

MINUTES OF THE
REGULAR MEETING
OF THE
ST. JOSEPH COUNTY COUNCIL
September 9, 2014

The regular meeting of the St. Joseph County Council was called to order at 6:05 p.m., on September 9, 2014, 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. McCahill
Mr. Mark Root

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

Petitions, Communications & Miscellaneous Matters:

Mr. McCahill made a motion to reappoint Mr. Herbert A. Jones to the Housing Authority and was seconded by Mr. Noland.

The motion was passed by a voice vote; 9-0. No negatives were heard.

Mr. Noland moved and was seconded by Mr. Hamann to approve the minutes of the August 12, 2014 meeting. The motion was passed by a voice vote; 9-0. No negatives were heard.

Mr. Hamann made a motion to table section H Bill No. 46-14 requested by petitioner and was seconded by Mr. O'Brien. The motion was passed by a voice vote; 9-0. No negatives were heard.

No report from the County Auditor.

Report from the Board of Commissioners:

No report from any Special Committees.

First Readings:

BILL NO. 52-14: AN ORDINANCE APPROPRIATING THE SUM OF \$289,196.00 OUT OF THE BOND & INTEREST REDEMPTION FUND, EXCESS WELFARE DISTRIBUTION FUND AND LIBRARY IMPROVEMENT RESERVE FUND FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2014 DEPT. MISHAWAKA-PENN-HARRIS LIBRARY
Assigned to the Budget/Administration Committee

BILL NO. 53-14: AN ORDINANCE TO ESTABLISH AND APPROPRIATE THE 2015 ANNUAL BUDGET OF THE ST. JOSEPH COUNTY BOARD OF MANAGERS FOR HOTEL-MOTEL TAX, IN THE AMOUNT OF \$4,097,280.00.00 OUT OF THE ST. JOSEPH COUNTY CONVENTION EXHIBITION FUND – 7304 HOTEL/MOTEL 2015 BUDGET Assigned to the Budget/Administration Committee

BILL NO. 54-14: 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 10106 MCKINLEY HWY., OSCEOLA, IN 46561 FROM B BUSINESS TO CO COMMERCIAL PETITIONER: RLS LLC Assigned to the Land Use Planning Committee

**Public Hearing on the Airport Authority, Solid Waste Management, and
St. Joseph County 2015 Budget**

**BILL NO. 47-14: ORDINANCE FOR APPROPRIATIONS AND TAX RATES
(BUDGET FORM 4) AIRPORT AUTHORITY**

Mr. Daigle, Executive Director of St. Joseph County Airport Authority, as you know, we submitted our 2015 budget, it was published in the paper and I will take just a minute or two to hit the high points of what we have in there. Last year we came before you and reduced our budget by nine point six one percent, this year the Airport Authority had a maximum allowable increase of two point seven percent, we've held it to two point zero for the 2015 year. That also included major capital projects that we anticipate doing, the two that are large expenditures is the geothermal technology project, which will reduce the airport's consumption of three point eight million cubic feet of natural gas with completed next spring. We are waiting federal aviation grants so that we can issue that, we have gotten bids in hand and then the next large project to have completed with a goal of November 2015 is the federal inspection service station so that we can begin international flights for both general and commercial aviation. So those are the two large items we are working on. Most of our three major line items, personnel, supplies and service have gone up slightly except for service which went down, but it's a fairly conservative budget and at this point I'd be happy to answer any questions Council members may have.

Mr. Noland: Not really so much about the budget here but just out of curiosity, do you have an idea of the long range savings this geothermal project is going to afford the airport?

Mr. Daigle: Well, the actual of the savings and the purchase of natural gas will probably be in around the fifty to sixty thousand dollars annually in savings, this project has a useful life of between twenty five and thirty years. The anticipated savings, maintenance, is about another sixty thousand dollars a year in reduced maintenance costs. But the real savings in the long run is that if we did not go down this rout and we replaced the existing system we have, we would be spending about two point five to three million dollars of our money with no federal assistance at all to replace as we have which is at the end of its useful life, which is about twenty nine years.

