



*LaPorte County Auditor  
Joie Winski  
555 Michigan Avenue, Suite 205  
LaPorte, IN 46350-3490*

**MINUTES  
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL  
JUNE 18, 2018 AT 6:30 P.M.**

*(Please Turn Off All Cell Phones)*

The Regular Meeting of the La Porte County Council was held on June 18, 2018 at 6:30 p.m. (local time) in the Assembly Room of the La Porte County Government Complex located at 809 State Street, La Porte, Indiana, 46350.

**CALL TO ORDER**

La Porte County Council President Randy Novak called the Meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

President Novak asked everyone to stand for the Pledge of Allegiance. President Novak asked that everyone, except emergency personnel, to please turn off their cell phones at this time.

**ROLL CALL**

Auditor Joie Winski took the Roll Call. Council Members present were Kirkham, Novak, Santana, Sullivan, and Yagelski. A quorum was noted.

**APPROVAL OF THE JUNE 18, 2018 AGENDA**

A motion to approve was made by Councilman Santana and seconded by Councilman Kirkham. Motion carried 5-0.

**APPROVAL OF THE MAY 29, 2018 REGULAR MEETING MINUTES**

A motion to approve was made by Councilman Sullivan and seconded by Councilman Kirkham. Motion carried 5-0.

**PUBLIC COMMENT**

*Bruce Baker, resident of La Porte, IN, Senior Vice-Commandant for the Michiana Marines, Detachment 1348*

Mr. Baker expressed his hope to retain the Veteran Service Officer in Michigan City. He explained that the Veterans of La Porte County deserve the respect and dignity of having a VSO available to meet their needs. He stated that there is no transportation from Michigan City to La Porte, but Councilman Santana replied that the Transit Triangle serves that purpose. Mr. Baker asked that the VSO be retained in Michigan City.

*Joaquin Torres, United States Marine Corps, 1973-1980*

Mr. Torres asked that the opportunity for Veterans to receive assistance in obtaining their benefits not be taken away by removing the VSO from Michigan City. He asked that the Council reconsider keeping the VSO there.

Hearing or seeing no additional Public Comment, President Novak closed Public Comment.

#### **DEPARTMENT HEAD REPORTS**

*Jack Arnett, Executive Director, La Porte County Convention & Visitor's Bureau*

Mr. Arnett gave an update on the Vibrant Community effort on which the CVB has been working. He stated that his counterpart in Elkhart has put together a similar effort which the La Porte County CVB would like to emulate. Documents were distributed to the Council for them to review and ask questions. He said the CVB wants to reach out to the small communities and townships in order to improve quality of life. Mr. Arnett was especially impressed that the effort in Elkhart was bipartisan and they worked side-by-side to bring the community together. Invitations were sent out to leaders in the community and the initial response was approximately 60 people. There have also been meetings with several partners in the County where fiscal commitments were received. There will be another update in a few weeks. Maggi Spartz, President of the Unity Foundation, also approached and said the next step will be to come back and ask the County for some participation. She added there must be action to move forward. Mr. Arnett said the small communities will be able to participate in how quality of life is improved in the County.

Councilman Sullivan stated there have already been two \$25,000.00 pledges, and Mr. Arnett confirmed that.

*Mike Seitz, Office of Economic Development, La Porte County*

Mr. Seitz discussed the tax abatement on tonight's agenda. He explained that most people believe that the purpose of Economic Development is to bring companies in from out of town. However, there is also the chance to help existing business, expand and create new jobs and retain existing jobs. He encouraged the Council to vote favorably for the tax abatements.

*Kristine Harlow, Director, La Porte County Adult Protective Services*

Ms. Harlow said that Prosecutor Espar was unable to attend tonight's meeting, but she is present to request permission to spend for a new vehicle for Adult Protective Services. She contacted Best Ford and added that the purchase will include a 2012 trade-in vehicle. She explained that APS is completely funded by the State and she will not be requesting any funds from the Council. She distributed information to the Council. She said the final cost is \$13,000.00 with a \$5,000.00 trade-in amount. She stated that APS serves six counties, so the vehicle will be used for one of the Investigators, who do take the vehicles home. Councilman Santana asked if the other Counties contribute to the cost of the vehicle. Ms. Harlow and Auditor Winski said all of the funds being used are through a state grant. She added that the fiscal year ends on June 30<sup>th</sup>.

A motion to approve permission to spend was made by Councilman Kirkham and seconded by Councilman Sullivan. Motion carried 5-0.

*Robert Cutler, La Porte County Coroner*

Mr. Cutler thanked the Council for the new vehicle and their support of the Coroner's Office.

