

REGULAR MEETING – MARION COMMON COUNCIL – APRIL 20, 2021 – 7:00 P.M. – CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 20<sup>th</sup> day of April, 2021 at the hour of 7:00 p.m. in the Council Chambers, City Hall.

Before the prayer was given, Councilman Brad Luzadder said they also want to remember tonight our former Controller. Cindy Wright is currently in the hospital so they want to remember her this evening, the dedication that her and her family have done for our community. They want to lift them up in prayer. Also continue to remember their good fellow member, Don Batchelor, as well as Councilman Henderson's wife.

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

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

Absent: Batchelor.

The minutes of the previous regular meeting of April 6, 2021 were presented. On a motion by Councilman Steve Henderson, 2<sup>nd</sup> by Councilman Jim Brunner, the minutes were approved as presented by the following vote. Aye: Luzadder, Fouce, Cain, Henderson, Fordyce and Brunner. Nay: None. Abstain: Cowgill and Cline.

Council President Deb Cain told the Council Mr. Batchelor has asked if Mr. Bounds can make a statement on his behalf and so their heart doesn't start tripping like hers when he gave her that phone call, no, he is not resigning. That was her first question, don't tell her this is a bad report. No, Mr. Batchelor just wants to get in touch with them and she figured that, unless there's an objection, then they'll have Mr. Bounds come up to the podium. Mr. Bounds told the Council, first of all, there's been a lot of them that have reached out. Mr. Batchelor wanted him to tell each and every one of them he appreciates it. Councilman Luzadder, he told him to tell him he loves him and he hasn't forgot him. He (Bounds) keeps him informed on everything that's going on. They have him completely resting. Every time they rush him to get back, they come to this. COVID is serious. It hit him head on. It didn't sideswipe him, it hit him head on. So, just please pray for him, respect, careless wishes, he will be back. Right now, with his kids, his (Bounds) vote, even though the Council didn't get the vote, they (family) voted to keep him at home for a little while. So, he will be back, they just need time and he appreciates all of them who have reached out. He told Councilwoman Robin Fouce he knows she has. He (Batchelor) appreciates each and every one of them. He also wanted him to tell her personally, Madam President, that she's doing a great job. He wanted him to make sure he told her that personally, Bounds said. Cain said he showed her a picture of Don sitting in his EZ chair, relaxing, and it made her want to cry because she hasn't seen him and she just wanted to reach through the phone and give him a hug. They miss him. Please let him know that, Cain told Bounds.

COMMITTEE REPORTS: Councilman Brad Luzadder reported there was a meeting held last week on the Development Committee. They'll be seeing it this evening that Structural Steel Services are looking to build a building, an addition, and from some equipment that will be coming in in the excess of (inaudible) both abatements looking to be around \$6,000,000 which is a very sizable development that we're looking for. This committee met and unanimously and it is being brought to the Council for consideration of the resolution this evening. Again, it was a unanimous recommendation from the Development Committee to move forward on this for Structural Steel. So, at that time, he will be prepared to vote in the affirmative and would encourage the rest of the members to look to moving the same, Luzadder said.

Councilwoman Robin Fouce said, Madam President, brief report for District 4. One great thing they had was a commemorative tree planting. They may remember that happened back in September. Several Council members were in attendance. The second part of that was the commemorative memorial plaque for John Lewis at the Faulkner Center. There was an awesome program, showcasing most importantly the children that did reports and essays and they were the actual winners. Their age spanned from grade school to high school and even the grade school young lady was just awesome. President Cain can attest to that but they gave a great program and she just wanted to bring that up because the more we participate collectively and things like that, the stronger our community will be. Lastly, they did a Call to Action. It was super awesome, presented by the committee that spearheaded the whole John Lewis celebration and if

they'd like, she will share with them that Call to Action. It is worth reading and provocative for our thoughts, and more importantly, for our call to action. Secondly, she wants to talk about District 4. District 4 is a diamond in the rough is what she would say. We have great things and great accomplishments that we have done but also to look forward to. We have some cleaning up to do. We have blight is out of control are her words. We have trash and garbage sprawled in housing, in yards, along the walkway, along the path to school where our kids go to school, where the track team practices. They run down the street where there's potentially a crack house that needs to be boarded up, condemned, and so forth and so on. So she wanted to call that to everyone's attention. She is diligently working at it. She needs their help. She thinks they'll do better together, especially the At Large members of the Council but any help is solicited and desired. We can do better here in Marion. She'll speak for District 5, Don Batchelor's district, as well. The same thing, perhaps if not a little worse, and we can do better. We run for seats on the Council to represent the people. What affords us our seat is the vote and the confidence of the people. We have a responsibility and a duty to do better for them, to serve them, and do our best. We need the help of the Administration, we need the cooperation of the Administration, we need to fix our broken system. That's what she's calling it, our broken system of service. We can do better. It's not to say you're doing wrong, it's just to say we have some ways we can improve to serve our constituency better. Thank you, Fouce said.

