration has started a lot of projects that have not yet been completed. There is the Tillpond... It took a year to get a new gate put in at the former Chevy plant to keep people from going inside the contaminated soil area. And a lot of money was spent at the Southway Plaza going in and tearing the parking lot up to where the parking lot now does not drain properly so a 'lake' will form there when it rains heavily. That is a problem because the taxpayers spent quite a bit of money on taking that asphalt out to make it flood like that. He is aware the money the EDIT Mayor gets each year being about \$4 million. That's a lot of money. We are allowing this Mayor and Administration spend \$4 million on stuff that isn't getting finished. The old Justice Center across the street is another example. Taxpayers have put \$1.5 million into that and it is *still* not done. Last month he mentioned to the Council they might need to prepare an ordinance where City employees cannot also be a contracted employee but nobody has brought that up. We've got to work together to make this happen to keep these people from stealing our money as taxpayers in this town because it is going out the door faster than it can come in. If the Council put limits on it and they go over their head and decide to go ahead and give the 10% raise anyhow then they, as a Council, need to tighten it up on them a little bit. That's when the 'D' and 'R' goes out the door because all Republicans and all Democrats should make sure that this money is being spent in the proper areas and it's not going towards double dipping for employees that are contracted. People would also like to know the status on some of the employees at question and nobody will give answers. There's no answers from this Administration. He challenges the Council to hold this Administration responsible and provide the answers that the public deserves. We deserve it. We pay the taxes and that is our money that he is spending. For not knowing where that \$4.2 million goes each year, that's a lot of damn money and a lot of things can happen with \$4.2 million... that's not going to the jail that the City gave somebody \$600,000 to remodel and are still getting money to this day. Hold this Mayor accountable.

Kristopher Bilbrey states he is not a fan of the Mayor but with politics aside, his thoughts and prayers go out to him and his family. Bottom line is we are all human and he hated to hear that news. He recalls attending the Meeting last month and talked first about Council communication, moreover the lack there of. He specifically called out Councilperson Basham by name. Over the last month he has had the occasion to email the entire Council either in a group or one-on-one or a couple at a time and finds it amazing that he is still having trouble getting responses from more than he should. He refers to Republican Councilmembers Green and Basham and that they almost still refused to email. We are 6 months in... After 3 weeks, Bilbrey just last night received a 2-letter word response from Green and guesses that's good enough. However, claims Basham refuses to communicate. He asks him directly if he plans to not answer any of his questions for the entire time he is here. With no response, he asks him a few more times. With continued silence, Bilbrey claims that is sadly ridiculous and makes him look like a fool. Dishman can't seem to answer emails either but will get a pass because Dishman will at least pick up the phone and respond. That is fine because Bilbrey has his phone number but not every citizen has all their numbers. The Council needs to be able to be responsive to people that don't have their number. He claims he has Basham's phone number but Basham still won't answer through calls or text. Moving on, he references the retreat and asks to see a show of hands of all who are planning to attend. Selvey raised her hand followed by Basham. Selvey announced she intended on going but informed the Administration this afternoon that she is not. Bilbrey appreciated Basham's answer. He then mentions an email he sent to the Council this weekend that contained a

letter the Administration was sent from IU Health Physicians Dr. Byrd and Dr. Voss on February 1 in which they were pulling out of the Crisis Center. Prior to his email to Council of that letter, he asks to see a show of hands of how many of them knew about that letter or had seen it prior to Bilbrey emailing it to them. The Council needs to be asking questions about that because there is no reason that he should be bringing the Council documentation. Part of the reason that Basham doesn't like answering questions of Bilbrey is because he holds this Administration accountable. But then again that is technically not his job, it is the Councils. So, if they would just start doing that then maybe they could have a little less adversarial relationship because that at the end of the day it is their job. Finally, he ends by thanking Mr. Bishop for getting up and talking about the MRC they way that he did. It is interesting that there is an appointment who's getting up here and saying a lot of the same things that Bilbrey has been saying; having problems communicating, problems getting information, a board member that wanted to get detailed notes and minutes out, board members can't get records from the City, etc. It's ridiculous. This is not what this Administration ran on. While the Administration does not include the Council, it is the Councilmembers job to be the checks and balances against the Administration and if they're not doing their job then hold their feet accountable.


Powell glances over the audience looking for any member of the Administration attending the retreat but it spears they have all already left for the evening. With only 1 councilperson going, she has been made aware that the Administration has told some constituents that the meeting is no longer public. That concerns her because for the past 3 weeks she has been telling her constituents that the meeting is public and she is aware 2 of them driving to Agnola just to attend. She would like some answers from the Administration as to whether this is a public meeting or now a private meeting. Basham does not know. Selvey recalls an email that was sent out informing it is no longer public. Gullion is under that impression as well. Selvey mentions it was because there won't be a quorum. Powell states it was advertised on the front door as a public meeting. City Clerk Belinda Munson doesn't know but did attend the May Department Meeting and the Mayor told everyone it was a public meeting. Since then, there hasn't been any communications or updates from anybody telling her different. She has been hearing the same things as the Council and has being asked by different people but honestly doesn't know. Powell thinks it is a good idea and appreciates the Mayor creating opportunities to increase communication between City government so that isn't the issue. She just wants to make sure she is passing on, and has passed on, accurate information to the Neighborhoods Associations in her District. A follow-up would be to contact Mayor Ridenour tomorrow.

ADJOURNED:

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



Jerry D. Dishman, President of the
Muncie Common Council



Belinda Munson, Muncie City Clerk
of the Muncie Common Council