



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

**MINUTES
SPECIAL MEETING OF THE LAPORTE COUNTY COUNCIL
DECEMBER 3, 2019 AT 5:00 P.M.**

(Please Turn Off All Cell Phones)

The Special Meeting of the La Porte County Council was held on December 3, 2019 at 5:00 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 5:00 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 Mollenhauer, Novak, Rosenbaum, Santana, and Yagelski. A quorum was noted.

PUBLIC COMMENT

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

DEPARTMENT HEAD REPORTS

1. Bring Off the Table – Consider Letter of Support for Grant Application for Bridge 97 on 50 East over the Kankakee River and the Union Mills Sidewalk Project (funding will be requested when grant is awarded and will come from the Cumulative Bridge Fund #1135 and the MVH Restricted Fund #1173 if approved) – Mitch Bishop

A motion to remove from the table to consider a letter of support for the grant application for Bridge 97 on 50 East over the Kankakee River of the Union Mills Sidewalk project was made by Councilman Rosenbaum and seconded by Councilman Santana. Auditor Joie Winski stated the motions would need to be done separately. It was also noted that Councilman Quinn arrived at the meeting. The motion to remove the item from the table carried 6-0.

A motion to consider a letter of support for the grant application for Bridge 97 on 50 East over the Kankakee River of the Union Mills Sidewalk project was made by Councilman Rosenbaum and seconded by Councilman Mollenhauer. President Novak clarified that this is a letter of support and not the funding mechanism for the grant. La Porte County Planner Mitch Bishop said this is a requirement for the

application due on December 13, 2019. He added that if he is approved for the grant, the county funding would not be due all at once but in phases over a four-year period. He also stated that Bridge 97 has been determined to be the #1 deficient bridge in La Porte County by the inspector paid by the County. Mr. Bishop referenced a letter he received from INDOT indicating there are three failing bridges in La Porte County and he chose as the first priority the bridge that needed the most work. Initial funding for the Sidewalk project was received in 2014 and 2015 for Hanna, Rolling Prairie and Union Mills. However, due to the bids coming in too high for Union Mills, that project was not completed. He added that in 2013, a required ADA transition plan was put in place to address issues in these specific communities. Completion of the renovations was a condition for receiving Federal funding and this grant is addressing the sidewalks in the outstanding community (Union Mills). Mr. Bishop said it would be 2-3 months before he would know if the grant is approved. If it is, he would come back before the Council for initial funding in the amount of \$23,700.00 for Bridge 97 and \$11,700.00 for the sidewalk.

Councilman Yagelski said he is the liaison for the Highway Department and said the engineer is not supposed to be doing things off to the side like he has done in the past. He was told by the Commissioners that they want to help appoint a Committee to pick the next Engineering firm. For example, the bridge on 400 was messed up and not a priority but somehow slipped by. He said he took a stand against that bridge and said the bridges have deficiencies but are not unsafe. He said the engineering issue needs to be worked out with the Commissioners and should come before the people before it moves forward.

Attorney Shaw Friedman said there is a three-person Selection Committee than includes a Commissioner on a rotating basis. He stated that each of the applications needs to be rated by 3 individuals and the Engineering firm is then selected. Attorney Friedman said he is comfortable recommending to the Commissioners that a Council person be included on the Committee.

Motion carried 6-0.

2. Clarification on Bonuses given to Employees in 2020

Auditor Winski explained that the last time bonuses were given to employees in 2012, ½ was given in January and the remaining ½ was given in July. After the last Council meeting where the bonuses were approved, Auditor Winski said her office was deluged with calls, especially from Department Heads who expressed confusion as to which employees would be eligible for a bonus. In addition, in 2012, part-time employees were not given a bonus but instead the part-time wage was raised. Therefore, if a Department Head or Elected Official felt a part-time employee should receive a raise, it was through the hourly wage.

After discussion, Auditor Winski and Chief Deputy Deckard presented the following suggestions:

- Full-time employees must have been employed full time for a minimum of 6 months in the year 2019 and remain in full time status in the year 2020 when bonus is paid.
- Part-time employees: Auditor is requesting that part-time salary amount be raised to \$13.50 per hour. At the discretion of the Elected Official/Department Head, part-time pay may be increased to accommodate an additional \$500 for those employees the Elected Official/Department Head deems eligible. Part-time employees must have been employed longer than 6 months in 2019.

- Bonus to be given the last pay in January or in two increments, January and July, for all employees and again, employee must remain in full-time status in the year 2020 when bonus is given.