Councilman Jim Brunner said he had a chance last evening, Madam President, to attend the Sunnycrest Wesleyan Neighborhood Association monthly meeting and they might want to circle these dates on their calendars. They are having a big, neighborhood rummage sale on both May 14<sup>th</sup> and 15<sup>th</sup> and also having a neighborhood spring clean up on the 15<sup>th</sup>. It's something they might want to think about for their wards. It's that time of year when we want to be sure our wards are looking the best. So, again, those dates for the rummage sale are the 14<sup>th</sup> and 15<sup>th</sup> of May and the big spring clean up is on the 15<sup>th</sup> of May. Had some very, very good ideas passed along from the people there last night. He really appreciated them inviting him to that meeting. So, it's something they all might want to check out. If they have that type of an organization in their ward, it really is fun to sit down to talk to people, face first, Brunner said.

Council President Deb Cain said, and then the Public Safety Committee has been meeting on the Scooter Ordinance and there's a, they hope to have the final meeting on Thursday at 6:00 pm to hopefully finalize things. And then, the American Rescue Plan Fund that she spoke on before, they all received an email from the Mayor that said "Good afternoon, I'd like for one person from the Council to be appointed to the American Rescue Plan Committee I am putting together. This committee will include Tim and Charity from the Growth Council, Chuck Binkerd from Marion Utilities, Chief Flynn, Controller Julie Flores and myself. The goal for this committee is to identify potential projects, needs and investments that will qualify within the guidelines of this plan." So, her role as President is a need to respond to this. Her response is that she believes that all members should be on this committee. They have six members that represent six different wards, each ward has their own specific needs. Then they have three At Large members and they answer to the whole city. She would not volunteer, personally, for this because that would be assuming that she can answer for all nine. Now, when she does speak on the Council's behalf, it's because she spoke from a committee meeting and got the votes, or heard everybody's voice. The questions that we need to expand on is what is the committee's organization? What is going to be the format? What's going to be the voting rights? What departments are involved? It just indicates Growth Council and Marion Utilities. Her question then is what about Community Foundation? What about some of those other groups? Are there any departments within the city that are going to be involved and is there going to be any public input, because this is public money? So her question would be would the committee be willing to include the full Council to utilize the avenue of, well, transparency. We already engage in that by having a full budget, the whole committee is the Budget Committee, is the Budget Committee as we speak about finances. We hold hearings for it. So, she thinks that that should be the avenue to go, that the full Council be involved, that these be open, that the public is involved, departments are, more departments than just Utilities are involved and more groups than just the Growth Council. Because this money effects the whole city. So, if the whole committee, she means if the committee is not willing to invite more than just one Council member then her suggestion is that the Budget Committee take this on separately and work towards that end. So, she just needs to hear some thoughts from them before she..... Councilman Brian Cowgill said, yeah, he agrees with her, Madam President. He means, when you're talking finances and a considerable amount of money like that coming in to town, that's, he thinks

that we should all be involved with that as well. He means that's just, he sent her an email earlier in the week, asking them to talk about it because that's the way he felt. Now whether or not that'll happen, he doesn't know but he thinks that it's important, he means, that's a lot of money that we could help a lot of people in this town with and he just, he hopes that it can get disbursed where it needs it the most. And, can he say just one other thing? He just wanted to thank everybody for when he was down and in the hospital with COVID and pneumonia both and you don't realize how blessed you are until something like that happens. He heard from every single person on this Council and most of you out there to be honest with them. His wife spent 17 days in the Critical Care Unit with it. He was able to bring her home three days ago and now, when he's done here, he's got to go get her and he's got to take her back up because she's kind of backsliding a little bit. So, he would ask for some continued prayers for her. He doesn't know if that was the proper time to say this but he wanted to make sure, he means, man, it's just, it's overwhelming how many people. You just don't know. In fact, he wants a printout of how many phone calls and how many texts he's gotten in the last month because he thinks he's going to be blown away. So, thank you guys very much, Cowgill said. Councilwoman Robin Fouce said, with regard to the American Rescue Plan, she would like to hear from the Administration. She's kind of confused on why they would have a committee for that when we have City Council, that's elected by the people. Each Council person represents a segment of individuals in the community. They voted them in to be their representative. The Council has fiscal responsibility and so she really, she's just curious why they would approach it from that avenue and kind of, it seems like to her, it circumvents the authority and the function of the Council. Secondly, we have liaisons for each entity, like the Growth Council, like Utilities. You know, like we have for the Board of Works, for different things and we have also the option to invite those individuals to our conversations which are public and open. So, she thinks it's reinventing the wheel. We already have that in process. To leave one person out from the Council would be to leave their group of people out that they elected to be their spokesperson and represent them. Thank you, Fouce said. Mrs. Cain said, okay, hearing nothing further, the consensus from what she feels she's heard from the opportunity to allow them to speak is that she will inquire back with the Mayor to how this will be, how this committee will be put together and request that the full Council be involved. Is there anything further before they go on to the business at hand, Cain asked. There was no response from the Council.

