

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



DECEMBER 5, 2022

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

PLEDGE OF ALLEGIANCE: Led by Boy Scout Troop #22.

INVOCATION: Moment of Silence.

CITIZEN RECOGNITION: Councilwoman Selvey begins by stating this is a true, warm-hearted Muncie story. Many people have known Michael Martin for decades as a musician and local icon in Muncie. However, what may not be known about him is that he is also an entrepreneur and savvy business man. He has owned and managed multiple music venues, worked as a producer, is a prolific writer and a blogger, posts podcasts and most recently started teaching a community education class at Ball State University on Impact Economics. Over the years, his performing career has grown. Friends and fans have followed him from Indiana to the low county of South Carolina and back again. Mike will tell you it is because he is just a Hoosier “hillbilly at heart” but really, it is his passion and loyalty to our community and his family that brought him back here to stay. Just over eight (8) years ago, Michael and his father invested in what we know to be the Common Market at 8th and Hoyt. Additionally, they have committed time and finances to revitalizing other homes and buildings (Plank Brothers Bike Co, Urban Farm & Recycling Center) in the Avondale Thomas Park neighborhood in hope that people will have a safe and profitable place to live and raise their families. Through perseverance, extreme personal sacrifices and dedication to the philosophy of one brick at a time (to pay as you go and stay debt-free), the fruits of the labor are finally paying off. Over the past year, the Common Market has become a social hub. Educational, civic and philanthropic opportunities are hosted on a regular basis for everyone to participate. Representatives from a variety of medical and vocational training agencies are on-site weekly to provide resources in guidance. Mike and his team at the market also collaborated with other like-minded people and organizations to combat food insecurity and disparities by providing basic necessities to those in need. The year 2023 will bring expanded services so everyone make sure to visit and listen for more exciting announcements that are forthcoming. Selvey then refers to Meredith, known as Jerry Martin, and expresses she would be remiss this evening if she didn't also mention Michael's father. Mr. Martin, or Jerry to his friends, is a devoted father and grandfather as well as a commercial and residential real estate developer and philanthropist. Although technically retired from his career, Jerry's dedication is to the Common Market and continuity of routine. He regularly volunteers Monday through Saturday, which has allowed Michael the flexibility to continue his passion in the music industry. However, what many do not see is the compassionate and giving spirit that Jerry generously gives to those in need of basic daily necessities. The coffees he pays for to warm cold hands, the pizza he prepares to fill a hungry belly or the friendship and camaraderie that come through a simple conversation on the back porch; these are then silent gifts bestowed upon visitors at the Common Market. Jerry models caring for others before catering to self. For that, thank you. Selvey presents both Michael and Jerry their Citizen of the Month Awards. Jerry states they are a medium. People in the community donate to them and they turn around and pass it back on to the community. Although he would like to take the credit for it, it is actually the Muncie community that is really responsible for them to be able to do what they do (in particular, for the

people like his boys in the back of the audience). President Robinson closes by informing Councilman Green will be presenting the Citizen of the Month Award next month.

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	

APPROVAL OF THE MINUTES: A motion was made by Ingram and seconded by Overbey to Approve the Minutes from November 7, 2022. A roll call vote showed 8 yeas, 1 absent (Green). MINUTES APPROVED.

APPOINTMENTS TO BOARD AND COMMISSIONS: A motion was made by Garrett and seconded by Clark to reappoint Ro Selvey to the Muncie Riverfront District Project Review Committee. No further nominations. An all-in-favor vote showed 8 yeas, 1 absent (Green). MOTION CARRIED. Ro Selvey is reappointed to the Muncie Riverfront Project Review Committee.

President Robinson informs they have multiple board appointments to be made in January beginning with one (1) appointment to the Muncie EDIT Building Corp Board, one (1) to the Muncie Industrial Revolving Loan Fund Board, three (3) appointments to the Muncie Land Bank Board and two (2) appointments to the Muncie Redevelopment Commission. As they near that January meeting, serving as a reminder to the Council as well as the audience, be sure to keep the website Go Serve Muncie in mind. www.goservemuncie.com is a place you can go to register your interests in serving on a municipal board. This Council, as well as the Administration, have access to that database and can pick from individuals there to make those board appointments. Anyone with interest in serving on a municipal board should go to www.goservemuncie.com. Most boards within the city, if not all of them, require you to live within the city limits (there are a few exceptions but for most appointments that is a requirement). They always love to appoint new members so please go register if you have an interest.

ORDINANCES PREVIOUSLY INTRODUCED:

ORD. 40-22 AN ORDINANCE OF APPROVAL TO AMEND THE TEXT OF THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE REGARDING MINOR CLARIFICATIONS AND CORRECTIONS.

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

Marta Moody states this is a series of what she refers to as “little edits” to the zoning ordinance to clear up some inconsistencies. For example, one place in the ordinance allowed pole signs to be 60 ft. and in another place for them to be 45 ft. In addition, in the sign section, there was a provision that said if you are on a corner, you could hang two signs per frontage. Some people took that to mean they can have all four signs on one frontage when no, you have to split it up. This just fixes little inconsistencies like that. President Robinson confirms that Dan Gibson, Council Attorney, sent an email out to the council just earlier today as there have been some changes made to this ordinance since introduction and everyone

should have received that update that includes the various amendments to the originally submitted ordinance. At least in one instance all those amendments are really just clerical and just clarifying some things.

A motion was made by Robinson and seconded by Ingram to Amend ord. 40-22 to reflect those changes. A roll call vote showed 8 yeas, 1 absent (Green). AMENDED. A motion was made by Clark and seconded by Polk to Adopt as Amended. Questions called. A roll call vote showed 8 yeas, 1 absent (Green). ADOPTED AS AMENDED.

NEW ORDINANCES:

ORD. 41-22 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-4 RESIDENCE ZONE, THE R-5 RESIDENCE ZONE AND THE BV VARIETY BUSINESS ZONE TO THE R-5 RESIDENCE ZONE, THE CB CENTRAL BUSINESS ZONE, AND THE RC RECREATION & CONSERVATION ZONE ON PREMISES LOCATED AT 620-716 N. WALNUT ST., 648-747 N. MULBERRY ST., 610-721 N. JEFFERSON ST., 601-735 N. ELM ST., THE EAST SIDE OF THE 700-800 BLK OF N. ELM ST., 110-318 E. COLUMBUS AVE., 300-328 E. RACE ST., AND 317 E. MYRTLE AVE., MUNCIE, INDIANA.

A motion was made by Polk and seconded by Ingram to Introduce

Elizabeth Rowray, President of the Muncie Delaware County Economic Development Alliance, is rising in support of this. She explains they see this as a new venture for economic development to clean up an area of our community that has been somewhat of an eyesore in some areas and is really excited about the opportunity for that to be cleaned up to have some new single housing in there. She looks forward to seeing it turned into a bright spot in our community. From an economic development perspective, they are really excited about this and ask for approval. She will entertain any questions she might be able to answer.

