



*LaPorte County Auditor
Joie Winski
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LaPorte, IN 46350-3490*

**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
FEBRUARY 5, 2019 AT 6:30 P.M.**

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on February 5, 2019 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, Novak, Rosenbaum, Sullivan, and Yagelski. A quorum was noted.

APPROVAL OF THE FEBRUARY 5, 2019 AGENDA

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

APPROVAL OF THE JANUARY 7, 2019 REORGANIZATIONAL MEETING MINUTES

Councilman Garner noted that he did not attend this meeting so the minutes need to be amended. A motion to approve the amended minutes was made by Councilman Sullivan and seconded by Councilman Rosenbaum. Motion carried 5-0.

APPROVAL OF THE NOVEMBER 26, 2018 REGULAR MEETING MINUTES

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

PUBLIC COMMENT

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

DEPARTMENT HEAD REPORTS

Barb Mossman, La Porte County Human Resource Director

Ms. Mossman stated the Job Evaluation Committee lost a member when John Dudek resigned. Therefore, she appointed Recorder Lois Sosinski to the committee with existing members of Terry Garner, Rich Mrozinski and Darlene Hale.

Larry Levendowski, La Porte County Building Maintenance Director of Facilities

Mr. Levendowski introduced himself to the Council and supplied some background on himself. He stated he'd been a member of the Local 1485 Carpenters Union for 34 years and he explained his employment history. After retirement, he volunteered at various places.

Bob Young, La Porte County Highway Superintendent

Mr. Young discussed the issues with the Franklin Street Bridge. He said there is a meeting tomorrow at 11:00 a.m. with the consulting firm who inspected the bridge, Marquiss Electric and himself to evaluate the problems. Councilman Yagelski said money had already been spent for an inspection so he wondered how these problems were missed. President Novak said the cold contributed to the bridge's deterioration. Mr. Young said he would look into the inspection report. A motion to have a voice vote to declare this an emergency was made by Councilman Yagelski and seconded by Councilman Sullivan. President Novak said there are funds available in the Major Bridge Fund. He added that USI was contacted and after reviewing photos, the bridge was safe to use but needed immediate repairs. Councilman Garner said the Council has been updated on this, and President Novak said Councilman Rosenbaum would be included in those updates. Motion passed 5-0.

LIAISON REPORTS

Councilman Garner said he spoke with the Auditor regarding concerns about having a Finance Committee meeting as soon as possible. He also touched base with Barb Mossman about any Job Evaluation Committee meetings but none are currently scheduled.

Councilman Yagelski said the ratings for NICTD will come out at the end of this year and beginning of next year. He added that there can be no Congressional approval until there is a rating and the government shutdown delayed the process. He also said he would like to go over the bridge study by the next meeting. Auditor Winski said she would schedule a Workshop for 5:30 before the February 25th meeting.

Councilman Rosenbaum attended a NIRPC meeting and two members of the Executive Board are from La Porte County. He also received material to be able to get caught up. He also spoke with the Prosecutor.

Councilman Sullivan said his liaison meetings were postponed due to weather.

President Novak said the 911 Advisory Board did the interviews and made a recommendation to the Commissioners. At the next Commissioners' meeting, a new 911 Director will be approved. He also visited the Small Animal Shelter and met with Tony Rodriguez in Economic Development. He also offered condolences on the passing of Andrew McGuire's and Attorney Friedman's fathers.

NEW BUSINESS

1. Appointment of 2019 Council Liaisons

Councilman Yagelski said due to a change in statute, a liaison to the Swanson Center must be appointed by the Commissioners, so he is no longer a liaison there. A motion to approve was made by Councilman Sullivan and seconded by Councilman Rosenbaum. Motion carried 5-0.

2. Consider Approval of Council President’s Authorization to Hire Replacement Mechanic for the Highway Department

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

3. Maintenance Director, Larry Levendowski – Consideration of Proposal to Realign Maintenance Department Employees

Mr. Levendowski explained that there is an LTC employee who is retiring with a salary and benefits package of \$69,343.00. He would like to change the classification of the Assistant Director to an unclassified, exempt position and increase the salary \$13,089.00 to be more in line with the HVAC employee. . He would also like use \$15,000.00 for part-time seasonal. He is not looking to replace the retiring employee but instead redistribute the money which would result in a total savings of \$41,872.00 including salary and benefits. The purpose is to hire an employee with greater experience. President Novak confirmed that Mr. Levendowski’s adjustments would be within his budget. Councilman Yagelski said he has no issue with this, but this should have nothing to do with the HVAC employee’s salary. He continued that the employee’s salary was based on his skill set and to help the County save money. Councilman Garner expressed surprise that an employee can be eliminated with all the duties that have been added to the Maintenance department. Mr. Levendowski said he believes the same amount of work can be done with one less employee by using better oversight. He’s also added his own work order system. In addition, the part-time person can fill in during vacations and other absences. Councilman Rosenbaum wondered if this causes an issue with the hiring freeze. President Novak said Councilman Santana has evaluated the information. Mr. Levendowski said the goal is to better serve the community and employees. Councilman Yagelski how the Assistant Director’s salary compares to Mr. Levendowski’s salary and he replied the difference is approximately \$3,000.00.

