

MINUTES OF THE  
REGULAR MEETING  
OF THE  
ST. JOSEPH COUNTY COUNCIL  
JULY 9, 2019

The regular meeting of the St. Joseph County Council was called to order at 6:00 p.m., on July 9, 2019 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. Richard Pfeil  
Ms. Diana Hess  
Mr. Rafael Morton  
Mr. Mark P. Telloyan  
Mr. Mark A. Catanzarite  
Mr. Joseph F. Canarecci

Present from the Auditor's office was Michael J. Hamann, Auditor and John Murphy, Chief Deputy Auditor. Council staff present was Mr. Michael Trippel, Attorney and Ms. Jennifer Prawat, Executive Secretary. Mr. Mark Root was not present.

**Petitions, Communications & Miscellaneous Matters:**

Mr. Catanzarite: I ask that we take a brief moment of silence in memory of Chloe Wiegand, the daughter of a South Bend police officer and also, Mr. Hamann's IT employee Sam Anello, his granddaughter.

Ms. Hess made a motion to appoint Dr. Cathy Harris to the Animal Control Commission and reappointment Corey Noland to the Emergency Management Advisory Board, this motion was seconded by Mr. Catanzarite. The motion was passed by a voice vote; 8-0.

Ms. Hess made a motion to approve the minutes of the June 11, 2019 meeting and was seconded by Mr. Canarecci the motion was passed by a voice vote; 8-0.

No report from the County Auditor  
No report from the County Commissioner  
No report from Council Special Committee

Mr. Kruszynski: Under Human Services/Criminal Justice, Bill No. 63-19 there will be no report.

**First Readings:**

**BILL NO. 64-19: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154 PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED TO AMEND SECTION 154.418-154.423 OFF-STREET PARKING REGULATION AND SECTION 154.636 DEFINITIONS PETITIONER: AREA PLAN COMMISSION  
Assigned to the Land Use Planning Committee**

**BILL NO. 65-19:** AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FIFTY-ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$51,500,000) OF ST. JOSEPH COUNTY, INDIANA ECONOMIC DEVELOPMENT REVENUE BONDS FOR SAINT MARY'S COLLEGE; DESIGNATING THE BONDS AS LIMITED OBLIGATIONS OF THE COUNTY; APPROVING THE FORM OF, AND AUTHORIZING THE EXECUTION AND DELIVERY OF, THE TRUST INDENTURE, LOAN AGREEMENT AND OTHER DOCUMENTS RELATED TO THE ISSUANCE AND SALE OF THE BONDS; AND AUTHORIZING PROPER OFFICERS TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION THEREWITH AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO PETITIONER: ST. MARY'S COLLEGE  
Assigned to the Budget and Administration Committee

**Salary Amendment(s):**

**BILL NO. 59-19:** AN ORDINANCE AMENDING ORDINANCE 53-18, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2019 PETITIONER: SHERIFF

Mr. Kruszynski reported that Bill No. 59-19 comes with a favorable recommendation.

Patty Godsey, Office Administrator, Sheriff's Office, this is for a part time employee, we are asking for an increase from twenty employees to twenty-three employees.

Motion to pass Bill No. 59-19 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 59-19 was passed to-wit; 8-0

**BILL NO. 62-19:** AN ORDINANCE AMENDING ORDINANCE 53-18, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2019 PETITIONER: PROSECUTOR

Mr. Kruszynski reported that Bill No. 62-19 comes with a favorable recommendation.

Bob Risenhoover, Prosecutor's office, we are requesting an appropriation for an APS grant, a one-year grant. It's to pay for nine investigators at the Adult Protective Services department.

Motion to pass Bill No. 62-19 was made by Mr. Catanzarite and seconded by Mr. Canarecci. Bill No. 62-19 was passed to-wit; 8-0

**BILL NO. 63-19:** AN ORDINANCE AMENDING ORDINANCE 53-18, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2019 PETITIONER: JUVENILE JUSTICE CENTER

Mr. Morton: As Mr. Kruszynski stated earlier, Bill No. 63-19 comes to the Council with no report.

