

REGULAR MEETING – MARION COMMON COUNCIL – APRIL 4, 2023 – 7:00 P.M., CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 4th day of April, 2023 at the hour of 7:00 p.m. in the Council Chambers, City Hall.

Council President Robin Fouce said they will ask Pastor Trexler to step to the podium. Pastor Trexler will lead them in prayer but, prior to the prayer, if they could have Councilman Luzadder give them a moment of silence for their passed loved ones that have gone on and then Councilman Cline will lead them in the Pledge of Allegiance. Councilman Brad Luzadder said he asked the President tonight if he would be able to say something about two former Council members, one passed away just recently. Councilman Mike Roorbach was a City Councilman before he became a County Councilman. He dedicated himself to their community. He's said that Lakeview sports wouldn't have been what it was had it not been for the determination of Mike Roorbach and so they'll have a moment of silence for him. And then also, his friend who sat with him for four years, to his right, Fred Troxell passed away this past week and Fred dedicated himself not once but twice as a Councilman and he dedicated himself to Ward 1. He was not a big fan of tax abatement and made that abundantly clear. He was not a big fan of some of the former administrations but Fred was a man that had conviction, he stated his opinion and even though you may not have gotten along with Fred, at the end of the meeting, he never took it personal. They went back and forth multiple times and at the end of the meeting, they'd stand and shake hands and say, hey Fred, we'll fight another day. Since he went away from the Council, their friendship got even better and so he is very honored to be able to ask for a moment of silence for two great men who dedicated their lives to service here in our city and our county, Luzadder said. At this time, Pastor Trexler gave the prayer. After the prayer and Pledge of Allegiance, Ms. Fouce asked Pastor Trexler if he would care to take a moment, they appreciate his service in the community. They're building one of the best kingdoms for the right reasons, that's just her opinion, but they thank him for showing up tonight and would allow him to share anything he would like to about his church, his ministry. Anything he cares to share with them tonight? Pastor Trexler said, oh man, he's probably the wrong guy, to be honest. They have an incredible team. There's 12 full time staff members and so he's not the guy. He just gets the privilege of standing up on Sunday mornings and looking like the guy but he just works for the guy and a woman who runs the church and so he has a woman who runs their house and he has a woman who runs their church and so they think everything's great but they believe that the word of the year for them at The River is awakening and they truly believe that there are drops and drips of spiritual revival happening all across our country and it's happening here. It's happening in Grant County and they believe it's going to happen in young people. If you've studied history, every great awakening or revival in America's history ever has happened in young adults and high school students. And so, what they're about is chasing young adults and high school students and young families with reckless abandon and speaking truth. They believe in the absolute truth of scripture. They love all kinds of people from all kinds of walks of life, but man, they're just privileged with what God's doing on 9th Street. He stood out in the parking lot of gravel today and said God, I can't even believe this, you're doing this in our midst. And so, they come (inaudible) your prayers. We have no clue of how we're doing it or what we're doing, we're out of space. They just did a \$2,300,000 renovation to the facility, the old school there, and in reality, they've already outgrown it. On any given Sunday morning, (inaudible) 400 kids in that space, actually more kids in the building than there were when it was a school. And so, on top of that, their parents so, this Sunday, if you go down 9th Street, you might get stuck because there's going to be somewhere between 2,000 and 2,500 people that will come to church and his wife and he never thought that would be a reality for them. So they're just very thankful and thankful to be in the City of Marion. They're trying to be a light from the big give to the prom party that's coming up, Special Needs Prom next weekend on the 15th that they host, actually moved it to Indiana Wesleyan this year, and then as well, they do a serve day in July. So anything they have in their ward or in the city that they say, hey, that church can step up and clean that, they've got about 1,000 people that will go out that day in red shirts that say "serve" on them. And they don't always know where they're all going. From picking up city parks to cleaning up houses to the whole deal, that's just kind of what they do and that will be in July so they'd love to partner with them on that, Pastor Trexler said. Ms. Fouce told Trexler she will be calling him for such. They thank him for coming, again, today. Does he want to share what time his services start? Trexler said, yeah, 8:45 am, 10:00 am, and 11:15 am. Fouce said, thank you, bless you, and they appreciate the work they're doing. It kind of exemplifies what they like in our community. She's fortunate to have The River Church in District 4. They purchased an old school, the best old school, Lincoln Elementary School. She happened to go to Lincoln, played ball at Lincoln, play on the baseball fields down at Lincoln. That was a long time ago but what a great repurpose for such a building that great people came out of and they're looking for even greater. If anyone would have

