

As Amended

REGULAR MEETING – MARION COMMON COUNCIL – OCTOBER 6, 2020 – 7:00 P.M., CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 6th day of October, 2020 at the hour of 7:00 p.m. in the Council Chambers, City Hall.

Councilman Steve Henderson told the Council, before they pray, he wanted to thank everybody for their prayers and everything for his sister who passed and also for Brad (Luzadder) and his mother, for Jerry (Foustnight) and his mother-in-law and for the Mayor and his mother and anybody else they may have forgotten. Also, he'd like to give them an update on his wife. She has turned a corner and her survival rate has gone from 20% to 60%.

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

Present: Luzadder, Cowgill, Fouce, Cain, Fordyce, Henderson, Brunner and Cline.

Absent: Batchelor.

Council President Deb Cain told the Council they have three meeting minutes to approve, the first one is September 8th. It was a special meeting. Motion was made by Councilman Brad Luzadder, 2nd by Councilman Steve Henderson to approve the minutes from the September 8th meeting as presented. Motion carried by the following vote. Aye: Luzadder, Fouce, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None. Abstain: Cowgill. Cain said the second meeting is September 15th. That was a regular meeting. On a motion by Councilman Jim Brunner, 2nd by Councilman Gary Fordyce, the minutes were approved as presented by the following vote. Aye: Luzadder, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None. Abstain: Cowgill and Henderson. Cain said, and then they have September 22nd which was a special meeting. Motion was made by Councilwoman Robin Fouce to approve the minutes from the September 22nd meeting as presented. Motion was seconded by Fordyce and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce and Cline. Nay: None. Abstain: Henderson and Brunner.

At this time, Council President Cain said she'll hear committee reports and then, if there's no objection, she'd really like to move the New Business ahead of the Unfinished Business as they have a special resolution before them along with guests in the audience and they don't need to sit through all the long agenda for their turn. So, any objections? Hearing none then she will consider committee reports, Cain said.

COMMITTEE REPORTS: Councilman Brian Cowgill said he has a report on their committee, on the Grant Committee, on the Hazard Pay that they had a resolution originally for Police, Fire, Transportation, and Maintenance. This is a difficult one for him because he guessed he's not quite understanding why this hasn't been done yet. They've done this, worked on this for three months now. They went to the Administration, to the Mayor. He was all for it. You know, he has never backed away from saying that the men and women don't deserve it. But, they've gotten pre-approval on it so they've dotted their i's, crossed their t's and he just, a few things that he feels like he wants to say just to have people understand what these guys are going through, these men and women. Since March of this year, they've had 50 firefighters that's been killed due to COVID-19 in the State of Indiana. This is just in the State of Indiana so this isn't nationwide or nothing else. They've also had 112 police officers killed since March due to COVID-19. So anybody that doesn't think that these men and women don't deserve this money offends him beyond belief and it makes him ashamed. We are dealing with a worldwide pandemic, something we've never dealt with in this country before. And where a lot of businesses and including our own City Hall has closed, these guys haven't closed, not for one day, one hour, one minute. They've been out there on the line and their lives, they're losing their lives over this. They made a resolution on this to be done by Thursday. He's hoping that this will be done by Thursday. And if it isn't, it's just, we have a chance here.... Another thing too, the firefighters, he knows a little bit more about that side, for obvious reasons, than he does the police but the firefighters, we have gone from 73 firefighters down to 58 firefighters. That's a savings of \$1,000,000 to the city. That's not including the benefits that they've lost. That is another savings. They've went without some raises and then when they have gotten a raise, they've had their insurance premiums doubled right on top of that. So, it isn't a raise. The police officers and firefighters that were hired in 2009 make less now overall than they did when they got hired in 2009. So, the men and women of this city, they're giving everything they've got. There's nothing else left to give. Why don't we show support? We have a chance under the CARES Act to give these guys some Hazard Pay, for one, to say thank you, at no cost to the city, no cost to the

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taxpayers, and we can't get that done? He doesn't understand it. We got \$909,000 and for the last three months at their meetings, we were under the impression that that's what we have left. Then we found out last week that that's not true, that we've got just a little, like \$666,000 left. Their committee was never aware that there was money being spent out of this that was promised three months ago. We've got a lot of these men and women here and the civilians, he would hope that they would join him in thanking these guys and for once, let's do what's right. Let Marion not be a follower, let Marion be a leader in this state and be the ones that could step forward and say thank you guys, here, here's a little bit of what you've done and putting not only your lives on the line but your families lives because then they bring it back home to their family and their kids. It's time Marion be a leader, not a follower. Let's lead this fight. That's his opinion, Cowgill said. Councilwoman Robin Fouce said, thank you, she wants to piggyback off of Councilman Cowgill. If she could just share a few excerpts from a letter that we received from an individual regarding this, that the Fire Department began planning as soon as the pandemic struck so for those of them that don't know, this CARES Act money and Hazard Pay is available as a result of a pandemic that we all have heard about and are living and mitigating through. They've had many runs of suspected and confirmed COVID cases. She'd also venture out to say so does Transportation, so does the Police Department. They've been in countless homes where they were coughed on, vomited on, bled on, where CPR was performed and people cut out of cars. In spite of all this, they don't shut down. They never have shut down. They are the first to respond. They are essential to how we live here in Marion. Both Brian and she, as Council persons, and the Grant Committee took this up as a good thing. They contacted the Mayor in good faith to do something co-jointly to kind of change the pattern of where the direction we seem to be going and so we contacted him in good faith. She's quite disappointed, to be honest, about the response that we've gotten. We met for several months, weekly, daily, every other day for several months to see this come to pass. We facilitated a pre-authorization to the federal entity that manages those funds and distributes those funds. We obtained that so we were pre-approved a while ago to pay out these funds. We even went further and got names and people that would fall prospectively in that category, give or take a few, and so the work was done and we are here today talking about it because she feels they've been strung along and misled. She feels, she'll speak for herself personally. Professionally, she feels she's been under attack. Where they say she's not for other city workers, you will never find her not being a proponent for a worker. This is at the core of who she is, it's at the core of what she ran and she will maintain that. And so, she feels that all the while we were having these conversations, there was a dualistic conversation going on that included spending the money out of the pot that we were allocating those funds for. We had, she would say, a mark on those funds. No one ever (inaudible) them different. If that's what the Mayor or anyone was doing, it would have been a conversation that would have been appropriate, just like the one where they said they don't want to do it, in this way, and so she asks that as a community we take a stand for our first responders, our essential workers, and give them and their family some love and support. It's more than putting up a sign that we value our first responders. It's more than saying it. It is..... Mayor Alumbaugh said it sounds like a public hearing, he's here to speak his peace. You guys are. Fouce asked if he could wait until she gets finished? Alumbaugh told Fouce, yes, he's just waiting. You're going to hear the other side of it. Fouce replied, okay, she means she has no problem with that but she was speaking. She did have the floor. The Mayor said he's just coming up and waiting his turn. Councilwoman Fouce said, and so Transportation, they picked up individuals that were sick. They took them to doctor appointments. They were at risk. They came to work as they were scheduled. So, she wants them to stand by the resolution that they set and compensate their workers, Fouce stated.