(If an employee leaves in June, he/she will not be given the November bonus)

Auditor Winski said part-time employees have such differentiating schedules that it becomes difficult to determine that fairness of bonuses/raises.

Councilman Yagelski said the suggestions are confusing and the increase to \$13.50 an hour should be clarified from \$13.00 to \$13.50.

Councilman Santana said he is of the opinion that this is for full-time and part-time employees and does not feel that the Council should be involved in the hourly wage. He added that the employee who works one day or one week is not for whom the bonus is intended.

Auditor Winski clarified that part-time employees would be not be a choice of a bonus or a raise; the bonus would be removed as a choice and an increase in hourly wage or keeping the employee at his/her current pay would be the only options. The amount of the increase would be at the discretion of the Department Head/Elected Official.

Councilman Yagelski said there are permanent part-time employees in Highway, Health, and Bridge Tender departments/positions. Auditor Winski said the Bridge Tender position includes benefits.

Councilman Rosenbaum suggested that an hour limit be set for a part-time employee to receive a bonus. He feels that by setting a specific limit, it will be easier to determine which part-time employees would be eligible for the bonus. He also stated that to be competitive with other part-time jobs, such as the fast food industry, it might behoove the County to increase the hourly ceiling to \$13.50.

Councilman Quinn asked for the maximum hourly wage given by the County to part-time employees and Auditor Winski replied \$13.00 per hour and a maximum of 29 hours per week. Councilman Quinn stated that not all part-time employees are paid the maximum per hour which gives the Department Heads/Elected Officials some room to increase the part-time employee's hourly wage.

Councilman Rosenbaum explained that increasing an employee's wage would be difficult because the adjustment would not have been included in the budget. President Novak stated that very few departments ask for an increase in their part-time budgets and Auditor Winski agreed. He added that he is not against increasing the part-time maximum to \$13.50 at a later date, but is not in favor of increasing the hourly wage in lieu of a bonus.

Councilman Rosenbaum said increasing the hourly wage ceiling and addressing the bonuses should be handled separately. A motion that part-time employees must have worked 500 hours and six months in the year 2019 to qualify for the \$500.00 bonus was made by Councilman Rosenbaum.

Building Maintenance Director Larry Levendowski asked how the status of one of his employees would be handled. This employee has worked part-time for the last two years, but three months before the end of the year, he/she became a full-time employee. President Novak said that the employee would only be eligible for the part-time bonus but it was acknowledged that there will be various scenarios that will be encountered.

The motion by Councilman Rosenbaum was seconded by Councilmen Santana and Yagelski. Motion carried 5-1, with Councilman Quinn voting Nay.

A motion that full-time employees must have been employed for six months in the year 2019 to qualify for the \$1,000.00 bonus was made by Councilman Rosenbaum.

Councilman Santana asked if this was the verbiage in the motion approved at the November meeting. He also asked how these changes are to be handled since the bonuses were already approved at that same meeting.

Councilman Yagelski said the Council has until January 1, 2020 to make adjustments but Councilman Santana was concerned that previous motions would have to be amended. President Novak stated that only clarifications are being made at this meeting. Auditor Winski said the motion from the November meeting made by Councilman Santana was for a \$1,000.00 bonus to be made in two increments of January and November and permanent part-time would be a \$500.00 bonus. It was also stated that there would be a proration for employees hired at various times of the year, but Auditor Winski said that the amount of time and paperwork to accomplish that would be prohibitive. Councilman Mollenhauer said there also a provision about which two months the bonuses would be given. Auditor Winski said it was initially stated it would be January and November, but it is at the discretion of the Council to choose. Councilman Yagelski clarified that a person who left employment in June of 2020 would not be eligible for the November bonus. Councilman Rosenbaum added that to his motion. Motion carried 5-1, with Councilman Quinn voting Nay.

3. One-Time Salary Transfer for Maintenance Director to Compensate for Additional Duties

A motion to table was made by Councilman Santana and seconded by Councilman Yagelski. Motion failed 3-3, with President Novak and Councilmen Quinn and Rosenbaum voting Nay.

