

ALLEN COUNTY COUNCIL MEETING MINUTES
APRIL 19, 2018
8:30 AM

The Allen County Council met on Thursday, April 19, 2018 at 8:30 am in the Discussion Room at Citizens Square. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants and any other business to come before Council.

Attending: Joel M. Benz, Larry L. Brown, Justin T. Busch, Tom A. Harris, Eric M. Tippmann and Sharon L. Tucker. Absent: Robert A. Armstrong.

Also Attending: Nick Jordan, Auditor; Jackie Scheuman, Finance and Budget Director and Becky Butler, Administrative Assistant.

The meeting was called to order by President Joel Benz with the Pledge of Allegiance and a moment of silent prayer.

Joel Benz: Good morning everyone. First on the agenda is the approval of the March 15th meeting minutes. Also, we are missing Councilman Armstrong this morning. He had a health related incident yesterday and is unable to join us today per doctor's orders. Keep him in your thoughts and prayers this morning.

Tom Harris: Move to approve the minutes from March 15, 2018.

Sharon Tucker: Second.

Joel Benz: All in favor signify by saying aye, opposed, same sign. The motion passes 6-0-1 (Armstrong absent). Next is the financial report from Auditor Nick Jordan.

Nick Jordan: Good morning, Council. In your packet you see the financials through the end of March. We don't receive any significant property or excise distributions until April, into May and the end of June. The only true revenue you have in there is the Miscellaneous Revenue which is a little over 21% again through 25% of the year. You will see that expenses are trending right along the quarter to date. If you have any questions, I can definitely take them. One good thing to point out is if you look at Planning and Building Departments permits, those are tied to the local building economy and they are trending a little bit higher than the quarter to date.

Joel Benz: Council, are there any questions?

Sharon Tucker: I move that we accept the financial report as presented.

Larry Brown: Second.

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Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (Armstrong absent). This morning, total appropriations in the General Fund equal \$1.5 million and in Other Funds is \$61,543. As is our pattern of late, we have moved the public comment to the beginning of the meetings and if we have any individuals out there that would like to make a public comment on some of the items that we are talking about today, feel free to come forward.

Denny Nichter: My name is Denny Nichter.

Joel Benz: Would you come forward and have a seat at the table?

Denny Nichter: If I sit down, I might fall asleep.

Joel Benz: Please introduce yourself and remember that we have a fifteen minute time period here on anything you might have to say.

Denny Nichter: I have already been told that. I am Denny Nichter from New Haven. I hope you guys do better than them guys out there. I want to talk about these Electric Works. I talked to a girl on the phone the other day and if this is such a great deal, where are all of the people with the big money standing in line to invest? That is the way I look at it. I don't think there is, is there? Do they have a lot of private money going into this thing?

Joel Benz: I think they are up here next with maybe some answers to those questions.

Denny Nichter: That is about all I have to say other than I am looking around this building and they spent a lot of money remodeling, I presume, and they have lousy workmanship. That is all I have to say, thank you.

Joel Benz: Thank you for coming, sir. Do we have any other public comment? Due to some time constraints, we had initially scheduled Kevan Biggs and the Electric Works project for the end of the meeting this morning but we are going to move them to the very first part here. If the representatives from Electric Works are here and would like to come forward, we can go ahead and get started with that. I hope you can address our public comment as we work our way through this.

Kevan Biggs: Council, thank you. Kevan Biggs with Biggs Development and I am here on behalf of RTM Ventures, the development team to redevelop the GE Campus into the Electric Works. With me today is my partner, Josh Parker with Cross Street Partners and Jeff Kingsbury with Green Street Limited. Council, thank you for having us today to make a presentation and I have enjoyed meeting with each and every one of you individually. Larry, I am sorry we didn't directly meet but I know you had a chance to meet with my partners. Today, we would like to make a formal presentation on the project and hopefully answering additional questions you have and questions that the public also may have. With that I would like to turn it over to my partner Josh for the presentation.

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Josh Parker: Thanks, Kevan. Thank you for allowing us to have some time on your agenda to talk about the Electric Works project. I thought we would provide a general overview of where we are and where we are headed. Before we start, I do want to expressly thank you all for the commitment to date on the project. The County Council and the County Commission has invested a million dollars towards the environmental remediation. I realize the CIB is a special tax and doesn't come direct but is 50% controlled by the County and they have invested \$2 million. Effectively the County has invested \$2 million already into this project. The City has invested through their share of the CIB and we appreciate that leadership as it helps us kick off the environmental remediation and start getting the site cleaned up. I don't think we would be as far along as we are without the County stepping forward and taking the leadership roles. We thank you very much for that. I want to highlight our team. As Kevan mentioned there is a joint venture between Cross Street Partners, Biggs Development and Green Street with a great set of local architects, engineers and contractors. We have a bunch of really talented folks in this community that we have been fortunate to work with thus far on this project. We are trying to keep the dollars that we are spending local. As many of you know, the GE site has an amazing history of renovation. There is hardly anyone in this community that we have met that doesn't have some connection to the site. There is great history and great memories that we are hearing from folks about the products that were invented and manufactured there, the relationships that were formed there and the sense of community that was created through General Electric and it really gives us a platform on which to think about how this site can be repositioned for the future. The GE Campus sits on the edge of downtown Fort Wayne with over 1.2 million square feet of historic buildings which are in varying states of decline and decay. We have had our team going through and scouring the site as we go through the design process and the planning process thinking about the appropriate redevelopment strategy. We spent about a year working with leaders in the neighborhoods and the business community thinking about what the potential for this site would be. Planning what uses could go on the site, the best way to reuse the site and how we could maximize the amount of capital to be invested and how we could bring other resources to the table from Federal and State sources. We have really landed on this vision of a public and private partnership that would position the GE Campus as a mixed-use district that drives innovation, 18-hour a day activities and brings energy and cultural offerings to this part of Fort Wayne. We really think about this as bringing together these amazing physical assets and historic buildings and leveraging that sense of place and the uniqueness that these buildings offer to the region and pulling together the economic assets for new jobs creation and talent attraction and putting together the ability to network companies, innovators, entrepreneurs all in a single place that really brings a sense of gravity. If there is one thing that Fort Wayne is missing right now it is really that gravity around the innovation and entrepreneurship. There are some great things happening with the NIIT and the Atrium and trying to bring critical mass to accelerate these 21st century innovators and entrepreneurs. This is something that we are already seeing in other parts of Indiana, especially to the west and south. This is an opportunity to bring Northeast Indiana into that network and participate in really what is happening all across the country that we have been fortunate to be a part of in redeveloping these large scale historic buildings and creating environments that drive

