

REGULAR MEETING – MARION COMMON COUNCIL – AUGUST 3, 2021 – 7:00 P.M. – CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 3<sup>rd</sup> day of August, 2021 at the hour of 7:00 p.m. in the Council Chambers, City Hall.

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

Present: Luzadder, Cowgill, Fouce, Cain, Henderson, Fordyce and Cline (Councilman Cline attended the meeting by Zoom).

Absent: Batchelor and Brunner.

The minutes of the previous regular meeting of July 20, 2021 were presented. On a motion by Councilman Steve Henderson, 2<sup>nd</sup> by Councilman Brian Cowgill, the minutes were approved as presented by a unanimous vote.

COMMITTEE REPORTS: Councilwoman Robin Fouce told the Council that the Development Committee had the opportunity to meet on the 27<sup>th</sup> regarding Ridley Tower. There was a favorable recommendation from the committee to move forward to first reading with the City Council, she's happy to report. Also, the second committee thing she wanted to note, there is an owner-occupied rehabilitation program through a partnership between the City of Marion and Affordable Housing Corporation. This is a good opportunity for homeowners that fall within the category of disabled, senior citizen, and/or veteran, to name a few, can get help with repairs, necessary repairs on their homes. She has several forms here that give instructions on who to contact so please see her afterward. If any Council members would like copies of this, it's a good thing to pass out to any constituents that fall within those guidelines. So, she thinks it's a good thing for our community. We talk about blight and improving the community, here's another avenue for them to do that. So, she tried to pass those out in her district. That concludes her report, thank you, Fouce said.

Councilman Brad Luzadder reported that the Utility Board was to meet this Thursday, August 5<sup>th</sup>, but that meeting has been rescheduled for August 19<sup>th</sup> at 5:30 pm in the (inaudible) center building which is building 101 out at the Marion Utilities at 1540 N. Washington Street. Again, this week's meeting has been cancelled and will be rescheduled for the 19<sup>th</sup>. Also, not a committee note but for the community, he's excited, for the 22<sup>nd</sup> year, the Alan Godsey Memorial Northern Gospel Singing Convention will be coming to Marion. People will start coming in Wednesday evening. The first concert will be Friday evening at 5:00 p.m., the doors will open at 4:00 p.m., and it will be held at Sunnycrest out on Chapel Pike and Miller. Then they have an afternoon matinee on Saturday and then a Saturday evening concert as well. So there will be three opportunities. Then also, for the first time, this Friday night, after the concert, if you would want to eat with the artists, they are going to be having an open house at La Charreada and they're going to be open specifically for the gospel convention. And there are people, literally, from all over the United States coming in, as far away as Nevada, down into Texas, Palm Bay, Florida, Pensacola, Florida, from New York area. So, it is literally all over the United States coming in. This is the 22<sup>nd</sup> year. Cool thing about it was, this concert started here in Marion and 22 years later, we're still here in Marion. We started out at the Coliseum under Mayor Henry and we have moved out to Sunnycrest, because there's air conditioning, and when you get a lot of large, gospel singers and you get them together, it's a buffet, everybody over a buffet, big, ugly, fat folk eating together. So it really worked out well for their group. They like to eat and they like to sing and so that's what they're going to be doing. So, everyone in the community is welcome to come and enjoy, like he said, Friday evening, Saturday afternoon and Saturday evening and then if you want to come eat with the artists, you're welcome to do so as well, Luzadder said.

NEW BUSINESS

RESOLUTION NO. 6-2021

The City Clerk read Resolution No. 6-2021 by title only, Declaratory Resolution of the City Council of Marion, Indiana, declaring economic development target area for property tax deduction for Halstead Development, LLC, property located at 402 S. Washington Street, Marion, Indiana. Tim Eckerle, Executive Director of the Grant County Economic Growth Council, told the Council with him tonight is Michael Halstead, President and owner of Halstead Development. Thanks to Madam President, she pointed out an error in the Declaratory Resolution. While they have a 10 year schedule, they mention six years in the preamble so in paragraph one on page three, it should read instead of six

