



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

**MINUTES  
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL  
OCTOBER 28, 2019 AT 6:30 P.M.**

*(Please Turn Off All Cell Phones)*

The Regular Meeting of the La Porte County Council was held on October 28, 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, Mollenhauer, Novak, Quinn, Rosenbaum, Santana, and Yagelski. A quorum was noted.

**APPROVAL OF THE OCTOBER 28, 2019 AGENDA**

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

**APPROVAL OF THE SEPTEMBER 23, 2019 REGULAR MEETING MINUTES**

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

**PUBLIC COMMENT**

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

**DEPARTMENT HEAD REPORTS**

*Steve Eyrick, La Porte County Chief Probation Officer*

Mr. Eyrick said, although this item is not on the agenda, he is before the Council to request permission to spend for computers. It will come out of the Probation User Fees fund (2102) at a cost not to exceed \$8,600.00. Councilman Santana confirmed with Attorney Guy DiMartino that this does not have to be advertised and can be addressed at tonight's meeting. A motion to approve was made by Councilman Santana and seconded by Councilman Rosenbaum. Councilman Mollenhauer asked why this item was not on the agenda. Mr. Eyrick replied that after he submitted it to the Auditor approximately one week ago,

he was told he would either have to wait until the November Council meeting or brought up during Department Head reports at this meeting. Motion carried 7-0.

His second request is permission to pursue the 2020 Edward Byrne Memorial Justice Assistance grant. He said it would be a good fit for pre-trial salaries and he does not believe there is a cap. The first two years are straightforward, but the third year would require a 25% match from the County, the 4<sup>th</sup> year a 50% match, the fifth year, a 75% match and the 6<sup>th</sup> year, it would be completed. He said the awarded recipients would be contacted by the end of the year. A motion of support was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 7-0.

*Jeremy Sobecki, La Porte County Parks' Superintendent*

Mr. Sobecki said the new shelter at Luhr Park is being constructed and the paving was completed, so there is a new parking lot. The shelter should be approximately 75% complete when the snow arrives and the remainder will be done the following year along with other improvements. President Novak told Mr. Sobecki to keep up the good work.

*Lynne Spevak, La Porte County Treasurer*

Treasurer Spevak said that the County had a very successful tax sale on October 17<sup>th</sup>; the County made \$888,887.00, with 47 bidders purchasing one or more properties. The surplus from the sale was \$5,798,396.00. She also informed the public that property taxes are due on November 12, 2019 and there are penalties applied if they are paid late. Payments can be made at the La Porte and Michigan City Treasurers' offices and at Horizon Bank. She said her office also encourages taxpayers to pay their taxes online.

Hearing or seeing no other Department Heads, President Novak closed Department Head Reports.

## **LIAISON REPORTS**

Councilman Rosenbaum attended the Redevelopment Commission meeting last month and the AIC Conference in French Lick where he was elected the Treasurer of the Indiana County Council Association beginning January 1, 2020. He is attending Leadership La Porte, which is self-paid, and acknowledged the Juvenile Court Symposium which had over 150 participants. He participated in the conference in Lacrosse and he attended the Hudson Township Board meeting to help them get things in order for next year.

President Novak introduced Sean Quinn, the newest member of the La Porte County Council. Mr. Quinn said he had nothing to report but looks forward to being on the Council and working with its members.

Councilman Santana had nothing at this time.

Councilman Garner spoke to Recorder Lois Sosinski who will be coming before the Council this evening. He also referenced the email from Sheriff Boyd addressed at the workshop.

Councilman Mollenhauer attended the La Porte County Redevelopment Committee meeting on September 25<sup>th</sup> and attended the Employees' Insurance Committee meeting on October 16<sup>th</sup>. HR Director Barb Mossman will be discussing the information at tonight's meeting. On October 17<sup>th</sup>, Councilman Mollenhauer and his wife attended the dedication and ribbon cutting for the Fremont Ballroom at the Blue Chip Casino. He also attended a dedication and ribbon cutting on October 17<sup>th</sup> at the Solid Waste District facility on Zigler Road. He acknowledged Clay Turner on the fantastic improvement of the facility. On October 22<sup>nd</sup>, he attended the Community Crossing grant award ceremony and the Health Department's

Committee Board meeting. There is an Open House for their newly renovated water lab on December 6<sup>th</sup> from 12:00 p.m. to 3:00 p.m. On October 23<sup>rd</sup>, he attended the State Board of Accounts exit interview for the Solid Waste district.