**BILL NO. 48-14: ORDINANCE FOR APPROPRIATIONS AND TAX RATES
(BUDGET FORM 4) SOLID WASTE**

Mr. Przybysz, Solid Waste Management District, before you, you have the budget proposal and a copy of the resolution that our board passed yesterday, stating that it was ok to ask for this. The budget is basically fairly simple. In the five years I have been there, we have tried to make it as simplified, we took thirty some line items, consolidated some things that changed around with some stuff that's been done in the office. In the past five years, our expenditures have been reduced twenty three percent, from the year of me taking over. I am not bragging about that personally but for our office and our employees. We have done pretty good job, at our board meeting yesterday, Mr. Mullen pointed out, we are, through August, we are sixty seven percent through the year, we are seventy percent of our estimated income for the year, projected income and at sixty two percent for expenditures. Our total increase that we are looking at for next year is seven thousand, three hundred and thirty six dollars. That is one quarter of a percent increase. Most of that was done by moving some money around. It's been a good year again, we are at, at our place in Mishawaka, we are at close to seven hundred and fifty thousand pounds of material this year already. We are so busy that we moved a position from our office to that facility on a full time basis. We are also change the way we do some things in the office. To go after people who are behind in program fees, this year from January to the end of August, we have been able to collect a hundred and forty thousand dollars in past due program fees, by the efforts of the staff in the office and clean up a lot of our accounts and things in our system.

**BILL NO. 50-14: AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE
NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY, INDIANA FOR
THE YEAR 2015**

Mr. Mullen, St. Joseph County Auditor, we present you the 2015 budget. This budget is represented in two ordinances. One is for establishing salaries and the number of employees of the county, the second one is for the appropriation and the tax rate for the county for 2015. I want to thank the Commissioners, the Council and the department heads for almost five months of diligent and professional work. Particular, I want to thank Teresa Shuter, our Chief Deputy Auditor for all her dedication for pulling this together, I am personally aware of her taking telephone calls at home at 6:30 in the morning and at 10:30 at night. Meetings were done with a high degree of transparency. This sub committees of the Council, Commissioners and department heads were extremely efficient and effective. Questions were asked and questions were answered and then brought back to the full Council for ratification to go

forward and to be finalized. Not only working with thirty five different department heads, and sixty different budgets, the added responsibility this past summer of the mandated PSAP dictated long hours and difficult questions that had to be answered. The budget for 2015 is fifty two million, two hundred and eighty four thousand, nine hundred and forty dollars in the general fund, which is a five million, two hundred and sixty six thousand, two hundred and ninety six dollars less than the 2014 general fund budget and for all sixty budgets for the County for 2015, the total budget is a hundred and five million, nine hundred and nineteen, seven hundred ninety seven dollars. Yesterday we sent an email asking if there were any unanswered questions or concerns that you may have. After all this, five months of work, we are pleased to report there were no questions or concerns. Not only do I present this budget for 2015 as a complete and well thought-out ordinance, I truly compliment the Council of St. Joseph County on all of your hard work and your concern for our tax payers.

**BILL NO. 51-14: ORDINANCE FOR APPROPRIATIONS AND TAX RATES
(BUDGET FORM 4) ST. JOSEPH COUNTY, INDIANA**

Mr. Mullen, St. Joseph County Auditor, Mr. President, unless you want me to read this again, I don't have anything to add.

Mr. Morton: No, that's ok.

Public Hearing/Public Comment:

BILL NO. 46-14: AN ORDINANCE APPROPRIATING AND TRANSFERRING MONEYS FOR THE PURPOSE HEREIN SPECIFIED FOR THE SEVERAL DEPARTMENTS HEREIN LISTED OF ST. JOSEPH COUNTY GOVERNMENT

A. Auditor's Office
COIT

7400-65030-0000-0002	Inter fund Transfer	\$ 5,000,000.00
1000-05205-0000-0002	Inter fund Transfer	5,000,000.00

TOTAL: \$ 5,000,000.00

B. Domestic Relations
Alternative Dispute Resolution Fund

FROM: 4901-16900-000-0054	Personal Cost Reimbursements	\$ 8,083.00
TO: 4901-31070-000-0054	Other Contractual Services	8,083.00

TOTAL: \$ 8,083.00

FROM: 4901-65030-000-0054	Alternative Dispute Resolution	\$ 10,400.00
TO: 4901-31070-000-0054	ADR – Other Contractual Services	10,400.00

TOTAL: \$ 10,400.00

C. Election Board
General Fund

FROM: 1000-24500-000-0027	Meals for Prc. Board	\$ 1,800.00
TO: 1000-24501-000-0027	Meals for Election Board	1,800.00

TOTAL: \$ 1,800.00

APPROPRIATIONS:

D. Election Board
General Fund

1000-31070-000-0027	Other Contractual Services	\$ 21,090.34
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TOTAL: \$ 21,090.34

