

MINUTES
MEETING OF THE LA PORTE COUNTY COUNCIL
February 28, 2022 at 6:00PM

The meeting of the La Porte County Council was held on February 28th, 2022 at 6:00pm (central time) in the Assembly Room of the La Porte County Government Complex located at 809 State Street, La Porte, Indiana, 46350.

CALL TO ORDER

The meeting was called to order at 6pm by the Council President, Randy Novak.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Novak, followed by a moment of silence for the recently deceased mother of Councilwoman Connie Gramarossa, and the recently deceased father of Economic Development Director Tony Rodriguez.

ROLL CALL

President Novak, Vice President Rosenbaum, Councilman Yagelski, Councilman Cunningham, and Councilman Mollenhauer were physically present for the meeting, while Councilman Garner appeared electronically via Zoom. Councilwoman Gramarossa was absent.

APPROVAL OF FEBRUARY 28, 2022 AGENDA

Mr. Rosenbaum announced that there were two alterations to the evening's agenda, the first being an addition under item number five under new business, in which Parks and Recreation would be approaching the Council with the request to purchase two new lawn mowers, with a price not to exceed \$21,000. Mr. Cunningham announced the second alteration, in which the Meadowview Estates request under Appropriations, Transfers, and Requests would be moved from item number thirteen to item number one.

- i. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Cunningham.
- ii. All members voted in favor.

APPROVAL OF THE NOVEMBER 22, 2021 MEETING MINUTES

- i. Motion to approve the November 22, 2021 meeting minutes made by Mr. Rosenbaum and seconded by Mr. Mollenhauer.

ii. All members voted in favor.

President Novak added that the January 2022 regular meeting minutes would be available at the next Council meeting on March 28th, 2022.

PUBLIC COMMENT

Steve Holifield, 6782 E 100 S, Mill Creek, IN

Mr. Holifield approached the Council to inquire about the \$10,125 cost for contract snow removal, and noted his frustration that La Porte County Maintenance would contract out the labor when they had the equipment to perform the task themselves. Mr. Cunningham reassured Mr. Holifield that the item would be discussed during the meeting. Mr. Holifield also asked about the \$6,500 bill for the front entry repair at the County's Brown Mackie location, and questioned why the County would need to pay for these repairs if the building had been a rental, to which Mr. Rosenbaum clarified that the repairs in question were part of the original contract of the lease. Additionally, Mr. Holifield asked if there were obligations to pay the Sheriff's pension out of the General (1000) Fund, which President Novak confirmed that this was true for the Sheriff's regular pay. Mr. Holifield continued to note that, if LIT were applied to these costs instead, there should be less obligation to take the aforementioned funds out of the General Fund, as to reduce tax-payer spending. Mr. Cunningham assuaged Mr. Holifield, and explained that since 2010, there had been a tax decrease coming into the County, with tax caps for the previous year costing around \$30 million in the County of La Porte, and as such, the State of Indiana had already given County property owners \$20 million to \$30 million per year for the past 12 years. Mr. Cunningham added that as property values continued to increase, the tax caps could become even more strict.

Janette James-Raymond, 0632 W. Nowak Dr., La Porte IN

Mrs. James-Raymond approached the Council on the topic of the Meadowview Estates subterranean flooding, and explained that over the past 14 years, up to 40 homes (not including residences on 75 W), had been affected by flooding to date. She added that hundreds of thousands of dollars of repair costs had racked up amongst the various homeowners from flooding damage, not including the loss of personal items. Mrs. James-Raymond pointed out that in June of 2019, sumps used to remove water from the flooded homes recorded a removal of 1,377,600 gallons of water within a 24-hour timeframe alone. She described how streets were beginning to sink and crumble in various areas due to the movement of the subterranean water, and with the hydrostatic and dynamic nature of the water, it was difficult to track or monitor. She read aloud an email from a fellow resident, which highlighted the struggle of dealing with faulty sumps and the extent of the damage to her home.

Jason Shoof, 655 W. Nowak Dr., La Porte IN

Mr. Shoof explained that 11 homes so far have had to replace their septic systems because of the subterranean flooding. He added that NIPSCO bills were sky-high as a consequence of running sumps, which could in turn reduce home values in the area even further. He urged the Council to address the matter, which would assist with raising home values and increasing tax income for the County.

