

MINUTES OF THE
REGULAR MEETING
OF THE
ST. JOSEPH COUNTY COUNCIL
February 9, 2016

The regular meeting of the St. Joseph County Council was called to order at 6:03 p.m., on February 9, 2016, by the President, Rafael Morton, in the Council Chambers, fourth floor, County-City Building, South Bend, Indiana.

Members in attendance were:

Mr. Robert L. Kruszynski
Mr. Corey Noland
Mr. James O'Brien
Ms. Diana Hess
Mr. Rafael Morton
Mr. Mark P. Telloyan
Mr. Mark A. Catanzarite
Mr. Robert McCahill
Mr. Mark Root

Present from the Auditor's office were Mr. Michael J. Hamann 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. Noland made the motion to reappoint Belinda Gillespie to PTABOA, Ann Connors also to the PTABOA Board, David Eckrich to Water Resource Advisory Board and to nominate Tracie Patrick to the Walkerton Lincoln Township Public Library and Amber Ruszkowski to the St. Joseph County Housing Authority Commission was seconded by Mr. O'Brien. The motion was passed by a voice vote; 9-0.

Ms. Hess made a motion to approve the minutes of the January 12, 2016 and was seconded by Mr. McCahill, the motion was passed by a voice vote; 9-0.

No report from the County Auditor
No report from the County Commissioner
No report from Special Committees,

First Readings:

BILL NO. 15-16: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, FOR PROPERTIES LOCATED AT 13388 STATE ROAD 23 GRANGER, IN 46530 FROM R SINGLE FAMILY DISTRICT TO O/B OFFICE/BUFFER DISTRICT
PETITIONER: PRESBYTERY OF WABASH VALLEY, INC.
Assigned to the Land Use Planning Committee

Resolution:

BILL NO. 1-16: A RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL SUPPORTING ADDITIONAL RESEARCH INTO A POTENTIAL FOOD AND BEVERAGE TAX IN ST. JOSEPH COUNTY

Mr. Morton: This resolution is brought forward by the St. Joseph County Council basically supporting additional research into a potential food and beverage tax and the impact that it will have on St. Joseph County. Any questions from council on this bill?

Mr. Hamann, St. Joseph County Auditor: I am just here not speaking in favor or against this resolution but just to speak about the tone of the discussion. I speak as someone who has concern for the integrity of our process here at the county council and up. I think you will all agree, hinges on respect, mutual respect and trust. As we go forward on this discussion, whichever way you decide, just let's think about the rhetoric that we use that, I just had some concerns in terms of how this idea was opposed, the word shame was used, shameful, I don't know that it is shameful necessarily, reprehensible, contemptible, dishonorable. I think, regardless of how you feel about it, maybe you don't think it's prudent, maybe you think it's unwise but to keep it at that level, I think we need to show that mutual respect for one another going forward. This is just the first of a long slog here in this next year that we are going to have some very contentious issues. I am preaching to myself, I have been guilty of the same sort of thing so, I think as we go forward, in terms of talking about this issue or others, let's just make sure that we speak about each with mutual respect. That's all I have.

Mr. O'Brien: I'd like to thank the Auditor, very good and fair points and aware, certainly referencing perhaps some of my sentiments that I articulated concerning the matter and I appreciate bringing that forth, I would suggest that, I don't believe that it's necessary to have a resolution to study or consider the matter but I appreciate Mr. Hamann.

Motion to pass Bill No. 16-16 was made by Mr. McCahill and seconded by Ms. Hess. Bill No. 16-16 was passed By a voice vote; 7-2. Against: Mr. O'Brien and Mr. Root.

Salary Amendments:

BILL NO. 89-15: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0037 HISTORIC PRESERVATION)

Mr. Noland reported that Bill No. 89-15 comes with a favorable recommendation.

Timothy Kluscinski, President of Historic Preservation Commission of South Bend, here this evening to seek the council's approval.

