

MINUTES OF THE
REGULAR MEETING
OF THE
ST. JOSEPH COUNTY COUNCIL
December 3, 2013

The regular meeting of the St. Joseph County Council was called to order at 6:05 p.m., on December 3, 2013, by the President, Rafael Morton, in the Council Chambers, fourth floor, County-City Building, South Bend, Indiana.

Members in attendance were:

Mr. Michael J. Hamann
Mr. Corey D. Noland
Mr. James O'Brien
Mrs. Diana Hess
Mr. Rafael Morton
Mr. Daniel G. Herbster
Mr. Mark A. Catanzarite
Mr. Robert J. McCahill

Present from the Auditor's office were Mr. Pete Mullen, Auditor and Ms. Teresa Shuter, Chief Deputy Auditor. Council staff present were Mr. Michael A. Trippel, Attorney and Ms. Jennifer Prawat, Executive Secretary.

Petitions, Communications & Miscellaneous Matters:

Mr. Catanzarite moved and was seconded by Mr. McCahill to approve the minutes of the November 13, 2013. The motion was passed by a voice vote; 8-0. No negatives were heard.

Mr. Herbster made a motion to appoint Pete Mullen to the County Redevelop Commission, Adam DeVon to the Area Plan Commission and reappoint Rafael Morton to the Airport Authority, Corey Noland to the Data Board and Jamie O'Brien to the Emergency Management Advisory Board and Mark Catanzarite to NICTD Advisory Board. Mr. O'Brien seconded, the motion was passed by a voice vote; 8-0. No negatives were heard.

Mr. Hamann made a motion for Bill No. 81-13 to be tabled at the request of the petitioner. Mr. Herbster seconded this motion, there was a 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. 88-13: AN ORDINANCE OF THE ST. JOSEPH COUNTY COUNCIL AMENDING TITLE III, ADMINISTRATION CHAPTER 34.15(A), MAINTENANCE OF PETTY CASH AS FUNDS BY CERTAIN DEPARTMENTS OF THE COUNTY, OF THE ST. JOSEPH COUNTY, INDIANA CODE (Dept. 0055 – Health Department) Assigned to the Human Services Criminal Justice Committee

BILL NO. 89-13: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE JOSEPH COUNTY CODE, AS AMENDED, FOR PROPERTY LOCATED AT 18325 BERGER STREET, SOUTH BEND, INDIANA 46637 FROM 370 INDUSTRIAL/MANUFACTURING DISTRICT, TO 510 RESIDENTIAL DISTRICT
PETITIONER: RONALD BLASKO Assigned to the Land Use Planning Committee

Public Hearings:

Mr. Morton: Next on the agenda are financial issues were heard and discussed at our committee meeting on November 26, 2013. Is there anyone that would like to speak in favor of any financial issues on tonight's agenda?
No one came forth.
Is there anyone who would like to speak in opposition of any financial issues on tonight's agenda?
No one came forth.

Mr. Morton: Before we move into Bill No. 84-13, the Auditor's office and myself, we met with State Board of Accounts this afternoon and tonight, we will be handling appropriations and transfers in one motion on Bill No. 84-13. So I wanted to let you know that any department head that is here for Bill No. 84-13, after we actually vote on the bill in one motion, you don't have to stay.

TRANSFER/APPROPRIATION BILL NO. 84-13
County Council
General Fund

FROM: 1000-11080-000-0035	Chief Finance Admin	\$25,000.00
TO: 1000-39600-000-0035	Refunds/Awards/Indemnities	25,000.00

TOTAL: \$25,000.00

Election Board
General Fund

FROM: 1000-36210-000-0027 Voting Machine Repair \$ 1,000.00
TO: 1000-44250-000-0027 Office Machines 1,000.00

TOTAL: \$1,000.00

Clerk's Office
General Fund

FROM: 1000-32350-000-0001 Postage \$10,000.00
TO: 1000-11950-000-0001 Part Time 10,000.00

FROM: 1000-33100-000-0001 Printing \$ 5,000.00
TO: 1000-11950-000-0001 Part Time 5,000.00