Kevin Raymond, 0632 Nowak Dr., La Porte IN

Mr. Raymond added to the other public speakers' comments, citing that increasing costs in construction supplies, equipment, and oil would become even more costly if the project were to be postponed any

longer. He praised the work of Woodruff and Sons, the contractor who had won the bid for the project, and added that the project itself would in-turn create jobs, and raise the values of homes in the area.

Joe Haney, La Porte County Commissioner

Mr. Haney gave high praise to La Porte County Surveyor Tony Hendricks and La Porte County Engineer Jay Sullivan for their dedication to the Meadowview Estates project, and thanked the previous public speakers for their comments.

Jeff Santana, Former La Porte County Councilman (electronically via Zoom)

Mr. Santana took a moment to thank the La Porte County Highway Department, as well as Highway Superintendent Duane Werner, for their hard work during the past winter months. He asked President Novak if he had reconsidered looking into creating an accountability system or a neutral consulting firm for County employees, as to evaluate where staff is or is not needed within the County's various departments. Regarding the Sheriff's \$28,505 internet bill, Mr. Santana advised the Council to use the General Fund to cover the cost if these charges were going to incur annually. He expressed frustration that the proposed costs for the various Brown Mackie repairs were not absorbed by previously established bonds, and also added that the funds that were being directed to the La Porte County Fairgrounds by the Maintenance Department should be redirected and applied to other, more necessary projects. For his last comment, Mr. Santana advised caution to the Council, noting that if effort was being made to assist Meadowview Estates residents with their subterranean flooding issue, other homeowners in similar situations may approach the Council seeking aid as well.

PUBLIC COMMENT OPEN FLOOR CLOSED.

DEPARTMENT HEAD REPORTS

Elzbieta Bilderback, La Porte County Recorder

Ms. Bilderback approached the Council to inform them on the funds gathered by the La Porte County Recorder's Office in 2021, and disclosed that 20,832 documents had been recorded, garnering \$825,716 of earnings for the County. She broke down where the earnings had been distributed, with \$312,000 being directed to the General Fund, \$20,000 going to the Security Protection Fund, another \$20,000 going to the Elected Official Training Fund, \$14,000 going to the State Mortgage Recording Fund, and the Surveyor's Corner Fund receiving \$103,300, with the remainder going to the Perpetuation Fund.

Tony Rodriguez, Director of La Porte County Economic Development

Mr. Rodriguez took a moment to offer great praise to Community Development Specialist Viviana Plaza, Program Manager Michael Seitz, and Redevelopment Commission Coordinator Matt Reardon in their work with the four major touchstones focused on by the Economic Development Department. Regarding the foundation of Economic Development's overall efforts, he cited the importance of ensuring that existing industries were taken care of as to expand the County's tax-base, job base, wage increases, and to ensure a robust future for the community. He highlighted the success of the La Porte County Works program, which he explained assisted with branding and directing local companies which previously were not visible to La Porte County's youth, and gave high praise to the program and its success. Regarding new business attraction, Mr. Rodriguez noted that drawings from the Indiana Economic Development Corporation's request-for-information statistics foresaw upwards of \$25.5

billion in prospective capital in the County of La Porte. He took a moment to fill the Council in on the goings-on of the Rural Broadband Taskforce, which had garnered significant capital from Acme Communications, Comcast, and Surf Broadband alike, along with significant competition between the companies to compete for state grants. For his final comment, Mr. Rodriguez informed the Council that to retain the current expansion of employment levels, additional housing stock in La Porte County would need to be secured.

LIAISON REPORTS

Councilman Mollenhauer: Mr. Mollenhauer informed the Council that he had attended a Community Corrections Advisory Board meeting, A Sheriff's Office Merit meeting and Pension Board meeting, the Michigan City Fraternal Order of Police meeting, a South County Community Coalition meeting, and added that La Porte County EMA's previous request for tornado sirens had been removed from the agenda so their request could be restructured.

Councilman Garner: Mr. Garner spoke that he had informed Recorder Elzbieta Bilderback to approach the Council to speak about the funds produced by the Recorder's Office, and gave high praise to Ms. Bilderback and the Recorder's Office for their work.

Councilman Cunningham: Mr. Cunningham chose to waive his liaison report to expedite the meeting.

Councilman Yagelski: Mr. Yagelski also waived his report, but took a moment to inform the Council that the Data Board had approved several requests for technology hardware in the upcoming appropriations, transfers, and requests portion of the meeting.