2

a comment to share. Councilman? Councilman Brian Cowgill said he's very thankful. He happens to go to The River Church and he would encourage any of them to come by, especially this Sunday with being Easter. Pastor Matt is, he gets fed well there. He goes in there and he comes out fired up for the day and he appreciates, Pastor, he thinks he heard him say he was his favorite over Deb (Cain) when he walked in. He didn't have to say that but he appreciates it, Cowgill said. Fouce said, thank you. Now they'll have roll call. Fire Chief Paul David said he'd like to say something too. Pastor Matt is the Chaplain for the Fire Department. He volunteers his services for that and they're very much appreciative of that. Thanks, Matt, Chief David said.

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

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

Absent: None.

Council President Robin Fouce said they also want to welcome this beautiful Vickie Burns who is here substituting. She stepped in the gap at a time. They want to pray for their families that are in peril right now and welcome her and they appreciate her. She did a great job so they want to thank her. Now they'll have approval of the minutes. Councilman David Cain said he so moves, Councilman Steve Henderson seconded. Councilman Mike Cline asked, both sets? Fouce said they have two sets, one will be the Executive Session. One will be the Executive Session March 21, 2023. Cain said he would make a motion to approve the March 21, 2023 Executive Session. Fouce said it's been moved by David Cain, seconded by, she should say Councilman Cain, seconded by Councilman Cline. Are there any questions? Is there any question? They'll go to roll call for that. The vote was then as follows: Aye: Fordyce, Cline, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Abstain: Stodghill-Weeks. Fouce then said now they'll have the approval of the minutes from the March 21, 2023 Regular Meeting. Cain said he so moves, Councilman Jim Brunner seconded. Council President Fouce said it's been moved by Councilman Cain, seconded by Councilman Brunner. Would there be any question? No question, she'll have roll call please. Motion carried by the following vote. Aye: Fordyce, Cline, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Abstain: Stodghill-Weeks.

COMMITTEE REPORTS: Councilman David Cain said the Compliance Committee met tonight. The committee consists of himself, Councilman Cline, and Councilman Henderson. They reviewed tax abatement forms that were submitted by Bahr Brothers. There were five separate forms. The committee did approve those. They'll be sent back to Mrs. Goodman and then sent back to the county for their approval, Cain said.

Councilman Brian Cowgill said he attended the Board of Works meeting yesterday and it was a nice quick one. There wasn't much on the agenda. They swore in six new firefighters, which was very good, and Chief David did an excellent job with that as well. That was really the only thing on the agenda. Then they had approval of the bills and they paid the bills with no questions for a total of \$663,460.74, Cowgill said. Council President Fouce asked, do we have any of those firefighters here tonight? Fire Chief Paul David said he doesn't believe so. Fouce said, okay, thank you. They want to thank and welcome them to the City of Marion and search around and say hi to those guys and welcome them and give them a warm embrace if they're able to see them. Chief, you can pass the word along for them, if he would. Thank you for being here tonight.

Councilman Steve Henderson said he would like to invite anybody in the public to Liberty Baptist Church at Sweetser for their live program. That'll be Thursday, April 6th and Friday, April 7th, at 7:00 p.m. That'll be a live production and anybody is welcome to come.

Council President Robin Fouce said she has a report. She wanted to highlight Earth Day. The city sponsors, the Parks Department sponsors a Earth Day this time of the year and they'll have a lot of great activities for the family. General Motors will be giving out free trees. With the condition of their trees in Marion, you guys, we know we need trees. This is why she wanted to announce that they'll be giving out free trees and the Utilities will be giving out free

