

REGULAR MEETING – MARION COMMON COUNCIL – OCTOBER 20, 2020 – 7:00 P.M., CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 20th day of October, 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: Luzadder, Cowgill, Fouce, Batchelor, Cain, Fordyce, Brunner and Cline.

Absent: Henderson (Councilman Henderson entered the meeting at 7:02 p.m.).

The minutes of the previous regular meeting of October 6, 2020 were presented. Councilman Mike Cline said he knows there's no motion. There's a correction he has for the minutes. Does she want it now or after the motion? Council President Deb Cain told Cline now please. Cline said okay. It was during the discussion about renaming the airfield for Jim McKinney and he mentioned former Marion School Superintendent McKenzie and his name was, with a question mark, misspelled in the minutes as Vernon McKenzie and it should be Bernard. And he had sent Mrs. Goodman and Clerk Kiley a heads up about that so that's a correction he'd offer. Cain asked, so the motion would be with that amendment? Cline stated, the motion, to approve the minutes with that correction, that Vernon McKenzie be changed to Bernard McKenzie. Motion was seconded by Councilman Jim Brunner and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Batchelor, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None. Mrs. Cain said, and then they have the minutes for the October 13th special meeting. Mr. Cline said, me again, to make a motion with two corrections. One was during the discussion about Ordinance 15-2020 and he said he mentioned that the CARES Act money was supposed to be directly connected to COVID-related activity such as mitigation and the minutes say medication and so one thing he would move that they change is medication should be changed to mitigation and also, later on he's talking about, he's blabbering on about the money and it says inaudible when he was talking about where the money had to come from and his exact quote with the inaudible part, well he'll just tell them the whole quote. He had it written down so he didn't get carried away. "And some on the Council in an effort to spend money regardless where it comes from, if you need to read the ordinance" and the inaudible part was "clearly are willing to abdicate any rights". So instead of "inaudible", insert the words "clearly are willing to". Is that confusing enough, Cline asked. Cain replied, confusing enough but good catch. So a motion with those amendments, is that what he's making? Cline said, yes please, thank you. Motion was seconded by Councilman Brian Cowgill and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Batchelor, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None.

COMMITTEE REPORTS: Council President Deb Cain told the Council the Board of Aviation is still looking towards doing a project for solar, the solar project, and so they're moving forward with that. They have received some quotes from banks for a loan and then they'll move forward with speaking with the city. Also they are in the midst of some exciting projects out there and some increased rentals of hangars. So, it's moving forward in a great direction. Cain said, okay seeing nothing further, they'll go on to unfinished, unless she had something, Mrs. Fouce. Councilwoman Robin Fouce said, yes, thank you Madam President. She didn't recall if she informed them all that Code Enforcement did an excellent job in collaborating to get the house torn down that they previously discussed here out by McCulloch and so they've also been working good with her and other individuals to really get that block cleaned up which has been really deplorable and she thinks it's really a good thing for the kids, a good thing for the community. She applauds them for their effort, once they got going, and she thinks it's always, they talk about what's not happening so the communication the other way should be as well. The guys were great. Jerry, before he left, was there. She thinks that was his last work act. And so she just wanted to say they did a great job and they're also still working with her on getting that block cleaned up. That's a direct impact on the community, as well as the most important part is the kids and what's in their eyesight and their safety. So she wanted to mention that, Fouce said.

UNFINISHED BUSINESS

GENERAL ORDINANCE NO. 9-2020 3RD READING

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 3rd

2

GENERAL ORDINANCE NO. 9-2020 Continued

reading and public hearing and she will entertain any additional questions they may have. Being no questions from the Council, motion was made by Councilman Gary Fordyce to pass General Ordinance No. 9-2020. Motion was seconded by Councilman Jim Brunner and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Batchelor, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None.

GENERAL ORDINANCE NO. 10-2020 3RD READING

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, again, 3rd reading. The only change to this was she put her Accounts Payable Clerk to part time next year. That's the only addition to this ordinance, Flores said. Being no questions from the Council, motion was made by Councilman Mike Cline, 2nd by Councilman Brad Luzadder to pass General Ordinance No. 10-2020. Motion carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Batchelor, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None.

GENERAL ORDINANCE NO. 11-2020 3RD READING

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 3rd reading and final on this. No changes. Being no questions from the Council, motion was made by Councilwoman Robin Fouce to accept General Ordinance No. 11-2020 as read. Motion was seconded by Fordyce and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Batchelor, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None.

GENERAL ORDINANCE NO. 12-2020 3RD READING

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 3rd and final reading. No changes from the 2020 salary ordinance. Being no questions from the Council, motion was made by Luzadder, 2nd by Cowgill to pass General Ordinance No. 12-2020 and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Batchelor, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None.

