

REGULAR MEETING – MARION COMMON COUNCIL – JANUARY 24, 2017 – 7:00 P.M., CITY HALL

The Common Council of the City of Marion, Indiana met in regular session on Tuesday, the 24th day of January, 2017 at the hour of 7:00 pm in the Council Chambers, City Hall.

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

Present: Miller, Smith, Cain, Henderson, Johnson, Batchelor, Luzadder and Brunner.

Absent: Homer.

The minutes of the previous special meeting of January 3, 2017 and the regular meeting of January 3, 2017 were presented. Motion was made by Councilman Brad Luzadder to approve the minutes from the January 3, 2017 special meeting as presented. Motion was seconded by Councilman Don Batchelor and the minutes were approved as presented by the following vote. Aye: Smith, Cain, Henderson, Luzadder and Brunner. Nay: None. Abstain: Miller, Johnson and Batchelor. Motion was then made by Luzadder, 2nd by Councilman Steve Henderson to approve the minutes from the January 3, 2017 regular meeting as presented and the motion carried by the following vote. Aye: Miller, Smith, Cain, Henderson, Luzadder and Brunner. Nay: None. Abstain: Johnson and Batchelor.

COMMITTEE REPORTS: Councilman Brad Luzadder said, normally with the appointments for 2017, President Brunner has set all the committees and is currently looking at possibly additions but at this time, for the year 2017, our committees will be set as Rules Committee would be he would chair that with Deb Cain and Don Batchelor, the Development Committee will be chaired by Don Batchelor with Alan Miller and himself, Public Safety is under Mr. Homer with Mr. Brunner and Mr. Henderson for the Public Safety, Public Works would be under Mr. Smith, Ms. Johnson and Mr. Henderson, our Finance and Budget will be under Mr. Miller with Ms. Cain and Mr. Smith, our Code Enforcement will be under Mr. Homer with Ms. Johnson and Ms. Cain. Our liaisons, to the Aviation Board would be Ms. Cain, the Board of Works will be Mr. Henderson, Economic Growth Council will continue to be Mr. Homer, the Housing Authority will be Mr. Smith, Main Street Marion is under Mr. Homer, the Park Board would be under President Brunner, the Senior Center under Ms. Johnson, the Traffic Commission under Mr. Batchelor and under the Utility Service Board would be Alan Miller, Luzadder said. Council President Brunner asked, does anyone want to move off one of those? He still has a couple of people that he is moving around. He feels like a manager in the 18th inning of the 7th game of the World Series trying to get this all put together but, right now, he thinks we're getting close. If the sheet they have been presented tonight by Mrs. Kiley does not fit their needs, please let him know and we'll get that corrected by the next meeting. But, thank you Brad and thank you Mrs. Kiley for that, Brunner said.

COUNCIL APPOINTMENT: Marion Redevelopment Commission. Councilman Brad Luzadder said, we are going to be having to have an appointment to the Marion Redevelopment Commission. There are two appointments for that. He currently is the voting member from the City Council on that Redevelopment Commission. We decided, he believes, five or six years ago when we had some working with the development, that the Council needed to have a voting member and so we decided as a group under the vote that we would put Madonna French on the Redevelopment Commission. Upon her retirement and leaving the Common Council, he was appointed and voted on and as that voting member, his term would expire on December 31st. He would like to recommend for a nomination for us to continue to have a voting member on that and he would like to nominate Mr. Steve Henderson to be our voting member on that Redevelopment Commission. Luzadder's nomination was seconded by Councilman Don Batchelor and the vote was as follows: Aye: Miller, Smith, Cain, Johnson, Batchelor, Luzadder and Brunner. Nay: None. Abstain: Henderson. Mr. Luzadder then said, we have one more appointment to that Redevelopment Commission. Applications were turned in for William Munn and for Rev. Gladden and so he will turn it back over to him (Brunner) for any discussion. Council President Brunner asked, anyone care to make comments about either one of our nominees and/or make a recommendation? Councilman Henry Smith said he would make a nomination for Shonda Gladden with a second by Councilman Don Batchelor. Vote to nominate Rev. Gladden was as follows: Aye: Miller, Smith, Henderson, Johnson, Batchelor, Luzadder and Brunner. Nay: Cain. Brunner asked Mr. Luzadder, that then takes care of both of our appointments to the Redevelopment Commission? Luzadder replied, that takes care of our appointments to the Redevelopment Commission for 2017, Mr. President. Brunner stated, that would be Mr. Henderson and also Rev. Gladden.

UNFINISHED BUSINESS

RESOLUTION NO. 11A-2016

The City Clerk read Resolution No. 11A-2016 by title only. Confirmatory Resolution of the City Council of Marion, Indiana declaring economic revitalization area for property tax deductions on real estate for Sulai Hospitality, Inc., for property located at 1000 N. Baldwin Avenue and 1012 N. Baldwin Avenue, Marion, Indiana. Joe Certain, attorney for petitioner, told the Council he was here a couple of weeks ago at the first meeting in January to address this issue at which time they chose to adopt Declaratory Resolution #11-2016 declaring an economic revitalization area, a property tax deduction on real estate commonly known as 1000 and 1012 North Baldwin Avenue, formerly the Grant County Manufactured Housing outlet. As they know, an economic revitalization area is appropriately determined when there's normal development that has been hindered by cessation of growth, deterioration of occupancy and other factors that have impaired the value of the real estate itself and the real estate in that area. Also, a shortage of development that has been adversely effected, has adversely effected job opportunities. The subject area is currently vacant and has been for several years and not been substantially utilized or otherwise developed for several years since the manufactured housing operation ceased. The neighboring commercial and retail establishments in the surrounding area have also closed doors and left in significant numbers and, on January 3, 2017, they (Council) decided that this would be appropriate for declaration as an economic revitalization area. However, before making a confirmation of that declaration or considering confirmation, the statute requires, as they know, public input and public hearing and that's why they are here this evening. Just to summarize, the proposal is for an 84 to 92 room hotel under the flag of Holiday Inn Express. This would be a \$4,800,000 structure that will increase the assessed value of the real estate and the abatement or as he prefers to call it a phase in on the real estate taxes would be on the structure only and would not affect the assessed value or the taxes on the real estate itself nor would there be any deferral of taxes on the equipment that is installed. There would be an occupancy tax generated of approximately \$84,000 a year that would also not be effected and would come into the city. This business would employ eight full-time employees and 10 to 14 part-time employees. What we're asking is for an economic revitalization determination for this phase in of taxes. Actually, in reality, on the basis of a study done by the Hoosier Energy Economic Development for Indiana tax abatement results, it's estimated that this would actually only defer taxes or reduce taxes over a period of seven years. In fact, in the 7th year, all the taxes that had been paid without any kind of an abatement would be all but \$10,000 of those taxes. In the year 8, 9 and 10, the taxes that would have been assessed without an abatement would be paid in full as though the abatement did not exist. The reason for this is the result of the circuit breaker tax credit which, as it is imposed over the course of the years, effectively eliminates the tax abatement in the last three years. So we're really looking at a six and a portion of a seventh year tax abatement. With that, he will step aside and let them hear comments from the public unless there are any questions of him at this time, Certain said. Council President Jim Brunner asked, any questions at this time for Mr. Certain while he is at the microphone from the Council? Seeing none, Brunner said, he will then open the microphone to the public. If anyone would like to address the Council on this issue, the microphone is now theirs. Certain told the Council, let him just, also, he was negligent in not pointing out that Mitish (sp?) and Suresh Patel are here, they are part of the Sulai organization, and Mr. Randy Miller whose organization is doing the design on this as he's standing here with the front view of the proposed hotel. So he apologizes for that, Certain said. Councilman Steve Henderson said he'd like just to clarify some points that he understands to be truthful. The people in North Marion that he's talked to have very high favor of this going in and they believe that they have been forgotten since there hasn't been a major project in North Marion in a long time. By this project being brought forth, it has sparked interest in many other projects in North Marion. There's been businesses that have decided, if this goes through, that they will redo or rebuild a new building for their businesses. There's other businesses which he can't talk about that are interested in moving in to North Marion if this goes through. So, this is a big deal for North Marion and moving forward with the projects out there. In addressing the issue of people wanting the hotel out north or out south or whatever, the Holiday Inn rules and regulations under their contracts will not allow a Holiday Inn to be built in South Marion because it is too close to the one in Gas City and so, if this hotel does not get built in North Marion, it cannot get built in South Marion. So, you know, it's important that they, they have to manage their mileage requirements and their speculations on separating their name brand hotels and protecting the interest of the owners of the hotel. So, he wanted to remind everybody this project would not cost taxpayers any more money or it does not cut the tax base that

