

## REGULAR MEETING – MARION COMMON COUNCIL – OCTOBER 5, 2021, 7:00 PM, CITY HALL

The Common Council of the City of Marion, Indiana, met in regular session on Tuesday the 5<sup>th</sup> day of October 2021 at the hour of 7:00 p.m. in the Council Chambers, City Hall.

On call of the roll the following members were shown to be present or absent as follows. Present: Stodgill-Weeks, Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Absent: Henderson.

The minutes of the previous meeting of September 21, 2021 were presented. On a motion by Fouce, 2<sup>nd</sup> by Brunner, the minutes were approved by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Brunner and Cline. Nay: None. Abstained: Stodgill-Weeks and Fordyce.

### COMMITTEE REPORTS:

Council woman Robin Fouce told the council she attended the Board of Works meeting this week. Fouce said they scheduled a meeting regarding Police and Fire manuals and books, that meeting will be a zoom meeting that I, as liaison, will be attending on November 14<sup>th</sup> at one o'clock. There was one question I asked, I just want to put it out there. In going over the voucher summaries, I noticed that one of the line items was that we paid Best way of Indiana \$12,255.00 for demolition. This particular property cost \$12,255.00. I know that another line item was to Ice Miller for contractual legal fee for \$13,980.00 and the general question that I propose is with the blight problem that we have and the finances that we have, I asked them did they know in particular what those contractual services were. The memorandum says litigation might go on, so my question is just what is that for in particular. My point is we have blight and other issues that we need to handle in the city, with diminishing income or diminishing revenue, etc. We could use that \$13,980.00 for a house or building that we need to take care of in our community. That question, statement was posed to thought as I do that today and to the council. Those are my thoughts on that. Also the Development Committee met today but I'll speak on that later.

Council President, Deb Cain at this time said the council would now move on to the Neighborhood Monthly Spotlight and asked the President and Vice President of the association to come to the podium and speak.

### NEIGHBORHOOD MONTHLY SPOTLIGHT

President of the Harry Cramer Neighborhood Association, Mr. Gus Smart, 2304 S. Brownlee Street thanked the council for inviting them to speak tonight. Mr. Smart introduced the Vice President, Tammy Philburn and told the council she (Ms. Philburn) has all the notes and she would explain it to the council. Ms. Philburn, 2316 S. Florence Street addressed the council. Ms. Philburn stated they are the Harry Cramer Neighborhood Association which is the heart of District 5. Ms. Philburn said they also want to thank and pass on their condolences for Mr. Batchelor. He was the heart and soul of District 5 and the heart and soul of our neighborhood association, he is going to be greatly missed. We welcome our new council person, Mrs. Stodgill-Weeks. We also look forward to working with you. We have a lot of City owned properties in our neighborhood that aren't being taken care of. There is one where

