



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

**MINUTES  
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL  
JULY 27, 2020 AT 6:30 P.M.**

*(Please Turn Off All Cell Phones)*

The Regular Meeting of the La Porte County Council was held on June 22, 2020 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 JoEileen Winski took the Roll Call. Council Members present were Garner, Mollenhauer, Novak, Quinn, Rosenbaum, Santana, and Yagelski. A quorum was noted.

**APPROVAL OF THE JULY 27, 2020 AGENDA**

President Novak asked that an item be added to New Business: Permission to Spend from the Clerk's Perpetuation Fund/IV-D Fund for a Copy Machine, not to exceed \$4,500.00. A motion to approve the Agenda as amended was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 7-0.

**APPROVAL OF THE JUNE 22, 2020 REGULAR MEETING MINUTES**

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

**PUBLIC COMMENT**

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

**DEPARTMENT HEAD REPORTS**

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

## **LIAISON REPORTS**

Councilmen Santana and Quinn said they had nothing to report at this time.

Councilman Mollenhauer attended Redevelopment Committee and Small Business Grant Committee meetings on June 24<sup>th</sup>, and on June 25<sup>th</sup> he attended the Countywide COVID-19 meeting via Zoom. He also attended a Special County Council meeting regarding the Michigan City Courthouse Construction project on July 13<sup>th</sup> and attended the Solid Waste District Board meeting on July 22<sup>nd</sup>.

Councilman Garner spoke with the Sheriff and the Recorder about various issues and adjustments. He attended a Zoom FEMC meeting and a Personnel meeting.

Councilman Yagelski reminded Department Heads about using the agreed upon printing company rather than making mass amounts of copies on their copy machines. He said he understands it is something new and it can be difficult to change, but he asked that the Department Heads remember to use the printing company in order to save money.

Councilman Rosenbaum said he has been in contact with all of his liaisons since the Special Council meeting, especially because of the upcoming budget hearings. He also attended the Redevelopment Commission Small Business Grant (OCRA) meeting and said a lot of the work was done by a few individuals, mostly the County's Economic Development group. He felt that the Redevelopment Commission should have been honored and had the press release at its meeting.

President Novak said he had been attending many meetings.

## **NEW BUSINESS**

### **1. Public Hearing on OCRA Grant (2<sup>nd</sup> Round) – Tony Rodriguez**

Tony Rodriguez spoke on the COVID Phase II Small Business Low to Moderate Income Assistance Program. The mechanical action that is necessary is to open a public hearing which has been duly advertised. The intent is to duplicate the success of Phase I in assisting the small businesses that have been hardest hit.

President Novak opened the Public Hearing. Mr. Rodriguez said there is also a sign-in sheet for attendees. Hearing or seeing no one, President Novak closed the Public Hearing on the OCRA Grant.

### **2. Economic Development Semi Annual Report – Tony Rodriguez**

Mr. Rodriguez explained that in January, there is the approval of the budget for a 6-month basis. Therefore, he wanted to give a presentation on what has occurred over the last 6 months. He touched on the highlights which included the County website and the County billboard with a tagline of Intersection of Industry that currently emphasizes the Kingsbury Industrial Park as a premier global location for industry. These elements promote interest which in turn promotes contacts and leads which then translate into economic development opportunities for the County. He also touched on Westville and the Midwest Trade Center that was recently acquired. The anchor tenant is Dollar General with two additional manufacturing tenants. He also spoke about the Welcome Home La Porte County Task Force, which is a reconvening of a residential market study that will help uncover and identify the reasons there's a shortcoming

on market rate subdivision development in La Porte County. A more detailed overview the 6-month progress was emailed to each of the Council members. He said he believes there also needs to be approval for the next six-month budget.

Councilman Rosenbaum asked that the rural broadband be recognized because it is such an important issue in the County, especially with working and schooling from home during the COVID-19 pandemic. Mr. Rodriguez added that his office has been working with the three most southern schools in the County to get a joint cooperative GEER Grant application to combat the connectivity issues there.

**3. Consider Retroactive Approval of Council President's Authorization to Hire Replacement Positions for Field Office Coordinator and Administrative Coordinator for Community Corrections**

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

**4. Discussion on Transit Triangle**

President Novak explained that the City of La Porte has pulled out of the Transit Triangle, and the County Council did not fund it last year and as it stands now, has no intention of doing any future funding. A motion to clarify that the Council is not participating in the Transit Triangle for 2021 was made by Councilman Yagelski and seconded by Councilman Rosenbaum.

