

REGULAR MEETING – MARION COMMON COUNCIL – DECEMBER 19, 2023 – 7:00 P.M. – CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 19th day of December, 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.

NEIGHBORHOOD SPOTLIGHT – Council President Robin Fouce said, tonight, she is so happy to have before them a beautiful young lady, Paula McClung. She is with Tobacco Prevention and Cessation Coordinator with the Grant County Minority Health Coalition. Ms. McClung, if she will step to the podium. Fouce said this is her last series as the President and she's always tried to bring things going on in the community and highlight things that matter to them and she's proud that they're ending on this great note. What a good topic, smoking cessation. Welcome, Ms. McClung. Paula McClung told the Council she is the Tobacco Coordinator for Prevention and Cessation here in Grant County. There's no way that she can memorize everything that she wants to say to them so she's going to speak quickly and she's probably going to read everything but it's good information. And then she also gave them a handout that has a lot of good information. There are some things that she's learned in this position, she's over 50 and there are some things she's learned in this position that she didn't know her whole life so she hopes she can share something that might be helpful to all of them. So, the first thing she wants to let them know is that, according to the CDC, more than 16,000,000 Americans are living with smoking-related diseases currently. The CDC also reports that cigarette smoking is responsible for more than 480,000 deaths each year, just in the United States, and that equates to more than 1,300 people dying every single day from cigarette-related issues. And when she says cigarette, she should say tobacco because that also includes e-cigarettes, pipes, cigars, vapes, and vapes are the popular thing with the kids today. That's just one of the things she wanted to let them know. And according to the tobacco survey done in Indiana in 2018, one in five high schoolers are smoking or vaping, one in 12 middle schoolers are smoking or vaping, which equates to here in Grant County when they did the survey, one in three students in Grant County is either smoking or vaping. She also spoke to Mayor-elect Ronald Morrell before he was going to be put into the position that he's in, he set her up to come and talk to the kids at the Boys and Girls Club because he said that he found out that there are kids as young as 2nd grade who are doing this in their community. So this is a serious issue. Most of them know what second hand smoke is. She'll just go over a few of the things that happens to people that don't smoke but who are exposed to second hand smoke but the biggest thing that she wants to go over with them is third hand smoke because most people have never even heard of that. So second hand smoke, just some of the issues that it can cause non-smokers as well as smokers are cardiovascular issues, like high blood pressure, heart attacks, stroke, lung disease. Everybody knows about tobacco causing lung cancer but tobacco can also cause brain cancer, bladder cancer, stomach cancer, breast cancer, and other types of cancer. It can cause diabetes. It can cause ED in men. It can cause various issues with pregnant women, like low birth weight, Sudden Infant Death Syndrome. And that's just a few of them. Another thing that she wants to tell them about second hand smoke before she quickly moves on to third hand smoke is that for a non-smoker, after just five minutes, their arteries become less flexible. After 20 to 30 minutes, their blood starts to clot and fat deposits into their blood vessels, which increases the risk of heart attack and stroke. After about two hours, they have an irregular heartbeat or what's called an arrhythmia and that can trigger heart attack or stroke or other cardiac problems as well. And then, they'll move on to third hand smoke. Most people haven't heard of third hand smoke but what third hand smoke is, and she'll tell them without reading it, what third hand smoke is is when you're smoking in your car or you're smoking in your home or you're smoking in the bar, wherever you are, that residue that settles on the table or it settles on the clothing or it settles on your sofa at home, that's third hand smoke and the reason that's a problem, she's also been asked to go in and talk to Little Giants at Marion High School, the parent group, and the reason that's a problem is because when your kids are sitting on your couch or they're riding with you in your car or you're laying your baby down on your sofa, they're getting that third hand smoke and third hand smoke can be just as dangerous as second hand smoke. So, she's going to hurry up and try to wrap this up but there's one thing she does want to leave them with, and she's got her notes all mixed up here, she apologizes. Cigarette smoke. Cigarette smoke, as we know, she's already told them some of the dangers of cigarette smoke but it harms nearly every organ in the body and causes many diseases. For non-smokers, they're at similar risk when exposed to second and third hand smoke and in 2018,

