

REGULAR MEETING – MARION COMMON COUNCIL – FEBRUARY 18, 2020 – 7:00 P.M., CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 18<sup>th</sup> day of February, 2020 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: Fouce, Fordyce, Cline, Cowgill, Henderson, Brunner, Batchelor, Luzadder and Cain.

Absent: None.

The minutes of the previous regular meeting of February 4, 2020 were presented. On a motion by Cowgill, 2<sup>nd</sup> by Henderson, the minutes were approved as presented by the following vote. Aye: Fouce, Fordyce, Cline, Cowgill, Henderson, Batchelor, Luzadder and Cain. Nay: None. Abstain: Brunner.

Council President Deb Cain told the Council they need to make an appointment to the Economic Development Commission. She received a letter from Joseph Certain. He's currently the attorney for the Marion Economic Development Commission and the City Council is authorized to appoint one member to the Marion Economic Development Commission. Christopher Oliver has served in that capacity as an appointee of the Council for a number of years. His term expired February 1, 2020 but is willing to continue to serve. So, therefore, they've asked if the Council would be in consideration of reappointing Mr. Oliver. Cain said she will take that suggestion and asked for a motion. Motion was made by Councilman Mike Cline to reappoint Chris Oliver. Motion was seconded by Councilman Brad Luzadder and carried by the following vote. Aye: Fordyce, Cline, Cowgill, Henderson, Brunner, Batchelor, Luzadder and Cain. Nay: None. Abstain: Fouce. Mrs. Cain asked Mrs. Kiley does she (Kiley) let them know or does she (Cain)? City Clerk Kathleen Kiley told Cain, if she has information on how to get a hold of him, they can let him know. Cain said she has the information and Kiley told her, okay, after the meeting, get with them and they'll make sure he gets notice.

COMMITTEE REPORTS: Councilman Don Batchelor said the Development Committee will be meeting on March 3<sup>rd</sup> at 6:00 p.m. concerning Advanced Cabinet's request and that meeting will be in the 2<sup>nd</sup> Floor Conference Room at 6:00 p.m. on the 3<sup>rd</sup> of March. Councilman Mike Cline said, and this is going to touch on stuff the Compliance Committee is interested in so he encourages the Compliance Committee to attend the Development Committee meeting coming up. And, also, Compliance Committee, keep your dance cards open for 6:30 p.m. on March 17<sup>th</sup>. It's not hard and fast but there may be a residential abatement to talk about and that's the tentative time and the tentative place is the 2<sup>nd</sup> Floor Conference Room. And, Madam President, if she'll indulge him for a minute or two, can he thank Brenda Fields for her message a few days ago? She was telling him she was working to register voters at the high school, which (a), is a great thing, getting people involved in the system and the process early. She was working to register high school students and she also deserves their thanks. She asked them what they thought about the issues and the big thing she thought that they thought, a lot of them mentioned climate change and her challenge to them, to the city, was to plant 100 trees this year. He'll pass this on to the Parks Department but it doesn't have to be just the city. Any of them who have some place to plant a tree can plant a tree. Schools can plant a tree, service clubs can plant a tree. He means, we need to take care of where we live. So anyway, he just wanted to say that. Thank you for your patience, he told Cain. Cain told Cline, you're welcome.

NEW BUSINESS

GENERAL ORDINANCE NO. 4-2020 1<sup>ST</sup> READING

The City Clerk read General Ordinance No. 4-2020 by title only, an Ordinance amending Ordinance No. 44-1977 Schedule V. Weight Limit Restrictions adding Lenfesty Ave. to the existing established list of Truck Routes allowed within the City Limits. Sam Ramsey, Advisory Plan Director, told the Council he's not sure where Mr. Graft is but he's on the Traffic Commission, Mr. Wike brought this to them and he feels like he can talk on this. This proposal is to take the portion of Lenfesty from 9<sup>th</sup> Street north to where it dead ends into the Greenway and add it to the Truck Route schedule they have in the city to allow them to move a welding shop here so they can move product in and out. They've done a lot of work to the building already and they're just trying to get this as another step. They've come to

