

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



OCTOBER 19, 2022

SPECIAL MEETING: 6:00 P.M., 1st Floor City Hall Auditorium.

PLEDGE OF ALLEGIANCE: Led by Judge Amanda Dunnuck.

ROLL CALL:	PRESENT	ABSENT
Aaron Clark	X	
Ro Selvey	X	
Troy Ingram	X	
Jeff Green	X	
Jeff Robinson	X	
Brandon Garrett	X	
Brad Polk	X	
Jerry Dishman	X	
Roger Overbey	X	

TOPIC OF DISCUSSION: President Robinson welcomes everyone to the third meeting scheduled to review the 2023 municipal budget. Tonight, they are going to cover Personnel, Human Rights, City Court, City Clerk, City Council and Beech Grove Cemetery. As with the last two meetings, they will bring forward each Department Head to allow them to point out any major differences in their budget and to answer any questions from the Council. Just as a reminder, they want to provide time for any comments or questions from the public and plan to open the floor after the Council completes their questioning of each Department Head to provide that time. Robinson will ask anyone with questions or comments to direct those to the Council. If the Council cannot answer the questions or address the comments, they will ask the Department Head or Controller to do so. They also ask everyone try to please limit comments to around three (3) minutes and stay on topic.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 36-22 AN ORDINANCE FIXING THE SALARIES FOR ALL ELECTED OFFICIALS OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2023.

A motion was made by Ingram and seconded by Polk to Adopt. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 37-22 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 2023.

A motion was made by Polk and seconded by Ingram to Adopt. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 38-22 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 2023.

A motion was made by Selvey and seconded by Green to Adopt. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 39-22 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY APPOINTED OFFICER, EMPLOYEE, DEPUTY, ASSISTANT, DEPARTMENTAL AND INSTITUTIONAL HEAD OF THE CITY OF MUNCIE, INDIANA, INCLUDED HEREIN FOR THE YEAR 2023.

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

Craig Wright, City Controller, informs he was provided an amendment to this ordinance adding the Working Foreman to the Street Department section. After discussion with Adam Leach, City Engineer, Wright explains the position was supposed to be included as Leach informed him that he already had it in the budget that was previously presented to the Council. This is just adding the language of official position. Robinson asks the bi-weekly amount. Council Attorney Dan Gibson states it is an hourly rate not to exceed \$23.89 and also confirms he has an Amended copy to provide the Clerk if the amendment is approved. It was sent to Council Attorney Gibson by City Attorney Aubrey Crist. Robinson confirms they are adding this position. Gibson states it is a current position with the rate of pay but is not included in the copy of the ordinance before them now.

A motion was made by Robinson and seconded by Polk to Amend to add the Working Foreman with an hourly rate not to exceed \$23.89 per hour. Questions called. A roll call vote showed 8 yeas and 1 nays (Dishman). AMENDED.

A motion was made by Ingram and seconded by Polk to Adopt as Amended. Questions called. A roll call vote showed 8 yeas and 1 nays (Dishman). ADOPTED AS AMENDED.

PERSONNEL

Mikah Wilson, Personnel Director, refers to one major change she made from last year of moving \$1,000 from Office Supplies (line item #101-13-421011) into Training Fees & Travel (line item #101-13-413085). She does work with local organizations such as SHRM, a local HR organization, and Shafter Leadership Academy and would like to be able to take advantage of some training through the Indiana Association of Cities and Towns. The budget, as it was, didn't really allow for a lot of training therefore thinks this will now be a little bit more adequate and allow them to get some training done. Questions called.

HUMAN RIGHTS COMMISSION

Yvonne Thompson, Human Rights Director, has noticed that her Electric budget (line item #101-18-435011) is already at 93% for this year. She wonders what they need to do. Craig Wright, City Controller, expresses that they will take care of that in his office. With that, Thompson is assuming that if it gets to 93% this time next year that the Controller will take care of it. Robinson explains they will have to make an additional appropriation to cover it and that can easily be done. Thompson states other than

that that is all she had. She closes by thanking for the raises for herself and her Fair Housing Investigator. Questions called.