## NEW BUSINESS

### RESOLUTION NO. 3-2021

The City Clerk read Resolution No. 3-2021 by title only, Confirmatory Resolution of the City Council of Marion, Indiana declaring economic revitalization area for property tax deductions on real estate and new manufacturing equipment for Structural Steel Services, Inc. Tim Eckerle, Executive Director of the Grant County Economic Growth Council, told the Council with him tonight is Jim Swan, President of Structural Steel. He thinks Councilmember Luzadder did a marvelous job recapping the project. He just wanted to point out there are a minimum of four new jobs to be created. As always, they always seek to underestimate job creation numbers, under promise and over deliver. He also wanted to, as he always does, point out that this does not increase the amount of revenue you have. Your revenue is controlled separately by the (inaudible) and you know, it's taken into account when the Administration generates the budget to submit to the Council for your review and approval. He will gladly answer any questions they may have, Eckerle said. Council President Deb Cain said, well for the sake of the audience who don't receive this information, can they have just a little detail of what's coming in, what that's going to provide the city? Mr. Eckerle told Cain, well tonight, in front of them, there is a drawing which shows the new edition to the building. They can see where the new equipment is going. And then there's a catalog of similar equipment that may be purchased. Jim is in the process of deciding what equipment he wants. Basically, Structural Steel makes steel I-beams used in the construction industry to build new buildings as well as renovate buildings. So this keeps them at the cutting edge of technology, which is very important in today's world because it's difficult to find employees, if not downright impossible at times. Cain asked, and so we're looking at the investment of how much? Eckerle replied, it was \$4,000,000 on equipment and \$2,000,000 on the building. Cain asked, and positions? Employees? Eckerle said, as he said earlier, it's four new employees. Cain asked, do these machines, do they replace any current employee positions? Mr. Eckerle responded, no. As they can see from the SB-1, the amount of the employees currently is the amount of the employees retained. Now obviously, as with any facility, there's turnover so it may not be the same individual but the headcount will be the

RESOLUTION NO. 3-2021 Continued

same. And their skills will actually be upgraded as they move into these obviously more skillful machines. Mrs. Cain asked, is she correct in this statement, and Mr. Luzadder can help her if she doesn't ask the question appropriately to clarify, if we, the City of Marion, does not give this tax abatement, the state will give tax credit and then we lose funds? Eckerle said, no, no, no, that's not at all correct. Cain asked Mr. Luzadder to help explain. Councilman Brad Luzadder said, there's, current tax plan for the state affords to businesses that are going to be expanding which is unique. Normally it's new businesses coming in but it allowed then for current businesses then to expand which is exactly what we as a city have continued to want to do is allow our current businesses the opportunity in which to expand as well as trying to attract (inaudible) also helps out with credits. Is that correct, Luzadder asked. Eckerle answered, the state credits have nothing, no impact upon local revenues at all. They only deal with the state's Corporate Income Tax. So it's the Corporate Income Tax that Structural Steel will be generating and it's based off its salaries and investment. Luzadder said, and that's an increase of \$210,000 in salaries (inaudible). Eckerle said, yes, well as we're estimating now. Obviously, it's a very dynamic salary environment currently and you're seeing a number of companies going through wage increases as we speak. Councilman Mike Cline said, well he thinks he may have just eluded to it. The four new employees, what's the wage range? Eckerle told Cline, well they don't do ranges, they just do totals. Could he suggest to them that somebody will have a memory that will not be reflected later in life so therefore they just deal in totals because that's all you're, again, he hates to speak to your purview but your purview is the total impact of the project. Councilwoman Robin Fouce asked, what discipline will the four new employees be? Eckerle told Fouce, well obviously they're machine operators and machine (inaudible) and things like that. Fouce asked, but there's different disciplines, right? Eckerle replied, well it depends. Most machine, usually it's.... Disciplines have been reduced so it's basically machine operator and then there's maintenance. Fouce said, okay thank you. Councilman Brad Luzadder said he did want to reiterate that this did come out with a unanimous recommendation from the committee. He would also point out that he does note that there are other communities currently in this area that are in competition. In fact, working in Wabash, he sees a number of billboards that have went up just recently here in the City of Marion advertising Wabash Steel. He was elected for the citizens of Marion and so any time that he can help a business in the City of Marion, that is his job. He was not elected by anyone in our county or in one of our surrounding communities so not to sound egotistical at all but he is Marion first, has been and always will be and so anyone that wants to work in the City of Marion, he is in support of. Councilman Brian Cowgill said, he agrees with Mr. Luzadder and Mr. Swan, they've known each other for a while now and he just thanks him for, he's been a huge component of sending Marion forward. He knows he's invested millions of dollars and as not only a Councilman but as another citizen and as a friend, he would thank him very much for continuing to do that as well. Being no further comments from the Council, motion was made by Cline to approve Resolution No. 3-2021. Motion was seconded by Luzadder and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Henderson, Fordyce, Brunner and Cline. Nay: None.