RESOLUTION NO. 6-2021 Continued

years, 10 years, and the schedule remains the same. As they talked in the Development Committee, many of which they attended, they are very excited and very fortunate to have in their community Michael Halstead who overcame many obstacles in bringing the Regions Bank Building, or as he remembers American National, Summit, and went through a variety of (inaudible) and overcame some significant hurdles. It's probably the most difficult, privately financed project he's ever been associated with. It's the first new market rate apartments in the community, during his tenure, and they really owe a debt of gratitude. Tonight, they're asking the Council to declare the area eligible for property tax abatement and then they'll be back at their September meeting, because of a scheduling conflict on his part, and granting the abatement. He and Michael will gladly answer any questions. This has received, obviously, quite a bit of media coverage and has been, what is it, three years he's been at this? Mr. Halstead said, three years. Council President Deb Cain said, and she appreciates that he opened the apartments for them to tour. That was a great experience. He's done well. If he could just tell them how many apartments he has and how many are leased and when they move in because that's the exciting part. Mr. Halstead told Cain, well yeah, that's really great. And Jerry Foustnight is here, Jerry toured the apartments as the Building Commissioner to do an inspection for the apartments on Monday and they passed. Obviously there were some things that still needed to be done. The contractors are working furiously this week to correct all those items and get every last little thing done. They have 29 total market rate apartments, 18 of which are pre-leased, and people are going to be moving in this month and so they're really excited about that. They have a wide range of people who have rented apartments. They have a couple of retirees, they have teachers, they have some college students so a really good wide range so they're really happy about that. So a lot is going on at the project this week. Their biggest hurdle is getting the appliances in at the last second, believe it or not. If they know anybody that installs appliances, have them call him, Halstead said. Council President Deb Cain asked the Council, any questions? Being no response, she said she'll take a motion then. Councilman Mike Cline said, Madam Chairman, if he may? He remembers a lot of conversations with Frank Maidenbergh and he talked about downtown being the heart of the city and how downtown goes or is perceived to go, that's how the rest of the city is perceived to go. Our downtown is starting to get its heartbeat back. This is part of getting the heartbeat back and thank you, Mike Halstead, thank you, Tim Eckerle, thank you to everybody, Horizon Bank, people who have invested. This is a good project. He thinks we need to move it forward. Thank you, he's done, Cline said. Cain said, she'll take a motion. Motion was made by Councilman Gary Fordyce to pass Resolution No. 6-2021. Motion was seconded by Councilwoman Robin Fouce and carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Henderson, Fordyce, and Cline. Nay: None.

MARION SOUTH HOPE NEIGHBORHOOD ASSOCIATION AND CENTRAL MARION NEIGHBORHOOD ASSOCIATION TO ADDRESS MARION CITY COUNCIL – Council President Deb Cain said, thank you for coming, associations. She welcomes them to the platform. They have 10 minutes per association so if South Hope would like to begin. A woman from the audience, didn't give her name, told the Council they've been going around, talking about different areas in their community that need fixed up. Blight is terrible and she took her time getting some pictures and she wanted to pass them around, if it's okay with them, just pass them around so they can see them and if they look on the back, they can see about where the area is. Also, she'd like for them to maybe all get together with the Mayor and with Code Enforcement and take a trip and go around these areas and see what she's talking about. This first area, she went by the guy's house on Sunday. Today, he had cleaned it up but one of his trailers, she found it over on a different lot. The other trailer, she's not sure where it's at but his trailers were on the street for a while. The next ones she has are several weeded areas. They had a few houses torn down and they're wondering now who is responsible for taking care of those weeds. They had one area cut last year that jailers cut it at 36<sup>th</sup> and Wigger Street. She thinks it belongs to somebody but shouldn't (inaudible) be responsible for taking care of that? She's had the whole winter to find somebody if nothing else to just cut it monthly or whatever to keep the weeds down. They had a house in the neighborhood at 34<sup>th</sup> and Torrence Street and they called about it and at first, the people were, the landlords let people move in as long as they fixed it up and she thinks they did get a stop work order on them. But anyway, there's a picture of it and they think it was tore up by some dogs and so they'd like somebody to look into that and keep them from working on that and make sure that it's the landlord that should do the work. Also have several houses that have holes in the roof and they took pictures of those houses. Also, the main house that they're talking about is on the