*Duane Werner, La Porte County Highway Department*

Mr. Werner said that Andy Skwiat, from Marquiss Electric, and he wanted to update the Council on the Franklin Street Bridge in Michigan City. Mr. Skwiat explained why, electrically, the bridge became stuck and the gates would not open on the previous Thursday and Friday respectively. He added that the temperature and humidity contributed to the problems. He then explained the repairs and adjustments

that Marquiss Electric had to complete in order for the bridge to operate properly. Councilman Yagelski said money was previously paid to electrically repair/upgrade the bridge and asked Mr. Skwiat if that was completed. Mr. Skwiat replied every obligation was met successfully. However, there are still outdated switches. Councilman Yagelski asked Auditor Winski if there could be a presentation at the next Council meeting to address these issues, especially with the 4<sup>th</sup> of July holiday approaching. Auditor Winski said she would look into it.

President Novak asked that the permission to replace for an existing position at the Highway Department in Hanna be addressed at this time. A motion to approve was made by Councilman Yagelski and seconded by Councilman Sullivan. Motion carried 5-0.

*Joe Golec, La Porte County Veteran Service Officer*

Mr. Golec distributed a handout to the Council. Mr. Golec read from an article in the local newspaper in reference to comments made by Councilman Santana. Mr. Golec read it verbatim and responded to the statements. Mr. Golec and Mr. Santana both said they were not interested in making enemies. Mr. Golec then detailed data from the American Legion in Indianapolis regarding compensation, veteran and survivor's pensions, dependency and indemnity. There are additional organizations that also have data and it shows an increase in the awards, which didn't happen by accident. He then discussed the amount of VSOs in adjoining counties and the amount of awards received in the County as compared to those counties. He said the small group of veterans is attending in respectful protest of the Council's decision to cut back the VSO's hours in Michigan City. He asked that the Council reconsider its decision.

President Novak said this item can come up at Budget Hearings in July. Attorney Friedman said that anyone on the prevailing (voted to oppose the two days) side of the previous motion could now make a motion to reconsider. President Novak asked if any Council member on the prevailing side would like to reconsider the motion. There was no response, so President Novak thanked the veterans for their service and said the issue can be addressed during Budget Hearings.

President Novak cautioned Councilman Santana to control his comments.

Hearing or seeing no additional Public Comment, President Novak closed Department Head Reports.

#### **LIAISON REPORTS**

Councilman Kirkham said the rededication of the floating bridge at the park is this Saturday the 23<sup>rd</sup> at 10:00 a.m.

Councilman Sullivan attended the Purdue Extension Annual refresher meeting for the Council and Commissioners. He said they are doing a wonderful job out there.

Councilman Santana had nothing to report.

Councilman Yagelski referred to the March 26, 2018 meeting minutes where a motion of support was made by the Council. However, he continued to say that the Commissioners' attorney has stated the Council has no authority in the 421 and 300. He does not understand why the Council has not been contacted about this. Attorney Friedman gave his legal opinion by saying this is unlike a general obligation or revenue bond where the Council has a specific vote. The TIF bonds are issued by the Redevelopment Commission for water and sewer improvements that are subject to the approval of the legislative body, in this case the Board of Commissioners per IC-36-14-25.1. Therefore, there is no further vote needed by the Council for

the TIF bonds. He added that there is representation due to the three appointees from the Council who serve on the Redevelopment Commission. President Novak inquired as to what body is financially responsible if the TIF goes bust. Attorney Friedman said they are only secured by the TIF revenues so that's why an underwriter and financial advisor are used. However, the County is not financial responsible.

Councilman Yagelski said this vote has previously come before of the Council, but Attorney Friedman said it would have been for a vote of support. Councilman Yagelski said he wouldn't support this type of ordinance if it was brought in through the back door. He added that the bonds should be high rated. Attorney Friedman said they cannot be sold unless a financial advisor and underwriter say there is enough TIF revenue to support them. Councilman Yagelski said he would not support it. Attorney Friedman said if a revenue bond is anticipated, it would have to come before the Council for full consent.

Councilman Yagelski said the County is owed revenue from the Rolling Prairie Sewer District to pay off its loan. He asked Auditor Winski if she had any information on that, and she replied that she spoke with Barry McDonnell, the attorney for RPSD, and he did not know. She said she wasn't sure who to speak to about it. He said loans are not being paid off.

Commissioner Rich Mrozinski was on the Council at the time and said the money invested in the RPSD project was borrowed from Major Moves. He stated that at that time, the Council said residents should not be forced to hook up. He said the City of La Porte is receiving the revenue and is not sure why the loan is not being repaid and should be investigated. The new deal of taking over the toll road treatment plant is a different deal. However, residents will be required to hookup including those from the original deal. President Novak asked Auditor Winski to follow up with that.