Mayor Dan Ridenour informs they have worked with this neighborhood for well over four (4) years and part of that was before he was Mayor. They were asked what they would like and he recalls providing the Council a breakdown of some of the conversations over the years. He states it is viewed as something that is good for our city and fits in well with what they are trying to do to improve the areas in and around Muncie Central High School. It also plays in well with the Muncie Central football stadium that is going to be renovated very shortly and should be finished in time for football season. It also goes in well with the new Muncie YMCA where they are combining the northwest and the downtown location into one new location right on one of these corners. It is actually across the street from many of the zoning changes because it is in Muncie Community Schools property but in that area. For some time they have been working with Marta Moody along with others to figure out what they can do to help that neighborhood. One of the things that came up is looking to take the three or four blocks of the Columbus Avenue section to the Cardinal Greenway and help that be the catalyst, as there's a stoplight at that corner/interception. Therefore, they applied for a READI grant and were successful meaning they now have money set aside to make some of those road improvements. They are rather excited about the opportunities and believe several others in the neighborhood are as well. He indicates they are here in the audience tonight and willing to answer any questions.

President Robinson acknowledges the Council should all have received an email (on Friday) from someone in the neighborhood with several questions in which he himself couldn't answer so is planning to ask those questions. The first question, what is the cost vs potential revenue for this proposed development? Mayor Ridenour responds stating infrastructure is what is being done so they hope that it sparks tax revenue and new properties down the road. He further states they recently had a local builder buy four (4) lots in the neighborhood from the Muncie Redevelopment Commission two meetings ago. Therefore, it has sparked interest but this would be doing infrastructure so there's not going to be a whole lot of tax advantages to doing street work (again, which is primarily what is being done with the funds).

Robinson continues with the second question, what is the estimated public investment or subsidation of the proposed development? Mayor Ridenour explains there is no development that at this point. However, the city will be putting in about \$800,000 or \$900,000 of its funds plus the \$1.5 million (and change) from the READI grant from the state. Robinson refers to the last question this person asked, how soon would action occur from now until buildout? The Mayor explains they obviously have to come back next month for the vote to adopt. They have hired engineers so engineering is in the works but is still 90 days away so activities/construction would probably start in early summer.

Audie Barber confirms that the plan is to demolish all these houses, make it Business Variety there and put in condos or something like that. Robinson refers to the packet that the Council received and verifies (with the Council Secretary) that all the exhibits are posted online. Anyone can go to the City Council page on the City website and find all the exhibits that lay it out as well as explain what the plan is and what the objectives are along with everything else. Just search ordinance 41-22 to find the exhibits because that may help explain it a little better. Barber also refers to the Mayor talking about infrastructure and questions if this is going to go through guaranteed savings (through Bowen) or if this is something that is going to be bid out (as it should be). It needs to be bid out instead of guaranteed savings through Bowen because with the manhole this past summer, that cost the city six times as much to get that manhole replaced and it shouldn't have cost that much. He just wants to make sure that it is bid out the proper way and not going through guaranteed savings because that can cost the taxpayers a hell of a lot more money than what bidding it out would. Robinson expresses he is unable to answer that and asks if the Mayor could come back up and provide any clarification on that question.

Mayor Ridenour believes Mr. Barber is talking about a Sanitary District project with the manhole. However, to qualify for READI it has to be bid out so they cannot just do one company.

Liz Edgell states her concern is the same as Mr. Barber with properties being torn down. All of a sudden, we are getting a new football field and now all of a sudden it matters. She expresses the Mayor can say he has been working with this neighborhood for four (4) years or more but this is the first anybody has heard of any of it. She claims she had to search and find online and then all of a sudden, there is an ordinance filed. That is awful quick and she will be back up here to discuss more about it when they get to 'Other Business.'

Chris Smith is here tonight to speak in support of this ordinance. Since the fall of 2018, he has been the Chairperson for the McKinley Live Learn Neighborhood Project Management Team, which is part of the Next Muncie initiative, and they have been working alongside the neighborhood since that period of time. It has been a committee of work. Bruce Rector is here who is the President of the Neighborhood Association. He has been working alongside the Mayor who is on the Project Management team, as well as Traci Lutton. All of those people have been integral in their meetings. They have had over 50 meetings as a Project Management Team. Smith and other members have attended neighborhood association meetings to discuss how their committee can help the neighborhood improve itself. They have worked with business owners in the neighborhood and are not just coming on the scene now. They have been in this neighborhood since 2018. It is their belief that this rezoning ordinance has many benefits that will help bring new investment into the neighborhood such as facilitate redevelopment of vacant parcels, leveraging the City's READI Grant (which is targeted for improving the Columbus and Walnut intersection), preserve the predominantly single-family use in the inner core of that neighborhood and increase ownership opportunities. Smith also adds that he is not just connected to this neighborhood through his work with the PMT but is also connected to this community. He works at Muncie Central, right across the street from that neighborhood. He has been with Muncie Community Schools for over 20 years since first coming to Muncie to go to Ball State University. He has never left. He recalls meeting his wife here and raising two kids in this community so he can assure he is not just connected as part of the PMT. He is in that area every day and sees firsthand how addressing the vacant properties and bringing quality development to that neighborhood can not only help the community but

specifically the school community. On behalf of the McKinley Live Learn Neighborhood PMT, he thanks the Council for the opportunity speak in favor this ordinance.

Bruce Rector, McKinley Neighborhood Association, is strongly in favor of the rezoning ordinance. He thinks the neighborhood needs this towards the revitalization efforts to have a more meaningful impact on the community, especially in the McKinley Neighborhood that has been neglected for many years. He appreciates the additional support.

Joe and Rachel Robertson express they have lived in the McKinley neighborhood for 18 years. They raised both of their children there, who have since went on to college. They have been a part of the Neighborhood Association for a few years now as well and are here to show their support for the rezoning. They feel the neighborhood (as Mr. Rector said) has been in need and the neighbors are ready. As a Neighborhood Association, they have been working on a grant as well as doing cleanups to help the neighborhood; they have been on the ground doing a lot of the work and think this could be a really good change that can come to their neighborhood. Rachel states she will shamelessly plug if anybody in the neighborhood who doesn't come to meetings wants to come out and help, it is a great way to learn things like this as they have known for several years that there were some changes coming. They have been able to talk about it and be on the ground floor of knowing what is happening and being a part of it. They both share the support.

