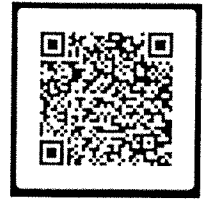


MINUTES
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE, INDIANA 47305



NOVEMBER 4, 2024

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

PLEDGE OF ALLEGIANCE: Led by Councilperson Gullion.

INVOCATION: Given by Councilperson McIntosh.

CITIZEN RECOGNITION: Councilperson McIntosh wishes to justify this month’s recipient by providing some further details of her background. In 23 years as a Muncie educator, Rhonda Ward has been privileged to work with schools and teachers in a variety of K through 12 settings. She has served as a Classroom Teacher, Interventionist, Data Coach, Athletic Director, and Assistant Principal, just to name a few. Currently, Rhonda fulfills dual roles as the Director of Diversity for Muncie Community Schools and Assistant Director of the Muncie Area Career Center and has served the district for the past 2 years in this capacity. While she thoroughly enjoyed her time teaching in the classroom and being a school administrator, some of her most favorable years include coaching girls track and cross country at Muncie Central High School where she mentored and witnessed several of her teams achieve great success. Rhonda is a proud HBCU graduate of Tennessee State University where she received her bachelor's degree in Psychology and ran track under a world rebound Olympic Track Coach, Edward S. Temple. She serves on numerous boards throughout Delaware County and is committed to helping make her hometown the best it can be. In addition to her participation and local organization, she is heavily involved in the Tennessee State National Alumni Association where she is a life member and also a general member of the first black female sorority Alpha Kappa Alpha Sorority Inc. Rhonda’s work is rooted in the belief that every child can succeed despite the obstacles or challenges he or she may be faced with and has always looked at her role in education as a ministry. Hence, she is extremely passionate when it comes to serving young people of all ages and backgrounds. She functions as an advocate and mentor to several former and current students and exemplifies great pride and helping them reach their fullest potential, both in and out of the classroom. She loves instilling in them her favorite quote which was imparted in her and her college teammates, “success is how badly you want it and how much rejection you can take.” One of her favorite aspects in her role as Director of Diversity is helping to ensure equality of opportunities and experiences for all students, staff, and families regardless of their backgrounds and identities. She enjoys bringing out the best in students and helping develop a positive work culture that is safe and welcoming for all MCS stakeholders. In her spare time, Rhonda enjoys traveling, shopping, and hanging out with her family. Although, one might find her more often than not spending her personal time with students traveling to HBC College Affairs and/or HBCU campus visit tours. With that, he presents Rhonda Ward with the November 2024 Citizen of the Month Award.

Rhonda Ward thanks Councilperson McIntosh and the Muncie City Council for recognizing her tonight. She is truly honored and grateful to accept this award and considers herself blessed to have found her calling many years ago. Her role in education is equal to ministry, as heard in her bio, and she treats it as such because serving the students and the families in this community is truly a blessing. She tries her best to do it with all of her heart. Giving back is something that has truly been instilled in her and her siblings from her mom and dad who are both here supporting her tonight. She thanks them and thanks everyone again for the recognition. President Dishman announced Councilperson Green will be presenting the Citizen of the Month Award next month in December.

ROLL CALL:	PRESENT	ABSENT
Dale Basham (At-Large 1)	X	
Ro Selvey (At-Large 2)	X	

William McIntosh (At-Large 3)	X
Jeff Green (District #1)	X
Nora Powell (District #2)	X
Brandon Garrett (District #3)	X
Sara Gullion (District #4)	X
Jerry Dishman (District #5)	X
Harold Mason (District #6)	X
Dan Gibson (Legal Counsel)	X

APPROVAL OF THE MINUTES: A motion was made by Mason and seconded by Selvey to Adopt the Minutes from the October 7, 2024 Regular Meeting. A roll call vote showed 8 yeas, 1 absent. MINUTES APPROVED.

APPOINTMENTS TO BOARDS OR COMMISSIONS: President Dishman announced the City Council has an open appointment to be made to the MITS Board. He would like to make nominations next month to allow time for inquiring applicants to reach out to councilmembers informing their interest in serving.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 24-24 AN ORDINANCE AMENDING CHAPTER 76 (ABANDONED VEHICLES) OF THE MUNCIE CODE OF ORDINANCES.

A motion was made by Selvey and seconded by Mason to Adopt.

Councilperson Basham confirms the money left in the Abandoned Vehicle Fund at the end of the year will remain in that fund rather than go into the General Fund.

Nate Sloan, Muncie Police Chief, relays they have spoken to Legal, the towing company, State of Indiana, Parking Officers, etc. and honestly, in looking at this as it is written, he thinks they are just going to stick with the state code (unless the Council has a descending opinion here). President Dishman asks if he would like for Council to withdraw it. Sloan responds yes, if that works for the Council.

Council Attorney Dan Gibson confirms the sponsoring councilperson would have to move to withdraw.

Chief Sloan adds there being a lot that goes along with this and mentions the Police Department will have legislation coming before them at the December meeting that deals with parking the wrong direction, the distance from curb, fire hydrant, parking too close to an intersection, etc. but in looking at this one and talking with all those other entities, a lot is already being taken care of and thinks the City is okay.

Dishman asks Attorney Gibson if the Council should move to Table this until the additional legislation the Chief is referring to is filed later in the year. Gibson explains that it sounds like the documents coming in December are going to be unrelated to abandoned vehicles so (really) it is up to the Council. It sounds like the Police Dept. Administration is fine with it being withdrawn and if that is the case then whoever sponsored it needs to be the one to withdraw it. The ordinance essentially mirrors the state statute so what Chief Sloan is saying is they are just going to move forward with the state code as their authority to keep doing what they've been doing with abandoned vehicles as opposed to this ordinance.

Belinda Munson, City Clerk, read through the ordinance and cannot say what operation is currently being done. She provided handouts to the Council prior to the meeting and points out the fact the City Clerk's Office is the Violations Bureau by Indiana Code. The Muncie Code of Ordinances states the same thing. Any payments that made in regards to what this is (or was) should come through the Clerk's Office. In all honesty, any entity or Department writing tickets should not be collecting the money because there's a conflict of interest when that falls into play. She has no say over what has been done in the past and with current ordinances and their respected Departments but does wish to comment that if this comes up again then she would like to be included to make sure that the process and payments are coming through the Clerk's Office. It helps the officers writing the tickets in the long-term not be accused of any malfeasances. Questions called. Councilperson Mason moves to withdraw.

WITHDRAWN.

ORD. 26-24 AN ORDINANCE OF THE CITY OF MUNCIE ESTABLISHING DESIGNATED OUTDOOR REFRESHMENT AREAS.

A motion was made by Selvey and seconded by Garrett to Adopt.

Mike Sullivan encourages Council to pursue this with great caution. He spent a great part of his life in Portland, Oregon which was a beautiful city at one time. Portland has fallen on hard times primarily because of (kind of) liberalized laws and changes such as having a somewhat open “funville” downtown area, all of which turned out to be a disaster. His caution is that guns, alcohol, and drugs do not make a good mix and is not sure this is good for families. It is very important for the Council to have a clear mind in what the zones are, how they're connected, are they contiguous, and it is absolutely essential to make sure that the appropriate enforcement is in place. Confirmation would have to come from the Police Department to have that assurance and a plan in mind so it won't lead to great disaster. His advice is when in doubt, listen to an old person.

Elisabeth Edgell can say as a previous owner of a downtown business this is a very good thing for downtown especially since there's not a lot of live music right now. They need something to do and this is a continuity that brings everybody together because it's from place to place. Our downtown is in sore need of something that brings us back to what we used to have so she fully supports it.

Becca Rice, Vice-President for Government Relations and Industry Engagement at Ball State University, would like to express gratitude to the Council and Councilperson Selvey for approaching them early about this ordinance and asking for input. Ball State is supportive of the ordinance and is working hard with their developer and partners to restore the vibrancy in the Village. As many know, nearly \$200 million has been invested into the Village development and we will see the Village emerge as a best-in-class multi-generational district driven by arts, culture, entertainment, and innovation with new dining, retail, service, living and gathering options for a new Hospitality use adjacent to the new Performing Arts Center which is the principal catalyst for their ambitious vision. This will not only benefit the University but also the City and the Region and will provide enticing options to visit, live, work, and play in the development. Based on input from their partner, Fairmount Properties, who is experienced in these sorts of developments, Ball State representatives believe that the DORA District will help to create this vibrancy attracting visitors to shop and dine at the businesses in the Village. Of course, they will coordinate with the Muncie Police Department as they implement. The Ball State Police Department and Chief Foster are committed to engaging in a way that allows this to be a safe and enjoyable district. The safety of the campus and community is an important priority for Ball State University.

Bill Lett, Elm Street Brewery, located in the McKinley DORA District, thinks the DORA is a great idea and is glad to see the Council taking this on. He relays having quite a bit of space there and mentions opening another facility off to the side by Madison. He expressed wanting this approved so that people could move into the park area across from Elm Street as well as down to the Brewery/Coffee Shop. It is a great idea to help make it so customers could move around easier through the neighborhood. It will also make a big difference in events, like Beerfest, because they won't have to acquire numerous special permits.

Nate Sloan, Muncie Police Chief, is representing the Muncie Police Department on this and asks if there are any questions he could answer. Councilperson Powell asks he just explain how they have the capabilities to cover this. Chief Sloan begins by mentioning the lot of chatter that has occurred around this and informs he has talked to several people (different bars and other police agencies) and there are several things that go on downtown where alcohol is involved and there are very few problems. He is aware there are questions about whether or not other family members or children should be exposed to this and he understands that. That is important. However, Disney and Chuck-E-Cheese, etc. all these places now allow for people over the age of 21 to walk around with a beer, a mixed drink, whatever it might be. There are still enforcement capabilities to enforce such as public intoxication, disorderly conduct, obstruction of traffic, etc. whatever the problem might be. The Chief is in favor of trying it and thinks the Department can handle it. For example, someone may have just spent \$15 on a mixed drink but their group wants to move from their current location to another so that person would chug that mixed drink before walking out to the door to just obtain another mixed drink somewhere else. There is a possibility this will slow down that process and maybe people will even drink less. He doesn't know for sure but, again, thinks MPD

can handle it. He has one question and wonders the reasoning behind the time being set from 12:00 PM to 12:00 AM and not 12:00 PM to 3:00 AM (or something like that) because he *could* see it getting confusing once it turns to 12:01 AM and suddenly people aren't allowed to go from place to place. That is his only concern about it.

Chase Brutin, Yorktown Town Manager, reveals Yorktown actually passed the second DORA in the state so he has somehow become the DORA expert and has been giving advice to other communities. He thinks 12:00 AM time actually came from the Yorktown ordinance which was implemented this year. The reason they implemented a DORA was because they were having some trouble with their local concerts being put on, not with alcohol being served but having to put up fencing every time. People also had a hard time figuring out where the lines was for different things. In passing this, Yorktown hasn't really not seen a large increase in alcohol consumption during their concerts in addition to having any real problems with it. The four (4) businesses that are included have been very responsible and understand the rules (for example, not being allowed to walk outside with a glass bottle). Those establishments have been somewhat self-policing themselves but there has not been a single incident in their DORA that was alcohol related. He would be happy to answer any questions or address concerns to help and concludes by stating he is just trying to be a friendly neighbor. Councilperson Basham confirms that if the Council approves this it would still have to be approved by the Indiana Alcohol Tobacco Commission. Attorney Gibson and Brutin both respond yes. Brutin claims it is actually pretty easy, just have to jump through all the hoops and supply an ordinance. Questions called. A roll call vote showed 7 yeas and 2 nays (Green, Dishman). ADOPTED.