Councilman Brad Luzadder said he has a report from the Utility Board. The Utility Board met this past week. They are currently working on their upgrades to equipment as well as acquiring some new property in which to handle the combined sewer overflows and staying in respect to the state with not having overflows going up into the Mississinewa. And so because of their plan, they are looking at (inaudible) their long term control plan is looking at having to do a bond issue. The last time we did it was 2014 or '15 and they have always been great with taking care of that. And so that will be coming before us in an ordinance that the Council will have to take into account, being it's a bond issue, but it is in line with their \$32,000,000 project that was started a number of years ago that has to be taken care of based off the Clean Water Act as well as the overflows. It was a great meeting with the Utility Board, Luzadder said.

Council President Deb Cain reported that the Board of Aviation met this week and they are moving forward with their solar panel project. They are going to begin looking at funding for that project and then they will be coming before us too. She said, Mr. Mayor, this is not, they were giving committee reports. This is not an open meeting. She will inform him that if the resolution that they pursue is not signed then they will present an ordinance at a special meeting on October 13th. Mayor Alumbaugh said he tried to have two meetings with them this week because there were new changes going on. Mrs. Cain said, point of order, Mr. Mayor. The Mayor told Cain, you're about to be shown something that changes how the COVID money gets spent. Cain told Alumbaugh, Mr. Mayor, you can present this when we do the ordinance. Alumbaugh said, for public record, he wants the newspaper, the media, and the audience to know he tried to meet with them twice in the last week and a half to discuss further changes with the COVID and nobody chose to take that up, including the unions. And right now..... Mrs. Cain said, okay, point of order. We're done, Mr. Mayor. Council Vice-President Brad Luzadder told Alumbaugh, this is not your meeting, sir. Alumbaugh stated, this has been a public roasting. Luzadder said, this is not his meeting. Please have a seat. The Mayor said, you turned meeting reports into a public roasting. He's not his boss, he does not report to him, Alumbaugh told Luzadder. Luzadder stated, this is our Council meeting sir. He is out of order. Alumbaugh said, Madam President, he requests to have a rebuttal to what they said. Cain said this is not an open, this is not an open meeting. This is not a public hearing (inaudible). Alumbaugh asked Cain, do you want to get it right or do you want to be right? Cain replied, she is, she is..... She guessed Councilman Cowgill wants him to speak. Alumbaugh said, you know what? We're going to go down another avenue to tell this story, both sides of the story, because right now they're just hearing their side and that just doesn't seem appropriate when you do it in a public hearing. Councilman Mike Cline said, Mr. Mayor, you came up and did this. Finish your (inaudible). The Mayor said, alright. We had changes come up from the US Treasury that specifies that public safety people are the only ones who are going to qualify for Hazard Pay, health employees and those closely associated. This is a new change because we're trying to get Transportation. He said he said police and fire weren't the only ones on the front line. He had his bus drivers picking people up. The biggest problem with this whole thing wasn't whether we could even do Hazard Pay, it's can you do \$5,000 for every public safety employee? That will drain that pot of money, that COVID CARES Act money and deplete it from all the other materials and equipment we still need for the coming future because this could go on for another year to two years, that's what they're forecasting and they're charging us to prepare it just like that, prepare that you're going to have these needs moving forward. The deadline for this CARES Act to be applied for isn't the end of this month, isn't the end of November. It's December 31st. Let's get it right, not hurry through it and then, if we get anything wrong and we think we were pre-approved, because IFA told Julie Flores Transportation definitely will not qualify. That was from a phone call. We thought they were. He doesn't want to get it wrong. He's just saying let's slow down and be sure. That's all he's tried to do is slow everybody down and make sure we cross the t's and dot the i's. You said you were doing that. We've had new things come up. He wanted to talk to them about that. That's what he wanted to have this conversation about. You guys know he said if we can pay Hazard Pay, if there's money to do that after we take care of our needs, he doesn't want to not pay people Hazard Pay. He asks them to come to work every day. He was hunkered down at home for a while. He could work from his office at home and not have to be on the front line. All he is saying is \$5,000, she agreed with him he told Councilwoman Fouce, you should have never said that to everybody, telling them they're going to get \$5,000. Councilman Cowgill said, yeah, if they take big risks, they should have some type of bigger reward. Alumbaugh responded, but then that depletes everything else we have for any other needs. Cowgill told Alumbaugh, because you guys have spent money and did not let anybody know. Alumbaugh stated, for those needs and the needs are still great. Fouce said, that's the problem. All the while, money was being spent. Cowgill said, if we would have known you were spending the money, Mayor, we would have understood. The Mayor said, and he has a piece of paper from the Federal Government that says CARES Act money is solely distributed by their Chief Executive Officer, Jess Alumbaugh. It's his decision to make. Council President Cain said, so the concern here, Mr. Mayor, is that we got a list of what was spent, picnic tables, a fogger, an ATV to pull the fogger, a vehicle, but then he just said that we need to keep money aside for the PPE equipment, any equipment that is to protect the first responders. So why was this, she doesn't expect an answer to this question, she's making a rhetorical question. She doesn't understand how he can spend money on that stuff and then in the same sentence tell her that we need to keep money aside for PPE and emergency equipment, that doesn't make sense. And the other thing is that we have been in meetings and not once until we asked what other was spent did we get a list of everything that was spent. So at this