Councilman Yagelski said the Council members have been invited to the Swanson Center on November 15<sup>th</sup> for dinner, dancing and a presentation. He asked the Council members to inform him if they are going to attend. He also said that there was another issue with the Franklin Street Bridge, due to the weather, that affected the electrical conduit. He also discussed the improvements made due to the recent accident that occurred at the bridge. President Novak said the money saved on the Franklin Street Bridge project was used to repair the electrical conduit issue.

President Novak attended the Veteran's Court and the Criminal Rule 26 meeting.

Councilman Mollenhauer said the Solid Waste District's hours currently include Sunday from 8:00 a.m. to 4:30 pm., however the times may be adjusted as the weather changes.

## **NEW BUSINESS**

### **1. Consider Approval of 2020 Budgets for Kankakee and Hanna Township – Attorney Brad Adamsky**

A motion to approve was made by Councilman Garner and seconded by Councilman Mollenhauer. Councilman Rosenbaum asked for clarification of the adopted budgets versus the adopted tax levy. He asked if there are funds available to offset the adopted budget. Attorney Adamsky explained Kankakee's cumulative fund and Hanna's changes to its budget. Councilman Yagelski asked if the increase in levy would be below 3.5% and Attorney Adamsky replied affirmatively. He added that the increase in the Kankakee's budget would increase because they are drawing from the cumulative fund but the levy would not increase more than 3%. Councilman Santana said there are Board members who may be on the Fire Service or working for the township, so the Council gets involved due to a possible conflict of interest. Attorney Adamsky said that, traditionally, the township trustees present the budget to the township board as the financial entity for the township. Because Kankakee and Hanna township boards have a majority of volunteer firefighters on the boards, the state has determined they cannot vote on their own budget. Motion carried 7-0.

### **2. Consider Approval of the 2020 Health Insurance Premiums – Barb Mossman**

Ms. Mossman said there has been an approximate increase of \$150,000.00 in stop loss funding but because there is now a quarterly prescription rebate, it will offset those funds. Therefore, she is asking for no change in 2020 premiums. She said the health insurance is with UMR and it will not change. Councilman Garner said he has had some issues with them and feels there are other employees who also feel the same. Ms. Mossman asked that those issues be brought to her attention and said it is important to reach out to the care coordinators. Councilman Garner said he wants the best product for the employees. Ms. Mossman said she has heard both complaints and compliments on the coverage, but would be happy to meet with Councilman Garner to discuss the specific problems. Councilman Santana asked if the premiums are locked in or if there is the possibility of fluctuation. Ms. Mossman replied that because the County is self-insured, the premiums are not guaranteed and may change. Councilman Santana asked Ms. Mossman if she has ever seen money come back to the County and she replied affirmatively. Councilman Yagelski said he wants to remind the Council that the percentage of benefits paid by the County is going in the wrong direction. The goal was to get a 75% employer and 25% employee contribution and it is now 87%/13%. He said raises were given out in the last three years but the insurance percentage hasn't changed. Councilman Santana agreed that it is going in the wrong direction. Ms. Mossman said the total plan year expected cost

is \$9,675,929.00. A motion to approve was made by Councilman Mollenhauer and seconded by Councilman Santana. Motion carried 5-2, with Councilman Garner and Yagelski voting Nay.

