

REGULAR MEETING – MARION COMMON COUNCIL – NOVEMBER 21, 2023 – 7:00 P.M. – CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 21st day of November, 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, Cowgill, Cain, and Fouce.

Absent: Cline and Brunner.

Council President Robin Fouce said they don't have a Neighborhood Spotlight this evening, thank you, or First Responders. They do want to acknowledge their neighborhoods, the good stuff that's been going on in the community. This past weekend was phenomenal and they want to thank all that exerted effort and participated in that. They always love and appreciate the first responders. They pray for their safety and they appreciate their service.

APPROVAL OF MINUTES – Council President Fouce said they will have the approval of the November 8, 2023 minutes. Councilman Steve Henderson said so be it and Councilman Brian Cowgill seconded. Fouce said a motion's been made by Councilman Henderson, seconded by Councilman Cowgill for approval of the November 8th, 2023 minutes. Any question on that motion? Roll call please. Motion carried by the following vote. Aye: Fordyce, Henderson, Cowgill, Cain, and Fouce. Nay: None. Abstain: Stodghill-Weeks and Luzadder.

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

CONSIDERATION OF CLAIMS – Council President Robin Fouce said consideration of claims. Councilman David Cain said, Madam President, he moves that they table them. Councilman Brian Cowgill said he would second. Fouce said a motion's been made by Councilman Cain, seconded by Councilman Cowgill to table consideration of claims. Any question on that motion? She will add that they have yet to receive their required electronically transmitted request for vouchers and invoices. Roll call please. Motion carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Henderson, Cowgill, Cain, and Fouce. Nay: Fordyce.

COMMITTEE REPORTS: Council President Robin Fouce said they'll have Committee Reports. Councilman Brian Cowgill said he attended the Board of Works meeting yesterday and they swore in two new officers, two female officers, Lang and Wise. They've got their year on and they swore them in so he's happy to have them on board, couple of new officers for them here in Marion. And then next on the agenda was Jerry Foustnight, oh, and then, wait a minute, after they swore those in, Max Stefanatos, he was, the Police Chief gave him an award for saving a person's life. It was a self-inflicted gunshot wound to the leg and he was bleeding heavily and the officer got there and put a tourniquet on in and slowed the bleeding down and saved him on that. So it was very well deserved for him. Then the next thing was Jerry Foustnight. They approved four properties for demo, one was 523 W. 6th, 1716 S. Branson, 311 W. 7th Street, and 723 W. 7th Street were all approved for the demo. And they had an update on the lady at the 302 N. Illinois Street. She was the one that, he doesn't know if it's her husband, he doesn't think they're married, but he's incarcerated and she has been trying to help get the house up to date and they got the roof taken care of and they got the yard in front and everything taken care of. Nobody can live in the house, the house is still unlivable but Mr. Foustnight gave her 30 days to clean up in the back yard and put a tarp over the pool so that it won't be a hazard for the winter and she accepted. She'll have those done in 30 days. So that's where they were on that. And then they had, for Jason, he doesn't know how to say his last name either, of the Building Department, the head.... City Clerk Kathleen Kiley said Konazeski. Cowgill said, yeah, he was there for a disciplinary grievance. He, he doesn't know, they never really said what happened, what he did to be in trouble but he recently had 14 days off without pay and they looked at, in the city guidelines, there's two different parts of the city guidelines that kind of contradict each other on how much time you can and can't give so they ended up coming to the conclusion of reducing it to three days off with pay. So, he doesn't

COMMITTEE REPORTS Continued

know how he was disciplined that way but that's what they decided there and that was it. And then, he's got another one too, and then he had a Traffic Commission meeting today at 2:00 pm and if they can picture, at the corner of 2nd Street and 18, there's a house right there on that corner. Across the street from them is a building owned by Marion High School and it's for, it's like an alternative school and they're having problems with pulling a bus in there and getting the kids loaded and unloaded in the afternoon because of the traffic and the parking. So, they proposed to the Traffic Commission today that we would put no parking on 2nd Street from F to G he believed and do that from 8:00 am to 4:00 pm Monday through Friday so they won't have any problems getting (inaudible) and the Traffic Commission gave them a favorable recommendation to send it to us, the Council, Cowgill said. Fouce said, thank you councilman. Regarding that, when would they put that on the agenda? Would that be submitted to be on the next....? Cowgill told Fouce, he thinks December 5th. He thinks Mike's going to get with her. Fouce said, okay, they want to make sure they don't miss that, resolving that. Thank you. Do they have any other committee reports? Councilman?