RESOLUTION NO. 11A-2016 Continued

we're currently operating off of but, if this project moves forward, it will definitely increase the funds on our base in the future. So, his recommendation is this is a win-win project for the city, Henderson said. Councilwoman Lynn Johnson said, her comments are, she would like to talk to Mr. Patel or to the developers that are developing this project for a minute. She believes they probably presented their project to the City Council the last time and she missed it and she heard and she read the minutes, however, she's wondering why they chose this location, one, and why they chose to build another hotel in this city and how did they arrive at that decision? Her other question is, would they build this hotel without a tax abatement or an economic development based assistance? Mr. Certain told Johnson there was consideration of a number of locations, both within the City of Marion and outside of the City of Marion. This location was chosen simply because, from a business standpoint, it was determined that this would be the best location for it. It's a location where there's high traffic, it's a location where there are existing restaurants, a location that would provide attraction for visitors to the City of Marion. This was selected among several places that were looked at outside of the City of Marion as well as other locations within the city and this was determined, by these folks, based on their experience and their analysis, as well as that input from the Holiday Inn Express franchise people, that this would be the proper location. He asked Johnson, what was the last part of that question, he's sorry. Johnson told Certain, would this project continue forward without an economic development base or a tax abatement? Certain replied, this project is currently under contract with a contingency and a due diligence period that is still in existence. The financing of this project was based upon obtaining a tax abatement along the lines that have been proposed. Will it go without this tax abatement? He can't tell them that because it would have to go back and reconsider all the financial considerations, the money that's being provided through local agencies, what their considerations were, how much they relied on the tax abatement and what, if any, other changes there would be in the building of this structure. Mrs. Johnson asked Certain, did his customers or his clients look at the status of the current occupancy rates in the City of Marion for the last two years, maybe the last three years, to understand.... An occupancy rate for an 83 to a 92 bed motel, may have a little bit of trouble filling it without.... We're having a little bit of a downturn. We've had one hotel go completely under in the city. She was wondering how they determined their risk. Certain responded, ma'am, she's asking him to get in the minds of businessmen and that he cannot do. He can tell her that these people, Sulai Hospitality, Inc., have, he thinks, maybe seven or eight other hotels in various other communities in Northern Indiana and Ohio, most of them in relatively small communities. Every one has been a success. They do study these things, they study them very carefully and over a period of time and they are convinced that this would be a successful endeavor. Johnson asked Mr. Certain, does he know if this hospitality group has done business in the City of Marion before? Certain answered, there are members of the hospitality group that have. Johnson asked, and they have been residents of this city and they have owned and operated other operations in this city? Certain told Johnson, he does not believe they were residents (inaudible) of the city but they have owned and operated other enterprises in the city. Johnson asked, does he think they are going to build this hotel and going to run it or are they going to hire someone to run it for them? Certain responded, as of right now, they will be running it. Mrs. Johnson asked, does he know how long they plan to stay? Certain stated, he doesn't know that anybody knows that but it would be indefinite. Johnson said, right but their intentions are to reside in the city and maintain this property themselves? Mr. Certain said, right, Suresh Patel would be the operator, the chief operator of the hotel. Councilman Don Batchelor asked Mr. Certain, if this abatement was approved, what would be the potential savings on the (inaudible) owners of this facility? Certain asked, for any particular year or overall? Batchelor replied, total. Certain told Batchelor, for the period of 10 years, actually seven years, it would be approximately \$545,000. Councilman Alan Miller said, maybe this is a question for the developers and it's a question he's had for a long time. He lives in North Marion, drives by the Hampton and the Comfort Suites several times a week, sometimes several times a day. He has always been curious as to exactly what the target market is for hotels in Marion. Is it driven in part by being six miles off the Interstate, which seems like a long way to get off and go to a hotel. He understands when you go by and it's busy if something is happening at the University, it's Homecoming, but really, he guessed his question, is the market business people coming to Marion? Is it people getting off of I-69? Is it driven in part by the Interstate? Obviously, the University, it would be a given when things are going on there. Is it just people that are in Marion visiting family and friends that can't accommodate them in their house? He just, frankly, he's surprised at how busy they seem to be. He finds himself driving by and saying "Why are there that many cars there? What's going on in Marion?" He guessed the question "where do the people

