

REGULAR MEETING – MARION COMMON COUNCIL – OCTOBER 3, 2023 – 7:00 P.M. – CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 3rd day of October, 2023 at the hour of 7:00 p.m. in the Council Chambers, City Hall.

Council President Robin Fouce said, good evening and welcome to tonight's City Council meeting. She would ask that everyone resume their seats this evening until the meeting is adjourned. They'd like to have a nice, orderly, progressive meeting and get done timely but handle the business that they need to do in order. They would ask that everyone stand and join them in prayer by Councilman Luzadder and the Pledge of Allegiance by Councilwoman Stodghill-Weeks.

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

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

Absent: Cline and Henderson.

NEIGHBORHOOD SPOTLIGHT – Council President Robin Fouce said she is so honored tonight to feature in their Neighborhood Spotlight Dr. Stacey Hunt. She is the new principal at Marion Community Schools, Marion High School. She is also a Marion High School alum. Dr. Hunt, thank you. If she would step to the podium, hit the red button when she wants to speak, they would love to hear from her and welcome. Dr. Hunt said, thank you, thank you, and thank you so much for the invitation, Madam President, board members. She is very humbled and very happy to be here before them tonight. She is the Principal of Marion High School. She is a 1985 graduate of Marion High School. She is a lifelong, born and raised in Marion, Indiana and came up through the Marion Community Schools. Her parents had a reunion this weekend, a class reunion in conjunction with Homecoming because they are 1966 graduates of Marion High School. So her roots and family run deep with this community. At the beginning of the school year, she had really one expectation for the students and staff at Marion High School and that expectation was do what you're supposed to do when you're supposed to do it and you'll be just fine. And so that is how they have begun the school year. The school district has a focus for employability skills, for emotional intelligence, for social, emotional learning, and with that in mind, this past Monday on the 25th, they had a workshop for all of their female students that was lead by herself and their school counselors where they had strategies, coping strategies for stress, anxiety, and depression, as well as employability skills with etiquette. Next week, they are having workshops for their young men with chivalry, employability skills, and again, those coping strategies to deal with stress, anxiety, and depression. So she is very happy to be serving the community. The high school represents the community and so it is their goal for citizenship, collaborative citizenship, leadership, and strength (inaudible) for the community. So she wants to thank them for their invitation tonight and she wants to thank the community for open arms. She's been welcomed by everyone. She is here because she is supposed to be here. She is here because she is supposed to be here. She's exactly where she's supposed to be at this particular time. So, thank you again and have a good night, Dr. Hunt said. Fouce said, thank you, Dr. Hunt. Would anyone on the Council want to give her any words of encouragement or make a comment to Dr. Hunt? Councilman Brunner? Councilman Jim Brunner told Dr. Hunt they just had their Homecoming and he thought that was as nice of a Homecoming weekend as they've had in a long, long time. Congratulations on the great job they did. Dr. Hunt told Brunner, thank you, thank you. Fouce said, thank you, Dr. Hunt, she's welcome any time. They always want to mention the opportunity or seize the opportunity to ensure a collaborative effort between the city and its educational system and so they've got good work to do in that area, they have good work to do in that area, and they're looking for greater things for mainly their kids that are so paramount in their community. Thank you so much for coming this evening, Fouce told Hunt. Hunt said, thank you, thank you.

APPROVAL OF MINUTES – Council President Fouce said they'll look for approval of the September 19th regular meeting minutes. Councilman David Cain said he so moves, Councilman Brian Cowgill seconded. Fouce said a motion's been made by Councilman Cain, seconded by Councilman Cowgill for approval of the September 19, 2023 minutes. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Brunner, Cowgill, Cain, and Fouce. Nay: None. Fouce said now they'll entertain a motion for approval of the September 27, 2023 Executive Session meeting minutes. Councilman Cowgill so moved, Councilman Cain seconded. Ms. Fouce said motion's been made by Councilman Cowgill, seconded by Councilman

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APPROVAL OF MINUTES Continued

Cain for approval of the September 27th Executive Session minutes. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Luzadder, Brunner, Cowgill, Cain, and Fouce. Nay: None. Abstain: Stodghill-Weeks.

