

MINUTES OF A  
PUBLIC HEARING MEETING  
OF THE  
ST. JOSEPH COUNTY COUNCIL  
March 8, 2022

The public hearing meeting of the St. Joseph County Council was called to order at 6:01 p.m., on March 8, 2022 by the President, Rafael Morton.

Members in attendance were:

Mr. Robert L. Kruszynski  
Mr. Corey Noland  
Mr. Richard Pfeil  
Ms. Diana Hess  
Mr. Rafael Morton  
Mr. Randall L. Figg  
Mr. Mark A. Catanzarite  
Mr. Joseph F. Canarecci  
Mr. Mark Root

Auditor, Michael J. Hamann attended the meeting via Zoom.

Present from the Auditor's office was John Murphy, Chief Deputy Auditor.

Council staff present was Mr. Michael Trippel, Attorney and Ms. Jennifer Prawat, Executive Secretary.

**Petitions, Communications & Miscellaneous Matters:**

Mr. Kruszynski made a motion to reappoint Dennis Heckaman to the Lakeville Economic Development Commission, Gene Reese to the Walkerton Economic Development Commission and Sara Williams to the North Liberty Economic Development Commission and was seconded by Mr. Noland. The voice vote passed unanimously.

Ms. Hess made a motion to approve the minutes of the February 8, 2022 meeting and was seconded by Mr. Noland, the motion was passed by a voice vote; 9-0.

No report from the County Auditor  
No report from the County Commissioners  
No report from any Special Committee

**First Reading(s):**

**BILL NO. 38-22:** A RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL DECLARING A PORTION OF ST. JOSEPH COUNTY AN ECONOMIC REVITALIZATION AREA, PURSUANT TO IC. 6-1.1-12.1-1, ET SEQ.

PETITIONER: EVS LIMITED

Assigned to the Land Use Planning Committee

**BILL NO. 39-22:** 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 13750 MCKINLEY HWY AND UNADDRESSED 1.41 ACRES ABUTTING TO THE SOUTH, FROM R: SINGLE FAMILY DISTRICT TO I: INDUSTRIAL DISTRICT

PETITIONER: PENN TOWNSHIP OF ST. JOSEPH COUNTY, INDIANA

Assigned to the Land Use Planning Committee

**BILL NO. 40-22:** 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 56435 OAK ROAD AND 56369 OAK ROAD FROM R: SINGLE FAMILY DISTRICT TO C: COMMERCIAL DISTRICT

PETITIONER: SONS PROPERTY HOLDINGS LLC

Assigned to the Land Use Planning Committee

**BILL NO. 41-22:** AN ORDINANCE APPROVING THE PETITION FOR A SPECIAL USE FILED BY SONS PROPERTY HOLDINGS LLC FOR PROPERTY BEING LOCATED AT 56435 OAK ROAD AND 56369 OAK ROAD  
PETITIONER: SONS PROPERTY HOLDINGS LLC  
Assigned to the Land Use Planning Committee

**Salary Amendment(s):**

**BILL NO. 30-22:** AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022  
PETITIONER: AUDITOR (Combined with Bill No. 29-22 A)  
Ms. Hess reported that Bill No. 30-22 comes with a favorable recommendation.

John Murphy, Chief Deputy Auditor, this is a reorganization of a few positions in the Auditor's Office. We've had a grant accountant position that's been open all year, unable to fill that so we are eliminating that position, we are adding a senior property tax specialist position. We are reorganizing the payroll administrator position with a small pay increase.

A motion to pass Bill No. 30-22 was made by Mr. Catanzarite and seconded by Ms. Hess. Bill No. 30-22 was passed to-wit; 9-0

**BILL NO. 31-22:** AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022  
PETITIONER: ELECTION BOARD (Combined with Bill No. 29-22 B)  
Ms. Hess reported that Bill No. 31-22 comes without a recommendation.

Lana Cleary, Clerk's Office, we come to the council with a revised appropriation request of the council to increase these salaries for first and foremost, the poll workers that work in the elections and also the absentee workers central count clerks and voting machine technicians. We put a little bit more emphasis on inspectors of all the poll works because they are required to know a lot more about the election laws and procedures.

Mr. Noland: I did have a chance to review them and thank you for taking a look at it.

Mr. Canarecci: Could you just remind us of the other contractual services, there is a pretty big reduction there.

Ms. Cleary: In other contractual services besides our contractual obligations to our election vendors, the vote machine technicians are paid out of that.

Mr. Catanzarite: The election board, Rita, can you just give us a quick update as to the early voting and when that's going to begin?

