

REGULAR MEETING – MARION COMMON COUNCIL – OCTOBER 17, 2023 – 7:00 P.M. – CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 17th day of October, 2023 at the hour of 7:00 p.m. in the Council Chambers, City Hall.

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

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

Absent: Cline.

Council President Robin Fouce said they need the approval of the October 3, 2023 minutes. She will entertain a motion. Councilman David Cain said, so moved. Councilman Brian Cowgill seconded. Fouce said a motion's been made by Councilman Cain, seconded by Councilman Cowgill to approve the October 3, 2023 minutes. Is there 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. Abstain: Henderson.

CONSIDERATION AND RATIFICATION OF PRE-APPROVED CLAIMS – Council President Robin Fouce said they'll entertain consideration and ratification of the pre-approved claims. She'll entertain a motion. Councilman Brad Luzadder said, so moved, Madam President. Councilman Steve Henderson seconded. Fouce said a motion's been made by Councilman Luzadder, seconded by Councilman Henderson for consideration and ratification of the pre-approved claims. Is there any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None.

CONSIDERATION OF CLAIMS – Council President Fouce said now they'll move to consideration of the claims. She wanted to follow up with a statement she made at their last meeting, regarding her conversation with the State Board of Accounts. She was asking for that in writing from them. She did get that clarity that said “per our conversation, we want to inform you that per IC 5-11-10-1.6(c)(5), an officer can't draw a warrant, a check for payment of a claim unless it has been approved”. That's Indiana Code. And it goes on, Section (c) reiterates the five caveats which is there is a fully itemized invoice or bill, the invoice or bill is approved by the officer or the person receiving the good or service, the invoice or bill is filed with the government entity's fiscal officer, the fiscal officer audits, certifies before payment and that the invoice or bill, that the invoice is true and correct. Payment of the claim is allowed by the government entity's legislative body or the board or official having jurisdiction over allowance of that claim, in this case, it is the City Council, these claims and contracts are not received. The primary thing is that internal controls would more likely not be effectively in place, which would increase the risk of misuse of public funds. This would in turn result in an audit comment and if that activity continues, meaning if we continue to pay bills without the approval of this fiscal body, the appropriate representative could be called before a Legislative Council in the City of Indianapolis. They may have read the newspaper. She doesn't typically cite the newspaper in their confirmation but there was a legal weigh in on it as well as, again, reiteration from the State Board of Accounts. They felt this was a serious enough of an issue to elaborate. She will entertain a motion on consideration of the claims, Fouce said. Councilman David Cain said, Madam Chairman, he moves that they table the claims. Councilman Brian Cowgill seconded. Fouce said it's been moved to table claims by Councilman Cain, seconded by Councilman Cowgill. Any question or comment on that? She did want to add to the record that they currently have not received the required forwarded invoices and vouchers as part of this process. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Henderson, Cowgill, Cain, and Fouce. Nay: Fordyce and Brunner.

COMMITTEE REPORTS – Council President Robin Fouce asked, do we have any committee reports? Councilman? Councilman Brian Cowgill said he was at the Board of Works meeting yesterday and Ms. Janet Pearson spoke on three properties that were approved for the sale – 1616 S. Gallatin, 1620 S. Gallatin, 1624 S. Gallatin, all for \$1,500. That was approved. And then Mr. Foustnight from the Building Department spoke on 302 N. Illinois Street and it was set for demolition and then they granted an extension because the owner of the property is incarcerated and the, he doesn't know if it was a family member or a girlfriend but there was a lady trying to help get that up to code. At this time, she hasn't done it and the board, they granted, it really wasn't an extension. He guessed it's giving time for Mr. Foustnight to get inside to see because they, he guessed, ran water lines and things like that and he needs to get inside to see what

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COMMITTEE REPORTS Continued

the building, the condition of it is, whether it's inhabitable or whatever. So, they're going to revisit that on the November 20th meeting, Cowgill said. Fouce asked, any further committee reports? Councilman?

