

**BOARD OF PUBLIC WORKS AND SAFETY
MUNCIE, INDIANA**

1. Time & Place
2. Pledge of Allegiance
3. Members Present
4. Board Comments
5. Approval of the Minutes for July 26, 2023
6. Register of Claims
7. Muncie Police Chief Nate Sloan and Deputy Police Chief Chris Deegan Comments
8. Noise Exemption Authorization, Ball State University Late Nite Welcome Week Event (8/19/23)
9. Noise Exemption Authorization, Ball State University Student Center Programs Open Mic Night (8/24/23)
10. Noise Exemption Authorization, Ball State University Student Center Programs Welcome Week "Back to School Bash" (8/25/23)
11. Public Comments – Audie Barber
12. Adjournment

**BOARD OF PUBLIC WORKS AND SAFETY
CITY OF MUNCIE, STATE OF INDIANA
AUGUST 2, 2023 MINUTES**

1. **Board of Public Works and Safety, City of Muncie, State of Indiana, met in City Hall Auditorium, at 9:00 A.M.**
2. **Pledge of Allegiance**
3. **Roll Call Members Present:** Ted Baker – Lola Mauer – Linda Gregory
4. **Board Comments:** On behalf of the entire Board, President Ted Baker expresses condolences and care for the victims, family and community that has been embraced by the Willard Street shooting this past weekend. They thank first responders, Muncie Police Department, Delaware County Sheriffs Department and everybody that has been involved in this as it was an outstanding response to a terrible situation. In light of what happened, the Board is going to take time to review any and all procedures as far as noise exemption and street closure applications working with City Council and the Muncie Police Department to make sure basis are covered and to ensure that anything that can be done to improve the situation they will do.
5. **Approval of the Minutes for July 26, 2023:** President Baker entertained a motion to approve. Lola Mauer moved to approve minutes from the July 26, 2023 meeting as printed. Linda Gregory provided a second. Questions called. Motion passed by voice vote.
6. **Register of Claims:** Craig Wright, City Controller, wished to bring attention to a few claims:
 - ✓ Page 11 \$11,000 US Architects ARP Muncie Crisis Center.
 - ✓ Page 18 \$33,807.40 Humana Insurance Fire pension Medicare ins supplement.
 - ✓ Page 18 \$31,944.00 Humana Insurance Police pension Medicare ins supplement.
 - ✓ EFTS \$15,677.56 Star Bank police vehicles.
 - ✓ EFTS \$129,739.89 UMR.
 - ✓ EFTS \$109,377.48 UMR.

President Baker asked for questions or comments. Linda Gregory had a question regarding a Community Development claim under Board of Works for Medicare supplement. Around two weeks ago, she had asked why CD charges are coming out of City and not the federal funding they receive in their department however did not receive an answer. She then refers to Page 10 overpayment for ambulance runs and wondered if customers are paying too much or if it is a billing situation and if anything can be done to prevent having to come back and write checks back. Craig Wright states that is through the carrier, MedBill, and it could be various reasons such as overpayment or insurance payments, just depends on the circumstance. With all the billings they have, they may get one or two a month back, if that. They do contact either the insurance carrier or the individual and set them up as vendors to get their reimbursements back to them. Gregory just wanted to prevent extra work and wondered if there was some kind of problem. Wright assures her he will get those answers. President Baker entertained a motion.

**BOARD OF PUBLIC WORKS AND SAFETY
MUNCIE, INDIANA**

Linda Gregory made a motion to approve register of claims **290 Records** for a total amount of **\$490,996.75** as presented. Lola Mauer provided the second. Questions called.

Audie Barber states the Board asks these questions about the claims and Mr. Wright always says he will get back with them on the answer. He questions if there is any way those answers can be made public because the community would like to hear the answers to the questions the Board is asking. He suggests using the next meeting to answer questions that were asked at the week before so it is on public record. Motion passed by voice vote.

7. **Muncie Police Chief Nate Sloan and Deputy Police Chief Chris Deegan Comments:** Chief Sloan advises they appreciate the Board taking an extra look at how noise exceptions, especially for block parties, are proposed given the recent events. He would like to potentially suggest more controls that they see in other processes such as an insurance requirement, specific security requirement based on (perceived) attendance, no multi-day permits, as it is problematic for the police force, and maybe a multi-signature process in that the right hand knows what the left hand is doing. A new MPD form has been adopted that gives the public a way to formally request additional police services whether that be blocking intersections for whatever is going on or providing security (if they are able to do so at the time depending on staffing). The new form is on their website and he would like it to be added to the Board of Public Works & Safety page as well. Next, Chief Sloan has some photos from this weekend to show. Aware there was some opposition about the noise exemption getting signed for this particular event, what was presented to the Board was not what happened. Pictures show an aerial view of an event that was approved for just 75 people. In looking at just how many people were there, there was no way for services to get through there if something were to happen, which it did. Police had trouble getting through and even getting to the front door of the party to get with the owner and potentially shut it all down. This party was completely out of control, at no fault of the Board. The application was signed for 75 people and that is clearly not what the intention was or at least what the outcome was. President Baker thanks him and comments that in the end, they can approve what they approve but it still comes down to enforcement. Chief Sloan agrees and it is potentially what takes place. Intentional or not, that is what transpired and it did not happen within a few seconds, it happened over the course of the night. He was told by the host that it started at 7:00 PM and grew and before long it was out of control.

