

MINUTES OF THE
REGULAR MEETING
OF THE
ST. JOSEPH COUNTY COUNCIL
JANUARY 10, 2012

The regular meeting of the St. Joseph County Council was called to order at 7:02 p.m., on January 10, 2012, by the President, Rafael Morton, in the Council Chambers, fourth floor, County-City Building, South Bend, Indiana.

Members in attendance were:

Mr. Mark Catanzarite - Absent
Mr. Dale DeVon
Mr. Michael J. Hamann
Mr. Daniel G. Herbster
Mr. Michael J. Kruk
Mr. Robert J. McCahill
Mr. Rafael Morton
Mr. Corey D. Noland
Mr. Mark Root

Present from the Auditor's office was Mr. Peter H. Mullen, Auditor and Ms. Teresa Shuter, Chief Deputy Auditor. Council staff present were Mr. Michael A. Trippel, Attorney and Ms. Joan M. Pawlowski, Executive Secretary.

Petitions, Communications & Miscellaneous Matters:

Mr. Noland moved and was seconded by Mr. McCahill to approve the minutes of November 15, December 6, December 20, 2011 and January 3, 2012. The motion passed by a voice vote; 8-0. No negatives were heard.

Mr. Kruk moved to table Bill No. 160-11 to the February 14, 2012 meeting at the request of the petitioner. His motion was seconded by Mr. Noland and passed by a voice vote; 8-0. No negatives were heard.

No report from the County Auditor.

No report from the Board of Commissioners.

No report from any Special Committees.

First Readings:

BILL NO. 1-12: AN ORDINANCE AMENDING ORDINANCE 108-11, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2012. (Dept. 0025 - Juvenile & Probate Court & 0049 - JJC) - Assigned to the Human Services/Criminal Justice Committee

BILL NO. 2-12: AN ORDINANCE APPROPRIATING THE SUM OF \$55,620.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND 0001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2012. (Dept. 0025 - Juvenile & Probate Court & Dept. 0049 - Juvenile Justice Center) {increase/decrease appropriation} - Assigned to the Human Services/Criminal Justice Committee

BILL NO. 4-12: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, FOR PROPERTY LOCATED AT 15684 STATE ROAD 23, GRANGER, INDIANA, FROM R, RESIDENTIAL DISTRICT TO C, COMMERCIAL DISTRICT. (Petitioners: KPS Concepts Inc.) - Assigned to the Land Use Planning Committee

Resolutions:

BILL NO. 3-12: RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL APPROVING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS BY THE ST. JOSEPH COUNTY AIRPORT AUTHORITY.

John Schalliol, Executive Director of the South Bend Airport, asking to refund the 2002 Bond Issue that is currently in existence. Doing so would save the Airport Authority approximately \$700,000 in interest cost and would allow them to pay off all the debt service with the passenger facility charge that is currently in place. There is no taxpayer money involved in this refunding.

Motion to pass Bill No. 3-12 was made by Mr. Root and seconded by Mr. McCahill. Bill No. 3-12 passed to-wit; 8-0

Public Hearings:

BILL NO. 159-11: AN ORDINANCE APPROPRIATING THE SUM OF \$42,077.00 OUT OF THE ST. JOSEPH COUNTY LOCAL EMERGENCY PLANNING FUND - 0063 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2012. (Dept. 0009 - Emergency Management Agency) - Assigned to the Human Services/Criminal Justice Committee

Mr. Hamann reported that Bill No. 159-11 comes with a favorable recommendation.

Bill Zimmerman, Director, explained that the funds come from the State for Hazardous Material Training and equipment. They are taking these funds and appropriating them to the budget areas that they need for operating the Local Emergency Planning Committee and do training.

Mr. Kruk asked if this was like a grant? Mr. Zimmerman stated that it was not a grant. Agencies or businesses that have hazardous material have to pay funds into a pool of money that goes to the State. Based on the number of facilities you get so much money. It is a funded program.

Motion to pass Bill No. 159-11 was made by Mr. Noland and seconded by Mr. Kruk. Bill No. 159-11 passed to-wit; 8-0.