Councilman Brad Luzadder said, yeah, Madam President, they did have a Public Safety Committee meeting this evening in which they listened to a presentation as well as discussion from the Chief and the committee is taking it under advisement. So, that was about purchasing an armored vehicle. The other thing he would like to mention is, this Saturday, Let My Light Shine, the organization his mother and father started, will be placing lights out on the National Cemetery. If they've seen the front page of the newspaper the other day, they did a fabulous job. But, they'll be placing those lights at the National Cemetery starting at 9:00 a.m. this Saturday and everyone is invited to come out and help. They would love to have them. Thank you, Luzadder said. Fouce said, thank you, councilman. Do we have any further committee reports?

Council President Robin Fouce said she'd like to bring to their attention that they have received, they've been in litigation with 9th Street LLC and Metal Source LLC versus the City of Marion, the Common Council, and it lists Grant County as well as defendants. She's happy to report that they are dropping the case against the defendants in this matter. Kudos to the leadership that, as a Council, they took. The tenacity, when it was rough sometimes, to take a stand for the citizens, which should be the easiest thing that any one of them elected should be doing is taking a stand for the citizens and their quality of life. She'd like to say that they are in consent to authorize the signature of the dismissal of this lawsuit. Counsel, would he have any comment regarding it? Council attorney Martin Harker said, yes, he received word from Jim Stephenson that the Plaintiffs, Metal Source, are just going to drop the lawsuit in its entirety and dismiss it with prejudice so that it will not be refiled and then, if they want to apply for any kind of tax abatement in the future, they would then have to reapply. So, it's as complete of a victory as they could expect, Harker said. Ms. Fouce said, thank you. Again, she celebrates for the citizens of District 4, but not just District 4, the citizens of Marion. Listen, they want great business here in Marion and they want to support those great businesses but they also want citizens to have peace and quality of life. It's touching to her that during this time, some of their citizens had to put pets down, they had to seek medical treatment, because things impact people differently. It may not be you it's impacting but maybe they have sensitivity to that and so she really wants to thank everyone that, the Council, their legal advisors that took a stand here for the citizens of Marion and they will authorize the signature of that stipulation for dismissal. They will authorize that. Does anyone have a comment on that? She knows this is a committee report but they all had several meetings over several months regarding it. She wants to afford them an opportunity to speak on it. Councilman Brunner? Councilman Jim Brunner said, Madam Chairman, he thinks that just shows what happens when the Council stands together and did not waiver in their comments that they made. When that gentleman said to him that it was going to be the sound of a baby bird, he knew that he was not telling them the whole truth. So, he wants to thank everyone on the City Council for standing their ground and making sure that they now have some peace and quiet out there on the west side of Marion. Thank you, Brunner said. Fouce said, thank you, councilman. Do they have any further comment? Okay, that would conclude her committee report for today. They will move to Unfinished Business. Clerk?

UNFINISHED BUSINESS

APPROPRIATION ORDINANCE NO. 16-2023 3RD READING/ADOPTION

The City Clerk read Appropriation Ordinance No. 16-2023 by title only, Budget for the City of Marion, Indiana for the year 2024. City Controller Julie Flores told the Council this is 3rd reading, public hearing. She'll just review a little bit, again, that they were allowed to increase their levy by 4%, which was \$873,000. Circuit breakers were down in 2023, however, in 2024, they're going to go up about the same amount that they saved last year. Estimated circuit breaker is \$264,866. The overall budget increase was about 18.25% and most of that was salaries and benefits. They will be advertising a rate of \$2.87, however, she anticipates that to go down as the AV's were very conservative in calculating the budget with the assessed valuation. 2023, they advertised \$3.00 and the actual tax rate came in at \$2.59. She fully anticipates that \$2.87 to be less. The General Fund cash reserve for 2024 with the budget as submitted will be 24.4%