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new economy jobs. A couple of photos here in Durham, North Carolina, St. Louis, Missouri, Baltimore, Maryland and we think that same potential exists in Fort Wayne. We are really close to a tipping point in Fort Wayne with the investments that have been made both public and private in the region to take an asset like this and really help to enhance that and accelerate that job growth. We have really focused on engaging with the community early and plan to continue that engagement all through the process. We have partnered with Spark Placemaking to work on programming. We have started hosting events on and around the site soliciting feedback and engaging community members in the design process and thinking about what this could be. We started with an overall vision that was very large over many years and worked with the community to figure out how we could break that into phases that would have impact but would be manageable for development and financing through the public and private partnership. Some great events, thus far over the winter, we have had over 580 people directly engage with us with specific comments through our website and emails asking us to consider different uses for the site and different opportunities for the community to be part of the process. We have developed this master plan thinking about over 100 years of innovation that has existed on this site already. We have been thinking about the 1.3 million square feet of historic buildings, forty acres and the opportunity to develop almost two million more square feet over time as this builds out. As I said, we really developed this plan that became a ten to twelve year development strategy and a billion dollars' worth of investment thinking about all of the potential and possibilities that the community was interested in seeing on this site. We sort of backed into what is the right thing to start with? We looked at connections and how we connect to the existing greenways and trail systems. How we connect to the existing road infrastructure. How we partner with folks along the Broadway corridor and into downtown. Partner with investments like Parkview Field and the Grand Wayne Center and the surrounding neighborhoods. We really settled on the west campus or the portion of the property west of Broadway as the first phase. As you see, the overall opportunity here is fairly dense and gives us the opportunity to bring in a lot of different uses onto the site. The first phase that we are thinking about is about 700,000 square feet and would contain creative office spaces that really line up with the regional sector strategy, institutional uses, education and research. Innovation, we are setting aside space for young companies and entrepreneurs that have flexible lease terms to be able to grow and matriculate through the formation of new companies with very flexible terms, services and amenities that support their growth. Retail that could be attractive to the region, we thought about this food hall and market that really provides an opportunity for a place of commerce for folks throughout Northeast Indiana as food entrepreneurs and the potential public market partnership. Obviously we want to bring the GE Club back. There is a great bowling alley in the basement, the gym upstairs and is a great place for events and community gatherings. As we have talked about this innovation and entrepreneurship strategy, it is really central to what we are trying to do. It is really about how to build the place that is attractive to talent so we can retain folks in this community and recruit new folks to the community. We are going to take these 21st century jobs from companies that are trying to grow here and for companies yet to be formed. We think about spaces that are cool and creative co-working opportunities. We think about maker spaces where we can invest in the core facilities that allow folks to rapidly prototype new ideas. I think about some folks we met who have worked on an

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assembly line in the orthopedic industry and have ideas of their own that they could do and try and this gives them the opportunity to come in with very little commitment and try out their ideas and see if they have something and try to create a job or a business around that. Creative Arts Lab, we have met a lot of folks in this community who are very interested in design. We see the opportunity to build photo studios, large scale printing, come in and do commercial shoots and this idea that we can build and design a creativity lab that lets folks both in existing large scale companies and small entrepreneurs have access to space that is not here. A restaurant accelerator, we know that innovators and entrepreneurs are foodies and so the opportunity to grow the restaurant offerings in the region and bring folks from Chicago and Detroit and Indianapolis working as a sous chef giving them the opportunity to try out a new concept in space that is already built out in a market that is interested in new food offerings. The idea for food production kitchens, if you are a farmer or canning your jams and jellies out of your kitchen, this will give you the opportunity to scale up and grow your production capacity without making the commitment and investment in large scale production. We are really excited about the partnership with the new Fort Wayne Public Market Group bringing the local Farmers Markets to expand into a full scale indoor/outdoor market all throughout the year. When we really start to look at the whole campus, this mix of uses gives us an opportunity to create this 18-hour a day environment that is really open and welcoming to residents of the entire region. Whether or not you live or work here, there is still an opportunity to be part of the site through the different places you could eat, the different retail opportunities and we are thinking about how to build experiential retail opportunities and leverage some of the neat brands that are already in Fort Wayne. And then obviously the need for significant job growth and creation through this innovation space and office space for growing companies. Just a few images of what this could look like as we go through the construction and redevelopment. We think a lot about community impact and this is obviously a low-income census tract as defined by the federal government. After GE closed, the area around this was largely disinvested. There was a significant poverty rate. It is a food desert and a medically underserved part of the community. We think a lot about how we address those issues in the context of growing new jobs. What are the services that we can bring to the site and will bring up the community around it? As many of you know there is a history of manufacturing and production on the site which means it is a brownfield with asbestos and lead paint contamination. We have been working with the State regulators on the cleanup for the site but right now it is not worth very much. It is negative value based on the cleanup and the tear down and is only generating about \$100,000 a year in property taxes. That is far less than it could be able to generate. One thing that we do across our projects is developing community fund. This would be working with the local neighborhoods to identify strategy for engagement of underserved communities specifically women and minorities that may not have the access to innovation and entrepreneurial opportunities in this community and strengthening the surrounding neighborhood. All of our tenants would be 25 cents per square foot into a fund that would be invested along that strategy and controlled by those neighborhood leaders. Certainly through construction, our focus is on spending locally and hiring locally. Weigand Construction has a focus on local hires and working with the trades to help folks move from low skilled labor positions into skilled labor and trade jobs by the end of this long project. Certainly the new markets tax

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credits that can be invested in the project can help support that. We are working with Weigand and local trade shops to develop a program that we hope will last this project and help folks move through the construction trade industry and end up with a very stable job. As many of you know, we are underserved by labor in this community in skilled trades and this is a big opportunity for good paying jobs as this part of Indiana continues to grow. Obviously housing options, we see in the first phase the opportunity for market rate apartments. Over time, we want to blend in affordable housing and workforce housing to the site. Eventually offer options for sale and for rent. We talked a minute about food access as we think about this as a food desert and the lack of opportunity for fresh and healthy foods. Bringing in the public market to this part of town allows the surrounding community to access those food options. We are also in discussions with the community college and one of the local universities about food training and nutrition and cooking classes that can be an enhancement to that market. Instead of giving people the opportunity to buy asparagus but really talking about how the asparagus can be used and incorporated into a delicious meal. The Fort Wayne Public Market folks have been thinking a lot about this kind of thing and we are excited about helping them move that forward. Health and wellness is important and bringing back the GE Club and looking at how we can bring primary care to a medically underserved community by partnering with one of the local healthcare providers. We have been working very hard on this and hope to have an announcement by the end of winter. Educational opportunities, as many of you know Fort Wayne Community Schools has looked at doing a STEAM program for sixth through twelfth grade students similar to the Anthis Career Model. The idea is young people who can be exposed to entrepreneurs and innovators and high technology jobs have a greater likelihood of being able to take those jobs. There is great research that shows the outcomes for kids starting in about sixth grade, their career path has started to be set and so if we can expose kids to this kind of opportunity, it means we are building a pipeline for talent in this community that is going to be attractive to companies that want to move here and hire those folks. Ultimately we are trying to create a cool place. Something that is an attraction for folks from all around the region that really preserves this legacy of what this campus meant for Northeast Indiana and Fort Wayne programming that actively and putting money into having concerts and festivals and giving people a lot of reasons to come and be at the site. As we went through this planning process initially, we really worked hard to align our strategy with Plan-It Allen in thinking about what Allen County is trying to do and also align it with the Road to One Million and the sector strategy that has been identified to grow the population and grow jobs. One of the things that we have heard very clearly is if we are really on the Road to One Million, we just don't have the physical infrastructure to accommodate that. We don't have the office space or residential space for the new folks that we want to recruit in and retain in the region. This is an opportunity to do that and really take on a transformational investment that can be catalytic for future development. As we think about the fiscal and economic impact of a project like this, ultimately we are looking to grow the tax base, grow jobs and increase revenues. Over 1,000 jobs during construction will be created and then stabilized we see over 1,500 people working on this site day in and day out with a pretty substantial economic impact. The wages that are projected ahead of the region currently and with the types of companies that are attracted and we look at projects of similar type around the country, we are positioning for 21st century