Jim Bogner, 807 W. Washington, South Bend, yes, I am here to speak in favor of this. First of all I'd like to commend the Auditor for his statement; you said a lot of what I would have said on this issue. I think it's very important and very critical that there is a dignity and a process. President Morton, I also am here in support for you. You were very gracious in talking about the importance of the work that the council does. I think there has been some heated rhetoric on this, some frustration with this and a lot of finger pointing that has gone on. Data that has been provided to many members of government, an investigation that is on going into what had occurred has been very positive in moving forward but you also have pointed out that this council supported a budget that will end at the end of this year for this particular department and there is not a change in asking for any additional funds. To continue to fight with this would be petty and would be small. I do not necessarily agree with the transfer of funds but I do agree that council has to be looked upon with a great deal of dignity and respect. I still have issues but I want to defer to you folks, you also, I believe, have people that are going to come before you that are going to ask you for appropriations, it's done on a monthly basis, you have to work off of the idea that it is fair, it is an open and it is an honest process. I am here more to support this, to move it along because there are other things that need to be done, I still have concerns, I believe eventually those concerns will be addressed but I want to thank you and I also want to say, I do think that the job you all are doing is very important so at this time I would like to withdraw my objection, understanding that you have to fund this, I would encourage you to do so and then I would ask you to continue to look at the information that was provided as you move forward in the future. Basically the reason I am here is out of respect for all of you and I thank you for the time and the effort that you gave.

Mr. Catanzarite: Since you are here Mr. Bognar, not related to this issue, specifically, we are still awaiting answers from the city regarding the Kizer estate; we are still working to resolve that matter. We are still hopeful that if things work in the right direction, we'll try to get that façade easement back that was given away to try and establish local control on that building.

Mr. Bognar: I want to thank the staff who provided me with all of the data. In the heat of rhetoric and looking back at my words in front of you, there were times I may have indicated a level of frustration as to what was occurring. I believe there was an issue here. I think it needs to be addressed, I don't think finger pointing helps anything and if you are going to practice what you preach, you ought to be able to stand up and say I am grateful for the opportunity and the time to be here. I think there are issues to be addressed, President Morton you have gone a long way towards showing that, I am very grateful for that and we hope that eventually this will be addressed but now is the time to move forward to pass this and allow this department to continue to function.

Jennifer Parker, Architectural Historian for the Historic Preservation Commission, I just want to go on record supporting the amendment.

Motion to pass Bill No. 89-15 was made by Mr. Noland and seconded by Mr. O'Brien. Bill No. 89-15 was passed to-wit; 9-0

BILL NO. 14-16: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0049 JUVENILE JUSTICE CENTER)

Mr. McCahill reported that Bill No. 14-16 comes with a favorable recommendation.

Pete Morgan, Executive Director, St. Joseph County Probate Court, we are seeking a salary amendment which would raise two important salaries in our building. We are seeing to fund this amendment by a transfer of funds from our existing budget. The two salaries would be, one for our registered nurse, which we consider to be a crucial position as she oversees medical needs of our detainees, the second would be to raise the salary and to elevate the position of our director of security to a director of court services which would allow us to serve the public much better. We have, on average, about eight hundred people a day coming through our building for a variety of different needs. This salary position would go a long way toward doing that. I emphasize again, this is important enough we want funded out of a transfer out of our own budget.

Mr. O'Brien: So we are two months into the year, how come these increases weren't apart of the budget process for last year?

Mr. Morgan: As to the registered nurse, the request for a salary amendment followed upon the registered nurse we have had for a number of years no longer being employed and we were faced to deal with the fact that the market has generally increased salaries for registered nurses in our area and we wanted to be able to find the right qualified person, secondly, with the director of court services, we did, in the budget process add a position for court administrator as we got near the end of the year, in order to make that position work and also to deal with the fact that we have new lease arrangement with Rite of Passage, we have multiple, additional tenants in our building, including a paying tenant and several partners down stairs in our basement. In addition to the court administration duties, heightened needs for security throughout the building and frankly, more people moving through and using the building than we did at the budget time last year. We think this position will allow us to better serve all those needs.

Mr. O'Brien: I'm concerned, I'm more than a little concerned about, we are only two months into the year and the ability to move money from other accounts, rather areas within the budget suggests to me that where the money is being moved from was not necessary or was perhaps over budgeted in the first place. Where in October, November I see how we would know or a department would know that there is surplus but it's already January and February, I am going to resist and oppose this. I am concerned about both the fact that this wasn't in last year's budget but also robbing Peter to pay Paul.

Mr. Morton: Mr. Morgan, would you like to address that? I thought you did because this was in the budget, at least the court administrator, maybe under a different title but...

Mr. Morgan: I can respond to as to where the money was coming from and that also, the transfer is coming out of the personnel officer line. Personnel Officer line is a position that, a long time employee of St. Joseph County retired at the end of December, that position was funded at a rate higher than we anticipate refilling that position at. In other words, this person was paid on the probation officer mandated scale, and frankly earned a salary that is higher than the person for whom we expect, we are not going to be able to hire somebody at that rate so there was automatically going to be a saving in that line so it did make this possible and we anticipate an overall savings to our budget, even with these transfers, in large part because of that salary differential in that line by the time we ultimately fill that position. It was, in that sense, an opportunity but I want to emphasize that these positions and these amendments are crucial enough that we felt that it was worth looking where we could in our budget and that opportunity presented ourselves to make sure that these would happen.