Councilman Rosenbaum: Mr. Rosenbaum explained that the Redevelopment Commission would be creating a new TIF area around US 20 and US 35. He added that LADS was in need of a new privacy area to communicate with clients, and that he also attended the last Parks and Recreation meeting, and that another meeting would be coming up the next day. Mr. Rosenbaum also took time to reach out to the Personnel Committee, and urged them to look into offering vacation days after a 60 or 90 day period, following a probationary period, as to mirror offerings by the private sector and hopefully lock-in quality staff members for the County. He noted that although the FMEC was not able to have a meeting during the month prior due to inclement weather, FMEC was able to prepare and draft an annual report. Mr. Rosenbaum informed the Council that the Assessor would be requesting to replace two employees who had left the Michigan Township Assessor's department, and that an agreement had been made between the Michigan Township Assessor and the County Assessor to direct more duties to the County Assessor.

Councilman Novak: Mr. Novak noted that, regarding the Redevelopment Commission and the Broadband Project, an agreement had been signed with Comcast to allow for them to use the easements at KIP so fiber would be run in the area and into the neighboring park. He added that Animal Control was on the agenda for the evening, and that a meeting had been established with the La Porte Healthcare Foundation and Representatives from the Michigan City Council regarding the establishment of Respite House possibilities in La Porte County. He gave praise to the La Porte County Sheriff's Department for their scrutiny regarding funding for pensions.

CORRESPONDENCE

Auditor Tim Stabosz reported that the Council had received a number of correspondences as a result of the Council's Public Safety LIT portion of the last meeting, and the Council's subsequent request to hear from any units of local government which receive money from a local income tax. Letters of support were received from La Porte City, Wanatah, Kingsford Heights, Kingsbury, Trail Creek, Town of La Crosse, and the Town of Westville. Additional correspondence was also received from La Porte County Sheriff's Merit Commission, the Michigan City Chamber of Commerce, and LEAP, all showing support for the Council's LIT proposition. Unrelated to LIT, a letter was also received from the Pioneer Cemetery Commission regarding their annual report.

ORDINANCES & RESOLUTIONS

Resolution No. 2022-01A – Dwyer Instruments – Public Hearing

Mr. Holified approached the Council to ask for an abbreviated explanation of what the resolutions entailed, which President Novak informed him that the companies in question were asking for tax relief. Mr. Rosenbaum added that the resolutions opened the businesses up to receive state grants, as well.

PUBLIC COMMENT CLOSED.

Resolution No. 2022-02A – Dwyer Instruments – Confirmatory

- i. Motion to read by title only made by Mr. Rosenbaum and seconded by Mr. Yagelski.
- ii. All members voted in favor.
- iii. Mr. Stabosz read aloud the Resolution.

Resolution No. 2022-01B – OTECH Corporation – Public Hearing

OTECH President Jack O'Donnell approached the Council to inform them that he wanted to add new equipment for OTECH, in addition to roughly doubling the size of the company as to increase local jobs. OTECH Attorney Anthony Novak spoke electronically via Zoom to clarify that this abatement was for \$2.9 million worth of property over a ten-year period, and boasted OTECH's success in fulfilling previous abatements in earlier years.

PUBLIC COMMENT CLOSED.

Resolution No. 2022-02B – OTECH Corporation – Confirmatory

- i. Motion to read by title only made by Mr. Rosenbaum and seconded by Mr. Mollenhauer.
- ii. All members voted in favor.

Mr. Rosenbaum took a moment to clarify that Mr. O'Donnell had been previously leasing the space for OTECH, and was currently trying to permanently acquire the space. He thanked OTECH for its role in the La Porte Community. Mr. Yagelski confirmed with Mr. Rodriguez that this was a ten-year

request, not a five-year request, which Mr. Rodriguez ensured that it was a ten-year request. President Novak asked Mr. Rodriguez to confirm OTECH's location, which Mr. Rodriguez noted was 4744 E Oak Knoll Rd., Rolling Prairie, IN.

iii. Mr. Stabosz read aloud the Resolution.

Resolution No. 2022-02C – Peepers & Sammann Company Inc – Declaratory

Mr. Rodriguez clarified that this was the first step in a two step process, and was asking the Council to approve a public hearing for the March 28th, 2022 Council meeting. In the interim, he explained, he would establish a workshop to familiarize the Council with Peeper's expansion plan.

i. Motion to read by title only made by Mr. Rosenbaum and seconded by Mr. Yagelski.

ii. All members voted in favor.

iii. Mr. Stabosz read aloud the Resolution.

iv. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Yagelski.

v. All members voted in favor.

vi. Motion to approve the addition of a Public Hearing for Peepers & Sammann to the March 28th, 2022 County Council Meeting made by Mr. Cunningham and seconded by Mr. Yagelski.

vii. All members voted in favor.

