

REGULAR MEETING – MARION COMMON COUNCIL – NOVEMBER 19, 2019 – 7:00 P.M., CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 19<sup>th</sup> day of November, 2019 at the hour of 7:00 pm 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, Cain, Homer, Johnson and Miller.

Absent: Batchelor and Luzadder.

The minutes of the previous regular meeting of November 6, 2019 were presented. On a motion by Councilman Dave Homer, 2<sup>nd</sup> by Councilman Steve Henderson, the minutes were approved as presented by the following vote. Aye: Henderson, Brunner, Smith, Cain, Homer and Miller. Nay: None. Abstain: Johnson.

COMMITTEE REPORTS: Councilwoman Deb Cain said with Don Batchelor being out, he's asked that she just reiterate that Bahr Brothers was given a unanimous vote by the committee.

Council President Alan Miller said, one administrative announcement. Because of the holiday next week, generally speaking, people, if they need to have items on the agenda for the Council, need to have them to the City Clerk's Office by noon on Wednesday. They are going to roll that schedule back to 4:00 pm on Tuesday. The city department heads, whatever, 4:00 pm Tuesday would be the deadline for getting on the agenda. He said Mrs. Kiley also mentioned that would give the Police Department time to deliver the packets to them on Wednesday. On their behalf, he said he didn't think any of them would be aggrieved if they did not get their packets from the Police Department until Friday. So, please tell Chief Haley not to bend over and make a special effort. Friday will be soon enough. They'll keep the 4:00 pm time for getting stuff to you ladies on Tuesday.

UNFINISHED BUSINESS

RESOLUTION NO. 11A-2019

The City Clerk read Resolution No. 11A-2019 by title only, Confirmatory Resolution of the City Council of Marion, Indiana, declaring economic revitalization area for property tax deduction for Bahr Brothers Properties. Tim Eckerle, Executive Director of the Grant County Economic Growth Council, told the Council with him tonight is Tim Street, President of Bahr Brothers. As they may recall, at their last meeting, they did the Declaratory Resolution to make the area eligible for abatement and also approved the amendment of their existing abatement to include the new equipment that they are purchasing. This item tonight will complete the property tax abatement on the new weld shop which is an investment of \$50,000 and during the course of the 10 years of abatement, they will pay \$15,000 in property taxes. As always, he wants to remind them that this is not new increase in revenue (inaudible) the city because your levy is controlled by the state as a separate matter altogether. Both Tim and he will gladly answer any questions they may have, Eckerle said. Council President Alan Miller asked Mr. Street if there was anything he wanted to add and Street said, no sir. Mr. Miller said, give them the 30 second history of Bahr Brothers. He attempted to do that. He knows they're one of the oldest businesses in Marion. Mr. Street told Miller, yes, they bought it off of the Jackson Family a year and a half ago and they've been before them, what, three times now. They're reinvesting. It'd be pretty easy to take the money and put it in their pocket but they're putting it back in and going to be around for another 100-some years hopefully. Councilman Steve Henderson told Mr. Street, when they get that building done, would he take them on a tour? They'd like to take a look at it. At least he would. Street told Henderson, anybody is welcome any time. With a little bit of a heads up, most of the time they can always walk them through. Councilwoman Lynn Johnson asked Mr. Street, how far along are they on their project and does he foresee in the foreseeable future of having more abatements come their way? Street told Johnson he hopes so. He means, that means they're doing well and they're building things or they're buying things. The building now, the foundation's in. Some of the (inaudible) that they have are in. They're waiting for the weather to cooperate so they can pour the floor and then put the building up. So hopefully by the end of the year is what they're hoping. Mr. Eckerle said he wanted to remind the public that the Council allowed them to begin construction. They sought that permission. Miller said, as Mrs. Cain said, the committee unanimously recommended approving this. Being no further questions or comments from the Council,

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RESOLUTION NO. 11A-2019 Continued

motion was made by Councilman Jim Brunner to pass Resolution No. 11A-2019. Motion was seconded by Henderson and carried by the following vote. Aye: Henderson, Brunner, Smith, Cain, Homer, Johnson and Miller. Nay: None.

