



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

**MINUTES  
SPECIAL MEETING OF THE LAPORTE COUNTY COUNCIL  
JULY 13, 2020 AT 5:30 P.M.**

*(Please Turn Off All Cell Phones)*

The Special Meeting of the La Porte County Council was held on July 13, 2020 at 5:30 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 5:30 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 Mollenhauer, Novak, Quinn, Rosenbaum, Santana, and Yagelski. A quorum was noted.

**PUBLIC COMMENT**

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

**SPECIAL MEETING BUSINESS**

**1. Consider Adoption of Ordinance 2020-7 for the Michigan City Courthouse Renovation Project (First Reading)**

A motion to read Ordinance 2020-7 by title only was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 6-0. Councilman Yagelski read by title only. Auditor Winski explained that tonight's meeting is the first reading, and the Public Hearing and second reading will be at the July 27, 2020 Council meeting. She said the newspaper publication erroneously stated that the Public Hearing was at tonight's meeting so she wanted to clarify.

Councilman Yagelski said this became complicated when it was not bid out the first time so the savings could not be realized. Now it is now being done during the COVID-19 pandemic and he has not been able to get answers on project pricing, even from those being paid for doing the project. The amount of money they came up with is \$300,000.00, which is ridiculous

because it will cost more than that to tarp and move things around. Auditor Winski said the number is still be discussed and she hopes to have a better answer for him at the July 27<sup>th</sup> meeting. Councilman Yagelski said he is willing to move this on for first reading but he is frustrated because the Council was ready to move forward with the project but was turned down by the Commissioners. Now the project is being rushed and he has been unable to get answers and feels this is not how this project should be completed.

A motion to move for first reading on Ordinance 2020-7 was made by Councilman Yagelski and seconded by Councilman Quinn. Motion carried 5-1, with Councilman Rosenbaum voting Nay.

**2. Consider Adoption of Ordinance 2020-7A for the Michigan City Courthouse Renovation Project (First Reading)**

A motion to read Ordinance 2020-7A by title only was made by Councilman Santana and seconded by Councilman Mollenhauer. Councilman Yagelski read Ordinance 2020-7A by title only. A motion to move for first reading on Ordinance 2020-7A was made by Councilman Mollenhauer and seconded by Councilman Quinn.

Councilman Yagelski said that the Commissioners' motion was not sent to the Council so he has not seen the bids and doesn't know the costs. Auditor Winski stated that no one has seen the bids yet. Councilman Yagelski questioned how the Council can vote on this without that information. Attorney Doug Biege said that the bids have been opened, but some categories had to have re-bids and some had errors, although not significant. He believes the budget numbers were given to both the Council and the Commissioners. Councilman Yagelski then asked, as a Council member, why he cannot see the bids; he wants to know exactly for what he is going to vote. President Novak asked if the bids will be available for full review by July 27<sup>th</sup> and Auditor Winski replied that they are in her office if any of the Council wants to see them. Councilman Yagelski retorted that he has been asking for the bids for three weeks and then President Novak again asked if the information will be available for review by July 27<sup>th</sup>. Attorney Biege replied affirmatively, although there will be still a few outstanding categories. However, he did add that it won't make much of a financial impact. President Novak asked that those categories be marked before giving the information to the Council. Councilman Santana added that it is important for the Council to get the most accurate information possible. Attorney Biege agreed and said he has a summary showing the budget, but said no bids will be accepted until they have all been received. Attorney DiMartino asked if the numbers were capped per category; in other words, if there are amounts that can not be exceeded, and Attorney Biege and Auditor Winski said he was correct. Attorney Biege added that the bids that are still out are for minor items, so as far as the gross numbers are concerned, it's on budget.

Councilman Rosenbaum asked if the list given to the Council will be detailed and Attorney Biege replied that Tonn and Blank has already compiled a summary per category, less the categories that are still out for bid. President Novak requested that this information be provided in advance to the Council members so they can review before the July 27<sup>th</sup> meeting. Councilman Yagelski said this should be below budget because materials and market labor are lower than they were four months ago. Councilman Santana suggested that this be tabled until the requested information is given to the Council. Pattie Zelmer from Ice Miller explained that

the bids will expire on August 29<sup>th</sup>, which is 90 days from June 1<sup>st</sup>. She said there is no need to abandon the bids that were received because they are desirable. There is a maximum bond issue of \$19,500,000.00 and the bids on the less significant items that are still coming in won't impact this amount. Councilman Santana said he believes there was a lack of communication, so he wants to know where things go from here. Attorney Biege stated that the numbers were presented at the Commissioners meeting and are a matter of public record, but individual copies can be made available to the Council. He is perplexed as to how/why the Council did not receive these figures. He said the Commissioners want this to stay on the timeline. Councilman Yagelski said that sounds good but the numbers are the job of the Council and no one else. He said the Commissioners have restricted these numbers from the Council, and the falsity of saying the Council can't be trusted is insulting. Attorney Biege said he understands but if a first reading is done tonight, the numbers are available and can be provided before a second and third reading. President Novak asked Ms. Zelmer if the first and second readings could be done at the July 27<sup>th</sup> meeting, but she replied that the first reading would have to be done tonight.