FROM: 1000-36300-000-0001 Repair Office Equipment \$ 4,000.00
TO: 1000-11950-000-0001 Part Time 4,000.00

FROM: 1000-37400-000-0001 Leases \$ 3,000.00
TO: 1000-11950-000-0001 Part Time 3,000.00

TOTAL: 22,000.00

Treasurer
General Fund

FROM: 1000-11682-000-0003 Cashier/Clerk \$439.00
TO: 1000-45510-000-0003 Furniture & Fixtures 439.00

FROM: 1000-31070-000-0003 Other Contractual Services \$1,685.00
TO: 1000-45510-000-0003 Furniture & Fixtures 1,685.00

FROM: 1000-32020-000-0003 Travel \$250.00
TO: 1000-45510-000-0003 Furniture & Fixtures 250.00

FROM: 1000-32050-000-0003 Instruction & Training \$ 50.00
TO: 1000-45510-000-0003 Furniture & Fixtures 50.00

TOTAL: 2,424.00

Commissioners
General Fund

FROM: 1000-11945-000-0034 Insurance Investigator PT \$ 3,700.00
TO: 1000-11306-000-0034 County Personnel Manager 3,700.00

TOTAL: 3,700.00

Agri Agent
General Fund

FROM: 1000-32350-000-0008 Postage \$ 1,750.00
TO: 1000-21030-000-0008 Office Supplies 1,750.00

FROM: 1000-36200-000-0008 Repairs/Other Equipment \$ 2,000.00
TO: 1000-21030-000-0008 Office Supplies 2,000.00

TOTAL \$ 3,750.00

County Assessor
General Fund

FROM: 1000-11076-000-0012 Inheritance Tax Manager \$2,000.00
TO: 1000-21030-000-0012 Office Supplies 2,000.00

TOTAL \$ 2,000.00

Auditor
Health Reserve

FROM: 4701-65030-000-0000 Inter Fund Transfer \$ 200,000.00
TO: 4702-05205-000-0000 Transfer of Funds 200,000.00

TOTAL \$ 200,000.00

FROM: 7312-65030-000-0000 Inter Fund Transfer \$ 75,036.09
TO: 4921-05205-000-0000 Transfer of Funds 75,036.09

TOTAL \$ 75,036.09

FROM: 1000-14840-000-0034 Group Health \$ 390,000.00
TO: 1000-14810-000-0002 PERF 390,000.00

TOTAL \$ 390,000.00

FROM: 1000-65030-000-0000 Inter Fund Transfer \$ 50,000.00
TO: 5357-05205-000-0002 Transfer of Funds 50,000.00

TOTAL \$ 50,000.00

FROM: 1000-11207-000-0002 Grant Coord. \$ 40,000.00
TO: 1000-14800-000-0002 FICA 40,000.00

TOTAL \$ 40,000.00

FROM: 1000-14850-000-0002 Unemployment \$ 45,000.00
TO: 1000-14800-000-0002 FICA 45,000.00

TOTAL \$ 45,000.00

FROM: 1000-14800-000-0002 Unemployment \$ 134.25
TO: 5361-05205-000-0000 Transfer of Funds 134.25

TOTAL \$ 134.25

Department of Public Works
County Highway & Major CUM Bridge

FROM: 1176-32210-000-0064 Radio Maintenance \$ 6,000.00
TO: 1176-44510-000-0064 Furniture & Fixtures 6,000.00

FROM: 1176-23440-000-0062 Road Signs \$ 15,000.00
TO: 1176-44510-000-0064 Furniture & Fixtures 15,000.00

FROM: 1176-23410-000-0062 Culverts, Tile & Sewer \$ 7,000.00
TO: 1176-44510-000-0064 Furniture & Fixtures 7,000.00

FROM: 1171-43050-000-0023 Major Bridge Maint-Rehab \$ 1,000.00
TO: 1171-38010-000-0023 Paying Agent Fees 1,000.00

TOTAL \$ 29,000.00

Prosecutor
General Fund

FROM: 1000-11101-000-0018 DPA \$ 32,000.00
1000-11121-618-0018 Victim Advocate 740.00
1000-11652-610-0018 Secretary 760.00
1000-16300-000-0018 Witness Fees 1,000.00