Todd Cummins, Community Corrections, Director, the appropriation is regarding our budget, as you know, we are on a fiscal year and that will begin July 1<sup>st</sup>.

Motion to pass Bill No. 63-19 was made by Mr. Noland and seconded by Mr. Kruszynski. Bill No. 63-19 was passed to-wit; 8-0

**Public Hearing/Public Comment:**

**BILL NO. 60-19: AN ORDINANCE APPROPRIATING AND TRANSFERRING MONEYS FOR THE PURPOSE HEREIN SPECIFIED FOR THE SEVERAL DEPARTMENTS HEREIN LISTED OF ST. JOSEPH COUNTY GOVERNMENT**

**TRANSFERS:**

**A. Sheriff**

General Fund

FROM: 1000-11508-000-0005	Lieutenant	\$73,669.00
TO: 1000-11517-000-0005	Corporal Base	73,669.00
	<b>TOTAL:</b>	<b><u>\$73,669.00</u></b>

**B. Sheriff**

General Fund

FROM: 1000-11520-000-0005	Patrolman	\$45,000.00
1000-11516-000-0005	Crpl. II Senior	100,000.00
1000-11518-000-0005	Crpl. Middle	100,000.00
TO: 1000-11521-000-0005	Probationary Patrol Officer	\$245,000.00
	<b>TOTAL:</b>	<b><u>\$245,000.00</u></b>

**C. Sheriff**

General Fund

FROM: 1000-11541-000-0006	Correctional Officer	\$423,208.00
TO: 1000-11571-000-0006	Overtime	423,208.00
	<b>TOTAL:</b>	<b><u>\$423,208.00</u></b>

**APPROPRIATE:**

**D. Prosecutor**

Adult Protective Services Grant

9108-11318-000-0018	Investigator APS	\$312,526.53
9108-11319-000-0018	Director APS	68,278.95
9108-32020-000-0018	Travel	18,248.34
9108-32200-000-0018	Telephone	4,577.49
9108-39150-000-0018	Other Expense	38,441.08
	<b>TOTAL:</b>	<b><u>\$442,072.39</u></b>

**E. Sheriff**

Firearms Training & Police Ed.

1156-44010-000-0005	Equipment	\$700.00
1156-22417-000-0005	General Supplies	850.00
	<b>TOTAL:</b>	<b><u>\$1,550.00</u></b>

**F. Sheriff**

General Fund

1000-22409-000-0005	Police Dogs	\$20,000.00
	<b>TOTAL:</b>	<b><u>\$20,000.00</u></b>

**G. Sheriff**

Special Vehicle Inspection

1208-44605-000-0005	Police Equipment	\$4,452.00
	<b>TOTAL:</b>	<b><u>\$4,452.00</u></b>

H. Circuit Court  
General Fund

1000-39401-000-0019 Court Ordered Expenses (Mandates) \$15,000.00  
TOTAL: \$15,000.00

I. Juvenile Justice Center

JJC Project Income

9130-11439-020-0798	Overtime	\$4,057.00
9130-14800-020-0798	FICA Taxes	583.00
9130-14810-020-0798	PERF	760.00
9130-14840-020-0798	Group Insurance	200.00
9130-14900-020-0798	Uniforms	2,500.00
9130-21030-020-0798	Office Supplies	2,500.00
9130-32020-020-0798	Travel	2,500.00
9130-32050-020-0798	Instruction and Training	2,500.00
9130-32053-020-0798	Public Relations	5,000.00
9130-32200-020-0798	Telephone	1,400.00
9130-36015-020-0798	Contractual Services	18,500.00
9130-39600-020-0798	Refunds, Awards & Indemnities	500.00
9130-45010-020-0798	Autos	2,000.00
9130-43033-020-0798	Unity Garden Materials	500.00
	<u>TOTAL:</u>	<u>\$43,500.00</u>