CONSIDERATION AND RATIFICATION OF PRE-APPROVED CLAIMS – Council President Fouce said they'll have consideration and ratification of the pre-approved claims. She'll entertain a comment or a motion regarding such. Councilman Brian Cowgill so moved, Councilman David Cain seconded. Fouce said a motion's been made by Councilman Cowgill, seconded by Councilman Cain for consideration and ratification of pre-approved claims. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Brunner, Cowgill, Cain, and Fouce. Nay: None.

CONSIDERATION OF CLAIMS – Council President Robin Fouce said now they'll have consideration of the claims. They, again, have not received their ordinated, requested invoices and vouchers electronically to substantiate the expenditures. She did have a conversation today with State Board of Accounts regarding such and she will eventually be submitting something in writing but the lack of following what they have ordinated as a body and having those systems in place will be identified by the State Board of Accounts in their audit, as well there's another layer that this could arise to if it's been done repeatedly. So, since they have had this ordinance, they have not gotten what they've requested. It's her understanding and by own admission that the bills have continued to be paid without the approval of this fiscal body and so that's not in alignment with the system and the process that should happen and it's against their local law. And so there's another layer, state legislatively, of appeal that it would go to. She'll look to get that documentation in writing, bring it to the Council and they'll discuss what their steps are, if any, and share with them, the public, on such. So, regarding consideration of claims, she'll entertain..... Councilman Gary Fordyce asked, could they have discussion? Fouce said, well it's not for discussion but he can have a comment, yes. Fordyce said, Madam President, he'd like to contest Voucher 56920, Invoice #6048923 further until he gets some questions answered on that invoice and voucher. Fouce asked Fordyce, which one is it in particular? The name? Fordyce said, Taft invoice. Fouce said, okay, thank you for that. So, regarding that contestment, they'll make that a matter of record. The body, as a whole, has a decision regarding the claims, as a whole. Councilman Luzadder, correct her if she's wrong, the body as a whole has a decision regarding whether they will approve to pay those claims or not. Councilman Brad Luzadder said, that is correct. Fouce said, and so, they'll proceed, they'll make note of that in record, of that contestment. They talked about that particular voucher in committee. It went through first reading, second reading, and it did pass on the third reading. So it was never contested but they will make note of that. Regarding consideration of the claims, she'll entertain a motion. Councilman David Cain said, Madam President, he moves that they table the consideration of claims, please. Councilman Brian Cowgill said he'll second that. Fouce said a motion's been made by Councilman Cain, it's been seconded by Councilman Cowgill to table consideration of the claims. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Brunner, Cowgill, Cain, and Fouce. Nay: Fordyce. Fouce said consideration of claims has been tabled.

COMMITTEE REPORTS – Council President Robin Fouce asked, do we have any committee reports? Councilwoman Annalisa Stodghill-Weeks said she has something she would like to report, if that's okay. Fouce said, Councilwoman, please turn your mike on and they'd love to hear from her. Stodghill-Weeks said, this past Thursday, on September 28th, she was contacted by an in-home worker who visits new moms to be. She's concerned about a mom who resides at 509 E. Bradford, Apartment 110. She stated that this young mom has reportedly contacted her landlord, Ed and Katie Blinn, also known as the Hoosier Realty Group, to report excessive black mold in her apartment. The landlord came one time back in June and sprayed and they haven't been back again. She's continued to call to resolve this issue, with no luck. She's even asked if she can move to a safer apartment and they said no. She can't move because she's paying her rent because she doesn't want to have an eviction on her record. It was told to her (Stodghill-Weeks) by the in-home worker that if this issue is not resolved before her due date, which is October 24th, that CPS will be contacted because the baby cannot be brought home to that apartment. It's considered an unsafe environment. She (Stodghill-Weeks) did report this issue to the Health Department, the mayor, the Building Commissioner, and she did that on