Mr. Morton announced that there would be a combined Public Hearing on Bill No. 162-11 and 161-11 but would be voted on separately.

BILL NO. 162-11: AN ORDINANCE AMENDING ORDINANCE 108-11, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2012. (Dept. 0795 - C.B.C. User Fees) - Assigned to the Human Services/Criminal Justice Committee

BILL NO. 161-11: AN ORDINANCE APPROPRIATING THE SUM OF \$59,707.00 OUT OF THE ST. JOSEPH COUNTY COMMUNITY BASED CORRECTIONS FUND - 0800 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR 2012. (Dept. 0795 - C.B.C. - User Fees) - Assigned to the Human Services/Criminal Justice Committee

Mr. Hamann reported that Bill No. 162-11 and 161-11 come with a favorable recommendation.

Amy Cassidy, Financial Coordinator, stated that in moving into the new facility changes were made to the staffing requirements. They added one position, promoted three (3) employees to supervisors and there were some very qualified candidates that they had to match their current salary.

Mr. Noland questioned how many residents they had currently? Ms. Cassidy stated that currently they had 35. The capacity is 108.

Motion to pass Bill No. 162-11 was made by Mr. Hamann and seconded by Mr. Noland. Bill No. 162-11 passed to-wit; 8-0.

Motion to pass Bill No. 161-11 was made by Mr. Kruk and seconded by Mr. McCahill. Bill No. 161-11 passed to-wit; 8-0.

BILL NO. 163-11: AN ORDINANCE APPROPRIATING THE SUM OF \$2,600,000.00 OUT OF THE ST. JOSEPH COUNTY LOCAL LOCAL HWY. USER TAX PROJECTS FUND - 0012 AND \$1,350,000.00 OUT OF THE LOCAL ROADS & STREETS FUND - 0026 AND \$2,800,000.00 OUT OF THE LOCAL MAJOR MOVES CONST. FUND - 0112 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR 2012. (Dept. 0023 - County Engineer & Dept. 0060 - Roads & Highways) - Assigned to the Engineering and Transportation Committee

Mr. Hamann reported that Bill No. 163-11 comes with a favorable recommendation.

Jessica Clark, Engineer, explained that this was the annual appropriation request for the local paving and maintenance programs plus the capital improvements and federal aid programs. There are two (2) projects that will be going to letting this year, the intersection of Auten and Ironwood and the first phase of the Gumwood corridor plus continuing design engineering and right of way acquisition in the second phase of Gumwood, the corridor project on McKinley from Birch Road to County Line (being partnered with Elkhart County at the intersection of Cleveland and Ash) and the Adams Quail Project.

Mr. Hamann asked when the breakdown of the road paving? Ms. Clark stated that there is a draft of the list and will give the Council a copy as soon as it is finalized. She reminded the Council that funding is down and the program will be less than it was in 2011 and 2010.

Motion to pass Bill No. 163-11 was made by Mr. Kruk and seconded by Mr. DeVon. Bill No. 163-11 passed to-wit; 8-0.

Mr. Morton announced that Bill No. 167-11 and Bill No. 166-11 will have a combined Public Hearing but would be voted on separately.

BILL NO. 167-11: AN ORDINANCE AMENDING ORDINANCE 108-11, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2012. (Dept. 0025 - Juvenile & Probate Court) - Assigned to the Human Services/Criminal Justice Committee

BILL NO. 166-11: AN ORDINANCE APPROPRIATING THE SUM OF \$11,065.00 OUT OF THE ST. JOSEPH COUNTY JUVENILE PROBATION FEES FUND - 0056 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE YEAR 2012. (Dept. 0025 - Juvenile & Probate Court) - Assigned to the Human Services/Criminal Justice Committee

Mr. Hamann reported that Bill No. 167-11 and Bill No. 166-11 come with a favorable recommendation.