NEW ORDINANCES:

ORD. 27-24 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R3 RESIDENCE ZONE TO THE BV VARIETY BUSINESS ZONE FOR PARCEL #11-01-379-007-000 AND PARCEL #11-01-379-010-000 LOCATED WITHIN THE 3700 BLK OF E. CENTENNIAL AVE., MUNCIE, INDIANA.

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

Kathy Vannice, Ashton Land Surveyors, explains these parcels of land right now have a pole barn sitting on them and are owned by Drake Properties LLC. For an R3 zone, there must be a house or another structure there as well for it to be in compliance. They have gone before the commissioners and the reason she is here tonight is to help plead their case. The owner of an adjoining property had a problem with the people who were trying to fix up and remodel the pole barn. In the process of replacing the siding, people drove through (what he believed to be across) his property. Drake Properties have since made sure it was staked and have installed a privacy fence all the way around. Vannice has pictures to show for verification. Also installed was a new gravel driveway that makes it very clear where to enter and exit the property so there should not be anyone making an accidental turn in at the wrong spot. The whole goal in this is to change it to Variety Business. The owner of the property (Donna Drake) buys, remodels, and sells homes which many times if referred to as a house flipper. She would like to be able to use that barn in the back as a staging (for flooring, materials, etc.) while completing remodels. It is not going to be real "retail" but needs to be zoned Variety Business to be able to do this. Drake has done a great job trying to establish so that the owner in front does not feel that their backyard is being invaded upon. Again, Vannice has photos to show the Council and approaches the bench.

Councilperson Gullion asked why this received a 0-7 unfavorable recommendation from the Planning Commission. Vannice explained the owner in the front stood up and complained at the Planning Commission meeting that when the property behind him was being remodeled (the pole barn), he felt like people had pulled across his septic system because in his opinion the entrance was not clear. That is when the surveying company made sure to show Drake the exact corners and provided her line steaks to put a fence up to alleviate that. Also, with this, if there is any future design or a future building, there are development standards that Drake would have to comply with and which would require more of a buffer zone. That would mean not just a fence but plantings and other things to screen it from a residential property.

President Dishman questions if this is located out on Centennial and the bypass. Vannice replies yes, it is really close to there. Dishman asks if that gentleman that owns that property wants to put a semi tanker place in there. Vannice states the gentleman on the corner is a semi tanker that's already zoned Variety Business. We are talking about a small home just to the west. To the north is the barn that used to be an old, dilapidated gray barn but has since been remodeled and is actually the red barn shown in the pictures. Grass and open field are all that can be seen behind it. Dishman asks if the same man that owns the tanker place is wanting to purchase this property as well. Vannice expresses that gentleman made an offer but personal issues made it so that finances are not there for him currently. He has made an offer but right it is somewhat tabled for his own personal reasons. Dishman recalls it being his understanding that nobody wanted a semi tanker place (or semi clean-up) out there and if he was considering purchasing it then he was potentially considering expanding. Vannice alludes he wanted to but is not now. Donna Drake is the current owner and, again, her desire is to use this as her own staging for flooring (or whatever) to be delivered as she is remodeling. Dishman just has a problem with the hazardous waste out there. Tankers and semi tankers can lead to a great mess. He suggests that gentleman that complained at the Planning Commission Meeting was probably right, maybe those semis are cutting into his yard. Vannice entices the semis are to the east, adjoining this property. It is pre-existing property that is owned by the gentleman that owns the semi tankers. We are talking about the property to the west and north adjoining. Vannice obtains a different photo and points out all three (3) properties mentioned, the semi owner, the man who filed the complained at the one topic of this ordinance.

Councilperson Basham acknowledges the 0-7 unfavorable recommendation from the Planning Commission with every member voting no is a significant red flag. Vannice honestly felt like she needed a second chance to explain Drake's goal not being to destroy this man's property around his house. That is part of the reason in her due diligence she immediately put the fence up to prevent any more damage or people coming through his property.

Councilperson Selvey asks if the improvements came before or after they went to the Planning Commission. Vannice replies the fence came after. In fact, it was Drake that purchased and remodeled the original home and actually sold it to the person who came to the meeting to complain. She remodeled that house for him. Selvey asks Dishman, since he is on the Planning Commission, if it is possible for her to go back to the Planning Commission with the improvements for them to take another vote and then bring it back to Council. Would that be acceptable in being fair to everyone? Powell agrees. Dishman informs they *can* go back to the Planning Commission but he is still having an issue with the tankers being out there. Vannice alludes that offer being off the table at this time and he has personal issues that he cannot finance purchasing it, as it was mentioned. Dishman makes the comment that maybe later on he will have his financials in order, though. Vannice suggests asking Drake to see if she is even interested in selling to him because as far as she was made aware they are not going in that direction because she is wanting to use that facility (barn) herself. There is no lease or contract on it right now. Selvey, again, recommends to go back to the Planning Commission, think about other improvements that can be done and talk to the neighbors to figure something out. With the way the Planning Commission voted and the details the Council is hearing tonight, she thinks it would be best to go back to the Planning Commission again.

Kylene Swackhamer, Director of the Planning Commission, is not a voting member of the Planning Commission Board so cannot speak on why or how they voted but confirms they do take into account when there is opposition. Her office did receive the email of opposition from the landowner in front of the property and it was mainly things that were currently going on as far as going on to his property. There is no current development on the site and there are not any plans for current development. The barn, as it sits there, is not in compliance with the zoning ordinance being on a residential lot. You are not supposed to have an accessory structure without a home/dwelling so changing the zoning to BV would fix that problem. The semi company that was mentioned to the east is zoned Variety Business so he can do that business there, as is, currently. There is nothing stopping him from doing that and that (kind of) butts up right against this property. With him being allowed to do that, he is not in any type of violation. If there was some type of illegal dumping or something like that then that might be an IDEM problem or environmental issue. She just wanted to mention that she thinks some of the opposition was the current things that were going on. Dishman claims at one time they were dumping out there. Swackhamer believes

that would be something to (maybe) report him for as a business owner in not doing things properly or somehow getting environmental involved.

Selvey is honestly trying to give them all another chance and is afraid if they don't accept the offer to go back – she personally is not very comfortable voting yes. For the third and last time, the best thing they could do is go back to the Planning Commission and make more changes. She tells them to take their time with it. However, if they want the Council to vote on it tonight then that is just a chance they'll have to take.

Powell asks Council Attorney Dan Gibson if it would be appropriate to Table this until it has an opportunity to go back through the Planning Commission and see the changes that have been made. Gibson informs they can but they would have to take action and Introduce it first. Powell thanks him for the clarification.

Swackhamer adds that would be up to the client but believes that would just entail another application to the Planning Commission and further processing could be done then.

Councilperson Garrett refers to the barn that is on the property now and asks if that was before the structure was tore down or after. Swackhamer replies it was before the ordinance so it is basically non-conforming as it is, so, it is existing. It wasn't built and in non-compliance, again, it was already existing. Garrett assures that was his question.

Councilperson Green asks President Dishman of the individual that had filed the complaint has had a change of opinion since the fence was put up and other changes were made.

Zach Crouch, friend of Donna Drake and Drake Properties, refers to that individual as 'Anthony' who lives in the front house that he purchased off Donna Drake. Crouch isn't sure what happened in the past but alludes that Drake Properties has taken extensive precautions to make sure that it does not happen again by putting in a privacy fence completely landscaped to the back. It truly is a changed property from the worst the better. With that, Crouch has spoken with the landowner several times and as far as he is concerned, he is pretty happy with the improvements on that. That gentleman is not here so Crouch cannot speak for him but can speak to Drake Properties taking all precautions to make sure that that he is happy with living there. Crouch is aware that gentleman is married with a small child and his wife just had another small child delivered so they want to make sure both sides are equally happy and be in the correct zoning for that. In addition to the fence being installed, Drake had Ashton Land Surveyors come out to do a proper zoning. Again, they want to make sure they are in perfect alliance with that. In closing, Crouch speaks to President Dishman regarding the tanker and/or semi situation he keeps referring to and isn't too sure about it but does know that Vannice had stated his funding was not there. He is sure they could draw something up saying they will not sell to that individual and would be more than happy to bring that up. He isn't sure why it was voted 0-7 other than it having a complaint. Addressing Selvey's comments, he assures Drake has done everything to justify the betterment of that. Dishman mentions loads of equipment that has been sitting out there just rusting away and is aware it has been sold. Crouch weighs that not being Drake Properties. Dishman just knows they let a lot of equipment sit out there and drain and leak on the ground. A lot of tanker companies do their own cleaning on the properties and he sure doesn't want that mess all over the ground out there. Crouch agrees and mentions as it sits it went from pretty much a hayfield to a decently nice mowed property and he can guarantee that Drake would not sell to any company that'll be destructive in that matter. They want those people to be happy and not regret moving here as he moved from the Noblesville/Indianapolis area to Muncie in Delaware County to raise his family and they want to make sure he is happy with that decision.

Mason questions approximately how many residents are in close proximity of this zoning. Vannice explains there is this young man down the road and then a house to the west. Other than that, there is a house down on the south side of the road but there is not a lot of houses in the area. Mason confirms those people have been notified. Vannice states they were notified by the mailings that are required to go before the Commission. And as Selvey suggested, they would be willing to go back.

Basham asks Dishman if there is anything else he would like to share to help the Council better come to their decision, having being a member of the Planning Commission. Dishman has a problem with them leaving contaminants on the ground when this town is already full of that. Nobody wants to clean them up. If this guy goes bankrupt, is he is going to go out there and clean up that property? He believes there being a pond back there

where things can leak in too. Crouch isn't too sure about that but can guarantee, without a doubt, none of that would take place on Drake properties. They would have to address that with that gentleman specifically. He gives his word that this property would never sell to something like that. They are as green-friendly as possible. Dishman would like to see it brought back to the Planning Commission and maybe that gentleman that complained can provide his blessing. Again, this is only up for Introduction tonight.

Selvey appreciates the letter from homeowner being provided to her but it is concerning especially if it is one out of three houses. That is significant in comparison to one out of a hundred. The letter was very touching with some great concerns. She wishes he was here so they could hear his approval but suggests they go back and obtain a letter from him saying that everything is kosher then they can go from there. Crouch nor Vannice never received that letter so as far as complaints, he cannot fix something he doesn't know about. The letter is actually provided by Kylene Swackhamer with the Planning Commission. Crouch refers to verbally talking with that gentleman in great detail and believes he was notified about it being up for discussion tonight.

Dishman asks Vannice if she would like for Council to Table this until she can get in touch with that person and come back later. Dishman would prefer him be in attendance but a letter will suffice as well. Vannice states yes, they can do that. A vote by acclamation showed 8 yeas and 1 nay (Garrett). INTRODUCED. A motion was made by Dishman and seconded by Gullion to Table. A roll call vote showed 8 yeas and 1 nay (Garrett). TABLED.

ORD. 28-24 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R4 RESIDENCE ZONE TO THE BV VARIETY BUSINESS ZONE FOR 805, 813, 901, AND 905 W. 13TH STREET, MUNCIE, INDIANA.

A motion was made by McIntosh and seconded by Garrett to Introduce.

Kathy Vannice, Ashton Land Surveyors, states a business has been on this property location for more than 50 years. It is currently zoned R-4 and they are trying to get it to Variety Business. With the properties being an R-4, they started to go to a closing table to sell the business and properties to another entity just to find out that the banks would not allow lending without it being in the right zoning. With that, they have had to stop the closing to try and get this in the right zoning. There are no homes on this property (GIS reflects one structure but it has been taken down and is gone). The business is all located on the east properties on both 13th and 14th Street and there was a favorable recommendation from the Planning Commission on this one in comparison to last. This is a situation where they are trying to keep the business going forward. Dishman asks if this is the heating and cooling business. Vannice responds yes.

