

MINUTES OF THE
REGULAR MEETING
OF THE
ST. JOSEPH COUNTY COUNCIL
March 9, 2010

The regular meeting of the St. Joseph County Council was called to order at 7:00 p.m., on March 9, 2010, by the President, Rafael Morton, in the Council Chambers, fourth floor, County-City Building, South Bend, Indiana.

Members in attendance were:

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

Present from the Auditor's office was Mr. Peter H. Mullen, Auditor and Cindy Bodle, 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. Kruk to approve the minutes of February 9, 2010. The motion passed by a voice vote; 8-0. No negatives were heard.

No report from the County Auditor.

No report from the Board of Commissioners.

Report from any Special Committees.

First Readings:

BILL NO. 13-10: AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FOR GROUP RESIDENCE FILED BY: PAUL VANDEWALLE, STEVE KUBSCH & PAT RUSZKOWSKI FOR THE PROPERTY LOCATED AT: 54550 WILLIS ST., SOUTH BEND, IN 46637. PARCEL ID 002-1106-5354, LOT 36 VANESS PLAT, CLAY TOWNSHIP, ST. JOSEPH COUNTY. THE SAME BEING PETITION NO. 03-03-10-08 FILED WITH THE AREA BOARD OF ZONING APPEALS. - Assigned to the Land Use Planning Committee

BILL NO. 15-10: AN ORDINANCE TO AMEND TITLE 6 OF THE ST. JOSEPH COUNTY CODE ENTITLED "BUILDING AND CONSTRUCTION" (By amending Section 6.12.050 Electrical Licenses) - Assigned to the Land Use Planning Committee

BILL NO. 16-10: AN ORDINANCE TO AMEND THE ST. JOSEPH COUNTY CODE, TITLE 16, CHAPTER 16.40.010, MAINTENANCE OF PETTY CASH FUNDS BY CERTAIN DEPARTMENT OF ST. JOSEPH COUNTY. (Parks and Recreation) - Assigned to the Land Use Planning Committee

BILL NO. 17-10: AN ORDINANCE APPROPRIATING THE SUM OF \$25,000.00 OUT OF THE ST. JOSEPH COUNTY HEALTH S.T.D. GRANT FUND - 405 AND \$25,000.00 OUT OF THE ST. JOSEPH COUNTY AIDS GRANT FUND - 605 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2010. (Dept. 055 - Health) - Assigned to the Human Services/Criminal Justice Committee

BILL NO. 18-10: AN ORDINANCE APPROPRIATING TING \$4,247.00 OUT OF THE ST. JOSEPH COUNTY - COUNTY HEALTH FUND - 005 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2010. (Dept. 055 - Health) {increase/decrease appropriation ordinance}- Assigned to the Human Services/Criminal Justice Committee

BILL NO. 19-10: AN ORDINANCE TRANSFERRING THE SUM OF \$1,961.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2010 BUDGET OF ST. JOSEPH COUNTY. (Dept. 055 - Health) - Assigned to the Human Services/Criminal Justice Committee

BILL NO. 20-10: AN ORDINANCE ESTABLISHING THE ST. JOSEPH COUNTY DOMESTIC VIOLENCE FATALITY REVIEW TEAM. - Assigned to the Human Services/Criminal Justice Committee

BILL NO. 21-10: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE 26, ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, FOR PROPERTY LOCATED AT PARCEL 1: 51700 SR 933 NORTH, PARCEL 2: 51688 SR 933 NORTH, PARCEL 3: 51674 SR 933 NORTH, AND PARCEL 4: V/L EATON, SOUTH BEND FROM O/B - OFFICE/BUFFER DISTRICT TO R - SINGLE FAMILY DISTRICT. (Petitioner: Teachers Credit Union and Kimberly D. Sandfur) - Assigned to the Land Use Planning Committee

Resolutions:

BILL NO. 14-10: A RESOLUTION DETERMINING THAT THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA HAVE BEEN MET AND CONFIRMING RESOLUTION NO. R-2-10 OF THE ST. JOSEPH COUNTY COUNCIL DECLARING AN AREA OF THAT COUNTY TO BE AN ECONOMIC REVITALIZATION AREA. (MOLDED ACOUSTICAL PRODUCTS OF EASTON) **CONFIRMING RESOLUTION**