point, we will have an ordinance prepared for October 13th. We will call a special meeting. He can speak at that point and give them any further information. We have all of our information put together and we will look at this again. Mayor Alumbaugh said, like he said, again, it's clear by the federal mandate that it's his money to disburse how he chooses to disburse it. It's not money in the budget for the city. It's reimbursement money from the federal government and they specify in the letter the Chief Executive Officer, which is the Mayor of Marion, has the right to spend the money. He just needs to get us to approve it, how he's going to spend it, and the foggers are part of the sanitation. That's going to help sanitize the Splash House, the parks. Those are ways to sanitize. He doesn't know why they're concerned about buying foggers. Also, this is going to go on for another year to possibly two years. That's why we need to make sure we still have money. Cain told Alumbaugh, because you bought foggers and you didn't pay our first responders who have been out on the streets. They've been dealing specifically and directly with people that, with the blood, with the vomit, with the drugs, with the needles. Alumbaugh told Cain, you can turn this against me like he's not for first responders. Cain replied, no, she's just saying.... Alumbaugh said, \$5,000 and you deplete the whole fund very quickly and now we don't have the means to go forward to take care of this pandemic moving forward. That's not being a good steward of the taxpayers' dollars. We have to be prepared for this. Or for the other employees, we're trying to protect the employees. Mrs. Cain stated, and in the beginning, we were told we had \$900,000 and then all of the sudden we don't have enough money to pay the first responders. That's just sad. It's a shame. Councilwoman Fouce asked the Mayor, was he aware a truck was purchased for the Fire Department to the tune of approximately \$40,000 out of CARES Act funds, after the fact of us meeting with him several times? A truck, a transportation truck, we have trucks around here. Is he aware that that was purchased out of CARES Act money? Mayor Alumbaugh told Fouce, yes, he's aware of that. Are you guys saying that they think he (inaudible) prioritized, just give \$5,000 to public safety and then do what you can with what you have left? Cain said, absolutely. \$5,000 per person, Alumbaugh asked. Cain said, absolutely. Alumbaugh said, it hasn't happened anywhere else in the state. Fouce said, what she's saying is what she has said all along that we should compensate our first responders. Regardless to whether she agrees with that figure or Brian or not, she supports his effort in trying to support and respond to our first responders and their families and so whether it was \$5,000, \$6,000, that money was there when we were discussing it but there was an undertow of spending going on. A fogger, okay we need a fogger. A truck? Do we need another truck? Alumbaugh said that sanitizes equipment. A lot of communities are going to the foggers to sanitize, with the pandemic. You can't just keep doing what we've always done. Fouce said, we do disagree. She wants to compensate our first responders. The Mayor said, and the priority of how to spend it, again, falls on him. Just like, at the end of the day once the budget's set then that falls on him and he's doing what he thinks is best. He didn't say no to Hazard Pay. He just doesn't know how you get \$5,000 out to every police and fireman and then what about the rest of the citizens of Marion? And what about the rest of the employees of Marion, how do we keep them safe moving forward? Cain said, so equipment is more important than lives. Alumbaugh said, that's not what he said. Cain said, well that's what she hears. Alumbaugh stated, equipment protects lives. What's \$5,000 going to do long term for the police and fire? Cain said, so a fogger and an ATV and a vehicle is more important than the lives. That's what she's hearing. The Mayor said, this is obviously, to him and he thinks to the people who support him who have been calling him, this is obviously a thing to say we're going to turn them against you. Councilman Cowgill said, no, Mayor, that's not it. He's not trying to do that at all. He's not trying to do that at all, but, for months, we, the Council, has been under attack because you guys said we don't communicate with you. Yet, he has two different instances that he was with him (Alumbaugh) and communication months and months and at the last second, you flipped the script on him by not communicating with him. Alumbaugh told Cowgill he never flipped the switch. They were still talking about how can we do Hazard Pay. Cowgill told Alumbaugh, Mayor, you never told us that you were spending money already, hey we've only got this much left. Alumbaugh asked, why did you tell them \$5,000? Cowgill said, he said the amount. He thinks they deserve that amount. That's his opinion. Alumbaugh said, the equipment needs are ways to protect all the employees of Marion. Mrs. Cain said she agrees with the PPE equipment, she agrees with that, but she doesn't agree with the vehicle, she doesn't agree that a picnic table, she doesn't agree that an ATV is putting first responders lives in priority. The Mayor said, in the end, it comes down to your Chief Executive Officer's decision to spend that CARES Act money how he deems best and that's what he's trying to do. Cowgill told Alumbaugh, he's right, it's up to him and if he decides not to do it, that's his choice. Alumbaugh said, that's his choice. Fouce asked, so he's deciding not to compensate our first responders and essential workers? Alumbaugh told Fouce he still has time to respond to their