GENERAL ORDINANCE NO. 2-2021 1<sup>ST</sup> READING

The City Clerk read General Ordinance No. 2-2021 by title only, an Ordinance to amend Section 153.065 of the Marion City Code pertaining to downtown signage. Sam Ramsey, Advisory Plan Director, told the Council, so this ordinance we've got in place is, our current downtown sign ordinance specifically prohibits any blade signs (inaudible) outside the building. In the past six months, they've done four variances and they're just trying to streamline that process to make these businesses not need to come to BZA and get a variance. Los Amores, Grant County Abstract, Studio 407 and True Envy Boutique have all come and gotten variances in that time. He thinks they've probably driven through downtown and seen their signs. With the revitalization of downtown starting back up, we're hoping to get more businesses downtown and hopefully they want some more signage so they can advertise and this just streamlines the process and they're trying to make it try to not be a hindrance for businesses who want to advertise their locations, Ramsey said. Councilman Brad Luzadder asked, what was the purpose of not allowing signage to....? Ramsey told Luzadder his guess is as good as his. That ordinance has been in place since, it was originally the county's when they did the zoning so he thinks it's been, he thinks it was adopted in the '70s. He doesn't know when, why it was like that but that's why they are trying to fix it. Councilman Jim Brunner asked Ramsey, is there an actual map of what he considers downtown or can he at least allude to them what he considers to be Downtown Marion so they kind of get an idea of how far he is going north, south, east and west? Mr. Ramsey told Brunner the Central Core Zoning District,

GENERAL ORDINANCE NO. 2-2021 Continued

which is what they are trying to change, is the courthouse square, a block, no wait, it's from 2<sup>nd</sup> Street to 5<sup>th</sup> Street and then from Branson, yeah Branson to Boots. It's a 12 block area right downtown. Council President Cain asked, is there anything in the ordinance about old signs, when a company's long and gone? Ramsey replied, we do not have any stipulated removal currently in our sign ordinance, never has been. That probably wouldn't be a terrible idea. Cain said she was just wondering if maybe he could look at that and consider that because we have some signs that are up there and the company's been gone for a long time. Ramsey said he doesn't know how that would work because a lot of places, they just close down. He doesn't know if they could make them have a bond or something they would keep that we could.... He doesn't know how that would work but they could definitely look into that. Cain said, that would be great because that would help. Brunner said, yes, it's amazing she brings that up because every time he drives by the Marion Civic Theater, he can imagine that's Murrell's Men's Store. He's dating himself but he knows exactly what she is talking about. They used to have a gorgeous billboard out back and have all kind of signage around. So, some of that dies hard but she makes a good point, Brunner said. Tim Eckerle said this is one of the silly requirements of the Zoning Ordinance. The Growth Council has been actively involved in all the variances that have been granted. This ends up being a tremendous amount of energy and time being spent by local businesses that are being launched. And most of the time, it's like an ah-ha moment when they go to put a sign up and they find out they're not in compliance. The Growth Council spent a lot of time and effort doing the Downtown Master Plan and this in conformity with that (inaudible) one of their recommendations, which by the way, you guys adopted the Downtown Master Plan. Councilman Brad Luzadder said he would just recommend we continue to help businesses with whatever they need, whether it's signage or display set ups. If we want our city to flourish then we have to be willing to work in that direction and so working in tandem so that it doesn't take time, doesn't cost more money for businesses in which to open up and to thrive in our community, he thinks we need to be doing that. Mr. Brunner said he had a chance to talk to Charlie Myers who is the new Y Director who came from out of state and when he found out that the Y was downtown, he was very excited about that because so often cities build Y's so far out you don't even know it exists and he was excited when he saw not only where it was but the building had been renovated from the Memorial Coliseum into the Y and then so many people had an opportunity while they were there to even go do some shopping or do some eating. So, he thinks all that has worked out really well for the downtown area. Charlie was very impressed, for someone who came from out of state and out of town. So that's what people from outside of our community, when they move here, are saying so he thought they'd all want to hear that. Being no further questions or comments from the Council, motion was made by Luzadder to pass General Ordinance No. 2-2021 to 2<sup>nd</sup> reading and public hearing. Motion was seconded by Brunner and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Henderson, Fordyce, Brunner and Cline. Nay: None.