Councilman Santana discussed the fact that by having first reading tonight doesn't mean the Council can't change their minds at the second reading. If they don't approve of the numbers or don't receive the necessary information, he said the Council would not have to move forward. This information was confirmed by Attorney DiMartino.

Motion carried 4-2, with Councilmen Rosenbaum and Yagelski voting Nay.

**3. Discussion of Other Matters relating to the MC Courthouse Project – Auditor Joie Winski**

Auditor Winski said that was added in case there were other matters to discuss, but she has nothing at this time. Due to the Courthouse project being done all at once, Councilman Yagelski asked if an alternative location has been found. President Novak and Auditor Winski said there has been discussion but it's something on which they are still working.

**4. Consider Replacement of 3 Sheriff's Vehicles from CCD Fund (1138) in an amount Not to Exceed \$140,000.00 – Sheriff John Boyd**

Sheriff John Boyd said an email was sent to the Council as a reminder that three police cars have been totaled, one in May and two in June. He said he is pleased to share that a check for \$19,312.86 has been received from the settlement on the first vehicle, and two other settlements for \$18,850.00 and \$19,800.00 are pending. Another \$3,831.79 is also forthcoming for equipment that was damaged as a result of the crash(es). In addition, none of the accidents were the fault of the deputies; two were a failure to yield and one was a deer collision. He would like to move forward so he is asking for the approval of the Council. The \$61,794.65 will be deposited in the general fund but an additional \$51,000.00 will be needed. Some equipment will also need to be purchased so that is why he is requesting the Not to Exceed \$140,000.00.

Councilman Rosenbaum asked if Sheriff Boyd is planning to buy something that's out now or wait for the brand-new vehicles. Sheriff Boyd replied he is buying 2021 vehicles through the State bid, which provides \$7,500.00 per vehicle in bid assistance. He added that a nationwide search for replacement vehicles was performed but it was determined that suitable vehicles

could not be found. Therefore, he chose to wait for the 2021 models but would like to place the order now because Ford is starting production and he would like to have some of the first vehicles that come out in November or early December.

Councilman Yagelski wished Sheriff Boyd a happy birthday. He asked if any of these three vehicles were ones that would have been traded in this year. Sheriff Boyd said no that they would have had another year. With that being the case, Councilman Yagelski asked if this will produce savings in the future since three new vehicles are being purchased now. Sheriff Boyd said it is possible.

A motion to approve Not to Exceed \$113,000.00 out of CCD (1138) was made by Councilman Santana and seconded by Councilman Mollenhauer. Motion carried 6-0.

**5. Consider Replacement Ambulance from CCD Fund (1138) in an amount Not to Exceed \$130,000.00 – EMS Director, Andrew McGuire**

Mr. McGuire said on June 19<sup>th</sup>, one of the ambulances was in a serious accident in Michigan City and determined by the insurance adjuster to be totaled. He received an amount \$91,246.87 for damages which includes the vehicle and equipment inside the vehicle. He received an estimate of \$216,540.42 for replacement of the ambulance. If a performance bond is not required to make up the difference, the amount would be \$125,293.55; if a performance bond is needed, \$128,003.55 would be needed. He also mentioned that his vendor has worked with him and is willing to give up a spot in his production line in order for the ambulance to be built.

A motion to approve Not to Exceed \$130,000.00 out of CCD (1138) was made by Councilman Santana and seconded by Councilman Quinn. Mr. McGuire said the model being replaced was a 2017 and Councilman Yagelski asked why he is not getting more than \$91,000.00 from the insurance settlement. Mr. McGuire said he doesn't have a good answer besides depreciation; ambulances have a sharp depreciation. He added that a majority of the equipment out of the totaled vehicle will be reused in the new vehicle. President Novak said that part of the trade-in is the two ambulances that were held back last year; the trade-in given will only be \$5,000.00 for both vehicles.

Auditor Winski said the performance bond is not required. Councilman Santana amended his motion to Not to Exceed \$126,000.00. Motion carried 6-0.

## **COUNTY COUNCIL/ATTORNEY COMMENTS**

Councilman Santana read a statement pertaining to his vote on the Courthouse renovation project. He said it was too much to spend and stood by that with some other reasoning. He said he was the only Nay vote and considering that it is his position on this project, it is going to go through with or without his blessing. He said the majority rules and he supports his fellow Councilmen. He said he can be opposed and still support what is moving forward.

President Novak said the next meeting is July 27, 2020. The meeting is scheduled to being at 5:30 p.m. He added that the behavior exhibited at the La Porte City Council meeting is not condoned by the Council and the Council welcomes anyone to come before them.

**ADJOURNMENT**

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

**EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 24<sup>th</sup> of August, 2020.**

*Jerry Garner*

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Councilman Terry Garner

*Mike Mollenhauer*

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Councilman Mike Mollenhauer

*Randy Novak*

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Councilman Randy Novak

*Sean Quinn*

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Councilman Sean Quinn

*Mike Rosenbaum*

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Councilman Mike Rosenbaum

*Jeff Santana*

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Councilman Jeff Santana

*Mark Yagelski*

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Councilman Mark Yagelski

ATTEST:

*Kristie Deckard*  
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Joie Winski, La Porte County Auditor  
*Chief Deputy Auditor*