Bill Lett states he owns Elm Street Brewing and has accumulated other properties in the McKinley District. He is rather fond of the area and explains he had to buy some to tear down for parking and is currently redoing the Hoosier Hearts building right now. He plans to move his brewery there because it is too small now (the brewery at the restaurant stays). He explains they have done a lot of work and spent a lot of money there. He has been there about nine (9) years while the brewery has been there about seven (7). It started out as just his construction company that was there then they accumulated quite a bit of stuff. He references a gentleman named Phil and explains they have a few places (like the church) that they are trying to put some offices in. He believes he can answer a couple questions if anyone had any. Lett continues referring to some houses on Elm Street he owns but actually, he owns properties all over that area. Elm Street, although, became his priority and he has torn down probably ten (10) houses that he paid for but hadn't gotten any money from the government or anything like that. If the zoning passes, he claims the plan is to put apartment buildings or townhouses along Elm Street. None of the houses he has purchased have been homesteaded properties, all of which have been rentals or homes of people that passed away and their family ended up selling them. Again, he doesn't buy anything that was a homesteaded house and it is pretty much blighted property. Everything he owns in those areas that is actually a house is pretty close to blighted. If not, he actually turned them into Airbnb's. He has a two-unit Airbnb on Myrtle and Columbus that is full all the time and recalls just finishing one on Jefferson (he believes 622) which is another two units. And, one other one he plans to do. There are probably seven (7) houses along Elm Street that most likely will get tore down. They either need of a new roof or are having foundation and siding issues. Again, he is willing to answer any questions.

Councilman Clark refers to how Mr. Lett has made some significant investment in the neighborhood and further plans for apartments or townhouses. He questions if he will keep in mind the existing architecture of the neighborhood. Lett answers yes and refers to Phil again talking about that a lot. It is important to them to keep that same scheme. That area is an opportunity zone so they are going to have find investors to go down there because his has all been site development. He has purchased a lot of property down there and claims he can't build all this himself as he is not an internet startup rather just a guy that started a brewery (and he should have thought about that a little longer). Clark thanks him.

Councilman Dishman requests the Mayor step up as he has a question for him. Per conversation on the Metropolitan Planning Commission, he requests the Mayor let the Council and these people in the audience know that he agrees not to take any property in intimate domain. Mayor Dan Ridneour states that is correct. He explains just like with the Canal District, he, personally, was not interested in doing

that. If somebody doesn't want to sell, that is fine. If somebody wants to sell and a price can be negotiated then that is a different story. However no, they are not going to go in and take somebody's house. Dishman confirms. Questions called. An all-in-favor vote showed 8 yeas, 1 absent (Green). INTRODUCED.

ORD. 42-22 AN ORDINANCE AMENDING ORD. 37-22 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 Garrett and seconded by Polk to Introduce.

Craig Wright, City Controller, explains this is just an ordinance that brings the adjustments up to speed that were needed to be made equal in the budget. There was no budget increases and it is just cleaning up the ordinance for the Police Department. Questions called. An all-in-favor vote showed 8 yeas, 1 absent (Green). INTRODUCED.

ORD. 43-22 AN ORDINANCE OF THE CITY OF MUNCIE AMENDING THE TRAFFIC SCHEDULES SET FORTH IN CHAPTER 80 OF THE CITY OF MUNCIE CODE OF ORDINANCES.

A motion was made by Robinson and seconded by Clark to Introduce.

President Robinson explains this is an ordinance he brought forth in working with the Kenmore Neighborhood Association. Kenmore has been very active in exploring ways to make their neighborhood safer. This is a change in the speed limit on University Ave. taking it from 30 mph to 25 mph. Anyone that knows University knows that the speed limit is 20 mph through the Village past the hospital until you reach Tillotson. As soon as you cross Tillotson and into a residential neighborhood, the speed limit increases to 30 mph. It didn't make much sense to anyone in the neighborhood and certainly those that live there on University, as well as Robinson. They had originally wanted to take it to 20 mph in Kenmore Neighborhood along University all the way to where it T's on McKenzie but the only way to lower it 20 mph is through a traffic study. However, the City Engineer has approved the change to 25 mph. They at least feel that is better than nothing and better than going from 20 mph to 30 mph. At least there is still a '2' in the front to make people notice and slow down. There are some members of the Kenmore Neighborhood Association here this evening and he is happy to allow them an opportunity to speak if they would like to. If not then there is absolutely no pressure at all.

Courtney McAuliffe, President of Kenmore Association, states she appreciates the willingness to hear this ordinance. She thanks President Robinson for bringing it forward as well as the great explanation. The only couple of things she would add is that they are a neighborhood that does not have many sidewalks. (Recently, they did get one that they are very thankful for.) However, not only is traffic speeding through the neighborhood but it is doing so in a neighborhood that has very limited non-street walkways. In addition, they not only connect with Westview Elementary but also then when you cross Tillotson, they connect with Burris Academy and Ball State University so there's a lot of traffic cutting to and from. Most of the traffic is becoming more and more walkable traffic so they think now is definitely the time to focus on safety for the neighborhood.

Robinson tells the Council that on University, Kenmore Neighborhood goes to Forest Avenue, beyond Forest (and if you're familiar with the area there are the gates there at the Kitzelman Center) and beyond the gates is the neighborhood Gatewood. Robinson was at a neighborhood meeting last month in Gatewood that was very well attended and received unanimous consent on the speed limit change. He thinks everyone understands that this is something that's going to help, although, maybe not solve every issue but maybe contribute and this might be one of those instances where we can kill bad traffic by a thousand paper cuts. There has been the addition of a couple of stop signs overtime along with some crosswalks and the sidewalk that has been added. He knows the neighborhood would appreciate the support with Kenmore and Gatewood and he would as well. Questions called.

Councilman Polk wishes to make a comment and refers to bringing one forth similar to this last year for Halteman Neighborhood and he would encourage the neighborhood for Kenmore and Gatewood to pressure the department about getting the signs up. He explains they still do not have the actual signage so therefore, the speed limit is by state law (not unless it is posted). So, Halteman is still 30 mph and is the same kind of neighborhood with not a lot of sidewalks while people are racing down Purdue Avenue at 40 mph which is close to the Mitchell Learning Center. Again, Polk would encourage them to keep pressure on getting the signs up. Robinson encourages to keep him updated on it although he does drive through the area pretty regularly and even from Tillotson and University facing west you can see that 30 mph speed limit so he'll keep an eye out as well. He mentions that the change Polk is referring to was made by the Council back March or April. He hopes those signs can get put up in Halteman and positively make a faster faster change in Kenmore and Gatewood. Questions called. An all-in-favor vote showed 8 yeas, 1 absent (Green). INTRODUCED.

ORD. 44-22 AN ORDINANCE AMENDING ORDINANCE 39-22 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 Polk to Introduce.

Sally Jo Vasicko, President of the Beech Grove Board of Trustees, states they are very appreciative of the introduction of this ordinance. In November, the Board unanimously decided they wanted to rehire Troy Watters as Superintendent because of the fine record that he has made since his appointment in July. Many councilmembers have commented on it to members of the Board as well as the Mayor and other councilmembers. Some councilmembers have come out to visit and seen firsthand the meritorious work that he has done with regard to the cemetery. The grounds or are in great shape and the inside is now workable. The chapel is now open and they have held a service and a few meetings there. She along with the rest of the Board support the increase in salary and hope the rest of the Council will as well.

Councilman Clark questions when Troy Watters first came aboard. Vasicko answers July 5th of this year. Clark then asks if this was past the time when they were preparing the 2023 budget. Vasicko answers no and that it is an amendment to the 2023 budget.