Councilman Yagelski said that the Council never said residents didn't have to hook up and that the Health Departments was going to comply with State rules. There was a County rule, but Councilman Yagelski just wants to get reimbursed from the RPSD.

Councilman Yagelski asked Commissioner Mrozinski if the County Home is going to go up for auction. He said they have been waiting for a few different proposals, but it has not moved forward. People have looked at it and he doesn't have a problem putting it up for auction. Attorney Friedman added that authorization was given to inquire into the group from Chicago who may make an application for Senior Housing Tax credits. He said that they are awaiting a response. President Novak said that he believes one of the groups with which he has spoken is getting close to making a proposal. It was agreed that the building go into the right hands. Councilman Yagelski expressed concern at the rate the building is deteriorating. Councilman Santana said everyone has been patient, but he is also concerned about the deterioration. Attorney Friedman said one of the applications for Senior Housing Tax Credits came within one point of being awarded by the Indiana Community Housing Development. If there is another application, there is a strong possibility it would be awarded. President Novak said that if the building went into disrepair, he would rather see the County preserve the property as a park instead of having an outside entity come to build something and not take care of it. Councilman Yagelski had a chance to talk to the Highway Department about displaying signs that give alternate routes for visitors. Commissioner Mrozinski said the bridge is not going to get better on its own and will ultimately have to be replaced.

## **NEW BUSINESS**

### **1. Consider Approval of Council President's Authorization to Hire Replacement Position for La Porte County Highway Hanna District**

This item was addressed earlier in the meeting.

**OLD BUSINESS**

None

**CORRESPONDENCE**

None

**ORDINANCES AND RESOLUTIONS**

**Resolution No. 2018-6 Personal Property Declaratory Resolution for OTECH Corporation**

A motion to read 2018-6 by title only was made by Councilman Yagelski and seconded by Councilman Santana. Motion carried 5-0. Auditor Winski read the resolution by title only.

A motion to authorize the public notices and the reading of 2018-6A and 2018-6B by title was made by Councilman Yagelski and seconded by Councilman Santana. Motion carried 5-0. Auditor Winski read the resolutions by title only.

**Authorize Public Notice for Hearing on Confirmatory Resolution for OTECH Corporation, Personal Property Tax Abatement at the July 23, 2018 County Council Meeting**

**Resolution No. 2018-6A Personal Property Declaratory Resolution for Sammann, Inc.**

**Resolution No. 2018-6B Real Property Declaratory Resolution for Sammann, Inc.**

**Authorize Public Notice for Hearing on Confirmatory Resolution for Sammann, Inc., Personal Property Tax Abatement and Real Property Tax Abatement at the July 23, 2018 County Council Meeting**

Attorney Anthony Novak approached and stated he represents OTECH Corporation. He said OTECH CEO, Jack O'Donnell was in attendance, as well as Corporate Director of Finance, Chris Stantz. He asked that a 13.58 acre parcel at 4744 Oak Mill Road be designated an Economic Revitalization Area and if that is granted, a personal property tax abatement on approximately 2.1 million dollars' worth of manufacturing equipment for the maximum length of time allowed by the Council. Mr. Novak then gave a brief history about OTECH. He said the company plans to add two new lines and erect four silos which are detailed in Exhibit C in application and Exhibit C in the statement of benefits. He then explained the color and Banbury lines and said the costs would be \$394,241.00 and \$1,332,992.00 respectively. The silos will be used to for bulk storage of raw materials with a total cost of \$384,136. Therefore, the total request for the abatement is \$2,111,369.00. With the addition of the lines and silos, OTECH estimates that they will hire 13 new full-time employees with total salaries and wages of \$436,960.00. OTECH employees also get additional benefits.

Attorney Friedman clarified that this is the declaratory resolution and the confirmatory will be done at the next meeting. A motion to approve declaratory Resolution 2018-6 was made by Councilman Kirkham and seconded by Councilman Sullivan. Motion carried 5-0.

A motion to approve authorization for public notice for hearing on confirmatory resolution for OTECH Corporation was made by Councilman Kirkham and seconded by Councilman Sullivan. Motion carried 5-0.