Ms. Glen: We had a challenge that was filed today so they have until tomorrow to file any, anybody has an additional challenge that can be filed is tomorrow, that deadline takes us to a hearing on Friday and after the hearing on Friday, we have to make sure all the ballots are proofed and have them to the parties by Monday and then start mailing them out and printing on Tuesday and then they have to be out in the mail no later than Saturday. We are under a very stressful time constraint in the Clerk's office.

Amy Drake, Granger, I wanted to advocate for pay increases for the people that run our elections.

Derek Dieter, 1740 Portage Ave., South Bend, I am in favor of it but I just have a question for Rita, if I can ask her about that. During the process of all this redistricting and maps, did either party come to you and ask the burden it would cause on your office during that process?

Ms. Glen: I was not approached, from the beginning.

Joe Grabill, 1650 South Bend Ave., South Bend, I am here to speak in favor of the bill.

Carl Baxmeyer, 17711 Woodridge Dr., South Bend, I too would like to speak in favor of your passage of the new salaries for the election day workers.

A motion to amend Bill No. 31-22 was made by Mr. Noland and seconded by Ms. Hess. Amended Bill No. 10-22 was passed to-wit; 9-0

A motion to pass Bill No. 31-22, as amended was made by Mr. Canarecci and seconded by Mr. Kruszynski. Bill No. 31-22 as amended was passed to-wit; 9-0

**BILL NO. 32-22: AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022**

PETITIONER: HEALTH DEPARTMENT (Combined with Bill No. 29-22 I)

Mr. Kruszynski reported that Bill No. 32-22 comes with a favorable recommendation.

Amy Ruppe, Administrator for the Department of Health, we are requesting an appropriation for two staff members, moving them from fund 9164 which is our COVID Insurance Reimbursement Fund to our county health fund.

A motion to pass Bill No. 32-22 was made by Ms. Hess and seconded by Mr. Canarecci. Bill No. 32-22 was passed to-wit; 9-0

**BILL NO. 33-22: AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022**

PETITIONER: PROSECUTOR (Combined with Bill No. 29-22 K)

Mr. Kruszynski reported that Bill No. 33-22 comes with a favorable recommendation.

Bob Risenhoover, Prosecutor's Office, we are here requesting an appropriation and salary ordinance for the prosecutor's pretrial diversion fund. This is to keep the commanders at the same salary levels that they were last year.

A motion to pass Bill No. 33-22 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 33-22 was passed to-wit; 9-0

**BILL NO. 34-22: AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022**

PETITIONER: PROSECUTOR (Combined with Bill No. 29-22 L)

Mr. Kruszynski reported that Bill No. 34-22 comes with a favorable recommendation.

Mr. Risenhoover: We are here requesting an appropriation for the inner local agreement with the city of South Bend, Mishawaka and with the Commissioners for St. Joe County. This is to reestablish the special victim's unit.

A motion to pass Bill No. 34-22 was made by Ms. Hess and seconded by Mr. Canarecci. Bill No. 34-22 was passed to-wit; 9-0

**BILL NO. 35-22: AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022**

PETITIONER: PROSECUTOR (Combined with Bill No. 29-22 M)

Mr. Kruszynski reported that Bill No. 35-22 comes with a favorable recommendation.

Mr. Risenhoover: This is a request for an appropriation and a salary amendment for a paralegal position with the Prosecutor. This is the person who will edit and produce the digital files that's used in body cams and car cams. This all has to be done to turn over to the defense attorneys.

A motion to pass Bill No. 35-22 was made by Ms. Hess and seconded by Mr. Noland. Bill No. 35-22 was passed to-wit; 9-0

**BILL NO. 37-22: AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022**

PETITIONER: PROSECUTOR (Combined with Bill No. 29-22 N)

Mr. Kruszynski reported that Bill No. 37-22 comes with a favorable recommendation.

Mr. Risenhoover: We are here tonight asking for an appropriation and salary amendment for the APS salaried people, the investigators, they were awarded an additional grant of twenty-eight thousand, two hundred dollars for COVID work, they all worked during the COVID pandemic, they have not received any additional hazard pay.

Mr. Catanzarite: Would you remind us, how many investigators that is and how many counties they cover?

Mr. Risenhoover: St. Joseph County is a hub for four other counties. A total of four. This covers eight people, there are nine people on staff there, but one is data entry, and they did not go into the field, they are not getting the extra money.