2

the residents have made it into a parking lot because there is not enough off street parking or they don't have parking so the residents have made it into their own parking lot. There are a lot of houses that need torn down or just need mowed. We also have a lot of abandoned properties. We could keep Code Enforcement busy for a long time. There's a lot. Philburn said they've had three "wins", in Code Enforcement courts, back on September 16<sup>th</sup>, one homeowner had died, no family members so that went to the Board of Works to be demoed. So that problem is too, if the owner has died and the house is going to be demoed, does that property revert to the City? So then we have another empty city lot to be taken care of. Two others, 808 E. 24<sup>th</sup> Street and 2201 S. Brownlee Street are to be cleaned up. 2201 has been fined prior to this so not to that property. South Brownlee Street has been needing paved since they did, since Marion Utilities was in and did their work last year. They totally forgot to do that street but the whole street, from the cul-de-sac all the way down to 18<sup>th</sup>. That street has been totally missed it is in dire need of being repaired. At this time Ms. Philburn told the council she has her list of different ones that they have turned in and passed the list around to the council. Philburn said that some areas where there were sidewalks have been so overgrown that they can't tell they're sidewalks. You can tell a sidewalk used to be there but they're no longer there. Philburn said going down her alley you tell a sidewalk was there and parts of it are all broken, it's not even safe to walk on so they have lots of that too, where sidewalks used to be or are totally damaged that they're not safe to walk on. Ms. Philburn said they have been working with Kayla and are establishing a park. Our neighborhood does not have a park, so we have three lots that are side by side that are vacant, some of you have been there, some of you have been there, we've had a block part there. We are moving along, we are in the process now, the next step is the design phase. It's a park and community gardens. The old Boys and Girls Club is now owned by Mr. Morrell, I don't remember which Morrell. It has been cleaned up, it's still a hot spot for dumping. There is a lot of blight around there. It's even very hard for him to open that back up for a business because there's nothing pretty around it. It's full of blight. We in the neighborhood are willing to help him with cleaning the facility, doing whatever we need to help him because we feel it's a great asset to the neighborhood. Another thing is 1810 S. George Street, it's been boarded up and looking better. We've seen some improvement but right now this is me and Gus, this is our committee. We don't have a lot of help from the neighborhood because they see us talking saying we got this done but then they're not seeing the progress being done so, they just see it as all talk and nothing being done. We had our neighborhood clean up this past Saturday. The dumpster was brought on Thursday afternoon, people started filling it up. We had it Saturday and by 11:15 on Saturday, we had the dumpster filled. Plus all four city dump trucks were completely filled. We do this every year and that's what we've had the last two years. Council woman Robin Fouce said she wanted to make mention to our young gentleman, Mr. Gus over here who has gone around the neighborhood and cut grass with his own personal equipment with no compensation or no help. You heard her say they do all the work in the neighborhood, they don't have any additional resource that helps them. I think commendable what you two do, I want you to stay encouraged, you now have a council woman, you will develop a relationship but I think it's commendable what you do, I want you to stay encouraged. Thank you. Councilman Jim Brunner asked if they were trying to meet once a month. Ms. Philburn replied they were trying but due to COVID, they have lost their meeting place and at this point they don't even have a meeting place. Councilman Brunner said he would help them with information they would certainly get it on the radio for them.

UNFINISHED BUSINESS:APPROPRIATION ORDINANCE NO. 2-2021 2<sup>ND</sup> READING AND PUBLIC HEARING

The City Clerk read Appropriation Ordinance No. 2-2021. Budget for the City of Marion, Indiana, for the year 2022. City Controller Julie Flores was to speak on this item through Zoom. Clerk Kiley told the council it may be her fault that Mrs. Flores wasn't connected through Zoom because she forgot to include the link when she sent Mrs. Flores her council packet. Council President, Deb Cain said she would take questions from the council members first. Council woman Fouce asked if we had anyone from the administration here. Cain said she had Mr. Flynn on zoom if he would comment. President Cain then called for public hearing. Mr. Ed Bounds asked if this was regarding blight. Clerk Kiley replied it was the city budget. Police Chief, Angela Haley spoke to the council. Haley said they have been very frugal throughout this process because of COVID we're not expecting our revenues to increase, they may decrease so she was asking that they pass the budget as it was submitted. Haley said they have tried to hold the line on what we've requested for this year and have tried to maintain the same method as they did last year. Joselyn Whittaker, 2503 South Valley Avenue addressed the council. Ms. Whittaker stated that since we do not have the pertinent information at hand, she would recommend that this be tabled so that the public can actually see what you will be voting on. Whittaker asked how you can vote on something and the public has not seen it. Whittaker said there is no documentation here for us to see it. She urged the council to table it. Whittaker also said she thought anything dealing with the city, which would be the next three things, be tabled until the next meeting and with the publication of the information. Council woman Fouce said she could appreciate Ms. Whittaker's request however, we did publicize all the hearings that we had with the different departments. Fouce said she would be happy to share anything that she has if you would like to see that and that she never got a request. Fouce asked if Ms. Whittaker had requested that information from anyone. Whittaker stated yes she had and she looked back through all her papers. Fouce said our community is in dire need of authentic advocates. Our citizens need men and women who refuse to accept status quo in politics and challenge our leaders that are desensitized to the plight of poor marginalized, disenfranchised and in historically neglected groups. We devote too much of our resources to interest of thy minority. Politicians tend to be deaf to the cry of mothers, we have had a lot of death in our community. I'm not saying nobody is trying to do anything but I think we can do better to get this problem fixed especially in a unique community like we have in Marion. Fouce said wins and losses don't mark the true depth of caring citizens. The work of caring citizens is measured by a dedication of consistent advocacy, engagement and informing. It is for this reason I ran for office. I believe it's crucial to understand and strive toward a world that should be. We have good work ahead of us. We're here today for second reading and public hearing and I encourage anyone that's reluctant to get up and talk. Now is the time. Where do you want your tax dollars to go toward? We're talking about the budget and what we're going to spend tax dollars on. Blight is an issue, it is an issue here. We have several other issues. Funding departments is an issue. We have a proposed diminished revenue coming before us this next year. Now is the time to get out and seek and talk about it if you are a citizen. I encourage everyone to stay as advocates, hey, we don't agree, we get into it, we get it together and we're going to make Marion better. Mayor Alumbaugh said they were trying to get Julie to speak but were having some technical difficulties. They Mayor said she was not in the same place as them in French Lick but she is