Mr. Morton: Mr. Morgan, didn't you in fact, approach the council before with another...

Mr. Morgan: We did. We approached with the same request asking for a straight appropriation and that was in approximately, in November of last year. We understood, we got a lot of feedback and including, I think the perspective that Mr. O'Brien has shared, which I understand. The resignation of the employee I talked about happened subsequent to that and gave us an opportunity to come back and ask for this as a transfer, whether or not he had resigned, we would have looked at transferring the money and if we weren't going to be able to get this as a new appropriation because we feel these positions are something that are vital to the operation of our organization.

Mr. Morton: So, it's really not a matter of non truth in budgeting or over budgeting, it's a matter of you going back to the drawing board and trying to get it done.

Mr. Morgan: Correct.

Motion to pass Bill No. 14-16 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 14-16 was passed to-wit; 8-1 Against: Mr. O'Brien.

BILL NO. 6-16: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0019 CIRCUIT COURT)

Mr. McCahill reported that Bill No. 6-16 comes with a favorable recommendation.

Lisa Plencner, Circuit Court Administrator, the court comes before you today with a salary amendment which we would like to fulfill with a transfer. With the retirement of our bailiff we have changed some of the duties of our bailiff and we have added some increased duties.

Motion to pass Bill No. 6-16 was made by Mr. Kruszynski and seconded by Mr. Noland. Bill No. 6-16 was passed to-wit; 9-0

BILL NO. 4-16: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0018 PROSECUTOR)

Mr. McCahill reported that Bill No. 4-16 comes with a favorable recommendation.

Ken Cotter, Prosecutor, I am asking to transfer what we had budgeted and you had approved during the budget process a contractual service for our FACT commander and transfer that to a part time employee. The amount would be the same, thirty thousand dollars. The reason for this is because of a conversation I had with Commander Spencer, he was a captain with the Mishawaka Police Department and finding out he's paying taxes on that thirty thousand dollars as an independent contractor. I am not asking for more money for that commander but that he does not have to pay the taxes that he is receiving. That is my fault for not looking at that earlier at the budget process.

Motion to pass Bill No. 4-16 was made by Mr. O'Brien and seconded by Mr. Catanzarite. Bill No. 4-16 was passed to-wit; 9-0

BILL NO. 5-16: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0018 PROSECUTOR)

Mr. McCahill reported that Bill No. 5-16 comes with a favorable recommendation.

Ken Cotter, Prosecutor, this is extra money I am asking for. Why didn't I ask for this during the budget process? This is for additional money for the assistant commander of the special victims unit. The assistant commander was established in 2003, that pay was affixed at forty eight thousand and some change. We have not been able to find anyone who we believe to be qualified for that position at forty eight thousand dollars. I have had two people reject this position because of the pay, a third one did as best she can to make the numbers fit. She was advised that the best she could do and continue to live the lifestyle she is used to would be fifty four thousand. I think we would be able to have good talent to ensure that our investigations are properly investigated.

Motion to pass Bill No. 5-16 was made by Mr. Noland and seconded by Mr. O'Brien. Bill No. 5-16 was passed to-wit; 9-0

BILL NO. 7-16: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0080 COMMUNITY CORRECTIONS)

Mr. McCahill reported that Bill No. 7-16 comes with a favorable recommendation.

Kate Williams, Executive Administrator to the Community Corrections Advisory Board, this salary amendment is requesting the creation of three new positions that have been funded through a grant amendment through the Department of Corrections. The positions that will be funded in this are two work release officers for Ducomb Center and one case manager, also at Ducomb Center.

Motion to pass Bill No. 7-16 was made by Mr. Noland and seconded by Mr. O'Brien. Bill No. 7-16 was passed to-wit; 9-0

BILL NO. 8-16: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0024 ADULT PROBATION)

Mr. McCahill reported that Bill No. 8-16 comes with a favorable recommendation.

Kate Williams, Executive Administrator to the Community Corrections Advisory Board, this is additional funding that was received through the same grant amendment. We are happy to report that we did receive funding for one part time GED educator who will work in the probation officer.