President Robinson (knowing she is going to be upset about him saying this) states for all of the great work that Mr. Watters has done, which has been tremendous work, that a lot of the credit goes to the hard work of the Board. The Board has really taken more of an effort than most boards that this Council has seen and they are very proud of the work that the Board has done. Many people might not know this but the Board of Trustees at Beech Grove Cemetery is the only board in the City that the City Council is wholly responsible for. Vasicko mentions the Council has done a good job with the appointments. Robinson thanks her and continues with only one exception on the Board that six of those seven members have been appointed by this Council. They are very proud and very thankful for the work of the Board and of course very thankful for the work of Mr. Watters but he wanted to make sure to make that distinction and to thank her for her services as Board Chair. She has lead the efforts in hiring the new Superintendent this year. Robinson knows how hard she works because he recalls how many times his phone rang and it was her on the other end. She jokingly acknowledges that he still answers.

Craig Wright, City Controller, mentions his phone ringing many times as well and it being Vasicko on the other end, resulting in many conversations. He agrees with her that Watters has done a fantastic job. This is just changing that, as she has already touched on. Wright adds that in January they will be bringing forth a resolution making some adjustments in the appropriations from one line, Other Services & Charges, up to his line and just wanted to let them know ahead of time.

Troy Watters, Superintendent of Beech Grove Cemetery, just wanted to ask for a vote on this. They had talked and when they done the budget (Vasicko) said to make sure to put the money in for this raise and this raise should get him in the range of what he was told he would be paid during his first interview at Beech Grove. He was told that it would be between \$48,000 and \$52,000 but after he started getting paid it was figured he was making \$45,552 which is like a \$6,200 difference from what he was originally told. He tries not to brag and take credit but believes he has showed progress and informs he doesn't plan on quitting or slowing down any. Questions called. An all-in-favor vote showed 8 yeas, 1 absent (Green). INTRODUCED.

RESOLUTIONS:

RES. 25-22 APPROPRIATIONS REDUCTION RESOLUTION (RAINY DAY).

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

Craig Wright, City Controller, explains this is a resolution put forth by the Department of Local Government & Finance (DLGF). He spoke to Ryan Burke prior to putting this together and again today. This is basically for the balancing of the budget going into 2023. There is this resolution (res. 25-22) decreasing the appropriations and also resolution 27-22 with a cumulative capital improvement fund and they are basically doing the same thing (reducing the appropriations going into next year so that it will balance the budget for 2023).

President Robinson has a point of clarification in terms of the structure of the resolution; the ordinance didn't state the reason for the reduction. It states, "it's been shown that certain existing appropriations now have unappropriated balances that will not be needed for the purposes for which appropriated." The rainy day fund is essentially just like a savings account, asking Wright. Wright answers right and that goes over and just balances out for next year so they don't have to reappropriate or add additional appropriations. This was done during the budgeting process and Mr. Burke is who said they needed to do that. It is the same with the upcoming resolution 27-22. He adds they are going strictly by what the DLGF has wanted them to do. Basically, we play by their rules. Questions called. A roll call vote showed 7 yeas, 1 nay (Robinson), 1 absent (Green). ADOPTED.

RES. 26-22 A RESOLUTION FOR TRANSFER OF APPROPRIATIONS (POLICE DEPARTMENT).

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

Chris Deegan, Deputy Police Chief Muncie Police Department, explains this is just a transfer of funds for the end of the year. They had a little bit of money left over in one of the PERF line items so it was decided they wanted to transfer that to Capital Equipment and start tackling some computer problems they currently have. His hope is to get some of those ordered before the end of the year. Some of their mobile devices used in cars and for the Detective Division are still operating on systems from 2013–2014 (anybody that has had computer longer than that knows they do not usually last that long). Kudos to the IT Department for keeping the officers limping along for as long as they have but it is time to get some new ones. Questions called. A roll call vote showed 8 yeas, 1 absent (Green). ADOPTED.

RES. 27-22 APPROPRIATIONS REDUCTIONS RESOLUTION (CUMULATIVE CAPITAL IMPROVEMENTS).

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

Craig Wright, City Controller, expresses he already touched on this one earlier (during discussion of resolution 25-22) and mentions he will be more descriptive in the explanation of the ordinances moving forward. This is another one from the DLGF that they had to reduce going into balance for next year.

Councilman Clark refers to Wright's conversations through DLGF and confirms this can be done through a resolution and that it doesn't have to be an ordinance. Wright confirms and states as long as it is not adding (if it is adding then it would need to be an ordinance). Clark assures a reduction can be in the form of a resolution. Wright answers yes. Clark thanks him. Questions called. A roll call vote showed 8 yeas, 1 absent (Green). ADOPTED.

RES. 28-22 A RESOLUTION FOR TRANSFER OF APPROPRIATIONS (FIRE DEPARTMENT).

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

Craig Wright, City Controller, explains this resolution is just transferring funds from the line item of Holiday Pay down into Other Services & Charges to balance the budget for the remainder of the year. Right now, expenditure is at 14% in the line item for Holiday Pay and almost 99% in Other Services & Charges and is planned to help balance that out for the budget. Questions called. A roll call vote showed 8 yeas, 1 absent (Green). ADOPTED.

RES. 29-22 A RESOLUTION OF THE MUNCIE COMMON COUNCIL AUTHORIZING AND APPROVING THE ENTRY INTO AN INTERLOCAL AGREEMENT FOR OPERATION OF A JOINT COMMUNICATIONS CENTER.

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

Councilman Ingram explains that he and the Mayor worked with the County on this Interlocal Agreement resolution. They were both very happy with it and he hopes for Council support on this.

Dan Gibson, Council Attorney, emailed the councilmembers late in the afternoon today as he received a revised copy of that agreement from the City Attorney, which is slightly different from the version that is attached to the resolution that was filed. He believes the only addition was paragraph five that just clarifies that the money will be run through the Delaware County Auditor's office and then a slight revision to the termination provision to make it clear that it can be terminated at any time upon twelve (12) month written notice by either party. The Mayor has a copy of the most recent version of that so Gibson recommends a motion to amend the resolution and then a motion to adopt as amended. President Robinson confirms the Clerk's office has the most up to date copy of the agreement which the Mayor mentions he will provide it.

A motion was made by Robinson and seconded by Ingram to Amend to include the revised agreement explained by Council Attorney Gibson. A roll call vote showed 8 yeas, 1 absent (Green). AMENDED.

A motion is made by Ingram and seconded by Polk to Adopt as Amended.

Rick Yencer suggests telling taxpayers and customers how much this is going to cost. He claims the County did the same thing this morning, just glazed over the fact that we have to pay about \$2 million a year for this operation. He asks for that to be confirmed. Councilman Ingram explains it is a 5-year agreement. It starts off at \$1 million and then increases \$25,000 per year over the next five (5) years. Yencer confirms the yearly amount would be \$1 million. Ingram clarifies, \$1 million for the initial year and then \$25,000 increased the next four (4). Robinson confirms that is the City's contribution and there are provisions within and one of the amendments made was to clarify a termination clause in the Interlocal agreement where it can be terminated by either party with twelve (12) months written notice.