J. Juvenile Justice Center

Discretionary Grant

9148-32020-000-0025	Travel	\$3,000.00
9148-32050-000-0025	Instruction & Training	11,450.00
	<u>TOTAL:</u>	<u>\$14,450.00</u>

K. Juvenile Justice Center

JJC DOC

9129-11217-020-0797	Home Detention Case Mgr.	\$40,000.00
9129-11334-020-0797	Controller-Juv Ctr.	3,672.00
9129-11439-020-0797	Overtime	11,123.00
9129-11707-020-0797	Activity Director	39,000.00
9129-11967-020-0797	Day Reporting Case Mgr.	76,000.00
9129-14800-020-0797	FICA	12,990.00
9129-14810-020-0797	PERF	19,018.00
9129-14840-020-0797	Group Insurance	66,000.00
9129-21030-020-0797	Office Supplies	676.00
9129-36015-020-0797	Contractual Services	10,292.00
	<u>TOTAL:</u>	<u>\$278,771.00</u>

L. Public Defender

Public Defender Fees

4919-32050-000-0036	Instruction & Training	\$25,000.00
4919-33025-000-0036	Other Expenses	7,512.00
	<u>TOTAL:</u>	<u>\$32,512.00</u>

M. Emergency Management

Hazardous Material Emg. Prepare Trng.

8121-32050-000-0009	Instruction & Training	\$9,715.91
	<u>TOTAL:</u>	<u>\$9,715.91</u>

N. Emergency Management  
All Hazards Radio Project  
9150-44010-000-0009 Equipment \$36,160.00  
TOTAL: \$36,160.00

O. Emergency Management  
Fatality Management Project  
9151-44010-000-0009 Equipment \$20,754.00  
TOTAL: \$20,754.00

P. Emergency Management  
Outdoor Warning System  
9152-44010-000-0009 Equipment \$80,893.80  
TOTAL: \$80,893.00

Motion to pass Bill No. 60-19 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 60-19 was passed to-wit; 8-0

**Miscellaneous:**

**BILL NO. 58-19:** AN ORDINANCE OF THE ST. JOSEPH COUNTY COUNCIL SETTING THE TRANSFER FEE FOR COUNTY AUDITOR REAL PROPERTY ENDORSEMENT  
PETITIONER: AUDITOR

Ms. Hess reported that Bill No. 58-19 comes with a favorable recommendation.

Mike Hamann, Auditor, offices on the 2<sup>nd</sup> floor, House enrolled act 1427 came into effect as of July 1<sup>st</sup> therefore, we are going to put it into play where by we are required to charge 10\$ for every transfer fee.

Mr. Catanzarite: Mr. Hamann, are you telling us this is a state mandate essentially?

Mr. Hamann: Yes, because it was 5\$.

Motion to pass Bill No. 58-19 was made by Mr. Canarecci and seconded by Ms. Hess. Bill No. 58-19 was passed to-wit; 8-0

**BILL NO. 61-19:** Ducomb Center Budget 7/1/19-12/31/19

Mr. Kruszynski reported that Bill No. 61-19 comes with a favorable recommendation.

Kate Williams, Executive Administrator to the Community Corrections Advisory Board, the appropriations before you represent a six-month extension of our current grant funding from the Indiana Department of Correction. They are moving us to a calendar year rather than a fiscal year so this six months will tide us over until the new budget starts on January 1.

Motion to pass Bill No. 61-19 was made by Mr. Catanzarite and seconded by Mr. Noland. Bill No. 61-19 was passed to-wit; 8-0

**Land Use:**

**BILL NO. 39-19:** AN ORDINANCE TO VACATE A PUBLIC WAY OR PUBLIC PLACE, LOCATED WHOLLY WITHIN THE UNINCORPORATED PORTION OF ST. JOSEPH COUNTY, TO-WIT;  
PETITIONER: VICTORIA SHEPARD

Mr. Noland reported that Bill No. 39-19 comes with a favorable recommendation.