COMMITTEE REPORTS Continued

Friday, the 29th. Jeff Couch with the Grant County Health Department responded that he's starting an investigation into the matter. Jerry Foustnight, the Building Commissioner for the City of Marion, also responded that if there are complaints concerning the structural conditions then the resident would need to contact him at his office and then fill out a complaint form and then he would take appropriate action. January of 2022, herself and Councilwoman Robin Fouce, they did meet with the Building Commissioner, the mayor, the Grant County Health Department and they spoke about the many complaints they receive daily and weekly in regards to Ed Blinn and his many LLC's operating in the City of Marion and throughout Grant County. They weren't able to come to an agreement that day. They continue to report these issues, but unfortunately, it seems to just continue. She gets so many complaints weekly. So she just wanted to share it with everyone to let them know. We have ordinances in place, they're not being enforced and, for some reason, this landlord, particular landlord who owns most of the rental properties in the City of Marion and Grant County continues to be allowed to treat their tenants this way. Thank you, Stodghill-Weeks said. Fouce said, thank you, councilwoman. Do we have any further committee reports?

Councilman Jim Brunner said they had their regularly scheduled meeting of the Park Board, they meet every first Monday of the month, and he just wanted to let people know that they're getting closer and closer to getting our Marion Dog Park. Probably some time middle of next year, they're going to see that be taken to fruition. So, right now, they're looking at a contract of around a little over \$400,000 and they're still trying to put the odds and ends back together. Dwight Ott's helping them amazingly on that. So, just wanted to let them know what is going on with the dog park and they hope to have something put together by the middle of next year. So, just wish them well, Brunner said. Council President Fouce said, thank you, councilman. Any further committee reports?

Council President Robin Fouce reported that they had an Executive Session this past week and they discussed litigation. Those are the minutes that they just approved earlier so she wanted to make note of that in her committee report. They also had a Budget Committee meeting regarding recording of the, actually it was regarding extending the trial period for recording of the Council meetings. They had two meetings that were recorded. They got response from that and they were discussing continuing, extending that and they will continue to look at that. There was a no recommendation that came out of the Budget Committee regarding such, and so, they'll move forward from that. This past week, she spent several days, yielding complaints from people in her district and other districts but primarily in her district and they feel that they were unfairly targeted for parking in their yard. Like a 86 year old disabled lady parked by her door because she lives alone and she can't carry her groceries from her driveway to her door because of the length so she parks by her door to unload. Later on, she will go park in her drive, as she can. Her yard is always maintained. There was no growing grass under that vehicle and she questioned the reasonability of tagging her. Also, several other folks with some of the similar complaints feel that they were unfairly targeted. And so, she thinks we've had such a journey, trying to work with Code Enforcement and the administration to talk about these matters and get something definite. She knows when they were developing that ordinance, they got a commitment to the reasonability of the enforcement. It kind of seems like they've strayed from that and she'd like to see them, just as a city, get back to just being reasonable, treating one another fairly, having common sense when you go out to enforce. If you enforce it with one, enforce it with all and be reasonable about that enforcement. And so, that is her statement on that. She had to mention that, just because of the enormous amount of calls that she got regarding such from different folks, different walks, and they want their citizens to not endure worse from them. They want them to get the best from them. They deserve their respect and equal enforcement of whatever it is that they're enforcing. Some things they want to enforce, other things they don't want to enforce, so which is it? She'll leave that. And that concludes her committee report. Clerk, she is welcome to move on to Unfinished Business, Fouce said.