resolution. Fouce said, beg your pardon? Alumbaugh said he has 10 days to respond to their resolution. Cain said, yes, he has until the 12th. Alumbaugh stated, he just wanted to have more conversation with them because this is ever changing. It's a new situation we're facing, no question about it. It keeps changing. What they felt they were sure about, they're finding out maybe some of it's not accurate anymore. It's changing almost daily. Fouce said because we're taking six months to get it done. Alumbaugh said they have until December 31st. What they're not telling them is we find out we paid the money upfront, we thought we were pre-approved, and it's happened to some other communities, and they're told no then you have to come out of your own city budget to make up that (inaudible). The federal government doesn't say, oh that's okay, we'll make it up to you. They don't. You pay back what you didn't get reimbursed. Cain said, okay, so from experience, they have until December but in the meantime, he's already spent more than she even wants to think about on stuff that is not PPE equipment that is safety equipment to the person. Alumbaugh told Cain, but again, you're getting in the Mayor's lane. They want him to spend the money the way they want and it's not their call. Cain said, Mayor, please let her finish. He's spending money on, it's important to spend money on that PPE equipment. It's important to give them the equipment that protects them. Picnic tables don't protect the person. A fogger doesn't protect the person as they're dealing with the public, as they're going out on these calls, as they're having to be called to emergencies. That doesn't protect that person. The ATV to pull that fogger doesn't protect that person. The vehicle does not protect that person that goes, the firemen that go out on the truck to these emergency calls. That is what she is saying. Okay, so they wait until December. How are they going to know that he is not going to spend some more money and get some more stuff? Alumbaugh asked, what are you going to do? This is his call how they spend CARES Act. That's what he's trying to tell them. They found that out for certain that it's the Mayor's decision how to spend CARES Act. Cowgill said, okay Mayor, and he agrees with that but let him ask him a question. They've been in contact for months on this.... Alumbaugh said, and he wants to see what he can do for Hazard Pay but it's not going to be \$5,000. That depletes the whole fund. Cowgill told Alumbaugh, tell him when he's done and then he'll talk. He never interrupted him one time. Alumbaugh told Cowgill, go ahead, sorry. Cowgill said, during all this, when they've been talking about amounts and people and who (inaudible) for what, does he not believe that it was important to let them know that they were spending money out of that already, that the amount's going down like this? He doesn't think that was important to let them know, as a committee? Alumbaugh said, the \$5,000 would have depleted it considerably. Cowgill said, no, answer his question, sir. Alumbaugh told Cowgill, you guys were making all the plans without him to start with. In fact, they got their personal approval through the county, through Mandy Simmons, not through the city. Cowgill stated, yeah, he doesn't want to answer the question because the answer is yes, he should have communicated with them. The Mayor said, so \$300,000 was spent on stuff they felt was urgent. Foggers are important, they sanitize equipment very quickly. The picnic tables she keeps referring to, Mrs. Cain, those are important. They're resin, they're easier to clean the surfaces than these old wooden tables. They absorb and they're very hard to sanitize. Cain said, so that protects the policeman from.... Alumbaugh said, they want chairs that are resin in here instead of cloth because of the kind of material. Mrs. Cain said she did not go with that yet. That was a thought in the back of her mind and she was going to put a whole thing together and if there wasn't even any money in the first, it was going to go in the second round. That was not a priority. Alumbaugh said, there may not be a second round. Cain said, he jumped ahead and bought the chairs. Councilman Steve Henderson said he'd just like to say the police and fire have worked with this city and not had a raise and if we have the opportunity, with free money, to offset where we have not paid our people properly. Now, he's choosing, and it's his choice, his money, but he thinks he owes some loyalty to these people here that are out there fighting and he thinks he owes it to them now, not January 1st, December 31st. He owes it to them now. They've been out working. He's been home, he's been in behind the scenes. He's behind, he's behind his mask. Now, he's been to eight different hospitals over the last year. He knows what's out there. He knows what he faced. He knows what they faced. They had to come to his house three times, he knows what they had to do. And he's not willing to pay them and he's not willing to give them a raise. Alumbaugh told Henderson, he didn't say he wasn't willing to give Hazard Pay. Henderson replied, well, he's fighting their resolution. That was why their committee sat down with him to begin with, to work this out, to get this money and now he's backpedaling. So that's okay, don't pay these guys. Good luck trying to find people to come here and work when he has an opportunity right here at hand to offset what they've been putting up with for the last years with no raise. This is an opportunity for him that he's blowing, Henderson said. Cain said, okay, she's going to call this done and she's going to make a statement that they will have a special meeting on October 13th, next Tuesday, at 7:00

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p.m., that we will present an ordinance for this Hazard Pay and we will go from there. Thank you, Mr. Mayor, Cain said.