Motion to pass Bill No. 8-16 was made by Mr. Catanzarite and seconded by Ms. Hess. Bill No. 8-16 was passed to-wit; 9-0

Mr. Morton: We will have a combined public hearing and a separate vote on Bill No. 9-16 and 10-16 and also a separate combined public hearing and a separate vote on Bill No. 12-16 and 13-16.

BILL NO. 9-16: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0055 HEALTH DEPARTMENT)

BILL NO. 10-16: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0055 HEALTH DEPARTMENT)

Mr. McCahill reported that Bill No. 9-16 and 10-16 comes with a favorable recommendation.

Nick Molchan, Administrator of St. Joseph County Health Department, these two bills are for salary ordinances for two new grants we received. As I stated, our new grants for the new year.

Motion to pass Bill No. 9-16 was made by Mr. O'Brien and seconded by Mr. Kruszynski. Bill No. 9-16 was passed to-wit; 9-0

Motion to pass Bill No. 10-16 was made by Mr. Noland and seconded by Mr. O'Brien. Bill No. 10-16 was passed to-wit; 9-0

BILL NO. 12-16: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0055 HEALTH DEPARTMENT)

BILL NO. 13-16: AN ORDINANCE AMENDING ORDINANCE 52-15, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2016 (Dept. 0055 HEALTH DEPARTMENT)

Mr. McCahill reported that Bill No. 12-16 and 13-16 comes with a favorable recommendation.

Nick Molchan, Administrator of St. Joseph County Health Department, both of these salary ordinances are for positions are within our local health department trust account.

Mr. O'Brien: Mr. Molchan, is that the account back in the budget process I was trying to find out what it could be spent for?

Mr. Molchan: That is the one that is subject to the (inaudible) plantation...

Mr. O'Brien: So this is a supplement of some nature.

Mr. Molchan: Not a supplement. The rules of supplantation you cannot take this money and utilize it for something that was bought or paid for before by something else. The second one is our normal yearly allotment and the first one is for the salary for use of carry over funds.

Motion to pass Bill No. 12-16 was made by Ms. Hess and seconded by Mr. Kruszynski. Bill No. 12-16 was passed to-wit; 9-0

Motion to pass Bill No. 13-16 was made by Ms. Hess and seconded by Mr. Noland. Bill No. 13-16 was passed to-wit; 9-0

Public Hearing/Public Comment:

BILL NO. 3-16: AN ORDINANCE APPROPRIATING AND TRANSFERRING MONEYS FOR THE PURPOSE HEREIN SPECIFIED FOR THE SEVERAL DEPARTMENTS HEREIN LISTED OF ST. JOSEPH COUNTY GOVERNMENT

TRANSFERS:

A. Juvenile & Probate Court
Juvenile Detention Alternative Fund

FROM: 9112-36015-000-0025	Contractual Svc.	\$28,500.00
TO: 9112-11439-000-0025	Overtime	15,000.00
9112-14800-000-0025	FICA Contribution	2,400.00
9112-14810-000-0025	PERF	3,500.00
	<u>TOTAL:</u>	<u>\$28,500.00</u>

B. Juvenile Justice Center
County General

FROM: 1000-11335-000-0049	Personnel/Training Coordinator	\$ 15,500.00
TO: 1000-11155-000-0049	Nurses	4,500.00
1000-11067-000-0049	Director of Security	11,000.00
	<u>TOTAL:</u>	<u>\$15,500.00</u>

C. Circuit Court
General Fund

FROM: 1000-11077-000-0019	Admin Assistant	\$2,424.00
TO: 1000-11352-000-0019	Court Bailiff	2,424.00
		<u>TOTAL: \$2,424.00</u>

D. Prosecutor
General Fund

FROM: 1000-31070-000-0018	Other Contractual Svc.	\$30,000.00
TO: 1000-11950-000-0018	Part Time	30,000.00
		<u>TOTAL: \$30,000.00</u>

E. Historic Preservation
General Fund

FROM: 1000-11075-000-0037	Deputy Director	\$ 3,700.00
TO: 1000-11309-000-0037	Historic Preservation Admin.	3,700.00
		<u>TOTAL: \$3,700.00</u>