compost. It's at the Gardens of Matter Park on Tuesday, April 25th from 4:00 pm to 7:00 pm. They'll have vendors and additional activities. They can go on the city website if they need additional information but, again, they're giving away free trees so she would beckon them to let people in their districts know and anyone can go and get those trees as they are available. Secondly, the Grant County Economic Growth Council will celebrate their Investor Appreciation on Tuesday, April 25th at 4:30 pm at the Firewater Mill. The Clarence Faulkner Center will be having a jazz and dinner fundraiser Saturday, April 15th at 6:00 pm. Please contact her if they want any tickets and she'll direct them to where they can get tickets. This is a jazz band featuring a saxophonist. They'll also have dinner. She personally has heard him, he is phenomenal. So if they like live jazz and dinner, something we don't get too often around here, they're doing a fundraiser for capital improvements. She also had a unique request from someone out of her district wanting to know what their guidelines were on quail, raising quail for eggs. So they naturally have a policy against poultry, which quail falls within that category, so they are prohibited within the city limits. This person asked, she wanted to just do this on record because they asked could they change the ordinance so she wanted to get any feedback on that and any recommendation on that. Please don't rush to speak, Fouce told the Council. After getting no comment from any Council member, Fouce said okay, so they're going to leave this all up to her? Councilman David Cain said, Madam President, there's been many, many times and many requests over the years, for many years, of specific incidences of wanting hooved animals, chickens, ducks, geese, other type of animals like that, birds, to raise in backyard environments. He'd like to do that himself actually but he thinks they open up, his opinion is they open up a can of worms that he doesn't think we, as a city, are ready to undertake that commitment and the problems, the neighborhood problems that arise with opening that up for those type of backyard establishments to raise chickens, so forth, quail, yeah. It sounds very innocent but it can be a real, it could run into real problems in the neighborhood so he would personally be against it, Cain said. Fouce asked, do we have any other comments? Councilman Henderson? Councilman Steve Henderson said in the past, in District 1, they had several problems with chickens and chickens running around and getting out of control a few years ago and also maybe some of them will remember the problem they had with some horses that they had to deal with about four or five years ago. So, he would be in favor of keeping it the way it is, Henderson said. Fouce asked, do we have any further comments? Just for record sake, she wants to reiterate what their.... Councilman Mike Cline asked, may he? He had a constituent a year or so ago who wanted to raise chickens, he means she liked chickens, and found the statute and the statute and they had a talk and animals produce waste. It's got to go somewhere and, you know, he's going to echo what Councilman Cain said. It sounds really innocent but also, in addition to that, he thinks we ask a lot already of Code Enforcement and we need to prioritize what we ask of Code Enforcement. He kind of thinks this isn't as high as some of the other things we expect from Code Enforcement, thank you, Cline said. Fouce said, you're very welcome, thank you. We do have a lot we're trying to manage here. We always want to consider equitably and fairly what our citizens have concern for. For the record, she wants to remind everybody of this statute. Certain animals are prohibited, 96.04, no person shall place or keep any of the following animals within the city limits, all hooved animals, including but not limited to poultry; equine, which is horses or mules; porcine, she may be mispronouncing that, which is pigs; bovine, cattle; sheep, or goats, with the exception of Ordinance 96.05 and it still omits these from being allowed. So she wanted to make that part of the record. Thank you guys for helping with your feedback on that and she will get back with this individual. She stated she wanted to educate her grandkids. Fouce said she'll probably tell her age if she says "back in the day". Around this time of year, they had an incubator with chicken eggs in it to hatch and they hatched during the spring of the year and they, as kids, got to observe that process. They did it at school as well. It's a different day and a different time and they have, certainly, different challenges and so she will let this fine citizen know that. Thank you for your feedback on that, Fouce stated.

UNFINISHED BUSINESS

APPROPRIATION ORDINANCE NO. 7-2023 2ND READING AND PUBLIC HEARING

The Deputy Clerk read Appropriation Ordinance No. 7-2023 by title only, an Ordinance of the City of Marion, Indiana, appropriating certain funds for the City of Marion, Indiana, and providing for the effective date thereof. From the EDIT Fund to Friendship Park Project the amount of \$307,320. James Loftis, Street Superintendent, told the Council he doesn't really have a whole bunch more to say on it. Council President Robin Fouce said, thank you, James, for