Councilman Clark was reading it and noticed it states in the financing (Section E) this is something he believes they have talked about over the years is having towns outside of Muncie contribute to this. The line item says "we should work together to have these towns" and it lists "Yorktown, Selma, Albany, Gaston, Daleville, Eaton to utilize the services" but it doesn't specifically say that they are going to participate monetarily. He requests an explanation on that from either Ingram or Mayor Ridenour and wants to know the reasoning behind not getting a commitment from those towns. Councilman Ingram responds that during their negotiations, through the County, it was assured that they were going to go to these towns and get them to put in a portion. He further explains they were unsure about what exactly

that portion will be (or should be) so decided to leave that into the negotiations of it. They were assured from the County that proportions for these cities and towns will be eventually achieved. Clark asks if the portions that are provided by these cities will reduce our commitment level. Ingram explains that basically, the percentages that they will pay will also increase through the life of the agreement as well (like ours). However, that is not a portion that is going to come out of what we (Muncie) will actually pay. Clark thanks him.

Audie Barber knows they are talking about charging these little towns for 911. He believes that to also part of all of our cell phone bills and is usually covered under there. The problem he feels they will run into is when it comes time to charging them to use the Dispatch Center, are they going to start charging to run mutual aid to Muncie. Just the other day we had two or three structure fires and Barber thinks 70% or 80% of the county, volunteer fire departments, were sitting in Muncie Fire Department's fire stations because all the firefighters were out on two or three structure fires at one time. He is just thinking they are going to open themselves up to a can of worms that if you're (Muncie) is going to charge them to use the Dispatch Center (the way it has been ever since it started and even before then) that they may come back requesting money to run mutual aid. Again, that is another whole can of worms opened up that (Barber) doesn't feel the Council really wants to open up with. The amount of money that those little towns could probably provide... Like he said, they are all volunteer fire departments. Additionally, there are a few police officers that are paid (and when he says 'paid' he is talking probably \$20,000 to \$30,000 a year) so it is hardly any money. The township trustees usually run the fire departments and most of the dispatches are for the fire departments. He just feels that it is going to put these little towns in more of a financial distress than what it would be worth to open the can of worms for the mutual aid agreement. Barber continues, he used to be on Liberty Township and can recall some nights having to come in when it was cold out and there's a big structure fire (lord forbid we haven't had any like that in quite a few years). When you got the whole block burning, like down here where the new hotel is, they was on it for a few days and everything was frozen to the ground. The firefighters from these little departments come in and help these guys out in the time of need. He is just asking the Council think about that before opening it up to small towns and charging them for services that they have had for years.

President Robinson refers to Barber mentioning the fees associated on our cell phone bills. That is called a PSAP (Public Safety Answering Point) which is a tax that everyone pays every month on his or her cell phone bill. You probably don't notice it or see it as it is most likely wrapped up in the fees that you pay every month. Those PSAP fees then go to the state for allocations of the funds to the different counties for 911. The County does have the authority to be able to adjust that PSAP and can raise it if that's what the County government decides to do. We, as a City, wouldn't have to contribute so much of our General Fund money (money that goes to services within the City of Muncie). Robinson has long felt like the people of the City of Muncie are getting dinged twice, if not three times, for 911. It is what it is until the County Council starts looking at options to be able to provide more funding for 911, whether it's through a PSAP or other creative ways to be able to pay for 911 then we're just kind of stuck paying what we've got to pay. Robinson relays he is not happy about that but we need 911 service so hopefully within the next five (5) years when it comes time for the next contract (Interlocal Agreement) to be signed then maybe some things will be a little bit different and maybe those tough decisions that need to be made can be made. Questions called. A roll call vote showed 8 yeas, 1 absent (Green). ADOPTED AS AMENDED.

OTHER BUSINESS:

Councilman Polk announces this evening that effective December 31, 2022, he will be resigning his position as District #4 Muncie City Councilman. Last Wednesday, he was elected in a caucus for the Delaware County Treasurer and will be assuming that position come January 1, 2023. He expresses how

much he has enjoyed his fifteen (15) years serving the citizens of District #4 in the City of Muncie as a City Councilman. He wants to wish the Council the best of luck in the future, for those that are remaining. He would also ask the Council to continue to put differences and future political aspirations aside, as they have done over the last three years, for the good of Muncie and our citizens. He believes they have done a fantastic job over the last three years and notes how they did not have many differences as far as voting. They always just worked it out and that is what working for the citizens is and what they are elected to do. He also wishes to give his full encouragement to whomever will occupy the District #4 seat after him to work for the District and the residents of the City of Muncie. The district is full of many great citizens so requests for them, whomever it may be, to please keep their interests at the center of all decisions. Lastly, he wishes to thank his family and friends for all their support over the last fifteen (15) years. Additionally, he wants to thank every Councilmember going back to 2008, unsure of exactly how many that is but knows it is quite a few, that he has served with over the last fifteen (15) years as well as the previous and current Mayor. Finally, he wants to thank the citizens of District #4. It has been his extreme privilege and honor to serve you. Thank you and God bless.

Robinson thanks him and just wants to say there are some different faces up here than there were at their first meeting in January of 2020. The elder statesman of the group consisted of two members that were holdovers from the last Council. One of them was Councilman Dishman and the other was Councilman Polk, who both were early leaders for a lot of the new people. They took the time to show them the ropes, to answer question and to help whenever needed. Robinson assures when you have seven of nine members of council coming in brand new, there is nobody standing at the front door of City Hall waiting for them to show up on their first day – you just have to figure it out. Councilman Dishman did a wonderful job helping and Robinson cannot say enough about the work and the job that Councilman Polk did that first year as Council President. He really helped keep them all together through Covid and has been serving on this Council for such a long time. He thanks him, not just for his service to the citizens of Muncie but also certainly for his service to this Council.

Councilwoman Selvey wanted to thank the Muncie Redevelopment Commission and the Mayor for the beautiful decoration in downtown Muncie. It looks fabulous. Everything looks so fresh and new and it was long overdue. On behalf of the entire Council, she requests thanks to the members.

Rick Yencer brought this to the attention of local government this morning about the use of local labor and union labor on some of these jobs. There has been a gross lack from business and government to use union labor in this community and he thinks some can remember that unions built this country, not people that they just brought in because they didn't have to pay them or give them benefits. He just spoke to some friends at Bricklayers today who had information depicted and he found something he never seen before. He saw children working on a construction site in Muncie! Now what kind of community does that? To allow developers/contractors come in here and use anybody, even children, to get the job done when there is skilled labor in this community. Now that he hears there is more development coming and claims he was not sure just what this McKinley project was about until he heard that little brand called 'opportunity zones.' There are millions in federal tax credits that could be put into these developers, contractors and others. We want some assurances from government that they're going to use local labor, local suppliers and labor unions.