Before the meeting adjourned, Council President Deb Cain asked the Council, anything further? You have something? Okay, Mr. Cowgill. Councilman Brian Cowgill said he doesn't know if he's missed something because of being out for a little bit or what but on the pre-budget department roundtable meetings, is it his understanding that now we're not going to have them at all? Because he got an email from the Mayor saying that he'll just deal with his department heads and he'll hand us basically the packet of what they need to help. So, we're not going to have any input on any pre-budget stuff with department heads at all? Cain replied, in reading the email, it says "President Cain, I am in receipt of your recent revised "Pre-Budget Department Round Table Discussions" schedule. We're currently in the process of formulating our comprehensive plan with the department heads that identify not only immediate needs but those in the near future. On May 3<sup>rd</sup>, I will deliver to the Council a list of those items that I and my department heads feel will be needed to accomplish our operational objectives in 2022. This will give the Council ample time to review those items identified and formulate any questions they have when the pre-budget hearings commence in August." So, she is taking that that he is not accepting the request to have roundtable discussions with the department heads individually. Cowgill said, man, this is so frustrating. Trying to do a job that somebody is keeping them from doing it. He doesn't understand why he doesn't want us to talk to, ever, ever, talk to his department heads. In fact, we're not allowed to talk to them. They're not allowed to talk to us. He means, this is just frustrating beyond belief. He doesn't understand. He means, is there something hiding that he's not seeing or what? He means, somebody else explain it to him because he doesn't get this. He means, we are trying to do everything we can to help this city flourish, go further,