RESOLUTION NO. 11A-2016 Continued

come from?" And like he said, maybe that's the business marketing people, Miller said. Certain told Miller, he cannot give him a definitive answer to that. He's wondered the same thing himself as he lives in that same area. He drives by it every day and, my gracious, isn't that wonderful that there's so many people here visiting. He knows there are people coming in and out from General Motors, there's people coming in and out from Atlas Foundry, the folks over in Gas City, so there's considerably more demand for hotel space in Marion than they might think. Miller told Certain, well obviously but he's not been much help explaining what it is. Certain replied, well let him put it this way, he doesn't have any idea. Miller stated, nor does he. Council President Brunner said, at this time, the Chair would open the microphone to anyone from the public that would care to comment on this item, the microphone is open at this time. Please state your name and address. Sushil Jhangiani told the Council he is a co-owner of the Hampton Inn in Marion and he would like to address the Council. He's here to discuss about this issue, this hotel that is coming up. Now, you know, he thinks it was just mentioned about all the hotels being full and you see traffic. Actually, the business coming here is for some industry but recently what has happened is a lot of industry has been leaving the area so, you know, we have seen a decline, as a matter of fact, between '15, '16 and '17 in this area. The Marion market area, we are probably seeing about 60% occupancy. It looks a lot busier but that is the real number. So, you know, he knows Mr. Patel and group want to put in another property. When you put in a property, yes, it brings revenue to the city, however, if the capacity is going down and you have more rooms, all you are doing is divvying up the revenue. The city doesn't gain anything. The city is going to end up probably losing. Yeah, they give them a tax abatement. Tax abatement only shows good on the p and l's on the hotel if they plan to sell it down the line. So who's paying for the city helping somebody else ramp up a valuation for a property? We, as a matter of fact, bought the current Hampton Inn from the Patel's about 10 years ago, from the same group. We, after moving in, spent about \$600,000, \$700,000 on that property, improving it to make the guest experience, also enhancing value to the City of Marion (inaudible) coming in sees a good property. At that time, they very specifically said that they had no interest to be in this market and they wanted to go into bigger markets and not (inaudible) markets. Mr. Raj Chandat, he thinks, from the group we were dealing with and that was the intention. You know, this group has several hotels, actually he wouldn't say several, many hotels. We're a small group, Jhangiani said. We have a couple of properties in the State of Indiana and if we had any intention or if we felt being in the city which we have adopted over the last 10 years, we would have built another property if there was a demand for a property. Obviously, we did not see the demand and the last couple of years, we've seen a declining. And also we talked about employment. They talked about employment, creating more employment. Employment will not be created, ladies and gentlemen. If there's 100 rooms, only so many can be occupied, whether at our property or the Comfort or their property. It's not going to bring in more people here, like somebody he thinks made a statement, what is driving in? There's only what is being driven into this market is what the capacity is and adding more capacity is only going to divvy up the pie. And over the years what has happened is costs have gone up, employment salaries have gone up, taxes have gone up, food costs, insurance costs. He means, we all face that same scenario. It's no different in the hotel business. It's not like we are making a lot of money here so giving it up is not also that easy. And we have actually plans, we have been approved for another franchise with Hilton and we have plans to remodel the property completely. The last time when we did the remodel, what we did is actually put money back in the community. All the contractors we hired were from the City of Marion. There was not people being brought over from Ohio or from Michigan or from Kentucky. They were all local. Now, we have been approved for another renewal of our license agreement with the Hilton franchise which Hampton is part of the Hilton Group. Now that would actually, we will be ending up spending, he supposed we borrowed most of the money and we got loan approvals is about \$1,000,000, basically changing the exterior face, the interior, everything on this property. So, you know, at this point, we're thinking, okay, when we've spent that kind of money, we are going to give that money back to the community because it will be the local people, not bringing in somebody from outside. So that's, you know, another thing, (inaudible) we want to put in is we are going to put all this money and he just hopes this new property or new project which they're requesting a discount on property taxes which we have paid hundreds of thousands of dollars in taxes over the last 10 years, without an abatement, and we continue to do it. So that's not going to help us, Jhangiani said. You know, had this market been, okay, 80%, 85% occupancy in this area, he believes in healthy competition. He would love to see the competition but don't bring in something which is already going to hurt people who have been in this community, supported the community. He means, the group, which is here, moved out

RESOLUTION NO. 11A-2016 Continued

and decides now to move back in, he has no idea why, what they are up to. Like he's already talked about, he means, he just put some points down that, you know, a lot of companies have moved out, big companies like Dana Corporation, United Technologies, St. Gobain. They've reduced production, everything, so that's why that's a decline in occupancy for us. That's all he thinks he can say right now. He's open to any questions if somebody has any questions and, you know, at the same time, he wants to address, with a new property coming in, one of us will get hurt or maybe a couple of us. It could be us, it could be the Comfort Suites and he doesn't see any of the Council members wanting to see another building like the old Marion hotel or whatever is standing in downtown. He doesn't see anybody wanting to see that in the next few years and he just wanted them to really please think before, you know, also how..... He means, it's more important to help the community than hurt the community, Jhangiani stated. Councilman Miller asked, just for informational purposes, how many bed hotel is the Hampton? Jhangiani replied, 73 rooms. Miller said, 73 and the planned hotel is what, 88 to 90? Jhangiani said, he has no idea. 89 rooms. Miller asked him, does he happen to know what the Comfort Suites is? Mr. Jhangiani stated, the Comfort, he thinks is 62 or 64. A gentleman from the audience said it is 62. Councilman Henderson said, so, it's his understanding that any future hotel within the next three or four years, he (Jhangiani) would be definitely against having another hotel in Marion? Jhangiani told Henderson, yes sir because, like he said before, if there were opportunity, we would have built another property a long time ago. We are here to stay in the city. We are here to build the city and we are existing. We've been here 10 years so, yes, he doesn't see any growth in the next five years, maybe. Henderson said, okay, so he's saying for the next five years, it would be not beneficial to have another hotel here? Jhangiani said, it would not be beneficial. Henderson stated, whether it be north, south or somewhere in between and Jhangiani told him, no sir. Councilwoman Johnson asked Jhangiani, could he please explain how his franchise drives business into this area? Are they not a member of the Hilton Group or do they not receive referrals from the Hilton Group? Jhangiani told Johnson, yes, we are, at the moment, the Hampton is part of the Hilton Group. The majority of our reservations come through the Hilton and yes, we are a franchisee for the Hilton Corporation. Johnson stated, right and they spend extensive amount of time advertising and drive business this way every chance they get, to bring people into our area. Jhangiani said, yes ma'am, it's all about the brand. Johnson said, and these people go to Ft. Wayne. They may be meaning to stay in Marion but they go to Ft. Wayne for events and Indianapolis for events and they increase your market and give you a base, which is beneficial to the city. Mr. Jhangiani responded, yes, sure, we get a little overflow when there are big events in Indianapolis and Ft. Wayne. We get a little overflow because somebody, he thinks Mr. Miller, he thinks, had a question about what brings them to Marion or somebody had mentioned and yes, you are about eight, 10 miles from the freeway but it's a brand which has driven us and (inaudible). There was a lot of industry which is kind of diminishing which is sad to see. Johnson then asked, what kind of requirements does he have that he has to meet in order to meet his franchisee requirements with the Hilton? Jhangiani told Johnson, Hilton has very strict and stringent standards. They inspect us every six months. We have to maintain the property as per the standards, as per exactly what they want. They have a whole book and we have to follow exactly what it is. If we have to buy, even our breakfast supplies, we have to buy from an approved vendor. We cannot just go to anybody. We support the local Marsh or the Wal-Mart. We do support them. Johnson asked, do they monitor and track your occupancy for you or do you keep track of that over a period of time and notice the fluctuations? Jhangiani replied, every day. The systems we use belong to Hilton, that's part of our franchise agreement. So every room we sell is registered on their mainframe computer. Councilman Henry Smith told Jhangiani he mentioned that he bought from the same group that's coming in here, is that correct? Jhangiani told Smith, yes sir. Smith said, and he said that he took over, when he bought, how much taxes were left on that? What was left on that TIF area? Mr. Jhangiani said he had no abatement. He has paid full price all these 10 years. They had the abatement before which expired then they sold it to them. We paid full price. We have never had any abatement on this property. Smith said, okay, you didn't take over that abatement that was left on there? Jhangiani responded, it was already exhausted. Smith stated, so they used all the abatement then before they sold the property and Jhangiani said yeah, they had already used up the abatement and we just paid whatever the county billed us. Mr. Smith said, so basically they're coming back in, in other words, constructing a new hotel, motel, whatever and he's saying that within time, they're going to sell and keep moving on. Jhangiani replied, they're developers, they have some properties in the area. They build, they run them for a couple of years, they ramp it up, what in our industry is called "ramping up", where they build the sales and they get out and that's the new business