Mike Seitz said he is before the Council to request a real and personal property tax abatement for Peepers (Sammann, Inc., dba Peepers), a company that designs very innovative, expensive and affordable eye care located at 9935 E Highway 12, Michigan City, Indiana. They want to build a new distribution center and attach a building to their existing building. They also want to relocate a fulfillment center from Elgin Illinois to La Porte County. They have been in business since 1993 and are looking for improvements of \$1.5 million in real property and \$300,000.00 for racking, shelving, and two forklifts. They currently have 29 employees and will be adding an additional 17 employees with an average wage of \$13-\$30 per hour. John Hart, Operations Director at Sammann, dba Peepers. He gave a brief background of the company. He said they are known for their reading glasses, but recently started a sunglass line. They also put a big emphasis on employee happiness. They were named one of Indiana's best places to work for the second year in a row. A motion to approve declaratory resolutions 2016-A and 2016-B, and authorization for public notice for hearing on confirmatory resolution for Sammann, Inc. was made by Councilman Yagelski and seconded by Councilman Kirkham. Motion carried 5-0.

**APPROPRIATIONS, TRANSFERS, REQUESTS**

**La Porte County Sheriff's Department**

**Requesting Permission to Spend**

**From the Fire Arms Training Fund (1156)**

**For the Purchase of Inmate Work Crew Mower**

**Not to Exceed**

**\$12,000.00**

A motion to approve was made by Councilman Santana and seconded by Councilman Kirkham. Motion carried 5-0.

**La Porte County Adult Probation**

**Requesting Permission to Spend**

**From Probation User Fees (2102)**

**Reception Chairs**

**\$ 900.00**

**Conference Room Tables, Power Supplies & Chair**

**\$ 4,350.00**

**3 Laptop Computers**

**\$ 5,292.00**

**3 Desks**

**\$ 3,748.50**

**Total**

**\$14,290.50**

A motion to approve was made by Councilman Santana and seconded by Councilman Sullivan. Motion carried 5-0.

Steve Eyrick said the completion date for construction is July 3<sup>rd</sup> and move in will be July 5<sup>th</sup> and 6<sup>th</sup>. He said they plan on having an office lunch with the construction crew. The week of July 17<sup>th</sup> is Probation, Parole, and Pre-Trial Services Appreciation Week, so he plans to have an open house on the Thursday of that week.

**COUNTY COUNCIL/ATTORNEY COMMENTS**

Councilman Kirkham stated that as a wounded marine, he is in full favor of having a VSO Officer in Michigan City for at least two days per week.

Councilman Santana responded to an email from the VSO, Joe Golec. He read from the email and responded to specific issues. He added that the initial discussion was that one VSO (Mr. Watkins) was

retiring and a new VSO (Mr. Golec) would be hired and trained. Then Mr. Watkins stayed on as a part-time VSO. The Council later approved Mr. Watkins to work one day per week in the Michigan City office. Councilman Santana reminded the audience that the Council is the fiscally responsible body in the County. He told Mr. Golec he has some information that he can share with him about the Veteran Work Study program in which a student/veteran would assist other veterans instead of paying a VSO through the County. The person would be paid for by the Veterans' Administration and would be tax free for the student/veteran. Councilman Santana said there may be addition means of serving the veterans of La Porte County. President Novak interjected and said he believes Councilman Santana made his point and they should move on.

Councilman Kirkham said he was approached by a group who wants to buy the County an ambulance to help with the Northeast part of the County. President Novak said it was voted at the last meeting to get the six people for EMS into the budget so it can be handled correctly. Councilman Kirkham said he hopes the ambulance can be purchased for the same pricing as Andrew McGuire received.

President Novak said there has to be a workshop on the salary study before budget hearings. It was decided to have it on Tuesday, June 26<sup>th</sup> at 5:00 p.m.

Councilman Santana said he felt the Council was blindsided at the last meeting by the bundling of the ambulances and the six employees by EMS. As liaison to EMS, he believed these items were going to be addressed individually. He added he agrees the Northeast part of the County does need quicker response times.

President Novak asked Auditor Winski to provide the Council with a 5-year average of figures of what EMS turns back into the County at the end of the year. Auditor Winski said she has those figures.


A motion to adjourn was made by Councilman Santana and seconded by Councilman Sullivan. Motion carried 4-0 (Councilman Kirkham was not present at the time).

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 23<sup>rd</sup> of July, 2018.

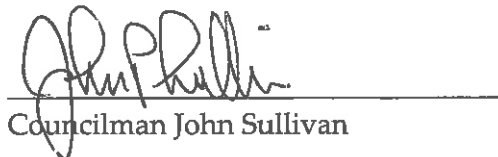
  
Councilman Terry Garner

  
Councilman Cary Kirkham

  
Councilman Mike Mollenhauer

  
Councilman Randy Novak

  
Councilman Jeff Santana

  
Councilman John Sullivan

  
Councilman Mark Yagelski

ATTEST:  \_\_\_\_\_  
Joie Winski, La Porte County Auditor