Resolution No. 2022-02D – Alexander Chemical – Declaratory

i. Motion to read by title only made by Mr. Rosenbaum and seconded by Mr. Yagelski.

ii. All members voted in favor.

iii. Mr. Stabosz read aloud the Resolution.

iv. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Cunningham.

v. All members voted in favor.

vi. Motion to approve the addition of a Public Hearing for Alexander Chemical to the March 28th, 2022 County Council Meeting made by Mr. Cunningham and seconded by Mr. Yagelski.

vii. All members voted in favor.

NEW BUSINESS

1. Consider approval of Council President's authorization to hire replacement positions for:

a. La Porte Community Corrections – Field Officer Position

i. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Cunningham.

ii. All members voted in favor.

b. La Porte County Clerk – Deputy Clerk

c. La Porte County Prosecutor – Trial Support for La Porte

d. La Porte County Highway – Mechanic

i. Motion to approve items b, c, and d made by Mr. Yagelski and seconded by Mr. Cunningham.

ii. All members voted in favor.

2. Michigan Township Assessor – Requesting permission to hire two Assessors

President Novak declared that the two positions will be paid under the Michigan Township Assessor's budget; however, they will be trained by the La Porte County Assessor.

i. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Garner and Mr. Cunningham.

ii. All members voted in favor.

3. La Porte County Animal Shelter – Consider increasing pay for part-time Vet Techs to \$18.00

i. Motion to approve made by Mr. Yagelski and seconded by Mr. Cunningham.

ii. All members voted in favor

4. La Porte County Prosecutor

a. Requesting permission to disperse funds to Adult Protective Services Investigators per a new state grant agreement

Prosecutor John Lake approached the Council to inform them that the \$17,000 federal grant in question could be used toward overtime, hazard pay, or employee bonuses. He assured the Council that if he were approved, he would not "double dip" with both the grant funding and the recently established County bonus, and explained that he would happily forgo utilizing County bonuses in favor of using the grant funding for staff bonuses instead. The grant would only apply to Adult Protective Services personnel, which included roughly five employees. Although Mr. Lake intended to distribute the grant's benefits based on seniority, he was not entirely sure how it would be dispensed, as he was primarily reaching out the Council to receive permission for the grant's approval beforehand.

i. Motion to table until more information could be received about how the grant would be distributed amongst the Prosecutor's Adult Protective Services personnel made by Mr. Cunningham and seconded by Mr. Yagelski.

ii. All members voted in favor.

b. Requesting permission to use existing Extra Hire Account as an Extra Hire/Training Account

Mr. Lake informed the Council that with a staff member retiring, he wanted to hire a new staff member to replace the position, but also wanted to ensure that proper training could be performed before the senior staff member officially retired. The requested funds, he explained, would cover the cost of staffing both the senior employee and the prospective new hire at the same time to ensure that proper training could be performed for the new hire in question. Council Attorney Guy DiMartino confirmed that this request was to ensure that there would be an overlap in the employees' schedules to allot for the training.

i. Motion to approve made by Mr. Cunningham and seconded by Mr. Garner.

ii. Four members voted in favor (Mr. Garner, Mr. Cunningham, Mr. Rosenbaum, Mr. Novak) and two members voted not-in-favor (Mr. Yagelski, Mr. Mollenhauer).

5. La Porte County Parks requesting favorable support in purchasing two mowers (not to exceed) \$21,000.

Parks and Recreation Superintendent Jeremy Sobecki approached the Council to inform them that instead of trading in the two mowers that he wanted to replace, he instead wished to give them to the La Porte County Maintenance Department for use at the La Porte County Fairgrounds. He added that he was looking for a motion of support to secure two mowers for the time being, as demand was currently high, and his supplier could not promise that the mowers would be available at a later date.

i. Motion of support made by Mr. Rosenbaum and seconded by Mr. Cunningham.

ii. Five members voted in favor (Mr. Novak, Mr. Cunningham, Mr. Rosenbaum, Mr. Garner, Mr. Mollenhauer) and one member voted not-in-favor (Mr. Yagelski).