RESOLUTION NO. 11A-2016 Continued

a lot of people are doing. We are not in that business. Every place we have owned a property, we stay there. We aren't interested in running. He means, he would not re-sign or be in the process of re-signing a new franchise with Hilton and had we been poor operators, Hilton would not offer that to us. Smith said, okay, so basically speaking, like you take Indianapolis and you take Ft. Wayne, the (inaudible) or cost factor for that night would be double what it would be staying in Marion. Jhangiani said, yes, it would be cheaper to stay in Marion. People drive down just for that. He does that too when he's traveling. Sometimes he'll drive 20 miles to save \$80. We all do that, he'd say. Who doesn't do that? He thinks everybody does that. But that doesn't happen all the time. It's only if it's a big event, which is a few in a year. Mrs. Johnson said, so she hears from what he is saying is that a tax abatement or some sort of tax assistance would impact revenue from a cost standpoint, would they be able to lower the rates of their rooms and provide a service that would give you a competition, not necessarily just take rooms and occupants and spread them out throughout the city or into their establishment which we all believe in free enterprise and it's fair competition but it would give them maybe a bit of an edge on cost and maybe their profit margin as well? Jhangiani told Johnson, absolutely, absolutely, because when we are paying, we were paying about \$75,000 or \$80,000, maybe \$70,000 or \$60,000, he doesn't remember the last tax bill, if they are paying \$25,000, \$30,000, there's a big (inaudible) we have to work to pay and diluting the market is not going to help us. It's going to hurt us. Duane Zuber told the Council he's with the Comfort Suites here in Marion. He thanked the Council for the opportunity to talk today. As they may have known or may not have known, they purchased the Comfort Suites about two months ago now here in Marion. Part of the reason they purchased it was because he goes to a Wesleyan Church and his pastors come down all the time to go to Indiana Wesleyan and they said it's a beautiful city so when he heard it was on the market, he listened to his pastors and that's what we did. One of the things he also does is he teaches at Grand Valley State University in the Hospitality School and as he teaches his students, hotels do not bring new business to a community. A community brings the business to hotels. Unfortunately, here in Marion, from the reports that he's read over the last couple of months and looked at, the demand has gone down for hotel rooms the last couple of years. At least the numbers for the Comfort Suites have shown that. He told Miller he asked what brings people to Marion. He can only speak for his hotel but business travelers, the University, construction companies that may drive to get a discount to stay in Marion, like the previous gentleman was talking about, families, family reunions, things like that. Unfortunately for his hotel, there's been a significant drop in business clientele. Businesses have gone under. He talked to his manager a couple of days ago in regards to why don't we have this account, why don't we have this account, how did we lose these accounts? She said we didn't lose them, the businesses just disappeared. They went under. Our hotel runs 50% occupancy most months. On average, we shoot about 53% so for a 62 room property, we on average have 30 rooms left to sell every night. We have seven properties in Michigan and Indiana. This is, by far, our slowest property of all of them, slow occupancy. When the gentleman talked about adding jobs, he commends him because it's all about adding jobs. People are important. The problem is when you add a hotel to a market that the hotels are running 50%, 60% occupancy, you don't add jobs. You just shift jobs from one business to another. It doesn't add jobs. He may add nine employees, he'll (Zuber) have to let four people go or cut their hours and the Hampton will have to cut four people or five people. That's just the nature of the business unfortunately. You can only afford to keep people when you have work. Zuber told the Council, by giving the tax abatement, you are giving that hotel a competitive advantage over the rest of them. It's just a matter of fact. They have one less expense. It will hurt taxes here because the guests that were staying at his hotel are now going to stay at his hotel which is going to lower the value of his hotel and probably the Hampton and then we're going to have to come back and say we need a tax reduction because the value of our properties have gone down, plus the 95,000 or whatever the amount is, he apologizes, he doesn't remember the exact number in regards to occupancy tax isn't going to be an increase. It's just going to be taking it from our hotels and moving it to his hotel. He'll generate a couple more rooms that will come in to Marion but it won't be huge. Actually, it'll probably hurt us even more. When we purchased this property, our plan was to do a major renovation at this hotel, to bring this hotel back to the level that it needs to be. In fact, Choice Hotels, our franchisor, told us when we looked at the hotel we're going to give this hotel one to two years left and then we're going to kick it out of the system because the occupancy numbers are not there and the property, obviously, is not maintaining the standards that we want. We talked them into saying we are going to do a major renovation. In exchange for that, we need their help and they believed in us and gave us extra years on our contract to show that we meant what we said. They did that because we