2

NEIGHBORHOOD SPOTLIGHT Continued

cigarette smoking cost the United States more than \$600,000,000,000 including more than \$240,000,000,000 in health care spending and nearly \$372,000,000,000 lost in productivity, that's workers who couldn't work because of a smoke-related illness or disease. And that goes above the smoking health issues and the \$240,000,000,000 that was spent in health care. And then a final thought that she would like to leave them with is that smoking is the leading cause of preventable deaths worldwide. As she stated earlier, the United States alone, cigarette smoking has caused more than 480,000 deaths each year, which equates to nearly one in five deaths or more than 1,300 people dying every single day. And here's one thing or one way that she can break that down for them just a little more that might help them understand and that is smoking causes more deaths each year than HIV, illegal drug use, alcohol use, motor vehicle accidents, firearm related accidents, all combined. So, she hopes that she's given them something to think about. Marion and Grant County has a policy on smoking in public but it's not a comprehensive policy and it needs to be stronger. It needs to include, you know, some other places. And another thing that she feels like it needs to include, smoking is allowed outside entrances but you must be eight feet away from the entrance. That's not far enough because people still have to walk through that so she'd like to see it be at least 25 feet but that's just her personal opinion. Thank you for hearing her tonight, McClung said. Ms. Fouce told Ms. McClung to please stay at the stand in case anyone on the Council has a comment or a question regarding this topic. There was no response from any council member. Fouce told McClung, they welcome her and thank her for coming today. Happy holidays.

APPROVAL OF MINUTES – Council President Fouce said now they'll move on to approval of the minutes for December 5th, 2023. She will entertain a motion. 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 December 5th, 2023 minutes. Is there a question on that motion? Roll call please. Motion carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: None. Abstain: Fordyce.

CONSIDERATION AND RATIFICATION OF PRE-APPROVED CLAIMS – Council President Robin Fouce said now they'll have consideration and ratification of pre-approved claims. This might be her last time saying this as President of the Council, however, they did not receive their required vouchers and invoices for consideration. They do want to consider and ratify all the pre-approved claims so she would entertain a motion for that. Councilman Brian Cowgill said he'll make a motion for the pre-approved, Councilman David Cain seconded. Fouce said a motion's been made by Councilman Cowgill, seconded by Councilman Cain for pre-approval of the ratified and pre-approved claims. Is there a 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 have consideration of the claims. She got several calls this week since they've received the agenda and the proposed claims. She believes those claims total \$5,000,000 in payout, which is substantial. She wants to entertain anyone's concern or comment since she got all these calls. She thinks it's important they put those items on record and they decide what to do from here. So does anyone have a comment, question that they would like to make about the claims that were presented before them? Councilman David Cain said, Madam President, he was one of those people that made a phone call to her and they discussed at length several of these accounts, several of these claims. He can match up some of the payments with certain items from our budget where the budget amounts were in our budget to take care of these claims, which total almost \$5,000,000. Others were being pulled out, for example, streets, well over \$7,000,000, coming out of an account that has \$16,000 in it so he's very, very confused and he's disappointed there's nobody from the administration here tonight that could answer their questions on why we're so upside down on these accounts. Is the money there? Is the money not there? He guessed they don't have those answers. He's very disappointed that the Controller or the Mayor's not here to answer their questions on that. And then his understanding is one of the accounts is coming out of the total, and Madam President, she can speak on this, that it's totally coming out of the wrong account. So, that'll have to be brought back before them also. But he has a lot of concerns that a lot of the checks being written, we do not have the money in the accounts to pay for that. Thank you, Madam President, Cain said. Fouce said, thank you. Do we have

CONSIDERATION OF CLAIMS Continued

any further comment or concern from anyone else on the Council? Councilman Brian Cowgill said, he was also one that made some phone calls. Cain kind of already hit on it. Some of these, he's just trying to figure out how this works as far as when the money's not there, he means what happens because he doesn't know. So, he's kind of trying to figure it out himself, Cowgill said. Fouce said, so, totally agree, there should be a reasonable answer and we don't have that opportunity because we don't have the individuals responsible here tonight before us. You know, her concern is it's such a substantial amount here at year end and, at the change of an administration, we want to make sure all ducks are in a row, for a lack of better phrasing, and listen, if the city has incurred costs then the city will pay the bills. But the accounting is the thing, in her mind, it's a question. There was \$1,000,000, there's \$53,000 to Ice Miller and it's coming out of an account. In order to pay it out of that account, the proper procedure is to do an appropriation and come back before the Council, the Council would consider it, and you would go from there. And just putting it on the claims and not saying maybe or maybe not, taking for granted that we would not pay attention to the detail, it's just not the case and so she's concerned about that. We've got another one going out for \$1,000,000 to she thinks it's a paving company. You know, we did have substantial street work done, and again, the City of Marion will pay the bills that we've incurred but we want to do it the fiscally sound and correct way. And she doesn't know what's presented before them supports that. Do we have any further comment from anyone on the Council? Councilman Henderson?