GENERAL ORDINANCE NO. 4-2020 Continued

the Traffic Commission and got a favorable recommendation to bring this to them (Council) and they've also come to the BZA already and gotten a special exception for the use. Ramsey said he can field any questions or if they have any questions about the actual business, Nick is here. Councilman Mike Cline said he presumes this doesn't affect the Greenway at all. Ramsey told Cline, no, the road does not. It dead ends right there at the Greenway, probably 30', 40' from it. Council President Deb Cain said, as this will be a public hearing, can he give just a little description, more descriptive.... It is a public hearing, right? City Clerk Kathleen Kiley told her no, this is first reading. This is new business. Cain replied, it is first reading. Sorry, she's jumping ahead. She asked Ramsey if he could at least give a little bit of an idea of what kind of traffic they're expecting and when they do move here, how many employees they're anticipating to bring? Any of that? Tim Eckerle told the Council he's with the Economic Growth Council and with him is Nick Wike and Amber Melching who are the principals of Wike Welding. Currently, they're anticipating there will be two box trucks in and out on a daily basis and an occasional steel truck maybe once a week at most. Currently they have 11 employees and look to be at 25, if he remembers the number right, and they will be proceeding to approach them (Council). They're going to be out acquiring some new equipment and will be coming back to them in the near future seeking property tax abatement to offset the fact that Indiana is one of the few states that taxes manufacturing equipment. Cain asked, and the hours of operation? Eckerle told Cain, 6:00 a.m. to 2:00 p.m. And there will be no outside storage. Councilman Brad Luzadder said this was referenced in their notes from last meeting from the committee meeting that Councilman Batchelor ran and it did come out of committee with a favorable recommendation to the entire Council. Councilwoman Robin Fouce asked, did anyone talk to the neighbors? Eckerle told Fouce, he's (Wike) contacted the neighbors as part of the zoning process and he's going to be, once he has the ability to have them inside, invite them in to look at the building rehab. Fouce said, more specifically about the traffic that would be up that strip. Mr. Eckerle replied, yes, as part of the rezoning process, he notified the neighbors. Fouce asked, so they're fine with it? Eckerle answered, as far as they know. Being no further questions from the Council, motion was made by Luzadder to pass General Ordinance No. 4-2020 to 2<sup>nd</sup> reading and public hearing. Motion was seconded by Councilman Don Batchelor and carried by the following vote. Aye: Fouce, Fordyce, Cline, Cowgill, Henderson, Brunner, Batchelor, Luzadder and Cain. Nay: None.

RESOLUTION NO. 1-2020

The City Clerk read Resolution No. 1-2020 by title only, a Resolution of the City Council of the City of Marion authorizing the Marion Municipal Airport Board of Aviation Commissioners (BOAC) to proceed with advertisement for Requests for Proposals (RFP) for Guaranteed Savings Contract in accordance with I.C. 36-1-12.5. Jordan Ashley told the Council, as Corey (Harper from Veregy Solar) is getting set up for a short presentation that he has for them, he'd like to thank, take a moment, Ms. President and members of the Council, to allow him the time to speak to them this evening. Jim McKinney who is the President of the Board is currently in Florida and, due to some medical reasons, he was unable to make it this evening. So he has been appointed by the Board of Aviation to represent the Board to the City Council and the City of Marion. So, what they are looking to proceed with is a solar project at the Marion Airport and let him give them a little bit of history on that project and what has lead them to tonight. In 2015, the Marion Municipal Airport was awarded the Airport of the Year by the Aviation Association of Indiana. It's a very prestigious award that's only awarded to one airport annually. They noted in their comments to them that not only do they have class leading facilities but they were told that one of the big points that helped them secure the win for 2015 was their desire and commitment to go green. To that end, all of their terminal lighting is LED, their taxiway lighting, the non-runway lighting is LED, and they've also taken steps to lower their water usage and digitize some of their processes over the years. So approximately five years ago, the airport began an internship program and, in 2017, that internship program turned into a high school aviation program partnership with Marion High School and Marion Community Schools. One of the students that came out of that program, Emma Jacobs, and she was unable to be here this evening due to some academic needs, had a passion for solar power and she wanted to bring that solar power to the Marion airport. So during the research, she reached out to Johnson Metal Solutions. Corey, who is very graciously running the slides tonight, has been working with (inaudible). Mr. Ashley said, so, while he has some personal experience with solar at his own home, Corey does this every day for a living so if there are any hyper-technical questions, he'll defer to Corey. So Emma's research and reaching out to Corey is what has brought them here this