Victoria Shepard, 54366 Pine Road, South Bend, I am joining two pieces of property, there is an alley between that really isn't an alley anymore.

Motion to pass Bill No. 39-19 was made by Mr. Catanzarite and seconded by Mr. Canarecci. Bill No. 39-19 was passed  
to-wit; 8-0

**BILL NO. 51-19: AN ORDINANCE APPROVING THE PETITION FOR A SPECIAL USE FILED BY NAVISTAR FOR PROPERTY LOCATED AT 32104 STATE ROAD 2  
PETITIONER: NAVISTAR**

Mr. Noland reported that Bill No. 51-19 comes with a favorable recommendation.

Jordan Wyatt, Department of Infrastructure, Planning & Growth, the petitioner is seeking a special use for automotive testing facility for the area on your screen. This is an already approved special use, they just needed to amend their site plan. They are amending it to add their forty-acre asphalt area and Navistar can explain that.

Jordan McCormick, America Structure Point, 205 W. Jefferson Blvd. South Bend, I am here for engineering questions. This is a special use for an asphalt pad within the existing test track. Stormwater control will meet measures of the county's requirements.

Mr. Telloyan: Were you able to complete the drainage plan?

Mr. McCormick: I don't know exactly when it will be completed but it will be completed in a timely manner so it should be coming to you soon.

Mr. Wyatt: The drainage plan will be reviewed, it will need to be submitted to the Building Department and it would be distributed to all of the appropriate agencies for review before it gets approved.

Mr. Catanzarite: What is the distance of the track?

Mr. McCormick: I am not sure but the asphalt pad itself is approximately forty acres.

Mr. Wyatt: I have just been informed it is a three-mile oval.

Motion to pass Bill No. 51-19 was made by Mr. Noland and seconded by Mr. Telloyan. Bill No. 51-19 was passed  
to-wit; 8-0

**BILL NO. 53-19: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE III, ADMINISTRATION, CHAPTER 32: COUNTY ORGANIZATIONS OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, SECTION 32.02 AREA PLANNING DEPARTMENT AND AMENDING AND SUPPLEMENTING APPENDIX: SCHEDULE OF FINES AND FEES OF THE ST. JOSEPH COUNTY CODE, AS AMENDED  
PETITIONER: AREA PLAN COMMISSION**

Mr. Noland reported that Bill No. 53-19 comes with a favorable recommendation.

Shawn Kline, Department of Infrastructure, Planning & Growth, the division of Planning & Zoning is going to begin facilitating the alley vacation petition process and this fee is just to cover the required postage, advertising and material involved.

Motion to pass Bill No. 53-19 was made by Mr. Catanzarite and seconded by Mr. Noland. Bill No. 53-19 was passed  
to-wit; 8-0

**BILL NO. 54-19:** AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, SECTION 154.151 TO AMEND PERMITTED USES IN THE O: OFFICE DISTRICT AND SECTION 154.166 TO AMEND PERMITTED USES IN THE B; BUSINESS DISTRICT  
PETITIONER: AREA PLAN COMMISSION

Mr. Noland reported that Bill No. 54-19 comes with a favorable recommendation.

Jordan Wyatt, Department of Infrastructure, Planning & Growth, as you have seen in the past where we have had a few petitions come before you for a special use for, we would have to call it tattoo and body scarification, but this is really for microblading. This will amend the uses to microblading which is normally with hair salon. This comes to you with a favorable recommendation from the Area Plan Commission.

Motion to pass Bill No. 54-19 was made by Mr. Noland and seconded by Mr. Canarecci. Bill No. 54-19 was passed to-wit; 8-0

**BILL NO. 55-19:** AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, SECTION 154.563 TO AMEND SPECIAL USE APPROVAL PROCEDURE  
PETITIONER: AREA PLAN COMMISSION

Mr. Noland reported that Bill No. 55-19 comes with a favorable recommendation.