UNFINISHED BUSINESSAPPROPRIATION ORDINANCE NO. 16-2023 2ND READING AND PUBLIC HEARING

The City Clerk read Appropriation Ordinance No. 16-2023 by title only, Budget for the City of Marion, Indiana for the year 2024. Council President Robin Fouce said, before she speaks, could they have everyone sit down in the Council

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APPROPRIATION ORDINANCE NO. 16-2023 Continued

Chambers? She would ask that everyone please have a seat. She appreciates it. Thank you all for that. Controller Flores? City Controller Julie Flores said, if she could address, before the budget, the comments about the claims. She also talked to State Board of Accounts when they first received that, called them and their comments, surprised by their comment to her (Fouce), she's not saying it's not correct, their comment is always they will not give a comment on that. They always say check with your City Attorney, which is what they've done, and their City Attorney says there is a provision under pre-approval of claims for emergencies. So, their attorney has been signing off on those dockets every meeting. She also spoke to an auditor, not auditing our unit, who's familiar with this situation, who says what they're doing is exactly what he would be doing. So, she just wanted to clarify that. Fouce told Flores, thank you, they want to talk about 16-2023. Flores said, the 2024 Budget, the levy increase for the budget was 4% this year. The circuit breakers were down in 2023, however in 2024, they've increased about the same amount that they were decreased in 2023. The overall budget increase was 18.25% and a majority of those increases were salaries and benefits. Their advertised tax rate for this budget is 2.87. She anticipates that going down as they always take about 90% of the current assessed valuation when they calculate the budgets, very conservatively, and those assessed valuations always go up and that's what effects the tax rate. The General Fund cash reserve for 2024 is anticipated to be at 24.4% which is what they started 2023 with. She felt like that was a good thing for us. They were late in getting all this out to them because they did not meet with the DLGF until July 25th so they worked very diligently to get this budget put together in time. That's all she has. She believes most of the department heads are here this evening if they have any questions they would like to address with them, Flores said. Ms. Fouce said, thank you. They will now enter into their public hearing portion of the meeting regarding Appropriation Ordinance 16-2023. This is regarding the budget for the 2023 proposed budget. Please step to the mike, press the red button, state your name and your address and your comment regarding the 2023 budget, solely. They're just here to talk about this particular issue during this public hearing portion. They'll have three minutes to speak. Their Council Attorney, Marty Harker, will, if he would please keep the time and they will start now. Thank you, Fouce said. Angela Haley, Chief of Police, told the Council she lives on Ticonderoga Drive. She is requesting that the Marion Police Department budget be passed as presented without cuts. She would like to very quickly explain a few of the areas where increases occurred. If they'll look at 336.05, which is their maintenance agreements, she is requesting an increase in this line item from \$76,000 to \$124,216. This line item pays for the following items. That's their Motorola camera vault which stores and manages their body camera footage, car washes for the vehicles in their fleet, network access service which is needed to keep their IDACS service and IDACS stands for Indiana Data And Communication System. It is the computerized law enforcement criminal justice communications and information storage and retrieval system that they use. It's how they interface with the National Crime Information Center computer and the International Justice and Public Safety Network computer. AT&T which covers their monthly air card bill. This is so officers can run the technology in their car. That's the computer-aided dispatch, the reporting system, accident reporting system and their citation system. Up Safety which is their parking ticket software and storage system. Flock plate readers, this system is a big reason why they were able to solve their last homicide in this community, a homicide that involved men from another community with very few to little or no ties in Marion that came here from Indianapolis to kill a Marion resident and they solved that crime largely in part to that technology. So that's something that they want to continue to pay for and even potentially expand. She also is interested in increasing the JEAN Team budget which is 221.07. She's requesting a \$25,000 increase in that line item. The Sheriff's Department has invested recently in increasing the numbers of investigators which means that the team is able to work more cases and she thinks it's important that they financially support that effort based on the issues that they're having in their community so she thinks that's also very important. And then she's also increased 229.03, that's their K9 supplies. They have four dual purpose K9's. The cost of food and care continues to rise. They are very grateful to the public which has supported that program but she also thinks that the city needs to increase that line item as well. Those were the major increases. Thank you for your time, Chief Haley said. Fouce said, thank you, chief. If anyone else would like to step to the mike and speak, please do. Karen Creech told the Council she lives on Ironwood Drive in Marion and she, personally, as a taxpayer, want them to pass the provisions for the police. She thinks, as a taxpayer, they should increase the police budget. She believes they're very important, she doesn't think they should be skimping on them. She thinks they could skimp other places maybe within the budget but she doesn't think they should skimp on public safety which is the Police Department and the Fire

