

*LaPorte County Auditor
Joie Winski
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**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
JULY 23, 2018 AT 6:30 P.M.**

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on July 23, 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 Garner, Kirkham, Mollenhauer, Novak, Santana, Sullivan, and Yagelski. A quorum was noted.

APPROVAL OF THE JULY 23, 2018 AGENDA

A motion to approve was made by Councilman Sullivan and seconded by Councilman Kirkham. Motion carried 7-0.

APPROVAL OF THE JUNE 18, 2018 REGULAR MEETING MINUTES

A motion to approve was made by Councilman Yagelski and seconded by Councilman Sullivan. Motion carried 7-0.

PUBLIC COMMENT

Lisa Pierzakowski, Center Township Trustee representing The Home Team

Ms. Pierzakowski distributed information to the Council and explained the document. She stated that the those residents who make minimum wage can only afford \$377.00 for monthly rent, and the lowest rent in La Porte County is \$350.00 which does not include NIPSCO or water. She said for those residents who make \$750.00 or less per month, the County Home is being considered for a place of residence. She did clarify, however, that County Home would be for all residents of La Porte County and not a specific group.

Because this proposal is grant driven, Councilman Yagelski asked if there was a plan if the grants should diminish. Ms. Pierzakowski said the purpose of the grants is to rebuild and/or repair the County Home but that the monthly rent from residents would be the revenue to keep the facility running in the future.

She said they are estimating 30 rooms on the first floor and more if the second floor is added, with revenue of \$300.00 to \$400.00 per each resident. She added that the residence will be run through Housing Opportunities and additional businesses have contacted her to give assistance.

Councilman Santana inquired as to whether the Council would be approached in the future for additional funding, but Ms. Pierzakowski stated that she told the Board of Commissioners that she would not be asking for funding from the Council. Councilman Kirkham asked about cooking facilities and Ms. Pierzakowski replied that there is not much that needs to be updated and meals will be provided to the residents. She anticipates that food will be donated by community organizations. Councilman Santana asked about planned renovations, but Ms. Pierzakowski said she didn't bring a detailed list. She estimates it will cost approximately between \$1.2 and \$1.6 million to make the facility functional and the work will be completed in phases. She added that how quickly the work gets completed depends on the funding. President Novak appreciates The Home Team for jumpstarting this project. Ms. Pierzakowski said she is grateful for all of the various organizations who are willing to give assistance.

Richard, Retired Marine

This gentleman stated he heard the Michigan City Veterans' Service Office would be closing and hopes that it will remain open on a part-time basis. He has worked with veterans who had financial issues so keeping open the Michigan City office would be helpful to those who cannot afford their own vehicles. He asked to please keep the office open for at least 2 to 3 days a week.

DEPARTMENT HEAD REPORTS

Joe Golec, La Porte County Veterans' Service Officer

Mr. Golec shared the latest records from June 2018 given to him by the Veterans' Administration Office. He shared that VA expenditures went from \$34,000,000.00 in 2016 to \$35,600,000.00 in 2017. He said it is coincidental that this increase occurred in the year that he was hired and there was a VSO in Michigan City. He added that he believes that investment of the County is worth the increase in VA expenditures. He told Councilman Santana that he would provide a detailed review of the Work Study program via email.

Councilman Santana gave Mr. Golec some information about the decrease of Veterans in various Indiana counties. Councilman Santana then asked Mr. Golec to clarify whether or not the \$1.6 million dollar increase in VA expenditures comes directly through the Veterans' Service Office and if La Porte County reaps the benefit of that money. Mr. Golec replied that in one form or another, it comes through the County, with the possible exception of education benefits and things like that. Councilman Santana expressed his thoughts regarding the VSO in Michigan City and stated that the situation has been resolved and there is confidence that Mr. Golec can do the job in both La Porte and Michigan City. He said he is looking at the situation as part of the fiscal body of La Porte County.

President Novak stated that Councilman Santana's comments don't reflect all of the members of the Council, and there are members who believe the Michigan City Office should have a part-time VSO. Mr. Golec said that the financial data can be trusted and not the data on the amount of veterans in the County. He said it is difficult for him to believe that the veteran population is shrinking because he sees an increase in veterans in the office. He also said he does as much as he can for veterans and their families in the time he has, but strongly feels that having both a part-time VSO and him has directly affected the increase in VA expenditures. Councilman Santana said the VSO was initially a part-time that turned into a full time position. He again explained his thoughts regarding the Veterans' Service Office. A fervent interaction occurred between Councilman Santana and Mr. Golec. President Novak thanked Mr. Golec for his time.