Peter Morgan, Executive Director, stated that the purpose of these bills was to establish the Coordinator position in the Reading for Life Program. This position was previously funded at \$35,000 per year and to be filled by a Bachelor level person. They are requesting that this be a Masters level position at \$45,000 and would be funded by Probation User Fees. They felt that this person would be better suited to supervise the already twenty (20) mentors that they have in the program.

Motion to pass Bill No. 167-11 was made by Mr. Kruk and seconded by Mr. No land. Bill No. 167-11 passed to-wit; 8-0.

Motion to pass Bill No. 166-11 was made by Mr. Kruk and seconded by Mr. Herbster. Bill No. 166-11 passed to-wit; 8-0.

Mr. Morton announced that Bill No. 169-11 and Bill No. 168-11 will have a combined Public Hearing but would be voted on separately.

BILL NO. 169-11: AN ORDINANCE AMENDING ORDINANCE 108-11, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2012. (Dept. 0797 - Juv Monitoring) - Assigned to the Human Services/Criminal Justice Committee

BILL NO. 168-11: AN ORDINANCE APPROPRIATING THE SUM OF \$4,607.00 OUT OF THE ST. JOSEPH COUNTY COMMUNITY BASED CORRECTIONS FUND -0800 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2012. (Dept. 0797 - Juv Monitoring) - Assigned to the Human Services/Criminal Justice Committee

Mr. Hamann reported that Bill No. 169-11 and 168-11 come with a favorable recommendation.

Peter Morgan, Executive Director, these bills will establish positions within the Day Reporting - Electronic Monitoring Community Transition Program. These positions are funded by grant funds from the Department of Corrections. The County will be reimbursed.

Motion to pass Bill No. 169-11 was made by Mr. Hamann and seconded by Mr. Noland. Bill No. 169-11 passed to-wit; 8-0.

Motion to pass Bill No. 168-11 was made by Mr. Kruk and seconded by Mr. De Von. Bill No. 168-11 passed to-wit; 8-0.

Mr. Morton announced that Bill No. 171-11 and Bill No. 170-11 will have a combined Public Hearing but would be voted on separately.

BILL NO. 171-11: AN ORDINANCE AMENDING ORDINANCE 108-11, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2012. (Dept. 0002 - Auditor) - Assigned to the Budget and Administration Committee

BILL NO. 170-11: AN ORDINANCE APPROPRIATING THE SUM OF \$4,246.00 OUT OF THE ST. JOSEPH COUNTY INELIGIBLE DEDUCTIONS FUND - 0061 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2012. (Dept. 0002 - Auditor) - Assigned to the Budget and Administration Committee

Mr. reported that Bill No. 171-11 and 170-11 come with a favorable recommendation.

Peter Mullen, Auditor, stated that this request was to increase in their Administrative Assistant position. This position has new responsibilities including a new title of IT Coordinator between the Auditor's Office and the rest of the County. The funding will come from the Ineligible Deductions Fund.

Motion to pass Bill No. 171-11 was made by Mr. Noland and seconded by Mr. Hamann. Bill No. 171-11 passed to-wit; 8-0.

Motion to pass Bill No. 170-11 was made by Mr. McCahill and seconded by Mr. Kruk. Bill No. 170-11 passed to-wit; 8-0.

BILL NO. 142-11: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, FOR THE PROPERTY LOCATED AT 11480, 11510, 11532 & 11590 MCKINLEY HIGHWAY, OSCEOLA, INDIANA 46561 FROM "B" BUSINESS DISTRICT, "C" COMMERCIAL DISTRICT & "R" SINGLE FAMILY DISTRICT TO "C" COMMERCIAL DISTRICT. (Petitioner: MCKH Properties, LLC) - Assigned to the Land Use Planning Committee

There was no representation for Bill No. 142-11. Moved by Mr. McCahill and seconded by Mr. Root this bill was tabled to the February 14, 2012 Public Hearing.

Unfinished Business:

New Business:

Privilege of the floor:

Adjournment:

Mr. Morton stated that the meeting was adjourned at 7:33 p.m.

Auditor, St. Joseph County

President, St. Joseph County Council