Councilman Steve Henderson said, in the reports over the years he's looked at, there's check numbers missing and he thinks the report ought to reflect every single check that the city has written, even though maybe it was a pre-approved claim but we don't know where those missing checks have been spent. So he would like, in the future, he's not going to be here but he would like to see that report have all the checks, just like any business would do, show every single check that they have written and what they were for. Fouce said, thank you, Councilman Henderson. That sounds reasonable. Do we have any further comment? Councilman? Councilman Cain said he might add also that they have requested many times on a monthly basis to get account balances given to them on a monthly basis and, as of yet, they have not received that information. They've also asked information on total monies spent for lawyers and so forth. As of this date, December 18th, they still have not received that information. So, a lot of issues towards transparency that have failed and have failed this Council to get the information that they need to proceed to make the correct decisions on moving forward with finances. So, if there's no further comment, Madam President, he will make a motion at her discretion. Ms. Fouce told Cain, let's be sure there is no further comment and this is regarding consideration of the claims. Do we have any further question or comment regarding consideration of the claims? Barring no further question or comment, she will entertain a motion for consideration of the claims. Cain said, Madam President, he moves that they deny all these claims and postpone them. Councilman Jim Brunner seconded. Fouce said a motion's been made to deny all the claims and postpone payment. Motion's been made by Councilman Cain, seconded by Councilman Brunner. Does she have any question on that motion? Barring no question, roll call please. Motion carried by the following vote. Aye: Stodghill-Weeks, Luzadder, Henderson, Brunner, Cowgill, Cain, and Fouce. Nay: Fordyce.

COMMITTEE REPORTS – Council President Fouce told the Council now they get to the fun part of committee reports. This is the year end and she doesn't have any expectation, other than they have several committees in addition to serving as Councilmen and women, they have several committees that they also serve on. Those committees are the Budget Committee, the Code Enforcement Committee, the Compliance Committee, the Development Committee, the Grant Writing Committee, Public Safety, Rules, and Public Works Committee. They also have appointed liaisons to the Aviation Board, the Board of Works, the Growth Council, the Housing Authority, the Main Street Marion, the Park Board, the Planning Commission, Redevelopment Commission, Traffic Commission, and Utility Board. So, they have a lot of fun here on the Council, serving on those committees and as liaisons, and you'll note this year, under her presidency and previous years as well, a lot of things she tabled to go to committee and the process and the cycle of government, it's not a personal thing against people introducing them. It's a cycle of how do we do business here and so something that would come before the Redevelopment Committee would have a time to discuss it thoroughly in a committee meeting to vet what is presented before them, research, ask questions, go internally, externally for resource information and then take a vote and a recommendation to the full Council. Once the Council gets it, we don't have time in a Council meeting to go over all that detail and it can be quite timely as multiple things come before us. And

COMMITTEE REPORTS Continued

so, that was her whole reasoning and insistence and she knows other Council people agree with it as well, for that. That's how the system is supposed to work. So, anyone and everyone on this Council that serves on a board or a committee, please feel free to give a year end report. There's no right or wrong, just talk about.... He's been on a whole lot of committees so help them out, Councilman Henderson, Fouce said. Councilman Steve Henderson said, well, first of all, she left out one important committee, Budget Committee. Fouce said she said Budget Committee. Henderson said, did she? Okay, he's sorry, he didn't hear it if she said it. Throughout this year, the Budget Committee has been, the whole Council has been under fire because of the budget and he's just trying to set the record straight. The Council does not make the budget. We only review the budget. We cannot add anything to the budget. The only thing we can do is remove from the budget. And, after the budget is passed, we have nothing to do with that budget. That is totally up to the administration how they handle that budget. For some reason, the community doesn't seem to understand that. He's hoping, in the future, that people will understand that the administration makes the budget. There are other things that the administration have that are not in the budget, they have extra money in other accounts that we do not even get to see or put in the budget. So, we just need to clarify that don't be mad at us if the budget is not right because we can only make minute changes to that and from that point on, it's up to the administration. The second thing he wanted to talk about is the Compliance Committee. He got here his first year eight years ago and he discussed with then President Brad Luzadder that there was a need for somebody to double check abatements, this, that, and whatever, people weren't complying to. Therefore, Brad and he got together and he was the first President of the Compliance Committee. Now, that first year, they found abatements that were getting abated that had already run out. They had people turning in paperwork six months late. We had all kinds of things going on that we found out and that first year was a mess to try to get people to comply and we're still having some issues with the compliance of the abatements and getting the forms in from certain people. That's necessary in that committee and he was glad to serve on that committee and he's served on several other committees but committees have more time to go through with a fine toothed comb, looking at that, which we can't do in the Council meetings. So that's why we have all these committee meetings. You can spend a lot more time and that first year, he spent days in committee, going through stuff, because it was just a mess. And so, the committees are a valuable thing and people are welcome to come to them, it's open for the public to come. They're welcome to come and see how the committee is, how it works, what you're talking about. You can be there, just like the Council meetings. So, if you say well I didn't know that, well you can. Now, you're not going to be allowed to speak, you're not going to be allowed to talk, but you'll be able to listen to what's going on. If you want to be involved in the city, come to committee meetings, come to the Council meetings, you'll know what's going on. Thank you, Henderson said. Fouce said, thank you, Councilman Henderson. Councilwoman Stodghill-Weeks, would she like to comment on her committees and liaison position?