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jobs that are skilled for talented folks and aligns with the strategy on the Road to One Million and regional cities. As you all know, we have talked about a local investment of \$65 million. That local investment helps generate the \$240 million investments of all of the other private capital, Federal and State capital that we are able to bring to the table. It generates over \$100 million in local tax revenues over the first twenty years. An annual economic impact of almost \$400 million and what we have put together is this public/private partnership that brings together a \$50 million allocation and is the largest in the State's history. That letter of approval was issued at the end of last year and is conditioned on all of the other financial sources being put into place including the private commitments, getting the new market tax credits committed, finalizing the National Park Service approval for the historic preservation and the local financial commitments. On the Federal side we are leveraging historic tax credits with a \$34.6 million allocation. We have filed that application and received our Part One approval and Part Two is in for review and approval right now. On the private side, the comment that was raised earlier which I think is a really good question, \$92.8 million private through equity and debt. On the sponsor side we will have \$21.7 million in the project under this scenario. That is the first money in and we have already spent about \$10 million on that site and that is the first money at risk. That is the money that is going to get us to the point where we can close and move this project forward. On the local side, as we talked about the County and the CIB stepping forward with the first \$3 million to move on the remediation. Mayor Henry has come out and said he is supporting \$50 million from some combination of City and CIB. The very simple math is that there is still \$12 million missing in order to make the project work. That \$65 million really leverages the additional \$160 million investment into the community in the public and private capital. It is very important that we figure out a way to pull that together. As I said the private capital was the first money in with significant skin in the game and ultimately \$93 million in private capital. The \$65 million that we have talked about on the public side leverages the additional \$156 million in private, State and Federal investment, increased jobs, tax revenue and growth. It is important to note that the local investment only funds when the conditions are met that the State has put in place. All of the other financing must be put in place. It is not like other projects where the City and County has gone out and bought land or done environmental remediation and taken all of the risk to clean it up before the private capital gets there. This is a true private/public partnership. We are ensuring that the project is viable by maintaining pre-leasing commitments so that we know when we open the doors we will have folks who are there creating jobs, paying rent which ultimately pays debt service and pays taxes. We have proposed the structure on the local investment as a 60-year loan at .1% with a buy-out option. This treats the local investment like a second mortgage with the lien on the property. During the Enterprise Zone Abatement Period, we are voluntarily paying a pilot which equals about \$5 million instead of paying no taxes for the first ten years. If you look at the total economic impact of the project, the payback on this \$65 million investment is about 14 years and if you look at just property taxes, the only thing we are really paying directly is a 32-year payback. If you think about that over the 30 to 32-year term and look at the total economic impact, taxes paid and interest paid on the loan, return to local government is about 7.8%. We really try to think about that in the context of the second mortgage position and the interest that is being earned back as that money comes back into the community. It is important to note that

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the local investment effectually has the first priority in receiving payments and so in addition to that lien, taxes are required no matter what. Even if the project changes over time those taxes still get paid. I think it is important to note too that our strategy as a company and as partners is to be in this project long term and reinvesting. While we have outside limited partner capital, we always want to be on that site continuing to reinvest, continuing to think about how it can serve the community. Just to kind of talk about where we are today, obviously we competed in a process to buy this site from GE and got them to stop demolition on the site and agree to sell us the property. We put the initial capital in to buy it and start the redevelopment process. We are working through planning and design and community input that has occurred for well over a year. I know we have heard people say that these guys came forward with a plan and we don't have any input. I apologize to anyone who feels that they were not asked along the way but we really did try to include folks who were interested in participating and to try to give everyone a voice around the table. Certainly, as we move forward into the East Campus and future phases, we want to continue that process and make sure that this project is reflective of the community's desires. We really wanted to develop a sustainable financing plan based on a proven model and so our first strategy is to look at where the rents are currently and where they are going and look at how we can maximize the private investment that can go into the project knowing bankers require return and investors require return. Also look at how we can leverage other sources like the Federal and State dollars and secure those so that we can narrow the gap as best as possible. We are also working to secure the New Market Tax Credits that were released earlier this year. We have requested \$20 million allocation from the Fort Wayne Regional New Markets Fund which was awarded \$55 million by the Federal government. We are looking for \$30 million from CDE's around the country telling them about the growth in Northeast Indiana and the reason to invest New Market Credits. We are working through our pre-leasing thresholds that are set by the lenders and underwriting on the construction loan.

Tom Harris: Can I ask a question. Where are you in the pre-leasing? What is the timeline?

Josh Parker: Good question. On the New Market Tax Credits, the allocations were released earlier this year and what we hear from most CDE's is they would like to be able to close before the end of summer. We have put in our application to Fort Wayne and two days ago received a letter of intent for an allocation from another CDE. It requires that we demonstrate, over the next 45 days, we can close by the end of summer. That is a very competitive program to get those dollars in and so it is important that we keep the process moving to assure those folks we are in a position to bring all of the public/private partnership together. The reason they are so focused on timing is in order to apply for future credits as a Community Develop Entity, they have to invest the credits that they have already been awarded. They are anxious to get those credits out into good projects. On the pre-leasing thresholds, we currently stand at about 90,000 square feet of letters of intent that are either signed or out for execution with real economic terms that can be converted to leases once we can demonstrate that all of the financing is together and that we have a solid date for closing. It is important to note that these business owners think about how they communicate to their employees about a move, it is very sensitive that

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they don't want to be very public about what they are doing until they know it is a go. They don't want to be signing a binding document until they know that the other side of the table is really prepared to move forward. We have some great enthusiasm from companies that want to grow in this region and they have signed letters of intent expressing their interest in moving ahead and their willingness to convert to a lease as soon as we can fulfill a lot of things on our side of the table. We are trying to get to 200,000 square feet in the pre-leasing commitments. We are about halfway there and have some great prospects that we are working with. I am optimistic that over the next several weeks we will have some positive response.

Jeff Kingsbury: Jeff Kingsbury with RTM Ventures. I would like to expound on Josh's comments regarding the pre-leasing. In addition to the 90,000 or so that is either signed or under legal review by the tenants' outside counsel, we have another 45,000 or so that is under what we would call concept development where the tenant has an idea they are working through with an architect what that concept might be in terms of square footage. So all in, we are about 145,000 or so of what we would call solid signed or engaged tenant prospects. I want to mention that it doesn't include Fort Wayne Community Schools, Fort Wayne Public Market and Indiana Tech. Those represent another 45,000 square feet or so. Those are at a letter of intent and we are working with those non-profit entities to figure out what their program needs are because programming is what is really driving so much of our tenaning strategy.

Josh Parker: Thank you. Obviously what we are driving to is a closing in the summer of 2018 so that we can begin construction, get this phase one complete and move in tenants and get on this path towards creating high quality jobs and growing the economy and tax base. What does that bring us here to talk about today? I obviously want to answer any questions you have about where we are in the project and I think, as we understand the process moving forward it has been a great civics lesson understanding how County Council, County Commission and so forth works. I think I am just about figuring it out. We would appreciate you all working with the Commissioners directing the County appointees on the CIB to fully engage in the underwriting and vote to approve the CIB's participation and investment in the project subject to the same conditions that the State has put forward. We need to provide the rest of the financial documentation and proof that the other funds are available, the New Markets reservation letters, the Part Two approval and the rest of the local financial commitment. Obviously it has been fairly public and I hope the Mayor has reached out to each of you as he said he would in his press conference to look at how we close this additional \$12 million gap between what the Mayor thinks the City and CIB could do. With that I am happy to answer any questions and again, thank you for letting us come in and provide this presentation.

Joel Benz: Thank you for the presentation. Council, are there any questions for them while we have them at the table? Councilman Tippmann.

Eric Tippmann: If we look around the community, there is a lot of indecision, headlines in papers, negative press and you are out there trying to do leases. How does that affect

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what you are trying to do due to the fact that we seem to be slow in getting the right people at the table to make these decisions?