TO: 1000-39750-000-0018 Data Processing \$ 34,500.00

TOTAL \$ 34,500.00

Ducomb Center
CBC

FROM: 1122-65030-012-0080 Inter Fund Transfer \$ 38,006.90

TO: 9114-32200-014-0795 Telephone \$ 10,000.00
9114-32203-014-0795 Cell Phone 3,000.00
9114-22200-014-0795 Household Supplies 5,000.00
9114-31070-014-0795 Other Contractual Services 20,006.90

TOTAL \$ 38,006.90

Circuit Court
General Fund

FROM: 1000-16200-000-0019 Petit Jurors \$ 3,100.00
TO: 1000-39015-000-0019 Legal Books 3,100.00

FROM: 1000-32350-000-0019 Postage \$ 1,000.00
TO: 1000-21030-000-0019 Office Supplies 1,000.00

TOTAL \$ 4,100.00

County Police
General

FROM: 1000-11505-000-0005	Captain	\$ 6,000.00
TO: 1000-22100-000-0005	Tubes	6,000.00
FROM: 1000-11505-000-0005	Captain	\$ 6,500.00
TO: 1000-22010-000-0005	Motor	6,500.00
FROM: 1000-11505-000-0005	Captain	\$ 3,500.00
TO: 1000-21030-000-0005	Supplies	3,500.00
FROM: 1000-11505-000-0005	Captain	\$10,000.00
TO: 1000-22010-000-0005	Gas, Oil & Lubricants	10,000.00
FROM: 1000-11512-000-0005	Sergeant Senior	\$ 14,500.00
TO: 1000-22100-000-0005	Supplies	14,500.00
FROM: 1000-11512-000-0005	Sergeant Senior	\$ 12,000.00
TO: 1000-22417-000-0005	General Supplies	12,000.00
FROM: 1000-11512-000-0005	Sergeant Senior	\$ 11,200.00
TO: 1000-32200-000-0005	Telephone	11,200.00
FROM: 1000-11512-000-0005	Sergeant Senior	\$ 300.00
TO: 1000-32350-000-0005	Postage	300.00
FROM: 1000-11516-000-0005	Corp. Sr. II	\$ 3,700.00
TO: 1000-32350-000-0005	Postage	3,700.00
FROM: 1000-11512-000-0005	Corp. Sr. II	\$ 7,500.00
TO: 1000-36100-000-0005	Repairs Auto	7,500.00
FROM: 1000-11516-000-0005	Corp. Sr. II	\$ 13,000.00
TO: 1000-36200-000-0005	Other Equipment	13,000.00
FROM: 1000-11512-000-0005	Corp. Sr. II	\$ 12,000.00
TO: 1000-39750-000-0005	Processing	12,000.00
FROM: 1000-11950-000-0005	Part Time	\$ 18,000.00
TO: 1000-39750-000-0005	Processing	18,000.00

TOTAL \$118,200.00

County Jail Admin.
General Fund

FROM: 1000-11534-000-0006	Correction Officers	\$ 25,000.00
TO: 1000-39750-000-0006	Processing	25,000.00
FROM: 1000-11503-000-0006	IT Manager	\$ 8,000.00
TO: 1000-24115-000-0006	Jail Inmates	8,000.00
FROM: 1000-11534-000-0006	Correctional Officer Sergeant	\$ 8,500.00
TO: 1000-24115-000-0006	Expense Jail Inmates	8,500.00

TOTAL \$ 41,500.00

County Police
General Fund

FROM: 1000-11534-000-0005	Correctional Officer Sergeant	\$ 8,500.00
TO: 1000-24115-000-0005	Expense Jail Inmates	8,500.00
FROM: 1000-11512-000-0005	Corp. Sr. II	\$ 12,000.00
TO: 1000-39750-000-0005	Processing	12,000.00

TOTAL \$ 20,500.00

Juvenile & Probate Court
General Fund

FROM: 1000-11385-000-0025	Probation Officer I	\$ 90,000.00
TO: 1000-35010-000-0049	Electric	\$ 25,000.00
1000-22200-000-0049	Household Supplies	20,000.00
1000-24100-000-0049	Food	25,000.00
1000-36010-000-0049	Repairs Bldg. & Structure	15,100.00
1000-35030-000-0049	Water & Sewage	4,900.00