Councilwoman Annalisa Stodghill-Weeks said her position as liaison was Main Street Marion (inaudible) entity as of now so it's not up and going. She thinks there's talk of getting it going again so hopefully for the next Council person, it will be up and going. She was part of the Code Enforcement Committee and Public Safety Committee. We met throughout the year on Code Enforcement, would bring issues that we, the complaints that we received throughout the community and concerns. We would meet with the mayor and Jerry Foustnight on those issues. And then on the Public Safety Committee, we met, their last meeting was in October. The Marion Police Department brought before us a purchase. And that's about all she has, Stodghill-Weeks said. Fouce said, thank you, councilwoman. Councilman Cowgill?

Councilman Brian Cowgill said, yeah, some of the committees he's on, he'll let the people chairing it, if they want to speak on it just so that we're kind of not double talking about the same ones but there is like three things. One is, he's the liaison for the Traffic Commission. We actually only had one meeting this year and it was just about three weeks ago and it was to, one of the Marion Community Schools buildings on 2nd Street needed a No Parking sign during school hours so that they could let the kids on and off the bus safely and that was the only one that we even had the whole year on that. The other one is he's the liaison also for the Board of Works. We have two members here, Linda (Wilk) and Cindy (Cunningham), that served on the Board of Works. It meets every Monday prior to our Tuesday meeting. It's interesting. They hold their meetings on every 1st and 3rd Monday at 10:00 a.m. He knows a lot of

COMMITTEE REPORTS Continued

people work during those hours, but if you don't, he would encourage them to come to those meetings to see their responsibilities. They, from approving purchase, people want to purchase property in the city to they approve demos for the houses that the Building Department tears down. They are responsible for discipline on the Police and Fire. They're under contract so they do the discipline for any individuals through there, or any city employees as well. There's a number of things so he would encourage them to come to the Board of Works. He reports on it every two weeks so there's really not a lot, he means, out of the ordinary, other than some of the things that you can see through that, that part of the city government, how that works. The other thing he wanted to report on, which has been a very hot topic this year, is the Metal Source situation. And he just talked to Ms. Calderon two days ago. We talked for quite a while. She is still in litigation, personally, against them so she's going through that, personally, herself. She wanted him to thank each and every member of this Council. She said that things are 95% better. She said she's still being woke up for some reason a couple nights a week at 3:00 a.m. with some booms but she said they don't last and she's able to go back to sleep. But she said the two years that she lost out of her life was just unbelievable and she was upset that she didn't get any help through the administration part but she wanted him to just to make sure, she said that she cannot thank the members of the Council enough and from the bottom of her heart that her and that whole ward actually over there, that it is 95% better, in her own words, and she thanks the Council for standing strong and doing what the citizens needed done. You guys definitely made a difference in peoples' lives on that too, Cowgill said.

Council President Fouce said, thank you, councilman. She asked Councilman Brunner, would he care to share anything with them this evening about his committees that he's served on? Councilman Jim Brunner said one that he probably spends the most time on is the Park Board. We get together once a month and we have a lot of items that we, he would have to say, are very happy to report on, as he did the last meeting that the Splash House has just become a real, very important item for this community because every year, and they were able to give us the last four years, the attendance has just gone up and up and up and up. It's something that if people don't have the ability to get to a pool or a lake or what have you, that Splash House is something he thinks a lot of people really take advantage of. He thinks the parks in this community, for the size of the community, are outstanding. He cannot think of very many problems we've had with our parks over the past 12 months so he will just say that it's been a very good year for our Park Department and he would hope that he can stay on that liaison because it's something that he takes a lot of pride in. But, thanks for asking, Brunner said.

Council President Robin Fouce said, thank you, councilman. Councilman Fordyce? Councilman Gary Fordyce said he has nothing. Fouce said, Councilman Fordyce, she sees he served under the Development Committee and she believes he was a liaison, was he a liaison, he was a liaison for the Housing Authority. Fordyce said they are executive meetings. They don't let you in to the meetings. Fouce said, okay, thank you, you have nothing to share with them this evening.