Councilman Santana said it would be prudent to have Attorney Guy DiMartino draw up a letter to give Michigan City a heads up that the County Council is officially not funding the Transit Triangle in 2021. Attorney DiMartino said this had been already brought before the Council. He said correspondence could be sent but the Council has already been heard on this issue. Councilman Yagelski said he believes there is some grant money involved and there should be some type of official correspondence which states the Council will not be participating in the Transit Triangle. Attorney DiMartino asked the Council to direct him to send a letter and he will do so. Therefore, Councilman Yagelski amended his motion to include this direction and Councilman Rosenbaum seconded it. Motion carried 7-0.

**5. Discussion on Michigan City Courthouse Renovation Project**

Attorney Shaw Friedman explained that the Commissioners are looking for some type of indication from the Council for temporary quarters for the Courthouse offices as expressed and explained during the Executive session. It is a particular concern to continue operations from a safety standpoint, especially with COVID-19. The Auditor and various other Department Heads have found a suitable replacement at the Brown Mackie facility. What is needed is direction from the Council to explore negotiations with the landlord. At this point, the Auditor has identified two possible sources to pay for the temporary relocation. One is \$350,000.00 saved from the overall construction costs because the lesser time involved in construction. Secondly, because this is necessitated largely due to the COVID-19 crisis, submission of at least \$500,000.000 of temporary relocation costs will be made to the State Cares Act Committee.

President Novak added that this is being done now because the type of financing being received by the County has changed and allows them to now move completely out of the Courthouse during the renovations. Attorney Friedman explained that the Lease Transfer financing would have required partial occupancy during construction. With the General Obligation bond that is no longer necessary. In addition, per the CDC guidelines, the more separation that can be created between employees and patrons and the construction personnel is to everyone's benefit.

A motion of support was made by Councilman Rosenbaum and seconded by Councilman Mollenhauer. Councilman Santana said he cannot support this tonight due to the rushed nature and lack of information given to the Council. He feels there are too many variables and unknowns and is concerned it may not fall under the Cares Act.

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

**6. Permission to Spend from the Clerk's Perpetuation Fund/IV-D Fund for a Copy Machine, not to exceed \$4,500.00**

President Novak clarified with Councilman Rosenbaum that the amount of the IV-D fund that can be used for this is based upon the amount of copies being made. A motion to approve was made by Councilman Mollenhauer and seconded by Councilman Santana. Motion carried 7-0.

Councilman Yagelski asked to discuss receiving reimbursement from not using the School Resource Officers. He said the County should not have to suffer and would like the legality of the contracts/agreements to be researched by both Attorney DiMartino and Attorney Friedman since both the Council and Commissioners are involved.

Attorney Friedman asked the Council to go back to #2 under New Business. He asked for a statement of intent to fund the second portion of the budget for Economic Development to continue operating. He added that the additional appropriation will be requested at the next meeting.

A motion of support was made by Councilman Quinn and seconded by Councilman Rosenbaum. Motion carried 7-0.

**OLD BUSINESS**

None

**CORRESPONDENCE**

None

**ORDINANCES AND RESOLUTIONS**

**Ordinance 2020-7 – An Ordinance of La Porte County Appropriating the Proceeds of its Local Income Tax Revenue Bonds (2<sup>nd</sup> Reading)**

A motion to read by title only was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Auditor Winski read by title only. A motion to accept Ordinance 2020-7 was made by Councilman Yagelski and seconded by Councilman Quinn. Motion carried 6-1, with Councilman Rosenbaum voting Nay.

**Ordinance 2020-7A – An Ordinance of La Porte County, Indiana Authorizing the Issuance and Sale of Bonds of the County for the Purpose of Providing Funds to be Applied on the Cost of the Renovation and Expansion of the County Courthouse in Michigan City, Indiana, together with all Necessary Appurtenances, Related Improvements and Equipment, and the Incidental Expenses in Connection Therewith and on Account of the Issuance of Bonds Thereof (2<sup>nd</sup> Reading)**

A motion to read by title only was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 7-0. Auditor Winski read by title only. A motion to accept Ordinance 2020-7A was made by Councilman Yagelski and seconded by Councilman Mollenhauer. Motion carried 6-1, with Councilman Rosenbaum voting Nay.

Pattie Zelmer from Ice Miller asked if there is supposed to be a public hearing on the Ordinances. President Novak replied yes and opened a Public Hearing. Hearing or seeing no one, President Novak closed the Public Hearing.

Ms. Zelmer asked whether or not the motions previously made on the Ordinances were just for the actual readings or for adoption of the Ordinances. Attorney DiMartino replied that they were second reading. He continued that the Ordinances should be re-read after the Public Hearing as a matter of form and to also add an adoption.

A motion to read Ordinance 2020-7 by title only was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Auditor Winski read by title only. A motion to adopt Ordinance 2020-7 as read by Auditor Winski was made by Councilman Yagelski and seconded by Councilman Quinn. Motion carried 6-1, with Councilman Rosenbaum voting Nay.