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which is what they started 2023 with. So, it's a good budget. They gave everybody, most of the departments, or all of the departments what they requested so she would ask that they pass the budget as it's presented, Flores said. Council President Robin Fouce said, thank you, Controller Flores. One correction is that this is the third reading, not a public hearing for this particular budget, but that's okay, that's an honest mistake. How do they want to do this? Do they want to talk about their recommended, should she share their recommended recommendation from the Budget Committee and then they can elaborate on it and discuss it? Is everyone okay with that? Okay, so, the Budget Committee met and they've had a discussion and questions. She knows everybody combed through every page and every line item of this budget to ensure they kind of have what they need as a community. Their recommendations for reduction would be the Marion Design Company for \$36,000, the Arts Commission for \$12,000. There is a capital outlay that was, it's under capital outlay and it's from the ARP, which she's not sure perhaps how that got in the budget. Maybe that could be one of their questions, how did this ARP get in their budget for \$500,000 for blight? And then, also there is, in her mind, a question about the Motor Vehicle Fund and did we, she thinks they were cited on a State Board of Accounts audit for once we got the money, we transferred it to the General Fund, and please correct her if she's wrong, we transferred those dollars to the General Fund and state guidelines would have them to open up its own fund because these funds, MVH funds are specifically earmarked and should not be in the General Fund. They are on a state watch list regarding this matter so she wanted to clear up any questions about that and she's sure you will help her with that. But their recommendation would be that, and then also, the EDIT Fund would remain at \$1.00 based on the Budget Committee meetings and they certainly want to have any discussion or, you know, please chime in, Council. Councilman Cain? Councilman David Cain said, yes, he is in total agreement with that but he would need a, the question is, in this book, the ARP Coronavirus Local Fiscal Recovery Grant is listed as \$500,000. What is that? Where did that money come from? Is that part of the \$6,300,000? That needs to be explained to them before they take action on that, Cain said. Flores said that is part of the \$6,300,000. They cannot spend it unless it's appropriated. Because they put the ordinance for, additional appropriation ordinance for blight so late in the year and because it's been tabled, she doesn't know that it got tabled but when they did the budget she just felt like they didn't get the additional appropriation put in, requested this year but they needed to clean up the blight and so they put it in the budget for next year. So it is the ARPA funds, yes. And could she (Fouce) repeat again the audit finding? She can't remember. The audit finding, the \$1,000,000, was it MVH money? Fouce told Flores, her question to her. Flores said she doesn't recall. She'll have to go back and look at the audit report. The MVH money, revenues that they get, all gets budgeted in the MVH Fund and then they have to transfer half of the revenue to 203, 2203 which is the restricted amount that they're required to transfer half of the funds into 2203. There was a finding, she's going to have to remind her. Does she have that in front of her? Fouce said, yeah, she just has the page and it lists the City of Marion on the watch list, Motor Vehicle Highway restricted fund disbursement and it lists a code and it's cities to watch with violations or..... Flores said she wanted to know what the audit finding was. She can go back upstairs and get it. She remembers at the time during the audit, she did say it wasn't, it wasn't a big deal. She'll have to go find that audit finding and let them know what that was. But she remembers her saying, during the exit conference, it was a minor mistake, Flores said. Ms. Fouce said, so even though we're on a watch list, that's not a big deal? Flores said she has not idea what that watch list is. She's not been notified that we're on any kind of a watch list. Fouce said it's released by the State Board of Accounts. Flores said it was not in the audit report that she got from them, that we were on a watch list. Fouce said, okay. They just want to get to the bottom of it. Flores said, sure. She'll be glad to go back upstairs later if they would allow her to get that audit report. She doesn't remember what it says. She had to write a corrective action plan but, if she would have told her before she got here, she could have had that prepared. Fouce said, well, we certainly want to come to this meeting, but don't worry, it's not she's pushing her to go upstairs kind of thing. They just want to discuss the business and get through that. She told Flores she has no animosity from her regarding any matter. And she thinks Councilman Cain's question got answered regarding the ARP dollars. Relevant to the ARP dollars, does she recall this Council consistently emailing, repeating the message here before them that they want a strategic plan and that they want to convene to spend ARP dollars. This budget book was actually put out, if she's recalling correctly, prior to the ARP dollars proposal being tabled. Flores said, yes ma'am, it was, however, she was told by the administration to submit that earlier and she did drop the ball on that so it did get, it was late coming to them and it was sent to committee or tabled, she doesn't remember what action was taken. She is correct in that, Flores told

