

REGULAR MEETING – MARION COMMON COUNCIL – JULY 16, 2019 – 7:00 P.M., CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 16th day of July, 2019 at the hour of 7:00 p.m. in the Council Chambers, City Hall.

On the call of the roll the following members were shown to be absent or present as follows:

Present: Henderson, Brunner, Smith, Batchelor, Cain, Homer, Luzadder and Miller.

Absent: Johnson.

The minutes of the previous regular meeting of July 2, 2019 were presented. On a motion by Councilman Jim Brunner, 2nd by Councilman Henry Smith, the minutes were approved as presented by a unanimous vote.

COMMITTEE REPORTS: Councilman Brad Luzadder reported that the Code Enforcement/Ordinance Committee met this evening in the 2nd Floor Conference Room. Chairman Homer and Vice-President Cain were the committee members that were present, there was also a group of 15 that attended that as well, for design guidelines for the Marion Historical Review for the Marion Downtown Commercial Historic District, looking at guidelines for streetscapes, looking at the impact to the downtown. They're currently working on a grant that would be looking at October, somewhere around \$600,000. They have to do public hearings to take place, as well as meeting with downtown business owners. Also have to meet as a requirement for at least once a month. They had a consultant, Paul Hyden (sp?) was there this evening from Indiana Landmarks and he went through some historical documentation for the committee to increase the historical district as well as looking at having a Historical Preservation Board consisting of between three and five. The board would then review the COA's, or the Certificate of Appropriateness. This was put into place around 1994. Also, they're looking for the historical markers in which to be placed which also leads into federal tax monies at a level of 20% available for restoration of commercial buildings. They ask that it be spent within a five year period. Also, the plan has been reviewed and meetings held with the Economic Growth Council. With no objections, they are moving forward. There has been no word from the City Planner. They're going to be looking at reaching out to him as he's been given the information, but again, no information has been brought forth. It would then come to have a legal, put together either an amendment or a draft for an ordinance or an addendum to the 2030 Plan that was put in by Ms. Dunston. They (Council) would have to go ahead and make changes to that, either as an amendment or an ordinance and then that would have to go forward before they could go ahead and apply for the grant, Luzadder said.

Council President Alan Miller asked, any other committee reports, announcements? Councilwoman Deb Cain said she does. The Neighborhood Preservation Ordinance. After contacting Doug Boyle with Homeland Security in Indianapolis, who is the Director of the Fire and Safety Commission, each month and, at times, every week for the last four months, today she called him four times where it went directly to voicemail and then received the notification that his voice box was full and he could not receive her message. So she kept calling him every hour, hoping that he would eventually pick it up. She also, after the first call to him, sent an email indicating that he had given her many promises and many dates of when he would get that revision back to us. He had not followed through with that and so she kindly and respectfully told him that the city may take steps forward to reach that resolution and that she was asking for a face to face with his legal department with the legal representative of ours. After the fifth phone call and still not receiving an answer, she called the Legal Department of Homeland Security, was able to get a hold of Mr. Justin Goodell (sp?) and he immediately responded that he had pulled up her email and he had actually pulled up the Neighborhood Preservation Ordinance, looking at it, and he promised that he would get it to her today by end of the day and she said well, respectfully, she hopes he understands she's not being sarcastic but she's had that promised too many times and she really does hope she sees that in her email box. She received a redlined Neighborhood Preservation Ordinance at 4:45 p.m. tonight. So they will, the Code Enforcement Committee will look through that with Mr. Stephenson. She's going to also talk with Justin again at Homeland Security to see do we have to send it back to them after we do whatever we need to with it, according to their suggestions, or can we bring it directly to City Council to get passed through, as they did unanimously, what was it, almost a year ago, sadly. So, they finally are making headway on that, Cain said. Then also, she spoke with everyone by phone or in the last Council meeting, regarding budget reviews to be held with the Finance and Budget Committee and received great reception to that idea so she took the initiative and set