CITY COURT

Amanda Dunnuck, City Court Judge, states the only thing different from this year to next year is that she is trying to move more and more from the court operation from the tax dollars to the user fees. That being said, they have moved the second or the fourth Court Secretary position into Probation User Fees instead of the tax dollars. Unsure if she needs to get with the Controller or not on how to go about it, Judge Dunnuck wishes to change that to a Bailiff position. That way, there are two Bailiff positions. It is a combo spot because he does do Court Secretary work but is a part-time police officer (so cannot be a Court Secretary in a criminal court as that is a conflict of interest). More importantly, he has arrest powers so he is the one that would transport to and from City Court. If there is anybody has an active warrant, he is the one that takes him or her into custody. If they need somebody brought for trials or hearings, he is the one that does it. She explains they are trying to minimize the burden that City Court has on the Police Department because of the low staffing there. They have been working pretty hard with what the Council has given them to make sure they are becoming self-sufficient, less of a burden on the tax dollar and less of a burden on City Police. Robinson would suspect that is just a title and would maybe need to go through HR. Wright, Controller, from his seat in the audience assumes it would probably require an amendment in the salary ordinance. The Judge would request for it be titled 'Inside Bailiff' because the other Bailiff is the one that goes outside and serves paperwork. That would allow them to have an Outside Bailiff and an Inside Bailiff. However, when she is on the bench and has had ordered anybody into the courtroom, both Bailiffs are there to help provide security. Robinson informs it is not anything they can do this evening but certainly something that can get taken care of before the end of the year (before 2023's budget kicks in). He recommends getting with the Controller to see what they have to do to get that taken care of and he is sure the Council will approve something like that. Judge Dunnuck adds she has additionally been working with Chief Sloan and the Bailiffs have become 'Special Deputies' or 'Special Officers' where there is some provision that they have in the Police Department that gives them the arrest powers. This keeps the Court from having to pull MPD off the road. She is working with all the departments that she can to make sure that everything flows smooth. Robinson asks if there is anything else she would like to point out. Judge Dunnuck states (really) that is it, the normal run-of-the-mill stuff and getting as much over into Probation User Fees as possible.

Councilman Polk recalls them talking in 2020 and 2021 about a backlog of cases due to Covid and asks if they are catching up with that by now having five days of court sessions. Judge Dunnuck answers yes, having it be a full-time position has given the opportunity to have more court sessions. There is no more backlog with the ordinances and the parking violations and are caught up to the point where they are now working with the City Attorney now to start filing dog ordinances on parking days. Those additional days have allowed them to take care of all of the City backlog (ordinance violations); Infraction backlog (traffic tickets) and the misdemeanor backlog (criminal charges), having the additional day and actually bringing the pre-trials back into the courtroom or to the court office since she is over here has given the opportunity to move more cases. What she has done being fulltime is they are now able to set fewer cases per session because they have more sessions. That then gives more meaningful time on the cases so defendants are able to have a proper pretrial with the state and they are able to get more accomplished with fewer set versus before fulltime and Covid setting 120-130 cases for a 9:00 AM session. That would result in them running until noon if not later so they are now able to set 75. When dealing with an FTA (failure to appear), they are able to actually handle the cases in a more appropriate manner so they are able

to get better resolutions and more resolution to where the litigants are satisfied with the results. They are able to reset now within twenty (20) days when they were resetting within four (4) to six (6) months. Robinson confirms this has been the first full year of being fulltime. Judge Dunnuck corrects him stating it is their second fulltime year. Robinson couldn't remember if that was done halfway through 2021. Judge Dunnuck explains the last quarter of 2020 was modified full-time and then they were full-time in 2021 and 2022. However, this has been the first full year they have not had Covid impact as there was still some Covid shutdowns in 2021. Robinson confirms that the full-time is still working well. Dunnuck states yes. Questions called.