E. Adult Probation			
Drug Free Community			
9102-32050-000-0056	Instruction & Training		\$ 4,800.00
			<u>TOTAL: \$ 4,800.00</u>

F. Health Department			
Influenza Immunization Grant			
9109-32020-000-0055	Travel		\$ 499.84
9109-33368-0055	Public Info. & Education		49,500.16
			<u>TOTAL: \$ 50,000.00</u>

G. Juvenile Justice Center/CASA			
GAL/CASA Program			
1213-31070-000-0025	Other Contractual Services		\$ 20,343.84
			<u>TOTAL: \$ 20,343.84</u>

H. Juvenile Justice Center			
LOIT			
6005-11049-000-0049	Director of Detention		\$ 580.00
6005-11075-000-0049	Deputy Director		2,063.00
6005-11367-000-0049	Team Leader		15,517.00
6005-11370-000-0049	Detention Officer		52,362.00
6005-11601-000-0049	Supervisor		17,744.00
6005-11379-000-0049	Counselor/Caseworker		5,724.00
6005-11535-000-0049	Special Deputy		10,009.00
			<u>TOTAL: \$ 103,999.00</u>
6005-11385-000-0025	Probation Officer		\$ 56,001.00
			<u>TOTAL: \$ 56,001.00</u>

I. Sheriff			
LOIT			
6005-24100-000-006	Food		\$ 321,460.81
			<u>TOTAL: \$ 321,460.81</u>

Motion to pass Bill No. 46-14, excluding section H was made by Mr. Hamann and seconded by Mr. O'Brien.
 Bill No. 46-14, excluding section H was passed
 to-wit; 9-0.

BILL NO. 49-14: REDUCTION OF APPROPRIATION FOR THE YEAR 2014

Clerk			
1000-11102-000-0001	Second Deputy		\$ 1,657.00
1000-11328-000-0001	Child Support Clerk		4,965.00
1000-11670-000-0001	Book Keeper		15,540.00
1000-11044-000-0001	Absentee Worker		2,800.00
Auditor			
1000-14800-000-0002	FICA		\$ 500,000.00

Treasure		
1000-2102-000-00003	Office Forms & Record	\$ 533.00
1000-31070-000-0003	Other Contractual Services	13,102.70
1000-32350-000-0003	Postage	857.38
1000-39010-000-0003	Dues & Subscriptions	46.94
County Police		
1000-32350-000-0005	Postage	8,190.62
1000-32050-000-0005	Instruction & Training	8,000.00
1000-22010-000-0005	Gas, Oil & Lubricants	10,000.00
1000-11505-000-0005	Captain Rank	5,300.00
Jail		
1000-24100-000-0006	Food	\$ 321,460.81
1000-21010-000-0006	Stationary & Printing	1,700.00
Purdue		
1000-11654-000-0008	Secretary III	\$ 200.00
1000-21030-000-0008	Office Supplies	800.00
1000-32200-000-0008	Telephone	630.00
1000-32350-000-0008	Postage	1,300.00
1000-36200-000-0008	Repairs – Other Equipment	3,000.00
1000-39010-000-0008	Dues & Subscriptions	200.00
Emergency Management		
1000-11957-000-0009	Interns Part Time	\$ 4276.28
1000-21030-000-0009	Office Supplies Paper	500.00
1000-32200-000-0009	Telephone & Telegraph	500.00
Archives		
1000-11629-000-0010	Microfilm Coordinator	\$ 3,000.00
1000-37010-000-0010	Rent	6,451.00
Coroner		
1000-39750-000-0011	Data Processing	\$ 4,924.90
1000-31210-000-0011	Pathological Services	10,512.10
Assessor		
1000-11103-000-0012	Third Deputy	\$ 19,629.00
Prosecutor		
1000-21030-000-0018	Office Supplies	\$ 2,625.00
1000-32250-000-0018	Postage	4,422.00
Circuit Court		
1000-21030-000-0019	Office Supplies	\$ 300.00
1000-32350-000-0019	Postage	4,500.00
Superior Court		
1000-1620-000-0020	Petit Jurors	\$ 40,342.17
Maintenance		
County City Building Maintenance		
1000-35015-000-0021	Utilities	\$ 56,293.00
County Engineer		
1000-11447-000-0023	Construction Technician	\$ 21,831.00