trying to get it so she can talk to you and they are working on it and he'll let them know as soon as they get that working. Mr. Ryan Howell, 3016 S. Branson Street addressed the council. Mr. Howell asked if they still had school choice here. Howell said he heard that charter schools had a lot of success and if we bring competition to the education system here, competition is the greatest thing America has and he thinks it would greatly benefit our school system. Mr. Howell said everything starts with the children and if you bring them up right and educate them right, he thinks the education system would be a lot better. You could spend your tax dollars , make them compete for tax dollars and charter schools are publically funded schools but they have their own autonomy . They teach kids to farm or teach kids about skills that public schools have a set standard that they have to teach everything. Ms. Adrienne Smith, 1412 W. 7<sup>th</sup> Street asked how do you choose and what streets get paved? Smith told the council work was done on 7<sup>th</sup> street and now it looks like a checker board. As I cut my lots I have to go out on the curb and cut the curb where the grass is coming up through the street. So I'm just wondering how do you get your street paved? Mr. Ed Bounds, 1526 S. Florence Street addressed the council. Mr. Bounds stated he was here to talk about blight. Tammy, Gus, they do an exceptional job for District 5. What they did Saturday was unbelievable. Still we have houses that Tammy and Gus cannot tear down. Houses, buildings, churches. There's a church on east 29<sup>th</sup> Street that kids can easily get in to. We need more money to go to blight. Taxpayers like myself have complaints and grievances , and sometimes we feel like there are not being met. I ask a lot of you if you could please put the politics, the R's and D's to the side and work together to help the people not only in District 5 but in other districts to clean blight up. President Cain said she sees nothing further and it looks like we're still not able to have (inaudible). City Clerk Kiley noted that the adoption date on the ordinance was October 19<sup>th</sup>. At this time President Cain called for a motion. Motion by Fordyce to pass Appropriation Ordinance No. 2-2021 to 3<sup>rd</sup> reading. Councilman Mike Cline called for a point of order. Cline asked if we could make the 3<sup>rd</sup> reading a public hearing. City Clerk Kathleen Kiley asked if she would have to re-advertise the ordinance. There was some discussion about whether or not we could get this in the paper within the required 10 days prior to the hearing law. (Most of this was inaudible due to no one having their microphones turned on – sorry). Councilman Brad Luzadder told President Cain that she could allow the public to speak even if the ordinance wasn't advertised as a public hearing. The motion by Fordyce to pass Appropriation Ordinance No. 2-2021 to 3<sup>rd</sup> reading was 2<sup>nd</sup> by Cowgill. Motion carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None.

#### GENERAL ORDINANCE NO. 9-2021 2<sup>ND</sup> READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 9-2021. An Ordinance fixing the maximum salaries for Police Officers of the City of Marion, Indiana, for the year 2022. Council President Cain told the council there were no changes to this ordinance and called for the public hearing. Being none. Motion by Fouce, 2<sup>nd</sup> by Cowgill to pass General Ordinance No. 9-2021 to 3<sup>rd</sup> reading. Motion carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None. Abstained: Stodghill-Weeks.

GENERAL ORDINANCE NO. 10-2021 2<sup>ND</sup> READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 10-2021. An Ordinance fixing the maximum salaries for Firefighters of the City of Marion, Indiana, for the year 2022. Council President Cain told the council there were no changes to this ordinance and called for the public hearing. Being none. Motion by Cowgill, 2<sup>nd</sup> by Luzadder to pass General Ordinance No. 10-2021 to 3<sup>rd</sup> reading. Motion carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None. Abstained: Stodghill-Weeks.