CITY CLERK

Belinda Munson, City Clerk, states there aren't too many changes. One of the things she needed to increase was Travel & Training (line item #101-05-413085) and refers to the supplement she sent out earlier in the month explaining everything. Part of the reason it was lower in the past was because once Covid hit, everything was done via Zoom. The Clerk, Clerk Treasurers and Controllers are supposed to go to annual training. There are so many credits they are supposed to have every year and because of that there's going to be a side for registration fees, hotel, gas and expenses. Last year, Munson went to a training session in Evansville and this year (so far) has only gone to one held here in town which obviously didn't cost her anything but registration fees. Again, they do that annually. (The training in town is one expense that is easy and actually makes it easier for her.) The \$2,000 increase actually came from Unemployment (line item #101-05-413065) which has been lowered from \$5,000 but is actually down to \$3,000. Postage (line item #101-05-432011) needs to be increased \$1,000 because they had already spent 64% as of June of this year. The reason why postage is more for her office this year is because of the parking violations. Anything that's out of town (so if you have a Ball State student that doesn't live here) has to be sent by certified mail. That is over \$7 an envelope and increased the postage quite a bit. In Equipment & Maintenance (line item #101-05-436011), Munson noticed a difference in what she provided and what is stated in the ordinance so advises the Controller. She states she had \$9,000 when he has \$8,000. Wright, from his seat in the audience, informs it was decided to keep it the same amount as last year. Munson informs they are already at 75% spent in that line item as of June so it needs to be \$9,000. She informs she is actually going to run out of money. Wright, stating it is for next year, informs if they need to an additional appropriation will be done. Munson replies okay and refers that answer being that of the City Controller. Questions called.

CITY COUNCIL

President Robinson states there was one change to the City Council budget and it was in Other Services & Charges (line item #101-11-439071) going from \$6,000 to \$2,000. Craig Wright, City Controller, states there wasn't anything being used out of there so it was decided to move some of that around there. Robinson is aware the Council uses that and recalls Councilman Clark using some of the funds when he took a trip to go look at a project earlier in the year. They also use it when they do meeting streaming of any Special or Committee meetings. He questions if Wright can recall their year-to-date. Wright states he does not have it with him tonight but knows it was well below and they weren't even close to hitting it so there wasn't any second thought about it. Clark mentions this refers to his trip to Joliet.

Councilman Polk thinks they also used that back during the first year of the term when the newly elected councilmembers all went to training in Indianapolis. Robinson confirms. Polk suggests that being something to keep in mind that they will not have to attend next year but will in 2024 in case there are any

new councilmembers that get elected. Robinson states that is a great point and explains the Association of Indiana Municipalities hosts a training for newly elected officials and they should definitely plan for that this upcoming year. If they have any new elected councilmembers then they certainly want to make sure that those people are trained and know what to expect coming on to the Council. Looking amongst themselves, Robinson mentions that there are a few current members that have been caucused into their positions that didn't receive that training so that is something to think about next year. Wright makes note. Questions called.

BEECH GROVE CEMETERY

Troy Watters, Beech Grove Superintendent, informs they have added a lot to this budget and the biggest difference was in Part-Time (line item #215-31-411046). Reason behind that is when Watters started in July, they had three (3) part-time employees so he had it bumped up to seven (7) to get everything to where they are now. They were all seasonal employees. He plans to stagger the seasonal help in 180-day terms starting some of them earlier in the day (than compared to normal hours) so that way they are not all leaving at the same time. One of the seasonal part-time employees has been there three (3) years so Watters moved him to regular part-time to keep him around all year. They are hoping to get some help in the office and are trying to update the database. The way the old system is set up is if someone were to come in looking for a grave, they would have to look through multiple files to find some of them. It would just be a big help to have somebody in there so that is overall why the Part-Time is up. Additionally, they included the 2% on the salaries and raised the Fuel (line item #215-31-422021) because it is unknown what the price of gas is going to be day-to-day. Watters closes stating that is basically it for increases. Robinson asks about the \$70,000 in Other Services & Charges (line item #215-13-439071) compared to the \$8,600 last year and if this is was an additional appropriation previously approved by Council. Watters can't recall but knows it was either the \$75,000 or the \$134,000 that went into Other Services & Chagres for the building repairs. In fact, those started today. The rest of the funds went into Mowers & Vehicles (line item #215-31-444059). That is in appropriations for this year set to be spent. Questions called.

ORDINANCES PREVIOUSLY INTRODUCED CONT'D:

ORD. 33-22 AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE YEAR 2023 (MUNCIE CITY BUDGET).