Rich Mrozinski, La Porte County Commissioner

Mr. Mrozinski explained his thoughts regarding the VSO in Michigan City. He added that he is has been reappointed to the National Legislative Committee. He said that when he speaks to Indiana legislators about Veterans, he always receives a great welcome. However, when he comes to his own County, he doesn't understand why he has to fight and beg for money from the Council for the veterans. He added that he will continue to give his ultimate effort to help the veterans. He asked the Council to consider what is most important. Councilman Santana began to vigorously respond but President Novak suppressed any further comments.

Attorney Friedman stated that he had spoken to Commissioner Mrozinski regard the VSO issue and understood that Mr. Watkins' continued employment was an honest misunderstanding and he hopes that some common ground can be found. Commissioner Mrozinski said that when Mr. Watkins was put in the Michigan City office it was to determine if there was a need there. Within two weeks, it was apparent that there was and continues to be a need for an office in Michigan City. He added there was no malice intended and all that is being asked for is to have someone available to address the demand for veterans' services. President Novak said this will be addressed when the 100 accounts are examined and he will be supporting it.

LIAISON REPORTS

Councilman Mollenhauer had Redevelopment meetings on June 6th and June 27th, and one June 26th, he attended the salary study workshop. On June 28th, he attended Sharon Wilson's retirement gathering and on July 18th he attended the Waste District Board Meeting; the Zigler Road project is going well. And construction will be starting soon.

Councilman Kirkham said the Animal Shelter is having training sessions on July 24th at 11:00 a.m. and 5:00 p.m. for volunteers who are interested in working there.

Councilman Sullivan attended the South County Community Coalition. They are thinking of starting a transportation system on small basis for residents on the south side of the County. If anyone is interested, please see him after the meeting.

Councilman Santana explained that Andrew McGuire will be coming before the Council for additional appropriations and additional items. EMA informed Councilman Santana that there was a water problem in Lacrosse that has been remedied. He also mentioned Lacrosse Fire Chief Aaron Rust who mitigated the situation. EMA is planning a school mock disaster in October.

President Novak attended a criminal rule 26 meeting. He attended Fairground and Redevelopment Committee meetings. He then commended those involved in the La Porte County Fair this year.

NEW BUSINESS

1. Consider Approval of Council President's Authorization to Hire Replacement Positions for a District Administration Manager for the La Porte County Soil and Water Conservation District and a Replacement Clerk Position for the La Porte County Clerk's Office.

A motion to approve for the Soil and Water District Administration Manager was made by Councilman Yagelski and seconded by Councilman Sullivan. Motion carried 7-0.

A motion to approve for the La Porte County Clerk position was made by Councilman Yagelski and seconded by Councilman Sullivan. Motion carried 7-0.

2. Consider Approval of La Porte County Public Library Additional Appropriation in Excess of the Budget for the Current Year in the Amount of \$1,212,500.00.

Attorney Friedman said a hearing on the ordinance should be convened since it would be on first reading and to invite public comment. President Novak said at this time, the public hearing would be opened. This is the library's money and not an additional appropriation. President Novak closed the public comment since no one approached for comment. A motion to approve for the La Porte County Library to spend the money was made by Councilman Garner and seconded by Councilman Mollenhauer. Attorney Friedman clarified that this was a first reading only and the second reading will occur at next month's meeting. Motion carried 6-1 with Councilman Yagelski voting Nay.

3. Consider La Porte County Prosecutor's Request to Hire an Additional Victim Advocate and the Request of Funding (as a Grant Match) for this position in the amount of \$67,072.00 (for a two-year period) from the General (1000) Fund, Riverboat (1191) or Win Tax (4220).