A motion to read Ordinance 2020-7A by title only was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 7-0. Auditor Winski read by title only. A motion to adopt Ordinance 2020-7A as read by Auditor Winski was made by Councilman Yagelski and seconded by Councilman Mollenhauer. Motion carried 6-1, with Councilman Rosenbaum voting Nay.

**APPROPRIATIONS, TRANSFERS, REQUESTS**

**La Porte County Clerk**

**Requesting Permission to Hire  
For Vacated Bookkeeper Position**

Clerk Kathy Chroback said Terry Singleton is retiring after 25 years of service to the County. A motion to approve was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 7-0.

**La Porte County Sheriff**

**Requesting an Additional Appropriation  
From Riverboat (1191) or General (1000)**

**For Sheriff Pension**

**\$664,091.00**

Sheriff John Boyd said this is the 2<sup>nd</sup> half of the 2020 pension payment for Merit Deputies. A motion to approve out of the General fund (1000) was made by Councilman Santana and seconded by Councilman Quinn. Motion carried 6-1, with Councilman Mollenhauer abstaining.

**La Porte County EMA**

**Requesting an Additional Appropriation**

**From Riverboat (1191) or General (1000)**

**For Additional Tower Expenses**

**\$5,900.00**

Jeff Wiatrowski explained that his office received \$2,100.00 for tower expenses, which was supposed to get them through the year. However, after receiving the first bill for over \$300.00, he realized that the initial amount was not going to be enough. At this time, both fuel tanks need to be topped off. Unfortunately, they became empty at the end of last year in the winter when propane is at a premium. If the tanks can be filled this summer, the price will be significantly less. He added that both tower generators need maintenance. President Novak asked which responsibilities fall upon IPSC and EMA respectively. Mr. Wiatrowski replied IPSC takes care of the towers and the electronics inside the building. EMA is then responsible for the generators and the fuel for the generators. In addition, one of the generators failed and had to be repaired with EMA bearing that cost.

A motion to approve out of the General fund (1000) was made by Councilman Rosenbaum and seconded by Councilman Santana. Councilman Yagelski asked how the oil is now being changed in the generators. Mr. Wiatrowski replied that for the most part, the company that installed the generators does it unless he can find someone local. He said the cost is \$400.00 for an oil change and Councilman Yagelski stated that there are plenty of maintenance workers in the County who could do it for less. Mr. Wiatrowski said it is a 3-year old Generac generator and because it is under a 5-year warranty, it can only be maintained by specific vendors. President Novak suggested that Mr. Wiatrowski contact Andy Skwiat from Marquiss Electric to see if anyone there is certified for Generac maintenance.

Motion carried 7-0.

**La Porte County Voter Registration**

**Requesting an Additional Appropriation**

**From Riverboat (1191) or General (1000)**

**For Replacement Computers**

**\$5,355.06**

A motion to approve out of the General fund (1000) was made by Councilman Santana and seconded by Councilman Garner. Motion carried 7-0.

**La Porte County MS-4**

**Requesting Permission to Transfer**

**From Professional Services (30135)**

**and Non-Reverting Fund (9015)**

**To Part-Time account (10130)**

**\$4,000.00**

**\$3,000.00**

**\$7,000.00**

Councilman Garner said he is the liaison and the MS4 board has approved this. He added that they do have a part-time person who is doing a wonderful job. A motion to approve was made by Councilman Garner and seconded by Councilman Quinn. Motion carried 7-0.

**La Porte County Auditor**

**Requesting an Additional Appropriation  
From Emergency Reserve Fund (1186)  
For Additional COVID Expenses**

**\$100,000.00**

Auditor Winski explained that \$300,000 was allocated in March for COVID-19 expenses, which is practically depleted. Therefore, this request is necessary. President Novak asked for an update on reimbursement. Auditor Winski replied that all the documentation has been submitted to Barnes and Thornburg for review to insure it is in the proper format and then it will be officially submitted. President Novak added that the submission does not have to be all at once but can be done in increments.

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

**COUNTY COUNCIL/ATTORNEY COMMENTS**

Councilman Rosenbaum said he is not against the Michigan City Courthouse Project even though he voted Nay. However, he is opposed to the way the process has been handled and that is all he wants to say at this time.

**ADJOURNMENT**

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

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

Jerry Garner  
Councilman Terry Garner

Mike Mollenhauer  
Councilman Mike Mollenhauer

Randy Novak  
Councilman Randy Novak

Sean Quinn  
Councilman Sean Quinn

Mike Rosenbaum  
Councilman Mike Rosenbaum

Jeff Santana  
Councilman Jeff Santana

Mark Yagelski  
Councilman Mark Yagelski

ATTEST: Krista Duckard  
Joie Winski, La Porte County Auditor

7 Chief Deputy Auditor