APPROPRIATION ORDINANCE NO. 7-2023 Continued

your efforts and, barring no further comment from him, they would like to open the public hearing section of this meeting. It's a public hearing. Each person will be allowed three minutes to speak, whether in favor of or against this investment of \$307,320. You are to state your name, your address and please speak specifically about this in particular. Thank you. So she opens the public hearing of this session. Do we have anyone publicly that would like to speak for or against this payment? Going once, going twice, she will now close the public hearing portion of this meeting. Would the Council care to share any comment or questions that they have regarding this particular expenditure? Councilman Mike Cline said he hopes they move this along so they can get the playground fixed. He's got a four-year old grandson who's looking forward to it too. Fouce said she thinks they can even entertain a motion to suspend the rules and so that would be the first motion that she would entertain is suspend the rules and then a second motion would be whether to pass it or not. If someone would like to make that, Councilman Cowgill? Councilman Brian Cowgill said he would like to make a motion to suspend the rules on Appropriation Ordinance No. 7-2023. Councilman David Cain seconded. Fouce said a motion's been made by Councilman Cowgill, seconded by Councilman Cain to suspend the rules and pass this on 2nd reading and public hearing. Any questions? Roll call, please, Fouce said. Motion carried by the following vote. Aye: Fordyce, Cline, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Councilman Cowgill said, Madam President? Fouce said, Councilman Cowgill? Cowgill said he'd like to make a motion to pass Appropriation Ordinance No. 7-2023. Cain said, second. Fouce said, motion by Councilman Cowgill's been made to pass Appropriation Ordinance No. 7-2023, seconded by Councilman Cain. Do we have any comment or question? Roll call, please, Fouce said. Motion carried by the following vote. Aye: Fordyce, Cline, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Fouce asked, do we need to clap since they got this done? Thank you, James, for your patience. Keep them posted on what's going on, they'd like to know. Mr. Loftis said, absolutely and they talked with the administration too about when this is all said and done, he'd like to have some kind of hot dogs cooked out out there, like a re-grand opening kind of deal, just to celebrate, with the pond going on, everything they've done out there. It should be really nice. Councilman Jim Brunner asked, did the park escape the weather we had last weekend? Loftis told Brunner, it did fortunately. He's hoping tomorrow goes the same. He does know, like out south, Geneva, some of those areas did not fair so well but he thinks they ended up cutting down about 12 trees so far out of the roadways. He knows Swayzee got hit a lot harder than us but we did offer our services to help Swayzee too, just being a good neighbor. He knows some of our guys went over there on their own. So yeah, that was pretty gnarly. He'd rather have a storm in the daytime so he can see it. Brunner asked, and the restocking of the pool, that's already been done, right? Loftis said, yes, they put, oh gosh, buckets after buckets of fish out there. It was really kind of amazing. He's never seen anything stocked like that so that was pretty cool to watch. They're just so little and the guy said that within about two years, they'll be worth catching. That's something too, they'd like to bring back some of the old fishing derby days, give bicycles away, stuff like that and just reuse what they've got going out there. Fouce asked, what kind of fish? Loftis said, oh, they had bass, catfish, some bluegill. It's just pretty neat to see. That's been an undertaking. He's never drained a pond, he's never did any of that stuff. And Taeylor McCoy has really took that project head on, a lot of hard work there. She's a lot better at emails and asking for stuff than he is. But yeah, they've got a lot of positive things going on. They're ticking that way. It took forever. He's just going to be honest, he worked under the last administration and they didn't do nothing. So this one, they're building it up, they're building programs. They've had a youth baseball team contact them about using the softball field as a baseball diamond because their softball program is pretty much fizzled out but to get people out there, kids back out there, that's the main thing. Get these kids out of the house, off the phone, get off the game. Fouce told Loftis, thank you so much. They appreciate the work he does and safety to him and the guys as they maneuver through these next days and on into whenever. Safety to you all. Loftis said, he appreciates it. If anybody has anything, feel free to email him if they see something they don't see, feel free. They're out there.

NEW BUSINESSGENERAL ORDINANCE NO. 4-2023 1ST READING

The Deputy Clerk read General Ordinance No. 4-2023 by title only, an Ordinance establishing a procedure for the Common Council's approval of city claims. Robin Fouce, Council President, told the Council General Ordinance No.