NEW BUSINESS

RESOLUTION NO. 13-2020

The City Clerk read Resolution No. 13-2020 by title only, a Resolution of the Common Council of the City of Marion, Indiana renaming the Marion Municipal Airport Airfield. Council President Deb Cain told the Council they have a special privilege to pass the following resolution in honor of a man who has given his time and effort of 37 years to the City of Marion as President of the Board of Aviation for the Marion Municipal Airport. This is personal to her because her husband, Gene, was a pilot and he knew Jim McKinney for 30 years before he passed away. Gene had the utmost respect for Mr. McKinney for his kind and compassionate heart, for his work ethics and integrity and his desire to see the airport become better each year through programs, training and community events. She was glad that the Board approached the city to ask for an honor to be given for these excellent years of service and above exemplary service. When the Mayor was unable to respond to this request by email or phone calls, she was happy to step in and request the Council to accept this resolution on behalf of the City of Marion and on behalf of the many pilots from across the country who have used the airport and our City Council and her husband. She'd like to read a statement from a board member who is out of state and then invite all other board members or airport personnel to come speak. This is from Randy Chikoris (sp?), board member who is out of state, he says, "Jim was a great leader for the airport, turned it into a first class operation. I fly over the country, all over the country, and to say that for the facilities we have in the size of the community we have, you cannot find anything closer to Marion (inaudible). I started flying out of our airport when I bought my first aircraft and have seen firsthand Jim's work on fixed base operations and FAA, Federal Aviation Administration, which is the United States' governing body for all aviations to improve and keep improving our facility." Cain said, at this time she'd like to invite anybody else that would like to come and speak. Board members? A gentleman from the audience told the Council he has had the privilege of knowing Jim for all 30 of his 30 years on this earth and after a career in education, Jim continued his passion for educating young people during his tenure with the Board of Aviation. Jim has built a robust summer internship program. He has created an aerospace foundation that has allowed youth to experience flight for the first time. Jim was also instrumental in creating the Marion Community Schools' High School Aviation Program. This program was geared towards exposing young people to aviation prior to those students being exposed to secondary education. What this has done and as a product of Jim's tutelage has given those students entering secondary education an advantage over those (inaudible) starting their freshman year with. So, through a lifetime of creating avenues of young people to enter the field of aviation, through his work at the Marion Airport, and his work is very deserved of this honor. Councilman Steve Henderson asked, who was that? Cain said, oh she's sorry, that was Jordan Ashley. Ryan McCroskey with Wolford Engineering, longtime consultant for the airport, told the Council first off, he wants to thank them all, thank you for the Council for the support for the airport and also thank you for recognizing the outstanding achievements of Mr. McKinney. As mentioned, Jim began his tenure in 1983. The following year, the Airport Improvement Program was rolled out by the FAA. Since that time, with the leadership of Jim McKinney, the airport has received over \$12,000,000 for the maintenance and upkeep of the airport and the development of new hangar buildings and runways, etc. In 2015, the airport was also selected by the Aviation of Indiana as the Airport of the Year by its peers. Also one more thing he'd like to bring up is a couple of years ago, the airport was approached by a racing event which draws attention from all over the world. They have cars come over from the Middle East to race at the airport and it just brings awareness to the airport and the things he does there. So he thanks them again, McCroskey said. Mrs. Cain said, before they introduce Jim McKinney, she'd consider any comments or questions and then a motion. Zeke Turner told the Council he's here for a totally different reason but formerly of 5541 S. Harmon Street in Marion, which for those who know the location of that property, it is exactly in the landing flight path of the Marion Municipal Airport. But he'll say it's one of his fondest memories growing up there of seeing planes fly over their house and it was a neat thing, neat to watch people duck for cover when they were on their deck outside. But he's also had the privilege now of living in multiple places all over the world and he's flown in and out of a number of some of the best and busiest private airports around the world and he will tell them that it is a point of personal pride for him that we have such a fine airport here in Marion and it's something that he's always

RESOLUTION NO. 13-2020 Continued

thought highly of. He knows a number of people who fly in and out of there and he was not expecting to comment on this tonight because he didn't know it was actually happening but he just wanted to add his two cents that it is point of personal pride for being from here and still having a stake in this community to have something so nice here and something that is so well taken care of, Turner said. Councilwoman Robin Fouce said, thank you Mr. McKinney for his sacrifice, his commitment, his foresight to move and propel Marion to a whole other level. They appreciate him, they appreciate his family because she knows he spent time away from home to do those things. Thank you for sticking with it. Thank you for being here and congratulations, he deserves it, Fouce said. Councilman Jim Brunner told Mr. McKinney he knew him better when he was an educator, so did his family, and it seems like whatever he's done for this community has been for the good of the people of Marion, Indiana and Grant County. He just wants to take his hat off to him, sir, for the wonderful time he spent as an educator and what he's done for the Marion Airport. Thank you sir and God bless, Brunner said. Councilman Mike Cline said anything he says is going to be repetitive but thank you, seriously and deeply, thank you. Council President Cain stated, okay, she'll read the resolution. It says "whereas the City of Marion owns and operates the Marion Municipal Airport, and, whereas, the airfield at the Marion Municipal Airport is currently named the Marion Municipal Airport Airfield, and, whereas, Mr. Jim McKinney has served as the Board of Aviation since 1983, and, whereas, the Common Council of the City of Marion, Indiana, has determined that the Airfield at the Marion Municipal Airport should be renamed the Marion Municipal Airport – McKinney Field, now, therefore, be it resolved by the Common Council of the City of Marion, Indiana, that the Airfield at the Marion Municipal Airport is hereby renamed the Marion Municipal Airport – McKinney Field." Cain said she will take a motion. Motion was made by Cline, 2nd by Brunner to pass Resolution No. 13-2020 and the motion carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None. Mrs. Cain then said she'd like to introduce Mr. McKinney, Jim McKinney and his wife. Please come forward. Mr. McKinney told the Council usually when he stands before this group, he's not short on words but this is a very humbling experience for him. When he thinks back to when he first came to Marion in 1966 as an educator, he hounded the Superintendent for a job in Marion. He wanted to come to Marion and one of the things the Superintendent at that time, Bernard McKenzie, said to him was "Jim, we are looking for someone that will make a commitment to this community" and he really didn't know what the commitment was going to be at the time that he was hired, other than to be an educator and make a commitment to the students of the City of Marion. In his years as a Principal, he strove to put the city and the students number one and he's had the opportunity to get involved in aviation. His lovely wife gave him the money to get his pilot's license on their first wedding anniversary. She tells him that the reason they have been successfully married for the last 54 years is that he's never home, he's always at the airport. Mrs. McKinney commented, airport widow. Mr. McKinney stated, but it is indeed an honor for him to serve as the President of the Airport and for the efforts that he has put into trying to make the airport something special in the State of Indiana and they truly are recognized throughout the state for the facilities that they have. He appreciates the support that he has seen over the years from the City Council. Maybe he shouldn't say this but the Council has always been totally supportive. He's never received a "no" vote. He'll knock on wood that that doesn't mean that they're going to get one soon but he appreciates the support that all of them have given him and his goal is to continue to make the airport the number one airport, the number one general aviation airport in the State of Indiana. The fact that they were recognized in 2015 as the Airport of the Year is exemplary of what they have done with their airport. They couldn't have done it without the Council's support and the people that are working at the airport. So, he just wants them to know that he is humbled by this experience. It's kind of nice to receive some recognition while you're still alive and he really appreciates this honor. Thank you so much, McKinney said. Mrs. Cain said, and she would like to have a picture with all of them here in the center. Councilman Steve Henderson told McKinney, just because his name is on the airport, they do want him to go home at night. McKinney replied, there have been a few nights, his wife and he, they used to live out in South Marion and he had an arrangement with his wife that if his truck wasn't in the driveway, he was at the airport.