RESOLUTION NO. 1-2020 Continued

evening. So what they are seeking to do, following a no cost feasibility study by Veregy Solar, who Corey represents, they want to add a solar panel system to the Marion Airport and, in this part of the country, solar, as they can see on the screen, is a very equitable and cost-effective measure for bringing green power to a business or a residence. People would say, well it's cloudy, we have lots of cloudy days and we do but we still average about five hours of sunshine a day and unlike the southwest where the temperatures regularly reach well over 100 degrees, the solar panels are just as efficient or more so in Indiana and the Midwest than they are in the southwest, due to the temperature differences. Over the years, Corey would say that when you go back 30 or 40 years, you wanted to go solar because you wanted to maintain the environment but it was not a cost-effective measure in any way, shape or form. Over the last 35 to 40 years, the cost per watt of a solar panel has decreased from \$76.00 to about \$0.30 which makes solar panels and solar power one of the most cost-effective measures to generate green energy that we have. Another side benefit of a solar panel as opposed to say a windmill, solar panels are made up of metal and silicon so they are recyclable materials. So this project and as they have proceeded in this initial study was to power their terminal building and their vault. The vault is what powers all of the primary lighting, so runway lights and taxiway lights. Hangar J, Hangar J is what is used by the Marion Community School Corporation for the High School Aviation Program. And then the large hangar, if they've been to the pancake breakfast over Labor Day Weekend, that is their Hangar A or maintenance hangar. So they are looking to fully power those three buildings, at a minimum, with solar power. This is just a slide that gives them an identification of where they're at. So, it's kind of spread out. There is a possibility that they could do more but the scope of this study just identified the three primary power users of the airport. So, the Marion Municipal Airport completed a no cost feasibility study and the next part of this is to seek permission from this Council to enter into a Request for Proposals for Guaranteed Savings Contract as was mentioned. The scope of the RFP entails no cost to the City of Marion and should the City of Marion choose to pursue this project beyond the RFP phase, they would incur no additional cost beyond the normal expected electrical utility expenses that are currently incurred by the Marion Airport. So with that, he'd like to answer any questions, Ashley said. Councilman Mike Cline asked, where are they going to put the panels? Ashley told Cline, they've identified a couple of locations. The primary location will be just east of the terminal building. They own all of the land that surrounds the airport so it is a prime spot. They will also be looking at potentially putting panels on the roofs of Hangar A and there's also a possibility, if they expand the project, they could do that on other roofs as well. Cline then said, okay, in putting these panels up, do they have to do any structural, do they have to change the structure for whatever they're adding to the roof? Ashley said there's no structural change to the building, to any of the buildings, and the panels that would make up the large system are (inaudible). So they would require footers but no additional modification. Corey Harper told the Council they would have to do a structural analysis to make sure but panels don't add a lot of weight. They don't add a lot of weight but, per the Building Code, they would have to go through and do a structural analysis before a modification of the building did happen. Council President Deb Cain asked, who incurs the cost of putting these panels in? Harper told Cain, so what Jordan's asking for and the airport's asking for is the ability to advertise for Requests for Proposals. Providers who put that in as part of their proposal, a provider like himself or someone else, there are others out there as well, will submit them pricing proposals, not just scope but (inaudible) fee, and then financing options is part of it. Under the Indiana Code that allows this to happen, you're paying for it out of your savings. So it's not a debt project and it's financed through multiple mechanisms, banks, private loans, etc. But it's paid for, the project itself pays for itself. Cain asked, does the airport have the funding? Mr. Ashley replied, the airport at present rates does have the funding. Council attorney Phil Stephenson told the Council, just so they know, this is not a final approval. All this is is a resolution to allow them to bid. They're still required to come back to them after they have the bids. So that they can have a better idea at that point about how the finances work out and let them have another opportunity to pass before they enter into a contract. Mr. Cline asked, so if there were to be a motion, it would be a motion to pass the resolution so that they can proceed? Stephenson told Cline, yeah, it's only to allow them to go out and obtain the bids. Cline said, so he'll move that. Motion was seconded by Councilwoman Robin Fouce and carried by the following vote. Aye: Fouce, Fordyce, Cline, Cowgill, Henderson, Brunner, Batchelor, Luzadder and Cain. Nay: None.