A motion to pass Bill No. 37-22 was made by Ms. Hess and seconded by Mr. Noland. Bill No. 37-22 was passed to-wit; 9-0

**Public Hearing/Public Comments: Fiscal Matters:**

**BILL NO. 29-22: AN ORDINANCE APPROPRIATING AND TRANSFERRING MONEYS FOR THE PURPOSE HEREIN SPECIFIED FOR THE SEVERAL DEPARTMENTS HEREIN LISTED OF ST. JOSEPH COUNTY GOVERNMENT**

**TRANSFERS:**

**A. Auditor**

General Fund

FROM: 1000-11084-000-0002	Accounts Payable/Payroll Manager	\$29,150.00
1000-12008-000-0002	Grant Accountant	\$41,350.00
TO: 1000-11088-000-0002	Payroll Admin.	\$36,000.00
1000-11627-000-0002	Senior Property Tax Specialist	\$34,500.00
	<b>TOTAL:</b>	<b>\$70,500.00</b>

**APPROPRIATION(S):**

**B. Election Board**

General Fund

1000-11044-000-0027	Absentee Voter Board	\$22,000.00
1000-11045-000-0027	Clerical Assistants	\$100,000.00
1000-11900-000-0027	Inspector-Primary	\$21,900.00
1000-11901-000-0027	Inspector-General	\$21,900.00
1000-11910-000-0027	Judge-Primary	\$34,440.00
1000-11911-000-0027	Judge-General	\$34,440.00
1000-11920-000-0027	Sheriff-Primary	\$16,060.00
1000-11921-000-0027	Sheriff-General	\$16,060.00
1000-11930-000-0027	Clerk-Primary	\$35,860.00
1000-11931-000-0027	Clerk-General	\$35,860.00
1000-31070-000-0027	Other Contractual Svc.	\$170,643.00
	<b>TOTAL:</b>	<b>\$509,163.00</b>

**C. PSAP**

Dispatch Operating

4930-33021-000-0013	Help Wanted Advertising	\$50,000.00
	<b>Total:</b>	<b>\$50,000.00</b>

**D. Health Department**

Health National Birth Equality

9162-36015-000-0055	Contractual Svc.	\$20,000.00
	<b>TOTAL:</b>	<b>\$20,000.00</b>

E. Health Department		
Health Vector Program		
9158-33938-000-0055	Vector Abatement	\$11,924.80
		<u>TOTAL: \$11,924.00</u>

F. Health Department		
Health Cooking Healthy		
9134-33368-000-0055	Public Inof & Education	\$354.94
		<u>TOTAL: \$354.94</u>

G. Health Department		
Health FIMR		
8129-21030-000-0055	Office Supplies	\$3,423.04
8129-32020-00-0055	Travel/Mileage	\$3,423.04
8129-32203-000-0055	Cell Phones	\$41.20
		<u>TOTAL: \$6,887.28</u>

H. Health Department		
Health UND COVID Reimbursement		
8955-32550-000-0055	Miscellaneous Costas	\$27,475.39
		<u>TOTAL: \$27,475.39</u>

I. Health Department		
County Health Department		
1159-11077-000-0055	Administrative Assistant	\$37,255.00
1159-11781-000-0055	Immun Outreach Coordinator	\$21,633.00
1159-11950-000-0055	Part Time	\$18,323.00
1159-14800-000-0055	FICA	\$5,907.00
1159-14810-000-0055	PERF	\$6,596.00
1159-14840-000-0055	Group Health Insurance	\$27,000.00
1159-32550-000-0055	Miscellaneous Expenses	\$560,296.46
1159-36015-000-0055	Contractual Svc.	\$58,000.00
		<u>TOTAL: \$735,010.46</u>

J. Prosecutor Child Support Division		
General Fund		
1000-31070-000-0048	Other Contractual Svc.	\$24,000.00
		<u>TOTAL: \$24,000.00</u>

K. Prosecutor		
Prosecutor Pretrial Diversion		
7398-16901-000-0018	Prosecutor Supplemental Pay	\$25,000.00
7398-14800-000-0018	FICA	\$1,912.00
7398-14810-000-0018	PERF	\$2,800.00
		<u>TOTAL: \$29,712.00</u>

L. Prosecutor		
Prosecutor Invest Interlocal		
4935-11355-000-0018	Investigator	\$186,000.00
4935-11571-000-0018	Overtime	\$19,200.00
4935-14800-000-0018	FICA	\$14,877.00
4935-14810-000-0018	PERF	\$22,983.00
4935-14840-000-0018	Group Health Insurance	\$54,000.00
4935-22010-000-0018	Gas, Oil & Lubricants	\$4,500.00
4935-44600-000-0018	Special Equipment	\$8,250.00
		<u>TOTAL: \$309,810.00</u>

M. Prosecutor		
Prosecutor Pre Trial Diversion		
7398-16901-000-0018	Prosecutor Supplemental Pay	\$9,000.00
4398-14800-000-0018	FICA	\$652.00
7398-14810-000-0018	PERF	\$1,008.00
		<u>TOTAL: \$10,660.00</u>

N. Prosecutor		
Adult Protective Svc.		
9108-14718-000-0018	Hazard Pay	\$28,200.00
		<u>TOTAL: \$28,200.00</u>

Mr. Morton: All financial issues were heard and discussed at our February 22, 2022 committee meeting.