**3. Consider Issuing Public Notice Regarding Hearing on Disposition of County Property – the La Porte County Home and Adjacent Five Acres Excluding the County Barn**

Attorney DiMartino explained that there should be a motion to approve issuing public notice for a hearing that would occur at the next Council meeting. A motion to approve was made by Councilman Santana and seconded by Councilman Quinn. Councilman Yagelski said there have been many considerations over the years. President Novak said he understood that the property in question is the building, but the acres and barn were to be kept by the County. Councilman Yagelski disagreed and said the Commissioners were authorized by the Council to get appraisals on all three, although that didn't mean they had to be sold. President Novak said he felt that the appraisal information was not shared with all Council members. Attorney Shaw Friedman said that could be provided. However, he said the issuance of the public notice for the County home and adjacent five acres was specifically instructed by the Council. Attorney Friedman added that the rental from the farm acreage also plays a key role. Councilman Yagelski said that wasn't a part of the Council's agreement. Attorney Friedman said the direction from the Council was not to sell the farm land. Councilman Yagelski said wants the appraisals for all three of the items. Attorney DiMartino said what is being voted upon is the issuance of notice for the items. President Novak said he does not want to see a delay, but understands that is important to get the appraisals on everything. Councilman Santana added he does not want to hold this up any longer but would like to know the difference between an appraisal of the additional acres and the amount of income from the rental of the farm acreage. He said he checked with Maintenance and said \$7,035.00 was spent which multiplied by four years it is approximately \$30,000.00. Attorney Friedman said there have been various applications to have alternate uses for the County home that fell through. He said the Commissioners are moving forward and a statutory process has to be followed. He said he would make sure all Council members receive the appraisals. Motion approved 7-0.

**4. Consider Approval to Allocate Remaining Funds from Hospital Payment for EMS Base to EMS Base Project Fund in the Amount of \$999,159.95 – Larry Levendowski**

A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Santana. Mr. Levendowski said the price has been reduced to \$954,000.00 and that he is working with the contracting company to further reduce the price. Councilman Yagelski confirmed that this price includes plans and drawings and Mr. Levendowski agreed. In addition, the deadline is June 1<sup>st</sup> of 2020, but hopefully it will be sooner. Motion carried 7-0.

**5. Consider Approval of Final Design for the Michigan City Courthouse Renovation Project**

A motion to approve was made by Councilman Yagelski and seconded by Councilman Garner. Councilman Santana said this does not include how much money will be finalized for this project. Motion carried 7-0.

**OLD BUSINESS**

None

**CORRESPONDENCE**

None

**ORDINANCES AND RESOLUTIONS**

None

**APPROPRIATIONS, TRANSFERS, REQUESTS**

**La Porte County Recorder**

**Requesting Permission to Transfer**

**From 1189-10130-000-0324 (Part Time)**

**To 1189-30163-000-0324 (Data Conversion) \$5,300.00**

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

**La Porte Superior Court #4**

**Requesting Permission to Transfer**

**From 1000-10174-000-0152 (Court Reporter)**

**To 1000-30088-000-152 (Psychological Services) \$3,500.00**

**To 1000-30027-000-0152 (Education Inst Training) \$ 246.87**

**To 1000-30003-000-0152 (Travel) \$ 160.50**

**Total \$3,907.37**

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

**La Porte County Alcohol & Drug Services (LADS)**

**Requesting Permission to Transfer**

**From 2502-10195-000-0142 (Program Supervisor)**

**To 2502-20200-000-0242 (For Grant Match) \$ 471.79**

**To 2502-30009-000-0242 (Dues) \$ 235.00**

**To 2502-30135-000-0242 (Professional Services) \$3,250.00**

**Total \$3,956.79**

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

**La Porte County Animal Shelter**

**Requesting Permission to Transfer**

**4100-20200-000-0531 (Donation Fund)**

**To 1000-10130-000-0156 (Part Time Account) \$24,000.00**

A motion to approve was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Councilman Santana confirmed that this transfer is appropriate and that if the money is depleted in the part-time account, the Council will not be approached for additional funds. La Porte County Animal Shelter Director Jane Bernard stated that it is a grant and as long as it continues, there will be no need to come before the Council for additional money. Motion carried 7-0.