Councilperson Garrett explains this is in his District and believes the voting was favorable because all the residents around there are used to this business always being there. He wants to thank the person purchasing it as he doesn't want this purchase to fall through and in turn the property turns into a vacant lot. He wants as much business on the south side of town as possible. In reading through this, he was going to suggest they suspend the rules to vote so the sell doesn't fall through. Attorney Gibson advises Introducing it first and then make that motion which would require a unanimous vote before actually Adopting it. A vote by acclamation showed 9 yeas. INTRODUCED. A motion was made by Garrett and seconded by Powell to Suspend the Rules to Adopt. A roll call vote showed 9 yeas. MOTION CARRIED. Rules Suspended to Consider. A motion was made by Basham and seconded by McIntosh to Adopt. A roll call vote showed 9 yeas. ADOPTED.

ORD. 29-24 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA ANNEXING CERTAIN TERRITORY TO THE CITY OF MUNCIE, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF, AND MAKING THE SAME A PART OF THE CITY OF MUNCIE, INDIANA. (Annexation Area No. 1 – Portions of Farmington Neighborhood)

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

Mayor Dan Ridenour begins by referencing ordinances no. 29-24, 30-24, 31-24 32-24 and resolution no. 13-24 all being annexation documents. They are all in the same area but the last two (2) of which are voluntary meaning those areas asked for the annexations (the first two are not but directly adjacent to). He mentions a couple

of Financial Experts that are here tonight along with legal representation to hopefully help guide the Council through the process.

Nick Kile, Lawyer with Barns & Thornburg, refers to the next four (4) ordinances and tonight being the first real step in the process before the Council on the annexation. As the Mayor said, two of these are what is called super voluntary (all of them will go through a process but it is more abbreviated with a super voluntary). They will introduce tonight and adopt a fiscal plan in which Mr. Treat has prepared and tried to save paper with all four ordinances being covered by one fiscal plan, resolution 13-24. There will be Public Hearing scheduled after tonight, assuming it passes introduction. The public hearings for the super voluntary annexations would be scheduled next month as they have to wait at least 20 days before holding the public hearing. It is a 60-day notice on the non-super voluntary meaning it would be held in January. The Council, if they so choose to, will adopt the super voluntary at the meeting after the Public Hearing and the non-super voluntary at the meeting after that Public Hearing. Again, it is a very abbreviated process for the super voluntary to look for it to take effect because there really is no remonstrance opportunity. There is a remonstrance period on the other two that is basically a 90-day period. He would be happy to answer any questions about the process and what will happen but essentially for all four ordinances it's a three-step process. Introduction tonight, Public Hearing and then final action.

Councilperson Green asks if they have yet held any public meetings at all. Kile responds they have had six (6) public meetings and recalled answering quite a few questions there. They were held in different locations and people were noticed via certified mail and it was also published in the newspaper. There was quite a bit of participation from the public and they answered those questions. Referring to the Mayor, Kile notes he didn't sense any real opposition in those public meetings. In fact, he believes people signed a petition afterwards.

Councilperson Basham agrees and mentions the meeting he attended was very professionally handled with great questions asked and answered and people seem to be in agreement. He apologizes for speaking before President Dishman gave him the floor. Floor returned to Green.

Green mentions that being his question, if there was opposition during those public meetings. Again, Kile doesn't recall any opposition, however, cannot say that everyone was "yeah-ra!" but assures he doesn't recall anyone saying they were opposed to it. Green asks if notices were sent out to all property owners. Kile confirms. Green asks the nature of the responses received after sending out those letters. Mayor Ridenour believes the City had three (3) members of the community with one actually coming in to the Mayor's Office. They were able to answer their questions and provided copies of the fiscal plan which was also done at the public meetings. One of the people inquiring was not even in the area but had heard about it. There were very few questions but the Administration was able to answer them. The questions were things along the line of, "Does it change the school system?" It does not and annexations never do. That was the type of questions they received but mostly people just wanted to see the fiscal plan.

Dishman recalls attending the meeting held at the Kennedy Branch and the main topic he remembered kept coming up was if taxes were going to be raised. He recalled the Mayor telling people unless assessed value goes up so asks if the assessed value is going to go up. People are hoping their taxes do not go up. Mayor Ridenour cannot say whether their assessed value will go up (his went up this year so his taxes are going up next year). He supposes that is a positive. However, every single property involved was already at the cap so cannot be taxed above their tax cap. One involved in the small section will have an increased tax bill from the annexation. They could have an increased tax bill if their assessed value goes up but if they stay where they are and don't get annexed, they will still have that tax increase. It is based on the assessed value and not the annexation. Dishman questions it then being possible for taxes to go up. Ridenour confirms and suggest they probably will. Unsure about other house values but his continues (as inflation hits) to go up. If the assessed value goes down then their taxes could drop as well. Again, that has nothing to do with their being annexed or not. When you're at the tax cap then that is just what happens.

Jim Treat is the Financial Advisor with Krohn & Associates (the financial firm that provided the fiscal plan) and made it very clear to the residents just what the Mayor explained. The assessment is determined by the Assessor and it doesn't have anything to do with whether in the corporate limits of the city or not so a lot of people, as it has been expressed, have experience because of the market values going up so much it increases their taxes

that are at the cap. Yes, whatever happens on that will happen regardless of whether the neighborhood is annexed or not. There was a lot of interest at the meetings but there weren't that many financial questions because they understood they were at the cap already. Most of the questions were at the interest in knowing what the services they would receive that they don't currently have such as better police and fire protection along with road maintenance issues that are trying to get resolved with the County. By doing the annexation there will be chance for the City to address those issues. The enhanced City services people would see is what was mainly most talked about.

Councilwoman Selvey is really excited to see this. She likes the fact this would be adding real property to the boundaries of the City. This will help in growth and development and be a good benefit for the citizens of Muncie. She questions how the annexation will affect local economic development and grants for Community Development in bringing in more money to the City. She then refers to a letter that EMS is going to be receiving \$100,000.

Mayor Ridenour would have the Deputy Chief address that but regarding local economic development and community development grants explains there are four (4) sections will begin with annexation #4. Westminster Village (voluntary). The Westminster Villas are in city limits so already have all the services provided but Westminster Village was concerned and talked to the Administration mainly because of fire districts and being concerned about volunteer fire departments. They have a very expensive building. Sometimes they have patients that need EMS services and that estimated \$100,000 would be fees that EMS, through Fund #104, (that Council is responsible for) would receive. Again, that's the estimated amount but it is based on the number of calls. They are able to see through 911 how many EMS calls currently have happened there and that's a kind of an estimate of what is anticipated. Westminster wanted this for Muncie Police and Fire protection and is why they asked for it. They know it will improve their property insurance rates as, again, it is a large building so he assumes a pretty large property insurance bill. Also because Muncie is a full-time Fire Department with 4-rating while volunteer departments, he doesn't believe, have a rating better than 8. That will be a substantial savings in their Property and Casualty Insurance premiums so that is another reason. They want the protection of Police and Fire and there just so happens to be two (2) fire stations in the area. The time to get to those stations was determined to be quicker than what they would get from the volunteers. That revenue will benefit the City of Muncie. Some other properties go along with it as they are doing all the parcels so there could be other things further down the road. Moving on to parcel #3. The City of Muncie already owns this as it was provided by Ball State University. He explains University officials were pleased with what was going on at Storer Estates and that development that they want more of their employees to live and work in Muncie. They feel there are too many that don't have enough opportunities for additional housing so gave the City those 12 acres. On the eastside is Camelot and that addition that is in city limits. South of it is Heath Farm and that is in the city limits. The city limits to the west go all the way to Morrison so it's pretty much surrounded by City property which is needed in order to do the developments. Ball State gave the City that property with the intent that they would put in a subdivision similar to Storer Estates. That would be another economic development impact adding 15 to 20 new properties that will provide property tax revenues. The school is excited about it because the Mayor recalled speaking to them since that area is inside Muncie Community Schools. The school would get not only property tax revenue but also receive per student revenue from the State which is exciting. Of course, aware that is way down the road because they'll have to find a developer, build the subdivision, and ultimately build the houses. That is the other one that is voluntary. Annexation #1 is directly west of those 12 acres in a section in Center Township that is already receiving Fire Protection thanks to an agreement with the Center Township Trustee; but what they don't receive (due to not being in city limits) is many other services which includes an agreement with the water company with a fire hydrant every 500 feet. So, there could be water hydrants or other things put in place. Again, that section of homes is all inside Center Township, not going into other school systems. This annexation is not voluntary and there has been no opposition, in fact, the Mayor has five pages of names of people who attended the public meetings saying they want this annexation in addition to people who weren't at the public meetings but expressed positive thoughts about being part of the City. Again, there was concern about the lack of fire hydrants but it is currently Center Township in the County. They would get police protection which they don't currently receive. There was concern about a

side street that neighbors asked the County to look at and he is sure the County had to add it to their schedule but it hasn't been addressed yet. With that, those individuals were pretty excited about the potential of the City of Muncie Street Department doing some local work. It is a small Court with probably only 8 or 9 homes on it. Finally, the annexation of #2 is Heron Pointe. Half of which (the condos in front) is already in city limits so those citizens are already receiving full benefits. Across the pond there are houses that are not in city limits. A number of people from that neighborhood reached out talking about how services are already being conducted there so they would like to take advantage of it. Their challenge is not being within Center Township, therefore, they want Muncie Fire and Muncie Police. They are all maxed out in their tax caps.

Dishman asks the Mayor if this is something the City of Muncie can afford right off the bat. He is talking about extra Police and Fire along with extra Street Department employees. He has heard the Administration cancel the Police and Fire negotiations until next month and the City workers haven't even gotten their contract for this year. Can we even afford it? Mayor Ridenour responds absolutely, yes. They did the runs on all four of those particular properties and handled it very easily. He will let Police and Fire speak to that if they would like. Dishman asks how many additional Police and Fire personnel would be needed.

Daniel Ninde, Assistant Fire Chief, MFD, reveals they won't have to add any staffing to cover these areas at this time. Dishman clarifies not even with the medics. Ninde states when they get up to full staffing in the slower months with the new recruits that just came on they hope to staff Medic 7 most of the time through the fall and winter. They can go from the numbers generated from that and see. They cover a lot of that area anyways averaging about two runs a day that will be added to their workload. Dishman comments this being something he takes seriously and wants to ensure they have the right adequate personnel to handle the job because we are stressed now. We can't hire people because no one wants to work because the City cannot pay enough. Ninde voices considering as many people as possible. Dishman knows there is adequate people out there but nobody wants to work for the wages offered. We are underpaid compared to other cities.

Nathan Sloan, Police Chief, MPD, mentions they looked at the numbers and it was like 16 or 18 months for all these areas that generated around 72 police calls. They were simple calls like a burglar alarm or minor theft. No major calls in that time frame, not saying there couldn't be, but he doesn't anticipate it. They take anywhere from 45,000 to 50,000 calls a year and this is referring to only 72 so believes the Police Department can handle it and isn't too worried about it. Dishman is all for annexation but wants to make sure we have the staffing in all proper Departments. Sloan thinks they are asking great questions but believes they all have done their due diligence here. He adds that now there will be two agencies (County *and* City) responding to the same area which is a good thing.

Powell goes back to the question about the \$100,000 going into the #104 Fund. Deputy Fire Chief Ninde doesn't have those details in front of him and refers to Chief Burford doing a lot of that work. He knows the residents want them out there in these areas. As he mentioned, the Fire Department covers a lot of Farmington and Heron Pointe now and Westminster wants their services. It is going to save them a lot of money and the fire ISO rating is going to drop from a 9 to a 4 with the City service, which is huge for them. The \$100,000, though, he cannot speak to.