A motion to amend Bill No. 29-22 item B should be 311,140.00 and remove item D was made by Mr. Catanzarite and seconded by Ms. Hess. Amended Bill No. 29-22 was passed to-wit; 9-0

**Public Hearing/Public Comments: American Rescue Plan Fund**

**BILL NO. 36-22: AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022 PETITIONER: PORTAGE MANOR**

Portage Manor		
American Rescue Plan Fund		
FROM: 8950-31079-000-0040	COVID Expenditures	\$22,244.75
TO: 8950-14719-000-0040	Isolation Pay	\$22,244.75
		<u>TOTAL: \$22,244.75</u>

Ms. Hess reported that Bill No. 36-22 comes with a favorable recommendation.

Mike Eby, Portage Manor, this is money out of the American Rescue Plan to pay for our staff members who staffed our COVID unit during our most recent outbreak. This is from the American Rescue Plan fund.

A motion to pass Bill No. 36-22 was made by Mr. Canarecci and seconded by Mr. Noland. Bill No. 13-22 was passed to-wit; 9-0

**Land Use Planning:**

**BILL NO. 1-22: ST. JOSEPH COUNTY PUBLIC NUISANCE ORDINANCE  
PETITIONER: AREA PLAN COMMISSION**

Mr. Noland reported that Bill No. 1-22 comes with a favorable recommendation.

Abby Wiles, Area Plan Commission Director, as an overview of public outreach, we did four public meetings, we did online engagement, social media posts, information on our website and a number of communications the public. Of the public meetings, we held four total. In the definition in the public nuisance section, we added language in regulated drain or urban drain per comments from Drainage Board staff, we heard from a number of environmental groups that they were afraid the public nuisance ordinance would create issues for their composting piles, we specifically added an exception for that and we are also only regulating log piles or other tree parts in the front yard, not in all yards. Other changes included clarification that under the violation notice section, a land owner may contact staff to propose a plan of action to bring the property into compliance as opposed to having ten days to comply, you have ten days to either comply or contact us with a plan of action, we also clarified the notification process for hang tags because we are planning to utilize those and clarified any penalties that would be assessed would be specifically for repeat offenders so we couldn't come out and site you from the onset and any penalties would be applied to abatement costs incurred.

Mr. Catanzarite: The impetus for code enforcement in the county is long overdue, it's going to be complaint based, is that correct? We are going to have code enforcement officers out there looking for code violations because we're probably anticipating there's going to be enough?

Ms. Wiles: Yes, since we brought them on staff late January, out visiting the back log of complaints that we have, not going out to drum up complaints and look for problems, with a staff of two inspectors being overseen by myself, we won't have the capacity to investigate things that we don't receive a complaint for.

Christine Galvis, 17837 Birdsvie Drive, South Bend, I would like to speak to all three. I would like to thank Abby Wiles and Steve Seday and whoever else is involved and responsible for getting these ordinances together in the county to make St. Joe County a better place.

Mr. Dieter: Fully in support of this. I'd like to thank Abby and Brandie, the attorney, also Councilman Kruszynski who came out with myself and actually Frank Fotia also to lay the groundwork for this. As you know, this has been an issue you guys have kicked around for a long time so finally we are going to start it. I think this is going to be a very successful venture as we go.

Mr. Canarecci: In regard to the Freedom of Information Act requests, would that apply to anonymous complaints?

Brandi Ecker, Deputy County Attorney, yes, the access to public records act would apply to complaints that are submitted in this process, they are not law enforcement records, which would be protected, it was not in my opinion, a good idea to except entirely anonymous complaints just for investigation purposes, it would be much harder to follow up with a complaint if there were no contact information. I did say that I think it could be limited to providing an email or a phone number or something so if somebody wanted to say make a burner email account and put that in, they could but that would be my recommendation, not entirely anonymous.