UNFINISHED BUSINESS

GENERAL ORDINANCE NO. 1-2020 2<sup>ND</sup> READING AND PUBLIC HEARING (CONT. FROM 2/4/20)

An Ordinance of the Common Council of the City of Marion, Indiana to establish the position of Deputy Mayor in accordance with Indiana Code Sec. 36-4-9-7. Council President Deb Cain said this first item of Unfinished Business has been pulled from the agenda and they'll move on to General Ordinance No. 2-2020.

GENERAL ORDINANCE NO. 2-2020 2<sup>ND</sup> READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 2-2020 by title only, an Ordinance of the Common Council of the City of Marion, Indiana annexing certain real estate to the City of Marion, Indiana, establishing the zoning of the same and matters pertaining thereto. Tom Hunt told the Council a few weeks ago they were here, first of all, for the record, he's Tom Hunt, Corporate Counsel for the city. A couple of weeks ago they were here on a petition to annex approximately 15 acres west of Marion out on 9<sup>th</sup> Street, contiguous to a nine acre parcel. They're both owned by companies that are solely owned by a gentleman by the name of Roger Dyson. The nine acres in the city contains a 50,000 square foot building, it's owned by Millwright Riggers and the adjacent 15 acres that are located in the county are owned by a company that Roger Dyson also owns, Star Lease Holdings, LLC. And, Star Lease Holdings, Mr. Dyson, would like to sell those, both parcels, the nine acres and the 15 acres, to Jay Berry who, as they probably know, was the founder of Central Indiana Ethanol here in Marion and he is the principal of Central Industrial Fiber, a company that hopes to land on these 24 acres, if the 15 acres are annexed to the city. With him tonight are Andy Miller, the CFO of Roger Dyson's companies, and Jay Berry, who can probably answer any further questions they have. They might recall, a couple of weeks ago they talked about this project. It is a project that proposes to buy about \$9,500,000 worth of equipment from a place in Europe, bring it over here and then construct approximately \$3,800,000 in facilities on this 24 acres. It will be proposed that there will be 10 jobs to start with and perhaps 25 in the next two years that will pay an average wage of close to \$29/hour. The project will be to grow industrial hemp for various uses, such as clothing, roping and that kind of thing, and Jay could probably answer more questions about that to be specific. This is a 2<sup>nd</sup> reading and public hearing tonight. He just wanted to answer a couple of questions that were raised last time. A comment was made that this property has sought to be annexed at least twice but it was denied and we don't find any evidence of that. Mr. Dyson has owned the property for at least five years or more and he has not sought to annex this property prior to this occasion. So they're not sure where that rumor came from. Secondly, the property currently has utilities on site, water and sewage. In fact, there's a fire plug right across the street from where the building is. So getting utilities there is not an issue, they're already there. So with that, he'd ask them if they have any questions. He has both Mr. Miller and Mr. Berry here who can answer their questions, Hunt said. Councilman Jim Brunner told Mr. Hunt he knows they've been down this path, let's do it again since they have some new people here. Define exactly what the hemp will be used for. Hunt said, Jay, do you want to come up and address that? Jay Berry said he'd like to thank the Council for their time tonight. The industrial hemp will actually be grown here, about 3,000 acres. What they're going to do is there's two by-products that come from it. The hurd, which is the woody substance in the middle, on the outside of it is the fiber. The hurd can be actually milled up and actually used as a charcoal. Anybody that's got like an undershirt on that has like a dry-wick material, that's actually what it's used for. You actually take it, bake it and charcoal it and it's actually got a natural, anti-microbial so bacteria will not grow on it. It's also four times more durable than cotton. The hurd is also used for Hempcrete, to be able to be used as a filler. They've also got plastic companies that would like to use the hemp, also the hurd, because it breaks down in less than one year. It doesn't take over 100 years to break down like traditional plastic so it also sequesters CO2 in it. The fiber is used for interiors of car doors so Volkswagen, BMW, Mercedes-Benz and Toyota are coming on board. Those first three are already using 30% to 35% hemp inside their car and that's on the side panels, up top. It's also got a natural fire retardant in it so it won't catch on fire. Toyota is interested if they had a US supplier. They're doing it in Europe and in Asia but there's no US suppliers. They'd be the first ones actually manufacturing and doing this in the United States. So that is what it would be used for. There's zero waste in the product. That is very important, zero waste. Everything gets used completely up. There is nothing out there left over. Council President Cain said her understanding is that it is used for organic farming too. Berry told Cain, yes, yes, currently there's no chemicals or pesticides allowed on it. When you plant it, it's really thick. They plant almost like 1,700,000 plants to the acre so no weeds will grow up in it and it should grow anywhere from 13 to 18 feet tall is what it should be. Councilman Gary Fordyce asked Mr. Berry, is this project ready to roll? He means, their financing and everything's in place and they're ready to roll once this is annexed in and they purchase the land? Berry