Mr. Sobecki also inquired about installing a heater in the bathroom at Bluhm County Park, which would allow the bathroom to be usable year-round. The quote for the heater, he informed, would come out to \$7,875.

i. Motion to approve out of ARP 8950 (or 8951 if 8950 was not applicable) made by Mr. Rosenbaum and seconded by Mr. Mollenhauer.

ii. All members voted in favor.

OLD BUSINESS

Discussion on Liaison Assignments for 2022

i. Motion to approve the table distributed earlier by Mr. Novak made by Mr. Yagelski and seconded by Mr. Cunningham.

ii. All members voted in favor.

APPROPRIATIONS, TRANSFERS, AND REQUESTS

La Porte County Engineer

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) or LIT (1112) for:

Meadowview/Kingsbury Creek Drainage \$433,830.25

Jay Sullivan, La Porte County Engineer, and Tony Hendricks, La Porte County Surveyor, approached the Council to inform them on the nature of the Meadowview/Kingsbury Creek Drainage project. Mr. Hendricks described the unique nature of Kingsbury Creek and pinpointed that the main source of the subterranean flooding issues stemmed from a watershed located just past 18th Street and with Meadowview Estates being the primary location for the creek's drainage area. He added that the problem had also been exacerbated by homeowners making alterations to their property, which in turn caused obstructions that forced the redirection of water to the Meadowview Estates area. The proposed project, he continued, included the installation of a drainage line, which would redirect the subterranean water flow back into Kingsbury Creek and away from the drainage area at Meadowview Estates and the surrounding area. Mr. Hendricks assured the Council that Kingsbury Creek would retain its natural state during the project as much as the project would allow for, and all required permits for the project would be acquired, and additionally, water testing of the subsurface water would be performed to ensure that water quality was not affected by the project. Mr. Yagelski emphasized that the County will not be directly hooking up anyone from the subdivision into the system. Surveyor Hendricks affirmed that that is correct. Mr. Yagelski asked what could be done about homeowners who have made obstructive alterations to their property, which Mr. Hendricks confirmed that homeowners who cause such obstructions will be reached out to as to ensure they remove blockages to allow for the project's success. Mr. Yagelski noted that the project would not fix 100% of everyone's drainage problems, regardless of how successful it would be, to which Mr. Hendricks agreed, furthermore explaining that a full repair of the subterranean drainage would cost upwards of \$10 million to repair in its entirety.

Mr. Cunningham asked Mr. DiMartino to clarify the legalities of working with subterranean water as opposed to surface water, which Mr. DiMartino clarified that with the subsurface nature of the water and the damage it had been inflicting directly on County roads, ditches, and structure, the project was legal and the County would avoid any precedents despite the presence of a subdivision.

i. Motion to approve out of ARP 8950 (or 8951 if 8950 was not approved) and with the exception that homeowners with drainage obstructions be reached out to as to remove their blockages, made by Mr. Rosenbaum and seconded by Mr. Yagelski.

ii. All members voted in favor.

Highway Department

Permission to spend from the contingency fund for:

Franklin Street Bridge \$33,860

i. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Cunningham.

ii. All members voted in favor.

La Porte County Clerk

Requesting permission to spend from Perpetuation fund for:

One computer \$3000

i. Motion to approve made by Mr. Cunningham and seconded by Mr. Yagelski.

ii. All members voted in favor.

La Porte County Hazmat

Requesting permission to transfer \$1,967.40 from 8126.00000.000.0000 LEPC Training and \$1.84 from 8125.00000.000.0000 LEPC Planning to 1152.00000.000.0000 Local Emergency Planning for:

To clear up accounts \$1,969.24

i. Motion to approve made by Mr. Cunningham and seconded by Mr. Rosenbaum.

ii. All members voted in favor.

La Porte County Building Commission

Requesting permission to spend from Fund 2067 Contractor Registration Fee and Fund 1207 Unsafe Building Fund for:

One truck and blinds \$50,000

i. Motion to approve subject to the availability of funding made by Mr. Rosenbaum and seconded by Mr. Yagelski.

ii. All members voted in favor.

La Porte County Animal Shelter

Requesting permission to spend from Donation Account 4100.20200.000.0531 for:

a. LED Lighting \$2,713

b. Installation of additional FRP \$20,350

President Novak inquired with La Porte County Animal Shelter Director Eric Hayes as to whether or not grants would be available to assist with the cost of the lighting project, which Mr. Hayes confirmed that NIPSCO did offer a grant of \$800, however it could only be acquired once the light installation was completed. President Novak urged Mr. Hayes to pursue the grant.

i. Motion to approve both items made by Mr. Rosenbaum and seconded by Mr. Cunningham.

ii. All members voted in favor.