NEW BUSINESS

RESOLUTION NO. 13-2019

The City Clerk read Resolution No. 13-2019 by title only, Resolution of the Common Council of the City of Marion, Indiana approving the proposed City of Marion 2030 Comprehensive Plan Update. Sam Ramsey, Advisory Plan Director, told the Council he thinks all of them but probably Mr. Henderson have seen the plan they're adding into the Comp Plan. It was passed two meetings ago. He's just here today to actually fully amend it into that Comprehensive Plan, the 2030 Plan that was started in 2010. They have to do updates so often and this is the most recent one they're working on. Councilwoman Deb Cain told Ramsey he said these are periodic updates. As the plan continues, are there going to be additional updates? Ramsey told Cain, yeah, right now the Park (Department) is working on redoing their Master Plan for next year. They'll probably add that in as the Parks and Recreation portion of it at some point in the next year or two once that gets finished in the spring. It's just a working document. As all the different departments in the city update their major stuff, they try to add it in. Being no further questions from the Council, motion was made by Councilwoman Lynn Johnson to pass Resolution No. 13-2019. Motion was seconded by Councilman Jim Brunner and carried by the following vote. Aye: Henderson, Brunner, Smith, Cain, Homer, Johnson and Miller. Nay: None.

Council President Alan Miller told the Council, before they roll into the next three items, let him make a couple of procedural comments. The next three ordinances, the city has requested that they pass them on one reading. There's some urgency in doing that, especially on the first one, #19-2019, because the information needs to get to the Bond Bank. Remember, one reading requires a unanimous vote initially of Council members who are present, which that would be seven of them this evening, and then to pass it, it requires a 2/3's vote, which would be six of them. So, they do have enough people here in fact to do that. So, that's the process, they've gone through it but counselor suggest he refresh everyone's mind.

GENERAL ORDINANCE NO. 19-2019 1<sup>ST</sup> READING (CAN BE PASSED ON ONE READING)

The City Clerk read General Ordinance No. 19-2019 by title only, An Ordinance authorizing the City of Marion, Indiana, to make temporary loans to meet current running expenses for the use of the General Fund, the Parks and Recreation Fund, the Aviation/Airport Fund, the Park Bond Fund, Motor Vehicle Highway Fund, and the Cumulative Capital Development Fund of the Issuer, in anticipation of and not in excess of current taxes levied in the year 2019, and collectable in the year 2020; authorizing the issuance of temporary loan tax anticipation warrants to evidence such loans and the sale of such warrants to the Indiana Bond Bank; and appropriating and pledging the taxes to be received in such funds to the punctual payment of such warrants including the interest thereon. Julie Flores, City Controller, told the Council this is, as they know, they've done this every year since they've been here and she thinks it's been done several years prior to this Administration taking over. Since we've taken, this Administration, they have dropped two of the seven funds that typically got borrowed from. They have borrowed \$2,600,000 less than they did in 2017 and last year, they borrowed \$1,300,000 less. So, the cash flows are getting better but unfortunately, they're not there quite yet. So, this is the Bond Bank Ordinance for borrowing for 2020. They don't know how much yet. They don't know the interest rate yet. They do cash flows. She did cash flows for 2018, cash flows all the way through October of 2019 and projected what we will spend for the rest of this year and for next year. So the Bond Bank takes all of that, puts it together and determines how much money we will need. They determine where our shortfall will fall and the largest amount of our shortfall determines how much we're allowed to borrow. So, she'll entertain any questions they have at this time, Flores said. Council President Alan Miller asked, what funds were they able to drop? Flores told Miller they were able to drop the MVH Fund. She thinks that's because of the new road money that we got. And the Debt Service. Miller asked Flores if she had any indication a week after property tax payment deadline whether it was a good (inaudible), whether payments were up, down? Flores said she doesn't, she's sorry. Councilwoman Lynn Johnson said we don't get our tax money until around the first of December, do we? Flores said, correct. At times