UNFINISHED BUSINESS

RESOLUTION NO. 9A-2020

The City Clerk read Resolution No. 9A-2020 by title only, Confirmatory Resolution of the City Council of Marion, Indiana declaring economic revitalization area for property tax deductions for Vita of Marion, LLC, commonly known as 4209 S. Adams Street, Marion, IN. Tim Eckerle, Executive Director of the Economic Growth Council, told the Council with him tonight is Zeke Turner, General Partner of Vita of Marion. What they are asking of them tonight is the final step in the property tax abatement process in which they actually will bestow the six year abatement as proposed. They've covered this material three times, the Development Committee which it received a unanimous recommendation, at their previous meeting when they did the Declaratory Resolution, now they're getting the Confirmatory Resolution. As noted previously, there are 45 full time equivalent jobs being created in this project and currently the city is receiving no tax revenue from this because it is currently owned by a not for profit and when it transfers to Mr. Turner, the (inaudible) income will come in plus the phasing in of the investment. Council President Deb Cain said she knows they've heard about this for a couple of meetings now. Are there any questions at all? Councilman Brian Cowgill said when this first came about, they asked Mr. Turner is he going to come back for any TIFs or tax abatements and he said absolutely not. Mrs. Cain said no, they asked TIFs. Being nothing further from the Council, motion was made by Councilman Luzadder to pass Resolution No. 9A-2020. Motion was seconded by Councilman Brunner and carried by the following vote. Aye: Luzadder, Fouce, Cain, Fordyce, Henderson, Brunner and Cline. Nay: Cowgill.

GENERAL ORDINANCE NO. 9-2020 2ND READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 9-2020 by title only, an Ordinance fixing maximum salaries of Elected Officials of the City of Marion, Indiana for the year 2021. Julie Flores, City Controller, told the Council this is the Elected Officials Salary Ordinance. There were no raises so it's the same pay as last year. She will entertain any questions they might have, Flores said. Being no questions from the Council, Council President Deb Cain said okay, the floor is open for any public responses or comments. There was no response from the audience. Motion was then made by Councilman Mike Cline to pass General Ordinance No. 9-2020 to 3rd reading. Motion was seconded by Councilman Jim Brunner and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None.

GENERAL ORDINANCE NO. 10-2020 2ND READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 10-2020 by title only, an Ordinance fixing maximum salaries of Appointed Officers and Employees and annual payment of Flex Dollars (\$250.00) to non-contractual full time employees of the City of Marion, Indiana for the year 2021. Julie Flores, City Controller, told the Council this is the ordinance for the city employees. The only change to this ordinance is she moved her Accounts Payable Clerk to a part-time position so they've added that part-time position at an hourly rate. She will entertain any questions they have on this ordinance. Being no questions from the Council, Council President Cain said the floor is open for public comment. Being no response from the audience, motion was made by Cowgill, 2nd by Fordyce to pass General Ordinance No. 10-2020 to 3rd reading. Motion carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None.

GENERAL ORDINANCE NO. 11-2020 2ND READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 11-2020 by title only, an Ordinance fixing maximum salaries for Firefighters of the City of Marion, Indiana for the year 2021. Julie Flores, City Controller, told the Council this is the ordinance for the Fire Department. There were no changes to this one for 2021. Councilwoman Robin Fouce said, Madam President, she wanted clarity on just understanding this. This fix for 2021 does not in any way interfere or circumvent any contract negotiations that would be forthcoming that would give them a potential raise or additional income. Is that correct? She was told that is correct. Motion was then made by Brunner to move General Ordinance No. 11-2020 to a 3rd reading. Motion was seconded by Luzadder and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None. Abstain: Henderson.

GENERAL ORDINANCE NO. 12-2020 2ND READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 12-2020 by title only, an Ordinance fixing maximum salaries for Police Officers of the City of Marion, Indiana for the year 2021. Julie Flores, City Controller, told the Council for the Police Department, there were no changes to the salaries for 2021. Councilman Brunner said he had a question and he should have asked this on the previous ordinance. Compared to exactly one year ago today, have they added, maintained the same or decreased their firefighters and police officers? Mrs. Flores told Brunner, she's sorry, she doesn't know that. Lynda (Faw, Deputy Controller) might know that since she does the payroll. Brunner asked Mayor Alumbaugh if he knew the answer and Alumbaugh told Brunner they're still at 58. Being no further questions from the Council, Council President Cain said the floor is open for public comment. There was no response from the audience. Motion was made by Fordyce, 2nd by Luzadder to pass General Ordinance No. 12-2020 to 3rd reading. Motion carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None. Abstain: Henderson.