Juvenile and Probate Court		
1000-11352-000-0025	Court Bailiff	\$ 1,500.00
1000-11385-000-0025	Probation Officer	56,001.00
1000-21030-000-0025	Office Supplies	2,125.00
Election Board		
1000-11900-000-0027	Inspector – Primary	\$ 1,250.00
1000-11910-000-0027	Judge-Primary	6,090.00
1000-11920-000-0027	Sheriff – Primary	6,970.00
1000-11930-000-0027	Clerk – Primary	5,800.00
Voter Registration		
1000-11101-000-0028	Deputy	\$ 678.00
1000-32350-000-0028	Postage	6608.53
1000-33100-000-0028	Printing	277.00
County Jail Maintenance		
1000-35010-000-0029	Electric	\$ 35,185.00
Weights & Measures		
1000-31070-000-0031	Other Contractual Services	\$ 198.95
1000-32350-000-0031	Postage	50.00
1000-44250-000-0031	Printing	80.00
Area Plan		
1000-11075-000-0032	Assistant Director	\$ 4,546.00
1000-11366-000-0032	Planner	13,152.00
Board of Commissioners		
1000-11211-000-0034	Financial Coordinator	\$ 1,500.00
1000-11650-000-0034	Executive Secretary	10,328.34
1000-11945-000-0034	Insurance Investigator	2,000.00
1000-11952-000-0034	Clerk Part Time	3,919.80
1000-21110-000-0034	Duplicating Supplies	2,300.00
1000-22010-000-0034	Gas, Oil & Lubricant	6,000.00
1000-32200-000-0034	Telephone	20,901.46
1000-32350-000-0034	Postage	30,000.00
1000-34030-000-0034	Insurance Coverage	120,000.00
1000-36200-000-0034	Repairs – Other Equipment	15,000.00
1000-39010-000-0034	Dues & Subscriptions	11,000.00
1000-39450-000-0034	Environmental Control	20,200.40
1000-39955-000-0034	Sale Cost – County Property	17,500.00
1000-31152-000-0034	Paramedic Services	248,265.00
County Council		
1000-11080-000-0035	Chief of Admin/Finance	\$ 45,000.00
Public Defender		
1000-33198-000-0036	Consultants	\$ 645.00
1000-33198-000-0036	Contractual Services	3,505.00
1000-36016-000-0036	Professional Contracts	4,610.00

Historic Preservation		
1000-21030-000-0037	Office Supplies	\$ 50.00
1000-22010-000-0037	Gas, Oil & Lubricants	200.00
1000-31070-000-0037	Other Contractual Services	1,293.00
1000-32200-000-0037	Telephone	160.00
1000-32350-000-0037	Postage	232.88
1000-33010-000-0037	Publication of Legal Notice	143.50
Courthouse		
1000-35015-000-0038	Utilities	\$ 10,093.00
Prosecutor Title IV D		
1000-14840-000-0048	Group Insurance	69,603.00
Juvenile Justice Center		
1000-32200-000-0049	Telephone	\$21,240.00
1000-11049-000-0049	Director of Detention	580.00
1000-11075-000-0049	Deputy Director	2,063.00
1000-11367-000-0049	Team Leaders	15,517.00
1000-11370-000-0049	Detention Officers	52,362.00
1000-11379-000-0049	Counselor/Caseworker	5,724.00
1000-11535-000-0049	Special Deputy	10,009.00
1000-11601-000-0049	Supervisor	17,744.00
Domestic Relations		
1000-11077-000-0054	Admin. Assistant	\$ 4,095.00
1000-11375-000-0054	Family Court Specialist	4,904.00
1000-21030-000-0054	Office Supplies	450.00
1000-32220-000-0054	Telephone	434.00
1000-32350-000-0054	Postage	430.00
Adult Probation		
1000-21030-000-0056	Office Supplies	\$ 400.00
1000-32200-000-0056	Telephone	1,700.23
1000-32350-000-0056	Postage	1,178.62
1000-36015-000-0056	Contractual Services	4,000.00
1000-39750-000-0056	Data Processing	2,000.00
Penn Township Assessor		
1000-21030-000-0150	Office Supplies	\$ 500.00
1000-32010-000-0150	Mileage Allowance	2,224.00
1000-32020-000-0150	Travel	700.00
1000-36300-000-0150	Repair Office Equipment	600.00
1000-45510-000-0150	Temp. Furniture & Fixtures	1,250.00
<u>General Fund Total: \$ 2,015,456.59</u>		
Assessor: Cum Reassessment		
1188-11103-000-0012	Third Deputy	\$ 38,189.00
1188-32350-000-0012	Postage	60.00
<u>TOTAL: 38,249.00</u>		
CUM Bridge		
1135-90101-000-0069	Beech Rd. over Grimes Ditch	\$107,000.00
<u>TOTAL: 107,000.00</u>		