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Fouce. Fouce said, okay, thank you. And then, does anyone else have anything else to say? Thank you, Controller Flores. So, they're looking at a total, could somebody do a total on that reduction for her? \$36,000, \$12,000. Cain said, while they're totaling that up, could he ask a question of Mrs. Flores? Fouce told Cain, sure. Cain said, Mrs. Flores, can she give him the current existing balance of the Economic Development Fund please? Flores told Cain she doesn't know. She has her computer here, she can go look. She doesn't know. Cain told her, please. Flores said she thinks the only thing they've taken out of the EDIT Fund, she believes, did someone ask for that at some point she believes and she thinks the only expenditures they've taken out of there was the additional appropriation. In the EDIT Fund, they haven't spent anything that hasn't been appropriated so she would have to go back. Fouce told Flores, yeah, if she would get them a to date balance, that would be helpful for them this evening. Would she like them to table this and they'll go through the other and then they'll come back to it? Would that be helpful to her? Flores said she's on the rest of the agenda so she doesn't think that's going to.... We can move on but... She can multi-task. Fouce said, okay, she tried. While she's looking for that, did anyone else on the Council have any questions? Any other line items that they just even had questions about? She thinks on page.... Is she ready? Oh, okay, no worries, no worries. Page 2 of the clear book, the clear front cover proposed 2024 budget, there is midway through the page a Motor Vehicle Highway Fund, it states budget estimate.... Are you ready, councilman? Cain said, yeah, yeah, so, she wanted him to ask the question, okay, so that fund they're talking about, the Motor Vehicle Highway Fund, the budget estimate is, and he's just going to round this off, \$2,600,000. The maximum estimated funds to be raised this year was \$1,500,000. Is the difference the Wheel Tax being deposited into that? What's the difference of \$1,000,000-plus? Mrs. Flores told Cain, so column 3 is the funds that are going to be raised, the revenues that are coming. Really, the better sheet to look at would be on the Form 4-B. So that would be on your page, in the same book, page 57. That is the better page to look at. So the current Economic Development Fund balance is \$1,067,764.51, expenditures \$541,000. Fouce asked, could she clarify that amount? One million..... Flores said, sixty-seven, she's sorry, seven sixty-four fifty-one. Fouce said, okay, thank you. Flores said, so she believes the only additional appropriation they got in the EDIT Fund was for the dam removal and for Friendship Park. Or maybe it was just Friendship Park. She needs to go to a different screen to find out. She does remember you asking for that, someone asked for it, and she did send that, expenditures in the EDIT Fund. So she believes it was the dam removal and Friendship Park are the only expenses that have been taken out of there so far. Fouce asked, and that is part of this \$541,000? Flores said yes. Cain asked Flores, so she can't give them a balance though? Flores told Cain that's the cash balance. Cain said, okay, \$541,000 is the cash balance? Flores said, no, those were the expenditures in the EDIT Fund. The cash balance is \$1,067,764.51. Cain said, oh, okay, okay. Fouce asked, does that amount also include what they overpaid for the radios out of ARP? Okay, so back to, does anybody have any question or want clarity on the EDIT Fund? Okay, so back to your question. Flores said, so the Form 4-B shows, she needs to look at what you were looking at, so Form 4-B shows, gives what they're going to spend for the rest of this year, what they're going to bring in for the rest of this year, and estimated what they're going to end the year with, \$883,000. Then it also has the property tax levy, the circuit breaker, miscellaneous revenues that are going to come in, and then the total revenues, total revenues of \$6,300,000, she means \$2,300,000. So she needs to go back to see the form you were looking at. She was looking at page 2? Fouce told Flores, yes. Flores said, so page 2, \$1,589,262 is the property tax levy that's coming in. Ms. Fouce said, okay, thank you for the answer on that. Her other question would be, she gave them, she thinks it was 2nd reading, public hearing or it could have been 1st reading, she gave them adjusted amounts. Does she recall giving them those handouts? She said there was.... Flores said, that goes in the other book for the park, she believes it was. Fouce asked, are those amounts reflected in the total budget balance? Flores said yes. Fouce said, and please state what the total budget balance is for the record. This proposed budget, what is that total budget? Flores replied, so the proposed budget is \$34,238,866. Fouce said, thank you. (inaudible) \$34,238,866 and their recommendation for reduction is..... Counselor? Council attorney Martin Harker said, based on the amendments that have been proposed, they're going to have to do two separate motions, one to reduce it by the specific dollar amounts, the second one to reduce the Economic Development Fund (inaudible). City Clerk Kathleen Kiley said, Marty, they can't hardly hear him. They're afraid they're not going to be able to pick him up, she's sorry. Harker said, unless they know the exact balance of the reductions on the EDIT Fund, he would advise doing two different motions, one on the reduction for the three items and then do a separate one on taking the Economic Development Fund down to \$1.00. Fouce said, thank you, counselor. Did we have any further