GENERAL ORDINANCE NO. 13-2020 2ND READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 13-2020 by title only, an Ordinance establishing fund for Coronavirus relief reimbursement of COVID-19 expenses. Julie Flores, City Controller, told the Council the federal government, when they issued the CARES Act, directed them to make sure they track these funds. The State Board of Accounts also said they needed to track these expenses, gave them instructions on how those expenses are to be tracked. So, this is a fund that they needed to set up to track those funds. Councilman Mike Cline asked, so this is a stand alone fund, totally unrelated to the General Fund? Flores told him, yes sir. Council President Deb Cain asked if there were any other comments or questions before they open the floor. Cline said, so this fund exists. Does it have a sunset in it like when the last penny from the CARES Act is....? If for some reason there is another relief pot that comes along, does that automatically get added to this? What's the future of this thing? Mrs. Flores told Cline, she will take that guidance from the State Board of Accounts when it happens. Right now, this ends at the end of the year. It may be, she hopes not, she would like all the expenses to be done by December 1st. They don't want this fund to be negative at the end of the year so she wants to make sure any reimbursement they ask for is in there before the end of the year. Councilman Steve Henderson asked, so what fund are we currently using the money out of? Flores replied, 264 is the fund. Henderson said that's the fund that they're going to create but the money they have been spending, where have they been getting that money? Flores said they've been spending it out of 264 so it's negative at the time of the expenditure. When the reimbursement comes in, they put it right back in there. Henderson asked, what is 264? Does she know? Flores said, if they'll look at their Fund Report, it should be on there, the Fund Report she printed them. She's not too sure exactly what they named it. Cain said, Cares Provider Relief Fund. So they have revenue in there right now? Flores replied, yes. Councilwoman Robin Fouce asked, if there's revenue, how is it running negative? She thought she just heard her say it's running negative. Flores stated, at the beginning of the month, it was \$61,656.77 in the red. It's probably a timing issue she would say. Deputy Controller Lynda Faw told the Council it's in the actually a positive right now because money that they submitted for reimbursements for the Police Department where they went to mitigate COVID, for the food drives that they did so when they received that money back, they had to put it in that fund and once they get this established, they'll come back to the Council to ask to move it from that fund back to the General Fund where it goes. Mr. Henderson said, so right now, they currently have a separate line item. Is that where they're at in this account that she wants to create? Flores responded, they already created it. Well, she needs their approval to do that but to track these things since March, they needed to set up the fund. Henderson asked, so when they pass this, is this going to stay 264? Flores said, yes sir. Henderson asked, so why do they need to pass it if it's already there? Flores answered, the State Board of Accounts said she needed their approval to set it up but she wanted to track these expenditures while it was happening. She didn't want to have to go back and re-track. Mr. Henderson asked, so currently, they're illegal with the Board of Works or the State Board of Accounts with that account being there? Is that what she's saying? Flores replied, she is not saying that. She is setting up the account as she was instructed by the State Board of Accounts. Cain said, so Mr. Henderson, let her clarify what she thinks he's saying. So this account 264 was set up. When was it set up? Was it set up this month or was it set up months ago? Flores told Cain, she would have to go back to see when their first reimbursement came in. Cain said, so probably not this month. Was it at that time or was it now when she put this resolution on for the first reading that she heard that she needed to have them do an ordinance? Flores said she doesn't know the exact timeline. She knows the State Board of Accounts

GENERAL ORDINANCE NO. 13-2020 Continued

said they had to do it. They need to understand that this is a moving, moving target. The law has changed many, many times so she's just trying to do what the State Board of Accounts instructed her. She doesn't know what the timing, sorry. Cain said, no, she's just trying to get the timing to help him understand how the timing went. Councilman Brad Luzadder said, so there's no need of approval, she needs their approval to set up the account but no need of approval to spend the money. Is that correct? Flores told Luzadder she doesn't want to get into a back and forth. When they... Luzadder said, he's just asking to figure it out. Flores said, yes and she's trying to explain if he'll give her a minute. The IFA sent paperwork to them and said, in order to start drawing down their money, they need to sign this. Their Chief Executive Officer needs to sign this paperwork so that's what they did was sign the paperwork to get it started. \$909,950 is what they had to spend. Does that answer his question? Luzadder said, so they have to create the account and Flores said, yes, they have to create the account. Mayor Alumbaugh told Councilman Luzadder the way it was explained to him from the Ice Miller team was yes, they have to spend money from the budget to get the stuff that they have pre-approved but it's not really going to cost them because then the federal dollars come in, which are not part of the budget. They're part of a CARES Act which is why they said the Chief Executive Officer oversees those funds. Then that money is put back into that account for any future needs. So it really doesn't cost them anything except upfront because they know they're going to get it back once they tell them okay, this is approved, they have their seal of approval, they'll send them the money once they send, once they get, send that order into them, they'll reimburse them and then they have to have proof that they spent it the way they said. Luzadder asked, but are they sure they're going to get the money back? Alumbaugh answered, they have every time so far. That's always his worry is that what if there's a glitch in the system and they don't get it. Luzadder asked, have there been other cities who haven't been reimbursed for stuff? Alumbaugh said he's heard rumors, he's trying to get confirmation. Fishers was not one of them. That was the rumor they heard, that Fishers, they (inaudible) get reimbursed. Mrs. Flores said, Councilman Luzadder, she doesn't know that he was in the email. The Grant Committee asked her for everything that's been paid so far, so in that, and also for the pre-approval letters. She got pre-approval from IFA before they did anything that was out of the realm of PPE and that type of thing. So, yeah, she wanted to make sure they were getting reimbursed before they purchased anything so she did write pre-approval letters to IFA before they spent anything. Mr. Henderson said, so every dime they've spent so far has been pre-approved, is that correct? Flores said, with the exception of PPE because that's pretty, it's pretty clear that PPE is a legitimate expense. Henderson asked, so are they insured that if they would spend money out of another account that that money would be replenished out of this account? Flores answered, every expense, with the exception of the Police Department overtime that they submitted for mitigating COVID, has been spent out of 264. Henderson asked, so they haven't spent out of any other accounts so they don't have to replenish another account somewhere else? Flores said, no, just the General Fund for the police overtime. Mrs. Faw added, so the PPE that they purchased prior to, you could go back she thinks it was to January or March or whatever of this year so the PPE that they purchased earlier in the year, they were able to submit that for reimbursement. So it was paid out of the General Fund. They took those expenses from the General Fund and moved it to this appropriation to be able to track all expenses for PPE and anything regarding COVID into just this fund. At that time, they didn't really have any direction from the State Board of Accounts yet so that's why they had to go back and try to, they created that fund to track all of those expenses, just out of that fund. So if it was paid out of the General Fund, the expenses were removed from the General Fund and taken out of Fund 264 so that they could submit it, receive the money back, and at the end of the year, this grant fund should be zero. What they spent, they should get back and everything should just be a wash, Faw said. Councilwoman Fouce said, Madam President, she understands what they're saying because they had to do their accounting of it. She thinks kind of to what Mr. Henderson's point is, correct her if she's wrong, but they're coming to them for approval to establish a fund that they already established without their approval. Right or wrong? Steve? Was he listening to her? Henderson told Fouce, say it again. Fouce said she thought the point he was making is they're coming to them for permission to establish a fund that they already established and operated without their permission. Is she wrong on that? She thought that's what he was leading to. Henderson replied, well that's what he was trying to get an understanding to how that all developed and now we need permission, yes. So, he guessed that is part of this (inaudible) deal he understands. But, how they established that account and spent money out of an account that the Council didn't know existed, that's the problem. Mrs. Flores said, if she could just reiterate that, as her Deputy Controller said and she said previous, there was no guidance from the State Board of Accounts. When they got it, they