Councilman Overbey has a question for the Personnel Director, Mikah Wilson and refers to the new EMT's that are hired by the City where it is listed that they are non-union employees. Wilson states they are civilian non-union employees, yes. Overbey acknowledges the Firefighters Union didn't put them in and then asks if the City is contracted with AFSCME that all fulltime employees have to be union. Wilson answers no, there are actually quite a few fulltime City employees that aren't union. Overbey asks if that included exemptions like confidential employees, elected officials and supervisors. Wilson answers yes, some of the confidentiality is probably part of the reason. She would say if they haven't been asked either, that would probably be another reason why a group of employees would be created and not created under the union. She is not sure that they would fit into the AFSCME bucket so if the employee would want to come to the City, they would have to request to be considered. However, Wilson informs that they have not been asked to recognize any union on that. Overbey was just looking if this would affect any budget down the road because he thought the wording said that any fulltime employees would have to be unionized and asks if he missed something there. Wilson informs the

Clerk's Office is stating that they are not unionized and she is aware that Community Development is not in the union either (although at one time they were but then came out). She would have to check with the City Attorneys on that. Overbey asks if it would be alright for them to be non-union employees. Wilson relays, according to the City Attorneys, yes because they were involved in that decision. Craig Wright, City Controller, from his seat in the audience, make some comments that are inaudible. Belinda Munson, City Clerk, states her office and City Court are not union. Wilson adds that Personnel isn't either. Overbey was just wanting to ask the question. Wilson adds she hasn't received any grievances to that regard but would obviously look at that if she did. Overbey understands.


Rick Yencer, former newsman and author, jokingly wants to make it known that he is here since he has gotten three texts about him marching down McGalliard campaigning and that the Council here are all witnesses. As far as the budget, he hopes they keep taxes low and make sure that employees are paid because there has been a lot of talk with schools and government that this low pay that is employed here in this community is costing public and government services because they can't keep help. Hopefully, the Council can keep the Administration accountable because after hearing the Parks budget a couple weeks ago, Yencer goes on to read something about money missing in the Parks fund. Reliable sources have told him that this involves theft which means that might be a federal or state investigation. He tells the Council they need to watch over this Administration to make sure the money is spent, accounted for, and that taxpayers are protected. A quick reminder about what happened last spring (year) when the City bought that super fund site to put a solar farm on and the Council voted it down correctly because it didn't add up. It would have cost the taxpayers not to mention the people involved already being investigated and some of the finance people involved have set up a whole slew of build-to-operate (like City Halls and Jails) throughout the state that the government and the people don't own until the debt is paid off to them. Again, like Dick Amburn used to say, "Liars figure but figures don't lie."

President Robinson, just like last year, has some concerns about this budget because he honestly doesn't believe that it provides enough to live up to local governments most basic responsibilities. They are leaving Department Heads to operate on the absolute bare minimum. In general, the only increases are the contractually obligated 2% raises but that 2% is not even close to the 8% inflation that we're all dealing with. In giving the 2% raise, Robinson would love to be able to see more funds go in here to give the full 8%. The other increases are fuel and the Mayor even admitted it probably won't be enough to cover what's needed. Robinson understands money will be available next year to do additional appropriations with cash on hand and ARP money that is still available but (in his opinion) they need to be budgeting for what is needed ahead of time rather than dealing with it down the road. The last two (2) years budgets have had \$0 appropriated to the General Fund from EDIT (economic development income tax) when the six (6) years prior had an average of nearly \$1.4 million each year. At some point, they have got to get priorities straight. The Animal Shelter is underfunded and there are other areas that could be getting improvement but yet the absolute bare minimum is what gets budgeted. Robinson understands this is his own opinion and perhaps there are philosophical differences at play here but that's where he is at. He feels like if they take care of basic responsibilities that the free market will take care of economic development ambitions. He hopes that in the future they can take care of everyone and use some EDIT funds to provide for larger raises. Possibly staying on trend with the past, \$1.4 million would be able to provide everything that the Animal Shelter needs along with other Departments.

A motion was made by Polk and seconded by Selvey to Adopt. A roll call vote showed 7 yeas and 2 nays (Dishman and Robinson). ADOPTED.

ADJOURNED:

A motion was made by Ingram and seconded by Polk to Adjourn. A vote by acclamation showed 7 yeas and 2 nays (Robinson and Ingram). ADJOURNED.



Jeff Robinson, President of the
Muncie Common Council

Belinda Munson, Muncie City Clerk
of the Muncie Common Council