Jordan Wyatt, Department of Infrastructure, Planning & Growth, this ordinance will put into place a procedure where we can amend site plans for special uses that have been approved. This would make an easier process for the St. Pat's Park, the special use we saw as well as the one we saw tonight. There is currently a process in place for PUD's and for rezoning's that we tied to a site plan but for some reason there is nothing in place for a special use. The most important thing is that an addition of uses will always automatically have to come back before the council. This comes to you with a favorable recommendation from the Area Plan Commission.

Motion to pass Bill No. 55-19 was made by Mr. Noland and seconded by Mr. Kruszynski. Bill No. 55-19 was passed to-wit; 8-0

**BILL NO. 56-19:** AN ORDINANCE REPEALING AND REPLACING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, SECTION 154.072 HOME OCCUPATIONS AND SECTION 154.636 DEFINITIONS  
PETITIONER: AREA PLAN COMMISSION

Mr. Noland reported that Bill No. 56-19 comes with a favorable recommendation.

Shawn Kline, Department of Infrastructure, Planning & Growth, the purpose of this ordinance is to provide clear guidelines as to the type of occupations that are suitable for residential neighborhoods and the manner in which they need to be conducted. The current ordinance contains two separate lists of standards and there is some bit of overlap so we combined the two and added additional standards which will further reduce the negative impacts of home occupations on neighboring properties, these include restricting all operations to within a dwelling or accessory structure and limiting the number of customers simultaneously on the property to two. In addition, we added a list of permitted home occupations which provide some guidelines to what type of occupations can be permitted.

Motion to pass Bill No. 56-19 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 56-19 was passed to-wit; 8-0

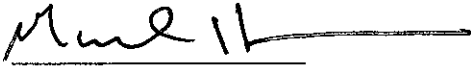
**Unfinished Business:**

**New Business:**

**Privilege of the floor:** Limit of 3 minutes to items not on agenda

Jennifer Reinoehl, 51860 Cheryl Dr. Granger, since Granger is unincorporated, we rely on you, the Council to protect our citizens. Currently, Bittersweet Road is a serious danger. The population of Granger was estimated at thirty thousand people in the 2010 census which means we are the third largest municipal area in St. Joseph County following only South Bend and Mishawaka. The average income of a Granger household is more than the average income of South Bend and Mishawaka households combined. Our properties are also valued higher than other areas of the county in fact, my assessed value just went up fifty thousand dollars, despite this, we are regulated to one main street that's highway, the sidewalks extend all the way from Knollwood to Granger along Adams Road, Bittersweet remains over crowded and undeveloped. To protect our citizens we need you to approve a development project that will make Bittersweet traffic friendly. What I propose will be expensive but much needed. Phase one the section of Bittersweet between SR 23 and Anderson Rd. intersection would be widened into a four-lane road with bike lanes. The sidewalk would run the entire length of the business side of the road. Phase two would widen the road section from Cleveland Road to US 20 by creating a separate bicycle lane going in each direction. It would create a bicycle friendly round about at the Bittersweet and Douglas intersection. Phase three would widen the section from Anderson to Cleveland Road to complete the separated bicycle lane in each direction providing a bicycle path from Granger to the schools that serve it. Phase three would also widen the bridge over the toll road and create a sidewalk, one side for pedestrian traffic as well as separated bicycle lanes going in both directions. I did some preliminary cost research, on line, an estimate for phase one would five point six million, phase two would cost thirteen point five million and phase three would cost seven million for a total of twenty six point one million or about two point six one million over the ten years I propose this project to take.

**Adjournment:** Mr. Morton stated that the meeting was adjourned 6:40 p.m.

  
Auditor, St. Joseph County

  
President, St. Joseph County Council