up budget review meetings with the directors of each office within the city administration. Those meetings have been set and they are all prepared to bring their budget to them at that time. Those meetings are the 31st of July, 1st, 7th and 8th of August at 4:30 p.m. in the 2nd Floor Conference Room with the Finance and Budget Committee, which is President Miller as Chairman, herself as a committee member along with Mr. Smith. So, and Mrs. Goodman (Deputy Clerk) was excellent help to her. She worked hard on all her (Cain) urgent emails and requests and has sent to their email box and they will also be mailed a letter that states the meetings will begin at 4:30 p.m. in the 2nd Floor Conference Room (inaudible) proposed budgets with the director of each office as listed in the order of listing of the meeting dates. Each department head are requested to be there at 4:30 p.m. as some Q & A will go quicker than others and no one is waiting on a department to have their presentation. This is to begin discussion by allowing the City Council members to see the offices' intended budget requests and have open discussion with any line-item within their budget in preparation for the official budget hearings which will be officially presented to City Council late September, early October. All City Council members are requested to be in attendance with the committee members, Chairman Alan Miller, Deb Cain and Henry Smith. This is their opportunity to discuss any questions they have or might want to inquire about regarding each office's budget. This allows them time to have these longer discussions if needed, allows each director to then review their budget per discussion and allows the Administration to make any changes per discussions before the budget hearing and passing of the 2020 Budget. The committee's desire to make the budget hearing run more smoothly along with giving the city administration time to update and change the budgets before they are at the deadline and they have lost that opportunity. So, if they desire to have questions and answers, understand more in depth the office's budgets and have input, please prioritize attendance. And then just a reminder, these are open to the public but these are committee meetings so just a kind reminder, they are not a public hearing and they are not a public debate. But anyone in the public can get a hold of a City Council member to have any questions asked and find their answers. She also has copies of this, just in case they want to pick it up tonight, or they can wait until it comes in the mail, Cain told the Council. And thank you, Mrs. Goodman, for all her help. She appreciates everything she did, Cain stated. Council President Miller thanked Mrs. Cain for her hard work on the Neighborhood Preservation Ordinance. Has the thought ever occurred to her that the email box is shut down because it's all her emails? Maybe take her and Mr. Stephenson down and chain themselves to the door or something at the Homeland Security office, maybe get on television. Thanks for all her hard work. He knows that's just been ultra super frustrating for all of them that a bureaucrat has sat on something for nearly a year.

Council President Alan Miller told the Council, before they get to the items on the agenda, they have a couple of other extraneous things that are not on the agenda that should not take a lot of time. The first, of interest only to Council members, they found a two pound document on their desk when they arrived here, a Tax Increment Report from the Redevelopment Commission. The President of the Commission, Steve Smithley, is here. He just asked him to briefly tell them what they can expect to find in this particular report. No long speeches, Steve, Miller said. Mr. Smithley told the Council that's a summary of the report that Baker Tilley did for the Redevelopment Commission on all the TIF's. They will find who the Trustees are, they will find amortization schedules, they will see when bonds are due to be paid off. And actually, that's a summary. The actual document is 100-some pages long. But they had a meeting on the 18th of June and went over that. Councilman Henderson and Councilwoman Cain were there, who are members of the Redevelopment Commission. They had to invite the County Council, City Council, Marion Community School Board, yeah, Township Trustees, everybody that TIF's touch and effect and he thinks they had three representatives from the School Board, two representatives from this Council and he thinks that's all the public people that showed up besides the Redevelopment Commission and media. So, look it over. There's a lot of good information. He wished they'd have had reports like this four and five years ago so they'd have a better understanding of where we are and where we're going. When they look through that, it looks like the year 2023, bonds start paying off, when the TIF Bonds start paying off and cash flow does a flip of what we've been doing. Look it over. If they have any questions, get a hold of him. State statute required they invite everybody to the meeting but it also provides if they have any questions, each of those independent boards have to be available or someone has to be available to answer questions for them so if they have any questions as they look through it, he'd be more than happy to come back, Smithley said. Mr. Miller asked if anybody had any questions right now. Being no response from the Council, Miller thanked Smithley for the report and thanked him for stopping by just to brief them on it.