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told Fordyce, yes, they're waiting on the annexation to be able to do that. One thing that, they don't want to go after a TIF, they're looking at a tax abatement. That's off the table, it doesn't make sense. They're not interested in doing that. He thinks that would be a major headache for everybody and something they have zero interest in. Fordyce told Berry he appreciates his investment into our community and what he's done for our community. The other question he has, he knows he (Berry) says he's going to possibly employ 25 in the future but that could increase to more than that? Mr. Berry said he thinks that's probably closer to their starting number. It'll probably start closer to 20 and then he thinks they could get up to 45 to 50 within three years. Fordyce replied, that sounds great. That's all he has, thank you very much. Councilwoman Robin Fouce asked, would local farmers get the hemp product, get the business from the hemp? Berry told Fouce, yes, yes, they've already got contracts. He's already got more than enough acres. Yes, it's a good thing for the local farmers, yep. One thing with it is it's very compatible, as Judge Hunt said, it's very compatible with corn and beans, to be able to go right after them. And right now, the farm economy, which is major for them and this community, is really hurting. Grain prices, everything are down. You're looking right now where margins are almost below break even for corn and beans for farmers. So this would give them another opportunity to have another revenue stream, and on top of that, not only will they have the opportunity to do something here unique and be the first one in the United States, he thinks, as a matter of fact he doesn't think, he knows they'll be able to bring in other companies because he's already had other companies reach out to him with interest to be able to build close to where they're going to be processing. So he sees them creating like an incubator site because of what they're able to produce, other things will come in because of what they're doing. Councilman Brian Cowgill asked, out of the 45 jobs eventually, is there going to be certain requirements people's going to have to have in order, like what kind of...? Berry told Cowgill, yes, he means they're going to be doing a lot of research and development. There's a lot of R & D stuff they're going to be testing because a lot of the stuff, it's not rocket science. This stuff's already been done over in Europe. It's kind of like when he built CIE here. Everybody thought it was rocket science. Well at that point, there was already 66 ethanol plants in the United States because nobody knew anybody was making alcohol. With this, this is a proven technology. This stuff is being done in Europe and in Asia. It's not been done here just because it became legal a year ago with the Farm Bill so everybody's playing catch up. It's a project that they've actually, he's been working on for over two to three years. He's been to Australia, he's been over to Holland to understand how are they growing this, how are they processing it, what can you do with it. One of the big things he heard you guys talk about was on buildings going carbon neutral. They can actually look this up on hemp (inaudible) where they're actually making the walls out of the hemp. It sequesters the CO2 but also you can take a torch and light it. It won't catch on fire. It'll smolder but it will not burn and so there's a lot of stuff that has currently not been done here yet. It's not new technology. They can do this but they've got to be able to prove it to the US Government and go to like construction, say hey, what is your standards, this meets and exceeds and they've got to prove that. So he'll be working with universities and construction companies on doing that already. Councilman Cline told Berry, he thinks he may have answered this before but he's going to ask it again anyway. Year after year, growing the same crop, what's it do to the soil? Does it wear out? Berry told Cline, no, it actually uses less. You want to rotate crops because you get disease in it. With hemp, you can actually grow it back to back and you don't have any issues. But most people, if you notice, everybody grows corn and then beans or tomatoes. You want to rotate it, otherwise you get disease in your soil and you start depleting them. This doesn't. It actually uses like a quarter of the water that corn and beans uses and it also is a, it's used a lot, if they do some research into it, it also is really good at pulling pollutants out of the ground. So, hemp absorbs about anything that's in the soils. So if you've got lead in your soils, if you've got other stuff, it's a great remediating tool to be able to use. Cline asked, so pesticides? Berry replied, there's no pesticides legal. Cline asked, or runoff? Berry said, there's zero. Councilwoman Fouce said, so the locals would not have an odor in the vicinity? She said she asks this because she had constituents bring that concern. She assured them not but she wanted that clarified. Mr. Berry told Fouce, there's no winds brewing, there's nothing to smell downwind. There's no residuals. Fouce told Berry, they thank him for that. Berry stated, actually it's grown out in the farms and then when it comes into them, it's in big bales so, he means, they're four by eight, they weigh about 800 to 1,000 pounds apiece so they're brought in, and it looks like straw. If he showed it to them, they couldn't tell a difference between it and hay or straw. It looks exactly the same. Councilman Steve Henderson asked, what's the shelf life of that bale (inaudible)? Berry told Henderson, five to 10 years. If any of them, he means, if any of them grew up, you know, 20, 30 years ago and