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question, comment, concern regarding their proposed budget recommendation, reduction, and following the good advice of their counselor Harker? Barring nothing further, she would entertain a motion. Councilman Cain said, Madam President, he will start with a motion to reduce the EDIT Fund, the Economic Development Fund, and reduce it to \$1.00. That is his motion. Councilman Brian Cowgill seconded. Fouce said a motion's been made by Councilman Cain, seconded by Councilman Cowgill to reduce the Economic Development Fund to \$1.00. Is there any question on that motion? Barring no question, roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Cain said, Madam President? Fouce said, one moment. Does anybody smell smoke? Thank you for checking on it. She will entertain a motion to reduce the proposed budget in addition in the amount of, she believes it's \$548,000, based on the Marion Design Company, Arts Commission, and the proposed capital outlay. Mr. Cain said, he so moves, and he wants to put some additional wording in there. The ARP \$500,000 money, that definitely has to come before this Council as a resolution and it has to pass as a resolution. He doesn't believe, and he might be proven wrong but he doesn't think it can be included in a part of a budget here without their resolution moving forward on that. Tell him if he's wrong on that, counselor. Mr. Harker told Cain his understanding is that, at some point, a resolution of this Council would have to be passed. Whether it could be put in the budget without a resolution, he doesn't know, but it certainly wouldn't be proper to spend it. Even if it was budgeted, the amount would still have to come forward for the Council to vote on. Cain said, thank you and..... Mrs. Flores said, um, she's sorry, what resolution? The Council has passed a resolution for the ARPA funds so she's just curious what kind of resolution we need to pass. They had to do a resolution to set up the fund so she just needs to know what kind of a resolution she needs to do. Ms. Fouce told Flores she thinks what was tabled was an appropriation request, whether it's a resolution or appropriation request, that's spending from the ARP, would still come from that. But she doesn't want to interfere, we're in the midst of a motion. We're not in a discussion period yet. So let's clarify the motion again, let's clean it up, and let's follow our procedure. Cain said he makes a motion that they cut the, let him get the wording right, the ARP Coronavirus Local Fiscal Recovery Grant and they remove that, remove it completely, reduce it down to zero so they would be cutting that \$500,000. Fouce asked, in addition? Cain asked, does she want him to do all three? Okay, okay, sorry about that. So in addition to that, Marion Design Group of \$36,000, the Arts Commission of \$12,000, those three items. Fouce said a motion's been made, is there a second? Councilman Cowgill said he will second that. Fouce said a motion's been made by Councilman Cain, for clarity's sake, she'll try to repeat that motion, correct her, for a reduction in the amount of \$548,000, including Marion Design for \$36,000, Marion Arts Commission for \$12,000, and capital outlay for \$500,000 for the ARP Fund. Cain said that is his motion, he agrees. Fouce said a motion's been made and seconded by Councilman Cowgill. Does she have any question on that motion? Barring no question from the Council, roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Mrs. Flores said, if she could, this has to be adopted tonight and they have to sign the sheet so she'll have to make corrections to Form 4 before they sign it so she will need some time for that. This budget has to be uploaded this week into Gateway so if they could remain afterwards so that she can print that out so that they can sign it. Fouce said they can do that or, it's a quarter to eight, she could, she'll be available first thing tomorrow like she was for the other stuff they've taken care of. She'll be available and she'll be happy to come in and get that resolved. Fouce was told each member has to sign. Flores said the only other solution she has is that they trust that she will make these deductions before she submits them. She did that last year. She cut the EDIT budget to \$1.00 before she submitted it. They signed off on that first, as well as they cut \$1,000,000 out of the General Fund last year. So, those are the solutions. Fouce said, okay, not indicative of lack of trust but she says that they all stay and resolve this important matter here this evening. Is anyone in objection to that? So they will stay and work with her there, thank you, Fouce told Flores. So they made a motion for the reductions. Do we make a motion to approve the budget based on the reductions? Okay. So it's appropriate that she would entertain a motion for approval of the budget as amended including the proposed deductions. She will entertain a motion, Fouce said. Councilman Brad Luzadder said, Madam President, he makes a motion that they approve Appropriation Ordinance No. 16-2023 as amended. Councilman Cain seconded. Fouce said a motion's been made by Councilman Luzadder to approve Appropriation Ordinance 16-2023 as amended and seconded by, who seconded that, Councilman Cain. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain,