Ms. Fouce asked Councilman Luzadder if he would care to share with them? Councilman Brad Luzadder said, for committee, yes ma'am. The Public Safety Committee met with the Police Department and we heard about the Bearcat that was supposed to, that they're looking for. It'd be his recommendation as the Chair that that is taken up at the first part of the new year. He would also recommend that the current Chief would ask for an embargo on the monies that they have set aside for the Bearcat and that it come to a vote out of the committee, whoever those members shall be. He thinks public safety is extremely important for us to support and he didn't feel that it was right for him leaving to make a major decision with over \$300,000-some odd thousand. He feels that the new members of the Council that are going to be working should have that opportunity to continue to help public safety to move forward. As the Chair, that would be his recommendation from the Public Safety Committee to the Police Department as well as our Chief. And congratulations on her retirement coming, as well as Chief Paul David retiring. His hats off to both of them for the work in which they have done. Thrilled to see that our former Chief, Dave Gilbert, is coming back and he thinks he'll be a great asset back to public safety, as well as Curtis Garr, who will be taking the reins over for the Fire Department. That's probably his favorite part about the job on the Council as well as being able to work as he did with the Board of Public Works and Safety. That's key for the Council members to understand everything that they have to go through

6

COMMITTEE REPORTS Continued

and we've been very privileged to have Councilman Cowgill to tell us if we had questions about what they would have to go through. He was lucky to be able to go through many of the operations and so public safety for our committee should be a strong key. For the Rules Committee, he's had the joy to write them and to work with our city attorneys. The rules of the Council are extremely important. We do not follow Robert's Rules of Order for the general population. This Council does have their own rules and we write those and it would be his recommendation that, moving forward, that the Rules Committee would look at giving a little bit more control to the nine members of the Council and not forge everything on the back of the President and Vice-President. That is a tough job in which our President has sat and she's had to make some very tough decisions that, honestly, he doesn't believe that she should have had to shoulder that. He firmly believes that, in our rules, we should revise that and put it out so that it does become a vote by the nine members, especially on appointed positions. One that he would recommend, again, going back to, for the Redevelopment Commission, is that two Council members would then be the members for the Redevelopment Commission side of our appointment. And he believes that should be voted on by the nine members and not, again, have that shouldered on the back of the President. He thinks that's an extremely tough job and you've got all the other things in which to deal with besides having to rewrite the rules. So that has been a privilege of his to be able to do that. And then, of course, the Utility Board, fabulous. Chuck Binkerd has our utilities working at top shape. Pat Pinkerton and the work they have done, they have saved us hundreds of thousands of dollars by keeping everything in-house and not having to take it other places. And so, serving as the liaison for the Utility Board has been an extreme joy. He can't say it enough how important that is that the Council and the Utility Board should work hand in hand. And the Council does have appointments to that Utility Board and when our appointments come up, it's a great idea to do that homework and make sure that you put the right people in those positions as we have done in this current session of our Council. So, those are the reports that he has for that time. He would reserve the right, after we finish, to come back to him, if she would, please? Council President Fouce told Luzadder she'll consider it. Councilman Cain?

Councilman David Cain said, Madam President, he served as Chairman of both the Code Enforcement Committee and the Compliance Committee and Mr., Councilman Henderson and Councilwoman Stodghill-Weeks have already explained those two committee meetings at length so he will take their comments and leave it at that. Thank you, Cain said.

Council President Fouce said, thank you. She appreciates everyone's comment. She thinks it's important, again, that we really, as a Council, exercise the system that we have and that part of that, a big portion of that is the committee work and the things that we discover to aid us in the decisions that we have to make. As Councilman Luzadder said, wow, some of the decisions have been so difficult. She presided over the Budget Committee this year as the current President. She feels the Budget Committee did profound work. There was one time she thinks they were meeting every week or every other week as the business mandated it and we certainly rose to that occasion. Some of it is you know it, some of the stuff that comes to you, you have to get it figured out. And so, kudos to everyone that actively participated in that as required. She was on the Code Enforcement Committee. We had, it's not a secret, her challenges that she's had in her district and what we all experienced throughout the city with code enforcement. She doesn't attach, in the greater sense, those things to an individual. She has said it is a broken system and we have to actively and reactively continue to devise a system, tweak that system, look at it again and see what's working and manage the city by a system, manage our approach to code enforcement by a system. So, she believes we made strides just in the way of making it one of our paramount issues and no longer standing for the status quo that we perhaps have experienced over the last few years. It did not take a little bit of time for things to get in the condition that they're in and so it won't take a little bit of time for us to get it resolved but we have to continue to progress and move toward the mark with that. Compliance Committee, she has chaired the committee as well as participated, a phenomenal mechanism for the Council in terms of ensuring that the businesses that we bring in are in compliance with our requirements. We're giving them a tax break, we're giving them incentive, and we need them to comply with the requirements of that and we need to manage that, she was going to say police it, we need to manage that. And so, she liked the Compliance. Development Committee, just did phenomenal work. On that committee was herself, Brad