Josh Parker: Sure. It is a good question and I can tell you from experience that these are complex projects and they deserve full vetting and conversation by the community and the analysis on the return on investment. This is a bit of a unique situation for me having been doing this for the last fifteen years where we typically have a partner with us on the same side of the table looking at how we can leverage the \$60 million of private, federal and state capital into the community. This has been a little bit different than that where we have a less clear path on how we can arrive at bringing this all together. Certainly as we talk about getting to pre-lease commitments we hear directly from tenant prospects that they are concerned about whether or not the project can go. We field a lot of calls from our investors every time an article comes out saying is the community really behind this project? I think the good news is when you go into the neighborhoods and the business community, we are hearing overwhelming support. There are good questions out there and we are working to continue answering those and addressing those. I think the gentleman that spoke earlier raised a great question about the amount of private capital and whether that is really lining up and coming to the table. Certainly I think we have demonstrated that first money in and the commitment for the additional private capital helps address that but we can't do this alone. Public/private partnership is truly partnership in our minds. This is not something that we can get done by ourselves and it is not something that can be financed just on the private side. It is not something that local government can do on its own. The level of investment really requires both coming to the table. We remain optimistic based on the enthusiasm and feedback from folks all around the region who want to be a part of this and who want to see this happen and see how this thing can really position Fort Wayne and Northeast Indiana for talent and jobs and the economy. I think what we have to do is continue being open and honest and transparent in answering questions. We have been meeting with folks at the City for well over a year, open book, showing them our model, showing them how this plan is coming together and I think we have reached a point now where we have to figure out how this is coming together and who is taking the leadership to help gel this local public investment to leverage the \$160 million of outside capital coming into the region.

Jeff Kingsbury: If I could expand on your comment around tenants as well. Because the project is on a two-year construction period, business owners are in existing leases and that sort of thing. They need to be sure before they are communicating with their employees planning on what a move would be, working with financiers in terms of growing their business is really what we are hearing a lot of in terms of tenant prospects. They need to be sure that the financing is there when we have secured private, federal and state already and the local is still really the question mark, particularly companies that are not from Fort Wayne and outside of Allen County that presents a challenge in terms of us being able to move forward to executable leases.

Joel Benz: Councilman Harris, did you have a question?

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Tom Harris: I probably have at least 65 to 100 questions that we can't get through today. What I will be doing is kind of formulating those and meeting with you and the Commissioners and such. One of the things that we need to do on Council, and we are all engaged with the Commissioners, is just to make sure we understand where the Commissioners are in terms of their commitment as well as where we would be. The questions that need to be asked are plentiful and so the concern I hear is like how much money do you have invested in this versus the risk of the community's taxes? That is one that you have addressed but we will probably dig deeper into that a little bit as we go along. One question that I have is the eco system process. It is easier to build, maybe, and establish those then landing that large tenant. Is that fair? And the concern that I have in that process is that while we have different initiatives going on in the community, those may not be a large tax revenue generator that we are trying to create. Are we trying to land that large tenant or are we trying to create a neat environment or cool environment for businesses to get started?

Josh Parker: That is a great question. I will take the second one first and then come back to your first question. What we know about economic development nationally is we are moving away from the race to the bottom of incentives or buying jobs. What is becoming important is talent is the currency for economic development. For communities to be positioned to bring in companies and bring in jobs and retain the jobs that they have, the environment has to be right for talent. That is why we are seeing the larger cities and folks in communities along the coast thrive when they reactivate their downtowns and put public and private amenities in and when they have a great opportunity for restaurants at different price points and places for people to hang out. I think it is kind of a both ends. What we know is that the type of real estate and the type of space is important and the programming of that is important and the way you engage the community to demonstrate that you are diverse, inclusive and open to a range of possibilities. We are talking with some larger companies from outside of the region that would be interested in relocating to Fort Wayne where Fort Wayne has not necessarily been on the radar before. The momentum is right. The investments that have been made over the last several years in things like the ball park and Harrison Square, Skyline Tower and Ash and the things that are planned along the riverfront and the Landing and they all start to knit together and the story about Fort Wayne being repositioned for the next generation of talent. I really believe that in the entrepreneurial and innovative eco system, groundwork has been laid. In the amenities and infrastructure eco system, the groundwork has been laid. We are trying to bring that together a place and environment that takes the best of all of that and provides spaces for large companies and entrepreneurs. The majority of the space that we are talking about is for established companies that would either be growing in the region or relocating into the region. We have set aside a smaller amount of space, about 70,000 feet specifically for entrepreneurs and folks who might be in a current job but have an idea to start their own company or someone who may be coming out of school and want to start their own thing. There is flexible lease terms and support structure around them. For us it is a both ends strategy and is really built around creating a space based environment that is active and programmed and provides infrastructure and support. On the investment side, we have heard this a lot and I certainly think as we walk through the numbers with folks in the community and the elected leadership, the amount of capital

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and outside capital that is being leveraged into this project far exceeds and public/private partnership that has been done before like for the ballpark, Harrison Square, Skyline Tower or Ash. I think we are really focused on making sure that ratio is correct and making sure the amount of public investment is only brought in when the other dollars are at the table including the private dollars that are in first and making sure we have a project that is viable and sustainable so that taxes get paid and the return on investment is created for the community. We don't take that lightly. It is structured as sort of this second mortgage against the property and we think about those dollars as real investment. While we can't leverage additional private investment because rents aren't high enough in the market, what we can do is create taxes and economic activity in the public sector that allows them or you all to get a return on investment. We think about the public sector just like we do our own private investors. There has to be a return on investment and it has to be a secure investment that is viable and stable. We don't want to lose our money and we don't want to lose our investors' money. There is over \$20 million of equity in the project plus personal guarantees on a pretty significant loan and we don't want to be exposed to losing that. We want to create a project that works. That is why this public/private partnership, where we all join together helps to make the project financially feasible and it is incumbent on us to do all of the things to make sure it is viable and sustainable.

Eric Tippmann: I have another comment. I am desperate to find a way to not invest in this but I can't leave that \$160 million on the table. People want to know how much you have in and things like that. You know what else? This is to Denny back there, the first public comment I think we have had in a year, Denny they have more than their money in this. They have their reputations on the line. If they don't make this deal that follows them through their careers and through the industry. To a lot of people that is worth more than their money. That makes me sleep a little bit better.

Tom Harris: I have a couple of questions and then I will call it quits. We heard just recently how important the Riverfront project was to this community and Northeast Indiana to the extent that the City Council increases taxes for all of the people in the entire County to pay for this Riverfront. How does this project compete with Riverfront in terms of who is going to be at your location versus who might have been at the Riverfront or vice versa?

Jeff Kingsbury: I don't think so. It's a cliché but I think it works and is applicable to the river and that is a rising tide raises all boats. We are very much fans of the Riverfront, the Landing, the two proposed hotels that are planned for downtown. Partially because whenever we stay at the Courtyard, the rates keep going up and up and up. All of that is additive to creating a more vibrant and successful downtown. The other thing it does is that it gives people more destinations in which to go which enables you to start connectivity. It enables visitors to the community to stay longer because they have more places to go and more places to do. The other thing I will mention is that while I think it took great leadership and initiative, and I applaud this community I am from Fort Wayne and was born and raised here.

Josh Parker: Where did you go to high school?

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Jeff Kingsbury: I went to Homestead. I was born at the old Lutheran Hospital. That investment, which had about \$120 million between Harrison Square and the ballpark, 56% of that which is \$64 million, was public money. I think the community needed to do that. It needed a catalyst to start to allow Ash and the other projects that have happened downtown to occur. What I think is different about Electric Works is that we now have the adaptive reuse of this historic campus the opportunity to leverage those public investments which by the nature themselves don't pay taxes. Electric Works will. It is a way to harvest the value of those public dollars that have been made in quality place investments. As Josh said, that is the currency of talent. There is like 3.1% unemployment in Fort Wayne right now. We don't need jobs. What we need is people. We need to grow talent and we need to attract talent. This is the kind of project that allows that to happen.

Josh Parker: Also, I think imbedded in that question is that the good news here is this doesn't require a tax rate increase. This can really be financed off its future economic impact. That is what is important to us. Demonstrating that the project can be viable and sustainable and pay those taxes, what we are doing is making an investment today for that future stream of revenue that wouldn't otherwise exist. Right now that site pays about \$100,000 in taxes. As we had estimates that the demolition and cleanup of that site would cost about \$30 million to get you just to a piece of dirt and so the idea that we can leverage \$156 million through the \$65 million invested on the back of new tax revenue generated by the project that otherwise wouldn't be there. If you think about the entire infrastructure around there, the streets and roads and bridges that continue to need maintenance and repair, the tax base is not growing on its own to take care of that. Making this investment provides an opportunity to not only get a return on that investment but also raise that tide and grow that pie so additional economic activity can happen. Taxes increase for income and property all around the area.