Selvey mentioned the Mayor deferred that question to the Fire Department. Mayor Ridenour insists he received that number from Chief Burford. Jason Chafin, Fire Union #1348 President, has those figures and states Westminster is about 283 calls per year (with EMS calls going out to the Villas/nursing home). It was estimated that most of those are Medicare or Medicaid and the residents are obviously on the older side. That would generate anywhere between \$100,000 top \$150,000 in just EMS revenue with the \$100,000 being considered on the low end. Most of those patients have Medicare+ which is like retiring from a factory job or something along those lines so it is more expensive than nursing homes. Yes, they want Medic 7 as well because that is not just going to give them the coverage to that nursing home but it then allows Medic 5 to stay within the "red zone" which is northwest Muncie. When they get up to the proper staffing, not necessarily *more* people, just more people on duty *per day* is what will help get them to that daily manpower number that allows them to have Medic 7 staffed daily. It will not only provide better coverage for Westminster but as well as the whole north side of McGalliard between Walnut all the way to Menards. That area will get much better coverage when they are able to have Medic 7 open daily. The annexation and that money coming in will help with that.

Powell refers to a resident in Kenmore Neighborhood having a question and asks Deputy Chief Ninde whether or not the runs out to Westminster will tie up services that normally go in that area he foresees being a problem. Ninde doesn't. It averages 2 calls per day and they are taxed now the way it is. However, they can handle it they will; especially if Medic 7 is staffed. Powell clarifies if the Fire Department becomes fully staffed, with 22 new recruits, then that will alleviate the overtime. Ninde confirms. They have a minimum staffing per day and had so many problems with overtime because they were short so many people that they weren't keeping up with that minimum number. Now, having the extra people on the floor helps cover vacations and things like that so more people are available every day. Powell directs her questions to Mayor Ridenour and asks if there is a link to the public meetings so the councilmembers can share it with other members of the community. The Mayor replies there is not a link. Her last question is if Westminster is a non-for-profit. Ridenour confirms. Powell then clarifies that the income being received will only be generated via the runs because there won't be any property tax coming from that. Ridenour states that is correct. There are some small fees but a lot that might benefit other areas. Powell asks if they currently pay a PILOT or donation to the Fire Department. The Mayor responds no. Powell then refers to the Ball State property and wonders if that is tax exempt property as well. Ridenour says it is because it is City-owned. Powell asks if it will remain tax exempt until they find a buyer and developer. Mayor Ridenour answers yes.

Basham would like to discuss the fiscal plan that was submitted. He is aware that property taxes go to fund seven (7) government entities. If he was a property owner and paid \$1,000 then that money would go towards those seven entities and adding Muncie would just add the 8th entity. He would be dividing his tax dollars among eight (8) government entities and nobody is going to lose taxes because of this. Treat states that is correct. It takes the same tax amount from the taxable residential properties they are focusing on tonight and it redistributes it. Basham clarifies they won't be left out. Treat assures they won't. The last page of the illustration in the fiscal plan shows it. An important part of this was to show not just the effects on the homeowners or the property owners but on the overlapping taxing units. There will be some shift of property taxes they currently receive to go the City to fund these services so some trade-offs for them. In all those cases, the amount is very immaterial to their current property tax levy. Not that every dollar doesn't count, but that is one thing they have looked at so that is how that would work. It is a reapportionment, a shift rather, of the existing property tax payments. Basham questions if his math is correct in annexing (4) pieces they might stand to gain about \$200,000 or even more. Treat states right, based on what is being paid this year (as property taxes wouldn't come in for a couple years) but they are paying about \$230,000 in taxes this year. The City would get about 45% of that to be redistributed among the county, the Sanitary District, the school, the Township (as there is an effect but they are not providing Fire services anymore so that that would change their cost as well). Basham thanks him for clarifying.

President Dishman asks if that area has Sanitary District services. Treat confirms. Dishman is all for annexation and knows the Police and Fire Department along with the Street Department employees are the best. He knows the City can handle their part but they just have to make sure they have enough manpower and wages to keep our employees from not leaving. With those contracts in negotiations, he is scared of what is going to happen there.

Powell confirms for clarification that Mr. Treat just said there was \$230,000 being collected in property taxes and the City would get about 45% of that which is about \$103,000. The Mayor and Mr. Treat confirm their numbers and correct her stating the City would actually be getting the entire \$230,000 along with EMS. Mayor Ridenour adds that Delaware County officials were present at one of the meetings so shared a five-year impact beyond the start date. Sanitary District officials were there as well since their pie here gets cut a little bit. As more homes are added, which is the intent, it was understandable. That is why Muncie Community Schools, even losing a little bit with Farmington, understand the real desire to build more homes meaning more down the road. It is a short-term cut but a much larger gain in the end and they is why those other entities were supportive.

Basham knows this might not be an important point to make but residents in these four (4) areas drive in to Muncie to eat at our restaurants, go to a movie, or get their haircut, etc. They're driving on our roads but not currently being taxed for our roads, street lights, and all those sorts of things. This this gives an opportunity to retrieve some of that money from the citizens that drive into town who are now being a part our community, paying

taxes, etc. that will go towards helping repave our roads and things. Dishman mentions all citizens are paying gasoline and wheel tax so are paying their fair share. Basham is just saying it allows them to retrieve some additional funds to go towards some of those services. Treat agrees and adds there are additional MVH and IRS distributions that the City will receive as well based on the road miles and per capita.

Powell asks if there was a PowerPoint presentation or a PDF presentation put together that was presented at those public meetings that can be provided so she can forward it on to the Presidents of the Neighborhood Associations in her District. Mayor Ridenour answers no and comments that not his strength. He just stood up there and talked.

Elisabeth Edgell understands these areas reached out to the City because they wanted better public safety services but from tonight she is hearing that they have already been covered anyway. If they only get 2 calls a day they weren't really in any need of better services because they all stated that they were already getting some of those services even those they weren't paying for them. She is sure this came in with every legality being addressed as far as the public meetings but speaking for the Delaware County Community Awareness Facebook Group, with almost 32,000 members, no one knew about this at all. Matter of fact, her reporter Rick Yencer broke the story and just so happened to be here in City Hall when that happened. She wonders if the declining population since 2020 has anything to do with how many people this will be adding to the population. It was pretty interesting that was mentioned in the story but hasn't at all been mentioned here tonight. Lastly, \$230,000 and we are going to have to man that more. Are they saying that that area doesn't receive good services now? She just moved to that area, matter of fact, and is really curious about that and plans to check the numbers. This is happening suddenly and quickly. This is happening just like all the other City projects and the public is the last to know. She really doesn't see that there is a call for it other than population numbers dwindling which might be affecting some of the grants and whatnot that the City receives. She can't really see the boon of this this quickly or this fast. There have been so many questions asked by Council tonight leading to her have even more questions. There has been six (6) public meetings and the Council didn't know about any of it? That is incredible. She would just like to know how that happens.

Mayor Ridenour makes it clear that each councilmember knew about these months and months ago. He recalled sharing with them that they were considering this and none of them had any opposition so the decision was made to move forward. It is about a one-year process with them currently in (maybe) month six. All of these councilmembers knew about it because Mayor Ridenour made sure that they were aware.

Belinda Munson, City Clerks, referred to the upcoming Public Hearing notices and confirms the attorneys with Barnes & Thornburg will be handling that. Mr. Kile confirms, assuming the Council takes action to introduce and adopt the fiscal plan tonight. That was all she wanted to make sure of.

Councilperson Green clarifies notices for the public meetings was posted in the newspaper. Kile states it was posted in the newspaper and every property in the territory received a notice via certified mail of the six (6) meetings. Questions called. A vote by acclamation showed 9 yeas. INTRODUCED.

ORD. 30-24 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA ANNEXING CERTAIN TERRITORY TO THE CITY OF MUNCIE, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF, AND MAKING THE SAME A PART OF THE CITY OF MUNCIE, INDIANA. (Annexation Area No. 2 – Portions of Heron Pointe Neighborhood)

A motion was made by Basham and seconded by Selvey to Introduce. Discussion concluded during ord. 29-24. Questions called. A vote by acclamation showed 9 yeas. INTRODUCED.

ORD. 31-24 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA ANNEXING CERTAIN TERRITORY TO THE CITY OF MUNCIE, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF, AND MAKING THE SAME A PART OF THE CITY OF MUNCIE, INDIANA. (Annexation Area No. 3 – City-Owned Parcel Near Farmington Neighborhood)

A motion was made by Green and seconded by McIntosh to Introduce. Discussion concluded during ord. 29-24. Questions called. A vote by acclamation showed 9 yeas. INTRODUCED.

ORD. 32-24 AN ORDINANCE OF THE CITY OF MUNCIE, INDIANA ANNEXING CERTAIN TERRITORY TO THE CITY OF MUNCIE, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF, AND MAKING THE SAME A PART OF THE CITY OF MUNCIE, INDIANA. (Annexation Area No. 4 – Westminster Village)

A motion was made by Green and seconded by Mason to Introduce. Discussion concluded during ord. 29-24. Questions called. A vote by acclamation showed 9 yeas. INTRODUCED.

ORD. 33-24 AN ORDINANCE AMENDING ORDINANCE 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 2025.

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

Craig Wright, City Controller, states just like the last batch of ordinances that went together, this and the next three ordinances are all salary ordinances for the year 2025. That includes ordinance numbers 33-34, 34-24, 35-24 and 36-24. They increased from the salary ordinance proposed in May that had what was originally planned and added 1%. Councilperson Powell questions if these will have to be adjusted once negotiations are completed with the three (3) Unions. Wright responds no, the elected officials salaries (ord. 34-24) have to stay the same. Powell understands but asks if there will be corrections or increases. Wright informs if it comes to that then obviously, they will have to make changes and amend. Powell questions if that would happen after January. Wright claims if they go into January and the salary ordinances have to be amended then they will Introduce them to be Amended, yes. Powell asks if there would be objection to Tabling that as she doesn't want to create an obstacle for the City staff and is just trying to take out one of the steps – if they pass this and then have to come back for amendments versus Tabling it and doing it correctly after negotiations are over. She doesn't want to interrupt or create an obstacle for the employees to get paid in January. Attorney Dan Gibson informs there must be a salary ordinance in place and it must be adopted by December 31 for the upcoming year. That brings him to a question he had about the title which reads, "An ordinance amending ordinance 24-23..." so asks Wright if this is really amending the 2024 salaries or setting the salaries for 2025. Wright states it is setting the 2025. Gibson explains since it is setting the salaries for 2025 and not amending 2024 then the previous ordinance number does not need to be referenced. With that, they would have to make a motion to amend and strike that from the title and Attorney Gibson advised they can wait and do it next month before adopting. Questions called. A vote by acclamation showed 9 yeas. INTRODUCED.

ORD. 34-24 AN ORDINANCE FIXING THE SALARIES FOR ALL ELECTED OFFICIALS OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2025.

A motion was made by Basham and seconded by Garrett to Introduce. Discussion concluded during ord. 33-24. Questions called. A vote by acclamation showed 9 yeas. INTRODUCED.

ORD. 35-24 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 2025.

A motion was made by Green and seconded by Powell to Introduce. Discussion concluded during ord. 33-24. Questions called. A vote by acclamation showed 9 yeas. INTRODUCED.

ORD. 36-24 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 2025.

A motion was made by Mason and seconded by McIntosh to Introduce. Discussion concluded during ord. 33-24. Questions called. A vote by acclamation showed 9 yeas. INTRODUCED.