Major Bridge			
	1171-43142-000-0023	Sample/Olive Overpass Rehb	\$ 217,000.00
			<u>TOTAL: 217,000.00</u>
Health			
	1159-11143-000-0055	Registrars	\$ 7,083.41
	1159-11155-000-0055	Nurses	25,102.96
	1159-11164-000-0055	Environmental/Food Spec.	20,481.70
	1159-14800-000-0055	FICA Contributions	4,030.00
	1159-14810-000-0055	PERF	5,006.00
	1159-14840-000-0055	Group Insurance	22,245.65
			<u>TOTAL: 83,495.00</u>
Parks			
	1219-11472-000-0057	Park Tech II	\$ 26,744.00
	1219-11476-000-0057	Gatekeep/Security	10,000.00
	1219-11477-000-0057	Interp. PT	200.00
	1219-11478-000-0057	Main PT	1,000.00
	1219-14800-000-0057	FICA	2,903.00
	1219-14810-000-0057	PERF	3,162.00
	1219-14900-000-0057	Uniforms	2,000.00
	1219-21030-000-0057	Office Supplies	500.00
	1219-31010-000-0057	Legal Srv.	1,000.00
	1219-32200-000-0057	Telephone	1,500.00
	1219-32350-000-0057	Postage	102.00
	1219-35090-000-0057	Trash	1,000.00
	1219-37300-000-0057	Office Equip.	200.00
	1219-39010-000-0057	Dues	200.00
	1219-39014-000-0057	Tech Books/Manuals	200.00
			<u>TOTAL: 50,711.00</u>

Motion to pass Bill No. 49-14 was made by Mrs. Hess and seconded by Mr. Herbster Bill No. 49-14 was passed to-wit; 9-0.

Public Hearing/Land Use Planning:

BILL NO. 43-14: ORDINANCE OF THE ST. JOSEPH COUNTY COUNCIL AUTHORIZING ISSUANCE OF BONDS FOR THE PURPOSE OF PROVIDING FUNDS TO BE APPLIED TO PAY FOR CAPITAL AND ECONOMIC DEVELOPMENT PROJECTS AND INCIDENTAL EXPENSES IN CONNECTION THEREWITH AND ACCOUNT OF THE ISSUANCE OF THE BONDS, SAID BONDS TO BE PAYABLE SOLELY FROM ECONOMIC DEVELOPMENT INCOME TAX REVENUES

Assigned to the Budget and Administration Committee

Mr. Root reported that Bill No. 43-14 comes with a favorable recommendation.

Phil Faccenda, Barnes & Thornburg, 100 N. Michigan St. South Bend, the ordinance before you is a bond ordinance in the principal amount of not to exceed eleven million, five hundred thousand dollars. The bond proceeds would be utilized to fund the several items with regard to the County's Consolidated Public Answering System, Public Answering System and consolidation into a new facility, as mandated by state law, the county is required to be down to PSAP's by the end of this year, that will be achieved through the upgrade within the South Bend Police Department to serve as a long term back up facility and Mishawaka will continue to function with it's PSAP until such time a new facility is constructed. Then operations will be moved to the new facility and the South Bend site will serve as a dark, back up site to ensure service going forward in the event of an emergency that would prevent the new facility from functioning. The bond proceeds would be used for improvements to this back facility, it would be used for the construction and equipping of the new facility and it would be used for a portion for some of the new technology that would be purchased. One detail with regard to the bonds, as I mentioned, they are county economic development income tax backed bond, there is no general pledge of the County to repayment of these bonds, they are all to be paid from a pure CEDIT pledge, the final maturity bond is twenty one years, not to exceed twenty one years. The pure CEDIT pledge is to be shared by the County and corresponding pledges from the City of South Bend and the City of Mishawaka, those pledged from the two cities of a portion of the CEDIT necessary to repay the bonds is irrevocable once the bonds are issued. If you have any questions I would be happy to answer there.

Motion to pass Bill No. 43-14 was made by Mr. Hamann and seconded by Mr. Herbster. Bill No. 43-14 was passed to-wit; 9-0.

BILL NO. 44-14: ORDINANCE OF THE ST. JOSEPH COUNTY COUNCIL APPROPRIATING THE PROCEEDS OF THE ST. JOSEPH COUNTY ECONOMIC DEVELOPMENT INCOME TAX REVENUE BONDS Assigned to the Budget and Administration Committee

Mr. Root reported that Bill No. 44-14 comes with a favorable recommendation.