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and Fouce. Nay: None. Ms. Fouce said, thank you. So they'll stick around, Controller Flores, to resolve any matters that they need to do regarding the 2024 budget, they'll have everything done.

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 Dave decided to go on vacation and leave her here, alone. This is 2nd reading and public hearing for heating and air conditioner, she thinks it's heating. He needed eight, she believes, condenser fans so he's asking for these funds in order to get the air conditioner fixed. Council President Robin Fouce said, thank you, Controller Flores. Barring any questions, what she'll do is entertain the public hearing and then if they have any questions or comments or discussion, they'll do that. Thank you. This is a public hearing regarding Appropriation Ordinance No. 17-2023. Please step to the podium, state your name, your address, and any comment in support of or against Appropriation Ordinance 17-2023. You'll have three minutes to speak. Their counselor will please run the time clock. Opening the public hearing. Going once, going twice, three times. This concludes their public hearing portion of their meeting regarding Appropriation Ordinance 17-2023. She will open the floor up to the Council for discussion regarding this matter. Do we have any question or comment? Barring no question, she'll entertain a motion regarding Appropriation Ordinance 17-2023. Councilman David Cain said, Madam President, he moves that they suspend the rules on Ordinance No. 17-2023. Councilman Brad Luzadder seconded. Fouce said a motion's been made by Councilman Cain, seconded by Councilman Brunner to suspend the rules... Who made the second? City Clerk Kathleen Kiley said it was Luzadder. Fouce said, Brad Luzadder, okay. She's not hearing good either. Seconded by Councilman Luzadder to suspend the rules regarding Appropriation Ordinance 17-2023. Is there any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Fouce said now she'll entertain a motion to pass General Ordinance 17-2023. Councilman Cain said, Madam President, he moves that they pass Appropriation Ordinance No. 17-2023. Councilman Brunner seconded. Fouce said, they're playing jokes with her tonight. Motion's been made by Councilman Cain, seconded by Councilman Brunner to pass Appropriation Ordinance 17-2023. Any question on that motion? Barring no question, roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None.

GENERAL ORDINANCE NO. 9-2023 2ND READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 9-2023 by title only, an Ordinance fixing the maximum salaries for police officers of the City of Marion, Indiana for the year 2024. City Controller Julie Flores told the Council this is 2nd reading, public hearing. This is a 3% raise for full-time employees. Council President Robin Fouce said she has a procedural question. Can they do these with consent or do they need to do these all individually? She was told individually. Fouce said, okay, this is a public hearing regarding General Ordinance 9-2023. Councilman Brad Luzadder said this would be for police. It was said for elected officials but this is for police officers, General Ordinance 9. City Clerk Kathleen Kiley said, yeah, they're on the police officers, No. 9. Fouce said, pardon her, General Ordinance 9-2023. This is a public hearing. Please step to the podium, state your name and address, your position in favor or against General Ordinance 9-2023. You have three minutes to speak. She's opening the public hearing. Ryan Howell, 2909 S. Branson Street, Marion, Indiana, told the Council he believes a 3% raise is justified for their Police Department. He definitely thinks law enforcement, that's where it all starts and they need safe streets and that attracts revenue, it might increase revenue. It's money well spent, in his opinion. Thank you. Fouce said, thank you, Mr. Howell. Do they have any one else wanting to speak regarding this ordinance? Going once, twice, three times. This concludes the public hearing portion regarding General Ordinance 9-2023. They are at second reading and public hearing. She would entertain a motion regarding. Councilman? Councilman Brad Luzadder said, Madam President, he would make a motion they suspend the rules on General Ordinance No. 9-2023. Councilman David Cain seconded. Fouce said a motion's been made by Councilman Luzadder, seconded by Councilman Cain to suspend the rules on General Ordinance 9-2023. Is there a question on that motion? Roll call please. Motion carried by the

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following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Luzadder said, now Madam President, he makes a motion they pass General Ordinance No. 9-2023. Councilman Cain seconded. Ms. Fouce said a motion's been made to pass General Ordinance 9-2023 by Councilman Cain, pardon her, by Councilman Luzadder, seconded by Councilman Cain. Do we have any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None.