A motion to approve was made by Councilman Yagaelski and seconded by Councilman Sullivan. Motion carried 4-1, with Councilman Garner voting Nay.

Auditor Winski said a permission to hire will also be needed and Mr. Levendowski said he didn’t realize that was necessary. A motion for permission to hire was made by Councilman Rosenbaum and seconded by Councilman Sullivan. Motion carried 5-0.

4. Prosecutor John Lake – Discussion of Moving Salaries with 100 Accounts and Discussion of ICAC Unit. Also, Requesting Permission to Spend/Transfer from Pretrial Diversion Fund (2501) in the Amount of \$9,623.78 for the Purchase of Computers, Notebooks and Software.

Prosecutor Lake said the 100 account discussion should be tabled and he explained the permission to spend request. A motion to table the discussion on 100 accounts was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 5-0. A motion to transfer \$9,623.78 from the Pretrial Diversion Fund (2501) for the purchase of computers, notebooks and software was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 5-0. Prosecutor Lake confirmed that this was approved by IT.

OLD BUSINESS

None

CORRESPONDENCE

None

ORDINANCES AND RESOLUTIONS

**Public Hearing on Confirmatory Resolution for Personal Property Tax Abatement for Dollar General
Resolution No 2019-01 Personal Property Confirmatory Resolution for Tax Abatement for Dollar
General**

No one from the public commented, so President Novak closed Public Hearing.

**Resolution No 2019-01 Personal Property Confirmatory Resolution for Tax Abatement for Dollar
General**

A motion to read by title only was made by Councilman Rosenbaum and seconded by Councilman Sullivan. Motion carried 5-0.

Auditor Winski read by title only

President Novak said this was started during the November 2018 meeting and this is the finalization. Tony Rodriguez said this action will confirm what was previously initiated. The potential investment is approximately \$8.5 million dollars and a five year abatement is being recommended. He said it is also an opportunity to reutilize a vacant facility. Councilman Rosenbaum added that this is a decreasing abatement over five years. A motion to approve Resolution 2019-01 was made by Councilman Rosenbaum and seconded by Councilman Garner. Motion carried 5-0.

Resolution No 2019-01 Ordinance to Adopt 2019 Salary Schedule

Auditor Winski read by title only. A motion to approve was made by Councilman Sullivan and seconded by Councilman Yagelski. Motion carried 5-0.

President Novak congratulated Dollar General and acknowledged Matt Reardon and Tony Rodriguez from Economic Development.

APPROPRIATIONS, TRANSFERS, REQUESTS

**La Porte County Michigan Township Assessor
Requesting Permission to Hire
Replacement of COMOT IV Position**

Scott Bell stated this is a position from which an employee is retiring. Councilman Rosenbaum asked if there were any specific qualifications for this position but Mr. Bell said if the person has not completed assessor level training, they are put into training upon hire. A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Sullivan. Councilman Garner asked how many employees are currently in the office and Mr. Bell responded five including him, but stated a full staff is six. Councilman Garner questioned whether the office could be downsized and work more with the County Assessor's Office, but Mr. Bell responded no. Motion carried 5-0.

**La Porte County Problem Solving Court
Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
For Intensive Case Manager Position**

\$66,356.00

Judge Greta Friedman said she brought members of her team in case the Council has questions. She discussed the Problem Solving Court program and its successes. She also reviewed statistics and the impact

upon various County offices. She stated she only comes before the Council after exhausting all other means. The Problem Solving Court has been awarded grants and they continue to pursue them and other resources. However, the court has encountered challenges. Due to the application for a grant, tonight's request is actually approximately ½ of the \$66,356.00. It has not yet been approved, but she is hopeful for its confirmation. She reiterated that additional grants will continue to be pursued. She asked for continue support from the Council. She also said she will extend invitations to the next graduation on March 26, 2019. Mr. Steve Eyrick distributed the most recent report about this program to the Council. A motion to approve \$25,000.00 out of Riverboat (1191), until it is determined if the Prosecutor can give financial assistance, was made by Councilman Yagelski and seconded by Councilman Garner. Motion carried 5-0.