Phil Faccenda, this ordinance is simply the appropriation of the proceeds of the bonds that I just described with regard in the prior presentation, so as required by Indiana Law, we have, the County has to appropriate those proceeds.

Motion to pass Bill No. 44-14 was made by Mr. Catanzarite and seconded by Mrs. Hess. Bill No. 44-14 was passed to-wit; 9-0.

BILL NO. 45-14: AN ORDINANCE OF THE ST. JOSEPH COUNTY (INDIANA) COUNCIL APPROVING THE AMENDMENT OF THE 2013 HUMAN RESOURCES POLICIES AND BENEFITS MANUAL AUTHORIZING THE COUNTY EXECUTIVE TO GRANT SENIORITY STATUS TO NEWLY HIRED COUNTY EMPLOYEES IN SPECIAL CIRCUMSTANCES AS SET FORTH HEREIN Assigned to the Budget and Administration Committee

Mr. Root reported that Bill No. 45-14 comes with a favorable recommendation.

Mr. Agostino, Attorney at Law, the ordinance before you is in connection with the PSAP. In order to attract and retain qualified employees the Commissioners seek authority of the Council to allow them to recognize seniority that workers from the City of South Bend, Clay Township and Mishawaka have to grant them vacation under the County's policies consistent with their seniority where they are at. It also allows transfers sick time up to... hours and it does require one year of work with the County before transferring employees are eligible for retirement benefits under the County's retirement plan. We would ask for adoption of the Ordinance.

Motion to pass Bill No. 45-14 was made by Mrs. Hess and seconded by Mr. O'Brien. Bill No. 45-14 was passed to-wit; 9-0.

BILL NO. 36-14: 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 59750 CRUMSTOWN HWY. NORTH LIBERTY, IN 46554 FROM A AGRICULTURAL DISTRICT TO B BUSINESS DISTRICT PETITIONER: JEFF R EICHANADTER & TAMMY GOUKER Assigned to the Land Use Planning Committee

Mr. Noland reported that Bill No. 36-14 comes with a favorable recommendation.

Angela Smith, Area Plan commission, the property is located along Crumstown Highway. The petitioner is seeking to rezone from A Agricultural to B Business. They will be utilizing the lot to the north for gravel parking; they did receive a variance to go from hard service to gravel parking, subject to the approval of the rezoning. This comes to you with a favorable recommendation.

Tammy Gouker, 59750 Crumstown Highway, North Liberty, we just come to the Council to ask for a favorable vote.

Motion to pass Bill No. 36-14 was made by Mr. Hamann and seconded by Mr. Herbster. Bill No. 36-14 was passed to-wit; 9-0.

BILL NO. 37-14: 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 52044 31 NORTH, SOUTH BEND, INDIANA 46637 FROM "R" RESIDENTIAL (SINGLE FAMILY) TO "C" COMMERCIAL PETITIONER: JTRL PROPERTY, INC., SOUTH BEND, IN

Mr. Noland reported that Bill No. 37-14 comes with a favorable recommendation.

Angela Smith, Area Plan Commission, I wanted to make a note to the Council that the ordinance has been amended from the original petition as read in the first reading, the actual zoning is from R Residential and C Commercial to C Commercial because it is currently split zoned so a portion of the lot is already zoned C Commercial. The lot is located along 933, it's the old KFC building that has sat vacant for quite some time. The petitioner, Tony's Mobil Shop is seeking rezoning to allow for parking and outdoor display of vehicles, if desired, along with the association with their current business. This comes to you with a favorable recommendation.

Peter J. Agostino, Attorney at Law, here on behalf of the petitioner, I think Angela did a fine job of explaining of what is happening here. We would ask for an approval for the zoning amendment.

Mr. Catanzarite, I did go tour the site earlier this year and I think the owners are being sensitive of the neighbors by not going for the entire rezoning and C Commercial. That does put a nice residential buffer for those houses that abut the property.

Mr. Noland, just a brief comment, a couple years ago, one of our K-9 dogs retired, Tony's Mobil bought St. Joseph County a new canine dog, so I think this is a very good corporate citizen, I am very much in favor of this.

Motion to pass Bill No. 37-14 was made by Mr. Noland and seconded by Mr. O'Brien. Bill No. 37-14 was passed to-wit; 9-0

Unfinished Business:

New Business:

Privilege of the floor:

Adjournment: Mr. Morton stated that the meeting was adjourned at 6:37 p.m.

Auditor, St. Joseph County

President, St. Joseph County Council