ORD. 37-24 AN ORDINANCE OF THE CITY OF MUNCIE ESTABLISHING TITLE IV, CHAPTER 40, CHAPTER 41, CHAPTER 42, AND CHAPTER 43 OF THE CITY OF MUNCIE CODE OF ORDINANCES ENTITLED “CODE OF ETHICS”

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

Councilperson Garrett is glad this ordinance is finally here and states it has been a long time coming. The Ethics Advisory Committee has been working hard on this and he is pretty excited about having this. His gratitude to Mr. Robinson for getting the ball rolling on this as well as everyone on the Ethics Advisory Committee that put in the time and went to the meetings. They were very upfront at every meeting and offered so much support. He is just really glad they are here now and thanks everybody that put work in to this.

Councilperson Selvey attended a few of the Ethics Advisory Committee meetings and wasn't too sure what to expect. They made her feel very comfortable and she thinks everyone there had the best intentions. It was smooth and she understands there are ethics rules at the state level but as a city having our own puts us a step forward from other cities and lets people know you can do business here and feel comfortable. She thinks it is a great thing for Muncie and thanks everyone that worked hard on it.

Councilperson Basham requests a little more detail from Dan Gibson regarding conversations with the general counsel for the Association of Indiana Municipalities (AIM) and what those conversations revealed. Gibson advises he, along with Aubrey Crist who is one of the City Attorneys, had a conference call a couple weeks ago. He provided this ordinance quite a while ago to the City Attorney's office just to get their feedback and believes the Administration had asked AIM to take a look at it. There were some (kind of) suggestions, pointers, things to look at, reference some of the state regulations that are in place in the state level and a few other items but nothing major. There may be a few things that he and Crist talked about so there might be some slight revisions coming before Adoption but nothing major. He thinks once the general counsel for AIM understood the process and who was involved referenced in putting this all together and she felt comfortable as well. It was a pretty good conversation but nothing really major came from that conversation.

Elisabeth Edgell served on the Ethics Advisory Committee and it was a wonderful experience, however, not the smooth process that Selvey mentioned. Edgell claims she was beset on all sides by the people that wanted her thrown off the Committee but she kept at it. She believes they did their due diligence and created an Ethics code that the City is sorely in need of. Had it been in place already, things would be going very different compared to current. Many people know she works in marketing and the one thing that marketing has to do with the Ethics Committee is trends that are coming in 2025 (which just came out). In reading what some upcoming trends are for concerns of people in 2025: personal finance, lack of healthy and affordable food, lack of healthcare, political stability, and elections in government. Here's the values going toward 2025 and this is what everybody's going to base their marketing off of for next year: integrity, transparency, keeping your promises, authentic connections, not being fake, being self-sufficient, feeling in control, finding joy, and mental, physical and emotional health. As you can see that people value being genuine and having transparency in their government. What they don't value is people that are unethical. From our City start we have been based in criminal activity – literally since day one when the property was owned by the Indians we took it from. It has been basic criminal activity in many of our elected officials and leaders since then which definitely affects the reputation this City has. When someone looks up Muncie, Indiana on Google, do they see what great people we have here? Do they see how many caring hearts and kindnesses are taken care of in a day? She sees that in her group every single day. They don't get to see that or hear the good and instead get to hear about how our EMS firefighters cheated on their state exams and how our police officers use excessive force. We all know how our last Mayor turned out. When will our City take care of the diligence they owe the citizens? If people don't pay their property taxes, it gets taken away. She still can't drive down certain streets in this town and the fact that we're going to annex more property here and the streets aren't even mentioned is laughable. The streets are a problem and have been for years now. She just asks that when we are asked about what Muncie is most remembered for, maybe somebody can provide an answer that isn't “Little Chicago” and maybe we could be known for being the most ethical and transparent government around. She believes that is what they all tried to do in serving on the Ethics Advisory Committee despite everything railed against them. They did the best just as she knows this Council is doing their best. We have got to have this

ordinance. It is a necessity and she doesn't see any way we can go forward as a City without it and not keep the trust in our government that is wanted out of constituents.

Jeff Robinson was the sponsoring councilperson and the one who brought forward resolution 6-23 while serving on the previous Council. It was amended a couple of times but the original resolution was 6-23 in April of last year which established and appointed the Ethics Advisory Committee to develop a City-wide Code of Ethics and an Ethics Commission. Tonight, he stands before them in firm support of ordinance 37-24. First, he would like to take the opportunity to thank Dr. Charles "Chip" Taylor as well as the members appointed last year for all their hard work. Since the Council passed that resolution with an 8-1 vote in 2023, they spent the last 18 months working hard to develop this Code of Ethics but also setting a framework for how an Ethics Commission would be established to enforce this Code. This is something that the City of Muncie, unfortunately, has needed for quite a while. He is proud to have been the councilmember to bring this initiative forward but prouder of the work that the Ethics Advisory Committee has done to produce the ordinance before them this evening. A lot of people might not know what this is. They may read a summary of what is being discussed but really no further details so he would like to go into why this is important and to ask for trust in the process. In democracy, trust is absolutely everything. Citizens must trust that they have elected you and others to serve and will act with honesty, fairness, and transparency. Without this trust, government breaks down, governance breaks down, and communities suffer. An Ethics Code enforced by an independent Commission isn't just nice to have, it is an absolute necessity, especially in a community like Muncie where for far too long citizen citizens have expressed concerns, whether real or perceived, about the conduct and decisions by local officials. First, let's be clear about what an Ethics Code does. It is not just a set of rules. It is a moral contract with the community that establishes clear unwavering standards of conduct setting a high bar for behavior and accountability. When public officials are guided by these standards, decisions become more transparent and driven by public interest, not by personal agendas, not by favoritism, and certainly not by corruption. But an Ethics Code alone is not enough and words without accountability are empty. That's where an Ethics Commission steps in. An independent empowered Ethics Commission gives real weight to that code. It ensures that when misconduct or conflicts of interest arise, they are investigated fairly, swiftly, and thoroughly, and make sure that those who break the trust of citizens don't go unchecked. This isn't about creating more bureaucracy. It's about creating a safeguard, a watchdog, dedicated to the protection of the community's trust. What's more important than the community's trust in their elected leaders? We can't overlook how an Ethics Code and Commission together help prevent abuses of power. Conflicts of interest are a persistent threat in local government and decisions without oversight can too easily be influenced by personal gain rather than the public good. An Ethics Commission actively guards against this enforcing consequences for breaches and reminding every official and employee of the serious responsibility they hold. Most importantly, having both an Ethics Code and a Commission to enforce it tells the community that you take our trust seriously. That you are committed to a government that works for us, transparently and honorably. When citizens see a strong system of accountability, they feel safer and they feel heard. They know they can trust in a government that won't just talk about integrity and won't just talk about transparency but will live it. That is what the citizens see with a step like this. In the end, an Ethics Code and an Ethics Commission are more than policies. They're a pillar of a healthy democracy as well as a healthy community. They defend the community's trust, promote honesty in decision making and strengthen our shared values. He is asking the Council to commit themselves to building a government that not only serves but serves with honor, integrity, and accountability. This is an easy choice, vote yes tonight to introduce and vote yes next month to adopt. As it is laid out in the ordinance, the Council will then have some appointments to make, two (2) members from the Council, two (2) members from the Mayor's Office, and the fifth appointment will be appointed by those four members. He is so proud of the work that's been done by the Ethics Advisory Committee. He is proud of the work the City Council did last year as well while he was sitting up there among some of them that had the courage to take this step. This is a big step for this community. There aren't many communities in Indiana that have this; Indianapolis is one and there is a collection of communities in Northwest Indiana that have the same. Outside of that, we would be it. Again, this is a big step for us but he believes we can do it and the right appointments can be made to start beginning to rebuild that trust that has been lost for so long in our community with our constituents. In closing, he thanks them for their time and consideration.

Charles Taylor had the privilege of serving as Chair of the Ethics Advisory Committee and is here to speak in his individual capacity. He is glad to hear other people along with current and former councilmembers speaking in support of the ordinance and also encourages support of the Introduction tonight. In addition to those who have spoken tonight, he has shared with the Council a letter from Heather Williams, Chair of the Muncie Action Plan Board, in which the letter communicates that the MAP Board of Directors endorses the ordinance and encourages the City Council and Mayor to enact it. In the letter, she explains that the original Muncie Action Plan included developing a Code of Ethics for local government as one of the action items. In fact, she informed at a public open house in 2009 that was the item that received more votes than any other item they had up for discussion. Unfortunately, no code was developed after that and we all know what happened a few years later. This ordinance is more about Muncie's future than it is about the past or the present. Although, he will say at present we have a strong foundation to build on. As it said in the cover memo that Council received when the Committee sent the draft ordinance, in large part, they built on the work that was already been done by Administration (when the Mayor implemented ethics rules for employees). Dr. Taylor recalled seeing where it was determined to have a training and Mikah Wilson, HR Director at the time, talked about ethics rules being implemented and he was encouraged to hear that. Early on during the process at their second meeting, he believes, he reached out to her to share with the Committee all the information she had about it. She came to the meeting and they had a long discussion and she was very helpful. There is a lot in the ordinance that really just builds on the ethics rules that have already been implemented for employees. In applauding the Mayor some more, Dr. Taylor refers to earlier in the year when it was posted in the newspaper someone had raised some concerns by a potential wrongdoing by a City employee. The Council was briefed on it in an Executive Session. He was glad that the paper mentions the Mayor calling in the appropriate agency to investigate it and understands the report came back to a misunderstanding. That is good and he is glad it was checked out. He wasn't surprised the Mayor took that sort of action because it is proper procedure and quite frankly is what he would have predicted him do. However, there will be other Mayors of Muncie in the future. What if we have a future Mayor that wanted to sweep some wrongdoing under the rug (during an election year, for example)? This ordinance will ensure that someone who suspects some sort of wrongdoing like that has someplace they can go to report it and it be dealt with. If it is a potential violation of state law, the Ethics Commission's role then is to hand that off to the appropriate law enforcement agency to investigate. They're not replacing anybody in something like this but if it's something lesser, one of the local rules, then the Commission would investigate and make an appropriate recommendation. Whatever the situation is, people will know that there's one place they can go to report this and it will get dealt with appropriately. To wrap up his comments, he suspects that most people here tonight have smoke detectors in their homes and can bet that whenever you installed it, your house wasn't on fire that day. The appropriate time to install a smoke detector is not when your house is actively on fire. You would do that ahead of time. This ordinance is like a smoke detector and now is the time to install it. We don't need to wait until there's a problem and then decide that the City of Muncie could use an ethics ordinance. Right now, when things are going well, is the time to put it in place. Again, he appreciates the comments, mentions he is in full support of it, and would encourage the Council to Introduce it tonight. He is glad to hear that the Council Attorney and City Attorney are working on any final details that need to be done and he looks forward to seeing the eventual Adoption.

Councilperson Basham asks Dr. Taylor to talk about the funding mechanism for the Commission because he read through the ordinance and didn't see anything about that in the report from the Advisory Committee. Dr. Taylor states honestly that will be up to the Mayor and Council as part of the budget process to decide what sort of budget they are going to have. The Advisory Committee was tasked with writing the ordinance, defining the code of ethics, defining the structure of the commission, and how it would work. They spent about a year doing that and didn't presume to address the budget.

Robinson addresses Basham's question and explains when this was envisioned there was never any funding that would be required. This is just like any other board or commission that would be primarily volunteer based. If they found themselves in a situation where they had to do an investigation and additional resources were needed then he is sure that Commission could come to the Council or go to the Administration to procure those. Again, this is just like any other board or commission. They hope there are people out there, and he believes there are

many, that would be willing to serve on this in a volunteer basis. We have many boards and commissions throughout City government where people do the same. To answer his question, there's no funding mechanism written in the ordinance because no funding is anticipated being needed.