APPROPRIATION ORDINANCE NO. 16-2023 Continued

Department. They rely on them too much and with all the other cities and larger communities having a lot of police issues, she thinks they should back our guys and gals in blue and their Fire Department and she thinks they should not quibble over the police budget or the Fire Department budget. Thank you, Creech said. Fouce said, thank you, ma'am. Do they have anyone else that would like to speak during this public hearing portion of their budget process? Chuck Binkerd, Director of Marion Utilities, told the Council normally he's here and he speaks to them all in regards to Utilities business. This evening, he just wanted to briefly just to say thank you for their support of the Growth Council. As they know, the Growth Council's an important part of their community as they work to attract folks into the community and help support folks who've been here for a number of years. His understanding is that the Growth Council funding is a part of the budget so they want to thank the administration for that and the Council for their consideration of that and to just remind them all that they're here to serve. They act as a primary point of contact between the communities and business prospects and their existing businesses throughout the community. They've provided leadership over the years to provide information. They've assisted with TIF scenarios and other incentives and grant applications and so on. And so, they feel like the Growth Council's important and, again, thank you all for the support and for the fact that there is funding included in this budget. Jacob Everett, he's not sure, may want to say a couple of words as well, Binkerd said. Jacob Everett told the Council he's serving as the Interim Director of the Growth Council. Just wanted to follow up on Chuck's comments briefly. Again, thank you for the support, both this year and going into 2024. Just really wanted to highlight, you know, the Growth Council's goal is to really serve not only Marion but all the cities and towns in the county itself and being a resource, a valuable partner, to elected officials both on the Council and the administrations and they really want to continue to dive into that and be an extension and a partner to the things that Marion wants to accomplish. He knows the board is really committed to enhancing that type of collaboration between the Growth Council and elected officials, both within the Council and the administration and really look forward to deepening those relationships as they go forward. He wanted to highlight Ready real quick. So Ready 1.0 was a state program that occurred a couple of years ago. They were able to get \$100,000 here in Marion for the Kennedy Arts Center. Ready 2.0 is going on right now. The Growth Council is the lead for Grant County on that. They plug into their regional partners which then plugs into the state application. So, he's really proud of the efforts they've been making so far to make the Ready 2.0 process really inclusive and collaborative. They've done their best to make sure all of them, all of their colleagues around the county have been invited to the meetings that they've had so far and they're looking forward to putting in a really strong application for both Marion and Grant County for Ready 2.0 so they're proud of that work. Again, thank you and look forward to really seeing more collaboration between the city and the Growth Council going forward, Everett said. Ms. Fouce said, thank you. Do they have any further public hearing comment? Regarding the budget? Going once. Have this nice full room and no further comment. Going twice. This concludes the public hearing portion of their meeting. She'll entertain any comment, briefly, from the Council and then they'll entertain a motion regarding moving this forward to 3rd reading. Any comment from the Council? Barring no comment, she will entertain a motion regarding General Ordinance No. 16-2023. They've had second reading and held public hearing here today. The motion would include passing it on to 3rd reading, tabling it, not passing it on, whatever their heart would desire. Councilman Brad Luzadder said, Madam President, he makes a motion they pass Ordinance No. 16-2023 on to 3rd reading. Councilman David Cain seconded. Fouce said a motion's been made by Councilman Luzadder, seconded by Councilman Cain to pass General Ordinance No. 16-2023 to 3rd reading. Any question on that motion? Barring no question, roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Brunner, Cowgill, Cain, and Fouce. Nay: None.