GENERAL ORDINANCE NO. 10-2023 2ND READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 10-2023 by title only, an Ordinance fixing maximum salaries for firefighters of the City of Marion, Indiana for the year 2024. City Controller Julie Flores told the Council, again, this is a 3% increase for the firefighters. Council President Robin Fouce said this is a public hearing. Please step to the mike, state your name, your address, and your position regarding this important matter. You have three minutes to speak. Counsel will keep their time. This opens the public hearing portion regarding General Ordinance No. 10-2023. Going once, three times. The public hearing portion is closed. She'll entertain, does anyone have any question or comment on the Council regarding General Ordinance 10-2023? Barring no comment, she'll entertain a.... Councilman Brian Cowgill said, Madam President, he'll make a motion that they suspend the rules on General Ordinance 10-2023. Councilman Jim Brunner seconded. Fouce said a motion's been made by Councilman Cowgill, seconded by Councilman Brunner to suspend the rules regarding General Ordinance No. 10-2023. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Councilman Cowgill said, Madam President, he would now make a motion that they pass General Ordinance No. 10-2023, Councilman Brunner seconded. Fouce said a motion's been made by Councilman Cowgill, seconded by Councilman Brunner to pass General Ordinance 10-2023. Any question on the motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None.

GENERAL ORDINANCE NO. 11-2023 2ND READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 11-2023 by title only, an Ordinance fixing maximum salaries for elected officials of the City of Marion, Indiana for the year 2024. City Controller Julie Flores told the Council this is the elected officials salary ordinance, 3% raise for Council members and she doesn't think the City Judge changed. Yes, a raise for the City Judge as well. Council President Robin Fouce asked Flores, could she clarify that City Judge amount? Flores said, \$2,115.39 bi-weekly. Fouce asked, that's a 3%? Flores said that's not a 3% raise. They gave him a raise based on that he's going to be working more, working more on blight, dedicating a day or an afternoon, she's not sure which, strictly to blight. Fouce said that's good to have on record. What was that total amount of that increase? She believed it was \$24,000 but she's not sure of the full amount. Councilman Brad Luzadder said it was \$24,000-plus. Flores said she would have to look at his current salary. That'll take a few minutes. She doesn't know what the increase was. Fouce said okay, they'll go to the public hearing portion, if she could get that information for them. They just wanted clarity for the record for that. Thank you. This is a public hearing regarding General Ordinance No. 11-2023. This is the second reading and public hearing. Please step to the podium, state your name, your address, and your position on this important matter. Please step to the podium, state your name and your address, your position on this important matter. Counselor Harker will keep three minute time, thank you. This opens the public hearing portion. Karen Creech told the Council she lives on Ironwood Drive in Marion, Indiana. The only comment she has is she really doesn't think they should pass any type of salary increase to the elected officials since they've (inaudible) feuding between the administration and Council and she doesn't think they should reward that type of behavior with a pay increase. She thinks they should earn it and then by earning it, if they get one, then maybe they'll be more apt to work with each other because that seems the right and fair thing to do. She doesn't know what started the feuding, she doesn't know who's at fault, she doesn't really care. But as a taxpayer, she'd like to see everybody kind of working together for the best of the city and she doesn't believe giving pay increases, even though she knows they all have expenses, she knows everything's going up and it's nothing personal against them individually and she knows everybody has a budget (inaudible) not getting a pay increase herself but she thinks they should look at