GENERAL ORDINANCE NO. 13-2020 3RD READING

The City Clerk read General Ordinance No. 13-2020 by title only, an Ordinance establishing fund for Coronavirus relief reimbursement of COVID-19 expenses. Council President Deb Cain stated, before she starts, Mrs. Flores, she is tabling this. Can they move on to the next item of business, Cain asked. City Controller Julie Flores asked if she is allowed to speak to that? Cain replied, sure. Flores said she did check with, she knows there was some discussion about the way this was done. She did check with the State Board of Accounts the next day after the meeting and he assured her that, well she'll just read it to them. She read "I set up 264 to track the Coronavirus funds per the State Board of Accounts directive. The Council gave a little pushback at the 2nd reading of the ordinance establishing the fund and using it before getting Council approval. Per our conversation this morning, I understand that I can establish this fund under the authority of the State Board of Accounts but should still take it before the Council for approval. Additionally, I understand that if the Council does not pass the ordinance, the State Board of Accounts will not take exception during the audit." Flores said Mr. Caldwell's response was "On the fund, our position is your authority to establish Fund 264 was per the State Board of Accounts memo. During an audit, we wouldn't take exception if said fund was created without an ordinance." Cain told Flores, okay, thank you.

APPROPRIATION ORDINANCE NO. 1-2020 HELD ON 2ND READING AND PUBLIC HEARING FROM 10/6/20

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, 3rd and final reading and she will answer any unanswered questions they may have. Council President Deb Cain said, well previously, the Council voted to hold this on the 2nd reading and public hearing. This is based on their desire to implement internal controls and to play a bigger role in the

APPROPRIATION ORDINANCE NO. 1-2020 Continued

expenditure of city funds. And as she promised, she's had multiple email communication, phone conversations, and web conferences with the State Board of Accounts, the Department of Local Government Finance and she's also received material to review from both of these entities along with the Indiana Finance Authority. So, after speaking with them and with their legal counsel, she feels confident that the Council should suspend the rules and pass the budget as it was presented. Before she opens the floor to the public hearing and make the motion to pass it, she'd like to explain some of the information and options that are available to the Council in order to exercise the proper oversight of the city finances. So first she would like to schedule a Budget Committee meeting for October 27th at 6:30 p.m. Some of the items that they will be discussing at that meeting is using spending controls, such as minimum fund balances, pre-approval of claims by the Council, additional appropriations, and these measures can be taken for the EDIT Fund, which our LOIT monies are deposited, for the Rainy Day Fund, and for the General Fund, as affirmed by both the DLGF and the State Board of Accounts. And they'll also be looking at monitoring the claims, approval of the claims. So, knowing that they have these tools available to the Council, she really thinks that they do need to move forward and approve the budget so that they can, you know, not risk losing their tax caps. So, she will open the floor to questions and then they will have the public hearing, Cain said. Councilman Don Batchelor asked, what was that date? Cain said, October 27th, that's Tuesday, at 6:30 p.m. Being no further questions or comments from the Council, Cain said she will open the floor for the public hearing. If anyone has any comments they'd like to make, please state their name, address and a brief comment. There was no response from the audience. Motion was made by Luzadder to suspend the rules on Appropriation Ordinance No. 1-2020. Motion was seconded by Cain and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Batchelor, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None. Motion was then made by Luzadder, 2nd by Batchelor to pass Appropriation Ordinance No. 1-2020 and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Batchelor, Cain, Fordyce, Henderson, Brunner and Cline. Nay: None. Councilman Gary Fordyce said, thank you Julie, appreciate her work.

Council President Deb Cain said she would take a motion to adjourn. Deputy Clerk Debbie Goodman said she has a question. The next meeting falls on Election Day. Cain told Goodman, oh yes, thank you for reminding her. Their next meeting will be held on Wednesday, November 4th. Brunner asked, and that will be at the regular time, correct? Cain said yes. Councilman Jim Brunner told the Council he had quite an opportunity today. He was one of four people in the United States that Michael "Doc" Emrick returned a phone call to of over 200 phone calls. He just retired as Voice of the National Hockey League. He thinks many of them know that name or that voice, been the voice of the National Hockey League and called the last 22 Stanley Cup Championships. There's no one in sports that's even close to him when it comes to recognizing his voice and his name. He has granted him (Brunner) one of four interviews that he is doing over the next week and if they would like to hear that, he will have him on WBAT tomorrow at 7:45 in the morning so he would ask everyone to listen in. If they have any interest in the sport of hockey or someone that came from the roots of LaFontaine, Indiana, worked part time for Bill Fowler and wrote some of the best commercials that ever aired on their radio station, many of which actually won awards. They knew his as a great copywriter and now he's the Voice of the National Hockey League and soon to be the retired voice. He told him (Brunner) that he has nothing to regret, he is 100% healthy. He said that after 50 years in the business, he wanted to walk away feeling well, looking well and he's about to turn 75. So, he's got a lot of roots in this community and it's great that he remembers people that worked with him at one time so they're going to have one of the four interviews with him tomorrow. Just wanted to pass that along, Brunner said.

Councilman Brad Luzadder said he didn't want to keep everyone but he did bring his father this evening to the Council meeting. Wanted to thank the Council members as well as the general public for the condolences in which they received from his mother's passing. It really meant a lot to him (his father) and him as well as the rest of their family so he did want to send that out to everyone that they are very grateful for all the support in which they have gotten and thank you, Luzadder said.

Being no further business to come before the Council, on a motion by Councilman Don Batchelor, 2nd by Councilman Brian Cowgill, the meeting adjourned. Time being 7:21 p.m.