La Porte Superior Court #3

Requesting an Additional Appropriation

From Riverboat (1191) or Win Tax (4220)

Not to Exceed

For 8 Weeks of Salary for Training of LADS Director Position

\$11,000.00

Judge Jeffrey Thorne said LADS is losing Roxanne Justus who is retiring. Judge Thorne said the job requires administrative, evaluation, and an important role in the Veterans' Court. Therefore, Roxanne will retire April 29th, but needs to train her replacement. He added that as soon as the new person is hired, the salary will be approximately \$10,000.00 less than Ms. Justus' salary. Councilman Yagelski said he hopes someone knows the Director's job besides Ms. Justus. However Judge Thorne said it is a one-person office. He explained there will be additional cost for now, but it would be reduced in the future. Councilman Garner said when employees leave, there is not the luxury of having eight to ten weeks for training. There was also clarification that the new employee will be trained for four weeks and Ms. Justus will take her remaining vacation for the next four weeks. Ms. Justus said it's not just about training but also obtaining credentials over time. In addition, if the credentials cannot be obtained, it will be impossible for the new employee to do the job. Judge Thorne said Ms. Justus is willing to stay and do the training, and Ms. Justus said if not for obtaining credentials, it wouldn't take four weeks. Judge Thorne said the amount is not to exceed \$11,000.00 and he anticipates it will be less. A motion to approve \$5,500.00 out of Riverboat was made by Councilman Rosenbaum and seconded by Councilman Sullivan. Judge Thorne asked if the Council could be approached if additional money is needed. President Novak said he can always come back but it's not part of the motion. Councilman Rosenbaum reconsidered his motion and increased the amount to \$7,500.00 out of Riverboat and Councilman Sullivan seconded. Councilman Garner cautioned that a precedent is being sent. Motion passed, with Councilmen Garner and Yagelski voting Nay.

Councilman Garner asked Council Attorney Guy Dimartino to check on whether or not a majority of the total number of Council members had to approve this specific request, and Attorney Friedman from the audience said it would be reviewed. Councilman Yagelski said this may be overturned because there is not a full Council and may have to be brought up again at a future meeting. Judge Thorne said he understands.

La Porte County Sheriff

Requesting an Additional Appropriation

From Riverboat (1191) or Win Tax (4220)

For Unused Sick Days/Retiring Employee

\$4,500.00

A motion to approve out of Riverboat (1191) was made by Councilman Yagelski and seconded by Councilman Garner and Sullivan. Motion approved 5-0.

**Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
For 2019 Merit Pension Contribution**

\$1,272,054.00

Chief Deputy Ron Heeg said this is a yearly pension contribution. He said last year, the Council frontloaded the money so it could be immediately invested; last year the plan yielded approximately 7%. Also, in exchange for frontloading, the Sheriff's Office returned the civil processing fees in the amount of \$197,110.23, or about 16% of the 2018 contribution. A motion to approve \$1,200,000.00 out of Riverboat (1191) was made by Councilman Yagelski and seconded by Councilman Sullivan. Councilman Garner asked Auditor Winski if the Sheriff was agreeable to two contributions and she said he wasn't opposed. Councilman Yagelski said the Council has always approved requests from the Sheriff's office, but he is displeased at the increase in the pension contribution this year. He said he understands there may be an increase in cost, but the Council was never approached to discuss options on how to address the increase. President Novak said he spoke with Sheriff Boyd and Chief Deputy Heeg, and the actuaries were already set and it was a preset amount. Councilman Garner asked Auditor Winski if there was a reason she preferred two payments. She replied that she did not want the Riverboat fund to be depleted and there are pending obligations for Riverboat money. Therefore, her preference is the contribution be split in two. Councilman Rosenbaum added that splitting it may increase costs. However, President Novak said he doesn't believe the actuaries are based on frontloading and it won't cost more to split the contribution. Councilman Yagelski restated his motion and added that it be split into two payments, ½ in February and ½ in June, which was seconded by Councilman Garner. Motion carried 5-0.

La Porte County EMS

**Requesting an Additional Appropriation
From Riverboat (1191) and Win Tax (4220)
For the Purchase of Equipment for Donated Ambulance**

\$87,200.00

Eric Fenstermaker, Assistant Director of EMS, stated this request relates to a rig (ambulance) that was donated by an anonymous benefactor. He added that because it is new and not a replacement, the cost is higher to outfit the ambulance. He said grants were pursued, but none were of enough substance to cover this cost. A motion to approve out of Win Tax (4220) was made by Councilman Garner and seconded by Councilman Sullivan. Motion carried 5-0.

La Porte County Hazmat

**Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
For the Purchase of a Rad Meter Replacement**

\$36,000.00

Jeff Hamilton, La Porte County Hazmat Director, said that two meters were purchased in 2001; in 2014 they went out of service and were not repairable, but could be calibrated. However, they can no longer be calibrated and must be replaced. He explained the use of a Rad Meter and said their lifespan had been 18 years. A motion to approve out of Riverboat (1191) was made by Councilman Yagelski and seconded by Councilman Sullivan. Motion carried 5-0.