COMMITTEE REPORTS Continued

Luzadder, and Gary Fordyce. We entertained Metal Source. We took Metal Source on and when we found out Metal Source and the challenges weren't working for us, we had the courage for a recension. We rescinded what we did. We were challenged by that in court. Eventually, she'll say, we prevailed in terms of, Brian just reported the main citizen impacted by it said it's improved 95%. So we had a big fight on our hands. She knows it bothered her that people were, especially in her district, were having that quality of life experience. That just really bothered her and she wasn't wiggling a lot when it came to that issue. Other things, American Resource, General Motors, and all the things that were some of the things that make Marion business thrive. She agrees, we need to look at, that's probably one of the things she regrets is not having the time to get to convening the Rules Committee and looking at tweaking the rules. We ran into a lot of maybe first time situations that we then should go back to the Rules Committee and say did this work for us or did that not work for us and so she would encourage that moving forward. She appreciates everyone's participation. If you found yourself, as an elected official and a councilman or woman, not participating, you need to do better. It's a representation of the people that elected you and she would encourage you to step up to the plate with that. Having said that, unless there's any further comment, that's her final on the year end reports for the committees and the liaisons. Councilman Luzadder, you asked for a moment, Fouce said.

Councilman Brad Luzadder said, being this will be his last Council meeting, he does want to extend graciousness to each and every member of this body that he has had the opportunity to serve with. Very rarely do you have a person who has survived many of the elections and he was lucky in which to do that. When he first came, it was very contentious and we worked hard to bring people forward. His parents, which his father loved attending the meetings here once Mom passed. There's not too many that Dad missed and enjoyed each and every member, joking around. He thinks he tried to take Gary's jacket three or four times. He hopefully brought some jovialness to some of the more tense things in which we had to deal with. He's going to miss him tremendously. He had his wife, who is here tonight and he wants to thank her for her support, but she is holding his dad's cane for him tonight since he wasn't able to be here for his last meeting. There's many things he could say about each and every one of them. Madam President, he would say that it's been a true joy, especially working with her and then to make some suggestions to her and she had a lot of things that were thrown at her and he has to say that he's proud that she became a Republican and that she did it gracefully and he thinks that she did a marvelous job with that. It had to be very difficult for her and her family to take that on. Hopefully, in his campaigns, talking about some of the areas of the city that were neglected, Ward 4, majorly, Ward 5, tremendously. The relationships that he had to forge with two dynamic councilmen, one being Don Batchelor and the other one being Henry Smith. Our relationship showed that Republicans and Democrats can work together in order to see things work. Don was his partner in crime when it came to public safety and he misses him so much. His steadfastness, being able to control his district and then to then watch it pass to Annalisa. His hat goes off to her. All the stuff in which she has had to go through in that area as well, especially during this past election, he is so sorry of the things that were said to her and how that went about losing her home, just because she did her job. Most people would have thrown their hands up and walked away. She stayed steadfast and he has to give her props on that. Councilman Henderson, yes, he was the one that had that idea for compliance. Up until that time, the President was given those papers and the President signed it without any hesitation and we did not know what was going on over at the county level what they were doing and his hat goes off to him, sir, because if it had not been for him, we would have been over our head in many of our abatements, as well our TIF Districts, and bravo to him, sir, that he suggested that. He was the lucky one that he suggested it to and being able to sit as President, he was able to put that into place and because of him, we have been able to hold peoples' feet to the fire and we did not let them get by with any of that and all the years that have come after that, we have benefited from that tremendously. So, that is just top notch. Councilman Brunner, he served under him as his Vice-President and then, prior to that, he got to sit as President but got to come underneath him and the way in which he was able to deal with people was totally amazing. He never had a cross word, he stood strong, and he taught him a lot and he appreciates that. Councilman Brunner told Luzadder he still remembers him being a senior out at Bennett High School and every time he drives by those dugouts out there, he thinks about those days that they had some amazing games between Marion and Bennett High School. So, that's how long he's known him, his friend. Luzadder said, just the kindness that he's shown to people has really done well. He's worked with council members that he hasn't always gotten along with, one that he will miss tremendously was Fred Troxell. They