TOTAL \$ 90,000.00

Juvenile & Probate Court
General Fund

FROM: 1000-11960-000-0025 Probation Officer \$ 21,533.00
TO: 1000-39750-000-0025 Data Processing 21,533.00

TOTAL \$ 21,533.00

Emergency Management
General Fund

FROM: 1000-32200-000-0009 Telephone \$ 658.89
TO: 1000-24010-000-0009 Other Supplies 658.89

TOTAL \$ 658.89

Health Dept.
Health Fund

FROM: 1159-11965-000-0055 Clinic Physician Part time hrly. \$1,000.00
1159-33025-000-0055 Other Bioterrorism 1,000.00
1159-36500-000-0055 Service Contract 367.00
1159-33368-000-0055 Public Info & Education 1,481.84
1159-36010-000-0055 Repairs-Bldg. & Structures 2,000.00
TO: 1159-22118-000-0055 Office Supplies \$ 1,481.84
1159-44250-000-0055 Office Machines 4,367.00

TOTAL \$ 5,848.84

Parks & Rec.
Park & Rec. Fund

FROM: 1179-65030-000-0057 Inter Fund Transfer \$ 250,000.00
TO: 1219-05205-000-0057 Inter Fund Transfer 250,000.00

TOTAL \$ 250,000.00

APPROPRIATIONS:

Commissioners
Emergency Telephone System

1153-32205-000-0034 E-911 Fees 700,000.00
1153-39600-000-0034 Refunds, Awards & Indemnities 795,000.00

TOTAL: \$1,495,000.00

Auditor
CCD

1138-39750-000-0002 Data Processing \$ 300,000.00

TOTAL: \$300,000.00

Auditor
General Fund

1000-11676-000-0004 Counter Clerk 1,000.00

TOTAL: \$1,000.00

Highway Gen. Exp.
County Highway

1176-14810-000-0064 PERF \$ 41,000.00
1176-11447-000-0061 Construction Tech. IV 2,500.00

TOTAL: \$43,500.00

Drainage Board
General Drain Improve

1158-39431-000-0022 Repair Drainage System \$ 10,189.52

TOTAL: \$ 10,189.52

Drainage Board
Maintenance Fund

2700-39431-000-0022 Repair Drain System \$ 35,600.00
1158-39431-000-0022 Repair Drain System 11,289.78

TOTAL: \$ 46,889.78

Circuit Court
County Drug Free Fund

1148-39208-000-0019	St. Joseph County Drug Coalition	\$29,000.00
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TOTAL: \$ 29,000.00

Domestic Relations
Alt. Dispute Resolution Fund

4901-31070-000-0054	Other Contractual Services	\$ 13,000.00
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TOTAL: \$ 13,000.00

County Jail Admin.
General Fund

1000-24100-000-0006	Food	\$ 5,800.00
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TOTAL: \$ 5,800.00

Historic Preservation
Special Gifts

4103-31070-000-0037	Other Contractual Svc.	\$ 105.00
4103-33648-000-0037	Rebinding Records	30.00

TOTAL: \$ 135.00

County Parks
Non Reverting

1179-11361-000-0057	Technician II	\$ 5,000.00
1179-11363-000-0057	Technician III	45,000.00
1179-11477-000-0057	Interpretive PT	5,000.00
1179-14800-000-0057	FICA	5,000.00
1179-14810-000-0057	PERF	1,000.00

TOTAL: \$ 61,000.00

Motion to pass Bill No. 84-13 was made by Mr. Catanzarite and seconded by Mr. Hamann. Bill No. 84-13 was passed to-wit; 8-0

Mr. McCahill: I am opposed to the appropriation for the E911 fees, but, in it's entirety, I will vote yes.

BILL NO. 85-13: AN ORDINANCE AMENDING ORDINANCE 110-12, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBER OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2013 (DEPT. 0034 COMMISSIONERS)

Teresa Shuter, Chief Deputy Auditor, this is the companion bill to the thirty seven hundred dollar transfer that you just approved for the Commissioners department.