A motion to amend Bill No. 1-22 was made by Mr. Noland and seconded by Mr. Kruszynski. The motion to amend Bill No. 1-22, was passed to-wit; 9-0

A motion to pass amended Bill No. 1-22 was made by Mr. Noland and seconded by Mr. Kruszynski. Amended Bill No. 1-22 was passed to-wit; 9-0

**BILL NO. 2-22: AN ORDINANCE PROVIDING FOR THE REMOVAL AND DISPOSAL OF ABANDONED VEHICLES AND ENFORCEMENT OF INDIANA CODE 9-22-1 BY THE ST. JOSEPH COUNTY DEPARTMENT OF INFRASTRUCTURE, PLANNING & GROWTH WITHIN THE UNINCORPORATED AREAS OF ST. JOSEPH COUNTY, AND CREATING A FUND FOR THE PURPOSE OF IMPLEMENTING THE PROVISIONS OF THIS ORDINANCE**  
PETITIONER: AREA PLAN COMMISSION

Mr. Noland reported that Bill No. 2-22 comes with a favorable recommendation.

Ms. Wiles: Major changes to abandoned vehicle now we added additional definition of vehicle for greater clarity. The procedure, as we did with public nuisance, clarified notification process for hang tags.

Rhonda Chris, 54591 Maple Lane Ave., South Bend, the consequences for code enforcement have raised concerns. Homeowners who do not keep the yard-maintained turn it into a junk yard or a dump more than likely are suffering from mental illness, disability, old age, depression or hopelessness or a combination. More than likely they are under financial restraints. Every unincorporated resident should have been given notice to this ordinance via mail.

Ms. Ecker: Specifically with regards to the comments about how fines and fees are going to be collected, it's a little different depending on what ordinance you are talking about, with this one specifically, the abandoned vehicle, it's not something that would go on the tax bill, there are no fines in the abandoned vehicle ordinance either at any point in the enforcement stage. The previous public nuisance ordinance that was just passed, has have a certain number of fines that they only kick in after the first abatement has already been completed so it would only be for repeat offenders and the fine amounts are not very large. It would be one hundred for the first violation, post abatement, two hundred for the second, and five hundred for the third, beyond a third, there are not more fines after that and again, that one does not go on the tax bill, it is just collected through lawsuits if the county were to move forward with that. The week and rank vegetation, again, has the same fine structure as the public nuisance, there is only the three opportunities for fines and only after there's been one abatement action and the fees and fines can be collected via a lawsuit but this one is structured because state law allowed it to be included in on the tax bill if it's not paid. This one specifically does have that piece in it because the state allowed the county to go ahead and do that specifically to this one and it was the most efficient way to go about recouping mowing costs specifically.

Mr. Canarecci: My time in Mishawaka, dealing with municipal code, occasionally, if people were found to potentially not have the means to abate an issue, there would be maybe not a formal list but a list of nonprofits or even those looking for community service hours that could be referred to those people, is there any talk or intention of doing anything like that here? I am speaking more generally.

Ms. Wiles: We have a philosophy of compliance, I'll say, this is by no means a money maker, this isn't us coming out to site you, the goal here is compliance and I'm really excited to have brought on the two inspectors that we brought on because I believe that they share that philosophy and I also believe you all and Commissioner Dieter who's been pushing the program do as well. As I mentioned previously for public nuisance, we specifically revised the ordinance to state that they have ten days to bring the property into compliance or to contact us, perhaps we do need to work on putting some resource guide together.

A motion to amend Bill No. 2-22 was made by Mr. Noland and seconded by Mr. Kruszynski. The motion to amend Bill No. 2-22, was passed to-wit; 9-0

A motion to pass amended Bill No. 2-22 was made by Mr. Noland and seconded by Mr. Catanzarite. Amended Bill No. 2-22 was passed to-wit; 9-0

**BILL NO. 3-22: ST. JOSEPH COUNTY WEED AND RANK VEGETATION CONTROL ORDINANCE  
PETITIONER: AREA PLAN COMMISSION**

Mr. Noland reported that Bill No. 3-22 comes with a favorable recommendation.

Ms. Wiles: This is the one that got the most revisions. The major changes included really a complete rewrite of the definition of weed and rank vegetation and complete rewrite of the exceptions in the ordinance. Weeds and other rank vegetation shall mean unmaintained in non-cultivated grasses, vines, shrubs exceeding the height of nine inches located in a minimum front yard or in the buildable area of a lot located in a primary building and minimum front yard. Nine inches is what we started with and what we settled on, Elkhart County uses eight, we chose nine to be consistent with jurisdictions in St. Joe County so there wasn't confusion. We changed weed and rank vegetation to only refer to front yard based on input we received from environmental groups but also our capacity to enforce and targeting the real issues at hand. Other major changes included a much-expanded list of exceptions to the ordinance. The following are not to be considered weed or other rank vegetation, so these would be the exceptions to the definition of weed and rank vegetation. Areas of maintained land scaping which have been planted or cultivated by the owner/occupant of the property, agricultural and food crops, filter or buffer strips within (inaudible) zones edges of lakes or ponds within thirty feet of water's edge, vegetation within a wetland recognized by the US Fish and Wildlife National Wetlands Inventory, rain gardens, pollinators and other cultivated native plan gardens and naturalized wooded areas. Changes to section six violation notice as we did throughout the other ordinances, we clarified the notification for hang tags, clarified penalties for noncompliance, will pertain to repeat offenders. Penalties will go towards the work that is being performed to bring the property into compliance.