GENERAL ORDINANCE NO. 4-2023 Continued

4-2023 is an ordinance establishing the city claims process, an ordinance establishing the city claims process for the City Council to inherit the claims from the Board of Works who is currently processing those claims. They've had discussion before. She's not sure if anyone needs recant. She is a proponent of this. She thinks it is good for the future of their city. It sets up, sets us up for success, accountability, transparency. Those are kind of normal words they use but sometimes they have to illustrate that. It will put nine elected officials, elected by the people of this community, to review their expenditures and the finances of this community. That's not a dig on any work that the Board of Works has done or hasn't but they have an opportunity to move forward. When she went around and talked to mayors and other Council folk in different municipalities, Marion is behind in making that transition, both for the public piece of it and for the efficiency of it and she believes their citizens deserve to know specifically when, where, how, and to whom their tax dollars are being spent, in real time, and she believes, bringing it before the Council will also assist in that. It provides a check and a balance and it encourages the public's input. You start putting up financial data and expenditures, bet her, the public doesn't have feedback or input and they want that process to happen or who are they serving? She believes it will promote a stability, financially, as a financial body of this city, to not only approve the budget but understand and be aware firsthand of where those dollars are being spent. And she will open the floor for comment but those are her comments about it. She will open the floor for comment, Fouce said. Councilman Brian Cowgill said he also is in favor of this and he thinks that their recent dealing with the heating and cooling deal that they went through where they've been paying hundreds of thousands of dollars over the last seven years and they didn't even know who and what they were paying it for. So, he just, he's in favor of this as well, Cowgill said. Fouce said, thank you, Councilman. Do we have any further comment? Councilman Fordyce? Councilman Gary Fordyce said, Madam President, would she even consider taking this to a Budget Committee meeting to where they could discuss this in more detail and why they're taking this added burden on for the Council because it is going to be an added task for all Council members and add to their time every Council meeting to go through all of the vouchers and expenditures instead of just having it at one hearing or two hearings during Council meetings to where they could all sit down and discuss this and see what the proper procedures are and what needs to be approved, what doesn't need to be approved, what the timeline is, what happens if they don't approve them. He thinks it would be fair to all the Council members to be able to voice their opinion in a Budget Committee meeting since this is part of the budget. And he appreciates her saying that the Board of Works, there is no irregularities or anything from what they've been doing but, if that's true, then why are they taking this added task on? So he would ask her if she would consider putting this in a Budget Committee meeting and they could sit down and talk about it and see where they're at just exactly on this, because it is an added task for them in Council meetings and added time, especially if they've got questions or objections to some vouchers. Thank you, Fordyce said. Ms. Fouce said, thank you, Councilman Fordyce. She'll consider that but she wants to continue their discussion on this. Just in response to one of the things he said, the City Council, they've had these discussions before and he may recall or not, the City Council can move a claim at a meeting of the Council or board only if the claim was filed in the manner prescribed, and so, Indiana Code 5-11-10-2 says that it has to be received by the body that will pay it or process it five days before the meeting. So just like in your Council packet, five days ago, you got these proposed ordinances, so would we get the bills and any other required information before approving that claim. If they don't get that supporting documentation, in particular on a claim, then it would not be considered. You know, she'd be curious to ask him what delay is he talking about? There's no delay. You've got five days, just like the Board of Works has had five days. They get it in their packet to review prior to their board meeting and any questions or anything that they have had, they say that they have, she's fine with that. It takes them a minute or two, correct her someone if she's wrong, in the process of the meeting to make the motion or to make any comments about the bill or what in particular they have a question about and they approve the payment of the bills. So she doesn't know how all of the sudden it's such a big undertaking for the fiscal body of this city that is responsible for fiscal matters? She thinks those are just things to, or concerns certainly, she doesn't want to discount anyone's concern but she doesn't agree with that and she thinks the statute supports that. The Council is authorized to manage the city finances according to Indiana Code 36-4-4-4 and Indiana Code 36-4-6-18, the Council may pass ordinances, orders, resolutions, and motions for the governing of the city, the control of the city finance, and the appropriation of money. So when there is a question between the Board of Works or the fiduciary body or the Council, with the State Board of Accounts, the Council's authority prevails. And so, her proposal is that we are exercising that authority that the