RESOLUTION NO. 11A-2016 Continued

have four other Choice properties with them, several award winning properties. We own our properties and we keep them a long time. Two of our hotels we've owned for 18 years, a third we've owned for 14 years. The property we purchased in Indiana three and a half years ago we still own and just did a \$1,400,000 renovation. We want to build into this community. We want to build into this hotel. The reality is, if a 3rd hotel comes in here, we can't put the money into the hotel and from his experience, the Hampton's going to struggle putting money into their property. And from his experience in other cities, what will happen in five, seven years is all three of us will not have quality products because none of us will be able to afford to keep our properties up or renovate them. It's just what he's seen in other cities, talking to friends around the country. It's a matter of fact, you have too many hotel rooms, you can't keep your properties up. You have to cut your staff, you have to cut your service, you have to decrease the quality of your properties. He doesn't want to see that for our properties. Obviously, he has a vested interest. We own a hotel, this will hurt us, he understands that and, selfishly speaking, he'd rather that property not come in. He understands why they want to build, he completely gets that. But in a market like this, he doesn't see how this works for anyone's positive gain. He really doesn't. That's pretty much what he has to say. He appreciates the time, he appreciates them listening. Are there any questions he can try to answer, Zuber asked the Council. Councilman Henderson asked, would he be against any hotel anywhere for the next five years like the other gentleman? Mr. Zuber told Henderson, he can't speak for the city. He can only speak for what he sees in his area. If this hotel was built on the other side of town, north, south, east or west, he can't speak to that because he doesn't know the market well enough. But he does know that, if he builds where he builds, a half a mile or a quarter of a mile, he doesn't know the exact distance from us, it's just going to be taking the business from both of us. It's not going to be generating new business. He told Mr. Henderson he doesn't know if he answered that question well enough for him. Henderson said, well, his concern is we're taking a vacant property, basically it's been vacant for years, and putting something in it that's going to be new and better looking and going to make the city look better and as far as the standpoint from the city itself, just getting something in that property is a major accomplishment for us at this point. Councilman Miller asked Zuber, what impact does Needham Storey Wampner have on him particularly? Being adjacent to a funeral home, does that generate a lot of business, people coming into town for funerals? Mr. Zuber told Miller, it generates a little business. Obviously, that's an up and down business and it depends on the families. This sounds really morbid and he hates to talk about this but he asked the question. It depends on how far the relatives are away from the person who passed away. There are times that it'll bring us some business and there are times it brings us absolutely nothing because everyone lives local. Miller said, if his math is correct, we have 137 rooms currently between him (Zuber) and the Hampton Inn. That would go up by 65%. Zuber stated, and that's his concern because, like he said, we're on average 30 rooms vacant every night. Miller commented, in other words, there would be 65% more rooms. Councilwoman Johnson told Zuber, thank you for moving to Marion and thank you for coming before us. From what she hears him telling her is that the rule of thumb in his industry is not necessarily if you build it, they will come. Zuber said, correct. Johnson said, that demand drives his market and as we are all looking for demand and then to be able to fill that demand then we would supply it. So, she hears what he is saying and she has a tendency to be very conscientious about our citizens and the state of the city and that our members in the city, making money and making a profit and having a fair marketplace to work in in a win situation so she's really happy he's here and she's hoping that he'll see that we're working really hard to keep the playing field level. As much as we care about the Patel's and their excitement about their moving, we want everyone to be a success and, like Steve said, win-win. So, she knows that maybe it's two years down the road but we are doing the best we can to stay fair and equanimous for everyone and she wants to thank him for being here tonight. Mr. Zuber told Johnson, and he appreciates that. Thank you for the very kind words. This is a very welcoming city, by the way. We have hotels in a lot of cities and this is the most welcome he has felt in a city in a very long time. Johnson commented, we love our city. Zuber stated, he can tell. It's a great city. He said, if he could just add one thing, when we did our forecasting, because of our renovations, we had not planned on making a profit at this hotel for three and a half years. We planned on investing all the money that we hopefully make over our costs to reinvest into the property. That was our plan. Now doing some rough numbers, we won't last three and a half years without investing a dime in our property. That's just his rough numbers. He could be wrong but that's just the numbers that he's estimated, talking to other sources from other people who have had hotels come in into smaller markets where the occupancy was not there. He could be wrong, again. He's not saying it's the

RESOLUTION NO. 11A-2016 Continued

gospel truth but that's where we're at. Councilman Don Batchelor asked, the price of the room, are they compatible? Are his (Zuber) higher or do they have a medium (inaudible) price range? Mr. Zuber told Batchelor, that's a great question. Hilton has a better reputation than Choice Hotels, which are our franchisers. Their rates are probably \$20 to \$25 higher than his. This Comfort Suites has had to discount rooms to get people from other communities to come to this market through third parties called OTA's or Online Travel Agents. You probably know them as Expedia, Hot Wire, Priceline, things like that. We've had to discount our rooms to get even to that 50% occupancy. Does that answer his question, Zuber asked Batchelor. Batchelor replied, pretty much. We have utilize both of you guys so we don't have no qualms with either one of them. Reverend Shonda Gladden said she wanted to thank both the Hampton and the Comfort for coming because they helped to clarify some questions that she did have with the project. She's excited about the possibility of the project but there are three areas that probably need to be clarified in order for her to feel as though she would ask the Council to make a recommendation in favor of it. Star ratings matter. She doesn't know, for those of them who travel, but where are we with regards to star ratings? She doesn't know what Comfort's rating is or what Hampton's is but the Holiday Inn Express, she understands, may be slightly higher in terms of the market. She travels all the time but Marion is home. The star rating of the property where she stays makes a difference for where she is going to choose to stay. For Marion to have the opportunity for a higher star rating property to come to town is a good opportunity for us as we're thinking about place making. As a community, that is something we're looking at, how are we making place in the here and now. Additionally forecasting, she doesn't know, she thinks it was Mr. Miller that asked the question, this notion of the death rate. It's not a morbid question but the industry that she's in, unfortunately at this point, she is burying more people than she is baptizing because her congregation, Mrs. Bassett is 105 years old, she's her oldest member, and some of her younger members are in their 70's and 80's. So, as we look at place making, the death rate is important but we're also looking at what the young adult population is doing right now. Are they making babies? Are they staying here? Do they have jobs to stay here? And if they are, what kinds of opportunities would they have to bring people to town? We bring preachers in all of the time and she has to choose which property she is going to put them in. She needs a higher star rating because she expects to be placed in a higher star rating when she goes travel. She's preaching in Las Vegas this Sunday, they're going to put her up in a nice property. She tries to do the same when people come to Marion. At this point, she's a little strained with options. She will be forthright, she does currently use the Comfort frequently. The benefit there is that you give us a church rate and so Holiday Inn Express, when you come, will you have a church rate? Will you have a conference rate? Will you have enticements for business owners who put up guests that we bring into town? And then the third piece, the star ratings, the death rate and then the population growth and decline trends. She doesn't have those numbers but she's sure they all probably have looked at some of them, being City Council members. So, what do we see in the future as it relates to our population growth and decline? At one point, we were at a negative population growth but at this point, where are we? Those would be helpful questions for her to have a better understanding of our options, Gladden said. Council President Jim Brunner asked the Mayor, can he comment on the third question that she brought up? That might be interesting for the public. Mayor of Marion Jess Alumbaugh said, actually, he's not sure about population growth. We'll get the census in 2020, probably be about as early as you're going to get an accurate count on the population here in Marion and Grant County. He will just say this. It's our intention as an Administration to try to grow Marion and Grant County, not just Marion but Grant County and make it a better place for all of us to live but he doesn't have any numbers, he told Rev. Gladden. He wished he did. Congratulations, too, on her appointment but don't have those and he trusts, you folks are all elected officials, the people chose them to do what you're doing. He has faith you guys are going to make the right decision, whichever way you go. So, trust your instincts, Alumbaugh said. Brunner asked Mr. Certain, can he answer maybe those first two questions that were asked? Certain said, if he can remember what they are, he will try. He said Mr. Patel says it's a three or four star rating. And there are discounted rates, depending upon manufacturers bring people and representatives in, that sort of thing, yes, they do have those. Councilman Henderson said, to answer some of her (Gladden) questions on the growth, if Grant County remains like it has been over the last five years and we do nothing, the state is projecting that the county will lose 10,000 people in 10 years. Those are from the state website if you'd like to go on there and look at them. That's where he got those. Mr. Brunner stated, he'd like to continue having people come to the microphone. Anyone else care to address the Council at this time? Charles Moon – 703 E. Swayzee Street, Marion – told the Council he guessed he's come down and seen at different times, as