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remember playing in barns and the rope they had that was made back in the '20s and '30s, it's still there today. The mice won't eat it, insects won't eat it and they don't like the taste it. Henderson said, he actually looked it up and the hemp was one of the major products of the State of Indiana years ago. Berry replied, yeah, actually it got banned because back in the old days, back in the '20s and '30s, the cotton industry wanted to protect their margin, their business, and so they rationally looked, they pushed banning hemp to keep, because it is so much better than cotton. Henry Ford actually designed the first cars to run off of alcohol and they were actually built using hemp because of the durability of them. There were no further questions from the Council. Council President Deb Cain said, at this time, they will hear from anybody from the public, for or against. They have three minutes to speak. If they come up, please make sure they say their name and address. Heidi Peterson told the Council she's the Executive Director of Main Street Marion. She lives at 715 W. Spencer Avenue in Marion, 46952. She is really excited about hearing this proposal. She thinks this could really be a turnaround venture for Grant County and Marion as a whole and she really supports it. Council President Cain asked, anyone else? She said seeing none, they'll close the public hearing. Any other additional questions or she'll take a motion. Councilman Brian Cowgill said he'd like to make a motion. Councilman Steve Henderson said he was going to ask if they could suspend the rules on this ordinance. Council attorney Phil Stephenson told Henderson they can, yes. Henderson then made a motion that they suspend the rules on General Ordinance No. 2-2020. Motion was seconded by Councilman Jim Brunner and carried by the following vote. Aye: Fouce, Fordyce, Cline, Cowgill, Henderson, Brunner, Batchelor, Luzadder and Cain. Nay: None. Motion was then made by Henderson, 2<sup>nd</sup> by Brunner to pass General Ordinance No. 2-2020 and carried by the following vote. Aye: Fouce, Fordyce, Cline, Cowgill, Henderson, Brunner, Batchelor, Luzadder and Cain. Nay: None. Mrs. Cain said, congratulations and thank you very much for your investment. Mr. Brunner said, thank you very much, Mr. Berry, for what you do for this community. They really appreciate it. (NOTE: Another vote was taken on this ordinance after the vote on General Ordinance No. 3-2020 – see below.)