La Porte County Highway

**Requesting Permission to Spend
From CEDIT/LIT (1112)
For the Purchase of a Street Sweeper**

\$265,000.00

Bob Young said this is a 2018 demo unit so there is a savings of \$30,000.00. It also comes with a full warranty. He said that so much salt and sand is put down over the winter that this equipment is necessary. He added that department has two street sweepers, but one is out of service and the other is old and does not have many years left. The vehicle that is out of service will be traded in or scrapped for parts. In addition, the CEDIT money was encumbered from last year. A motion to approve was made by Councilman Sullivan and seconded by Councilman Rosenbaum. Motion carried 5-0.

La Porte County Probation Department

Requesting Permission to Spend

From Probation User Fees (2102)

For the Purchase of Computers, Printers and Monitors **\$8,604.72**

A motion to approve was made by Councilman Garner and seconded by Councilman Sullivan. Mr. Eyrick went through the computers and set a 5-year rotation plan with input from IT Director Darlene Hale. He said he will provide more specific information to the Council via email. Motion carried 5-0.

La Porte County Clerk

Requesting Permission to Spend

From Clerk's Perpetuation Fund (1119)

**For the Preservation of Court Documents, Scanning
Copying, Shredding, Document Storage and Document Books** **\$30,000.00**

Councilman Yagelski said Building Maintenance is supposed to assist with shredding and asked Clerk Kathy Chrobak if she is using their service. She replied affirmatively for some documents, but the majority of what she is doing is preservation of old, handwritten documents from as far back as the 1900's. This request also encompasses document storage. A motion to approve was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 5-0.

La Porte County Auditor

Requesting an Additional Appropriation

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

Per the Department of Local Government Finance (DLGF)

For Correction of 2019 Budgeted Amount for Swanson Center **\$6,186.00**

Auditor Winski said an entire amount was not appropriated for the Swanson Center, so the budget needs to be increased. A motion to approve out of the General (1000) was made by Councilman Sullivan and seconded by Councilman Rosenbaum. Motion carried 4-0, with Councilman Yagelski abstaining.

Requesting Permission to Spend

From Dual Homestead Fund (7110)

For Renovations to Auditor/Payroll Office **\$11,398.00**

A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Garner. Councilman Yagelski said there is money in the Building Maintenance account, so he asked why it isn't being used for this project. Auditor Winski replied that she volunteered to use the money because it is difficult to find a use for it. She added it is for the security of the Payroll office. She explained that this fund is from taxpayers who have been found to have more than one homestead deduction when Indiana

code states an individual/married couple can only have one. She said \$500,000.00 was returned to the General Fund in 2018 and only \$100,000.00 can be kept in the Dual Homestead fund. Councilman Yagelski said that for some taxpayers who buy a home, they don't realize there is a Homestead deduction on their property. Auditor Winski added that if a person buys a property that already has a Homestead deduction on it, he/she will benefit from it for one tax year. Motion carried 5-0.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Rosenbaum expressed appreciation to those who helped him prepare for tonight's meeting. He said for those who haven't served on the Council, there is a lot to learn.

Councilman Garner advised all not to take anything personal and that the Council has to do its job. He also said that the Council members will banter back and forth, but there should be no hard feelings.

Councilman Yagelski said there was an article in the paper relating to the lack of recyclable materials in Indiana. President Novak added that a lot of money goes into the recycling program and he wondered if it could be more efficient. Councilman Yagelski said it should be evaluated.


President Novak said that due to the cancellation of meeting in January, there will be two meetings in February.

A motion to adjourn was made by President Novak and seconded by Councilman Sullivan. Motion carried 5-0.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 25th of February 2019.



Councilman Terry Garner

 - ABSENT

Councilman Mike Mollenhauer




Councilman Randy Novak



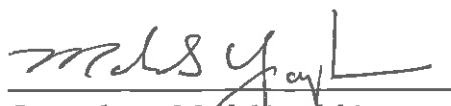
Councilman Mike Rosenbaum

 - ABSENT

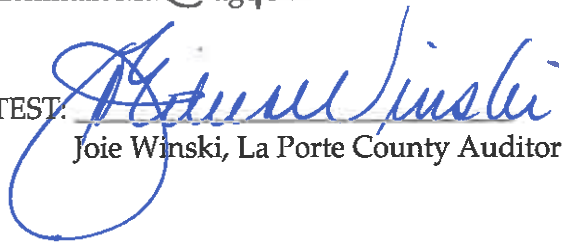
Councilman Jeff Santana



Councilman John Sullivan



Councilman Mark Yagelski

ATTEST: 

Joie Winski, La Porte County Auditor