Prosecutor Espar said he applied to the Indiana Criminal Justice for a grant and received a \$350,361.000 grant to fund three victim advocates in the Prosecutor's Office. It is an 80% funded grant, therefore, the local match is \$67,072.00 for all three victim advocates for two years. Councilman Yagelski asked if this could come out of the Prosecutor's Discretionary Fund. Prosecutor Espar asked that it come from the Council. A motion to approve out of the Prosecutor's Fund was made by Councilman Yagelski, but Auditor Winski clarified that it is the Prosecutor's Deferral Fund. President Novak asked if there was enough money in the fund to cover both items. Councilman Santana asked if it would have to be re-advertised and Auditor Winski said if it does come out of that fund, Prosecutor Espar would have to come back before the Council. Prosecutor Espar requested it not come out of the Deferral Fund because there are more appropriate reasons to use that fund. Auditor Winski said there is \$279,050.00 in the fund, so President Novak asked for a second on the motion. The motion was seconded by Councilman Mollenhauer. Councilman Yagelski said he understands Prosecutor Espar doesn't want to take it out of his fund, but he also understands that the burden shouldn't be put upon the taxpayers. Auditor Winski explained that when an entity applies for a grant, the Council and Commissioners must be approached and money requested first. The State Board of Accounts advised that the appropriation can be approved by the Council, but in this case, the request did not come first. She added that other entities come before the Commissioners and Council to make the request prior to applying for the grant because that is the appropriate procedure. Therefore, because it wasn't done that way in this instance, and if this method continues in the future, legislative action can be taken. She continued that approval for the previous victim's advocates was an in-kind match. Auditor Winski said it shouldn't have to be re-advertised because it is a permission to spend. She added that it is the County User Fee Fund and Councilman Santana asked if it has to be re-advertised. Attorney Friedman said it should be put as a permission to spend on the next agenda.

Motion carried 6-1, with Councilman Santana voting Nay.

Consider La Porte County Prosecutor's Request to Transfer \$89,000.00 from the Unappropriated Pretrial Diversion/Deferral Account (2500-20200-000-0327) to the Pretrial Diversion/Deferral Claims Account (2501-20200-000-0343) to cover remainder of the year expenses.

A motion to approve was made by Councilman Yagelski and seconded by Councilman Kirkham. Motion carried 7-0.

A motion to hire the Victims' Advocate was made by Councilman Yagelski and seconded by Councilman Sullivan. Motion carried 7-0.

OLD BUSINESS

Councilman Yagelski asked if his motion from the last meeting regarding the County Home needs to be clarified. He asked Auditor Winski if the Major Moves money had to be used for something specific. She said that it needs to be used for infrastructure. Attorney Friedman said additional steps needed to be made by July 31st but UP Development is not able to move forward at this time. However, there is the other proposal between The Home Team and Housing Opportunities. Councilman Yagelski said the intent for his motion was if the funding came through, approval would be reevaluated. Attorney Friedman added that it was an approval for authorization and no money was designated for the project. At this time, it is not feasible to support the UP Development application. Lisa Pierzakowski said that meetings are scheduled and the final phase should be done within 30 to 60 days. Councilman Yagelski said an ultimate decision has to be made and Ms. Pierzakowski said she would make phone calls tonight. She will also come to the Council to give updates.

CORRESPONDENCE

President Novak addressed a letter sent to the News-Dispatch which claimed the Council was derelict in its duties regarding EMS. For the record, Director Andrew McGuire came before the Council in the fall of 2017 to lay the groundwork for the necessity of a new ambulance. He clarified that the request actually came through for 2019, and the Council has continually approved pay raises to keep EMS salaries competitive. He added that various EMS requests have consistently been approved so he feels the Council has been very supportive.

ORDINANCES AND RESOLUTIONS

Public Hearing on Confirmatory for Tax Abatement for Otech Corporation, Personal Property

- **Resolution No. 2018-7 Confirmatory Resolution for OTECH Corporation, Personal Property Tax Abatement**

Auditor Winski read the resolution. President Novak opened the Public Hearing. Attorney Friedman reminded the Council that this is on the Confirmatory resolution. President Novak then closed Public Comment. A motion to approve Resolution No. 2018-7 Confirmatory Resolution for OTECH Corporation was made by Councilman Yagelski and seconded by Councilman Kirkham. Motion carried 7-0

Public Hearing on Confirmatory Resolutions for Tax Abatements for Sammann, Inc. Real and Personal Property

- **Resolution No. 2018-7A Personal Property Confirmatory Resolution for Sammann, Inc.**

Auditor Winski read the resolution. President Novak opened Public Comment. He then closed Public Comment. A motion to approve Resolution No. 2018-7A Personal Property Confirmatory Resolution for Sammann, Inc. was made by Councilman Sullivan and seconded by Councilman Kirkham. Motion carried 7-0.

- **Resolution No. 2018-7B Real Property Confirmatory Resolution for Sammann, Inc.**

A motion to approve Resolution No. 2018-7B Real Property Confirmatory Resolution for Sammann, Inc. was made by Councilman Kirkham and seconded by Councilman Santana. Motion carried 7-0.