Before the Council moved on to the next item of business, Mayor of Marion Jess Alumbaugh said, Ms. Fouce, Chief David just told him the 17th, a lot of people will be on Fall Break. He was just whispering that to him as they were voting. He didn't know if they were aware of that, he wasn't. He doesn't know if that'll have any bearing. A lot of the employees and probably people from the community won't be able to be here. They'll be on Fall Break. Chief just wanted him to let them know that but the vote had already started. Council President Fouce said, for the 3rd reading? Alumbaugh said, on the 17th of October. That's Fall Break. City Controller Julie Flores said it's already been advertised, Mayor. Fouce said they've got to follow the legal (inaudible). Thank you, though, for letting them know. Please continued.

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GENERAL ORDINANCE NO. 8-2023 2ND READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 8-2023 by title only, an Ordinance amending the monthly water user rates and charges of the City of Marion, Indiana. Chuck Binkerd, Director of Marion Utilities, told the Council, good evening, again. So, in a more familiar conversation now here with the Utilities. So he knows that they all are familiar with this ordinance. As they recall, back in November of 2022 and even earlier than that, they spent a lot of time talking with Council and the Mayor's Office and committees and folks in the general public throughout the community regarding the needs for the water utility to have an increase in rates. They all passed Ordinance 25-2022 back in November of last year authorizing them to move forward with that process and that document included the rate schedule within the document. He believes he sent them a copy of that recently just as a reminder to each of them. He had mentioned back last year when they talked about this that once the OUCC and the IURC took a look at the rate request and they addressed that with them, they came in, did substantial inspections. They did audits, they did the whole nine yards and, quite frankly, they were very surprised at the minimal concerns that they had, which is great. It's certainly a testament to their folks throughout the utility who do such a great job for them. So, he just wanted to thank them publicly for their work. But the bottom line is, he mentioned at the time that there would be a point in time where they need to come back and do a true up ordinance. So essentially, the minor items that the OUCC and the IURC dealt with and negotiated with them on modified the numbers just slightly. He provided, before the last meeting, he provided with them a schedule just so they could kind of see how those minor changes would reflect and so the ordinance that they have before them this evening, that was presented by their Assistant Director Robin Shrader at the last meeting, represent the trued up numbers and so they would ask that they consider passing this new table, again, with the minor changes that they have provided for them to take a look at and if they would so choose to suspend the rules and pass this this evening, they could go ahead and submit this to the state so that they can tie up the final details there and they can get their funding for the capital projects completed with the state, Binkerd said. Council President Robin Fouce said, thank you, Director Binkerd. He is welcome to his seat unless anyone on this Council has a question or comment for him. Thank you, Director Binkerd. Binkerd said, thank you all. Fouce said they are entering the public hearing portion regarding this General Ordinance No. 8-2023. Please step to the mike, state your name, your address and your position on this specific ordinance. You will have three minutes to speak. Council attorney Marty Harker will keep time for her, if he would. Going once, going twice, going..... A gentleman from the audience approached the podium and said, yeah, maybe he doesn't understand but how much is it? Fouce said, okay sir, they need his name. The gentleman said his name is William Creech and he lives at 1409 Ironwood Drive. Fouce said, thank you, Mr. Creech. And this particular, it's different, it varies, there's different rates on it. She doesn't know how to get him the information he's asking for. Director Binkerd would have something for him, sir. Creech said, yeah, he just doesn't know how they could bring that forward without, in a public hearing, without people knowing what is part of it. Fouce said, well they have, this was approved months ago. There's a true up or they have to work where they get the figures right through the governing body, the IURC. They did that and this is just comes back. It kind of washes out with what they approved back in November of last year. This is just kind of the second piece of it. They talked about it in committee, sir. They talked about it in their first reading. Mr. Binkerd said he can provide some help, if they allow him. Fouce told Binkerd, please, please. Binkerd told Mr. Creech, take a look at it and he'd be glad to chat with him about it in his office any time but, just for the record, he can say that originally this, as they know, was a five-year phased in approach. The original total number was 64.3% or something like that overall, over the five years. He believes that, with the new numbers, the overall, after five years is like 62.5, almost 63 so it's very negligible but it is indeed a minor decrease overall. So, a very, very small but, as Council President has mentioned, if they look at one part of the rate, there's several tiers, there's several different components. There's fire protection fees, there's other fees involved. Some of it might look like it bumped up a few cents, other areas will look like it bumped down a few cents. But overall, it actually was a very, very minor decrease from what it was in the past. So, that's a great question and he thinks the public certainly should know, you know, that this is not, they're not coming back after the fact and asking for a big bump or a big increase above what they'd already asked for so that was a good question, Binkerd said. Fouce said, thank you, sir. Do we have anyone else that would like to speak during the public hearing portion for General Ordinance 8-2023? She went once, twice, this concludes the public hearing portion of their meeting regarding 8-2023, General Ordinance 8-2023. Do we have any comment from anyone on the Council? Barring no comment, she'd be happy to entertain a motion. She believes suspension of the rules is appropriate in this case so she would