GENERAL ORDINANCE NO. 11-2021 2<sup>ND</sup> READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 11-2021. An Ordinance fixing the 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 2022. Council President Cain told the council this money is already in the budget and this ordinance just sets the salaries of appointed officers and employees. Cain called for public hearing. Being none. Motion by Luzadder, 2<sup>nd</sup> by Brunner to pass General No. 11-2021 to 3<sup>rd</sup> reading. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None. Abstained: Stodghill-Weeks.

GENERAL ORDINANCE NO. 12-2021 2<sup>ND</sup> READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 12-2021. An Ordinance fixing the maximum salaries of Elected Officials of the City of Marion, Indiana for the year 2022. Council President Cain told the council there were no changes to this salary ordinance. Cain called for public hearing. Being none. Motion by Cowgill, 2<sup>nd</sup> by Fordyce to pass General Ordinance no. 12-2021 to 3<sup>rd</sup> reading. Motion carried by the following vote. Aye: Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None. Abstained: Stodghill-Weeks.

RESOLUTION NO. 8-2021

The City Clerk read Resolution No. 8-2021. Declaratory Resolution of the City Council of the City of Marion, Indiana declaring Economic Revitalization Area for 9<sup>th</sup> Street LLC. Charity Bailey of the Grant County Economic Growth Council presented this Resolution to the Council. Ms. Bailey told the council this declaratory resolution was for approving the land at 2703 W. 9<sup>th</sup> Street to be eligible for tax abatement. Council woman Fouce said that the Development Committee met today and discussed the tax abatement for Metal Sources. It was two to one (abstained) forwarded to the council. Councilman Cline asked Ms. Bailey to tell them what they do at Metal Source. Ms. Bailey said Chris Lochner from Metal Source was present to speak and answer any questions the council may have. Bailey said they were a company from Wabash that is planning on bringing fifty jobs to Grant County, to Marion and it's

6

a 1.3 million dollar investment in equipment. Cline then asked them to share what they shared at the Plan Commission. Cline told the council the Plan Commission met a few days ago about a zoning issue, we're going to hear about that too and the Plan Commission recommends, likes what they're doing. Mr. Chris Lochner addressed the council. Lochner told the council he is a life-long resident of Wabash County, went to Manchester High School and for four years he was very unsuccessful guarding the likes of Matt Backs and Zach Randolph in Basketball. Lochner said when he came back from college about eighteen, nineteen years ago, they had five employees, very small company. They now have grown to two hundred fifty five, they have a seventy five employee trucking business. Lochner said their main, why he is here, is metal source. We do a variety of things in the metal recycling business, we have currently have two hundred and fifty five employees under that blanket. Lochner said they do other things, they have a restaurant, they have a car wash. Mr. Lochner said they have purchased a facility on 9<sup>th</sup> street. What they are looking to do, with help from the abatements, the more that we can invest, the quicker we can invest, the more jobs we can invest and our first initial from the city side, because there is about ten acres on the city side and there is about twelve acres on the county side which we did confirm that is correct, so there's county zoning and city zoning. With these abatements, the city side is where the building is right now, which means we can immediately impact that and we're looking to bring in about fifty employees over the next couple years as business comes and it's there right now, we're looking at about fifty thousand dollars plus benefits would probably be the pay for these jobs. These jobs are typically going to be Monday through Friday, eight to five. We're going to take aluminum wheels from all over the region, the country that is. We currently handle about six million pounds, this facility would handle probably three to four million pounds. We would like to bring those in, we identify them, we sort them, we actually take them and if they can be re-used, back into the (inaudible), we sell those back in (inaudible), if they cannot be core(?), which is a higher value, we then take those, we clean the lead, the brass valve stem, anything that is not aluminum off of it, we then take it and we smelt it back into ingots and (inaudible) automotive industry. Part of what this abatement's for is to get the equipment in just to sort, clean and process. We can do that currently under the I1 in this building. What we're looking at, in the next comment, we actually put a smelter which would actually keep down the noise. We would bring in more jobs at that point, but this abatement, this small amount which is 1.3 million is going to be identificational, equipment, things that could move that and um we're just looking, we've been welcomed so far by the City of Marion and Grant County and we're excited to start operations, the first piece of equipment actually delivered today. Councilman Cline asked Mr. Lochner how much of what they do will actually be done inside. Mr. Lochner said currently everything that we'll be doing other than (?) trucks, which will be done at docks, will increase docks, um, capacities, everything will be done inside at this point. As our business can grow, and as there's opportunity, we will move out from there and possibly look at additional buildings, on the county side or on the city side, depending on if abatements are given from any entity and just kind of where business takes us. We will put a truck scale in that will be on the county side so there will be some truck traffic on the outside but for the most part it's all going to be inside a fifty thousand square foot facility right now. Council woman Fouce said she wanted to know that in our discussion today there were some concerns about the facility and the encroachment on residents and insuring that we have a good mix with them being able to do business as well as maintaining a quality of life for the residents that's lived there, so anyone please chime in, I'm hoping that we can work something out and we want to encourage business but we want