Liz Edgell explains the community she lives in is in disarray. She lives on the eastside which has been a mess since May when she moved in. Since then, she has not been able to get around her neighborhood and they just closed the road this morning for thirty (30) days. She informs she was planning on going to the Board of Works to get a handicapped place made for in front of her home (this Wednesday). It isn't going to matter now because between this project and the sewage being done right

now and the project coming up that there was a public meeting about tonight at the same time as this one. She states she is not going to be able to park where she needs to and she is handicapped. There is a gross negligence being done with many of these neighborhoods that these projects are in. The citizens there cannot get around, cannot park and it is not well lit. Edgell informs she has already fallen once. She works late at night and comes home wanting to park where she should be able to park (in a well-lit spot, not around back in the alley). She refers to Washington Street completion just in time for the Washington Street Festival and she is sure they appreciated that. However, she is in the Kirby District. She has not had her road open since May. She works just down the street right through the split and it is just five (5) block away. She planned it that way but now might have to travel all the way down to Hackley to Martin Luther King to Bunch and around just to go to work five blocks away. She started the summer walking to work but cannot walk there at night because it is not lit up over the bridge. The sidewalks are untravelable. She plans to send an email tomorrow with video and pictures that she took and there are several people that are not represented there. Her neighbors just had a baby and already had a child less than a year old but they don't know where they are going to park. The other public meeting that happened tonight and the upcoming project; she plans on going to her neighborhood meeting and that they are going to be so happy to have her. That will be Thursday but they only meet quarterly so she has been waiting and waiting on this issue. Now, she had planned to go to the Board of Works to obtain a handicapped parking place but needed to have a doctors slip. She already has handicapped plates. That doctor slip costed her money that her insurance did not pay for. Now, she will be going to the BOW for what? Already having to move where she was just parked this morning? It is going to be that way for thirty (30) days. She then mentions the street project that is coming through next spring that will last for three (3) years. They will close the two lanes that are on Maine and Jackson and make one lane a bike lane for all the bikers that come in to town. She reiterates that citizens would like to walk down the sidewalk and park on the street in front of their homes. They pay taxes too and she literally has had to go the opposite direction in which she was traveling since May. And, there is no end in sight. She is not sure who represents the handicapped or some of the people that are actually living in these neighborhoods where all these projects all over town have gone. It has been untravelable in this city for the last year, whether it is potholes or projects or whatnot. There is no more bus service in front of her home either. She claims there are people that wait right there in front of her house everyday where the bus stop is. Now, they have to walk and in wintertime too (what a great time to do it). Fabulous. Merry Christmas.

Jeanetta Presley and her service dog Bernard are here to ask the Council to provide her a building to have another warming center for Muncie. She has done everything and nothing has came about it. She needs something so they can at least get some of these people inside. She states there is a gentleman in Avondale right now that is living in the little garden area in the park in front of the church covered with a tarp under a picnic table because he won't go to the Mission. One night they were able to get him in the sleeping room but he is schizophrenic so that's not going to work for him either. He just needs a place that he can get in. Pastor Neil Kring had actually kept him at the church in the basement for one night and set with him on Thursday night. The church had their evening meal and he came in for that. He was cold and didn't have the proper clothes to be out in. Members of the church provided him with a sleeping bag and tried to send him to the Mission as he had been there before but because of his mental illness it just is not going to work for him. He just needs a place to get in to at night, somewhere to sit and get something warm in his stomach before heading back out. However, he is living under the park picnic table right now. The neighbors there are freaking out about a mentally ill guy right across from their church all covered up in a tarp under a picnic table. She further explains how Pastor Kring took him down to the HUB to get him a shower but had to physically stay with him. He is one of these people that just can't be turned loose and he is needing guidance through all of this. We need to do something to step it up. Avondale has a new pastor that just started Sunday so he doesn't know what he's doing either with all of

this. We need to do something for people like him as well as “Summer” who Presley has had living with her at her home since last year. They just now just now are getting her in for her treatment and this has been a year going where she has had her in placement after placement after placement but never into treatment. Overall, Presley is asking the Council for a building to use for these people at night when it is cold out and for the people that will not go to the Mission that do not trust them. These people trust herself and Pastor Kring. She gets all kinds of phone calls, some at 2:00 or 3:00 in the morning saying “hey, I don't have anywhere to go, do you have any ideas?” or “I’m out of gas at the Walmart parking lot and I have my kid with me. I am not involved in domestic violence or anything, I am just homeless because I can’t afford to pay my rent.” Presley expresses she doesn’t have anything to tell these people and doesn’t have anywhere to take them. President Robinson thanks her for her comments and states if the Council had a building to give her that they would give it to her today. Presley responds if the City has a building to give her that she would appreciate it. Robinson explains through the MRC the City does own properties but the MRC properties is a completely separate entity and authority than the City Council. The Council, as a whole, do not own anything but if they did, he states they would give it to her. She appreciates it. Robinson closes suggesting getting her service dog Bernard a barrel to go around his neck. There is a gentleman by the name of Steve Lovell here in Muncie that makes whiskey barrels for St. Bernards.

Mary Stilts has two things. She refers to November 18th when there was another wreck at Ohio and East Jackson streets. This wreck involved about five (5) cars. She asks to please keep putting pressure on the state to fix this intersection. They did put a second stop sign on each corner (north and southbound) but it isn’t any bigger nor does it have flashers or reflectors. We have to keep pressure on the state. We have got to fix this. You don't see wrecks happening at Main and Ohio because there's a traffic light there. How simple is it to just put the traffic light back up that we had there for many years? The other thing she wants to talk about... the apartments going in at Burlington and Memorial. They are looking great, they really are. However, when you are going south on Burlington you then hit the water treatment plant. If you drive up Burlington and pay attention to what is going on, you’ll notice the sidewalks are crappy and they were crappy when Sutton Elementary School was open. However, there is no sidewalks when you hit the water treatment plant. People are walking to the Village Pantry and the Sunoco Station late at night. You are driving around that curve and they are walking in the street. We need to put pressure on the City to try to get the sidewalks done as soon as we can get the weather to do it because we need sidewalks down there. It is so dangerous and recalls driving down there a lot. When it is dark, there is no lighting on that curve and you can’t see these people walking until you are about on top of them. That is something that needs worked on in that area, especially with the apartments being open soon.