La Porte County Adult Probation

Requesting permission to spend from Probation User Fees 2102.41007.000.0334 for:

a. Three chairs, one shredder, one computer, one monitor, and one scanner for

La Porte Superior Court No. 4

(not to exceed) \$3,500

b. Three computers for La Porte Probation office

\$5,000

Mr. Yagelski motioned to approve with Mr. Rosenbaum seconding, however Chief Probation Officer Steve Eyrick approached the Council to ask for an increase in appropriation for item "a", requesting \$4,500 instead of the listed \$3,500. Mr. Yagelski once more urged Mr. Eyrick to uphold his promise he had made with the Judges regarding assisting with furnishing the new Michigan City Courthouse.

i. Motion to approve both items, with a line increase from \$3,500 to \$4,500 for item "a" made by Mr. Yagelski and seconded by Mr. Rosenbaum.

ii. All members voted in favor.

La Porte County Treasurer

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) or LIT (1112) for:
Brown Mackie Expenses

a. Snow Removal

\$10,125

Maintenance Superintendent Larry Levendowski approached the Council to inform them that the bill was to pay for contracted snow removal of the Brown Mackie parking lot, which with its size and usage of about 75%, created too much of a workload for La Porte County Highway Department and Maintenance's staff and equipment to handle. Mr. Yagelski noted that during an earlier Council administration, a plow had been purchased for use on Michigan City's County properties, which should have been used to perform the plowing. Additionally, he noted that Maintenance did not have permission to contract out the labor. Mr. Levendowski explained that he was not aware of the designation of the plow's use in Michigan City, and added that the contracting out of the plowing at Brown Mackie had always previously been contracted to allot for the use of snow clearing equipment at the La Porte Courthouse. President Novak asked who would plow the newly established Michigan City Courthouse, which Mr. Levendowski clarified that the Maintenance Department would designate a staff member in the future to perform the snow removal, and that it would not be contracted in the future. He noted voicing his snow removal concerns to Treasurer Joie Winski when the lease for Brown Mackie was being discussed in its early development.

i. Motion to approve with the stipulation that any contract work must be approved by the Council beforehand, out of ARP 8950 (or 8951 if 8950 were not applicable) made by Mr. Yagelski and seconded by Mr. Mollenhauer.

ii. Five members voted in favor (Mr. Novak, Mr. Rosenbaum, Mr. Yagelski, Mr. Garner, Mr. Mollenhauer) and one member voted not-in-favor (Mr. Cunningham).

b. Dumpsters

(not to exceed) \$1,500

i. Motion to approve out of ARP 8950 (or 8951 if 8950 were not applicable) made by Mr. Yagelski and seconded by Mr. Cunningham.

ii. All members voted in favor.

c. Front Entry (not to exceed) \$6,500

Mr. Levendowski stated that he was working with the owners of the Brown Mackie building in an attempt to get them to keep the current glass that had been installed by the County, and hopefully the requested funds would not need to be utilized at all.

i. Motion to table made by Mr. Mollenhauer and seconded by Mr. Yagelski.

ii. All members voted in favor.

d. Utilities (not to exceed) \$19,273

e. Water (not to exceed) \$550

Mr. Levendowski explained that although all County staff had moved out of the Brown Mackie building, since the lease had not yet been terminated, the County was still obliged to pay for both utilities and water, and added that currently the utilities were set to their lowest settings to cut down on costs until the lease was fulfilled. President Novak inquired as to when the lease was designated to expire, which Mr. Levendowski explained that he had not received any affirmation from the bank that the lease had been officially terminated. Mr. Yagelski asked which attorney was assigned to the lease, which Mr. Levendowski confirmed that Commission Attorney Shaw Friedman was appointed and assisting Joie Winski with communication with the bank that owns the building. At this time, President Novak proposed having Council Attorney Guy DiMartino reach out to the Commission Attorney to ensure the lease's swift termination. Mr. Yagelski voiced his frustration that these lingering charges should have been covered under the lease's original contract.

i. Motion to table the Utilities and Water request made by Mr. Yagelski and seconded by Mr. Cunningham.

ii. All members voted in favor.