RESOLUTION NO. 11A-2016 Continued

Mr. Miller does, many times he can see that there are very few cars there and the question came to his mind and these two gentlemen have helped answer that question is, do we really need another motel? Go two blocks down here and we've got an empty building that used to be a motel, a very (inaudible) motel. North of town, there's a building next to a motel that used to be part of the motel. They tore it down so they could sell the property. He looks at downtown. When he was a kid, he used to come down there and it was full, all the storefronts were full. We had Sears, we had Hill's, we had different places and so on and they built the mall out here and then everybody went out there. And then, we have the new strip out north of town. Now the mall is going broke or empty. Are we going to have motels sitting around after this motel comes in, if it does? Now, the property itself, it doesn't spoil. It can be used for something else. And if somebody wants to put a steakhouse, people are hollering for steakhouses. Maybe somebody could come in and put a steakhouse in there. Maybe somebody could come in and put another kind of building in, another kind of business. It doesn't have to be a motel. And if we're going to hurt our own property owners, people who live in Marion and invest in Marion, he'd say no. Now, if they want to come in without a tax abatement and so on, that's up to them but if the city is going to have to lose money, and we will with the tax abatement, by giving them this tax abatement and then it doesn't improve, it doesn't help, it doesn't increase income, it doesn't increase jobs, then we've done something that's hurting us. He thinks all of them know that we're hurting. He can agree with Mr. Henderson, if something happens there, there's going to be a movement in some other areas but is it, he means, the bottom line is, what have we got to look at? Are we going to have an improvement? Is there going to be an increase? If there's not, let's scrap the idea. And, if there's a history of building somewhere, using up the tax abatement time, the tax abatement privileges, and selling it off to somebody else, he thinks that's a negative on that part. And again, this property can be used for something else and he thinks it ought to be run that way and he's asking the Council to turn down the tax abatement, Moon said. Council President Brunner asked, anyone else care to comment on this issue at this time? The microphone is open. He said he'll ask a second time. Anyone else care to comment on this issue? The microphone is open. Randy Miller, President and CEO of Randall Miller and Associates, Engineering, Surveying and Consulting, told the Council there's a lot of issues he'd like to address and will try to do it quickly and briefly. He thinks the important thing is is that he has been involved in the development of Grant County and many, many counties across the State of Indiana and Ohio for 40 years. Our primary business is site development. That's what we do for a profession. He has worked for this Sulai group on probably in the neighborhood of eight to 10 developments and he knows them quite well. These are very smart, analytical people. They chose Marion. They didn't have to choose Marion. They could be somewhere else. They could be in the county, they could be in Gas City, they could be at the Interstate, they could be in the Ft. Wayne area. They didn't have to come to Marion. They're looking to come to Marion. We have a vacant piece of property that, in his estimation, being involved in almost all of the development and probably the projected development, of which we have seven or eight projects that no one in this room is aware of but his firm, at which he is not at discretion to discuss, which does involve growth for the community and for the county, he has to say that no one that he knows of, and he talks to site selectors on a weekly basis, will touch that property. No one. There isn't a reuse for that in the immediate future. In fact, he can't see anything happening for a long, long, long time. There is such confusion, he wants to change the subject now and talk about the tax phase in, and he agrees completely with Mr. Certain, that there is no effect to the city, zero cost to the city, if you do a tax phase in. They are maintaining the existing tax base and every year, that tax base is going to get bigger and bigger and bigger, therefore, your taxes of the base will increase. It is an incentive to bring someone to town to spend, in this particular case, \$4,800,000. And to say that we're not going to use or they're not going to use local people, they're already using him. They're going to use local people to build, particularly if it's the best contractors and suppliers. No one can speculate and say "well I know you're not going to use people from Grant County". We haven't even built it. We haven't even got approval for a tax phase it. So, he thinks all of these debates over the last 10 or 12 years, he thinks the Council and the citizenry itself has been educated somewhat to understand that there is no down side to tax abatement, particularly in this particular instance. This site was selected analytically for a purpose. It has a good location for a reason. It's going to benefit people. It's going to benefit lots of areas. The one thing that he wants to make sure that they understand is and he has seen it happen, he thinks Mr. Miller might have been on when the Home Depot came in. There was a protectionist attitude from the community. Do you guys recall that? It was ugly. And in fact, it reared its ugly head again when we were going to do the Emily Flinn Nursing Home. And he understands that there are