GENERAL ORDINANCE NO. 4-2023 Continued

Council has for it to prevail. Listen, and anything else, we need to work together to make this, if we so pass it, we need to work together to make this be a process. Our goal is not for the bills to be paid. She thinks the people that are elected by the people should participate for the people. So she doesn't know, maybe we're not in the right order of service if we don't want to do the work for the people. Councilman Cline? Councilman Mike Cline said, thank you, Madam President. It looks like this is, again, the Council trying to whittle away the separation of powers between the legislative branch, the Council, which appropriates money, rightfully so, and the executive branch, the Board of Works, which has the job of spending the money. The first time this came around, he rummaged through Board of Works minutes and went back to the beginning of the 20th Century and this system has worked. The Board of Works does its job publicly, doesn't do it in the dark and if someone thinks they do, prove it. The system isn't broken, and like she said, you know, it's possible but some things may be innovative and exciting and this and that and dumb as a box of rocks. He thinks this is a bad idea. He likes Councilman Fordyce's idea that if we're going to do it, if we're going to think about it, let's be judicious and thorough about it. He thinks it's a bad idea. The Board of Works has done its job, done its job publicly, done its job, anybody can show up at the meeting. They don't hide like we don't hide and he thinks it's a bad idea. Thank you, Cline said. Fouce said, thank you, Councilman. Any further comment?

Councilman David Cain said, Madam President, while he respects everybody's opinion here, he also has an opinion on this and he is all in favor of moving forward with this. They've discussed this many, many times over and over, even before he was part of this Council. When his wife was part of the Council, she brought this forward and eventually did not pass at that point. If they really want to talk about separation of powers and so forth, you have the Board of Works that is fully appointed by the mayor, where we as elected officials are elected by the people, we answer to the people and so, it brings to light exactly what this city is spending money on, it brings transparency to the process, it brings it down to the point to where these meetings are in a time where people, if they want to come to a meeting, most people have the ability to come at 7:00 in the evening where they might not be able to come in the morning and so forth. He thinks it brings, the word he wants to use is escaping him but it allows this Council to review the payments and how this money is spent. We are not telling this administration how to spend the money. We are only approving the bills, that's all we're doing. But it brings those bills to light. We just had recently, within the last six weeks, expenditures of this, not only this administration but previous administrations, upwards of the total bill of \$2,000,000, \$2,000,000 of taxpayer money, and lo and behold, nobody knew what it was for. Nobody. Nobody. The administration didn't know what it was for, they didn't know what buildings it covered, they didn't know what it was for. Was it for heating and cooling? Was it for lights? Was it for doors? Was it for seals on the doors? What they found out, it was all encompassing, that it effected every building that the City of Marion owned. And so, we found that out but we had to dig for it. But for the last several years, the city's been paying a bill that nobody knew anything about. So there's a prime example right there. That's just one example that is why he thinks this Council needs to review, not tell how the city spends their money, that's not what we're doing, but we're reviewing the bills and approving them for payment. Thank you, Madam President, Cain said. Fouce said, thank you, Councilman Cain. Any further comment?

Councilman Fordyce? Fordyce said that's why he asked if we could take it before a Budget Committee meeting. Councilman Cain, if he has the documentation and proof (inaudible) that, that's something that he would love to see, that the Board of Works didn't know where that money was going and why they approved that money for several buildings in the city. That's something that he would like to discuss in the Budget Committee meetings and he thinks that we need to have further discussion on that. As far as the procedures on approving claims for the Board of Works and the city, you know, there are pre-approved claims, there are claims that aren't approved that the Controller has to certify but there's pre-approved claims. There's going to be an educational process and he just thinks we need to take a little bit more time and go over this before we make a decision to take this on as a Council. Fouce said, thank you, councilman. Do we have any further comment? Councilman Henderson? Councilman Steve Henderson said, as a former representative to the Board of Works, people are worried about spending extra time. You can go through what your billing period in about an hour to an hour and a half and know what you're dealing with. When it gets all printed out, all you have to do is go down line by line and look at it and if anything sticks out then you've got a problem and you need to ask some questions about it. He didn't have a problem going through that and bringing things to the attention of the Board of Works that were questionable things. But the problem he's got is nobody on the Board of Works ever answered the questions. So, he's in favor of the Council looking at the bills. Thank you, Henderson said.