7

to protect our residents. Council President Deb Cain said that's what she was going to ask, we discussed in our committee meeting the concerns, I had concerns because I went by the locations in Wabash and Peru. I had concerns with if you begin doing the metal, the piles that I saw that were way above the fencing and the noise of the machinery. Would you respond to what we spoke about in the committee meeting please. Mr. Lochner said right now we have no plans whatsoever to have an operation that you speak of, like we have in Peru and Wabash. This would be strictly for the abatements that we're speaking of, um, inside facility with the wheel processing. We can do all those things at Peru and Wabash on the county side of the property currently. The only indication is we would want to possibly do that on the city side, we have no plans for this whatsoever. The one thing still with COVID, and businesses surviving it, adversity, is the more things that you're able to do at a facility, the longer that a business can survive. We saw that with COVID where we were proud to have two hundred fifty five employees and not one of them had to be laid off because of our diversification. All the other businesses we had, the abilities the zoning allowed us in Wabash, where our aluminum foundries, they stopped taking, GM stopped taking metal because they weren't making cars at that time because of COVID well luckily our recycling facilities kept those people employed. We love the City of Marion and/or other cities that work with businesses so that we can keep people employed and have that kind of ability to do that so to speak on the scrap metal outside, that's not the plans here with the abatements, it is something in the future that we'd love to have the City of Marion and the county welcome, because the county's already welcomed with their zoning. We'd like to talk about that in the next step. We like to work with our neighbors and we want to listen to our neighbors and we want to be within the laws and you guys can communicate that we're doing things fairly and we're doing things right and we also want to listen to their concerns and there is a light that shined the wrong way that's kind of coming in the door or window, we want to be able to address that in a very neighborly fashion and work well and bring jobs to town and the county that's welcoming us, so I appreciate that. Councilman Cline said he knows there is more than one public hearing, it's on the zoning but it's still the same animal we're talking about. What did the public, and I assume there were neighbors there, what the public was asking. Mr. Lochner replied that the neighbor that would be affected most is the one that is right in front of the facility. Obviously his land is abutted to I-3 county zone, heavy industrial and I-1 city zone, so he's in a spot where it's surrounded by twenty three acres, he was just, he's anti anything going there, it didn't matter if it was us or anything else. Other than that, some others were just asking what we were going to do, what our plans were, and actually very supportive that the City of Marion needed jobs and had a local farmer that was curious about the drainage and how we would handle that and I said I would work hand in hand and make sure everybody's concerns are met, so it's been very positive and um, nobody has really came to those meetings against it at all. Council President, Deb Cain replied to Mr. Lochner that he stated that he said they had machinery coming in and asked what can you not do if we do not give this tax abatement? Lochner said the tax abatement for us is only going to help us grow more jobs quickly and be better stewards and neighbors so there's nothing that could be prevented by the abatement it's only working hand in hand, it helps us put up screening, if screening is needed, it helps us work with our neighbors better because we'd have those added funds, it helps us be able to process material quieter or more efficient um, as we go into the next step which would be the zoning, if the furnace was ever put in which would be the only thing we couldn't do at this point. That actually reduces the noise and so we've always learned, as I started this business when I was