Deputy Police Chief Chris Deegan recalls previously addressing noise exemptions and how problematic they become for MPD in certain instances. Obviously, that came full tilt last weekend. The Muncie Police Department is staffed at about 13-14 uniformed officers assigned per shift (give or take) and three (3) supervisors. The staffing calls for them to have at least ten (10) people on with at least one (1) supervisor. That is eleven (11) people. They say Muncie is a "small town feel" but actually is a big city and eleven (11) people for law enforcement services strap them on a busy weekend. They are responsible for the city in its entirety, including campus and the Ball State area even though the school has their own department. An event like this is significantly overtaxing to the personnel. He cannot express enough gratitude to the agencies that came to assist because without them, he truly does not know what would have happened. People need to understand that MPD doesn't have 100 police officers working every night so hats off to the officers that responded, first responders, Muncie Fire EMS, etc. doing the best they could with a poor situation. Prayers and thoughts go out to the families as well. Those are just some things he wanted to draw attention to and ask for consideration, to really look hard at what is being done for exemption purposes for parties and such. President Baker assures they will in the days to come.

8. **Noise Exemption Authorization, Ball State University Late Nite Welcome Week Event (8/19/23):** Travis Peters, Associate Director of the Ball State Student Center, explains there are three (3) events they are requesting noise exemptions for at the beginning of the school year. First, the August 19th event is housed in the Student Center and is the first Late Nite of the year, which is an alcohol alternative program hosted on campus between six and ten times a semester. They anticipate about 1,500 students attending this and most of them are going to be inside the building while couple of activities will be outside such as the DJ and a rock wall. The time will be from 8:00 PM to midnight. All three events will have Ball State University Police present and be pertained to a particular location. Linda Gregory moved to approve the noise

**BOARD OF PUBLIC WORKS AND SAFETY
MUNCIE, INDIANA**

exemption from Ball State. Lola Mauer provided the second. Questions called. Motion passed by voice vote.

9. **Noise Exemption Authorization, Ball State University Student Center Programs Open Mic Night (8/24/23):** Travis Peters explains the August 24th event will be much smaller than the previous and will be held at the Arts & Journalism Atrium patio for an Open Mic Night lasting from 9:00 PM to 11:00 PM. Usually, there are no more than 50 or so students that attend. All three events will have Ball State University Police present and be pertained to a particular location. Linda Gregory asks if they anticipate alcohol at any of these events. Mr. Peters responds no, they are an alcohol alternative program. Linda Gregory moved to approve the noise exemption from Ball State. Lola Mauer provided the second. Questions called. Motion passed by voice vote.

10. **Noise Exemption Authorization, Ball State University Student Center Programs Welcome Week "Back to School Bash" (8/25/23):** Travis Peters goes on to explain the third event being on August 25th will be on the University Green with about 800 students attending from 6:00 PM to 9:00 PM with a movie showing afterwards on the Ball Communications building lawn. There probably won't be much more than a couple hundred attending the movie. All three events will have Ball State University Police present and be pertained to a particular location. Linda Gregory moved to approve the noise exemption from Ball State. Lola Mauer provided the second. Questions called. Motion passed by voice vote.


11. **Public Comments:** Audie Barber refers to the Willard/Hackley ordeal and recalls being partners with his father on businesses in the past and always needed to have a business license, have the fire department come in for an inspection, a required occupancy permit and up to code restrooms before they could ever open the business. He suggests an opportunity for the Board to make sure all this is in place before granting noise exemptions and maybe that would slow down some of the nonsense.
 Linda Gregory responds that many of the requests they get are either through Ball State or individuals at their residence where they are wanting a block closed and things like that. She understand his recommendation but it doesn't always apply.
 Mr. Barber understand that but claims this business for the past three or four months has been getting noise exemptions once or twice a month. There have been issues there ever since the man purchased the property. He called the Board back in April/May informing them there was a shooting at the same location. Linda Gregory informs his point is well taken and is something they will consider. Mr. Barber continues that the MPD had an issue (in May) where it took a few hours to get everybody configured to go in on the same party. He hopes that surely the Board will probably not issue any more noise exemptions for this location. They still need to do their due diligence. Lastly, he recalls bringing to their attention about three or four years ago that under I.C. 36-1-12-3 any projects under \$250,000 can be awarded in house but the law clearly states they must have a group of employees on the staff capable of doing the work. Not saying the City employees do not know what they are doing but this is over their scope and comments have been made about this particular project being the first one they have ever completed. According to the law, the staff has to be capable of doing the work and these employees are not capable of doing these jobs. If you drive down Madison Ave. to the job site they completed there, Mr. Barber claims it is a horrible road. They put it together wrong and it goes up and down when you drive it and Wheeling is not much better with various high spots. They have only been trained on this so-called paving machine for a few days and they are running the screw either too high or too low resulting in dips in the asphalt. He suggests to bid these jobs out. That was 600 tons of asphalt, which is a lot of money that taxpayers are paying. Before long, repairs will need to be made. It is not a professional job. If the staff was trained properly and had been doing this for a while, he would not have a problem with it. But, we are wasting a lot of money doing this.

12. **Adjournment:** There being no further business President Baker adjourned meeting at 9:21 a.m.

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We will meet next Wednesday, August 9th, 2023

Board of Public Works and Safety



Ted Baker, President



Lola Mauer, Vice-President



Linda Gregory, Secretary



Lacey Jones, Recording Secretary