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County Commissioners

Requesting an Additional Appropriation

From Riverboat (1191), Win Tax (4220), or General (1000)

For the Office of Economic Development

\$125,000.00

A motion to approve out of the General (1000) Fund was made by Councilman Kirkham and seconded by Councilman Santana. Mr. Reardon was introduced as the new Director of Economic Development. Motion carried 6-1, with Councilman Garner voting Nay.

La Porte County Adult Probation

Requesting an Additional Appropriation

From Riverboat (1191), Win Tax (4220), or General (1000)

For Overtime for the Jail

\$60,000.00

And Overtime for Courthouse Security

\$ 7,500.00

Total

\$67,500.00

A motion to approve out of Win Tax (4220) was made by Councilman Yagelski and seconded by Councilman Sullivan. President Novak asked for a report on the jail population. Sheriff John Boyd stated that jail capacity is 368 and they are currently at 360 inmates. Motion carried 6-1, with Councilman Kirkham voting Nay.

La Porte County Highway

Requesting an Additional Appropriation

From Motor Vehicle Highway (1176)

For Fuel

\$150,000.00

A motion to approve was made by Councilman Santana and seconded by Councilman Santana. Motion carried 6-1, with Councilman Garner voting Nay.

La Porte County MS4

Requesting Permission to Transfer

For Step Increase

From 1000-30135-000-0161 to 1000-10195-000-0161

\$167.65

A motion to approve was made by Councilman Sullivan and seconded by Councilman Santana. Motion carried 7-0.

La Porte County Adult Probation

Requesting Permission to Spend

From Probation User Fees (2102)

For the Purchase of Computer, Printers and Office Furniture **\$7,856.36**

A motion to approve was made by Councilman Kirkham and seconded by Councilman Sullivan. Councilman Santana applauded Rich Gramarossa for saving the County money during the construction of the Probation department. Motion carried 7-0.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Santana inquired about the money given to NICTD. He asked Councilman Yagelski if/when the Federal dollars are coming to the County. Secondly, he asked that if the project should go "belly up", if the counties would get back their money. Councilman Yagelski said not all of the dollars have been received aside from the study that has already been completed. The County has already received a rating, so by the beginning of next year it will be determined whether or not the County will be on the Congressional budget. The President and Congress will decide on the appropriations. Last year, Congress actually superseded the President and asked for more money than was originally requested, and the President did not veto it. The project is still on track, it is just taking longer than anticipated. Councilman Santana asked Auditor Winski Councilman Yagelski about the money that has been designated for this project. Councilman Yagelski replied that the money is in an interest bearing account. Auditor Winski added that none of the money has been thus far been spent. Councilman Yagelski stated that the interest in the account is only 1%, but it is because the Government does not allow the money to be invested.

Councilman Yagelski expressed displeasure at the comments made by Commissioner Mrozinski regarding the Councils' approvals of various appropriations, transfers and requests. He stated that the Council carefully considers each one and does not indiscriminately approve these items. Those that are approved quickly have previously been researched and questioned and was insulted by the comments of Commissioner Mrozinski.

Councilman Mollenhauer stated he felt Commissioner Mrozinski's apology was weak, especially because he did not apologize for when Mr. Watkins stayed on past the 6 months that was approved by the Council. Therefore, he feels Commissioner Mrozinski should come to apologize again.


Councilman Garner said that the Council and the public have been misled. The Council has spent a lot of extra money on Veterans' Officers and the Council should not have to defend itself.


Councilman Santana felt he has been singled out and expressed appreciation to the Council for speaking up. He continued that Commissioner Mrozinski approved Mr. Watkins working two days per week, allegedly without the knowledge of Commissioners Kora and Gramarossa.

President Novak said the non-profit Fair Board did a great job this year. In addition, Mr. Swanson did an excellent job getting the electric completed down the midway. He coordinated many different entities to get it finished and President Novak expressed his gratitude. President Novak said he supports the additional VSO in Michigan City.


A motion to adjourn was made by Councilman Santana and seconded by Councilman Sullivan. Motion carried 7-0.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 27th of August, 2018.




Councilman Terry Garner

Councilman Cary Kirkham

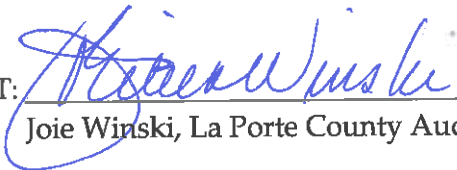
Councilman Mike Mollenhauer

Councilman Randy Novak

Councilman Jeff Santana

Councilman John Sullivan

Councilman Mark Yagelski

ATTEST: 

Joie Winski, La Porte County Auditor