fought just about every meeting but he showed that it was never personal. They had issues that they had against each other, they had issues that were brought before the city that they just didn't see eye to eye on, but, as great as he was, at the end of the meeting, they both stood up, they shook hands, and were able to walk away as friends. He had the opportunity to sit on his front porch and drink iced tea and lemonade and he learned so much from some of the people that he was at more odds with than he was with friendship with. But he thinks that it turned out to be a great friendship, all the way around, and hopefully that will work with some of the members on this body that he hasn't gotten along with well. Sorry Mike's not here but Mike was a dynamic newspaper reporter and he always was able to see on both sides of the coin and he respected him for that, even though he didn't agree all the time with. Same thing with Councilman Fordyce, they don't see eye to eye and they'll be walking away, hopefully they will see things better when he steps away from this position. Councilman Cain, he can't say enough that Ward 6, he apologized to him one time for saying that it wasn't a big deal because when it came down to it, when they first did it, there was nothing there and so, now, to see a full community flourishing out there with all the shopping centers and everything, that is one of the things that he is so proud that he was able to work with and vote for and hopefully, we'll continue to see Ward 6 strengthening. Madam President, he told her how much he appreciates her, tremendously. He appreciates her calling him and asking advice. There's not too many times that when you get in that position, you sort of feel like that you're the overseer of the chair and she never took that to her head. She always reached out to many of them that we were able to work together and make some of those decisions. With this administration, the greatest success that he can say was, as sitting as President, being able to help foster the deal with General Motors for half a billion dollars. We have them secured for a number of years coming up, which always was the key that people thought, oh, they were going to leave, it's going to make our city a ghost town. When we first took office, two weeks, we lost RCA. So, we got to see that come to fruition. He got to vote for Café Valley. Even though we saved that deal, it's now continuing to flourish. You can't go too many places without seeing Café Valley foods in many of your grocery stores. That was one of the proudest that he's had the opportunity to vote with. He's learned to much and he's made some great friendships. He almost feels like Dorothy in the Wizard of Oz because he's went around the group and the one that he hasn't spoke about is his partner in crime. Brian, he's going to miss him. Working with him. He makes him like the scarecrow, he thinks he's going to miss him most of all. He stood beside him during this past election and he cannot thank him enough. When it's his time, he will stand behind him, strongly as he did with him standing with him. And so he wants him to know that he appreciates all the work in which he did as an At-Large member. They ran a tough campaign twice and they were successful and so he appreciates everything that he has done. He counts it as a privilege that he had the opportunity to serve with him. And it's not very often you get to serve with an actual hero. He saved peoples' lives and he will always be a hero in his book. No matter what anyone else will tell him, he thinks that he is the top when it comes to it. Mrs. Kiley, he had an opportunity to speak to the newspaper today about her. He thinks she is amazing. For all the years in which she has put in, she is tremendous. She has made the Clerk's Office. She has made City Court strong and fluent and her partner, Debbie, you guys work tremendously together and he knows that Debbie's going to miss her being around but he just has a stinking feeling that she has her telephone number on speed dial. This body would not work and would not flow without you two. You really have made this time for him, over 20 years, tremendous and being able to sit three times as President, he had the opportunity to work with both of them, personally, and you made the job easy and he really, really appreciates..... City Clerk Kathleen Kiley told Luzadder she still remembers him helping her son with his math homework. Luzadder said, Pat was a young man, yeah, loved him in 5th grade. His joy as a teacher has always been great. And so, for the new ones coming in, he loves them, he was proud of them that they won, and he's going to look forward to them taking over. He is proud that he can sit back and watch them work and places where he may not have got it done, hopefully they're going to be able to do that for him. And so, they have his control, they have his support, and he looks forward to the next coming years, as well as for our new administration coming in, he thinks Ronny's going to do a marvelous job. He has prayed for him. During our campaign, he went down and he hugged his neck and he told him that he would support him and he did and kept his word and that he will continue to support his efforts as he continues to making our future now and moving it forward. And so, he knows that he will gladly be there in the background to pray and to attend events. But it's going to be nice to be able to walk through Walmart and not get stopped. So, he's going to not miss that opportunity but each of them have a great place in his heart. To the public, thank you for giving him 20 years that they supported him and that they believed in him and that they allowed him to serve and hopefully he's done the best he can. What he can say is he

knows that he's going to leave it better than he found it. And so with that, Madam President, it'll be his last time to sign off. If she is prepared, he would be happy give her that final motion for adjournment but he won't take her thunder.