8

pretty young, there was only five employees and we've built a business by being honest and up front and making sure we're doing things the correct way even going above and beyond. To answer your question, we are going the way it is zoned now, we're just looking for help from the community so that we can get fifty employees in two years or one year or in six months and not have it take longer. President Cain asked Charity Bailey if she could help by explaining the tax abatement for the ones in the audience. Ms. Bailey explained that tax abatement is a phasing in of real estate and/or property taxes over time with the understanding that the project benefits the community so this particular case we're looking at a five year abatement. One hundred percent reduction the first year, ninety five the second, eighty the third, sixty the fourth and fifty percent the fifth. That speaks to what Chris is saying is that the financial resources there for him to do additional repairs or amenities or things like that to the property. Bailey said the abatement is based on the assessed value and if the project doesn't increase the value then it doesn't qualify for the abatement so this particular case, the abatement would be going towards the equipment. Councilman Luzadder said that being that it is right off of 9<sup>th</sup> street, is there a designated traffic, in which you'll be bringing the semi's in and what would be the direction which you would be bringing those and what would that be looking at, increased traffic. Mr. Lochner said obviously if we're having fifty employees and some traffic there would be, I don't know what the current flow of traffic is, I haven't done a study on that facility. Where GM is, off of 18, they'd be coming in off that intersection and on to 9<sup>th</sup> street I would imagine would be the best course, I could see some taking some county roads as well. We really haven't thought that through yet to be honest other than it's a current facility, it's not a new facility so I think it's probably had those traffic patterns before. What we're hoping for is fifty employees coming in to work at 7:30 then leaving at 5:30, that would be the biggest traffic. All the truck traffic coming in would just be happening 8:00 to 5:00 during normal business hours. Councilman Cline asked Mr. Lochner that of the fifty employees how many of those jobs are going to be open to local residents, how many might be transferred over from Wabash. Mr. Lochner said honestly there probably won't be any transfers, we currently have five (Marion) that we just hired two weeks ago that are actually training right now that have been training at our facility in Wabash. They're Marion residents right now. We are hoping with the current pool of employees in Wabash we kind of maxed out what we can currently get so we're hoping that most of them do come from Marion and the surrounding area. President Cain asked Mr. Lochner if he could look into the traffic routes you're going to use and come back with that for us so we'll know if you're going to go through the residential or what routes are you're trucks going to use. Councilman Luzadder said currently there is no truck routes for that and so with breaking down the roads you would have to have a traffic pattern set up, otherwise currently if there are not local deliveries for current in place, then the police would be writing tickets for large trucks in that area so that would be something that would need to be discussed if there are going to be a large amount of trucks coming through. Planning Director Sam Ramsey addressed the council. Mr. Ramsey told the council that we've got some truck route issues all over town, there's some places that semis go all the time that they should not be. When you look at this location, just last year we had (?) welding come into town on Lenfesty and they came here to make Lenfesty from 9<sup>th</sup> street up a truck route, even that at that time it was noted that 9<sup>th</sup> street was not a truck route. Ramsey said he didn't know what to do with that since Nick got three blocks of a truck route to get onto 9<sup>th</sup> street and we didn't make him dedicate any part of 9<sup>th</sup> street as a truck route. Ramsey said 9<sup>th</sup> street's been seeing truck traffic forever and he assumes it's got a pretty good base to it,



the road is in pretty decent shape, he's been out there to look at it a few times. Cline asked what kind of truck traffic did Green Line have when they were out there. Ramsey said that was before his time. Council woman Fouce stated that ideally that coming in from the west end of 9<sup>th</sup> street would be optimal because you just pass one house close to that so if there's some kind of way they could come in headed east from the west side of 9<sup>th</sup> street, that would be the more optimal entrance for the residents but you'll have to figure that out. Fouce said she's on the fence, that's her district. Fouce told Mr. Lochner that she wants to support new business but her first allegiance is to the citizens that live there and will be impacted. She has made effort to contact them but that has not happened. Fouce said she would recommend to the president that we table this for our next meeting and she would like to meet with them, get the neighborhood president and the economic counsel necessary, we could sit down and talk and work those things out, come back to the table and take our next step. Councilman Fordyce just wanted to note that (talking about truck traffic), there is a trucking company right there, First Way Trucking Company, and it's been there for years and years and years. Council woman said they were not on 9<sup>th</sup> street. Councilman Fordyce said they were one block off of 9<sup>th</sup> street and they have to come onto 9<sup>th</sup> street. Planning Director, Sam Ramsey told the council that there has been a BZA meeting and a Plan Commission meeting. Ramsey said they have notified every property owner one mile deep all the way around. The county side is on the west and the south and the people all on the north and the east side. Ramsey said that at those two meetings Mr. Sutton on the north side was the only person that made any complaint. Some of the people on the east side across the railroad tracks had some complaints about the previous owner and trash issues. Council woman Fouce asked if she heard correctly, you notified one mile wide? Ramsey replied one block deep and they notified the neighborhood association president. Ramsey said they had several people show up at the BZA meeting asking questions about what the business was, the Plan Commission meeting, no one showed up. Fouce said someone did show up and he was concerned about the water irrigation, that there was going to be a back up on the water. Ramsey replied yeah, Wendell is very involved with the drainage board of the county and we've dealt with that. Any development in town that goes over an acre of dirt, grass, dirt, gravel to a hard pavement or building, we have MS4 views, all the storm water stuff, they have to know where the storm water is going, how fast it's going to flow, the utility is involved, engineering department's involved so we're pretty thorough. Council woman Fouce asked for a note on the record that I guess (?) talked to the neighborhood president and the neighborhood vice president and they alluded to me that they were not aware of it, I am to meet with them on Thursday of this week so I can see what their concerns are and see if maybe we can work it out, I don't want to jump the steps before that. Charity Bailey said to just keep in mind that the first part of this action is to make that property eligible for the abatement and then the second part is the public hearing so that will be part of what you're approving. The public hearing is supposed to be at the next council meeting. Motion by Cline, 2<sup>nd</sup> by Fordyce to pass Resolution No. 8-2021. Motion carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None.