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you know, to help the department heads, to help them to do their job easier, more efficiently. He's had phone calls over all kinds of issues and he's not allowed to even talk to the guy that the department is to communicate stuff with him. He means, man oh man, boy, has he had a lot to learn, being a Councilman. It's nothing like what he thought it would be. Nothing. It's ridiculous is what it is, Cowgill said. Councilman Brad Luzadder asked, can he respond? As the years in which he has served on the Council, this is the first time that we have not had an option of having discussions with department heads. For an Administration that claimed to run the election on transparency, it is the farthest thing from the truth. So Mr. Cowgill, he's sorry that he's learning but understand, this has not happened in the past. The Council has always had open communication and we saw things happen. And with the former Administration, it was said that they were hiding things. Apparently, in his estimation, Councilman Brunner and he have been on for a long time. The former Administration didn't hide half of the stuff that's going on right now and for asking for transparency, that is the biggest farcical word in public life because he is as frustrated as he is with the reason being that it is not this Council's money, it is not the Administration's money. It is the citizens' money that we are in charge of as the fiduciary body, the money group for the city. It is our job to make sure that the funds run smoothly through the city so that we can get our best bang for the buck, so to speak. And if he's wrong, Councilman Brunner, please tell him but in the years in which they have served, we have never had this type of roadblock in which moving our budgetary process forward. Councilman Jim Brunner said, let him say this. He had a discussion with the Mayor on Sunday, he told the President of the Council he was planning on doing that, and he walked away from that meeting feeling a lot better. So, let him, he was hoping maybe the Mayor would be here tonight, let him continue that dialogue with the Mayor because he feels the same way most of you do, that we need to be able to talk to some of these folks, if not all of these folks. So, he knows he's planning on opening up the dialogue in May, which is way beyond maybe some of the years when we've started so give him an opportunity to talk to the Mayor and see what he can do, okay? Council President Cain said, well she thinks the dialogue, we were hoping to have the dialogue with each department head so we could ask specific questions that the Mayor wouldn't have the answer for automatically right at the time that we talk to them and according to this email, which was sent today, which is after his discussion with him on Sunday, he's saying that he will give us a list. Not that he is going to talk with us, not that we're going to have the time to sit down and talk with the department heads but that he will give us, he will deliver us a list. Councilwoman Robin Fouce said she's kind of curious as to what's really going on as well. You know, she had eager and altruistic zeal toward being a Council person and serving was her main thing. She came to meetings, etc., a year and a half or two prior to even considering running and being on the Council and it has been absolutely ridiculous. She's sure she (inaudible) things to learn. Hopefully that lesson won't be that ridiculous is our mainstay and we're functioning at status quo in ridiculosity, to say a few words. She contacted Code Enforcement for a safety issue in the neighborhood Friday. Between Friday and Monday, six neighbors stopped her, came by her house, called her, including the Neighborhood Association President. So Monday, she still didn't have an answer. She followed up with Code Enforcement and basically they said they'd put it on the list. Unbeknownst to them, or she should say unbeknownst to her, Code Enforcement must have ran this by Mike Flynn. Mike Flynn wrote a thing and told them what to say to her. She's sure Code Enforcement didn't know they were forwarding Mike Flynn's words to her so Code Enforcement mimicked the words that Mike Flynn said. Mike Flynn said "tell her this", unacceptable for a tenured work staff to be caught in the middle of micromanagement, to handle and resolve an issue for constituents. Bottom line, the reason of the contact was to serve the community and their concern of safety. People have a right to live in a healthy, thriving, safe environment and it just illustrated to her, she thinks management, department heads are caught in the middle of something. She's sad for them. She knows they didn't serve 15 or 20 years to have to text the boss to say "can I say this?" or "Councilwoman Fouce called me, this is what you need to text to her". It, to her, is clearly indicative of our system that is broken and needs to be fixed and the way that we do that is we talk, we have conversations, we figure it out. We mill it over. We do research. And we continue to reinvent, we continue to tweak, to cycle, (inaudible) performance in business and she finds that minimal at best currently, Fouce said. Mrs. Cain said, and to answer his question, Mr. Cowgill, is there something that he's been missing, she was here under both Mayors, Mayor Seybold and now Mayor Alumbaugh, and she remembers at times we didn't agree, the Council didn't always agree with Mayor Seybold but there was still that open communication allowed between departments. And then she also remembers, you know, Mr. Henderson and Brunner and Luzadder were here with her when Mayor Alumbaugh came in the first term, that he stood here at the podium and said "I want you to feel confident that you can walk into any department and talk to them and ask them any questions and I have informed my



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department heads that they are to help you in every way that they can and to give you first opportunity for their response as quickly as possible.” And now to be informed that if she emails any department head anything, that she is also now required to copy Mr. Flynn, Mrs. Flores and Mr. Hunt. So, if she’s to email Mr. Fordyce a question from her constituent, does that mean she has to copy all those people also and why? Councilman Steve Henderson said, when he first got on is when Jess came in and we were able to go talk to people in the beginning. In some cases, when that department needed something, he would go discuss things with that department, they would end up getting it but the managers would not even know how they got it. They wouldn’t even know how the funding came in or where it was taken from, thus, no more questions to managers. Mr. Cowgill said, yeah, he means, he agrees with what all you guys say and he always thought that’s the way it was but in the year and a half that he’s been on the Council now, we started out the first of January with the Mayor standing right up there at the podium and saying, forget about these, forget about ours, we’re all here to help the city, we’re all here to communicate, get along and let’s do things great. It went from that was his first speech to the second speech was about the CARES Act money of him sitting up here, giving us, you know, like we were his (inaudible) sons and saying, “you don’t worry about what I’m doing, this is my job. You stay in your lane, you do your job”, to now, oh he’s swerving all over every lane there is. He doesn’t mind doing anything in our lanes. He’s even trying to tell us when to schedule our meetings now. He just doesn’t, he means, he doesn’t know what happened in that year and a half to where it’s just, he means, like he said, he knows a lot of you guys know a lot more than he does but as a Councilman for a year and a half, he’s learned a lot but he doesn’t think he’s learned near as much as he could if we would have some communication with the Administration and with the department heads. Ms. Fouce said she guessed she wanted to ask or comment that earlier when we were migrating through the challenges that we had with the Administration, there was certain Indiana Codes cited with regard to the Council and the authority of the Council and while you never want to have to go to that extent, we do have that in our favor and, you know, she says we take a look at it, she says we continue to reach out to the non-responsive Administration because, if you get a response and it doesn’t move things along, it’s a non-response. And so, she thinks it’s our responsibility, and someone please correct her if she’s wrong, since she’s new and everything, but it is our responsibility to get the information that we need, to collaborate with the departments that we need, to support the city workers and try to help them have good morale and give them the things they need financially to do their job and to take Marion to another level. This behavior stagnates us continually. It’s indicative of things of the past and it continues to be stagnating and she’s not for that. She thinks she commented earlier, that’s not what she’s here for and she’s pretty sure no one’s here for that. We want to support our community. We want everybody to have good opportunity. We want Marion to grow and progress. We’re talking about ridiculousness instead of what companies are we going out to seek to bring to Marion, which ones have come and we didn’t accommodate what they needed to be a part of Marion because hence we bring companies, there’s a cycle of progression there. People get jobs, the city thrives and we move forward. And so, for that reason, she would say that we take another look at what’s within the scope of our authority and clearly, talking to department heads she believes is. And any information we are not getting financially, you know, we take a look at it and discuss it as a Council, Fouce said. Councilman Luzadder said he would just like to say that, he guessed really the question he has is what is there to hide? Everything should be for open communication. He means, he guesses if we have to file the paperwork in which to have freedom of information then we can go ahead and do so but he doesn’t see that needing to happen, unfortunately. There should be readily available information that should be able to go and it was stated in one of our other meetings that, and he firmly believes the department heads work for the Administration, they do not work for us, they work for the Administration but in order for everybody to work together, there has to be some communication back and forth. During that meeting when we were getting chastised about the CARES Act monies, we were then told that the Mayor does not work for us. His understanding, and if he’s wrong, please help him, but he believes the Mayor works for the citizens of Marion and we represent the citizens of Marion and so, his understanding that yes, he does work for us, as a community but also as a Council and if we don’t work together then we’re not going to be able to move forward. And so, this committee as a Council held a Budget Committee meeting as a whole. We decided that we would allow for extra time so that he could work with his department heads and then be able to come together and have the roundtable discussion. He believes that we had discussed giving an additional four weeks of time in which to meet with your department heads. Now, he would hope and, by state statute, they are to be meeting on a regular basis and are to be taking notes and (inaudible) what has happened, this Council is privy to that paperwork because that is what is in the state statute. Now, this body