Councilman Brad Luzadder said, yeah, Madam President, not a committee report but on behalf of Let My Light Shine, he wanted to thank the entire community for the great work they helped them get the lights out onto the graves. They were able to keep them out for seven weeks and they took them off this past weekend. They put them out (inaudible) 12:15, they had the lights placed out, and by quarter to 2, they had the lights off. And so, he wanted to point out council members that helped them to put them out and then the ones that braved the elements on Saturday that turned out to be a beautiful, beautiful day, Councilwoman Annalisa Stodghill-Weeks and Councilwoman-elect Erika Devine, both of their families were there and so very greatly appreciate that. Their family is very, very grateful to this community for honoring our veterans. It's still working and so he appreciates the time and the moment to speak. Thank you, Luzadder said. Council President Fouce said, thank you councilman. Do we have any further committee reports?

Council President Robin Fouce said, okay, for her, she will, she wants to remind everyone to turn in, if they're not going to be on the Council January 1st, either by, whatever mechanism, to please remember to turn in their laptop and their cell phone to the IT individual. He will receive those. Make sure you get receipt of that because they just want to make sure there was an exchange and it gets recorded. That would be her recommendation for that. And then, Grant County Economic Growth Council will have on 11/27, a Ready 2.0 event at Tomahawk. She believes that starts at 6:00 pm. They wanted her to announce that she'd encourage any and all Council and any and all citizens that would like to participate to join them on that day at the Tomahawk. She believes it's \$10.00 for elected officials and \$20.00 for non-elected officials. Again, that date is 11/27 at the Tomahawk regarding Ready 2.0. It will be a good, informative, interactive event and she would encourage everyone to register and to attend. Also, for the newly elected officials, there is a training from AIM called Newly Elected Officials Training and they sent a pamphlet out. Some of them may be aware. There's also a regional training that's in December that's in a couple different locations, Evansville, Noblesville, Ft. Wayne, Fair Oaks, and Madison. That's a regional training. That, again, will be held in December of 2023. The one she strongly recommends, there's one for mayors, there's one for clerks and council folk but there's a boot camp, the AIM Boot Camp, for newly elected officials and she had the opportunity to attend it and she was really grateful for attending it. It gave her great insight, being new on the Council. You will meet with a lot of different folks in the industry and collaborate. Some of our problems (inaudible) the same. Our ideals, you share ideals and you get a grasp, as a newly elected official, on the fun that you signed up for. That's January 16th through the 18th at the Westin Hotel in Indianapolis. She would work with you, as a current President in these months, to get you any information and then any help she can be in January with whomever they decide as the President at that time, she would still work with anyone that needs to go to that. Does anyone else have anything to say about AIM Boot Camp and AIM Conferences that are phenomenal? You meet all kind of folk, again, and it really energized her when she went to that conference, coming back here to serve the citizens. And she made some good contacts. She's run into them at other conferences. They've called one another when situations arose and that's the kind of networking that you want to establish for yourself. So, she'd encourage that. Any information she can help them with regarding those, she'd be happy to do that. And, she would request that their last meeting of the year, they have a year end committee report. So, any council person that is on a committee, she'd like a report for the year end. It doesn't have to be anything extensive, just some

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type of report as you have held a position on a committee. They hear from a few, they don't hear from others, so they'd like to get just kind of (inaudible) on record as a (inaudible) committee report and that would be their last meeting of the year she would request that. And that will conclude her committee report. Do we have any other questions or comments? Thank you. Move on to New Business, Fouce said.