#### GENERAL ORDINANCE NO. 13-2021 1<sup>ST</sup> READING

The City Clerk read General Ordinance No. 13-2021. An Ordinance of the Common Council of the City of

Marion, Indiana, amending Marion City Code Chapter 153 (Zoning Ordinance) and providing for the effective date thereof. Planning Director, Sam Ramsey said that this rezone request is for the same property. It is to rezone the city portion of this to R-3 to match the county. Ramsey said R-3 gets them to the point where they can do the actual smelting. Currently they can do the grinding, mixing, sorting inside R-3 allows that to go to the next level of what he's wanting to do. Councilman Fordyce asked did he mean I-3? Mr. Ramsey replied I-3 not R-3. Ramsey said it got a favorable recommendation from the Plan Commission and he would answer any questions the council may have. Councilman Mike Cline read from the staff recommendation from the Plan Commission. "The zoning change would bring this property in line with the zoning of the county's property to the west, it will be associated with commercial use. With the location of this property there is probably no better place in town for this proposed use to locate within the city. Metal Source has the reputation of being great neighbors in their location's in Wabash." Motion by Fordyce, 2<sup>nd</sup> by Brunner to pass General Ordinance No.13-2021 to 2<sup>nd</sup> reading and public hearing. Motion carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None.

Before the closing of the meeting, Council President, Deb Cain informed the council that they needed to add Resolution No. 9-2021 to the agenda. Motion by Luzadder, 2<sup>nd</sup> by Cline to add Resolution No. 9-2021 to the council agenda. Motion carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None.

#### RESOLUTION NO. 9-2021

The City Clerk read Resolution No. 9-2021. A Resolution to waive noncompliance of a timely filing of statement of benefits for Bahr Brothers Manufacturing Inc. and Bahr Brothers Properties. Charity Bailey of the Grant County Economic Growth Council spoke to the council on this Resolution. Ms. Bailey told the council that there was an issue with the Bahr Brothers tax abatement filing. There was one part, one form that did get filed correctly and within the time line that was requested, something happened with the second, we don't quite know where that mistake happened or at what level. We are asking the council to follow the mandated compliance statement to correct the tax abatement filing. President Cain said it's just because we missed the one. Ms. Bailey replied the waiver of noncompliance. Ms. Bailey also told the council that as far as they know Bahr Brothers has never been late or missed a filing previously. Cain agreed saying they're the first ones to turn them in each year. Motion by Luzadder, 2<sup>nd</sup> by Cline to pass Resolution No. 9-2021. Aye: Stodghill-Weeks, Luzadder, Cowgill, Fouce, Cain, Fordyce, Brunner and Cline. Nay: None. Council woman Fouce said she wanted to say about Bahr Brothers that their work was exemplary, we appreciated the work they do, this is in no way a reflection of them as a business and we continue to look for great things from Bahr Brothers. Shout out to Tim Street.

11

Being no further business to come before the Council. On a Motion by Cowgill, 2<sup>nd</sup> by Cline, the meeting adjourned. Time being 8:08 p.m.

X Deborah Card  
Council President 10/19/21