GENERAL ORDINANCE NO. 3-2020 2<sup>ND</sup> READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 3-2020 by title only, an Ordinance of the Common Council of the City of Marion, Indiana regarding a request for voluntary annexation of certain real property into the City of Marion, Grant County, Indiana. Zeke Turner told the Council he's with Veta (sp?) Investment Holdings. So, the focus here is on the annexation piece. The site that they're discussing is off of Adams Street, just across from the Adams Street entrance to Indiana Wesleyan. The site's under consideration for a senior housing project that would be a mixed income, mixed use project. So ultimately, it would have assisted living, independent living and memory care. It would also be both eligible for private pay and for Medicaid reimbursement. What that really allows them to do then is to be able to have a wide swap of different potential residents there, everything from really kind of middle income through low income. The property is proposed, right now, and again they're focusing on the annexation today but as they're trying to put the project together, the total investment would be \$40,000,000 for the entire project but \$30,000,000 of that being on the construction cost. It will have, on its first floor, it will have a restaurant that is, at least right now, being conceptualized as being open to the public. It would have a coffee shop, a fitness center that'll have therapy options, very nice apartments and a nice quality of design and ascetic there on that side of the community. If it's ultimately successful, they would anticipate having 60 employees with at least 40 being full time, roughly \$2,000,000 in annual wages once the property is stabilized and then having about 300+ construction jobs during the 15 to 16 months of construction that'll be ongoing there. Just note that they're in the early stages of this. This is a first step towards the project. Ultimately, if they come back and the project is moving forward, there's a due process to go through with the community through the site planning and building permits and everything else that it needs for development but here today to discuss the annexation piece, Turner said. Councilman Steve Henderson asked Turner, on that property, do they have access to both roads? Turner told Henderson, yes. Henderson said, so that is already there and he won't have to contend with anything there. Turner stated, correct, yeah, and what they're conceptualizing right now is a road that would ultimately be on the property but would pass through so that there's good access, ingress, egress, for fire safety, whatever else might be there. Council President Deb Cain said, currently this property is owned by a church so there's no taxes but they will incur taxes. Mr. Turner told Cain, correct, it'll be owned by a for profit entity. Cain said, seeing no further questions, this is a public hearing. She will take anything from the public and if they come up, please

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give their name and address and they have about three minutes. Debra Carroll told the Council she lives at 4110 S. Meridian and her family sold that property to the church. She thought her brother would be here tonight, Brian Flynn, he's on one of the boards. Anyway, he didn't show up but they discussed it. She doesn't have a problem with a nursing home type facility going in there. She did want to ask about what it's going to do to their property taxes. She was going to ask if there's going to be a through road because anyone that's used that property wants to put a through road through. Her comment to that is are they aware of the mud yard that they have been fighting because that entrance and exit from Adams to Meridian is going to get slaughtered. It is going to be muddy, it is going to be busy, it is going to be a mess. And they will use it. VIA has trouble, the credit union, they have a lot of trouble and she thinks that whoever is doing the project needs to be aware because, at this point, it doesn't look like they have a very good winning streak on this mud yard. And they're talking about possibly eight events a year, three days straight, camping, mudding, concerts. It is 24 hours for three days of a horrible mess. And that will affect it. She doesn't have a problem with that but if they put a road through there, it's going to get abused. Their driveways get abused, Carroll said. Mrs. Cain told Carroll, thank you. She will let Mr. Turner come on up and answer her question about property tax and then, if there are any questions of her (Carroll) or herself (Cain) about the mud yard, they would be glad to answer those. Turner said, yeah, he's sure that's not a topic he wants to approach. So, just one comment, she mentioned nursing facility. This won't be a nursing care facility. This will actually be at the highest level, assisted living, independent living and memory care so it's non-medical. It's residential in nature so people that live there, this will be their home, they'll have assistance with daily living activities but those are non-medical. They certainly could bring home health care or something like that in if they desired but that's a resident's choice. In terms of the entity and the taxes, this will be a for profit entity so it ultimately will be eligible to pay taxes. They may come back and ultimately seek some form of abatement at the right point in time but there's still a lot of work to do before they get to that point. And then, in terms of the (inaudible), they'll work with the city on that as far as how to site plan this appropriately to give consideration to what could occur in and around the property. But it's not intended to be a public road. Carroll said, it will be. It will be, she can promise him that. Turner said, so they may have to be creative in the site planning in terms of dealing with that. Carroll told Turner, and she wanted him to be aware of that. Like she said, VIA has trouble and theirs is very short. His is going to be longer. Mrs. Cain asked Mr. Turner, have they also looked into what it would do for the property, value of the properties around the area? Turner told Cain they haven't done a study other than that this will be a very nice and attractive property. It'll be a good producing property in terms of its revenue so he doesn't have any expectations it's going to have any harm to the properties around and he thinks it'll actually be a really nice anchor property for that side of the community, knowing that side has VIA there, it has the Fitness Center, which is really nice but unfortunately, the Marsh store did not make it and so that's kind of an eyesore right now. He knows that there is some potential for that to be something different in the future. He thinks this could be a really nice addition there to really reset and to have something attractive of that nature in that area of the community. Cain asked, is there anyone else from the public? Ms. Carroll asked, but how's it going to affect her property taxes is what she wants to know. Is this going to increase because the city is right there? Doug Turner told the Council he lives at 4205 S. Meridian Street, Marion, Indiana. He said they want to annex this portion to the city. So how far down does all that come? Does it affect Meridian Street? Cain told him, just his (Turner) property. Mr. (Doug) Turner said, just his property. Okay then, that would be city taxes? He was told it would. Turner then asked, and they're still in the county then? He was told they would be. Cain asked, anyone else? Tony Hendey – 1617 S. Nebraska Street – told the Council he thinks he had, sort of sidewise, his questions answered. That is that mud yard is in the county? Cain told him yes. Hendey said, okay, so they have (inaudible). Okay then, there's no sense pursuing this. He just saw it in the paper and he wondered what the status of it was. They offered, so thank you, Hendey said. Being no further comments from the audience, Council President Cain said she would take a motion. Motion was made by Councilman Gary Fordyce to pass General Ordinance No. 3-2020 on to 3<sup>rd</sup> reading. Council attorney Phil Stephenson said they can't go to the 3<sup>rd</sup> reading until they first suspend the rules. Councilman Brad Luzadder asked Fordyce, does he want to pass it tonight? Fordyce told Luzadder he did. Luzadder said then he'd need to make that motion of suspension. City Clerk Kathleen Kiley told the Council she doesn't think they can pass this one tonight. Deputy Clerk Debbie Goodman commented she didn't know how they passed the other one. Mr. Stephenson told Kiley, yeah, she's right, it's an annexation. She's right, he's sorry. Kiley said, Debbie mentioned it before the last one that they passed. She thinks it