GENERAL ORDINANCE NO. 19-2019 Continued

they've given it to us fairly early but she anticipates the first week in December. Mrs. Johnson asked, approximately how many employees in the city have insurance and how many are on insurance? Does she know? Flores said she can't answer, she's sorry, she can't answer that. She can get her that answer but she doesn't know that off the top of her head. Johnson said, well, she was hoping she did because she forgot her numbers too. But, she was just thinking, the Insurance Fund, she's looking at this all funds report and the Insurance Fund is running behind and she (Flores) didn't include it in her list of items that she needed (inaudible). So she's wondering what is she thinking about that. Flores said the Insurance Fund, and she knows this is a statement been made in previous years but this has been a bad claim year. We've spent \$1,000,000 more in the first six months of this year than we did last year for the same period. So we've had some really high claims, some really bad, couple of bad incidences so we've done everything on our part, she believes, by budgeting \$20,000 per person eligible to be on the plan. We transfer a lot of that money into the Insurance Fund plus whatever premiums the employees put toward their insurance. Johnson asked, and do we not employ ISU Management to provide that insurance for us or how does that work? Mrs. Flores replied they are the broker. Anthem is our carrier and so Anthem bills us for the claims when they're incurred. We get a bill every week. One week this year, it was \$175,000 for one week. So, that's how that works. So, ISU is simply the broker that goes out to the Anthem's, the United Health Care's, the various insurance companies to get quotes for us. Mrs. Johnson stated, okay, so we don't really pay them any extra money for doing that, do we? Flores told Johnson we pay administrative fees to ISU and to Anthem, yes. Johnson asked Flores, so do we provide our own insurance person to analyze that stuff or does she do it or who in that department analyzes the insurance activity, you know, brings in the claims, assesses the claims and authorizes the claims? Flores responded, Anthem does that. Johnson asked, Anthem does that themselves? Flores said, yes. So we pay them the administrative fees for that service. Johnson asked, and that's what they do from an administration point? Okay, so does that add to the cost of our insurance? Flores answered, that's included in the weekly bill that we get, yes. Councilwoman Johnson said those are just her questions. She just was curious as to why she didn't ask, we're in the negative, cash flow, so she was curious as to why she didn't add that our request. Flores stated, these, the Bond Bank is for property tax generated funds. The insurance is its own stand alone fund so it wouldn't be in this. She gave them the cash bank statements. She thinks it's been a while since they got that and she apologizes. Part of that was because Lynda (Faw, Deputy Controller) was gone for a long time then they spent the remainder of September getting ready for the budget. So, this is the October bank statement so she thinks the beginning balance on the Insurance Fund is much more than what we are currently right now. She thinks we'll finish better at the end of this year than we started the year. We are trending. We are doing our best. Councilman Steve Henderson asked Flores, does she know how much we're going to apply for or how much we're going to get at this point? Mrs. Flores told Henderson she doesn't. They take those cash flows that she does for them and they will analyze those and decide what our biggest shortfall is and there's a calculation that they do so she doesn't know that at this time. She should know by the end of the year because they do give us the monies like the first or second week in January so she should know by the end of the year. Henderson asked Flores, so when she gets that figure, will she break that down into what departments that money's going to go to? Flores answered, they tell her what funds, they tell her how much they'll give us for each fund. Henderson asked, and she will get them a copy of that so they will know what that is? Flores told him, sure. Council President Alan Miller told Flores he knows she said she didn't have the interest rate. What is it generally? Flores told Miller she thinks she said it wrong last year so she's kind of afraid to say it. She thinks it was maybe at 2.7 but don't quote her on that please. If he'll call her tomorrow, she will let him know that. Being no further questions of Mrs. Flores from the Council, Council President Alan Miller asked, are they ready to consider General Ordinance No. 19-2019, and if so, (inaudible) attempt to do that in one reading, we need to pass a motion first of all to do that, that they would consider that. Council attorney Phil Stephenson said, yeah, the original motion, just for clarification, is simply a motion which will allow the Council to hear this for a final reading and that has to be unanimous, as Mr. Miller said, and then they have to make the motion to pass it and that has to be by 2/3's (inaudible) total membership. Motion was then made by Councilman Jim Brunner that they consider passing this in one reading. Motion was seconded by Councilwoman Lynn Johnson and carried by the following vote. Aye: Henderson, Brunner, Smith, Cain, Homer, Johnson and Miller. Nay: None. Motion was then made by Brunner, 2<sup>nd</sup> by Johnson to pass General Ordinance No. 19-2019 and carried by the following vote. Aye: Henderson, Brunner, Smith, Cain, Homer, Johnson and Miller. Nay: None.

GENERAL ORDINANCE NO. 20-2019 1<sup>ST</sup> READING (CAN BE PASSED ON ONE READING)

The City Clerk read General Ordinance No. 20-2019 by title only, An Ordinance amending General Ordinance No. 16-2019, "An Ordinance fixing the maximum salaries for police officers of the City of Marion, Indiana for the year 2020." Julie Flores, City Controller, told the Council, as they'll recall on she believes it was October 15<sup>th</sup> after she left the meeting, Attorney Hunt amended the 2018 salary ordinances for this year to allow for the police officers to receive benefits. They did not share that with her for the 2020 salary ordinances, they had passed those earlier in the evening. So this is simply amending the 2020 Police Salary Ordinance to include the language that was added to the 2019 salary ordinance. Council President Alan Miller said the numbers themselves are the same. Flores said the numbers are the same, this just includes the language. Being no questions from the Council, Councilwoman Deb Cain said she would make a motion that General Ordinance No. 20-2019 be passed on the final reading. Motion was seconded by Councilwoman Lynn Johnson and carried by the following vote. Aye: Henderson, Brunner, Smith, Cain, Homer, Johnson and Miller. Nay: None. Motion was then made by Cain that General Ordinance No. 20-2019 be passed. Motion was seconded by Johnson and carried by the following vote. Aye: Henderson, Brunner, Smith, Cain, Homer, Johnson and Miller. Nay: None.