APPROPRIATION

F. PSAP
Operating Fund

4930-11415-000-0013	On-Call	\$30,000.00
		<u>TOTAL: \$30,000.00</u>

G. Juvenile Electric Monitoring
Community Corrections Project Income

9103-36015-016-0798	Contractual Services	\$18,000.00
		<u>TOTAL: \$18,000.00</u>

H. Circuit Court
Drug Free Fund

1148-39205-000-0019	Community Grants	\$92,425.00
		<u>TOTAL: \$92,425.00</u>

I. Public Defender
PD Fund

4919-32050-000-0036	Education & Training	\$25,000.00
		<u>TOTAL: \$25,000.00</u>

J. Prosecutor
General Fund

1000-11355-000-0018	Investigator	\$6,126.00
		<u>TOTAL: \$6,126.00</u>

K. Community Corrections
Comm. Corr. Adult Svc. Grant

9131-11370-016-0080	Detention Officers	\$ 54,000.00
9131-11291-016-0080	Client Svc. Coordinator	30,000.00
9131-14810-016-0080	FICA	6,594.00
9131-14810-016-0080	PERF	6,720.00
9131-14840-016-0080	Group Insurance	16,686.00
9131-24100-016-0080	Food	50,000.00
		<u>TOTAL: \$164,000.00</u>

L. Probation
Probation Adult Svc. Grant

9132-11376-000-0024	Part Time GED ED	\$ 25,000.00
		<u>TOTAL: \$25,000.00</u>

M. Community Corrections
CBC DuComb

9125-16800-016-0080	State Bonus	\$16,845.33
		<u>TOTAL: \$16,845.33</u>

N. Health Dept.
Health FIRM Grant

8129-11446-000-0055	Program Manager	\$60,500.00
8129-14800-000-0055	FICA	4,972.00
8129-32020-000-0055	Travel	528.00
		<u>TOTAL: \$66,000.00</u>

O. Health Dept.
Health Immunization CoAg Grant

8131-11950-000-0055	Part Time	\$21,424.00
8131-14800-000-0055	FICA	1,639.00
8131-21030-000-0055	Office Supplies	15,000.00
8131-32020-000-0055	Travel	990.00
8131-33118-000-0055	Immunization Supplies	2,000.00
8131-33368-000-0055	Public Info & Education	26,100.00
8131-36015-000-0055	Contractual Svc.	4,000.00
8131-44010-00-0055	Equipment	3,000.00
		<u>TOTAL: \$74,153.00</u>

P. Health Dept.
Health Local

9101-11193-000-0055	Health Educ.	\$58,902.33
9101-14800-000-0055	FICA	2,452.90
9101-14810-000-0055	PERF	3,591.17
9101-14840-000-0055	Group Insurance	7,725.60
		<u>TOTAL: \$72,672.00</u>

Q. Health Dept.
Health Local Hlth Svc. Grant

9101-11193-000-0055	Health Educator	\$2,001.67
9101-14800-000-0055	FICA	2,206.26
9101-14810-000-0055	PERF	3,230.08
9101-14840-000-0055	Group Ins.	7,725.60
9101-21030-000-0055	Office Supplies	1,000.00
9101-31070-000-0055	Other Contractual Svc.	800.00
9101-32020-000-0055	Travel	5,250.00
9101-32203-000-0055	Cell Phones	540.00
9101-32350-000-0055	Postage	100.00
9101-33368-000-0055	Public Info & Education	9,000.00
	TOTAL:	<u>\$31,853.61</u>

R. Health Dept.
Health Trust Fund

9111-11055-000-0055	Health Officer	\$78,100.00
9111-14800-000-0055	FICA	5,975.00
9111-14810-000-0055	PERF	8,748.00
9111-14840-000-0055	Group Insurance	17,234.00
	TOTAL:	<u>\$110,057.00</u>

S. Health Dept.
Health Trust Fund

9111-11157-000-0055	Epi-EmerPre Super	\$38,026.00
9111-14800-000-0055	FICA	2,909.00
9111-14810-000-0055	PERF	4,259.00
9111-14840-000-0055	Group Insurance	25,137.31
9111-22328-000-0055	Equipment Repairs	2,000.00
9111-31070-000-0055	Other Contractual Svc.	1,400.00
9111-32020-000-0055	Travel	7,400.00
9111-36500-000-0055	Service Contract	2,500.00
9111-39750-000-0055	Data Processing	12,000.00
	TOTAL:	<u>\$95,631.31</u>

T. Health Dept.
Special Gifts

4105-33368-000-0055	Public Info & Educ.	\$1,015.46
	TOTAL:	<u>\$1,015.46</u>

U. Health Dept.
Health Physical Activity Grant

8130-21030-000-0055	Office Supplies	\$800.00
8130-44010-000-0055	Equipment	12,500.00
	TOTAL:	<u>\$13,300.00</u>

Motion to pass Bill No. 3-16 was made by Mr. Noland and seconded by Mr. McCahill. Bill No. 3-16 was passed to-wit; 9-0

Item B against: Mr. O'Brien

Land Use Planning:

BILL NO. 84-15: AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY JOSEPH BORKHOLDER FOR THE PROPERTY LOCATED AT 10522 PATTERSON ROAD, WAKARUSA, IN. THE SAME BEING PETITION NO. 12-02-15-09 FILED WITH THE AREA BOARD OF ZONING APPEALS

Mr. Noland reported that Bill No. 84-15 comes with a favorable recommendation.