Motion to pass Bill No. 8-13 was made by Mr. Noland and seconded by Mrs. Hess. Bill No. 85-13 was passed to-wit; 8-0

BILL NO. 86-13: AN ORDINANCE AMENDING ORDINANCE 110-12, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBER OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2013 (DEPT. 0034 COMMISSIONERS)

Teresa Shuter, Chief Deputy Auditor, this is a request to change the salary of the insurance investigator in the Commissioners budget.

Motion to pass Bill No. 86-13 was made by Mr. O'Brien and seconded by Mr. Noland. Bill No. 86-13 was passed to-wit; 8-0

BILL NO. 87-13: AN ORDINANCE AMENDING ORDINANCE 110-12, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBER OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2013 (DEPT. 0004 COUNTY RECORDER)

Teresa Shuter, Chief Deputy Auditor, this is a request to correct a line item that I made a mistake on in the budget book, 11676 county clerk should have read two at twenty five nine twenty six and this is a companion bill to the thousand dollar appropriation we just approve on 84-13.

BILL NO. 80-13: AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY PAUL CHIMUTU OF DARDEN HOMES LLC FOR THE PROPERTY LOCATED AT 52358 PORTAGE ROAD, SOUTH BEND, IN 46628 THE SAME BEING PETITION NO. 11-06-13-21 FILED WITH THE AREA BOARD OF ZONING APPEALS PETITIONER: PAUL CHIMUTU OF DARDEN HOMES LLC

Mr. Noland reported that Bill No. 80-13 comes with a favorable recommendation.

Mark Lyons, Area Board of Zoning Appeals, first, I want to apologize for missing last Tuesday's meeting, that was my mistake, I missed it on the agenda. This does come to you with a unanimous favorable recommendation. It is a

special exception request for an adult care facility. The general operating the facility does operate another facility on Darden Road. This would be his second business, happy to answer any questions you have about the property.

Paul Chimutu, 20907 Darden Road, South Bend, Indiana, 46628, I own a home for elderly people and have owned for fifteen years, on Darden Road. I have extensive experience in health care. I worked as a nursing assistant while going to collage. That has been twenty years and in between, I have become a realtor. These people will be taken care of by nursing assistants and we will also be working with Hospice House, like I indicated the last time. We are also working with Memorial Home Health Care to come and monitor and check our residents as scheduled. We also work with other care providers agencies in town so we are not new in the healthcare industry. Our name, Darden Place, or Daren Homes is quite out there. This is their home, they eat breakfast together, lunch together, dinner together, they celebrate holidays and birthdays together. We have had many people that have been very pleased. We also are listed under Real Services.

Motion to pass Bill No. 80-13 was made by Mr. Hamann and seconded by Mr. O'Brien. Bill No. 80-13 was passed to-wit; 8-0

BILL NO. 77-13: 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 31140 EDISON ROAD, NEW CARLISLE, INDIANA 46552 FROM M MANUFACTURING DISTRICT TO M MANUFACTURING DISTRICT PETITIONER: EDISON ROAD LLC

Mr. Noland reported that Bill No. 77-13 comes with a favorable recommendation.

Christa Hill, Area Plan Commission, the property was originally rezoned to Manufacturing in nineteen ninety six and at that time all rezonings were tied to final site plan. The new petitioner would like to add a twenty two thousand square foot addition on the back here. It comes with a favorable recommendation from the Area Plan Commission, it will basically be zoned manufacturing without a site plan.

Mike Danch, Danch, Harner and Associates, as Christa had mentioned, what we are asking to do, this is the proposed location for Tejas Tubular East, and they want to go into the old Scott Brass facility. They will probably do about twelve million dollars worth of improvements to this property. What we are trying to do is remove the site plan requirements placed on the property when Scott Brass went into this particular facility.

Motion to pass Bill No. 77-13 was made by Mr. Herbster and seconded by Mr. McCahill. Bill No. 77-13 was passed to-wit; 8-0

New Business:

Privilege of the floor:

Adjournment: Mr. Morton stated that the meeting was adjourned at 6:25 p.m.

Auditor, St. Joseph County

President, St. Joseph County Council