corner of 36<sup>th</sup> and Boots Street. Several years ago when Rose Pope was President, they had that house condemned. Now they're finding out that it hasn't been condemned. People are living in the house off and on. They're putting extension cords from one house to the other and the other house is not in good shape either. But she wants them to look at these houses here and see what they think about them. And also, they don't know why this house wasn't condemned six or seven years ago when they thought it was. She's got front pictures and back pictures of it. Also the old Mills apartments at 36<sup>th</sup> and Boots has been sitting idle for years. They want to know if somebody bought it or not or it should be torn down because it's not livable. Councilwoman Robin Fouce said, President Carson, for time sake, could she save all those pictures at once and give them to him and then they can look at them? It's important they get a view..... Carson said, one more, one more. There's a shed on 36<sup>th</sup> and Boots Street, between 35<sup>th</sup> and 36<sup>th</sup> Street. It's been built out of pieces of wood, a foot long or whatever, and they don't think it's (inaudible). They've complained about it before a couple of years ago and nothing's been done about it. At this time, she'd like to have Patricia come up and talk about the houses in her neighborhood. Patricia (didn't give last name) told the Council she lives in the 3300 block of South Boots. She called in to the Code Enforcement and to the Mayor several times. They did come out and board the house. They had homeless people living there and drug activity going on. But they have torn down all the wood, they have torn the wood down and they're living back in there and she's kind of scared of her area around there, being outside in the evening, working in the yard, and she has brought this up several times in their neighborhood watch and she's made calls to the Code Enforcement and to the Mayor's Office, without any replies, and she's really worried about the safety of their neighborhood. Carson said, also they'd like to know about why they have to be in danger of people, they're just out there trying to take care of the blight in their neighborhoods and now they have people that aren't homeowners, they live in these condemned houses almost again, anyway should be condemned, and they have to fight with them. They're out there taking pictures or whatever and they call the police on them. And they have to fight and argue with them because they're trying to do a job that they thought they were supposed to be doing. She doesn't know how this neighborhood association organization was formed and for what purpose but (inaudible) ears and eyes of the community, but yet they have to fight with the other people in order to get something done and they don't think that's right they have to put their lives in danger, Carson said. Adrienne Smith told the Council she lives on West 7<sup>th</sup> Street and there is a house that's next door to her that has been empty for years. And then, she has tried to have a meeting with the Mayor. He set up the meeting, she went, sat, waited on him, no show. She has been to the Code people umpteen times about this house and then she went, she had called them and then she went, complained, went and took pictures of it and took them to them. Told the Mayor she would pay all the property taxes on it and stuff if he would tear it down but he didn't want to go that route. So somebody from out of state, Illinois, bought it, came and put this big old tarp that they have to look at all the time. Haven't cut the grass. The first time they got the grass cut, they tried and tried, she went down to the Code thing to get it cut, get it cut. They were having a block party, trying to get it cut. She went to their Council person, she got on it. They came out and cut it for them. That was the only time that it was, had been cut. She put a post on Facebook and said why do we have to look at this? Now, this house, grass is high. She cut that little path in the front of it because she has lots on the other side so her grandkids, great-grandkids won't have to run out in the street to go play down on the playground down there that she has. Yet, they'll go down to the next block, the Code people, pass this one where somebody's trying to upgrade their porch and do something and shut them down because they didn't have a permit for trying to fix up their property, but yet, they have to sit there and look at this property next door. She wished she would have printed off the pictures like she did. She just has them on her phone and she put it on Facebook and she tagged our Mayor in it and let him know this is what they have to look at. Now everybody keeps their lots clean and everything but they have to look at this tarp that's been up there for a year, that the wind done blew off, holes in the thing. She has fought creatures all year and still got traps out there and all this for this abandoned house next door when they shouldn't have to do that when everybody else is keeping up their lots and keeping (inaudible) but she has to and the rest of the neighbors have to look at this crap next door. Something needs to be done because if we're doing it and they bought this house on property taxes and ain't coming to cut it, it's theirs to cut and she shouldn't have to cut that. She's already cutting four lots on the other side, her mom's across the street and hers. She is not cutting this when somebody done bought this and they need to keep this property up, instead of them looking at this. It's ridiculous. And the Code people will not come out there and look at this thing that they have to look at every day, Smith said. Council President Cain said, now they have the Central Marion Association. Joan Bowman told the Council, good evening everybody. You know, she hasn't been