Redevelopment Commission

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) or LIT (1112) for:

US 421 300N water/sewer project \$2,000,000

i. Motion to approve out of ARP (8950) made by Mr. Rosenbaum and seconded by Mr. Mollenhauer.

ii. All members voted in favor.

La Porte County Maintenance

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) or LIT (1112) for:

a. Fairgrounds Infrastructure \$175,000

b. Paving at Pioneer Land \$91,379

i. Motion to approve items "a" and "b" out of ARP 8950 (or 8951 if 8950 were not applicable) made by Mr. Mollenhauer and seconded by Mr. Rosenbaum.

ii. All members voted in favor.

c. Engineering fees for Rolling Prairie Project \$87,500

Mr. Yagelski inquired with Mr. Levendowski as to why two buildings were being built on the property instead of one, to which Mr. Levendowski explained that the presence of historical landmarks on the property, in addition to strict fire-code regulation for 5,000 square foot or larger buildings, were the reasons to build two smaller buildings instead of one larger one. Mr. Yagelski voiced dissatisfaction that a quote for one building was not offered when he had previously asked Mr. Levendowski to include it in the project's bidding.

i. Motion to approve with the exception that a bid be released to include the cost to construct a singular building, out of ARP 8950 (or 8951 if 8950 were not applicable) made by Mr. Rosenbaum and seconded by Mr. Yagelski.

ii. All members voted in favor.

La Porte County EMS

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) or LIT (1112) for:

Two Ambulances and loose equipment

a. Unit 1	\$231,677.54
b. Loose equipment	\$16,113
c. Unit 2	\$243,677.54
d. Loose equipment	\$16,113

i. Motion to approve out of ARP 8950 (or 8951 if 8950 were not applicable) made by Mr. Yagelski and seconded by Mr. Rosenbaum.

ii. All members voted in favor.

La Porte County Sheriff

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) or LIT (1112) for:

Annual Internet cost \$28,505

President Novak asked Sheriff John Boyd to explain the nature of the internet bill, which Mr. Boyd explained that the current sum of the bill had been negotiated down by the IT Department from \$146,685. An astounded Mr. Novak inquired with Commissioner Joe Haney to look into what internet for the entirety of the La Porte County Government was costing if this particular, exorbitant charge was only for one department. IT Director Darlene Hale spoke electronically via Zoom to inform the Council that the previous bill was considered a late charge, resulting from a lack of application of price increases over time. She added that since E911 and the Sheriff had always been on a separate internet plan in the past, they had not yet been integrated into the County's pre-existing internet contracts, and IT was currently looking into trying to merge the Sheriff and E911 into an established County internet contract. President Novak proposed bidding out the internet contract, which Ms. Hale confirmed might be do-able. Ms. Hale added that the cost was not just for internet itself, but also for direct fiber connections to other County buildings. Additionally, Ms. Hale confirmed that the "late charge" was realistically a bill that would bring the Sheriff's internet bill up to speed with price increases that had not yet been applied to them as a consumer. Mr. Yagelski asked what the previous internet bill was for the year prior, which Mr. Boyd confirmed was \$7,505. Mr. Yagelski urged an investigation into what warranted such dynamic, altering rates for internet prices.

i. Motion to approve the payment of the previous year's internet bill for \$7,505 out of Riverboat (1191) while the Commission Attorney negotiated with the internet provider made by Mr. Yagelski and seconded by Mr. Rosenbaum.

ii. All members voted in favor.

La Porte County Sheriff

Requesting Additional Appropriation from General (1000) for:

Hiring Courthouse Security (not to exceed) \$250,000

i. Motion to approve \$140,000 to hire two employees made by Mr. Rosenbaum and seconded by Mr. Garner.

ii. All members voted in favor.

La Porte County Planner

Requesting Additional Appropriation from Major Moves (1172) or LIT (1112) for:

a. Community Crossings \$1,405,319.87

La Porte County Planner Mitch Bishop approached the Council to explain that a grant for \$1 million had been received for Community Crossings, which would allow for the pavement of two roads: 500 W. and County Road 150 W. The request for the \$1,405,319.87 appropriation, he added, would be the County's contribution of the bill to accommodate the application of the grant.

i. Motion to approve out of LIT (1112) made by Mr. Rosenbaum and seconded by Mr. Yagelski.

ii. All members voted in favor.

b. Marquette Trail Grant matching \$237,000

i. Motion to approve out of LIT (1112) made by Mr. Rosenbaum and seconded by Mr. Yagelski.

ii. All members voted in favor.