Jason Donati, Stormwater Recycling Educator for the Muncie Sanitary District, just wanted to speak for a couple minutes on an exciting update that he would like to get the word out about. Him and Phil Reagon, the Superintendent of Sanitation, with the support from the MSD Board, an Administrator wrote a grant through the Indiana Department of Environmental Management, the Recycling Market Development Board. They wrote the grant to transform our recycling program here in Muncie. As most know, for 24 years we have used blue bags to capture our recyclables and used the same truck to pick that up in the same toter, take it to the East Central Recycling and go through this extensive sorting process to get those recyclables out. A grant was written to transform that to get rid of the blue bags and actually purchase two new recycling compressed natural gas trucks that would go and pick up toters of your loose recyclables (meaning not in a bag anymore). They were successful in that and received unanimous approval for \$468,798 from IDEM. That will help offset the purchase of a truck and 7,096 gallon toters to roll this program out. Donati explains he is trying to get out into the community and help people with

this change because when you've been doing something for 24 years you're kind of used to it. He believes this program will be a great program for Muncie and will increase our recycling rates, reduce contamination and overall is just going to be a great program for the citizens of Muncie. Their anticipated timeline for this is that they are actively working on it now and are in the planning process. Donati has developed a Recycling Advisory Board made up of nine (9) members that are meeting regularly to discuss the details and the roll out of this program. Right now all they are doing is accepting emails for email updates but hope to start signing people up in February because this is going to be an opt-in program where you actually have to sign up to receive a recycling toter. When you sign up for that recycling toter, you actually go through somewhat of an education process of what actually goes in it and then you can opt-in for push notifications, information and updates related to that. The anticipated roll out of this new program is hopefully going to be April/May 2023 so it is a pretty quick turnaround. Some of it depends on when the trucks get here but they are hoping that the truckers and toters will be here around that time and they can begin. Donati just wanted to make sure the Council was aware of that and to try and let the public know that is happening. Also, he would be willing to come to any neighborhood associations or groups or organizations that would like a presentation about these changes and this program update. He is also going to stay in the back of the auditorium after the meeting with an email sign up list if anyone would like to sign up to be on the e-mail newsletter to receive more information about this.

Audie Barber likes the idea of fixing up neighborhoods and claims the neighborhood across from Muncie Central has been neglected for many years (probably back since the 50's or 60's). He is glad that something is going to start happening there and expresses he just doesn't want to see the City give part of the city away for that project. That is all he is saying. He just wants to make sure everything is bid out and done the proper ways so people can be held accountable. We've got the Justice Center next door here... We (and when he says 'we' he means the City of Muncie taxpayers, the Mayor, the Administration) gave that building to the company that is working on it for \$100 yet turn around and give them \$600,000 to remodel. They've said they have already sold four to seven units at \$225,000 piece. That is roughly \$1.75 million just right off the top of the head. In the negotiations with this company that is doing these projects over here, there was an agreement made between the Mayor and the Contractor that the City of Muncie taxpayers would pay all utilities until January 31, 2023. Barber states he has spoken with several people on this matter including the Board of Works and several councilmembers and nobody knew nothing about this. That is just what was on the surface and what was brought to his attention the other day. \$70,000 to pay utility bills on this building after the City gave them the tax abatement, after the City gave them a building, after the City gave them \$600,000... The City is still paying the utility bills on this place until January 31, 2023. That was all hidden and nobody knew anything about it except for the Mayor and the Controller. Barber recalls talking with the BOW and they didn't know nothing about it. It just keep going on and on and on and on. Is there somewhere in the clause that the Mayor is going to write them a \$250,000 check for Christmas? Who knows? We don't know and that is the problem. We don't know because the contracts are not being put out there the way they're supposed to be to let the councilmembers know what the heck is going on. That is a problem. It is called just giving the money to whomever you want. \$70,000 can go a long way for a heating center for Miss Presley.

Kris Bilbrey wishes to speak a little bit about the \$600,000 point Mr. Barber brought up. Of course, we all already knew about that since it came out in the newspaper so that isn't a big deal. It was, however, a little weird when it first came out because there wasn't much conversation about it. Aware it was brought to the BOW and discussed there, it seemed a little strange to have a company that is doing this. Bilbrey sent an email to the Council as well as the Administration (aware there are some email issues going on right now) and the Mayor responded to his email and told him that it is very much like he

is hoping Bilbrey is investing in an IRA which he appreciates the concern about his financial health. The difference between what Bilbrey does personally and what a business does personally or the Mayor does personally is quite a bit from what City government should do. So while yes, he doesn't particularly have a problem with the \$600,000 or the \$60,000-some that the City is paying in utilities. What he does have a problem with is it is from the Administration that ran on improving accountability, transparency, communication and slowing government down. Now, Bilbrey is unsure what the deal was with that \$600,000 but has not found anybody that knew anything about the utilities being paid. Call it an investment, do whatever. Aware that the meeting is over, Bilbrey expresses he would still like for one of the councilmembers to ask the Mayor (on the record) to present (on the record) the MOUs between the City of Muncie and the Developers on the utilities. He would like for someone from the Council to ask the Mayor to present to the Council (on the record) the Economic Development Agreement. Maybe the Council even has it. Bilbrey has requested it in records requests and whatnot so who knows when he will get it. The point of the matter is, it is not like the Council or the Mayor or Mr. Bilbrey investing. This public has to have oversight even if it is \$20. They can't spend \$20 without somebody knowing what it is going towards. The issue is not the investment. The issue is who knew about this. When? Where? How? Why? Because the Council didn't (and requests the members who did to raise their hands). He has sent messages and talked to a lot of the members and have yet to receive anything back. He claims the Board of Works didn't know about this. He talked to people that was on and off of the MRC and while that individual talked about paying the utilities while the City owned the property in an MRC meeting in September, Bilbrey never heard anyone talking about paying the utilities after. The last thing he wants to say is congratulations to Mr. Polk. He would like the Council and the new person who comes on to fill Polk's spot keep in mind that five (5) people up here will now be appointed by caucus members rather than the public. So, for whatever votes they would take next year, a majority will be voting for someone not elected by the public. They need to be very cautious in the votes made and to do what they see fit. Really, just be adherent to the fact that we (the citizens) didn't pick the majority of the people sitting up there at this point.

Jason Chafin, Muncie Fire Department, formally invites everyone out for the annual Toys for Tots Bowling Tournament this upcoming Saturday at 1:00 PM at Munsee Lanes. It is their biggest fundraiser of the year and recalls already talking to some of the councilmembers about it. Feel free to purchase a lane but if not, come on out and try to win a raffle prize. He just wanted to make sure everybody knew about it. Furthermore, he congratulates Mr. Polk and mentions he has been on the Council his entire MFD career.

Chief Sloan wishes to comment. President Robinson mentions the sign-up sheet that sits at the front of the auditorium for people to write their names if they wish to speak under 'Other Business,' which the Chief did not acknowledge. Robinson jokes he will let him speak because he has a gold badge but will not let Mr. Webb (who as well started approaching the podium) even though he assumes he really wants to. Chief Sloan appreciates it and requests to use the AV system so gets that all set up. He begins by stating there were some pretty disparaging comments made about the Police Department last month that he wasn't here for and would like to address it tonight, if the Council doesn't mind. Robinson states it is a little out of order and they will allow three (3) minutes. Sloan indicates he can't do it in three (3) minutes guaranteed. Robinson assures this is highly unorthodox and he would have preferred to receive word beforehand. Sloan interjects that he just wants to provide a little transparency here. Robinson requests he move briefly and they will allow him five (5) minutes.