GENERAL ORDINANCE NO. 11-2023 Continued

behavior of everybody involved and she doesn't think they should be rewarding with pay increases. If they don't get one, they all might go to the table and work together a little better. That's just her own opinion and she thanks them for their time, Creech said. Fouce said, thank you, ma'am, for her comments. Do we have any further comment? James Loftis told the Council he lives at 520 E. 6th Street, he thinks he knows pretty much everybody down here. He just wanted to say, as far as (inaudible) go, he thinks working every day in the trenches with everybody in each department, this has probably been the most harmonious they have ever been, department-wise, working with each individual. He knows what they do, he knows what they have done in the past. The past was not good. The bridges they built together are sustainable. 3%, like he said, he works every day with these guys, 3%, his guys just (inaudible) a tree at 26th and Nebraska. They're the lowest paid union entity here. These guys go above and beyond every day. 3%? Drop in the bucket for them. So, he's in favor of. So, he appreciates everybody, Loftis said. Fouce asked Loftis, could he remain at the podium? Loftis said, absolutely. Ms. Fouce said she's going to break protocol. They want to thank him for the prompt response to the tree out in the 2500 block of Nebraska. She witnessed and witnessed the clean up, their effort, their timeliness, response, and the effort of their city workers and just a thank you is warranted and more. They appreciate the response to such a thing so thank you for that. And thank you for his comment. Did she interrupt his comment? Mr. Loftis said, no, she's good. That's probably the biggest tree they've cut down, or cleaned up. That was a big one. Fouce asked, do we have any further comment regarding General Ordinance 11-2023? Going once, going twice, three times. This closes the public hearing portion regarding this. Controller Flores, did she have a figure for them? She said she was given a figure of \$24,640 for the increase, proposed increase for the Judge. She'll open the floor up for comment, if there would be any regarding such. Barring no comment, she'll entertain a motion regarding 11-2023. Councilman David Cain said, Madam President, he moves that they suspend the rules on General Ordinance No. 11-2023. Councilman Brad Luzadder seconded. Fouce said a motion's been made by Councilman Cain, seconded by Councilman Luzadder to suspend the rules regarding General Ordinance 11-2023. Is there any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Cain said, Madam President, he moves that they pass General Ordinance No. 11-2023, Luzadder seconded. Fouce said a motion's been made by Councilman Cain, seconded by Councilman Luzadder to pass General Ordinance 11-2023. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None.

GENERAL ORDINANCE NO. 12-2023 2ND READING AND PUBLIC HEARING

The City Clerk read General Ordinance No. 9-2023 by title only, an Ordinance fixing 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 2024. City Controller Julie Flores told the Council this is the civilians. 3% increase for the full-time employees and the only other change was an hourly wage for the Traffic Secretary was increased to \$15.00/hour. Council President Robin Fouce said this is a public hearing. They open the public hearing portion regarding General Ordinance 12-2023. Please step to the podium, state your name, your address, your position, pro or con. They will have three minutes to speak, she forgot her spiel. Counselor Harker will keep time for them, please. Going once, going twice, going three times. This closes the public hearing portion regarding General Ordinance 12-2023. She'll entertain any comment or question. Barring none, she'll entertain a motion regarding such. Councilman David Cain said, Madam President, he moves that they suspend the rules on General Ordinance No. 12-2023. Councilman Brian Cowgill seconded. Fouce said a motion's been made by Councilman Cain, seconded by Councilman Cowgill to suspend General Ordinance 12-2023, to suspend the rules. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Cain then said, Madam President, he moves that they pass General Ordinance No. 12-2023, Cowgill seconded. Fouce said a motion's been made by Councilman Cain, seconded by Councilman Cowgill to pass General Ordinance No. 12-2023. Is there any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None.

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NEW BUSINESS

APPROPRIATION ORDINANCE NO. 20-2023 1ST READING

The City Clerk read Appropriation Ordinance No. 20-2023 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 Local Road & Street to Other Contractual Services the amount of \$80,000.00. Council President Robin Fouce said, one moment. She would and should have told her she wanted to table this particular proposal to committee. This is consistent with their other tablings, that they'd like to have a full discussion about this matter before a committee and they will table this to committee.

Council President Robin Fouce said they are at the end of their meeting. Thank you all for their time and their patience. An important thing happened tonight for them as a community with the passing of their budget. They hope and they pray that those dollars are the best that they can do for their citizens. So, everyone stick around if they're on the Council for their signature. Did they have any further question or comment from anyone on the Council? Barring none, she would entertain a motion for adjournment. On a motion by Cain, 2nd by Brunner, the meeting adjourned. Time being 8:03 p.m.