

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

1. Time & Place
2. Pledge of Allegiance
3. Members Present
4. Approval of the Minutes for November 22, 2023
5. Register of Claims
6. Recommendation for award of bid for Muncie Crisis Center
7. Public Comments – Kristopher Bilbrey
8. Adjournment

**BOARD OF PUBLIC WORKS AND SAFETY
CITY OF MUNCIE, STATE OF INDIANA
NOVEMBER 29, 2023
CLAIMS PACKET & MEETING 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/ABSENT – Linda Gregory
4. **Approval of the Minutes for November 22, 2023:** President Ted Baker entertained a motion to approve. Linda Gregory moved to approve minutes from the November 22, 2023 meeting as printed. Ted Baker provided a second. Questions called. Motion passed by voice vote.
5. **Register of Claims:** Craig Wright, City Controller, wished to bring attention to a few claims:
 - ✓ Page 3 \$10,120 Fields Outdoor Adventures Police ammunition.
 - ✓ Page 7 \$19,600 Southeastern Equipment MVH street dept. milling machine.
 - ✓ Page 8 \$15,186.04 Best Way Disposal CDBG demo dumpsters.
 - ✓ EFTS \$112,723.79 UMR
 - ✓ EFTS \$111,636.06 UMR
 - ✓ EFTS \$249362.39 UMR

President Baker asked for questions or comments. Linda Gregory stated it was a short list this week consisting mostly of utilities. President Baker adds it is normal standard city expenditures. President Baker entertained a motion. Linda Gregory made a motion to approve register of claims **105 Records** for a total amount of **\$578,515.53** as presented. Ted Baker provided the second. Questions called. Motion passed by voice vote.

6. **Recommendation of award of bid for Muncie Crisis Center:** Adam Leach, City Engineer, recalled last week the bids were opened and read aloud for the Muncie Crisis Center. He and the architect for the project went through the bids and compiled a bid tab for everyone. The lowest responsive bid was Frederick's, who are also qualified. Their base bid was \$625,330, alternative #1 was for \$42,122 and alternative #2 was for \$21,500. Alternative #1 was stone cladding around the outside of the building purely an aesthetic choice. Alternative #2 is a standing seam metal roof which is a direct upgrade over shingles lasting longer at lower maintenance. The flooring unit price is fluctuating based on how much is actually needed for leveling the floor. The flooring unit price was \$5.25 per square foot. It is assumed that after further discussion with the Mayor they will award both alternatives. The total contract award would be \$688,952. Both Leach and the architect, Keith Gary, would recommend the bid be awarded to Fredericks and assuming action is taken to award the bid then they will gather up the performance bond and be back in front of the Board with a contract. No voting action will be needed, it is just to have all the paperwork in line.

President Baker asks where the funds for this are coming from. Leach believes it is ARP funds dedicated to mental health and homeless prevention but don't quote him directly on that. Craig Wright, City Controller, states from his seat in the audience that it is funds for mental health and substance abuse. President Baker confirms this is a joint venture and that IU Health Ball Hospital is involved in. Leach explains that the City, essentially, will be preparing the building and working with IU Health to make sure it meets their general specification and standards. IU Health will be the operator for the building and provide all the services; this is just

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giving them a good place to perform those services out of. Questions called. Linda Gregory moved to approve the bid award to Fredericks Construction for the Muncie Crisis Center. Ted Baker provided the second. Motion passed by voice vote.

- 7. Public Comments:** Kristopher Bilbrey wondered if any of the other nearly \$300,000 of expenditures to the Crisis Center has been looked into, such as the nearly \$40,000 paid to True Builders for a building that is now going to be torn down. President Baker answers he personally has been out of the office since last Wednesday and has not had time to look into it. He recalls mentioning last week that he thought Bilbrey was asking fair questions and advises he is going to get further information. Bilbrey understands with the holidays and everything but does not agree that the City has been paying for water and electric for that building and thinks it is a wasteful expense. He is specifically asking about the money that has been paid to U.S. Architects and True Builders for several different claims over the past several months. Even a few meetings ago, Linda Gregory asked why chunks of money are being paid to IU Health right now. The BOW and City Administration might know what this service is to the City over the last eleven months but the public does not. The second point he would like to make is that there are some things he has been looking in to over the last few months and has been instructed by the Communications Director to look at the minutes or meetings. The minutes are what is official. When going back through the minutes, there have been topics that are listed and in going back comparing that to the meeting, there are things that have been listed in the official minutes that are not happening at the meeting. That is a concern because next week when the BOW comes in and approves the minutes for this meeting, they are approving the fact something was discussed on the record that is not being discussed. That is a problem. He knows there is an email that goes out considered public record but the issue with that is if the Controller feels like the claim is important enough to be listed in an email then it should be discussed at the meeting. The Board owes it to the public to look into those claims a little but more. Bilbrey refers to when Gregory was on the Council being excellent at getting to the bottom of things. When the Board asks questions and just is told, "I'll get back to you," the public is always left wondering. He is afraid they are, and have been for the past eleven months, committing an open door violation.

President Baker wishes to respond making note this is not a debate. All three of them on the Board take this very seriously. He spends a considerable amount of time going through the information. What is seen in the minutes is what was provided to the Board and then put in the minutes. It does not mean that everything has been discussed. It is what is entered into the public record and is a great service to the community. Again, although it might not have been discussed, it is part of the public record due to being part of the claims submitted. In his mind, that is a better way and a better public record because they cannot sit here and go through every single claim listed.

Bilbrey appreciates the answer and understands the response but just so he is aware there are laws that govern the minutes and what happens in the meetings. The Indiana Public Access Handbook is something they might want to look into. We have to be very cautious. When they say they take great effort and know what is going on, that doesn't mean the people watching and reading know. If they were to go back and look at the comments on meetings it is the same people time after time asking "was this ever followed up on?" and "what happened here?" The public is asking these questions.

President Baker states it is time to wrap up (as his 3-minutes has elapsed). Bilbrey argues alleges Baker is nervous. Baker advises he isn't nervous but if someone has a comment or question then they should come to the meetings. Bilbrey responds no, these meetings are scheduled for 9:00 AM and many people are currently working. Bilbrey tells Baker to calm down and that it is his job to meet the public where the public are. After hearing snickering, Bilbrey asks if this is funny. Baker states no then informs how he is not on social media so does not see those comments. Bilbrey claims that is Baker's fault and then asks for the police. Baker requests they continue this conversation later and he will get him answers to the questions he has asked. Bilbrey, again, asks what the hurry is and what were to happen if this meeting needed to take an hour? Baker comments that some of them do have jobs to get too. Bilbrey responds then they need to give up their job here for someone that can fulfill it. Baker states this conversation is over. Bilbrey claims it is not. Linda Gregory adds in this place and time it is.

Mikah Wilson, Personnel Director as well as the Public Access Counselor for the City of Muncie, states she answers all of Mr. Bilbrey's concerns. Bilbrey questions her position as Public Access Counselor for the City. Wilson continues, advising Bilbrey is more than welcome to submit any kind of Freedom of Information Request and the City will always respond.

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8. **Adjournment:** There being no further business President Baker adjourned meeting at 9:17 a.m.

We will meet next Wednesday, December 6, 2023

Board of Public Works and Safety



Ted Baker, President

Lola Mauer, Vice-President



Linda Gregory, Secretary



Lacey Jones, Recording Secretary