Chief Sloan refers to the Baymont Inn being brought up by people here last month and he just wanted to be able to answer a few questions about this. If he is only allowed five (5) minutes, he is going to have to move really fast. He reads a brief overview of the Baymont active shooter incident, "On

8/11/22 at approximately 10:44 a.m. a call was received at Delaware County dispatch that there was a possible active shooter at the Baymont Inn located at 3400 North Chadam Lane in Muncie. The Baymont is an exceptionally large structure with approximately 101 bedrooms plus offices, bathrooms, a poolroom, laundry facility and maintenance areas. Numerous agencies responded to the area and tried to ascertain exactly what was going on. Officers were informed that employees in the hotel were barricaded, a subject was in the Army clothing, shots were fired across the street (specifically eight (8) rounds were fired) and the suspect potentially had an AR-15 and the suspect came into the hotel.” Chief Sloan moves on to the timeline and (speeding it up for time) shows just how fast this all really happens. These are actual times taken from the CAD and imported directly and it can be seen that there’s a lot of stuff happening in a short amount of time. There are now seven (7) BSU units on the scene in addition to SWAT Commander Pease. He gets to a breach point where the suspect is likely to be (if one had existed). He asked, “What’s the latest info we have?” The response from these officers is, “we’re clearing the second floor looking for the subject wearing camouflage and supposed to have a long gun.” They said they got five (5) officers on the second floor and then Officer Pease breaches the door. The next slide of Sloan’s presentation is Pease’s resume. He was hired in 1999 and is a Certified Firearms Instructor and Certified Defensive Tactics Instructor. He has attended numerous schools including SWAT and SWAT Commander School and was on the team for 13 years, a decade of that he was the point man. He is the Lead Tactical Instructor for MPD and is the Commander for the Muncie Police SWAT Team since 2020. In the order of investigation at the time, these are the questions that the Chief had. (He mentions, again, he is moving very quickly through this.) He wanted to know if this was an AD (accidental discharge) or ND (negligence discharge). Was this against policy? Is this a vetted process? Is it safe? Did anybody say that nobody was in danger? Should a warning have been given and is this only the last resort? There were fifteen (15) questions that Chief Sloan wanted an answer to, in addition to what the investigators were going to look at. The next slide refers to things they have learned about taking down large structures in this advanced training. One, you definitely have to have a perimeter to keep people from coming and going. Two, you have to control the elevators. No question. Three, you specifically have got to control the stairways. He can express the seriousness of it because he has been shot in his rear end several times in training because people get up behind you when one force is larger and a person is running around with a gun, they will get behind you. It is mandatory to control these stairways. Four, search teams have to take away space and begin to squeeze down the suspect. This is their priority of life scale, innocent civilians as primary, first responders, actors and suspects and finally property and evidence. Police 1 is the training resource for police officers and policing agencies. He assures they do a lot of training with them and they said, “when firing through glass to gain entry into a building, we recommend firing at about a 45° off angle from your target and a 45° angle down, directing your projectile into the concrete to minimize any hazards to both yourself or anyone else down range.” They also said, “It’s not unusual for police officers to face a threat behind glass. In desperate situations where numbers of innocents are being killed in an active shooter event, glass doors or windows are about the easiest point of ingress. Desperate incidents can justify desperate means to gain access and save lives.” In regard to the actual event, Chief Sloan will play the video and notes that other than Sloan’s staff, nobody else has seen this. Remember, 45° offset, 45° down into the concrete. Talking everyone through the video, Sloan references the officer holding his weapon at the 45° offset and 45° down and ultimately breaking the window. It is not an accident. The remaining part of the video shows Officer Pease calling it in and making his entry. The questions that were answered here: was this an accidental or negative discharge? No, it was not. Was this against policy? No. Does the evidence match the submitted supplement (which they will get to in just a second)? Yes it does. Does Commander Pease need to be inside? He does. Does he have entry tools available? In his car, that is 60 or 70 yards away. Is a process that's vetted and safe? Yeah. Did the round skip down the hallway? No, it didn't. Did anybody say that it was safe? No, as far as the scene nobody said there was no shooter. Was this reasonable? Given the information, yeah. The only fault

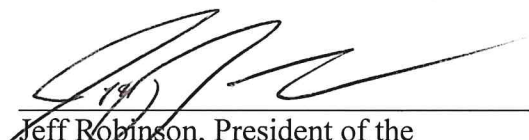
Chief Sloan finds is should a warning have been given on the radio? Yeah. They will own that as there is a lot going on. Is this the last resort? In most situations. Here is the problem... the news, instead of waiting for the investigation, decided to report on whatever they wanted to so the report referenced the wrong door. A photo from their website shows a door at the Baymont but is not the same door we just observed Officer Pease breaching in the video. They also insinuated that there were bullet holes that could be seen, which there were not. Sloan then shows a photo of the correct door which is a mirror image of the one they reported but the media didn't want to wait and did whatever they wanted. They also insinuated that MPD didn't do any paperwork. Not only did Pease do the paperwork he was asked to do but he had it done before Sloan physically returned back to the office. Knowing that from the timestamp and providing the front page and supplement from his presentation. In closing, Sloan wishes to express what we've learned from this. Investigations take time. Police have been breaching doors with explosives and firearms for decades. They have seen a 98.6% increase recently in active shooter situations. These incidents are over in two to five minutes, usually. 75% of active shooter victims are shot in the first 90 seconds. Seconds matter. They are sworn to protect everybody. He doesn't care where you're from, what color you are, what language you speak, it doesn't matter. Muncie Police is training differently, trying to get this stuff shut down as quickly as possible to save lives. They have proven that controlling stairwells and elevators is critical to stopping aggressions and they are not going to stand by while somebody decides to try to take lives. An interesting fact from NPR shows that this year 601 mass shootings occurred in this country. Just four (4) people killed or injured by gunfire is what defines a mass shooting. Things to consider include asking themselves if they have learned anything from these. What would be the perception of this infantry method had somebody been inside with a rifle? Probably a ticker tape parade, right? Do you want your policing agency to wait? Potentially costing lives? What wouldn't you do to protect your loved ones? That is it and Chief Sloan concludes stating he probably wouldn't even be up here if people would just call him or stop by his office or send him an email. He would be happy to answer questions.

President Robinson makes a point of clarification and asks if he is addressing the Council or any of them specifically because it feels as if he is talking to them. Chief Sloan answers no, he just wants them to know how serious the department takes this and he just wants people to feel like they can come talk to them about this. All you have to do is ask questions. They are here to answer them, if he can, and if not he will tell you when he can. However, people bit on to a story that this particular news agency wrote and all that needed to be done was for those questions to be asked (and he means the public, not the Council).

Councilwoman Selvey expresses that she did not see it that way (as if he was addressing them) but informs how insightful this was for her. Sloan wishes he had time to present his full presentation and slideshow. Selvey states they have to remind themselves that things happen quickly. Most of the time she is a very impatient person and wants answers right away. She has now learned to take her time, take a breather and let the experts do the investigation. She thanks him for being here. Sloan appreciates the time and is aware it is unusual. He apologizes for being busy and not getting a chance to sign up.

ADJOURNED:

A motion was made by Ingram and seconded by Overbey to Adjourn. A vote by acclamation showed 8 yeas, 1 absent (Green). Polk Adjourns his final meeting. ADJOURNED.



Jeff Robinson, President of the
Muncie Common Council



Belinda Munson, Muncie City Clerk
of the Muncie Common Council