Council President Robin Fouce told Luzadder, well slow his horses, they have a few more things then they'll be happy for him to do that. Thank you, Councilman Luzadder. She wants to get into, she should have done this in her committee report, she apologizes. This should not take them long but, again, over the last week or so, she, as the President, has gotten several calls. They were going to put out a notice that the Council would be accepting resumes for the Council Attorney and that would happen at the first of the year with the newly convened Council so they can make the decision. But she did want to share with them the opinion that she got from several individuals, not just one, that because we are living in the future now and what we all purported and ran on as candidates and council members that we're going to get along, that we make a sound fiscal decision. This is no reflection of their current Council Attorney. They're grateful for Attorney Harker and his efforts. He was in the thick of things when we were in the thick of it and they appreciate that. But we are fiscal officers of the city and when you look at it in that way, previous years she's told, there wasn't both a City Attorney and a Council Attorney and for years of previous. All the, most of the conferences you go to and that conversation happens, those cities or those entities have one attorney. These last eight years, we've had a fight and it's not a secret to the public of where we've been with the administration and the Council. So, it has benefited the Council to have their independent legal counsel. In good faith moving forward, and this is the consensus of the calls that she's got, the suggestion is that the Council ergo their Council Attorney and walk in what was said that we're going to get along, we're going to make sound fiscal decisions as it relates to taxpayer dollars and consider not having an attorney. The only reason she brings it up and it is with conflict that she says it, she personally is conflicted. She's worked closely with Attorney Harker, however, it's not a personal thing between her and Attorney Harker. It's a matter of how do we want to spend those dollars and how will we and so we don't have to do anything. We can make a decision tonight. She wanted to bring that up. She felt she was responsible to bring it up. Although she, too, is conflicted for consideration tonight. Would anyone have a comment on this matter? Councilman David Cain said, Madam President, he doesn't think we're in any position to make any type of determination tonight on that item. Fouce asked, do we have any other comment? Her last act as President, in terms of (inaudible), she wanted to bring that forth. It's certainly this body's decision regarding it. She did feel responsible to share the concerns of the calls that she's gotten. So, barring no further comment on it..... Cain said he really thinks that that's up to the new Council. Fouce said, okay. So, do we have any further comment? Okay, she'll move on from that, thank you. She wants to, again, thank Attorney Harker again. We've been in the thick of things and he's been helpful and instrumental in the direction the Council has gone. She wants to thank the Council as a whole for electing her as the President for this term, supporting her efforts, understanding her passion. She's pretty passionate when there is a matter before us and she feels it's going to serve the people in the best and so that's not always received. She appreciates those of them that did receive that. She means, this to her has just been an extension of family so you think about all your families and the make up of them. Dysfunctional as ever but you love them and you live another day and so that's what she sees the Council as. With the appointments that the Council has, she agrees with Councilman Luzadder and she would say to the existing Council and the new members coming on, read the rules, understand them for yourself. Don't understand it because she told them that's what the rule is, find the rule for yourself. That's your responsibility and you'll see that that'll go a lot of ways in your decision making because you'll have something foundational to stand by if it ever comes back. And it's just the right thing to do, Fouce said.

Council President Fouce said she'd like to ask Councilman Cain to join her for a few presentations. From what they've said tonight, we might have the years wrong but we wanted to do a presentation to some special individuals who served the city and served on the Council and we wanted to seize this opportunity. This one is for Councilman Luzadder for his years of service on the Council. He said 20, this says 16 so thank you for the 16. They really appreciate him and wanted to just take the opportunity to recognize his service here. Luzadder said he did 16 years on the Council, four years on the Board of Public Works and Safety. Fouce said, okay, so that's good, she got it right. This one is to Councilman Henderson. This is his last meeting as a Councilman and we want to express our sincere gratitude. And for some reason, she always felt he was a seasoned, long tenured Councilman but he had a wealth of knowledge. He

10

was a person, to her, that would dig into issues, he'd go online, he'd go to find out the legal rules regarding matters and we, as a Council, want to express our appreciation to him for four years of service on the Council. Actually it was eight years and the plaque is right, it says eight years. This one, oh my goodness, how do we say thank you to an individual that sacrificed 40 years of service? How do we say thank you? She doesn't know anything she wanted to do for 40 years, let alone the challenge and the gift and the tenacity that it takes to persevere in the great City of Marion Clerk position. What shoes to fill and she knows she will rise to the occasion, Debbie. But we want to stand and give Kathi Kiley, our Clerk, a round of applause and we thank you. Kiley said, boy, that went quick. Don't blink. Fouce said this is the husband behind the woman, that just walked up the center aisle, and he served the city as well, if he was married to the Clerk. So we thank you for that, Fouce said. Kiley said he's put up with a lot. She's been here longer than she's been married to him. Fouce asked how many years were they married? Kiley said they've been married 36. Fouce said, wow, he married a good woman. Thank you, Kathi, for her years of service. Somehow, she just has this feeling she's not going far. So, they express their gratitude to her. Kiley said, well they might not see her here anymore but they'll see her around. If they're in the building, they'll see her around.

Council President Fouce said, lastly, she wants to make this a part of record. She's writing to formally resign, this is to the Clerk, she's writing to formally resign from her elected position as Marion City Councilwoman District 4 effective Tuesday, January 2nd. After careful consideration and prayer, now she doesn't cry, she's going to not cry, she decided to pursue other opportunities to support her commitment to the Marion community. She wants to express her sincere gratitude to the citizens of District 4 and the City of Marion. She's been so honored and grateful to serve, hence her passion, as she's learned so much and enjoyed working on behalf of the citizens. She appreciates the support from her colleagues and she truly appreciates the citizens and especially the phenomenal neighborhood associations that she experienced in District 4. She wishes much continued success to her colleagues on the Council. She sincerely believes that greater is ahead and that our mutual goals for the City of Marion will propel us to heights unimagined as we work together. Please don't hesitate to contact her if there's anything she can facilitate. Sincerely, Robin Fouce. Thank you and God bless you all. Thank you so much. She will entertain a motion for adjournment, Fouce said.

On a motion by Luzadder, 2nd by Henderson, the meeting adjourned. Time being 8:10 p.m.