GENERAL ORDINANCE NO. 4-2023 Continued

Ms. Fouce said, thank you, Councilman Henderson. Do we have any further comments? Okay, thank you. She wants to touch on a couple of things. It was talked about, she thinks there was a lack of a better word but this person chose to use the word (couldn't tell if she said dumb or done) so she doesn't know if the Indiana Code fits into (couldn't tell if she said dumb or done) but okay. Also, it was mentioned "the 20th Century". So you mean to tell her it's okay for a progressive municipality to continue 20th Century practices with their finances? She thinks not. We've had trouble in the past, we've all sat here and experienced it, we've had trouble getting public record from the administration/Controller's Office, public record. Elected officials, the fiduciary body of this city, has had problems getting those public records. When we did get them, they were not in total, they were confusing and non-legible with no conclusion to them and they were certainly very untimely. If you comb back through records from 2000 to date, there is a history of us, as a Council, talking about and discussing our frustration with our records requests and the lack of cooperation in those records, again, public record. We have had the experience of being misled in discussions with this administration, with this Controller's Office, about facts and law and rule. Just a good example is our last budget process. We were told by the Controller something that she knew was wrong and if she didn't, she should have, touting 26 years of experience as a, 26 or more, as a Controller. We were misled. It influenced some people unduly, unjustly, because they were misled and so that's not the only thing that we've been misled as and so she thinks it is our responsibility to ensure that we inherit this process. She'll take any further comment and then she would entertain a motion. Does anyone have any further comment? Okay, she will entertain a motion regarding.... Councilman Cain said, Madam President, he moves that they move General Ordinance 4-2023 to 2nd reading and public hearing. Councilman Cowgill seconded. Council President Robin Fouce said General Ordinance No. 4-2023, it has been moved by Councilman Cain and seconded by Councilman Cowgill that they move it to 2nd reading and public hearing. Is there any question? Councilman Mike Cline said, point of order, isn't it General Ordinance 3? Fouce said, 4-2023. She switched them around because 3 is a companion ordinance to this one. Cline said he had the wrong one on his screen. Fouce said she switched them around because 3 is a companion ordinance to 4. Again, it's been moved and seconded that they pass General Ordinance 4-2023 to 2nd reading and public hearing. Barring no question, she'll entertain roll call. Motion carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: Fordyce and Cline. Fouce said that has passed 7 to 2 to 2nd reading and public hearing. That'll be at their next Council meeting on the, she thinks it's the 16th, let her look. She's verifying the date. Yeah, Tuesday the 18th, that'll be moved to their Council meeting on April 18th, Fouce said.

GENERAL ORDINANCE NO. 3-2023 1ST READING

The Deputy Clerk read General Ordinance No. 3-2023 by title only, an Ordinance amending and restating Am. Ord. 6-2013 establishing the order of business at regular meetings of the Common Council and repealing all ordinances inconsistent therewith. Robin Fouce, Council President, told the Council General Ordinance 3-2023 is a companion ordinance to 4-2023. It establishes the change in the agenda with them inheriting or the potential to inherit the claims process. So she'll entertain any question or comment regarding that from the Council. Barring no question or comment, she'll entertain a motion. Councilman Cain said, Madam President? Fouce said, yes, Councilman Cain. Cain said he moves that they pass General Ordinance No. 3-2023 to 2nd reading and public hearing. Councilman Cowgill seconded. Ms. Fouce said General Ordinance No. 3-2023, it's been moved by Councilman Cain, seconded by Councilman Cowgill that they move it to 2nd reading and public hearing. Is there any question? Barring no question, she'll entertain roll call please. Motion then carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: Fordyce and Cline. Fouce said, thank you, that passed 7 to 8 so that will be..... She was told 7 to 2. Fouce said, 7 to 2, she's giving them a lot more Council people. That passed 7 to 2 so they will be hearing that at the Council meeting on 4/18.

Council President Robin Fouce thanked everybody for coming tonight and asked if anybody had anything they wanted to say before they entertain a motion to adjourn. Thank you all for the work that you do. It's important. It's sometimes challenging. We are blessed to serve the people of Marion and we're looking for great things for Marion. She'll entertain a motion to adjourn. On a motion by Councilman Brad Luzadder, 2nd by Councilman David Cain, the meeting adjourned. Time being 7:54 p.m.