Steve Francis, 54174 Juday Lake Dr., I generally support this and thank everyone who was involved.

Rhonda Chris, 54591 Maple Lane Ave., I highly suspect the people going out to cut will not be botanist, take away food sources for food and nature there will probably be more extinction. It's not nice to fool with mother nature and the Bible teaches us that a person that offends you, you should go to that person. Compliance, anarchy, and money are all that you seek from the people.

Ms. Wiles: Just to clarify, Steve and Savannah have openly said they are not botanist, but I feel like through this process we've developed a bench of people who do know something about plants that we can go to for resources if there is a question of what's invasive or what isn't. I've confident we've built a number of supporters and resources throughout this process that can help the inspectors as they move forward with the enforcement of this ordinance.

A motion to amend Bill No. 3-22 was made by Mr. Noland and seconded by Mr. Canarecci. The motion to amend Bill No. 3-22, was passed to-wit; 9-0

A motion to pass amended Bill No. 2-22 was made by Mr. Noland and seconded by Mr. Kruszynski. Amended Bill No. 2-22 was passed to-wit; 9-0



**Miscellaneous:**

**Unfinished Business:**

**New Business:** A vote to override or sustain the Commissioners veto on February 15, 2022 regarding Ordinance No. 34-22: Appropriation from the American Rescue Plan Fund

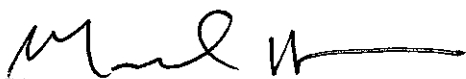
Mr. Catanzarite: Given some of the public out cry about another issue what was brewing in the city and other concerns they had about fiscal management of the money, I can see where the commissioners might have felt compelled to veto this, I hope the message got out, the method of dispersing the money and accounting for the money probably needs to be improved and I'm hoping that the recipient of this got the message that they are going to work on the process it will make it a better method of accounting so we don't have these issues going forward.

Ms. Hess made the motion to override the Commissioners veto on ordinance no. 34-22 and was seconded by Mr. Catanzarite. The motion carried by a unanimous voice vote.

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

Dan Caruso, 305 Compton St., New Carlisle, having just gone through the, I can only call it dysfunctional redistricting process we just went through, I think it's pretty common knowledge the council and the commissioners don't play well together. I have contacted my state representatives from District 8 and asked them to please, under current rules, elected members of the county council and the board of commissioners are each beholden to voters in a particular district within St. Joseph County often making compromise a difficult issue in the governance of St. Joseph County. At large county elections are the fairest way to elect candidates who truly are voices of a majority of the voters in St. Joseph County. In the contact I had with my two legislatures, I asked that they pursue legislation to say that all members of the county council and board of commissioners be number 1 year round residents of St. Joseph County Indiana, elected at large by a majority of all legally registered voters in St. Joseph County, each elected representative will be assigned a district to representation after taking the oath of public office the following the November election and at the start of their four year term. Residency in the district of representation is permissible but not a requirement, there can be more than one qualified involved, informed person from each district so why limit a district to just one representative by the election rules. They will be on identical four-year election cycles, each of the nine seats at the county council and each of the three seats of the board of commissioners will be open for election on the same first Tuesday in November every four years.

**Adjournment** Mr. Morton stated that the meeting was adjourned 7:27 p.m.



Auditor, St. Joseph County



President, St. Joseph County Council

**AGENDA FOR THE  
REGULAR MEETING  
OF THE  
ST. JOSEPH COUNTY COUNCIL  
MARCH 8, 2022  
6:00 P.M.**

56'07  
F 7.30  
All in person  
Hannan-zoom

**This meeting will be held in person with the option of Zoom**

Join the Meeting

Phone: 312 626 6799

Meeting ID: 951 3037 2751

Passcode: 138 854

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Petitions, Communications and Miscellaneous Matters
5. Report from the County Auditor
6. Report from County Commissioners
7. Report from Council Special Committee