here for such a long time. She used to come all the time. Kathi, how you doing? Mr. Luzadder, good to see you too. She doesn't know hardly anybody here now. She used to come and know everyone but she doesn't now. Now listen, she has been President for 24 years and to look at the place now, her area now, she doesn't even know it. It never looked like that before. She guessed maybe she's going to have to get out on the street with her whistle and horn or something or other and get it taken care of. She's going to let her do the talking because she (Bowman) can talk, as they might know, but she's going to let her do the talking, and any other member that wants to come and talk. And they do have problems, a whole lot of problems, Bowman said. The woman with Ms. Bowman (didn't give her name) told the Council she wants to complain about 324 W. 14<sup>th</sup> Street. They have been complaining ever since 2019. They got it cleaned up once and after that, heaven help it. There are six dogs in the house. They've called the dog pound. They've come once. They only brought three dogs out. And it's a sin and a shame they can't sit on their front porch or open their windows without the smell. People come around that corner, if you come down Nebraska Street or you're going east or west on 14<sup>th</sup> Street, you can't see for the weeds. It's a disaster. She's called the Humane Society, they came one time. They only brought three dogs out. At that time, they had five. They left two in the house. She has called downtown so much they know her voice and her name. She's talked to the Code Enforcement. She told him if he can't get anything done, she was calling Indianapolis. He told her "you do what you've got to do and I'll do what I've got to do". It's a sin and a shame. They wouldn't want that mess in front of their house. It's going to cause an accident. People coming up the street, looking over at all that trash and filth, and they're shaking their heads. Now what can we do? That's their tax money, that's bringing their property down. It's not effecting out north, anywhere else. It's effecting them, their property, and they pay more property taxes than the other people. And it's a sin and shame that you've got to look at that mess and can't get nothing done. So will they (Council) please take their hard earned tax dollars and clean it up? They're paying them and they're sitting down, not doing nothing. We have to do your job. Council President Cain said, ma'am, thank you. Ms. Bowman said, well, she's not going to get up and say much anymore but, really, but the house that she's talking about, she was a little kid, her aunt and uncle used to own that house. They would never have anything like that looking like that and it never looked like that. What is the problem with the people that own it or even rent it? She doesn't understand. And you wouldn't want to live in something like that. You would not want to live with something like that. And they have to look at it every day or every week? It's not right. So what can we do about it and what can they (Council) do about it? They need to get something done. And like she said, she doesn't know hardly any of these people here now. Kathi she does, she's been missing her. Well, that's probably enough for now but she would like to come back again and let them know if anything's done and if it's not done, she would like to let them know. So she's going to sit down and let somebody else.... Any of you other members want to.....? Stand up members. A woman from the audience (didn't give her name) told the Council she's lived in the neighborhood for 50 years and it has went down and it is a disgrace. The people that used to live in the house, they're turning in their graves. The weeds are so high, they can't look out the window. They go to the bathroom outside. You don't know that. They do have six dogs and they know that you're looking at them and watching so they know how to play the role a little bit. She tries to be friendly, tell them they need to clean up their yard in a nice way. So when she gets her grass mowed, the guy goes out there, he tries to mow his grass but he just knows the system and he knows how it works and it is awful, awful. And she's been in the neighborhood 50 years. That's all she has to say. Ms. Bowman said she's not going to say much more but, if they know where they're talking about, Luzadder should know. Councilman Brad Luzadder said he does. Bowman said, he does, yeah she knows, he should know. And Robin knows. Anyhow, whatever they can do, they'd certainly appreciate it. And she will be back, Bowman stated. Council President Cain said, just a reminder before they adjourn. She handed out the Budget Calendar just to remind them when those start, and also it is important to note that the state statute, the requirement is that you have to be in person for the budget. The Zoom electronic meeting is not an option to attend any of these meetings electronically. She will take a motion to adjourn. Councilman Gary Fordyce said, Madam President, may he address the neighborhood associations please? Cain told Fordyce that's not normally the habit. Fordyce asked, on their complaints? Cain said that's not normally a conversation, to have a conversation back and forth. She means, that's not how they have it. Fordyce said he would just like to tell them that he has met with the Mayor and what he had planned to do to rectify this situation, if that's allowable with her. Cain said, okay, go ahead. Fordyce said he's had several meetings with the Mayor and he (Fordyce) feels their pain and he (Mayor) does too and Jerry Foustnight does too. Their problem is that they're understaffed. The only thing that they're trying to accomplish,