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GENERAL ORDINANCE NO. 8-2023 Continued

entertain a motion for, first, suspension of the rules. Councilman Luzadder? Councilman Brad Luzadder said, Madam President, it would be his honor to ask for the suspension of the rules this evening for Ordinance No. 8-2023. Councilman Brian Cowgill seconded. Fouce said Councilman Luzadder has asked for, made a motion for suspension of the rules for General Ordinance 8-2023. Councilman Cain has seconded that motion. Any question on that motion? Councilman David Cain said Mr. Cowgill seconded. Fouce said she meant Mr. Cowgill, Councilman Cowgill. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Brunner, Cowgill, Cain, and Fouce. Nay: None. Fouce said now she will entertain a motion to pass General Ordinance 8-2023. Mr. Luzadder said, Madam President, it would be his honor to again ask for passage this evening for General Ordinance No. 8-2023. Councilman Cowgill seconded. Fouce said a motion's been made by Councilman Luzadder, seconded by Councilman Cowgill to pass General Ordinance 8-2023. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Brunner, Cowgill, Cain, and Fouce. Nay: None.

City Clerk Kathleen Kiley told the Council that next is the Appropriation Ordinance 17, City Hall Building. Are they, does she want her to read that?

APPROPRIATION ORDINANCE NO. 17-2023 2ND READING AND PUBLIC HEARING

The City Clerk read Appropriation Ordinance No. 17-2023 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 General Fund to City Hall Building & Landscape the amount of \$16,500. City Controller Julie Flores told the Council they had the first reading at the last meeting. You have to publish the public hearing at least 10 days before the public hearing so they didn't have time to advertise that. She advertised it, it was in last week's paper, so they cannot have the public hearing or second reading until October 17th. She thought Debbie (Goodman, Deputy Clerk) informed all of them of that. It's the same thing that happened with the salary ordinances. Those were all read at the same time. That cannot be read until October 17th for public hearing. Council President Robin Fouce asked, would she care to speak on that, clerk? City Clerk Kathleen Kiley said she knew about the salary ordinances. She didn't realize that this one was advertised for the 17th. So, the salary ordinances they didn't put on because they knew that. She guessed she didn't catch that this one was advertised the same since Julie did the advertising. Fouce said, okay, so.... Kiley said, it'll automatically be on for the 17th though because it's been advertised for public hearing on the 17th so it'll be back on the agenda. Fouce said, okay, so they want to apologize for any miscommunication or lack of publishing for that. They'll have that published. Who is responsible for publishing that? Kiley said, well she's assuming Julie. She asked Flores if she got that published, did she publish it for the 17th? Flores said she asked it to be advertised the very next day after the Council meeting so it's a weekly newspaper. Kiley said, yeah, that's their main problem is the News-Herald, she thinks. It's only published once a week and that gets them sometimes. Fouce said, okay, so they are on track for General Ordinance No., Appropriation Ordinance No. 17-2023 to be heard for 2nd reading and public hearing on October 17th Council meeting. And what's going on, if they're not familiar, they have to have legal notice out to the public regarding the public hearing so the public can attend regarding the matters they want to attend so they wouldn't want to move forward without the public being appropriately notified in the timely manner. So, they will get that rectified. She can move on to New Business, Fouce told Kiley. Wait a minute, Fouce said. Building and Grounds Manager Dave Slusher asked if he could say something? On the 17th, he will be on Spring Break, Fall Break, sorry, so he (inaudible). Fouce told Slusher they'll leave that up to him and the administration to work out. They will be having a public hearing on the 17th regarding the matter. But thank you for letting them know, Fouce said.