Council President Miller said there's one other guest that Mrs. Cain would like to introduce. Councilwoman Deb Cain said she would like to announce the upcoming National Night Out. This is being held on August 6th, which is hosted by the Neighborhood Associations. This is not just Marion, this is held around the state and there's been a planning committee that's done quite a bit of planning for this night and they're excited about that and she would like to ask Kayla Johnson to come up and talk to them about that. Kayla Johnson told the Council she just wanted to make sure that they all knew that they were invited, City Council, to come to National Night Out. Again, she said it was August 6th from 6:00 p.m. to 9:00 p.m. They'll have food trucks there that open at 5:00 p.m. so if they want to show up early and get some dinner, that'd be great. And then, around 6:15 p.m., they're going to start off the evening at 6:00 p.m. with actually some motorcycles that are going to bring in the flag and then they're going to have someone singing the National Anthem and then right after, she'll have some opening remarks and the neighborhoods would like to just express gratitude to them (Council) so if they can be there around 6:00 p.m. then they'll be present for that moment before it sounds like they might be going even across the street for their City Council meeting. But, yeah, just wanted to make sure that they knew that they were invited. She just wanted to be present if they had any questions. It's going to be a fun night. They're going to do a full press release that'll have the schedule of everything that'll be going on but there will be live music, demonstrations from their police officers and their fire department. All of their active neighborhood associations will be present, talking about what it looks like to be a good neighbor. They're encouraging people to go through those kind of booths and as they learn what it means to be a good neighbor, they get entered in for some prizes and they've called out to several businesses to get prizes that have to do with neighborhood beautification. So, she thinks that's most of it, but yeah, just wanted to make sure that they knew they were invited. Oh, one more thing, there's something that the National Association for Town Watch has asked is that each community that's celebrating National Night Out pick a project that they focus on for the next year and those projects are called Project 365 so the project that they're focusing on is they're going to be handing out blue light bulbs with the blue representing their police force and the City of Marion and encouraging people to turn their porch lights on because that's an element of safety when our porch lights are on and we have a well lit community then that really helps with public safety. Then they're also going to be handing out some numbers that go on like their houses because, as they know, some of our properties don't have numbers on their houses and when the first responders show up for a 911 call, it's a little bit hard to figure out where the house is that they're going to when they're looking for that house number. So basically for the next 365 days until the next National Night Out, they're going to be emphasizing turning your porch light on. They're going to have those blue lights available to hand out at the event and they'll have some house numbers to hand out and be pushing that as well, that people make sure that their houses are properly labeled, Johnson said. Mr. Miller asked the Council, comments or questions for Kayla? Kayla sort of let the cat out of the bag on another idea that Deb has. They may have figured out that August 6th also happens to be their first Council meeting in the month of August. Mrs. Cain, her idea, Miller said. Mrs. Cain said she contacted Boston Hill Center, Riley who oversees that, and spoke with her today and she would like to make the suggestion to the City Council members that they move their City Council meeting to the first floor of Boston Hill Center. She is willing to meet with her, if they agree to do that, and look at the first floor. They'll set up tables to sit at and also seating for anyone who comes and attends because she just thought that that showed a great indication that they who are elected officials are also behind their community and their neighbors and they move their meeting to that part of the celebration for that night. Miller said, just one question. He knows Kayla kind of ticked off the schedule for the evening. Is a 7:00 p.m. Council meeting going to be at all disruptive to the flow of what she has scheduled? Ms. Johnson told Miller, no sir. There will be events going on while they are meeting but.... The biggest thing is, around 6:15 p.m., they will be expressing gratitude and they (Council) will piece of that gratitude. The neighbors just wanted to emphasize thanks for all the work that they do behind the scenes for their neighborhoods. City Clerk Kathleen Kiley said, Debbie (Goodman, Deputy Clerk) has legal ads that are going to be coming out that already have this address. Mrs. Goodman told the Council, she has to send it to the News Herald way early, anticipating what could possibly go to public hearing. And she has to tell him tonight, after the meeting, confirm which ones need published. She can maybe try to see if he can change the address but she has to know the address. Mr. Miller said, not presuming what the Council will do, the legal notices for two items on the agenda tonight? Yeah, there are two on first reading. Goodman added, and the resolution. Mrs. Kiley said, and the resolution will be confirmatory at the next meeting, if it passes. Miller asked Goodman, but she can still get information to Doug Roorbach tonight? Kiley asked, what about the Chronicle? Goodman said she hasn't sent theirs