has never firmly stood on that state statute and demanded those documents but that is available to this body in which to do. Now, we can play kids games and we can say "I'm going to take my ball and I'm going to go home and I'm not going to answer the door, even if you knock on it". But the citizens of Marion are the ones that are going to suffer from this. It makes no sense that this body and this Administration cannot work together for the betterment of this community. And if we want to start talking and playing games, that is not why he has dedicated his life to service because there are three members of this body that are At Large which means we handle the entire city, just as the Mayor does. And so, it behooves us, being that we have the entire city, at least for the At Large members, we need to be moving forward. But he would never step back from the six areas that really make up our community, shows where the entire city and the certain areas of the city are represented in a collective body of nine. That makes the world of sense so that our city works. And until this body did not approve of a Deputy Mayor position, this body and the Administration were working together but when that happened, this body was shut off from information, was shut off from communication, and he firmly believes in a derogatory, rhetorical way, that we were simply said, okay, you're not doing what I want you to do so see how you like it now? Well, he is tired of giving the olive branch because, at our meeting, it was said by the members on Zoom and the members here in the Chambers, and he was quoted in the paper by saying to take a step back and think. He thinks that is the best thing we could have done that night. But then we came back collectively as a group and said, you know what, let's give some more time so that we can then come together. But unfortunately, by the email in which we received today, we can see that us extending the olive branch and giving extra time in which to work has simply been a slap in the face to this body and he cannot believe that this body deserves that. He knows the citizens of Marion do not deserve this. But, if it comes down to it, as a fiduciary body, we have 100% control of the purse strings. So, he guessed he's saying if there's something to hide then you'd probably better bring it to the light because anything that's done in the dark does no good for this city. We need to be moving forward and that means if we have to call, using our subpoena power, for a general audit of the departments in which to find financial security so that we know that we're going to be moving forward then he would call on this body to use whatever is needed in which to get the information so that this body is able to function fully and do exactly what we were elected in which to do. It saddens him that we have to even consider talking this way, Luzadder said. Mrs. Cain said, and she was thinking as he said that about the Deputy Mayor, she thought the other time that she feels like the doors were closed and have not been even opened again is when we started looking into where the funds came for the spending of the lawsuit, which is for adverse domination, which she feels, unfortunately, she feels the department heads are put in that position right now because we're talking about finances. We want to talk to the department heads. We don't want to grill them. We don't want to, we just want to sit down with them. We did this two years ago and we all enjoyed the conversations. We all enjoyed the conversations. She wants to get to know the department heads, this is a way to do it, to know who they are, the depth that they feel for their job and for their department that they lead, the passion that they have that they can't get that from a list. We don't read that from a list. So, thank you everybody for your comments. Where do we go from here? Mr. Henderson? Councilman Henderson said it just rings in his head every week, or every other week when we have a meeting, the words of Abraham Lincoln ring through his head that "A house divided will not stand". And that just rings through his head and why can't we get along? Cowgill said, he'll tell them, and this isn't a joke or nothing, he's being dead serious. Because of our communication, because of our training, because of our trust in one another, still, he would feel more comfortable walking into a fully blazing house than he does trying to get information or anything from this Administration. And he's serious about this. He wants them to think about that. How silly that sounds but he truly feels that way. And Councilman Brunner, he hopes that he does get through to him, he really does. Councilman Brunner said, well again, back to what he answered Brad's question, when he spoke to the Mayor on Sunday, he is fully intending to be here in May to meet with the Marion City Council and answer questions. So, he guesses the proof's in the pudding and we'll see what happens in May. Councilwoman Fouce said, well he agreed with us earlier this year to attend our Council meetings and when is the last time you've seen him at a meeting? She hasn't seen him, she saw him at the store. She had COVID at the time, she was picking up her prescription. But in terms of business, how we do business for the City of Marion. He stood at that same podium and said that he would be here and that he wanted to work together and she has not seen that proof. So, is he a man of his word, Fouce asked. Council President Cain said, so Mr. Brunner, when he speaks to him, can he ask him on our behalf why he will not allow us to talk to the department heads? Brunner told Cain, well, he thinks that's a question she needs to ask him because he told him he would be here in May so that's a question he thinks she and Mr. Luzadder