Dr. Taylor elaborates on that a little bit and explains there was some discussion along those lines during the Committee meetings. What is envisioned in the ordinance is that the extent in which the commission needs legal assistance, it would come from the City Attorney and/or the City Council Attorney as appropriate. Those people and positions are already budgeted. There could potentially, if a case for some reason they were both conflicted out, be a need to hire some sort of outside counsel. As Mr. Robinson mentioned, the Commission members would be paid just like any of the other boards and commissions. Questions called. A vote by acclamation showed 9 yeas and 0 nays. INTRODUCED.

RESOLUTIONS:

RES. 13-24 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA ADOPTING A FISCAL PLAN AND DEFINITIVE POLICY FOR THE ANNEXATION OF PROPERTY CONTIGUOUS TO THE CITY OF MUNCIE, INDIANA, PURSUANT TO ORDINANCE NOS. 29-24, 30-24, 31-24, AND 32-24.

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

Powell refers to the fiscal plan mentioning the services the City of Muncie will be providing and asks if it is known how much those services will cost the City. Jim Treat, Financial Advisor with Krohn & Associates, advises her the costs are highlighted on the last page of the fiscal plan. The estimates are fairly modest because, as it was heard from Public Safety, Police and Fire is going to serve those areas with existing staffing so there is not going to be a lot of additional cost there. The cost is highlighted on page 33. It is really Street Department costs being the key thing. The rest of the cost incurred in staffing up Departments and the wages and such are things that will be done regardless of the annexation, not as a result of the annexation. That is why there are not more costs highlighted here. Powell requests he read those costs out loud since the public doesn't have the packet he is referring to. Treat responds sure and mentions it was handed out at all the public meetings. The Street Department estimated about \$20,500 in maintenance cost because it is mostly new streets or any additional streets in the area being developed. There was \$150,000 Street Extension that would be included which is more of a matter of connecting part of this area into the existing City Street network as a one-time cost. So, the ongoing costs are \$20,500, as mentioned, and the Street and Road and MVH funds being distributed are the same amount, \$20,000. In addition, there is \$230,000 based on the current property tax revenues which will go up as those neighborhoods are improved. She thanks him. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 14-24 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE RECOGNIZING NOVEMBER AS TRANSGENDER AWARENESS MONTH.

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

Daisy Dale states for them in the trans community this resolution isn't meant to only be symbolic. Past being a statement of acknowledging Trans Awareness Month, this is about our municipality being willing to support us in a time that the Human Rights Campaign has deemed a state of emergency for LGBTQ Americans. This comes in a moment where restrictions are being assigned to legislation state by state, not only for trans youth but for trans adults, and restrictions that are either through direct discrimination or at least through creating barriers. The kind that restricts what provider you can see and what coverage you will be limited to and misinformation surrounding gender-affirming care has only limited life-saving healthcare to many of us which has led to violent actions against trans individuals. This sends a message that for many of us trying to navigate housing, employment, and healthcare here in Muncie. We have a municipality on our side that is willing to offer protections to some capacity at least. For those of us that deal with precarious employment, this tells local employers that we have a City that will have our back. By voting on this resolution as a Councilmember, you're not merely weighing in a national political issue but making a vote on human rights.

Charlize Jamison has heard some really nice things tonight about Muncie leading the way. We just heard it about ethics and how there aren't many communities, certainly our size, that have it. Being back in Muncie for the past 10 years has really made her proud and Muncie has been a leader in this area. We have had transgender recognitions throughout the last ten (10) years and ordinances have been passed that say no discrimination. No one should be discriminated against in Muncie. This is a continuation of that kind of thinking, that kind of acceptance, in making Muncie a welcoming community for all citizens. She encourages the Council and stands here strongly affirming this resolution hoping for a 9-0 vote. This is an educational thing, not a divisive wedge. This is about not fearing what you don't understand. It is about understanding greater than what you have now. In sharing her own personal feeling, she has known this about herself since she was twelve (12) years old and will turn seventy (70) next year. She had the opportunity to share this exact statement a couple of hours ago with someone running for office, "I didn't choose to be transgender." Transgender people, intersex people, don't choose that. The only choice she made was whether or not to keep hiding it or come out and is proud to say that she lives in a community that has welcomed her, embraced her, and has not lost one person of significance in her life because of her transition. Some councilmembers she doesn't know that well and mentioned that needs to change but counts all of them as friends. They've been welcoming to her and she is grateful.

Jennifer Rice Snow is the mother of a transgender daughter. Official statements of inclusion surely have many benefits sending a message to trans people and the people they love that Muncie is a good place to move to. The benefit she would like to emphasize is suicide prevention. While violence against trans people is for sure a big and terrifying problem, another overwhelming problem is self-harm. Study after study shows that family, friend, and community support is fundamental for reducing self-harm and suicide ideation. She is greedy to have people who are themselves in the face of so many forces pushing them to conform in our community as she is greedy for safety for her daughter. She thanks the Council for looking at this and urges them to please support this resolution.

Floyd Lewellen is here to encourage the Council to all affirm this resolution. He does a lot of queer-centered and trans-centered events in Muncie that produce economic value. He knows he cannot continue to bring events and people here to Muncie if there is not an open and affirming statement. He wants the Council to know that any chance skipped to uplift a marginalized community is act of violence and people that travel to cities and spend money see those acts of violence and take them seriously when they are considering doing business in Indiana, Muncie itself. He encourages the Council to accept this resolution.

Kathy Feeney is a local nurse practitioner, secretary of the board for Muncie Queer Alliance and the mom of a transgender son. Living in these roles has given her a little bit of perspective to speak on the state of trans lives in Delaware County. Earlier this year, Indiana was noted to be a high-risk state for LGBTQ+ citizens. Not only did Indiana ban gender-affirming healthcare for those under 18 but Indiana has virtually no laws on the books to protect trans Hoosiers. In 2023, nearly two dozen anti-LGBTQ bills, most of them targeting trans citizens, were filed in the Indiana General Assembly. This host of legislative environment combined with poor preparation of medical providers means that trans Hoosiers often travel out of state for healthcare, taking their healthcare dollars elsewhere. Imagine if you had to go seek your basic healthcare in another state. Additionally, a lack of workplace protections means that trans Hoosiers often leave the state for safer climates, exacerbating brain drain and leaving our state less diverse and less enticing to both individuals and businesses looking to relocate here. November has been recognized as Transgender Awareness Month nationally since 2017. This resolution proposes that Muncie recognize November as Transgender Awareness Month. It further asks the Council to support the right of trans Hoosiers to access appropriate evidence-based healthcare. They are an estimated 400 transgender citizens in Muncie. That's not a small number. These folks are your baristas, your social workers, your healthcare providers, and your neighbors. While this resolution will not magically make Indiana a safer place for LGBTQ+ Hoosiers, recognizing this month encourages Delaware County Citizens to educate themselves on the lives of their trans neighbors and increases visibility of trans lives, experiences, and issues. It shows trans folks that, at least in Muncie, Hoosier hospitality means hospitality for all. She recommends the Council adopt this resolution.

State Representative Sue Errington rises in support of resolution 14-24 recognizing November as Transgender Awareness Month and wants to thank Councilperson Powell for authoring it. She has participated in Transgender Awareness Month programs here in Muncie on at least a couple of occasions. Her role was to read the

names of a transgender individuals, mostly women, who had been murdered because of who they were. She hopes we can all agree no one should be targeted to be killed because of who they are or what they look like. This resolution puts the City Council on record as opposing violence against transgender individuals and supporting protection of their civil rights. In light of recent legislation, which is already been mentioned, in the Indiana General Assembly denying parents the right to choose the healthcare they believe is life saving and life affirming for their children. She encourages the Muncie City Council to take the actions that are outlined in the resolution. She believes Muncie is a city that is welcoming to all and this resolution will help cement that idea.

Morgan Rody comes tonight for the first time speaking to City Council. Without any prepared message, she just wants to share that this is an invitation for all of us to become aware of our transgender neighbors and community members. This invitation is something in which we should all take an opportunity to learn about the lives and experiences of trans Hoosiers and especially those that live in Muncie. As mentioned before, they (again) are among us as our coworkers, neighbors, and as very valuable people in our community. It is not just because of what they do but simply because of who they are and that they exist. We don't need to place a value on somebody just on what they produce or the numbers of them that there are. If there is one transgender person in Muncie, we need to be aware of their experience and make the best of their experience. She invites the Council to please adopt this resolution so we can help take care of all of our neighbors at this time.

Curtis Dorgan is a long time Muncie resident. He grew up here since childhood and Muncie was his home. When he realized in late high school that he was gay he started having those worries about what he was going to do now. He went to college here and left because Muncie was not a place that he could be and be himself. One of the biggest reasons we don't have a growing thriving City isn't because we don't have another development over here or over there, it is because we haven't fixed our house inside. We put new paint and shutters on the outside but we haven't fixed what the problem is on the inside and that's truly accepting all members of our community as equals. In asking the Council tonight to accept this resolution and vote yes to enable us to continue that mission in making people more aware that we are your friends, family, and neighbors. You probably know trans people but don't even realize that they're trans because you just have an idea that they might look some way or another. The reality is we are all we are all different in some way than other people. He runs a group called Muncie Pride Network. About 5 and 1/2 years ago, he moved back here from having lived in places like Chicago, Washington D.C., Minneapolis, cities who are doing it right and found his hometown to be severely lacking in some of the core-base essentials that we need to be able to feel safe to walk down the street. He has a husband who, up until they moved back here, he felt comfortable walking all over town with and just doing normal everyday things. There are times they don't sit on the same side of the table while dining out and they don't have those hand holding across the table instances. Tonight, is about our trans folks. All those things he just expressed are the uncomfortable things he experiences but he is a gay man. You don't know that he is a gay man until you figure that out. Trans folks have had to figure out an entirely different set of issues for themselves. They've had to hide themselves in ways he cannot even begin to understand. It hurts his soul when he doesn't see them being accepted or welcomed in our community as well. This resolution is a simple small step towards letting us acknowledge they exist and are vital valuable members of our community. They have the right to seek the proper medical attention and care that they deserve. He just really feels this is a no brainer and truly hopes the Council proves him to be correct in that.

Joseph Farrell appreciates everything that has been said about moving forward regarding this. In looking back 100 years ago, we were part of a sociological study about being the "Average American Town." Cool, we're average but let's be above average. We have that in us as and have stood average for 100 years so it's time. This is a great first step but now what? Bringing up a little more recent past, 107 days ago was July 21st which was a nice hot sunny Sunday. That was the day he ran from gender identity abuse and came out. The first people who heard his name other than friends were the people at a domestic violence shelter where he stayed for 50 days. They said that they could take care of someone like him, federally, they're required to but not a lot of resources in that regard. By putting this resolution out there, this can then be a launch pad to improve the services we already have. We have great resources on certain levels but if you don't fit the exact box that service was built for, there is no services. For folks like him who are only 107 days in, who had their first encounter with trans violence inside that shelter, and nothing could be done because no staff witnessed it (especially as a trans man which is a much smaller

pool of people) ... He has lived in Muncie for almost 25 years and is scared to open the door. His own hometown. Muncie can do better. We're working on that Code of Ethics and the Ethics Committee so we can do better. Please, for the sake of people like him, we need to do better otherwise the next person like him may not have the guts to up and run and instead of them standing in front of Council right now, they would have instead read their obituary in the newspaper.

Holly Juip, local human advocate and local friend of queers, knows many members of Council personally and just wanted to remind them that whether they are representing Muncie At-Large or in a District there are trans and non-binary people that live there. There are some that may have even voted for them and some may have voted for someone else but at the end of the day, they are our City Council and their words matter. The way they use those words and the way they present our City to the community and the greater community at large matters. She urges to go ahead and use their words in a positive way and show people that Muncie is a place that is open and welcoming and wants to set itself apart from the rest of the state of Indiana.