**La Porte County Surveyor**

**Requesting Permission to Transfer**

**For Replacement Purchase of Office Copy Machine**

From 1000-10130-000-0106 to 1000-41003-000-0106	\$ 878.00
From 1000-30006-000-0106 to 1000-41003-000-0106	\$1,680.00
From 1000-30003-000-0136 to 1000-41003-000-0136	\$ 750.00
From 1000-30042-000-0136 to 1000-41003-000-0136	\$ 700.00
From 1000-20021-000-0136 to 1000-41003-000-0136	\$ 80.00
From 1202-20200-000-0271 to 1202-41003-000-0271	<u>\$1,012.00</u>
<b>Total</b>	<b>\$5,100.00</b>

A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Santana. Councilman Santana said that Tony Hendricks does not often come before the Council for money, and this is only a transfer, so he feels the Council should feel comfortable with this request. Motion carried 7-0.

**La Porte County Coroner/Prosecutor**

**Requesting an Additional Appropriation  
From Riverboat (1191) or Win Tax (4220)  
For Exhumation and Autopsy Expenses**

**\$5,942.00**

Prosecutor John Lake explained that Coroner Bob Cutler pays for the autopsies, but in the Wozniak case, there needed to be an exhumation of the body and an autopsy to determine the cause of death. He said there were negotiations for 6-8 months to avoid this, but there is now going to be a trial so it was necessary. A motion to approve out of Riverboat (1191) was made by Councilman Rosenbaum and seconded by Councilman Mollenhauer. President Novak asked for the price of a normal autopsy and Mr. Cutler replied approximately \$3,500.00. He added that this included much more than just a normal autopsy and Mr. Lake said if there is a conviction, reimbursement will be requested. Motion carried 7-0.

**La Porte County Maintenance**

**Requesting an Additional Appropriation  
From Riverboat (1191) or Win Tax (4220)  
For Electric (1000-30040-000-0142)  
For Janitorial Services (1000-20028-000-0142)  
For Water & Sewage (1000-30060-000-0142)  
For Major Repairs (1000-30130-000-0142)  
Total**

**\$20,000.00  
\$25,000.00  
\$24,497.00  
\$ 9,820.00  
**\$79,317.00****

A motion to approve out of Riverboat (1191) was made by Councilman Mollenhauer and seconded by Councilman Santana. Mr. Levendowski explained that these expenses are unique and will not be incurred every year. Councilman Santana said Mr. Levendowski is in the situation of adjusting expenses that were too high and Mr. Levendowski added he is finding ways to save costs. Motion carried 7-0.

**La Porte County Clerk/IT**

**Requesting an Additional Appropriation  
From Riverboat (1191) or Win Tax (4220)  
Or Clerk's Perpetuation Fund (1119)  
For Scanning Clerk and Court Documents**

**\$297,660.00**

A motion to approve out of the Clerk's Perpetuation Fund was made by Councilman Yagelski and seconded by Councilman Rosenbaum. IT Director Darlene Hale said one of the quotes of \$15,840.00 was for the Juvenile Probation records, so she wasn't sure it could be included. Auditor Winski said there is

\$245,000.00 in fund 1119, but President Novak said it doesn't all have to be done at one time. The motion by Councilman Yagelski to approve was amended to \$200,000.00 out of the Clerk's Perpetuation Fund (1119) for 2019 which was seconded by Councilman Rosenbaum. Motion carried 7-0. A motion to approve \$15,840.00 out of Riverboat was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 7-0.

Councilman Rosenbaum said the scanning of documents is vital and stated that he felt it was negligent of the Clerk to not have done this sooner. Councilman Yagelski said this was nobody's fault and has been worked on for years. He added that because there are not unlimited funds, the process has moved slowly but that there has been no negligence. Councilman Rosenbaum replied said the Clerk's office has not been working hard enough to get it done. Councilman Yagelski said he has the floor and that it is unfortunate that it is moving slowly and not getting done in an accelerated manner. President Novak stated that everyone agrees it needs to get done. Ms. Hale added that this is only for the La Porte County Courthouse.