yet. Miller said, well the Chronicle's not a problem. Doug prints like a week in advance. He prints on Wednesday night, so yeah, he would need to know tonight or in the morning. Miller asked, Phil, any help? Council attorney Phil Stephenson replied, well they'd have to look at the calendar and see. He means, he's sure what Deb's (Goodman) talking about, the notices have to be 10 days in advance so you've got to be able to get it to them in time to get it published 10 days before the next meeting. Mrs. Cain said their next meeting is August 6th. That's three weeks. Councilman Jim Brunner said, that's three weeks, Phil. Miller said, if they get it to Doug tonight, the notices ought to be in the paper this Thursday morning. The paper is delivered with a Thursday date so it ought to come out two days from now, right? Stephenson asked, are they talking about the Chronicle? Miller said, no, the News Herald. The Chronicle-Tribune can publish it any day. Stephenson stated, but Doug's ad, you have to have it in by Friday for the following Thursday. He thinks the latest you're doing is noon on Monday. So, to get it in, well let's see, they're going to be in next week's so is that 10 days before the next meeting? Miller said, what he is saying, they should be able, what they do tonight.... Mrs. Cain said 21 days from now is August 6th. Miller said Doug should be able to get it in two days from today. Stephenson said, no. Miller asked, why not? He publishes on Friday. Mr. Stephenson said, the way he's got it set up is if you want to be in Wednesday, which is when he comes out.... Mr. Miller stated, no, he comes out on Thursday. He prints on Wednesday. Stephenson replied, all right but he says he has to have it by noon on Monday is the latest because he's talked to him before. He likes them on Friday but he says the latest he can possibly do it is noon on Monday because that's what he's told him in the past. Miller said, he must really love him. He writes for the News Herald and his deadline is 6:00 o'clock on Tuesday. Cain said, well that, she looked at the schedule and knew that they had 21 days. It's not in two weeks. Miller stated, so even if it doesn't come out until a week from now, okay, let's assume they'll make it work. They (Council) can always change their minds. Consensus? Anybody have an issue with doing that? Well, by consensus, he will say their next meeting will be on the first floor of the Boston Hill building on the 6th of August, 7:00 p.m. Mr. Stephenson told Mr. Miller he just looked and if they get it in right away, it would just barely be in because, as he reads it, the 10 days would (inaudible) on August 4th, the meeting's not until August 6th, so they'd have about one day to spare. That's how close it is. Ms. Johnson said she's glad she let the cat out of the bag then. Mrs. Cain said, well they were going to announce it tonight anyway. Miller stated, they still aren't on the same page, Phil. If they get it to Doug, even by Friday this week.... Stephenson said it would be in by Wednesday of next week, Thursday of next week and he's counting from Thursday of next week, would be the 25th, and the 10th day would be August 4th. Miller stated, yeah, okay, so they've got two days leeway. Okay, now Mr. Stephenson and he are on the same page, Miller said.

NEW BUSINESS

GENERAL ORDINANCE NO. 9-2019 1ST READING

The City Clerk read General Ordinance No. 9-2019 by title only. An Ordinance to designate an area within the City of Marion, Indiana, as an Economic Development Target Area, commonly known as 1625 E. Montpelier Pike, Marion, Indiana. Janet Pearson, Deputy Director of Development Services, told the Council, this evening, they have a Residential Tax Abatement, Christopher and Elizabeth Dodson. The property address is 1625 E. Montpelier Pike and it's located in Center Township. It's 2.55 acres. The home is going to have 2,640 square feet and then there will be a garage for 1,600 square feet. This is a modular home that they are purchasing from Elite Homebuilders in Marion and the cost of the home is \$307,979.84. Their plan is to start at the end of August and have it completed by the end of September and they're asking for a three-year tax abatement, Pearson said. Council President Alan Miller asked Mr. and Mrs. Dodson to stand up so the Council members know who they are. He told them, welcome and thanked them for their investment. If they can't get their mind around where that is, that is the lot directly across the street from JerPeg, so on the south side of Indiana 18, like he said, 2-1/2 acre lot that's he guessed an agricultural lot right now. Mr. Dodson said it's never been developed. Being no questions from the Council for Ms. Pearson, motion was made by Luzadder to pass General Ordinance No. 9-2019 to a 2nd reading and public hearing. Motion was seconded by Councilman Jim Brunner and carried by the following vote. Aye: Henderson, Brunner, Smith, Batchelor, Cain, Homer, Luzadder and Miller. Nay: None.