Jeanetta Pressley, has a son who is a hermaphrodite that came to her from the foster care system and nobody bothered take care of his issues, whether he's a boy or a girl. Her son had to live his whole life like this since childhood because the state of Indiana wouldn't pay for surgery for him because they said that he wasn't old enough to make choices for himself on whether he was to be a boy or a girl. Therefore, he lived a miserable life and tried to commit suicide as a teenager. They had to seek outside Indiana and travel to Ohio to a youth doctor for him. She really would like to see healthcare for these people so that they can get what they need and make the choices they want to make in their in their own lives. As a foster parent, her hands were tied with this child and she would like to see where those people can make those choices for themselves.

Tim Overton reckons he will give the minority report and expresses opposition to the resolution. When you normalize something, you get more of it. The percentage of homosexuality during World War II is very low. Move on to the Baby Boomers, it's up a little bit. Go to the X-ers, it's more. Go to the millennials, it's quite a bit more. If you go to Generation Z, statistics say 17% (some surveys over 20%) are homosexual. When you normalize something, you get more of it. This points to it being a cultural phenomenon, not a biological one. Evolution and survival of the fittest. If you have a homosexual gene, it does not reproduce and is unnatural. Over millions of years of evolution, it would cease to exist. President Dishman calls Point of Order due to hecklers in the audience. Overton continues his dialog saying if you believe in divinity then God obviously intends male and female to go together to reproduce. He wonders if any councilmembers have met any detransitioners because he has; females whose biological clock and hormones will never be normal, body parts were removed and they will never have children. By normalizing this, the question is going to be put to more elementary kids and junior high kids that will say, "Little boy, are you a girl? Little girl, are you a boy?" and by posing the question, just like we've has an increase in homosexuality, you're going to have an increase in transgenderism. He claims they believe the suicide rate is because no one affirms them but he believes it is because they deny biological reality of male and female. All of human civilization can back him up. The choice is up to the Council but it's important to recognize what we, as a society are, where we have been, and to know that his perspective is not one of very few people. If they had met any detransitioners he doesn't think they would want to normalize this. He has literally sat with someone and they can't sit still too long because they have burning sensations from of what the doctors did to them. Europe is abandoning the transitions because they know it doesn't work. He hopes the Council will not approve this because you don't normalize that which harms people.

SteVen Knipp expresses that being the hate they are hoping to the Council can help protect against. Just like left-handed people used to be demonized, we discovered they just accepted that left-handed people are just born left-handed people. As years and years went by it was discovered there are more and more left-handed people. It is the same thing here. People have always been queer since the beginning of time and they will be queer to the end of all time. We have always existed whether we've been out with it or not. You can act like it is a new phenomenon but it is because we are joining together, being brave enough, with all of previous speakers that stood up together to say we are done having to hide in the shadows. We're done having to be ashamed of who we are and who we love when the rest of you guys get to live your lives out in the light. Why do we not get to live our lives out in the light? This resolution we're asking Council to pass says that it is okay for queer people, like him, to live

our life and truth out in the light of day. We all deserve that. He will say that nobody is asking little boys and little girls if they are little boys and little girls, that is ridiculous. Truth is, since being 7 years old in second grade, he was told he was a girl. He was told he was a girl because of the way he caught a baseball, because he danced out in the outfield and picked dandelions, because he walked a certain way. He spent his whole life having to fight this idea that he was a girl so much that he started to hate the feminine and gay inside him. He started hating women because anything that even drew the idea of feminism to him meant that he was seen. Until he was able to accept himself and accept that he is feminine as well as masculine, just like everybody in this room is feminine and masculine. We are all the combination of those energies. We exist and will always exist. He is sorry that makes people mad but we exist just like you have the right to exist. Please let us exist.

Steve Criag, is a straight male cisgender, married with children, and is not concerned that this will make his children gay or trans (and physically turns to give earlier speaker Charlize Jamison a hug). He states he loves everybody in this room and we're all normal.

Councilperson Basham states part of this resolution suggest that it encourages the Human Rights Commission to review research and studies regarding gender-affirming healthcare and is interested in knowing more details about gender affirming healthcare.

Earlier speaker, Kathy Freeney, nurse practitioner, explains that gender-affirming healthcare is any healthcare that affirms gender. In the very basic sense of the word, if someone has a breast reduction because the breasts they were born with are making their life uncomfortable, that's gender-affirming care. Viagra is gender-affirming care. Hormone therapy for menopause is gender-affirming care. We're specifically talking about our trans neighbors potentially just getting healthcare where the provider understands what trans people are going through. We may be talking about hormone therapy, sometimes referred to as cross-sex hormone therapy. Aligning the internal feeling of gender with the external feeling of gender. We may be talking about surgeries when we're talking about adults. No one is doing surgery on children. It's not happening. Mental health care is another form of gender-affirming healthcare. Gender-affirming care covers a very broad spectrum but one of the things we need to really consider is that healthcare providers aren't being trained to consider our trans brothers and sisters. A lot of healthcare providers won't treat your high blood pressure if you're transgender and on hormone therapy because they didn't learn that. It's still your blood pressure, it doesn't matter. Again, gender-affirming care is anything that helps a person align their external gender with their internal feeling of their gender.

Basham refers to reading a lot of headlines about gender-affirming care for children and request she talk about those. Freeney informs those headlines are often exaggerated in the state of Indiana. Anyone under 18 in this state cannot access any gender-affirming care. That means if a 16-year-old comes into her office saying, "I'm trans, can you help me?" She legally cannot speak to them about that nor tell them anything. Before the ban went into place, gender-affirming healthcare for children, typically, is mental health care and getting them with an affirming therapist who can help them understand the difference between the way they're feeling inside versus the way they're looking at their body. In some cases, it might involve puberty suppression so putting someone on birth control to stop menstrual cycles. That is done all the time for cis kids but now they're not allowed to do it for trans kids. It is the same medicine and same biology but now they cannot do it. It could involve putting them on hormone therapy potentially when they're older so that they are having puberty at the same time as their cisgender peers. Again, nobody is doing surgery on kids under 18. It doesn't happen. We're talking about medical care, healthcare, and mental health care.

Basham asks, as a practitioner, what kind of resistance or support that is received from families and parents and is aware that is anecdotal. Freeney responds it runs the gamut. She has people who want their children to be happy and healthy so will come in speaking the care they think their children need and are open to sitting down with medical professionals who understand the evidence-based care and make decisions as a team. It goes all the way to families that come in and just say fix this because this isn't okay. She also has kids who come to Ball State for college, finally 18 and out from under a family who didn't understand or didn't respect their feelings and identity and are now come seeking care as adults because they could not get that care as children. It is a spectrum.

Basham has one more question and explains they, in the faith community, hear a lot about the trans community and questions if there are people of faith that could speak to this conundrum.

Earlier speaker, Joseph Farrell, has a masters of theological studies from Trinity Luther Seminary Columbus Ohio, is a licensed lay preacher in the Episcopal Church, as well as serving as a Hospice Chaplain in another town. He explains there are some faith communities for whom their understanding and interpretations of their texts excludes anyone who is not cisgender heterosexual. However, in the communities he tends to frequent, including the Episcopal Church, the understanding of being created in God's image and loving one's neighbor as oneself and treating the alien as a member of your family are more important as in the case of what Jesus Christ said that there are two great commands, to love your god with your heart, soul, mind and strength and the second is like unto it to love your neighbor as you love yourself upon all these things, hang the law and the prophets. Turning to the gender-affirming care, Farrell informs he is also intersex with a hormone chromosome mismatch. Anytime someone with high testosterone has polycystic ovary syndrome is told. "Oh, for your acne take these pills." They're being given testosterone blockers. Gender-affirming care is testosterone blockers and the like. There are only four (4) medical schools that currently offer gender-affirming care, especially gender-affirming surgical residencies. We can't get people to provide care fast enough to the point where here in Muncie where there are medical students/residents practicing under attendings, they are misgendering their patients in their chart and using the wrong pronouns in the hallways with their fellow colleagues. Farrell is sure the Ethics line is tired of hearing from him.

Charlize Jamison wishes to address two questions just asked by Councilperson Basham. She came out to her physician at 60 years old. Sadly, he is no longer in our community and has since moved on but he was absolutely the best. She was so worried in coming out to him and even waited until it the absolute last possible time. When she did, she was afraid she was going to lose him as her doctor. What he did, and this is for every healthcare person that's within the sound of her voice, was not to try to change her or correct a problem. He put his hand on hers and said "we've got this." That was it. He then picked up the phone and called a therapist. Her doctor and therapist saved her life. Just six months after she started seeing her therapist, who kept in conversation with her physician, she received her first hormone and has been on a hormone therapy, estrogen, the last six or seven years. People don't walk in wanting hormones and have them handed out like a PEZ dispenser and walk out. They just don't. Therapists have to test, question, and doctors have to do the same. There is no transgender 101 manual but for anybody else listening, get a good therapist, a good physician and sign the documents that allow the two of them to communicate. As she said, she wasn't some kid going in wanting hormones. She was 60 years old and it took six months. As for faith, she is going to speak for herself because there is a whole spectrum of people on the faith scale. She was raised in the church and, addressing Basham, informs they went to the same college. Basham mentions it being Christian college. Jamison agrees. In describing herself, she is a Child of God, a follower of Christ and a transgender woman and there's not one inconsistent piece of that statement. The idea that one can't be a Christian and be gay or be a Christian and be transgender, that's not what John says when Jesus said, "I gave you a new commandment, our job is to love one another as we would love ourselves." And that is what she lives by.

SteVen Knipp resents the faith question Councilperson Basham asked. We are coming to a government body to ask for help and in turn getting asked, "well, what do the Christians think about this?" The thing is in Christianity, the bible has been used to enslave and oppress black people as well as women (still). In Christianity, the bible has always and is still used to oppress queer people even though there were queer people in the bible too. To come and ask for a City Agency to help and be told, "what do the Christians think?" shouldn't even be a question. This should be about us having rights and being seen as citizens. To open everyone's eyes, queer people can be Christian too. He, specifically, is not but queer people can. Again, he doesn't know why that was a question Basham would bring up nor why it matters to the conversation but he resents the question. We've had a lot of discussion about ethics tonight and that question, ethically, should have never been asked.

Holly Juip refers to the earlier discussion about annexation. One of the biggest arguments for that annexation is that the people in that community wanted to have a basic level of safety. They wanted access to things and services like Police and Fire. When we are talking about giving the Human Rights Commission access to information it is giving the Human Rights Commission access to the tools that they need to do their jobs which is to tell if citizens within the City of Muncie has had their rights violated. If they don't have access to that

information, how can they tell if people's rights have been violated or not? That doesn't matter whether it's a breast reduction, a breast enhancement, hair plugs, Viagra, she doesn't care and nobody else should either. That's between a person and their doctor and that is it. If that is not where we're at then we have got to get moving forward and people need the necessary tools in order to do their job done correctly.

Jamie Zabel informs this being the second time speaking at a City Council meeting. She wasn't going to say anything but wanted to add her own perspective. She is not trans but queer. It is too common of an experience for members of the LGBTQ+ community to view the closet as less of a temporary hiding place and more so as a bunker. That's a place where fear, shame, and confusion reigns and they're contained but never extinguished. When we are having these conversations, she knows of other trans and queer kids with much more personal and painful experiences. She is 17 and came out almost 2 years ago to her parents. When the Council votes for this resolution, they are adding to the overall conversation that relates back to her experience as a 15-year-old that was scared. Her friends have had experiences along the same lines. This affirming care saves people's lives whether you're an adolescent or an adult, no matter what age. Surgeries, of course, for those under 18 has been discussed by people who said it much more eloquently than she ever could. To reiterate what she recalled saying a few years ago, these conversations are harder to have with your kids or your friends when there are decisions being made that bar the support and care of trans people. Relating back to how faith conflicts with identity, she was raised Catholic and has wonderful people in her life that hold faith very closely to them and still support her and other queer people as well. She cannot say it as precisely as the few speakers before her but it's not all faiths that discriminate. Queer people can hold faith and follow, pursue, and love it but faith and being queer is not mutually exclusive.