Joel Benz: Tom, before you go on, we are rapidly approaching an hour and we are going to lose two of our members here and are going to be almost short of a quorum to get our regular business done. We have another ten minutes here for questions but please, let's keep it brief. I really hate to do that because it is important...

Josh Parker: We are available for any additional conversations.

Tom Harris: I guess my final comment was thank you for this interest in Fort Wayne and Northeast Indiana and Allen County specifically. That notoriety is already gaining national attention to this area. Thank you for the interest. I look forward to talking to you further. The Commissioners, understanding where they are, understand where we are and while it sounds at times like Council and County has lots of money we are fiscally conservative in the County and we know our debts and things that are coming at us that aren't necessarily public but we forecast and try to pivot and make sure that we are prepared for that. So that will be something that we factor into this entire process.

Joel Benz: Councilwoman Tucker.

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Sharon Tucker: Thank you for the presentation. I will be brief but I think it is important to note that the project you have put forth is bold and courageous but I also think we can't forget in this course of moving forward individual's feelings and emotions like Denny that came to the table. There are a bunch of people that he represents even though he is the only one that has come that feel the exact same way. I think we need to be mindful of any project that moves forward and one that the Council, whether we fund or not fund, we have to take into consideration that it is not just the City whose dollars we would be guaranteeing but it would be the entire County's dollars. What attraction or what investment do they gain? Everything that you said and even in your presentation has been how the City would benefit and how the growth would help the community and this area. But what does a farmer way down on the south side of Monroeville gain from us investing his dollars into this project? I think that is something that is very important. Denny represents a large group of people that feel that way. I almost fell out of my chair when you said rising tides raise all boats because I can show you a whole lot of boats on the south side of this community whose tides aren't, I mean they are flooding. Their boats aren't rising. That is a rough comment for me to receive but we can't forget that these dollars belong to other people other than just inside the City of Fort Wayne.

Josh Parker: Absolutely and I couldn't agree with you more. We think very clearly about that. When we think about how to generate some new economic activity, while we talk about that in terms of creating a return on investment for the public dollars, there are still public dollars going into the project and it is making choices about how to invest in the community and how to grow the community. We do think about this not just being about this site and this geography and not just being about the surrounding neighborhoods. We have thought about it in the context of southeast Fort Wayne and the context of the larger region in the State. Certainly in networking the State's assets to try to drive economic activity into Northeast Indiana and very early on we got the same question about what does this mean to the folks in the more rural areas and how does that affect their lives. I think two things that are sort of the low hanging fruit and one is creating a richer set of amenities and experience so that folks have a variety of opportunities. If you choose to build your life in a more rural area and whether you are a farmer or just enjoy that setting, having the variety of opportunities nearby that give you a place to go and eat or give you a place to go and enjoy the river or enjoy being downtown, public places or private places we know that quality of life is improved by having a variety of experiences available to folks. I think this is a unique region in that there are rural areas and urban areas so close together. The way we got to moving towards this food hall and public market was feedback that we got from folks in the farming community talking about the opportunities for commerce with their produce and their goods, meats or vegetables and how they get those to market and how they bring those in to be sold. As much as technology has advanced and E-commerce is great, there is still a very transactional person to person opportunity for building that sort of farm to fork getting people healthy and fresh foods that help the farmers sustain and support themselves. Having that market available I think is an opportunity for those folks who are farmers, in particular, to get their products into a market where they have an opportunity for a higher margin. We have heard from folks that are looking for ways to take what they are doing off of their farm and grow their business opportunities whether that is

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canning or processing that food in some way to be able to sell it at a higher margin and take it out of their kitchen and into a permanent facility and they don't have to make an investment of hundreds of thousands of dollars to buy all of the equipment, have the big cooking equipment and big tables and everything. They can pay as they need it to help scale and grow their business. We brought in a consultant out of Maine who has been successful working around the country in helping to engage specifically the food economy and we have him working now identifying some of those folks that may be out in the community interested in this type of thing to figure out exactly what types of facilities we need to build and what types of services we need to offer that are going to be engaging. We are investing that early private capital to invest it in a way to be supportive of not just the people who live and work on the site but really the whole region.

Joel Benz: Councilman Busch has a quick comment.

Justin Busch: Justin Busch, Carroll High School. I just want to thank you for coming in today and the presentation. I have appreciated the dialogue so far and you are going to be good stewards to your investors and the money on our side. We have a lot of questions when we are good stewards of the taxpayers' money that we have been entrusted with. I think the prospect for all of Northeast Indiana is exciting and I look forward to continuing the dialogue and this presentation brought some new information to light as well. I look forward to continuing that dialogue when we have more time to talk.

Joel Benz: I do have two questions. One is you spoke about \$30 million in remediation cost. Do you feel that is about the number?

Josh Parker: That is not just for remediation. We had an estimate if all of the buildings were demolished, the site was remediated and the site taken to a green field site. We have just gotten bids released for the environmental remediation and will get some accurate pricing back here soon. The largest cost related to the environmental remediation is lead paint and asbestos just given the volume of it through the buildings. The environmental contamination on that site is not significant because GE owned the site for a long time and was a good steward of that. We have to close out a path with IDEM at the State level to clean up any remaining soils and then the asbestos and lead.

Jeff Kingsbury: Some people suggested demolition of the whole campus and what we were pointing out was to do that the demo cost would be about \$30 million. Plus the opportunity cost of losing State and Federal tax credits which is about \$64 million.

Joel Benz: My other question for you is at the end of the day, if this project goes to fruition, who ends up owning it?

Josh Parker: RTM Ventures is our group of development partners and as you see from public records, Broadway Redevelopment Partners is a partnership between us and limited partner investors. That entity owns the projects subject to the debt and mortgages and liens that are on it. As I mentioned before that our intent is as investors want to try to move out of the deal, we want to stay in the deal long term continuing to build out across

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multiple phases. We, as a partnership, stay in control of the property and of its management and our intent is to do that long term.

Joel Benz: Thank you, gentlemen, for your presentation. We look forward to interacting more with you in the future.

Larry Brown: I will make a comment to Council while we are changing people here. In my time on Council, there have been two subjects that I have gotten contacts from citizens on. One was misinformation when supposedly the dogs were going to be taken away from the Sheriff's Department. The K-9 units were going to disappear. The other one is this.

Joel Benz: Next up is Economic Development.

Elissa McGauley: Elissa McGauley, Department of Planning Services. For your consideration this morning, there is a resolution that authorizes the Allen County Redevelopment Commission to execute a lease with PB Development. I will just kind of go over the history here. Back in August, PB Development and Michael Kinder and Sons presented a proposal to the Commissioners asking for their financial support on a shell building on the corner of Fogwell Parkway and Lafayette Center Road. It is a 100,000 square foot shell. Later on in the fall you guys approved a ten-year property tax phase-in on that building. Last month you heard a presentation by Chris Cloud and Bill Fishing explaining how the Board of Commissioners would make its commitment to PB Development supporting their interest cost on the construction loan with the repayment of the same through a TIF lease. We failed to get your approval on that lease. Leases need to, under Indiana Code in the Redevelopment portion of leases and loans, leases and loans need to go to the fiscal body to be approved before our Redevelopment Commission can enter into any lease. Before you this morning is a resolution approving the execution of that lease as part of this deal. I have tried to keep it as short as possible but would be open to any questions.