RESOLUTION NO. 7-2019

The City Clerk read Resolution No. 7-2019 by title only. Declaratory Resolution of the City Council of Marion, Indiana, declaring economic revitalization area for property tax deductions on real estate, commonly known as 1625 E. Montpelier Pike, Marion, Indiana. Council President Miller told Ms. Pearson he thinks she has spoken. Janet Pearson, Deputy Director of Development Services, told Miller she's spoken. Miller said, no, nothing to add obviously on the companion resolution. He told the Council he would entertain a motion on Resolution No. 7-2019. Motion was made by Councilman Dave Homer to pass Resolution No. 7-2019. Motion was seconded by Councilwoman Deb Cain and carried by the following vote. Aye: Henderson, Brunner, Smith, Batchelor, Cain, Homer, Luzadder and Miller. Nay: None. Miller told Mr. and Mrs. Dodson, assuming they didn't get lost in their conversation, August 6th, two weeks from tonight, at the Boston Hill, 5th and Washington Street is where they will be meeting and that will be the 2nd reading and public hearing on their request.

GENERAL ORDINANCE NO. 10-2019 1ST READING

The City Clerk read General Ordinance No. 10-2019 by title only. An Ordinance to amend General Ordinance No. 21-2018 which fixed the maximum salaries of appointed officers and employees of the City of Marion, Indiana for the year 2019 by adding a new employee category "Part-time Dispatchers". Angela Haley, Police Chief, told the Council she wanted to forewarn them, Julie (Flores, City Controller) is upstairs right now. She does not like the layout of this ordinance and actually wants to just add a line to the ordinance that it was passed in 2018, just to add the Part-Time Dispatcher. But, she's there before them because they are transitioning towards Central Dispatch. As they all know, they're having those conversations. She is down to nine employees right now in the Radio Room so they are, they're down two full-time employees. Any full-time employee that they at the City of Marion have will transition to that new center. They're trying to get the number of dispatchers down from what the county currently employs to around the number of 18, not including the IDACS Coordinator and the department head for that unit in county government. So, she has been asked by the county to try and hold full-time positions down, in other words not to hire two new employees. She resisted that at first and hired someone. As they were training them, they decided the job was not for them. It is an intensive training to go through to become a Communications Officer. So, she has approached Grant County Sheriff's Department dispatchers, some retired officers and some retired dispatchers from the City of Marion, inquiring as to whether they would be interested in working part-time to help them fulfill their obligation to the public. She's had some positive response to that and so what she is simply asking to do is, she's not asking for any additional appropriation, she's simply asking for them to add Part-Time Dispatcher to the salary ordinance so that she may hire part-time employees to help staff that unit which will eliminate pulling police officers off the street to fill those spots and paying overtime that way. Council President Alan Miller said, just so he understands, Julie's concern, is she upstairs fixing? Chief Haley replied, she is. Miller said, okay, and she's going to bring them a statement or an addendum? Haley said, yes sir. Miller commented, okay, so they need to wait for her to return. Haley said, if he doesn't mind. She apologizes for that. Miller responded, no, no, not at all. Why don't they take about a 10 minute break since they need Mrs. Flores for both items remaining on the agenda? They'll resume in about 10 minutes, assuming Mrs. Flores... He asked Council attorney Phil Stephenson if he had issue with that. Stephenson told Miller, no but while they're talking about this, he just wanted to mention one other thing. There is an ordinance that's been proposed that has to be passed by both the City Council and the County Council, as well as Gas City and he thinks some others and he understands from Mr. Luzadder, he has not yet seen that at all, at least he said he'd never seen a copy of it. He reviewed it on behalf of the county. He thinks they're going to be wanting to move ahead with that so he thinks the Council members need to get a copy of that to review it. He means, he can send them to Deb (Goodman, Deputy Clerk), he's got them. He can send them to Deb and she can get it to all of them. But he thinks they need to look at them. He made comments to the county, there's been some changes made on it and he's got the last draft but he thinks the city really needs, there are some things they need to look at, not necessarily because they're wrong, it's just that it's an issue of how much control the Council wants to also have of budgets and those kind of things and all this. Because right now, they don't have any. And that may be okay with them but he just wanted to make sure they were aware of it and had the chance to review it before it's suddenly given to them, Stephenson said. Miller stated he doesn't think any of them have seen it. There was actually one Councilman here tonight from the county that thought they were voting on it this evening. Stephenson replied, well, he told him that's what he'd been told. That's the reason