Lawrence Robinson has gotten to know most councilmembers over the course of the last few years and wasn't going to get up and say anything but has heard the homophobes and the questions being asked. He has met a lot of gay and transgender people in the last couple of years and they're not any different than the rest of us. Their sexuality is different but they're people. Get to know them. A lot of them he calls friends because they are no different. They just want to live their life. They want to be happy. If they're happy, that is great. All of us just want to be happy. He has been married for 52 years and loves his wife very much. He has met a lot of people that are trans and homosexual and they just want to be happy. Leave them alone. Quit judging people. The bible says, "do not judge lest you be judged." Pay attention to that.

Kathy Romero mentions the fact faith was brought up. She thinks a lot of it is misunderstood because we love people. We don't deal with sin issues and that is what the bible calls different issues. She isn't saying we don't love the individual because we do. She has homosexuals and lesbians in her family and they love them all the time without regard. It is not about that so try not to put believers, or Christians, in a box either. There is a lifestyle that the bible talks about, from Adam to Eve all the way to now, and is going to be there. We love people. We're not here to judge but if you're a fornicator or any other type of sin, it is a sin. That is all that is. It is not about loving people; we love all people.

Councilperson Gullion states it is obvious why they brought this forth as there is a lot of passionate people here tonight and people that want to be recognized and that is all this is asking. She would like to call questions. Questions called. A roll call vote showed 6 yeas (Powell, Garrett, Selvey, Basham, Mason, Gullion) and 3 nays (McIntosh, Green, Dishman). ADOPTED.

TABLED:

ORD. 17-24 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-4 RESIDENCE ZONE TO THE MHR MOBILE HOME RESIDENCE ZONE FOR 701 & 703-711 W. 15th ST.; LOTS 1& 2 IN THE JOHN T. EASTBROOKS FIRST ADDITION; AND THE LOT FORMERLY ADDRESSED AS 801 W. 15th ST., MUNCIE, INDIANA.

9-9-24: Introduced

10-7-24: Tabled (no representation in attendance)

A motion was made by Gullion and seconded by Garrett to Bring Off the Table. A roll call vote showed 9 yeas.

MOTION CARRIED.

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

Nate Schneider states he works directly for the owner of the Gharkey Mobile Home Park as a fulltime employee and manager of the park. He apologizes for missing the meeting last month as this is his first time doing this and he was misinformed about being required to attend a second meeting. He appreciates the Council Tabling it for the extra month. What they are looking to do is a zone change from R-4 to the Mobile Home Residence on four (4) lots adjacent to the current Mobile Home Park. They've been making lots of improvements on the current park and he has a few pictures of some of the newer mobile homes that they've replaced some of the older models with in case any councilmembers want to view them. They are in good standing with the Health Department and have been in contact with Steve Selvey with the Building Commissioners Office and had the opportunity to sit down with him to discuss different housing options for the land who thought it best for them to stick with what they know and put in more mobile homes. They also have good standing with the Planning Commissioner's Office who has already approved the zone change and back in September during the first City Council meeting, he actually sent a representative to strongly urge the Council to accept the zone change.

President Dishman questions if the City got the street fixed out there. Schneider refers to 15th Street in which they fixed the potholes and plan to seal the roads in the next few weeks. Dishman comments to check into that.

Councilperson Garrett acknowledges the improvement in this area and agrees, too, with Mr. Selvey in that advice. He has seen the newer mobile homes and they look good referring the difference in the ones that were there before. He thanks them for the initiative in the neighborhood to put those in and, as he said, thinks it was a great move to stay with the mobile homes over there.

Kylene Swackhamer, Planning Commission, just came tonight in case no one else was here to speak on this case. It has the support of the Planning Commission and this will help bring it into compliance. Some of these mobile homes have been here since before the ordinance was enacted. The owner has been very forthcoming and forthcoming about working with the Building Commissioner and the Planning Commission which is appreciated. Questions called. A roll call vote showed 9 yeas. ADOPTED.

OTHER BUSINESS:

Curtis Dorgan has been involved in organizations since he was 12-years-old. He has held titles of President, Vice-President, Secretary and Treasurer. Before he ever sat in the President's Chair, he read the entire book of Roberts Rule of Order and knew how to run the meetings from start to finish and beginning to end. As a leader in this town, he would hope that the Council would do everyone a favor and do the same.

Cheryl Tietjens states this is her second time in front of Council and when last here she was talking about the ordinances and City Codes that aren't enforced in her neighborhood. She is surrounded by two houses that basically do not adhere to the codes. She sent letters in 2015 regarding the things in her neighborhood that do not get enforced. They do what they want to do, the slumlords and renters themselves. She is here to tell the Council that hopefully something will be done. When she was here in August, she was told things would be done but they weren't. Her neighbor to the right basically cut down a bunch of trees and put them in the middle of the backyard, not out by the street for the City to pick up, and believes it was so the tenant didn't have to mow her yard but not quite sure. There is also a tree stump that the City hasn't done anything about in 9 years which has resulted her going to the Urban Forester about. Tietjens also put in a new sidewalk and a portion of her driveway recently and in doing that, someone turned her in and said she was above grade on the sidewalk. She got a permit to do this work and had to pay \$80 and \$40 was due to her "disturbing the curb." The thing is, this sidewalk in front of her house and several others is completely obliterated. There are big chunks of concrete and the big tree trunk that was never ground down. It has never been addressed and it has been 9 years. The Public Works Department came by due to a complaint from one of her neighbors and said if she brought this to the City in some way shape or form then maybe they can fix the sidewalk all the way from Acorn to Perkins and not just the portion she did. She did talk with Councilperson Garrett before the meeting who assured her the process of the City coming out to cite. She

just wants them to continue the work, in other words, don't drop her. We are talking about ethics and wanting to establish a code but a person has to work, work, and work to get the City to take care of the ordinances that are already in place.

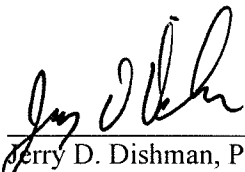
Joseph Romero works providing church and Christmas for the homeless of Muncie. He is passionate about those people as we all should be. He has been talking often to people that have the powers to realize that part of our crisis that exists with homelessness is the type of housing we have. He realized that when they started The Shepherd's Heart and Hands, they wanted to tackle an area called low-barrier housing because something has to be done about all the housing that's available and what the criteria is for the housing. You can check with all your charities, non-profits, or low-income housing but the screen will always be the same. "What is your background? Tell me about your past." Those are deciding factors. Another winter season is here and we're going to have the same issues. We have to keep these people alive and keep them warm. A lot has happened since Council last seen Romero. Their ministry has expanded greatly and he thanks God for organizations like Ball State University who is recognizing him for being in the woods every day and feeding the homeless on a daily basis. Their organization is not just feeding at the Warming Center but now it's come to his attention that poverty in Muncie is a problem. Many people are aware of food distribution and food banks, etc. All these things that exist but what you may not be aware of is not everyone has access. Little did he know when Ball State contacted him saying they would like Shepards Heart and Hands to be the receiver of all the food at the end of the day, even tonight, they picked up 200-300 lbs of food and he, his wife, and their team will be doing that every day. Not only are they feeding the homeless camps and helping those that are hungry but they're discovering a new problem. People are crying out to him saying they can't make it to a food pantry or tailgate. He did his research and found that there is plenty of places to get food but if you're handicapped, a senior on disability, or don't have a car, you'll run into an issue. He brings that up because plenty of people work on the food but who is willing to drop off a food box? It's that simple, however, he isn't trying to get sidetracked from the mission of low-barrier housing. What he wants to sound an alarm on is educating those that are already in the food business and doing food distribution to volunteer or find volunteers. It doesn't take much to find out if little Sally with five kids is really in dire need. All it took was one visit to a house and a woman who said, "I have five kids and my car broke down." Her kids come running in and the woman is now in tears. Romero was sold right then and there that we have a problem. He can express story after story. Shepherd's Heart and Hands is doing this work full-time. There's a song some might know "I Give Myself Away" with the lyrics "my life was not my own, to you I belong, I give myself away." That is becoming Romero's reality. He is a servant of God but also a servant of this community. They are one of the few public charities/501C3's that are 100% volunteers. No one getting paid big salaries when you support this ministry and charity but the work is very real and it isn't hard to find out if they are really doing the work. You can spend any day of the week with him and it doesn't change, the food boxes still have to go out every day. He isn't doing this alone but is working with other agencies and community members. He is a true believer that love overcomes a multitude of problems. We, together, can be a City of love and make a difference in this community, truly believing in change. They are trying to pursue housing and the only thing halting that process is the funds. He asks if anybody has any property, they are willing to work something out with him on then to please reach out. He has enough women right now that could fill up a woman's home. Sometimes we think because they're homeless we're talking about drug addicts or alcoholics. No. He has visited the women and is shocked and scared for their lives. He knows for a fact some of the unhoused women out there are afraid for their life and worried about being raped. Yes, that is a concern. They are currently working on a project called Shepherds Huts which are smaller versions of tiny homes. It is not going to cost a whole lot to put these together but he wonders if there somebody out there that can help them acquire a spot to put these tiny homes. If anyone is aware of any land that no one is going to use because no one thinks to build a community next to the railroad tracks but he could utilize that spot. He is going to try to find out how to go about creating some Emergency Shelters because they do want to have a (sort of) legalized tent city. He refers to camps that are over 30 people big and they're clean. In fact, the Sanitation Department has actually given them a key to a gate (advising he probably should be announcing that). But that is how well they are doing because Romero is coaching them. You want to last in the woods then keep it clean. You want to last then

don't be in the City, be out in the woods and be invisible. Don't disturb your neighbors and cooperate with the law enforcements. They are teaching people this so that the camps can last. Are the camps his personal goal? No. They want to get them into housing but there's a process. One of the things he has noticed is that infrastructure is lacking in a lot of agencies. One person might focus on housing while another person might focus on rehab but they're not connecting the dots. He has been learning for 30 years just how to connect the dots. Housing plus enjoyment, job skills and social workers, it all works together. Anyone can come visit him at the Warming Center at the Main Street Garden Church. There, he has the privilege to help lead worship with a good friend of his named Katina who happens to run the Muncie Housing Authority. They are talking about doing things in this City all the time. He wants to put the word out there that they are opening up the Warming Center for the winter again. Every Friday is Church for the Homeless and they come every week. It's not your average church. They are coaching them and speaking life into them. He even does one on ones with them as well so needs prayers. One last thing, Christmas for the Homeless is coming up November 30th. They already have the tents and blankets and are anticipating 200 to 300 people coming through the door. Everyone is invited. Please keep them in your prayers because they are doing this work every day and really need the support.

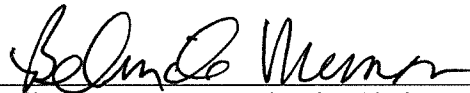
ADJOURNED:

A motion was made by Garrett and seconded by Gullion to Adjourn. A vote by acclamation showed 9 yeas.

ADJOURNED.



Jerry D. Dishman, President of the
Muncie Common Council



Belinda Munson, Muncie City Clerk
of the Muncie Common Council