**La Porte County Sheriff**

**Requesting an Additional Appropriation  
From Riverboat (1191) or Win Tax (4220)**

<b>For Jail Medical</b>	<b>\$30,000.00</b>
<b>For Court House Security Overtime</b>	<b>\$ 5,000.00</b>
<b>Total</b>	<b>\$35,000.00</b>

A motion to approve was made by Councilman Santana and seconded by Councilman Mollenhauer. Sheriff John Boyd said the Jail Medical was adjusted down to \$16,000.00. Therefore, Councilman Santana adjusted his motion to approve \$21,000.00 out of Riverboat (1191) which was seconded by Councilman Mollenhauer. Motion carried 7-0.

**Requesting Permission to Spend**

<b>From K9 Donation Account (4104)</b>	<b>Not to Exceed</b>
<b>For Training, Equipment, and Training Aids</b>	<b>\$3,600.00</b>

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

**Requesting Permission to Spend**

<b>From Fire Arms Training Fund (1156)</b>	<b>Not to Exceed</b>
<b>For New Pistols and Holsters to Replace Current Aging Weapons</b>	<b>\$22,200.00</b>

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

**La Porte County Commissioners**

**Requesting an Additional Appropriation  
From Riverboat (1191) or Win Tax (4220)**

<b>For the Office of Community and Economic Development</b>	<b>\$110,000.00</b>
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President Novak explained this is the balance of what was pledged at the beginning of the year. A motion to approve out of Riverboat (1191) was made by Councilman Santana and seconded by Councilman Rosenbaum. Motion approved 7-0.

**La Porte County Human Resources**  
**Requesting an Additional Appropriation**  
**From Riverboat (1191) or Win Tax (4220)**  
**For Replacement Computer**

**\$2,209.95**

A motion to approve out of Win Tax (4220) was made by Councilman Yagelski and seconded by Councilman Santana. Motion carried 7-0.

**La Porte County Parks**  
**Requesting an Additional Appropriation**  
**From Riverboat (1191) or Win Tax (4220)**  
**For Fuel**

**\$2,000.00**

A motion to approve out of Win Tax (4220) was made by Councilman Rosenbaum and seconded by Councilman Mollenhauer. Motion carried 7-0.

**COUNTY COUNCIL/ATTORNEY COMMENTS**

Councilman Santana explained that Mr. Mollenhauer and he attended the Cummings Lodge check presentation from the Community Crossing match grant program. It is from federal funds given to cities, towns and counties for improvements to roads and bridges. Approximately 19 entities were awarded with a monetary amount which is based on population. It is a 50% match grant, so the County will match \$1,000,000.00 which was the amount awarded. He acknowledged Mitch Bishop for obtaining this grant for the County.

**ADJOURNMENT**

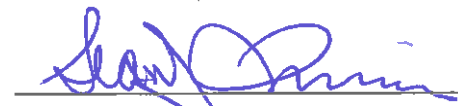
A motion to adjourn the meeting at 7:42 p.m. was made by Councilman Yagelski and seconded by Councilman Garner. Motion carried 7-0.

**EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 25<sup>th</sup> of November, 2019.**

  
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Councilman Terry Garner

  
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Councilman Mike Mollenhauer

  
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Councilman Randy Novak

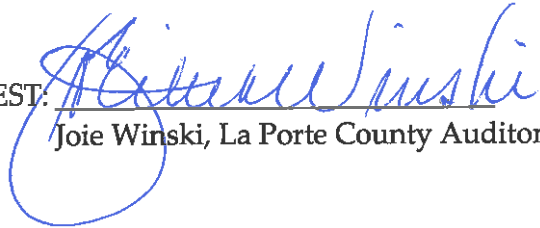
  
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Councilman Sean Quinn

  
\_\_\_\_\_  
Councilman Mike Rosenbaum

  
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Councilman Jeff Santana



  
Councilman Mark Yagelski

ATTEST:   
Joie Winski, La Porte County Auditor