GENERAL ORDINANCE NO. 10-2019 Continued

he came. Miller said, no, they were not even aware. Not only haven't they seen it, they aren't aware of its existence. Chief Haley said she thinks the confusion came because she's asking for Part-Time Dispatchers. They're not on the agenda to discuss Central Dispatch. That is something they're working toward so she has not seen the final contract herself. Miller told Haley, no, it's not her fault. Haley said, no, she just wanted to let them know, they're not there for that. Councilman Jim Brunner asked Chief Haley to give them a timetable, if everything would go according to Hoyle, when this entire operation could be put together. Haley told Brunner, right now, and it's an aggressive schedule but they're looking at maybe the beginning of March for the transition to happen. Mr. Miller said, they will resume at 7:45 pm, 10 minutes, if Julie is back. The meeting was called back to order at 7:47 p.m. Miller said they are prepared to resume with Chief Haley still at the microphone. Chief, go ahead, Miller stated. Haley said, okay, the only addition that they will see, in the packet they were given, that is the, it's in essence a copy of the ordinance that they passed last year, fixing the salary ordinance. The only addition is on page 3 where they've inserted "Part-time Dispatcher" with the amount of \$10.90. Miller asked the Council, any questions? Comments? Councilwoman Deb Cain said she had a question. She told Haley she said that there's no additional appropriation and Haley told her, correct. Cain asked, can she explain that? Chief Haley answered, she has money in the salary ordinance for two full-time dispatchers, the remainder of what their salaries would be and the Controller has explained to her that she can simply move that money to pay because it's all in the same line-item. Councilman Don Batchelor said, Chief, \$10.90/hour, is that norm in line with what other dispatchers are receiving? Is this a, because she indicated she was down two in her department and is this \$10.90/hour, is that the normal going rate? Haley told Batchelor, what she did was she contacted the Grant County Sheriff's Department because they employ part-time dispatchers as well. She asked what their salary was and this is actually more than that. And she didn't do that to compete. She did that because her other part-time employees at the department make that rate or she should say two of her part-time employees make that rate. That's a pretty serious job and she didn't want to pay them less than that. Batchelor said, right, the job itself, at \$10.90/hour, he can understand why she's running short of dispatchers because that type of stressful job, you know, he doesn't know how many takers she will have in order to take a part-time job. Haley replied, that's not what the full-time employees make. Full-time employees actually make a higher wage than that and she doesn't know what the breakdown is. She apologizes, she did not bring that. What she did was she called county to find out what they were paying for part-time help and she simply, she raised it to what her part-time employees at her department are making. Councilman Steve Henderson asked, what do they do with this first ordinance? Do they have to do something with this first paper? Can they just throw it away? Mr. Stephenson said, throw it away. Miller asked Stephenson, do they even have to refer to it in the motion as the amended ordinance or just as the ordinance? Stephenson replied, he doesn't think at this point they have to because essentially this is now the only ordinance before them. Miller told Stephenson, let him ask him another procedural question. Assuming, and he's not suggesting what they need to do, if they want to suspend the rules and pass this in one hearing, can they do that with only eight Council members present? Stephenson said they can. They first have to vote on the ability to consider it and have unanimous of all the members who are present and then they could move to suspend the rules and move it to the third reading. Miller said, that was his question, whether they could suspend, Council members present, they don't have to have all nine people there, okay. Any other questions, Miller asked. What would they like to do with the ordinance, General Ordinance No. 10-2019? Councilman Dave Homer said he'd like to make a motion that they go ahead and try and pass it this evening on first reading. Motion was seconded by Councilwoman Deb Cain. Mr. Stephenson stated, just for clarity. He told Mr. Homer he said first reading. Does he mean first reading or he wants to be able to suspend the rules and consider it for final reading tonight? Homer said, suspend the rules and consider for final passage. Motion then carried by the following vote. Aye: Henderson, Brunner, Smith, Batchelor, Cain, Homer, Luzadder and Miller. Nay: None. Motion was then made by Homer, 2nd by Cain to pass General Ordinance No. 10-2019 in its entirety. Motion carried by the following vote. Aye: Henderson, Brunner, Smith, Batchelor, Cain, Homer, Luzadder and Miller. Nay: None.