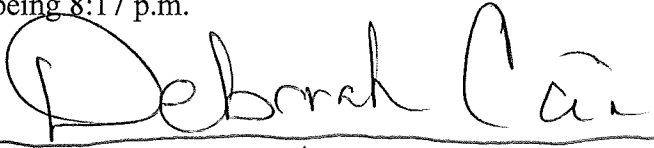
GENERAL ORDINANCE NO. 13-2020 Continued

brought it to them. She is not trying to do anything illegal. Henderson told Flores, they're not saying that. They're just trying to find out why they weren't notified that hey, they've got to open this new account. That would have been, obviously, good information for them to have. Flores replied, the last meeting, she believes, they brought it to them at the last meeting. Henderson said, but they've been spending for the last two months out of that account. Okay? Council President Cain asked the Council if there were any more comments before she opened the floor. There was no response from the Council. Cain said, okay, she'll take comments from the floor. There was no response from the audience. Motion was made by Cline to pass General Ordinance No. 13-2020 to 3rd reading. Motion was seconded by Councilman Gary Fordyce and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None. Abstain: Henderson.

APPROPRIATION ORDINANCE NO. 1-2020 2ND READING AND PUBLIC HEARING

The City Clerk read Appropriation Ordinance No. 1-2020 by title only, Budget for the City of Marion, Indiana for the year 2021. City Controller Julie Flores told the Council she'd like to review a little bit about what they talked about or what she spoke to last meeting. The state permitted them to increase their levy by 4.2%. For 2020, they were allowed 3.5%, in 2019 3.4% and in 2018 4%. So the 4.2% for the 2021 budget was quite surprising to most of the communities. So that will generate an additional \$798,000. They did reallocate some of the General Fund levy to the Street Department due to them needing it because 50% of the money that they get from the state has to be spent on paving. The Street Department sometimes falls a little bit short in what they need for expenditures so they did move some of that levy. The circuit breaker for 2021 is \$5,460,070. In 2020, it was \$4,690,420. So an increase of about \$769,000+ in circuit breaker property tax dollars that they will lose. So, the total budget decrease for 2021 is \$233,091. This, even though they had to add two non-reverting funds to the budget in the amount of \$520,000, they were still able to decrease the budget so she thinks that says a lot about their department heads being frugal and living within their means. The 2019, cash balance at the end of 2019 was \$2,100,000. They feel like they will end 2020 in much better shape than that. Still, with that said, they still are borrowing from the Bond Bank. And again, she will say she will liken that back to the reassessments that they did quite a few years ago. She listened to a webinar today on that and they continue to say that that's why they are in the shape that they're in and the circuit breakers that they made into law has really impacted the communities. So with that, she will entertain any questions that they have, Flores said. Being no response from the Council, Council President Deb Cain said this is a 2nd reading and public hearing so she'll open the floor for any public comments please. There was no response from the audience. Cain said, hearing none, she'll take a motion. Councilwoman Robin Fouce said, Madam President, she doesn't have a motion. She still wanted to reiterate about the budget. She moved to public hearing before she got to hit her button. But she still wanted to reiterate about the budget. She doesn't feel in total it goes toward meeting some of the needs that they have to serve Marion and its constituents in terms of attacking and addressing blight to name one thing and several other things. Certainly it looks good when they present that they downsized the budget and that sounds good but how effective is that for them here in Marion to meet the needs of the constituents that pay the taxes? How are they serving them? And so, she'll just say that about where she is with the budget, Fouce said. Councilman Brad Luzadder said, Madam President, he has been supportive of the budget but at this point in time he does not feel comfortable moving the budget forward so he would make a motion that they hold the budget on 2nd reading. Motion was seconded by Fouce and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain and Henderson. Nay: Fordyce, Brunner and Cline (commented, good grief no). Mrs. Flores said, if she could just remind them, they did advertise that the budget would be adopted on October 20th. Mrs. Cain replied, well the budget calendar, yes, the budget calendar says that (inaudible) adoption so they do have a meeting on October 20th.

Being no further business to come before the Council, on a motion by Fouce, 2nd by Henderson, the meeting adjourned. Time being 8:17 p.m.

X 
Presiding Officer (Deborah Cain)