NEW BUSINESS

GENERAL ORDINANCE NO. 13-2023 1ST READING

The City Clerk read General Ordinance No. 13-2023 by title only, an Ordinance to create a Historic Preservation Commission in the City of Marion, Indiana pursuant to I.C. 36-7-11.1. Council President Robin Fouce said she

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GENERAL ORDINANCE NO. 13-2023 Continued

notified Michelle Doyle that this was going to be tabled to the Development Committee and so they will do just that. They are tabling General Ordinance 13-2023 to the Development Committee.

APPROPRIATION ORDINANCE NO. 19-2023 1ST READING

The City Clerk read Appropriation Ordinance No. 19-2023 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 Municipal Wheel Tax Fund to Misc. Contractual Services the amount of \$55,243.70. Julie Flores, City Controller, told the Council this is the July collection of the Wheel Tax. She believes they've come to them and received the additional appropriation for the first six months. This would be the July collection, receipted in August. She believes she attached that information for them. They're asking for an additional appropriation so that Mike Graft may be able to spend this money on some roads, road improvements. She'll entertain any questions they have. Mike is also in the audience if they need to ask any questions, Flores said. Council President Robin Fouce asked, does anyone have any question or comment? Barring no further question or comment, she would entertain a motion regarding Appropriation Ordinance 19-2023. This is the first reading. That motion should include going to 2nd reading and public hearing. Councilman David Cain said, Madam President, he moves that they move Appropriation Ordinance No. 19-2023 to a 2nd reading and public hearing. Councilman Jim Brunner seconded. Fouce said a motion's been made by Councilman Cain, been seconded by Councilman Brunner for Appropriation Ordinance 19-2023 to go to 2nd reading and public hearing. Any question on that motion? Barring no question, roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Brunner, Cowgill, Cain, and Fouce. Nay: None. Fouce said, so they want to make sure they get their notice out regarding this in particular as well and that hearing will be on, would that also go on the 17th, in terms of time and notification? Mrs. Flores said another three weeks. The only way that works is if there's three weeks between the meetings. She will notify them tomorrow, it'll be in next week's paper. She believes the next Council meeting would be the first one in November, which is Election Day. Fouce said, so that meeting will be the 3rd, no, not the 3rd. It'll be that Wednesday. So, that 2nd reading and public hearing for Ordinance 19-2023 will be November 8th, 2023. They can make note of that. And that leads her to, because of the election, their normal day would be Tuesday, the 7th. Because of the election, their next scheduled Council meeting will be moved to Wednesday, November 8th, at 7:00 p.m. here in the Council Chambers. City Clerk Kathleen Kiley said, no, the next one is the 17th of October. The one after that will be in November. They have one more October meeting. After tonight, she has five more then she retires, Kiley said.

Council President Robin Fouce said, okay, this concludes their meeting so she would entertain a motion for adjournment. Thank you all that took time to come out today and thank you for having an orderly, pleasant meeting this evening. Motion was made by Cowgill, 2nd by Cain to adjourn. Fouce said a motion's been made by Councilman Cowgill..... Please have a seat until they are adjourned. This meeting is still in order. Any question on that motion? Roll call please. Vote on motion to adjourn was as follows: Aye: Fordyce, Stodghill-Weeks, Luzadder, Brunner, Cowgill, Cain, and Fouce. Nay: None. Time being 7:51 p.m.