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Jerry's out every day, the Mayor and Mike Flynn drive the neighborhoods also, and they need more staff and they need more manpower and they need more funds. And he's met with the Mayor several times. As a matter of fact, he met with him today and he committed to him (Fordyce), in this next budget, what he would like to do is hire two more full-time Code Enforcement Officers to assist Jerry and his other two people to help out with this, coming up on the next budget, and the money in Jerry's budget to help curtail their needs. He has it in his district, he has it in his neighborhood. But trust him, every time that he has called or gone up there, they talk to him, they put him on a list and they try to get to it to the best of their power. He understands their frustration. He has had to wait and wait and wait. He did notice a lot of the properties they showed him pictures on, that is Code Enforcement plywood on those houses that they've boarded up. They do try to do the best they can with what they've got and the resources and the money that they have. And like he said, he met with the Mayor today. He's committed, he's dedicated to this and he wants to take care of it, just like Jerry Foustnight. The only other thing that he'd like to comment on is that's not the only thing that Jerry Foustnight does. He has to do building inspections on every remodel, every new construction, every new building, every new phase. He has a lot on his plate so he begs them to be patient. The Mayor hears them. He's met with him several times. Like he said, he just met with him today, he's committed to this, Fordyce said. Mrs. Cain told Fordyce, thank you very much. Councilwoman Robin Fouce said, Madam President, she wants to thank, these neighborhood associations, they came today, under her district. She wants to thank each and every one of them for taking the time out to come today. She also wants to encourage them to come more often. Certainly, they (Council) need to give them the opportunity to hear their concerns directly from them. She's not here to take up for anyone, other than the right thing going on. Clearly there is a problem. There is a broken system so adding people to a broken system doesn't rectify the problem. You know, she's for anyone who's going to work diligently and give them the evidence that they're working towards resolving the matter. Today they had people here saying they've contacted Code Enforcement and didn't get a resolve. Today they had people here saying they contacted the Mayor and tried to meet with him, they didn't get a resolve. Listen, she's not in the business of attacking their city employees. She's sure their efforts are a stab at the issues, however, they're broken. She's said it before, she's saying it again today. To add to a system that is not working, it's not acceptable. At the blunt of this are their taxpaying citizens. Quality of life is an issue. You know, these people aren't coming up here just to fuss. They have genuine concerns. It's impacting their daily lives. So she's going to need more than a word. She's going to need proof in the pudding. She's going to need action. And she encourages them all to stay active. They appreciate their efforts. She has been exposed to some of the greatest neighborhood associations. Their intent is genuine and humble. They work, they don't get paid. They don't even get a resolve to some of their issues. That's not to say Code Enforcement doesn't do anything, they're not saying that. They're saying that, hey there's a problem here, we're not going to take up for people. We're here to talk about the issue, identify it and come up with a strategy to get it resolved. Thank you again, Madam President, for her openness and co-Council women and men for their willingness to hear the people. The people are the last word. They sit there because of the people and so she just thinks it's always important to listen to them. Thank you, Fouce said.

Being no further business to come before the Council, on a motion by Cowgill, 2<sup>nd</sup> by Fouce, the meeting adjourned. Time being 7:37 p.m.