Ayoka Paek, Zoning and Business Services Administrator with the Building Department, this bill is an expansion of a previously approved special use of this property. The owner wants to expand to allow for a break room for his employees. This comes to you with a favorable recommendation.

Bernie Feeney, 715 S. Michigan Street, South Bend, I am here this evening on behalf of Mr. Borkholder again, as it was stated a second ago, this is an expansion of an already existing building.

Motion to pass Bill No. 84-15 was made by Mr. Telloyan and seconded by Mr. O'Brien. Bill No. 84-15 was passed to-wit; 9-0

BILL NO. 92-15: AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY DANIEL KUNTZ FOR THE PROPERTY LOCATED AT 12269 DOUGLAS RD. MISHAWAKA, IN 46545 THE SAME BEING PETITION NO. 01-06-16-15 FILED WITH THE AREA BOARD OF ZONING APPEALS

Mr. Noland reported that Bill No. 92-15 comes with a favorable recommendation.

Ayoka Paek, Zoning and Business Services Administrator with the Building Department, this is another special use with a favorable recommendation from the area board of zoning appeals. The applicant is applying to do gunsmithing within his property.

Daniel Kuntz, 12269 Douglas Road, I am the property owner. This petition is largely to be in compliance with Federal Gun Control Act to move my federal firearms license out to the property that I now own on Douglas Road.

Motion to pass Bill No. 92-15 was made by Mr. McCahill and seconded by Mr. O'Brien. Bill No. 92-15 was passed to-wit; 9-0

BILL NO. 2-16: AN ORDINANCE AMENDING ST. JOSEPH COUNTY CODE 131.22. ET SEQ. TO ALLOW FOR THE SALE OF BEER AND WINE IN ST. JOSEPH COUNTY PARKS PETITIONER: ST. JOSEPH COUNTY PARKS DEPARTMENT

Mr. Noland reported that Bill No. 2-16 comes with a favorable recommendation.

Evie Kirkwood, Director of St. Joseph County Parks, also here tonight is the president of the St. Joseph County Parks Board Mr. Larry Catanzarite and the secretary of the St. Joseph County Parks Board, Dr. Virginia Calvin. As you know, this is a request to change the ordinance, modify the existing ordinance that allows for alcohol sales at the county parks during performances, we would like to expand that so that we have the opportunity to provide or offer beer and wine sales at other parks during other activities. The change would allow us to contract with a third party vendor so it would not be park staff who would be doing the sales. This would not be an opportunity for folks to walk in on any day of the week to a counter to purchase beer or wine. We are looking to do these events and for organized programs and the hope is, it would open us up to some new program opportunities, perhaps explore some new demographics. As a parks and recreation department, we need to be continually looking at trends at parks and recreation. One think I do want to clarify, as I mentioned, this is not park staff selling the beer and wine. We have had some confusion in the media about how that might work but we would work through a third party vendor and that third party vendor would be required to get the excise permit. We have had favorable response from the Chamber of Commerce of St. Joseph County as well as an editorial in favor from the South Bend Tribune and we have been in close communication with the St. Joseph County Sheriff's department, they will help us in our deliberations as to whether or not we add additional security to events. I think that summarizes it.

William Thompson, Assistant Chief of your county police department, just to give you the direct county police perspective on this, we as county police work well with the parks department and have for a long time. We are extremely confident and comfortable with their ability to vet their vendors and the events they anticipate. We do not anticipate any sort of a public safety problem.

Motion to pass Bill No. 2-16 was made by Mr. O'Brien and seconded by Mr. Noland. Bill No. 2-16 was passed to-wit; 8-1 Against: Mr. Root.

Unfinished Business:

New Business:

Privilege of the floor:

Adjournment: Mr. Morton stated that the meeting was adjourned 6:57 p.m.

Auditor, St. Joseph County

President, St. Joseph County Council