RESOLUTION NO. 11A-2016 Continued

community businesses and they are very concerned about the impact of a new business that will compete with them. That's logical. He understands that completely. But we cannot remain in the status quo. If we are going to grow, we have to progress. We have to have new businesses. We have to improve our community. We have to make it so that people will want to come to Marion. You know, he firmly believes, always, the old motto, if you build it, they will come. The fact that we're going to maintain only the existing population is faulty. The fact that we're going to maintain only so many people occupying those rooms is faulty. In fact, there are letters from the CVCC that have said, hey, wait a minute, this is a good thing and we do lose a lot of business in the peak times and there are becoming more and more and more peak times when the rooms (inaudible) full and people are going away, particularly, think about this, when we start the football season for IWU, think about the impact that's going to be. He'd rather have that money come here, he'd rather have them spend the night here, spend the gas, spend the food, enjoy Marion, maybe shop some than go to Ft. Wayne or Anderson or Kokomo. We have to move forward. We have to let that market play itself out. These people have made a decision to spend that money here. They're not coming in with the idea that we're going to close the Comfort or we're going to close the Hampton. And in fact, he doesn't think most people realize it but, right now, the project for the old Marion Hotel, there's a project going on for that. So, there is a reuse and thank God and thank us for being able to get something to rehabilitate that. And that's in the process now too. But it took a long, long, long time and we're very fortunate that that happened. So, those are some very preliminary comments that aren't necessarily meant to contradict but maybe more explain the position of someone like him and who has been here for 40 years, doing development, and understands an equal balance of the issues. We have seen protectionism and it's ugly and it hurts us. We have to go forward, Miller said. Brunner asked, anyone else from the audience care to comment at this time? Mr. Jhangiani said he'd like to comment. Brunner told him, sir, he's had enough time. We've extended this now to an hour. Can he please have a seat at this time? Anyone else in the audience that has not commented on this issue that would like to come to the microphone? Sabra Miller told the Council she lives in Marion. She lived away for 20 years and when she came back to town, she was appalled at the state of the city for one thing and the city has no money. She's figured that out. She's lived in Houston and Nashville which are totally big cities but Marion has always been home. She worked at the Hampton for about 10 months. She doesn't work there anymore but she worked there for about 10 months. It's a great staff, it's a great company to work for but the one thing that always, she worked at the front desk so she always heard complaints, she heard good things but the one thing she always heard about was parking and she just wondered, if that hotel goes in down there, the size of the Hampton, it's pretty big, she just wondered where there's going to be parking. She means, she can't imagine that there would be parking..... We used to have problems with 73 rooms with people finding parking. They did park in crazy places but she just, you know, she just, she doesn't care if the hotel comes in or not. She means, she doesn't think it's a good idea. She doesn't think that it will benefit Marion in any way, because we used to draw people from Muncie and from Anderson because they were Hampton Inn users. That's all they'd use and they weren't going to go anywhere else. They were going to go where there was another Hampton Inn within a few miles of them. But, there are enough hotels within 15 miles of us that people can go to if they have overflow. She can't see putting another hotel here, Ms. Miller said. Mr. Brunner asked Mr. Certain, can he address the issue of parking? Certain stated, yes sir. Mr. Miller is here and he has designed this, fashioned this hotel and parking area and he believes he's indicated there are something like 105 parking spaces, parking areas available. Brunner told Mr. Miller he thinks they all know where that location is at 1000 North Baldwin Avenue. Kind of take them through on that drawing there where the parking would be as to where the hotel would be located. Randy Miller said, the parking is along the north side which is a commercial area. He thinks Stacey Cannon's office is right here. Here is Western Avenue on the west and the By-Pass is on the east. So the parking is along the north line where there's already commercial structures along in front of the unit itself that's going to be there, right here, and along the entrance which is right here. And just as an additional matter, we have an area here that's reserved and we are currently in negotiations for another development, pending the approval of this and the construction of this. That's what this empty space is that our clients do own. Does that answer his question, Miller asked Brunner. Brunner stated, he does have a question about that picture. He guessed, to the right side of the picture, what is that? Miller replied, that's the area that we're saving for future development in which we are in negotiations. We, they, he's assisting them, are negotiating for another business to come in that will help facilitate the entire area, the entire community and the Holiday Inn Express which has their own clients that (inaudible) them also. Councilwoman

RESOLUTION NO. 11A-2016 Continued

Johnson asked, is that area that's left blank, is there anything there right now? Is that currently just concrete? Is that the Taco Bell? Mr. Miller told Johnson, no, Taco Bell is right here. That's the building that they were using as an office for the mobile home sales. We're going totally demolish the entire site, make sure that the soils are correct and then build up accordingly. Johnson said she had another question. Based on what Reverend Shonda Gladden said and the fact that the Holiday Inn Express is a five star or a four star, how do you determine and how do they determine that this hotel will be a Holiday Inn Express hotel? Is that already in place? Have they already agreed? Do we have that? Mr. Certain told Mrs. Johnson, yes ma'am, it is. They have done the analysis on this place and they have committed to putting their flag, if you will, on it. Johnson asked, okay, so how far apart are Holiday Inn Express's, from a mileage standpoint? Does he know? Certain replied, he believes that it is 10 miles but he's not certain about that. Johnson said, okay, so they've already agreed to be a Holiday Inn Express? Certain responded, yes, that is correct. Council President Brunner asked, does that answer all the questions we just had about that individual issue? Okay, he's going to go back to the floor. Does anyone else from the audience care to comment on this issue that has not already been to the microphone? If not, the Chair would entertain a motion, Brunner told the Council. Before a motion was made, Mr. Certain asked if he may make one final, hopefully, brief comment. Let him first express his appreciation and on behalf of his clients appreciation of those who have come here to participate in this public hearing, this public meeting. This is what it's supposed to be about. When you have a public hearing, that's how the system is supposed to work. Secondly, with respect to a question asked by Mr. Batchelor with respect to the amount of taxes that would be saved by these people on the tax abatement, deferral if you will, is approved. While it was approximately \$500,000, he neglected to point out that they would also be paying during that period something right at \$1,000,000 in taxes. Also, there's one other thing and that would be, there was a letter that he was given a copy from John Lightle at the Convention and Visitors Bureau addressed to Mr. Brunner and if he'd (Brunner) care to read that or he (Certain) would read it, either way they want to do it. Brunner told Mr. Certain he can go ahead and read that. Certain then read as follows: "To Mr. Jim Brunner, ladies & gentlemen, the Grant County Visitors Bureau is excited to support the proposed new hotel for our community. It will provide a large percentage of the rooms that were lost with the permanent closing of the Marion Hotel, originally the Sheraton Hotel. Economically, we know that visitors spend more of their money for food, gasoline, and shopping in close proximity to their lodging facility. When traveling to attend events in Grant County it is more convenient for the visitors to have lodging within the county. The two universities bring large numbers of visitors to Grant County multiple times each year for such things as move-in weekends, parents and grandparents weekends, homecoming weekends and as many as four graduation weekends. Understand that it isn't only the James Dean weekend of events that take the lodging facilities to capacity or near capacity. We also support designating the identified property as an economic revitalization area. The area has been vacant for several years. This property places the new hotel in reasonable proximity to the other two hotels located just a little farther to the north. This provides convenience to visitors that may be traveling by van or bus should they be in different hotels. A newly constructed hotel will provide a wonderful bright spot in Marion's north side and enhance both Baldwin and Western Avenues. Sincerely, John Lightle, Executive Director at Grant County Visitors Bureau." Brunner thanked Mr. Certain and said the Chair would entertain a motion. Councilman Henry Smith asked, does this pass to a 3rd reading or what? Councilman Brad Luzadder told Smith, it's a resolution that can be passed in one vote. It does not have to go through other readings. Is he right, Mr. Counselor, since we have taken the statutory of having the public hearing? Brunner asked, is that correct, Phil? Council attorney Phil Stephenson answered, it is. Councilman Alan Miller said he just wanted to clarify that the only issue before us tonight is tax abatement. He had several people that thought the purpose of the hearing tonight was to approve whether the building could be built or not, as if we were having to approve a building permit or something. He explained to them, no, it's properly zoned, there's no building permit. They don't need approval to build it. Our only interest is declaring it an economic revitalization area for tax deduction purposes. Motion was then made by Smith to pass Resolution No. 11A-2016. Motion was seconded by Luzadder and carried by the following vote. Aye: Smith, Henderson, Batchelor, Luzadder and Brunner. Nay: None. Abstain: Miller, Cain and Johnson. Brunner said, motion passes, 5 yea's, 3 abstentions, is that correct? City Clerk Kathleen Kiley told Brunner, yes.