GENERAL ORDINANCE NO. 21-2019 1<sup>ST</sup> READING (CAN BE PASSED ON ONE READING)

The City Clerk read General Ordinance No. 21-2019 by title only, An Ordinance amending General Ordinance No. 15-2019, "An Ordinance fixing the maximum salaries for firefighters of the City of Marion, Indiana for the year 2020." Julie Flores, City Controller, told the Council this is the same as the Police ordinance. This is just updating the Fire Salary Ordinance so that they can be paid properly in 2020. Councilman Jim Brunner asked, how many policemen and how many firemen do we currently have? Approximately? Flores said she thinks it's 58 and 62. Brunner asked, 58 police and 62 fire? Flores replied, yes. Being no further questions from the Council, Councilwoman Deb Cain said she'd like to make a motion for General Ordinance No. 21-2019 be heard for the final reading. Motion was seconded by Councilwoman Lynn Johnson and carried by the following vote. Aye: Henderson, Brunner, Smith, Cain, Homer, Johnson and Miller. Nay: None. Motion was then made by Cain, 2<sup>nd</sup> by Johnson for General Ordinance No. 21-2019 to be passed. Motion carried by the following vote. Aye: Henderson, Brunner, Smith, Cain, Homer, Johnson and Miller. Nay: None.

City Controller Julie Flores told the Council, just one other thing. The state approved our budget. Yesterday, they got that confirmation. The budget is \$29,700,000. We were within \$1,744 from adopting the entire levy so she thinks on a \$29,000,000 budget, we were within \$1,700 so she was real proud of that. Unfortunately, the downside of the budget is our AV went down \$1,600,000 so the ramifications of that, obviously, is if the AV's go down, the circuit breakers go up so that was kind of negative news. But other than that, she was pleased that the budget passed without any problems.

Councilman Jim Brunner said he would just like to publicly thank some people whose names they'd probably not like to have mentioned at this time but they have made it possible, Mr. President and members of the gallery tonight, for the Marion Giants to play each and every year their opening basketball game at what we consider the Grant County Family YMCA but to older people in the audience, and that does not include the two state champions sitting in the back row, Mr. Flynn and Mr. Alumbaugh, that we are able to play where the Marion Giants played back in the 50's and 60's which then was known as the Memorial Coliseum. He had two people ask him today, they said why does Marion every year get to open up at home and they make a sizable donation to Marion High School that is then turned over to Indianapolis Tinley because, you know, most teams don't like to go on the road each and every year to open up their season but Tinley is nice enough to do that so we can play in this wonderful building over here. So tomorrow night, he just wanted to be sure everybody understands and invite them all to come out and watch the Marion Giants first game tomorrow night against Indianapolis Tinley and just to kind of soak in the ambience of that wonderful building. He knows Jim Sutter cries every time they get ready for the tip off because it means so much to him that we're still able to play in that great building. So, a thank you to the people who make it possible and a reminder that the game is tomorrow night, Brunner said.

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Council President Alan Miller said he would just also, on behalf of the Council, like to express their condolences to the Hamaker Family. Ronnie Hamaker's passing sort of got lost in the shuffle this past week. He thinks he would not be stretching it too much to say he was perhaps one of the most respected and most capable administrators in the history of Marion Community Schools. He was a true treasure to our community and most of us sitting here at the table were beneficiaries of what he brought into the elementary school curriculum when we were tots beginning our educational career. So, just express their condolences to Marcia and the rest of the family. There was no memorial service at Ronnie's request, that was completely in character with him, but remember the family of Ronnie Hamaker. He was a blessing to our community. Councilman Jim Brunner said, and he seconds that. As someone who sat on the School Board for 16 years, he doesn't remember ever having one person ever have a derogatory word to say about Mr. Hamaker or things he stood for or things he did. So, he would certainly second the thoughts that he passes along, Mr. President.

Before the meeting adjourned, Council President Alan Miller said speaking of blessings, again, on behalf of all of them, they would wish you a blessed Thanksgiving Day. Enjoy your families and friends.

Being no further business to come before the Council, on a motion by Johnson, 2<sup>nd</sup> by Cain, the meeting adjourned. Time being 7:29 p.m.