CITY CONTROLLER JULIE FLORES REQUEST TO ADDRESS CITY COUNCIL – Council President Alan Miller told the Council, a couple of comments before Mrs. Flores comes up. Mrs. Flores had asked for a few minutes to address the Council in regard to some things that were statements at the previous Council meeting. He told her they would do that. She is not going to take any questions tonight. He would ask that they listen to her, uninterrupted, then

they'll discuss how they may get questions answered. Let him tell them, one of the rationale for doing that, after discussing with Mr. Stephenson and Mrs. Cain, they very well could have been into the process today of selecting a jury for the city's civil trial or they could have been in the process of hearing testimony in the trial. Some of the comments two weeks ago were directed at the amount of money spent on the litigation that they're involved in, the wisdom of continuing it. He just thought, and Phil and Deb agreed, that it would be completely inappropriate for them to be sitting there, talking about that issue and possibly influencing a jury that had been selected, causing a mistrial. Of course, as they know, the trial got cancelled but that was after Mrs. Flores and he had talked and he explained what the ground rules were going to be tonight. So, that is part of the rationale. So, Mrs. Flores, the floor is hers. Mr. Miller said, first of all, did everybody get the email from Mrs. Flores this week? Okay, he sees heads nodding. City Controller Julie Flores told the Council, thank you Mr. President and Council. An email to the City Council members, copy Mr. Stephenson: After hearing a summary of the July 2 Council meeting proceedings, I asked Debbie Goodman if I could have a copy of the yet to be approved council minutes. Additionally, I asked to be put on the July 16 council meeting agenda to address the council because the minutes indicated: Councilman Luzadder "feels like he was not told the truth in open Council", "it doesn't seem like they were told the truth" (about late fees being my personal responsibility and about asking for 911 funds) "for an item in which they had approved already in which to be paid for out of the monies they put forth". I will respond to these statements here as well as at the July 16 meeting so my comments will become a part of the minutes. Late Fees: You will see attached to this email, page 1-7 of the Accounting and Uniform Compliance Guidelines Manual for Cities and Towns issued by the State Board of Accounts. This clearly states that "any penalties, interest, or other charges paid by the unit may be the personal obligation of the responsible **official or employee.**" As an elected official for sixteen (16) years, I took this statement very seriously. Also, as an elected official, I took an oath to support the constitution of the United States and the constitution of the State of Indiana, and to faithfully discharge the duties of such office. Just because I'm now an appointed official does not mean I perform my duties any differently. Asking for 911 Funds: The funding needs conveyed during the June 4th meeting far outweighed the additional appropriation being requested. The June 4 meeting reflect that I said I had several unexpected and additional expenditures for which there was no appropriation. I also said I did not have an exact figure for any of these needs, only that there were needs. Attached is the list I was keeping as the needs came to my attention. You will see that there was always a possibility of different options for funding the expenses, because again, the need exceeded the revenue availability and there was a possibility that some items may not get funded. I would like to clarify that the fundraising done by Julie Fauser for the pickleball courts was for the crowdfunding portion of the grant application. The grant application also called for a match from the City, so I did not mislead or not tell the truth about needing funds for the grant match. We had no idea what the crowdfunding portion would generate. I did not take lightly the statements made that I did not tell the truth. It was quite disturbing and I did not want the minutes of the July 2 council meeting to be the last word on my validity, Flores said. Council President Miller said Mr. Luzadder and he talked briefly during the recess while they were waiting for the people to return. He asked Luzadder if he wanted him to summarize what they said or does he wish to? Luzadder told Miller, no, go right ahead. Miller stated, moving forward from here, certainly, they are all entitled to have the questions that were raised two weeks ago answered. Mr. Luzadder thinks that a respectful way to do it, a simple way, would be for individual Council members to put in writing specifically what they would like to know so that they might give them to the Mayor, Mrs. Flores, to consider thoughtfully and then perhaps return them to us in writing or if it would be their desire, to ask that the Mayor and Mrs. Flores come to answer. But just for the sake of clarity, to lack confusion, maybe take some emotion out of it, that is their suggestion. So, he would suggest that if they have questions, please feel free to submit them to Julie, to the Mayor, the Mayor's Secretary, whatever, and he guessed Julie would probably tell him they are coming. Obviously, he thinks the trial is sort of in limbo and knowing the way the Indiana Appellate Court works, it may be in limbo for a long time. So, that is his thought and the bottom line on that. If any of them have comments or questions about what he just told them, he's open to them either here or otherwise. He asked if there were any other comments or questions, any other business to come before the Council tonight? If not, again, thanks to so many of them for being here this evening. They appreciate their interest in city government, Miller stated.

Being no further business to come before the Council, on a motion by Brunner, 2nd by Henderson, the meeting adjourned. Time being 7:59 p.m.