La Porte County Economic Development

Requesting Additional Appropriation from LIT (1112) for:

Annual Budget \$220,000

i. Motion to approve \$110,000 for half of the year made by Mr. Rosenbaum and seconded by Mr. Yagelski.

ii. All members voted in favor.

COUNCIL/ATTORNEY COMMENTS

Auditor Stabosz took a moment to clarify the Brown Mackie contract to the Council, indicating that the two-year lease was designated to end on August 15th of 2022, with responsibility for utilities during the entirety of the lease. He questioned if a new contract by the Commissioners had been drafted in an attempt to negotiate the early release from the original contract.

Mr. Garner mentioned that a lack of action and correspondence from the Purdue Extension had been resulting in upset personnel. President Novak explained that although action was slow, steps were being taken by Purdue to address the concerns at hand, and was hopeful that a presentable resolution would be available at the next County Council Meeting.

Mr. Yagelski described recent goings-on of the Finance Committee and recapped the Committee's frustrations in finding an agreement in the payment of the Commissioners' Attorney fees the year prior. He added that similar problems were happening for the current year, and as such no agreement for paying the Commission Attorney Shaw Friedman were approved, and litigation would be imminent if a resolution were not made. Mr. Cunningham noted the County Auditor Tim Stabosz's desire to investigate the matter and procure more information, and expressed his agreement with Mr. Stabosz's appeal as to prevent the use of taxpayer funds on the questionable billings presented by Mr. Friedman. Mr. Yagelski noted that even though the Finance Committee had no desire to pay 100% of what was proposed to them by the Commission Attorney, some form of payment should be offered. Mr. Novak noted scrutinizing four particularly dubious line items, which he forwarded to Council Attorney Guy DiMartino for review, which Mr. DiMartino clarified that the line items appeared to be legal in nature.

Regarding an email he had drafted to the Council, Mr. Stabosz clarified the document had not been a detailed recitation of the Commission Attorney's billing items and why no payment would be offered, but instead was a summary of a request for emails from Mr. Friedman, which Mr. Stabosz wished to submit to the Council as to prevent approaching Mr. Friedman directly. In turn, he explained, the Council made inadequate deductions regarding the billing as a result of their inaction to follow through with his request. Mr. Novak rebuked that Mr. Stabosz had not responded to his feedback asking what actions Mr. Stabosz had wanted the Council to take on the twelve line items which he had presented. Mr. Stabosz stated that he wanted the aforementioned twelve line items to be provided, taken directly from Mr. Friedman's emails, which he believed evidenced billing practices that involved Mr. Friedman defrauding La Porte County. Mr. Novak offered to send the twelve items from Mr. Stabosz, in addition to the items from the Finance Committee, to Mr. Friedman with the request that Mr. Friedman respond to and forward a response to Mr. Stabosz and Mr. DiMartino. Mr. Stabosz maintained that source emails from Mr. Friedman must be acquired, citing a particular example where Mr. Friedman had reached out to Baker Tilly regarding a resolution passed by the Commissioners which had denounced Mr. Stabosz for his internet activities. Mr. Novak interjected, and Mr. Stabosz urged him to not obscure the truth of the matter. Mr. Novak explained that the problem was that of the Commissioners and not the County Council, and that the Council had looked over Mr. Stabosz's twelve items with scrutiny. Mr. Stabosz disagreed, and said that he felt as though his proposed items had not been adequately analyzed, and requested more support from the Council, which Mr. Novak in turn dissented. When Mr. Stabosz requested to speak furthermore, citing that there was a general misunderstanding, Mr. Novak asked if there was a motion to adjourn the meeting.

ADJOURNMENT

- i. Motion to adjourn made by Mr. Rosenbaum and seconded by Mr. Cunningham.
- ii. All members voted in favor.

Examined & Approved by The La Porte County Council this 28th day of March 2022.



Councilman Earl Cunningham



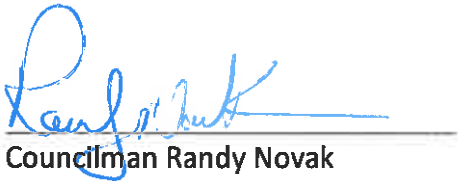
Councilman Terry Garner



Councilwoman Connie Gramarossa



Councilman Mike Mollenhauer



Councilman Randy Novak



Councilman Mike Rosenbaum



Councilman Mark Yagelski

ATTEST: 

Timothy Stabosz, Auditor