Tom Harris: With that as liaison to Redevelopment, we have had a chance to kind of talk through this. Because of the newness of this for Allen County, and again this is an example of us being strategic and innovative in terms of how we deal with some of the economic development issues. With that I will move for the Resolution 2018-04-19-02 approving the execution of a lease agreement between the Redevelopment Commission and PB Development, LLC.

Larry Brown: Second.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Tucker)-1 (Armstrong absent).** Next on the agenda is Human Resources and discussion of the amended salary ordinance regarding the UPROB grid.

Charity Murphy: Charity Murphy, Human Resources. Council, as you remember, last month we initially brought a proposal to amend the UPROB grid. We tabled that

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discussion partly because that was a marathon Council session but also so we could get new figures and allow the members to review the proposal. So, we are back today to field any questions for further discussion. Quick background, I know we discussed it, as a proposal this would amend the UPROB grid and would affect both Youth Probation Officers in the Allen County Juvenile Center as well as Adult Probation. You will notice on the agenda as well that there is a second proposal to discuss moving the Adult Probation Officers to 40 hours. I think we should discuss those two items separately but as it currently stands, Juvenile Probation Officers are on a 40-hour work week and Adult Probation Officers are on 37.5. The goal in the overall proposal was to get the UPROB grid to be more equivalent to similarly situated employees on the PAT grid. When we did an analysis we found that Probation Officers were at a level equivalent to PAT 4 and so that is what we initially used as a comparative figure in coming up with a proposed new UPROB scale. I think everyone had in their packet the proposed scale, the current UPROB scale and the current PAT 4 scale. Some of the things, just to point out that were concerning, initially, was the fact that the current UPROB scale starting wages for a Probation Officer are approximately \$12,000 to \$15,000 lower than those starting out on the PAT scale. When you are looking at positions that you are recruiting from the same applicants, it is harder for the Probation Departments to attract top talent when their starting wages are so much lower. As you follow through the different steps on the grid, the scale starts lower and remains quite a bit lower than the PAT grid until farther down in the steps and until someone has been here 15 plus years that is when those two scales become closer. The proposal would basically move up the starting wages for the Probation Officers in the initial years and then kind of slows down the increases towards the later year and matches closer to what the current UPROB grid is. Joel, we have had some dialogue back and forth about the proposal and Joel had come up with an idea. Do you even want to discuss that?

Joel Benz: Let's wait a minute. I would like Mr. Zimmerman to talk a little bit about why he feels important and we can take a look at it as it is presented here.

Eric Zimmerman: Eric Zimmerman, Circuit Court Chief Probation Officer in Adult Probation. This was brought to us as an issue because of pay equity across the board. We used the expertise that HR brings to the table. All Probation Officers have to have a four-year degree. The equal education for employees in a PAT grid and it became very apparent that there we are having difficulty getting top talent. I wrote it down because I think it is very important but talent is the new driver for economic development. I think it is important that we recruit and keep top talent here. It is very difficult for us to compete in the Criminal Justice environment when we are paying so much significantly less in Allen County. There are many other positions in our departments that don't require the level of education or the level of continuing education and are actually making more money. I guess, at the end of the day, I encourage you to trust your HR Department and the data they bring to the table. It seems to me that the time is right economically to make this right and I encourage you to approve it as it is submitted.

Jamie Mann: Jamie Mann, the Chief Probation Officer with ACJC and the juveniles. I second everything that Eric says. Not only is there inequity amongst the different County

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departments but as I shared with you the last time, I showed this grid of the employees at the Allen County Juvenile Center. Internally, I struggle with my Probation Officers being paid less than Office Managers and Court Reporters and some of the employees at the Detention Center who do not require a Bachelor's Degree to have those positions. I think a few months ago when we initially started talking about this there was discussion of turnover rate. I put some figures together and over the past six years I have had a 54% turnover rate with my probation staff, thirty-six of those leaving in less than one year after being hired. I lost another one this week to the Prosecutor's Office. I have another one interviewing with Community Corrections. These are my young Master Degrees very promising employees. They want to make more money. They are men and want to support their families and it is very unfortunate.

Joel Benz: I understand and I think that there is some equity issue there and certainly on the frontend of the scale. From our side of the table, when I look at this I see and Councilman Brown has been real consistent in pointing out, if all of the County Departments were not living within their budget we would have negative spending. We would not be financially balanced. Our revenue expected this year is less than if you spent the full amount of your revenue every year. I think he is correct in pointing out that we do have some excess funds but that is because all of you have lived below your means, across the board. Each department has, for the most part, come in under budget every year. While it does appear that we do have funds available, we have to be very careful in the way we handle those. That's why when Charity says there has been some back and forth and I talked to Eric a little bit here too that is why we have been real careful in moving forward. Councilwoman Tucker.

Sharon Tucker: Jamie, my question is really for you. You made reference to the Probation Officers making less than the Office Managers. Aren't the Office Managers the positions that we eliminated a couple of months ago?

Jamie Mann: We did eliminate three of those but we do have other Office Manager positions within our organization that are stationed at the Detention Center.

Sharon Tucker: Okay.

Joel Benz: Councilman Tippmann.

Eric Tippmann: How many people does this directly affect?

Jamie Mann: With me it is 42.

Eric Zimmerman: With me it is 25.

Eric Tippmann: There was another division, wasn't there?

Charity Murphy: Just those two.

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Eric Tippmann: I think it is interesting that I wonder if your turnover is tracking exactly like the economy. If we are getting better we have 3.1% unemployment and if that is just what is happening across the board. I am also wondering if you have tried other things. Before I would approve this, I would like to hear that we tried X, Y and Z to be creative to find a solution to your problem and none of those worked. Then you came back to us and said that you had tried all of these things and they didn't work. Have you tried anything? I was just sitting here thinking, a bonus, a starting bonus. Get them in the door, they have some immediate debt and we could do some kind of bonus. Just throwing that out there but three things you tried and they didn't work.

Eric Zimmerman: As far as retention goes?

Tom Harris: And recruitment.

Eric Zimmerman: Obviously we are very connected and have a robust intern program that we utilize to bring college students in to get them acclimated to our environment. That certainly helps. One of the things we do is try to create a work environment that is flexible that incorporates various decision making. It makes them feel part of the overall mission and held accountable for the outcomes. I think that has been very attractive to our employees. I suppose the third thing is that at the end of the day, we put forward a product that can be very difficult to work with. We work with individuals who are on the wrong side occasionally. We try to rehabilitate and save money outside of incarceration. Our people are having an effect on the bottom line in this economy in many ways. The more successful we are, we have less than a 10% revocation rate in Adult Probation. Those Officers are doing work that is very valuable. We have software that manages that process. We wrote a grant last year for \$25,000 that literally uses biometrics to check offenders in. They do a fingerprint scan and we know how long they are in the waiting room. We know how long they are with each Officer. We know what is being discussed with each Officer. We have goals and outcomes and we measure those again so that we can provide, as a management team, feedback to the employees. Those are three things, Councilman Tippmann, we do in Adult Probation to try to attract, retain and provide data back to our employees so that they know what they are doing is having an impact.

Eric Tippmann: I have a couple more. I don't support this and that doesn't mean I don't trust my HR. You couched it in this kind of context where I need to trust my HR and if I don't approve this, it means I don't trust my HR.

Eric Zimmerman: I was just encouraging.

Eric Tippmann: Is the emotional argument about people supporting their family and if we don't do this, people can't support their families? A kid knows that starting out of college where they are and planning their family and what they are going to have and so I don't appreciate that argument or influence me in the way you probably wanted it to. That is where I am with this.

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Joel Benz: That being said, I too had some reservations. I spent some time and looked at some alternative structures to what has been presented. I talked to HR and they had some additional thoughts. I emailed out, after talking to some of you, some of my thoughts and HR had some additional thoughts.