**8. First Readings:**

**BILL NO. 38-22:** A RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL DECLARING A PORTION OF ST. JOSEPH COUNTY AN ECONOMIC REVITALIZATION AREA, PURSUANT TO IC. 6-1.1-12.1-1, ET SEQ.  
PETITIONER: EVS LIMITED

**BILL NO. 39-22:** 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 13750 MCKINLEY HWY AND UNADDRESSED 1.41 ACRES ABUTTING TO THE SOUTH, FROM R: SINGLE FAMILY DISTRICT TO I: INDUSTRIAL DISTRICT  
PETITIONER: PENN TOWNSHIP OF ST. JOSEPH COUNTY, INDIANA

**BILL NO. 40-22:** 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 56435 OAK ROAD AND 56369 OAK ROAD FROM R: SINGLE FAMILY DISTRICT TO C: COMMERCIAL DISTRICT  
PETITIONER: SONS PROPERTY HOLDINGS LLC

**BILL NO. 41-22:** AN ORDINANCE APPROVING THE PETITION FOR A SPECIAL USE FILED BY SONS PROPERTY HOLDINGS LLC FOR PROPERTY BEING LOCATED AT 56435 OAK ROAD AND 56369 OAK ROAD  
PETITIONER: SONS PROPERTY HOLDINGS LLC

**9. Salary Amendment(s):**

**BILL NO. 30-22:** AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022 PETITIONER: AUDITOR (Combined with Bill No. 29-22 A)

**BILL NO. 31-22:** AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022 PETITIONER: ELECTION BOARD (Combined with Bill No. 29-22 B)

**BILL NO. 32-22:** AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022 PETITIONER: HEALTH DEPARTMENT (Combined with Bill No. 29-22 I)

**BILL NO. 33-22:** AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022 PETITIONER: PROSECUTOR (Combined with Bill No. 29-22 K)

**BILL NO. 34-22:** AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022 PETITIONER: PROSECUTOR (Combined with Bill No. 29-22 L)

**BILL NO. 35-22:** AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022 PETITIONER: PROSECUTOR (Combined with Bill No. 29-22 M)

**BILL NO. 37-22:** AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022 PETITIONER: PROSECUTOR (Combined with Bill No. 29-22 N)

**10. Public Hearing/Public Comments: Fiscal Matters**

**BILL NO. 29-22:** AN ORDINANCE APPROPRIATING AND TRANSFERRING MONEYS FOR THE PURPOSE HEREIN SPECIFIED FOR THE SEVERAL DEPARTMENTS HEREIN LISTED OF ST. JOSEPH COUNTY GOVERNMENT:

**TRANSFER(S):**

A. Auditor

General Fund

FROM: 1000-11084-000-0002	Accounts Payable/Payroll Manager	\$29,150.00
1000-12008-000-0002	Grant Accountant	\$41,350.00
TO: 1000-11088-000-0002	Payroll Admin.	\$36,000.00
1000-11627-000-0002	Senior Property Tax Specialist	\$34,500.00
	<b>TOTAL:</b>	<b><u>\$70,500.00</u></b>

**APPROPRIATION(S):**

B. Election Board

General Fund

1000-11044-000-0027	Absentee Voter Board	\$22,000.00
1000-11045-000-0027	Clerical Assistants	\$100,000.00
1000-11900-000-0027	Inspector-Primary	\$21,900.00
1000-11901-000-0027	Inspector-General	\$21,900.00
1000-11910-000-0027	Judge-Primary	\$34,440.00
1000-11911-000-0027	Judge-General	\$34,440.00
1000-11920-000-0027	Sheriff-Primary	\$16,060.00
1000-11921-000-0027	Sheriff-General	\$16,060.00
1000-11930-000-0027	Clerk-Primary	\$35,860.00
1000-11931-000-0027	Clerk-General	\$35,860.00
1000-31070-000-0027	Other Contractual Svc.	\$170,643.00
	<b>TOTAL:</b>	<b><u>\$509,163.00</u></b>

C. PSAP

Dispatch Operating

4930-33021-000-0013	Help Wanted Advertising	\$50,000.00
	<b>Total:</b>	<b><u>\$50,000.00</u></b>

D. Health Department

Health National Birth Equality

9162-36015-000-0055	Contractual Svc.	\$20,000.00
	<b>TOTAL:</b>	<b><u>\$20,000.00</u></b>

E. Health Department  
 Health Vector Program  
 9158-33938-000-0055 Vector Abatement \$11,924.80  
**TOTAL: \$11,924.00**

F. Health Department  
 Health Cooking Healthy  
 9134-33368-000-0055 Public Inof & Education \$354.94  
**TOTAL: \$354.94**