GENERAL ORDINANCE NO. 3-2020 Continued

has to go to 3<sup>rd</sup> reading. Fordyce said, okay, so his motion stands. Motion to pass to 3<sup>rd</sup> reading was seconded by Councilwoman Robin Fouce and carried by the following vote. Aye: Fouce, Fordyce, Cline, Cowgill, Henderson, Brunner, Batchelor, Luzadder and Cain. Nay: None.

Council President Deb Cain asked Mrs. Kiley, how do they fix the other one? Do they need to inform them that they have to have a 3<sup>rd</sup> reading? Mr. Stephenson? Council attorney Phil Stephenson said, yeah, they can either have them come back or just put it back on the agenda. Cain told Mrs. Kiley, they'll just put it back on the agenda? City Clerk Kathleen Kiley told Cain, well they can. Cain said but they need to revise the motion. She asked Mr. Henderson if he would like to revise his motion. Councilman Steve Henderson said, okay, he'll change the motion to pass (General Ordinance No. 2-2020) to a 3<sup>rd</sup> reading, 2<sup>nd</sup> was given by Councilman Jim Brunner and carried by the following vote. Aye: Fouce, Fordyce, Cline, Cowgill, Henderson, Brunner, Batchelor, Luzadder and Cain. Nay: None. Mrs. Cain stated, okay, so they will put that back on the agenda and she will let Mr. Hunt know. Councilman Fordyce said, you'd think these attorneys would catch that. Cain replied, well, you would think. And they had two of them in the room.

Council President Deb Cain said, before she takes a motion to close, Mrs. Fouce attended the AIM Conference for newly elected and the intention was for her to give them an update or just inform them about the conference, give them some information. So she was wondering if she could have that prepared for March 3<sup>rd</sup> and they would do it at the end of the meeting so that if anyone wants to stay, they can stay and listen or they can leave. Councilwoman Robin Fouce told Cain, she would be happy to. She's so glad she didn't say do it now but she would have come up with something. No, but she would be happy to do that. Cain told Fouce, and if she has anything that she wanted to hand out, they can either send it by email or have Mrs. Kiley make copies and put it in the packet.

Being no further business to come before the Council, on a motion by Brunner, 2<sup>nd</sup> by Batchelor, the meeting adjourned. Time being 7:49 p.m.