Charity Murphy: After some discussion and I just want to point out before we discuss the grid that this all did initiate from HR. At the time, when we initiated this discussion, it wasn't with any knowledge of turnover or the thought of retention or recruitment. It was really focused on the equity between departments. This is one grid that was not last year when we did the re-evaluations. These positions have fallen behind farther after the PAT grid was raised. If you look at this grid, you will see the five different or six different columns. The first one is by year. The second column has the current UPROB grid by year. The next is at a PAT, 40 hour work week. The fourth column is what we initially proposed to you. With some dialogue, Joel came up with a proposal that would have a lesser fiscal impact. We had a few concerns with that proposal and so we came back with another proposal. Just to muddy the waters, we have 20 different proposals here. Joel's proposal was lower than the initial HR proposal and one of the things we had our first concern with was Step One. He had the idea of a probationary period. I don't disagree with that at all. My concern was if we put the probationary period at too low, it kind of frustrates the goal of recruiting at a good wage because we have to advertise at the rate they are starting at. Even if they are going to move up in six months or a year by \$12,000 and is significant, we still have to advertise that to the public when we are posting jobs at the \$36,000 rate. The other concern was that as the steps to go through the proposal was pretty stagnant from year one through year ten. All we did was mimic the PAT grid where there is a five percent increase at different steps. We added in a little bit more of an increase, as you can see. Not significant but still provides but lessens that impact. We are not Nick and so we are not fantastic at numbers but Mary did look at it and I think the initial proposal, based on what Nick had, was around \$350,000.

Nick Jordan: For 37.5.

Charity Murphy: For 37.5. This would lessen that amount by approximately \$150,000 to \$160,000. Again, Nick may come up with different numbers. Not that you have to do it right now.

Eric Zimmerman: I had the opportunity to review this and I honestly have some concerns with it. With all due respect, this seems like it is a fiscal issue now. Again, I can respect that. The UPROB grid seems to be the last grid that is being addressed by this Council related to pay. Competitive pay related to the City perspective and the private market perspective. It is not to undervalue the economic impact of this proposal. I understand that living within your means. Maybe there is some time to study this a little closer and come up with an amenable, if it comes down to a fiscal impact. Outside of that I think there are lots of reasons to support it. I will leave it at that.

Joel Benz: Councilwoman Tucker.

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Sharon Tucker: I would like a little more time to review the numbers that we have. I think it might need to be tabled to go over what you have presented. You have put in a lot of work and thank you for doing that. I would also be remiss if I allowed the record not to reflect my objection to the comment that these are men that have to support their families. We have women that support their families as well. We don't want our citizens to think that we only see things one way. I am going to balance that out that we care about the women as well as we care about the men that work for the County. We all have families to support.

Jamie Mann: When I made that statement, I was referring to the two people that I had recently lost.

Joel Benz: It is worth noting on that note that we don't look at those statistics either way.

Eric Zimmerman: Seventy percent of my Officers are female.

Joel Benz: Council, do we want to make a motion or table this for further review?

Eric Tippmann: They both require a motion, don't they?

Joel Benz: Yes.

Eric Tippmann: I will make a motion that we table.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second to table this pending further review. All in favor say aye, those opposed, like sign. The motion passes 4-2(Benz & Busch)-1(Armstrong absent). This is tabled until next month.

Eric Zimmerman: The second part is the 40 hour work week. I sent all of you some data that basically analyzed the amount of overtime that was worked for 2017 and the first quarter of 2018. I think you will see that 94% of our overtime issue in Adult Probation, by the way when I talk about overtime it is not paid overtime but just compensation that they take later. I don't have an overtime budget. Ninety-four percent is from 37.5 to 40 hours. Roughly, my calculation is 97% is earned in less than 30 minute increments. By way of example, and I know your time is short, court runs over, they get back from court at 4:30 or an offender shows up at 11:45. They can't say they are going to lunch, sorry. A lot of that is earned not necessarily in the workload but the unexpected aspect of our workload. I think a 40 hour work week, and I did put some numbers in the data that would significantly reduce the amount of lost productivity days from 64 down to five. I would encourage you to move the Probation Officers to a 40 hour work week. I think that is going to help us manage our overall workload. As a side note, it will also match the other supervision agencies they work 40 hour work weeks. Given what Probation does, Criminal Division Services does with their Case Managers as well as Community Corrections and their Case Managers all work 40 hour work weeks.

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Joel Benz: When you say manage, obviously we are on the budgetary side of things, how do you feel that is going to play out?

Eric Zimmerman: As far as if this goes into effect?

Joel Benz: Yes.

Eric Zimmerman: Obviously there is a fiscal impact to working 40 in lieu of 37.5 hours. It certainly makes our lives easy as far as managing all of those days and trying to have Officers take those days in a way that doesn't self-create more problems. If I take a day off then I have to work more to get myself back as far as comp time goes. Councilman Harris.

Joel Benz: Go ahead, Councilman Harris.

Tom Harris: This would be, in essence, would be some kind of a pay increase for those incumbents. For that reason, along with this discussion, I would make a motion to table this as well so that this is taken into consideration when we talk about pay increases for employees we should also be thinking about how does the 40 hour increases their pay as well. I will make that motion to table.

Eric Tippmann: Second.

Joel Benz: **We have a motion and a second.** Personally I think this is worth moving forward today. I think it's something that will help him manage things better and could start right away. **All those in favor of tabling this for next month, signify by saying aye. All those opposed, signify by saying aye. The motion is defeated 2 (Harris & Tippmann) – 4 (Busch, Tucker, Brown & Benz) – 1 (Armstrong absent).** Do we have a second motion or any questions?

Larry Brown: I agree with your comments and for that reason I will make a motion to approve the request to go to a 40 hour work week.

Justin Busch: Second that motion.

Joel Benz: **We have a motion and a second.** Councilman Harris.

Tom Harris: When we take into consideration of these pay increases that we also understand what the 40 hour will be as part of that. When that discussion is taking place I want to understand how much the increase is for the 40 hours and the overall impact to the County.

Joel Benz: Absolutely. **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 4-2(Harris & Tippmann)-1(Armstrong)**

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absent). Next on the agenda is the Sheriff's Department. I believe Councilman Busch is going to handle that.

Justin Busch: As liaison to the Sheriff's Department, these are both grants that they are looking to apply for and have applied for them in the past. I talked to Sheriff Gladieux and Chief Deputy Edwards and told them I would carry this today. Both of the grants have been granted in the past. The first one is for cameras for around \$13,000. The second one is for a grant that comes from the State and is conducive on how many of those folks we will see in the jail system. Just so you know, the Criminal Alien Assistance only applies to those that have a felony conviction or multiple misdemeanors.

Joel Benz: Any questions, Council?

Justin Busch: I will make a motion for permission for the Sheriff to apply for the Drug and Alcohol Consortium grant for in-car video cameras in the amount of \$13,090 and also permission to apply for the SCAAP grant.

Tom Harris: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (Armstrong absent). Next is department 49, NIRCC and Dan Avery.

Dan Avery: Dan Avery, Executive Director of the Northeast Indiana Regional Coordinating Council. I have a couple of proposals to move some money around and then appropriate some additional funds that we have available in the Water Trails Fund. The first one is for Contractual and I would like to move \$6,000 out of that and put that into Extra Deputy Hire. I don't know if you want to deal with these separately or all at once. They are all relatively small. The second item is moving money in the Northeast Indiana Water Trails Fund of \$500 out of Stationery and Printing and into Contractual. Then there is an additional appropriation of \$2,000 into Contractual in the Water Trails Fund which is all private donations and sponsorship of different events.

Joel Benz: Council, are there any questions?

Justin Busch: I think Mr. Avery has good knowledge of his budget and I would like to make a motion to transfer the \$6,000 in the NIRCC General Fund from Contractual to Extra Deputy Hire as well as \$500 in Stationery and Printing to Contractual.