Bill Wilson, Project Future and joined by Robert Snyder, Niles, MI, Plant Manager for the petitioner. This plant is currently in Elkhart and will be moving to Granger in the next few weeks. They have been in Elkhart for the last thirty (30) years. They are moving into the old AP Muffler/Faurecia Exhaust facility on Anderson Road in Granger. They currently have 190. The facility will meet their needs for expansion. There are 67 employees who live in St. Joseph County. This abatement request is for the purchase of equipment of about \$1.125 million to meet requirements of new contracts. The State, Indiana Economic Development Corporation, has agreed to move the assistance and incentives from Elkhart to St. Joseph County provided this resolution is approved.

Mr. Catanzarite asked if they had any employees who have a criminal history who are trying to renter the community? Mr. Snyder stated that they have a number of workers on the Work Release Program. He stated that they have six (6) to ten (10) employees at the present. This has been a successful relationship and they are very dependable.

Mr. Noland asked if there was enough area to expand on this property? Mr. Snyder stated that there was room to the East of the building.

Motion to pass was made by Mr. Hamann and seconded by Mr. Kruk. Bill No. 14-10 passed to-wit by vote; 8-0.

Public Hearings:

BILL NO. 10-10: AN ORDINANCE APPROPRIATING THE SUM OF \$50,000.00 OUT OF THE ST. JOSEPH COUNTY COMMUNITY BASED CORRECTIONS FUND - 800 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR 2010. (Dept. 080 - Comm Base - D.O.C.) - Assigned to the Human Services/Criminal Justice Committee

Mr. Hamann reported that Bill No. 10-10 comes with favorable recommendation.

Dave Nickerson, Director, stated that they currently have five (5) vehicles. These vehicles are used primarily to check on offenders. They also have two (2) vans. The current vehicles, one of which is a 1997 Blazer with over 100,000 miles; 2001 Taurus with 105,000 miles; a van with 55,000 miles. He stated that they are looking into the hybrid vehicles with the Commissioners. He said that there is no MACOG money available at the present, but might be available in a month or two. If this appropriation is approved, they are going to wait to see if they can be part of the hybrid money from MACOG.

Motion to pass was made by Mr. Kruk and seconded by Mr. Noland. Bill No. 10-10 passed to-wit; 8-0.

BILL NO. 11-10: AN ORDINANCE TRANSFERRING THE SUM OF \$2,700.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2010 BUDGET OF ST. JOSEPH COUNTY. (Dept. 032 - Area Plan) - Assigned to the Land Use Planning Committee

Mr. DeVon reported that Bill No. 11-10 comes with favorable recommendation.

John Byorni, Director, explained that this transfer was from funds of an unused position for the purpose of obtaining a new lease. He will be obtaining a hybrid vehicle with funding help from MACOG. There is a \$1 annual fee for five (5) years and after that period of time the County will have the option to purchase the car.

Motion to pass was made by Mr. DeVon and seconded by Mr. Noland. Bill No. 11-10 passed to-wit; 8-0.

BILL NO. 8-10: AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY MATT FILIPOWSKI, WALSH CONSTRUCTION COMPANY, LAPORTE, IN & PAUL SCHAFFER FOR THE PROPERTY LOCATED AT 19650 NEW ROAD, SOUTH BEND, IN 46614 THE SAME BEING PETITION NO. 02-03-10-10 FILED WITH THE AREA BOARD OF ZONING APPEALS. - Assigned to the Land Use Planning Committee

Mr. DeVon reported that Bill No. 8-10 comes with favorable recommendation.

Mark Lyons, Building Department, stated that on February 3, 2010 the Area Board of Zoning Appeals heard this petition and sends it with a favorable recommendation.

Matt Filipowski, Walsh Construction, explained the need for this borrow pit in order to complete the work for a new bridge to go over the top of the new U.S. 31.

Motion to pass was made by Mr. Herbster and seconded by Mr. Hamann. Bill No. 8-10 passed to-wit; 8-0.

Unfinished Business:

New Business:

Privilege of the Floor:

Adjournment:

Mr. Morton stated that the meeting was adjourned at 7:23 p.m.

Auditor, St. Joseph County

President, St. Joseph County Council