and Mr. Cowgill and Ms. Fouce can ask at that time. Ms. Fouce asked Brunner, so does he want to know? Brunner replied, he's not the Assistant Mayor, he's a City Councilman. He's just telling them what he told him. Fouce said she understands his position but he just said, he named three or four of them. She asked him was that something he would be interested in knowing, as a City Councilman. Mr. Brunner said, absolutely. He means, we have not heard from two members of this Council. He'd like to hear what Mr. Cline has to say and Mr. Fordyce has to say because it kind of sounds like we have a one way conversation and he knows in talking to these two gentlemen, they feel a little bit different than what it seems like the four of you feel. So, Mr. Cline, Mr. Fordyce, unless they don't want to speak, he would ask to have them give their opinion, Brunner said. Councilman Mike Cline said, well thank you. He's going to keep his own counsel on this. Brunner said, Gary? Councilman Gary Fordyce said he was under the impression that they're going to show up in May. That's the last that he thought he read. He's reading the same thing that you guys are reading. He read the email today, he said he was going to be here May 3<sup>rd</sup>. He guessed they'll just have to ask him then, he doesn't know any more than any of you, except what he read on emails. Ms. Fouce stated, we're not asking what you know, we're asking what you think. He represents a district in this community, he serves on the Council and so we're asking, surely you have input or an opinion. So, just to be clear, we're not asking what you know, what the Mayor thinks or anything. She would like to know what he thinks as a co-Council. Brunner stated, well, he means, he will say this. Every time he's ever picked up the phone or walked in that gentleman's office, he gets an answer to his question. You all are not feeling the same way? Councilman Henderson and Councilwoman Fouce replied, no. Brunner said, then maybe you need to spend a little bit more time talking with him rather than talking about him. Councilman Cowgill said, he'll tell him what, Councilman. Councilman Luzadder called a point of order and said, he doesn't want to have an argument to decide this tonight, folks. It's not good and it's not going to benefit the citizens. So, if we want to fight back and forth, he thinks we're going to lose and he doesn't think it's going to be prosperous for anyone. He would say that we, as the Council, should be moving forward and should be working for the citizens and so he thinks that we should hold people accountable and so he thinks we should move that direction instead of infighting, Luzadder said. Mrs. Cain said, and just one last statement to his comment, Mr. Brunner. She sent the Mayor an email and then he responds to 35 people to answer her. He puts 35 people in his reply so, you know, that's how she gets her answers. She doesn't get them personally. And, so, from what she reads, she's going to assume that his statement "deliver on May 3<sup>rd</sup>" if we get it by email before the 6:00 pm scheduled meeting, she guesses that's the format that he anticipates his deliverance of this list to be. If we don't have an email from him by 6:00 pm on May 3<sup>rd</sup>, we'll see everyone here in the Council Chambers as the Budget Committee, Cain said.

Being no further business to come before the Council, on a motion by Cowgill, 2<sup>nd</sup> by Henderson, the meeting adjourned. Time being 8:07 p.m.