NEW BUSINESS

MARION REDEVELOPMENT COMMISSION TIF REPORT PRESENTATION. Steve Smithley, Marion Redevelopment Commission President, told the Council he appreciates the opportunity to appear before them once again. He's done this every year now for seven years. They should have received in their email from the Clerk's Office the report given to them by Baker Tilly, their annual report on their TIF projects. Council President Robin Fouce said, excuse me, Steve, does he have any of those, hard copies? Smithley said he has hard copies. Fouce said, if he could distribute those to the Council, that would be great. Smithley said he can do that. Fouce said she can help him, if he'd like. Appreciate that. Smithley said, the one report he's passing out now, in the binder, that's the detailed report. It's 80-some pages long. Unless they just have trouble going to sleep or something, he doesn't know that they'd want to actually look through that one. The other one that they actually go over with us is the other that he's now passing out. It's a recap of all of their outstanding TIF districts and TIF financing and there are differences there. They have TIF districts, like the Five Points Mall is a TIF district but there's no outstanding debt of any kind in that area but it's still a TIF district. Then they have some other that are by themselves. Central Indiana Ethanol is its own TIF district and its own TIF financing. There's nothing else in that TIF. Then they have others that have multiple properties. They have some that are in their own TIF and are part of the consolidated TIF. So they have cross collateralization. But this report goes over all those. But what he wanted to point out to all of them is that they've made a couple new TIFs and what they started doing as opposed to what was done in the past, always all the tax revenue generated in the TIFs went to debt service. They've started on the last couple of TIFs where only 80% of the tax revenue goes to pay back the debt, the other 20% basically comes directly to the Redevelopment Commission unencumbered and they can do for projects and the Redevelopment Commission has an immense amount of powers and things it can do. It can do demolitions, it can do streets, it can do curbs, it can do sewers, it can do lights, it can build buildings, it can buy land, it can sell land, all at the idea of redeveloping areas. So, as they go along, the excess TIF is going to become more and more important but what he wanted to point out to them is they give them this report and if they look on the very last page of this report here, it gives them a summary of, somewhat of a summary of the excess funds they're going to have. Over the next seven years, they're going to have almost \$27,000,000 of excess TIF. So, as bad as everybody thought TIFs were years ago, some of the TIFs in the last two years, they've had three, four TIFs pay out in the last two and a half years. So that money is now all considered excess TIFs that's coming in that they'll be able to use for other projects. They have some big projects going on, they have some little ones to consider. They're going to sit down here, hopefully before the end of the year, all three of them are here. Deb Cain, Robin and he are all three on the Redevelopment Commission, kind of sit down. They've never had to do a budget, never had to do a plan before because they didn't have any money. It doesn't matter whether you budget anything or plan anything if you don't have any money to do it with. They're going to start having money so they need to prioritize what it is they're going to try to do with this money. So, as they may or may not be aware, on November 2nd, the RCA Project floated its TIF. They bought their own TIF for almost \$40,000,000, a little more than \$40,000,000. They bought their own TIF. They didn't have to put it out in the open market for anybody else to buy. They bought their own TIF. That's the kind of financing they have. So, and they have no obligation on the 80/20 split. As things go, we have no obligation. If there's any shortfall on TIF, they don't pay taxes, they have to eat the shortage. So, we don't have an obligation. We told them right up front that, on a \$40,000,000 bond, we can't guarantee it, we're not going to guarantee it. The city couldn't afford that. So, presumably if that works out like it's supposed to, three years from now we're going to be looking real good. So, and in case they don't remember this company that's going in the RCA Project is a battery recycling facility. It's going to recycle lithium and they have a process that makes it clean and part of the project is to provide the lithium for the new battery plant in Kokomo. So, hopefully they'll be on the front end of that new battery process for all the cars and automakers and stuff and they're going to be recycling all the batteries.