Attorney Friedman explained that this transfer is not a bonus but a one-time supplement to recognize the special duties that were asked of the Facilities Director in the last six months. Attorney Friedman understands that the Council does not want to set a precedent, but this is for duties above and beyond the job description. These additional duties include construction management duties on the EMS base, functions served in the Michigan City Courthouse renovation, and the duties being asked of him at the Fairgrounds. He acknowledged that the Director's salary should be reevaluated through normal channels, but this request is for a one-time supplement. Auditor Winski said there is money left in the Building Maintenance budget that could be used for this request. President Novak clarified that it is \$5,000.00 for this year and \$5,000.00 for next year. Auditor Winski said that, upon the Council's approval, the supplement for this year would be paid with the remaining money from the Building Maintenance budget and the additional \$5,000.00 would be encumbered from this year's budget. Therefore, the entire \$10,000.00 would be taken from this year's Building Maintenance budget so it wouldn't affect next year's budget. Auditor Winski explained that if an invoice was received for 2019, it would be encumbered and added to the 2020 budget for that purpose.

Councilman Mollenhauer said he believed this would set a precedent and asked what would prohibit another employee from receiving a supplement if he/she worked on a special project that would be in addition to his/her job duties. He added that he is very pleased with the job Mr. Levendowski is doing, but added he hasn't yet been in his position for a year and reiterated he believes it would set a precedent.

Attorney Friedman said he understands Councilman Mollenhauer's reservations but acting as Construction Manager for the EMS base was nowhere in Mr. Levendowski's job description. Therefore, that's why he feels this distinguishes this situation from other potential situations. He also said the role he played was extraordinary and had the project come in on time and under budget. He added that this is so completely outside of Mr. Levendowski's job description that he is comfortable making the recommendation to the Council on behalf of the Commissioners.

Councilman Mollenhauer said he heard that was some sort of bonus coming from the Fairgrounds, but Attorney Friedman said there has been nothing yet.

A motion for a one-time transfer of \$5,000.00 to salary for 2019 and a one-time encumbrance of \$5,000.00 for 2020, both out of the 2019 Building Maintenance budget, was made by Councilman Rosenbaum and seconded by Councilman Quinn. Motion failed 3-3, with President Novak, and Councilmen Santana and Yagelski voting Nay. President Novak said he thinks Mr. Levendowski is doing a great job and to stay tuned because there is still time to do something.

4. Discussion on In-House Printing to be Discussed at the January Meeting

Auditor Winski said it would be discussed at the January 2, 2020 Reorganization meeting but Councilman Santana said he thought it would be at the January 27, 2020 Regular meeting. Auditor Winski said she thought it should be discussed at the Reorganization meeting because there are some problems. She said several Department Heads and Elected Officials have asked if the Commissioners would do an RFP for a printer. Councilman Yagelski said the Commissioners have to appoint a printing company, even though the Council gave a recommendation. Auditor Winski said In-House printing has received an abundance of orders, and her comment to Mr. Levendowski and the Commissioners' Executive Assistant Diane Gonzales is that when the paper has been used up, there is no more and the budget is concluded.

Attorney Friedman said the Commissioners can do an RFP and choose a printing company, but direction needs to be given in the interim. Councilman Yagelski said that this would not take effect until January 1, 2020, and the Commissioners have some latitude in their budget for additional paper. He added that this is the first the Council is hearing about In-House printing being out of money. Auditor Winski confirmed that when In-House printing runs out of money, the money is then taken out of the Commissioner's budget.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Quinn commented that he voted as he did because he is opposed to the bonus concept as a whole. He also expressed confusion why a 2020 bonus is contingent on an employee working in 2019. He stated that if an employee was given a percentage raise, it would not be based on how much the employee worked in 2019. He would have preferred that the employee be given the bonus increments in the summer and the end of the year for the time he/she worked in 2020.

ADJOURNMENT


A motion to adjourn the meeting was made by Councilman Yagelski and seconded by Councilman Mollenhauer. Motion carried 6-0.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 27th of January, 2020.

Councilman Terry Garner



Councilman Mike Mollenhauer



Councilman Randy Novak



Councilman Sean Quinn



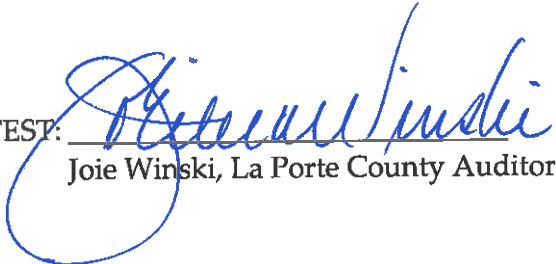
Councilman Mike Rosenbaum



Councilman Jeff Santana



Councilman Mark Yagelski

ATTEST: 

Joie Winski, La Porte County Auditor