NEW BUSINESS

RATIFICATION OF THE AGREEMENT BETWEEN THE CITY OF MARION AND THE MARION PROFESSIONAL FIREFIGHTERS, LOCAL 676, INC. OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AFL-CIO. Geoff Williams, Fire Chief, told the Council he'll be short and informative, hopefully. This is the ratification of the agreement between the City of Marion and the Marion Professional Firefighters. We started this last June, took care of some of the smaller details, worked throughout the summer and then, about October, we finished up on some of that. The major details was basically a decrease in manpower from 63 to 58, we put \$100 on to longevity and we moved \$550 from a specialty to a base pay and we had a few little things in between some of that. By the way, the Board of Works, on December 18th, passed this already. He will take any questions at this time. Hopefully everybody got a packet, Williams said. Councilman Alan Miller asked Chief Williams, is this a two year contract? Williams told Miller, yes, two year contract. Being no other questions from the Council, motion was made by Miller to approve the contract with the Marion Firefighters Union, Agreement between the City of Marion and the Marion Professional Firefighters Local 676, Inc. of the International Association of Firefighters AFL-CIO. Motion was seconded by Councilman Brad Luzadder and carried by the following vote. Aye: Miller, Smith, Cain, Henderson, Johnson, Batchelor, Luzadder and Brunner. Nay: None. Council President Brunner told Chief Williams, while he is there, just from all of them, thank you for what you do for this community. He doesn't think any of them can possibly imagine what it would be like to be sound asleep at 3:00 in the morning and your alarm go off and have life or death issues thrown at us so thank you for what you do so expertly and have a great year.

RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE FRATERNAL ORDER OF POLICE MARTIN BOOTS LODGE #79, AFFILIATES OF THE INDIANA FRATERNAL ORDER OF POLICE LABOR COUNCIL, INC. Stephen Dorsey, Deputy Chief of Police, told the Council he is here to represent the Marion Police Department for ratification along with the FOP. He thinks they all have the bargaining agreement and he guessed he's kind of open to any questions that any of them have. Councilman Henry Smith asked Dorsey, is this a two year agreement here? Deputy Chief Dorsey told Smith, this is a one year. We'll be back. Councilman Brad Luzadder said, it should be pointed out that, at the last meeting, we went ahead and approved their maximum salaries for police and fire already so that would go to enhance the contracts in which are before us this evening. We've already made that budgetary and statutory vote made in which to go with the maximums for our employees. Councilman Don Batchelor asked, why is this just a one year agreement? The Fire (Department) approved a two year and theirs (Police Department) is a single year agreement. Why is that? Dorsey told Batchelor, he thinks that's just the negotiation that we have with the City and the FOP is the best way he can answer that. Being no further questions from the Council, motion was made by Councilman Brad Luzadder to ratify the collective bargaining agreement between the City of Marion and our Fraternal Order of Police Martin Boots Lodge #79. Motion was seconded by Batchelor and carried by the following vote. Aye: Miller, Smith, Cain, Henderson, Johnson, Batchelor, Luzadder and Brunner. Nay: None. Council President Brunner told Deputy Chief Dorsey, while he is there, same comments. From himself and the Council and this start of a new year, thank you so much for what you do, putting your lives on the line for the people in this community 24/7. Wonderful job last year and he looks forward to another great job this year, Brunner said.

Council President Jim Brunner told the Council, he believes that's the last item on our agenda. Just a reminder because we kind of got sideways with our schedule and he thinks we're caught up now, next Tuesday is actually the 31st of January so there will be no meeting next Tuesday but we will then be back on our regular schedule, and if he's not mistaken, Mrs. Kiley, our meetings would be on February 7th and February 21st. Is that correct? Those are the two Tuesdays in February that are not holidays. City Clerk Kathleen Kiley told Brunner, the first and third Tuesdays, whatever those days are.

Councilman Alan Miller said, yeah, one question Dave Homer might have asked were he here, last meeting, he raised the question about the environmental management issue we received about (inaudible) tire disposal center. Did he ever find anything more out about that, Miller asked Mr. Stephenson. Council attorney Phil Stephenson told Miller, he does

not have any other information. Council President Brunner told Mr. Stephenson, and he would be neglect if he did not, from the Council, pass along our condolences to his law firm on the loss of a wonderful local attorney, Jerry Holderead, who we all knew quite well and we all will grieve. Please pass that along to his firm and his family for them. Stephenson told Brunner he will do that.

Councilman Brad Luzadder said, we will not be in session when the next show for the Community School of the Arts will be going on and they would like to invite everyone to come out and see C.S. Lewis' "The Lion, The Witch and the Wardrobe" which will be held at the F. Ritchie Walton Performing Arts Center and that will be the first weekend in February. He's a little partial. His son is actually playing in it so he thinks it's a pretty good show, Luzadder said.

Council President Jim Brunner told the Council, and one final comment that it's great to have Mr. Batchelor back. He told Batchelor he looks wonderful and prayers have been listened to. Have a happy new year and it's great to have him back with them, Brunner said.

Being no further business to come before the Council, on a motion by Smith, 2nd by Batchelor, the meeting adjourned. Time being 8:32 p.m.