G. Health Department  
 Health FIMR  
 8129-21030-000-0055 Office Supplies \$3,423.04  
 8129-32020-00-0055 Travel/Mileage \$3,423.04  
 8129-32203-000-0055 Cell Phones \$41.20  
**TOTAL: \$6,887.28**

H. Health Department  
 Health UND COVID Reimbursement  
 8955-32550-000-0055 Miscellaneous Costas \$27,475.39  
**TOTAL: \$27,475.39**

I. Health Department  
 County Health Department  
 1159-11077-000-0055 Administrative Assistant \$37,255.00  
 1159-11781-000-0055 Immun Outreach Coordinator \$21,633.00  
 1159-11950-000-0055 Part Time \$18,323.00  
 1159-14800-000-0055 FICA \$5,907.00  
 1159-14810-000-0055 PERF \$6,596.00  
 1159-14840-000-0055 Group Health Insurance \$27,000.00  
 1159-32550-000-0055 Miscellaneous Expenses \$560,296.46  
 1159-36015-000-0055 Contractual Svc. \$58,000.00  
**TOTAL: \$735,010.46**

J. Prosecutor Child Support Division  
 General Fund  
 1000-31070-000-0048 Other Contractual Svc. \$24,000.00  
**TOTAL: \$24,000.00**

K. Prosecutor  
 Prosecutor Pretrial Diversion  
 7398-16901-000-0018 Prosecutor Supplemental Pay \$25,000.00  
 7398-14800-000-0018 FICA \$1,912.00  
 7398-14810-000-0018 PERF \$2,800.00  
**TOTAL: \$29,712.00**

L. Prosecutor  
 Prosecutor Invest Interlocal  
 4935-11355-000-0018 Investigator \$186,000.00  
 4935-11571-000-0018 Overtime \$19,200.00  
 4935-14800-000-0018 FICA \$14,877.00  
 4935-14810-000-0018 PERF \$22,983.00  
 4935-14840-000-0018 Group Health Insurance \$54,000.00  
 4935-22010-000-0018 Gas, Oil & Lubricants \$4,500.00  
 4935-44600-000-0018 Special Equipment \$8,250.00  
**TOTAL: \$309,810.00**

M. Prosecutor		
Prosecutor Pre Trial Diversion		
7398-16901-000-0018	Prosecutor Supplemental Pay	\$9,000.00
4398-14800-000-0018	FICA	\$652.00
7398-14810-000-0018	PERF	\$1,008.00
		<u>TOTAL: \$10,660.00</u>

N. Prosecutor		
Adult Protective Svc.		
9108-14718-000-0018	Hazard Pay	\$28,200.00
		<u>TOTAL: \$28,200.00</u>

**11. Public Hearing/Public Comment: American Rescue Plan Fund**

**BILL NO. 36-22:** AN ORDINANCE AMENDING ORDINANCE 76-20, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2022 PETITIONER: PORTAGE MANOR

Portage Manor		
American Rescue Plan Fund		
FROM: 8950-31079-000-0040	COVID Expenditures	\$22,244.75
TO: 8950-14719-000-0040	Isolation Pay	\$22,244.75
		<u>TOTAL: \$22,244.75</u>

**12. Land Use Planning:**

**BILL NO. 1-22:** ST. JOSEPH COUNTY PUBLIC NUISANCE ORDINANCE  
PETITIONER: AREA PLAN COMMISSION

**BILL NO. 2-22:** AN ORDINANCE PROVIDING FOR THE REMOVAL AND DISPOSAL OF ABANDONED VEHICLES AND ENFORCEMENT OF INDIANA CODE 9-22-1 BY THE ST. JOSEPH COUNTY DEPARTMENT OF INFRASTRUCTURE, PLANNING & GROWTH WITHIN THE UNINCORPORATED AREAS OF ST. JOSEPH COUNTY, AND CREATING A FUND FOR THE PURPOSE OF IMPLEMENTING THE PROVISIONS OF THIS ORDINANCE  
PETITIONER: AREA PLAN COMMISSION

**BILL NO. 3-22:** ST. JOSEPH COUNTY WEED AND RANK VEGETATION CONTROL ORDINANCE  
PETITIONER: AREA PLAN COMMISSION

**13. Miscellaneous:**

**14. Unfinished Business:**

**15. New Business:** A vote to override or sustain the Commissioners veto on February 15, 2022 regarding Ordinance No. 34-22: Appropriation from the American Rescue Plan Fund

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

**17. Adjournment**

**Notes:**

March 22, 2022 - Committee Meeting at 5:30 p.m.

April 12, 2022 -- Public Hearing 6:00 p.m.