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They're looking to bring a couple other cohorts to that campus he guessed he would consider it, eventually it will be a campus. Besides just them and besides Café Valley on the corner, there will be several other buildings out there, some other companies, so they're hoping it's going to be a complex. But again, we've got money coming in. They've already pledged some money. Part of the Bicycle Trails Project, they've already committed \$250,000 to that two and a half years ago. It's now coming due. They're going to extend from the Cardinal Greenway at 10th and Nebraska, just west of 10th and Nebraska, down 10th Street to Boots, to 9th Street, all the way to the library. That's Phase 1 and they've committed \$250,000 to that. Then the next phase, if and when it goes, will go from the library to the walkway. So, that's one of the projects they're working on but they have (inaudible), but again, one of the big things they can help do in the areas, and there's a very large portion of the city that are in TIF districts, they can do demolition. They can help with demolition stuff, separate from what the city actually does for demolition. They can do streets, curbs, sidewalks in the districts. And there's other things they can do. They're looking at a project, Robin's aware of this, they're looking at extending water and sewer to the airport, participating in that, hopefully, with the County Council, with Marion Municipal Utilities, us, everybody take a piece of that and extend it to the airport. Theoretically, (inaudible) backfill and once you get to the airport, Glendale Lakes and everything back towards 50th Street could then at some point in time because there are wells and stuff and as they start to fail could be annexed because they're going to kind of bypass county areas to get to the airport entrance and it's his understanding that once you get to the entrance, the Airport Authority actually has access to grants that can get it to all the buildings. So they've just got to get it inside the front gate. So, projects like that. Then there's hundreds of others, little things that come up and they never had money to even think about before, now they're going to have to start thinking about is it something they really want to do. (inaudible) before year end, they'll do the meeting that decides how they want to proceed. But the biggest (inaudible) in this report, it summarizes, if you go to each project and it tells them which project, there's really only one that's a deficit they have to make up and they have to use EDC money to make up the deficit for right now. But some of the things they have to do, they automatically when they did the last TIF bond for Central Indiana Ethanol, there's immediately a \$500,000 excess but it can only be used in Central Indiana Ethanol's district. So they have to now transition that to part of the consolidated so they can use that \$500,000 towards other projects outside of that specific TIF area. So, that's going to be one of the first things they're looking at. They'll be coming back to them for several things he hopes in the not too distant future. Some of us will be here and some of us won't but he just wanted them to know that they're being as proactive and as progressive as they can be and, again, the first of last year, they actually had about \$500,000 in the excess funds. This year, it's up to almost \$1,500,000 plus the (inaudible) so they're starting to accumulate some money they can do some projects with. But they've got to be careful where they spend that money just because of where it came from. Are there any questions or anything? This is kind of a quick overview but, like he said, the real easy read is this document right here and it's broken down by project. And just a reminder, in case they don't know or realize, come the first of the year, you guys have two appointments to the Redevelopment Commission. Your appointments now are Robin (Fouce) and Deb (Cain) and the mayor has three appointments so Ron will have three appointments to put on the Redevelopment Commission, Smithley said. Council President Robin Fouce told Smithley, so thank you for doing this tonight, for his presentation and having these copies. Even though it's digital, it's good for this type of thing for them to get a visual of the different TIF districts and everything that (inaudible) out there. It's a good thing that they have a good mechanism for development in our community and there's been good work this far done toward it and they're looking for even greater as we go into our future to help build our city. So, she'll open the floor up to the Council if anyone has any comments or question to President Smithley, Fouce said. Councilman Brian Cowgill asked, what do we have, like 13? How many of them are there? Smithley told Cowgill there are, right now there's 14 and he modifies that by saying they just, on the RCA Project, it was already part of a TIF and they restructured. They separated it from the district where Café Valley is. It was all part of one TIF, now it's, they kind of subdivided it because they have two more parcels that, it's still part of the consolidated but it's its own TIF. And then last year, they separated Ridley Tower. When that project was going on, they weren't sure whether they were going to use TIF financing to do that or use abatement. They ended up using abatement so there's no tax increment financing associated to Ridley Tower. But they did that at the time, thinking that the funds, and they are paying increased taxes and stuff and because of abatement, it's going to take a little longer to kick in but they did that with the idea that we would rebuild Station 1 for the Fire Department and the TIF revenue from Ridley Tower would pay the bond for the Fire Department. That is not how it's transpired yet but it's still, the mechanism's still there in

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case that were to happen. That'd be a way to finance the fire station, that #1, if it stays where it is because the fire station is part of the Ridley Tower TIF. Fouce said, thank you. Any further question or comment? She wanted to thank him for his presentation and sacrificing his evening to be here with them tonight and they appreciate the work he's done. How many years has he served? Smithley asked, total? 26, he thinks. Fouce said, that's impressive. They thank him for that. Mr. Smithley said his first 18 years, he was a Council appointee and the last eight, he's been a mayor appointee. It helps when you're a banker and you've financed TIFs and kind of understand them. He hopes they've done good by the city. The other thing he'll say, on the back end of this report, there are several pages that are just informational, tells them some of the projects they're thinking about they could do, tells them how TIFs are broken... This gives them some general information on TIFs, how they work, what the (inaudible), what they can think about doing, going forward, Smithley said. Ms. Fouce said the thing she wanted to, we say RCA and we're moving from that narrative as we recalled it ReElement and we want to refer to them as ReElement. She knows one of the things when we were negotiating that deal and having those conversations was changing the narrative about having lost RCA, that transitioning out of our city, and so we want to speak the positive, positivity to ReElement. It's hard, we've called it that all of their days. Smithley said, in case they haven't noticed, if they go by there, that's one of the first things is they ran an American flag.... There's three flagpoles right outside the old offices. They have a company flag and an American flag, both on the flagpoles already. Hoping, all goes well, they'll be looking real good in just a couple of years with a nice, new manufacturer in town. Fouce said, thank you very much. Barring no further questions, she would entertain a motion for adjournment. On a motion by Cowgill, 2nd by Fordyce, the meeting adjourned. Time being 7:29 p.m.