Joel Benz: We have a motion, is there a second?

Eric Tippmann: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (Armstrong absent).

Dan Avery: Did that include the \$2,000 for Contractual?

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Justin Busch: I am going to amend that motion to include the...

Joel Benz: Just make another motion.

Justin Busch: I will move for the appropriation in the Northeast Indiana Water Trails Fund 856 in the amount of \$2,000 for Contractual.

Eric Tippmann: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (Armstrong absent). Okay, Youth Services Center.

Chris Dunn: Chris Dunn with Youth Services Center. I am here to appropriate some fund from our Placement Fund 737. We are requesting \$15,000 because we need to become an accredited agency. This is based on Federal legislation that passed in February with the Tax Relief Bill. All agencies that are receiving Title 4 funds are required to be accredited. I have reached out to COA and started that process but I need to have some funds available to make an initial payment before they actually start. Are there any questions regarding that process?

Sharon Tucker: I will make a motion for the appropriation in Per Diem Fund 737 in the amount of \$15,000.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (Armstrong absent).

Chris Dunn: I want to make it clear that I will have to come back for more. I am not asking for it all upfront. We won't know how much the actual process costs until we get into it. It is going to be roughly an 18-month process but I don't need that much upfront. We are going to be working with someone and I'm working on a contract that will help walk us through this process. I do plan to raise our per diem. Someone on the Council, I think it was Larry, asked me to check on rates. I have all of that and can send it to you. Our current rate is above the average and is also above the median for shelter care. I do want to increase it again and I'm waiting on our cost reports to come back. I am hoping to get back all that we request in the accreditation and I think it will set us in a good place for the future. The second thing I am bringing here is a mistake that was made when I was here the last time. We don't have 37.5 hour work weeks at YSC. All of our staff is on 40. I am not sure how or why 37.5 was put into the original request but everything we do is on a 40 hour work week.

Nick Jordan: It was submitted by HR and the Personnel Committee as 37.5 and so that is what was put into the salary ordinance.

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Eric Tippmann: I trusted those people.

Nick Jordan: Whoever reads the motion, it has to be retroactive to December 21, 2017.

Sharon Tucker: I would like to make a motion to amend the salary ordinance for the Youth Care Specialist, PAT 3/2 from 37.5 hours per week to 40 hours per week and amend the salary ordinance for the Youth Care Worker, POLE 2/2 from 37.5 hours per week to 40 hours per week and retroactive to December 21, 2017.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (Armstrong absent).

Nick Jordan: The next item on the agenda is simply a correction. You previously appropriated these dollars in Fund 223. The State said they wanted those in a separate fund and we created a new Fund 226. All we are doing is appropriating these into the new fund.

Justin Busch: I will make a motion that we approve the appropriation in JDAI Performance Bonus Grant Fund 226 for a total of \$38,543.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (Armstrong absent). Next up is Superior Court.

John McGauley: John McGauley, Court Executive for Allen Superior Court. I promise this will be among the easier questions you've gotten all day. We are asking for you to appropriate a grant that we already have in hand from the Indiana Supreme Court. This is our fourth year in a row being able to get this grant to pay for a summer intern through the Indiana Conference for Legal Education Opportunity. This is something that the Supreme Court does to promote diversity in the bar which is in very short supply in the State of Indiana. Somehow or other, Judge Davis has managed to get this grant four years in a row even though they only give out a handful of them statewide. We've had the good fortune of having an intern through this program for four consecutive years. The last three years we managed to find a law student from either Fort Wayne or Allen County and that will be the case this year. It has been a tremendous opportunity and that is what we need to do today is simply appropriate the dollars. The student that we have this year is coming from the IU Law School in Indianapolis. She is a graduate of Snider High School and we will be privileged to have her.

Tom Harris: I will move for the appropriation in the Legal Education Opportunity Fund 850, Extra Deputy Hire in the amount of \$5,625 and in FICA for \$375 for a total of \$6,000.

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Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-0-2 (Armstrong and Tucker absent). Now we have Parks Department.

Jeff Baxter: Jeff Baxter, Superintendent Allen County Parks. Thanks for letting me come today. It has been a long morning so far and I will make it quick. We had a 1999 Ford truck that we made work for 19 years. It went down and was red-lined by the Service Center earlier this year. We had Purchasing get us some quotes on vehicles. Most of those quotes were twelve to fourteen weeks out on a one-ton dump truck. The truck we had was with a dump bed insert and was better than shoveling things out. There was a dump truck with a bed at Summit City Chevrolet that was basically the same price. The Park Board voted to go ahead and purchase that one so that we could have it and plow snow now and use it this summer otherwise we would still be about eight to ten weeks out. The Park Board directed me to come to you and ask for half the cost of the purchase which would be \$24,403. If you would approve that, it would be fantastic. If you don't approve it we will defer some maintenance. We have funds in our non-reverting operating fund to cover it. We feel it is a County vehicle and has to be maintained by the County Service Center and is subject to the red-line policy.

Eric Tippmann: Nick, what is the balance of their Parks and Rec General Fund?

Nick Jordan: Over \$600,000.

Eric Tippmann: Is that more than they are requesting here?

Joel Benz: No. I will answer that question for him. I will also say that typically we really appreciate it if you come to us ahead of time if you are going to make requests for purchases like this rather than coming retroactively. I didn't realize you had already purchased it.

Jeff Baxter: Yes, I had talked to Councilman Armstrong before we made the purchase but unfortunately there were some time constraints on getting the vehicle or ordering a new vehicle.

Joel Benz: Council, does anyone care to make a motion at this point?

Larry Brown: That is what Council's Capital line item is for. I realize that the circumstances were such that it couldn't be a part of the regular budget cycle, as Jeff has indicated. They had anticipated that it would last another year. I assume it would have been on their 2019 budget. With that explanation, I will offer a motion to approve the request.

Eric Tippmann: From which fund?

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Larry Brown: Council's Capital.

Eric Tippmann: Why can't we take this all from the Parks and Rec Fund?

Nick Jordan: It has already been done. So that you can understand the full scope, Jeff charges admission fees to get into the parks and those go into his Fund 217, the operating fund and they don't go into the General Fund. That is why that fund has the balance it has. It has grown over the years and as Jeff said, he has maintenance and future projects. Nonetheless, the balance is what it is. He has already paid for it from his special revenue fund and if you were to pass this, we would do an accounting correction and the fund would be made full for the \$24,403. It would come out of the General Fund and again, none of the fees go into the General Fund. It is kind of contrary to Building Department or Planning Department where their fees come into the General Fund. The parks fees go into their special revenue fund.

Jeff Baxter: With that said, I pay all of my own bills.

Nick Jordan: You don't have any General Fund expenses?

Jeff Baxter: My salaries.

Nick Jordan: That is the majority of any operating department is the salaries.

Jeff Baxter: Right but if my Maintenance Department goes out and drives this truck and uses two gallons of gas, I need to get five or six people to pay two dollars each to get in. They spend \$100 I have to get 50 people to come through the gate.

Justin Busch: I will second this and to your point I think you were hoping to get one more year of life from this truck and unfortunately it didn't make it for you. The planning of the truck not making it an extra year brings it to the table. For that reason, I will second your motion.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion is defeated 3-1(Benz)-3(Armstrong, Harris and Tucker absent).

Justin Busch: The winter is going to break and the people will come to the park. Good luck this season and you probably have people braving the weather but we will come see you when it gets sunny out.

Jeff Baxter: Come see me Sol Fest weekend, May 5th and 6th.

Justin Busch: If Sol shows up, I will be there.

Jeff Baxter: Thank you for your time.

Joel Benz: Auditor's Office.

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Nick Jordan: I will make my explanation quick and you guys can ask questions. This is the largest appropriation you have seen this year. It is from the IRS audit and was not a complete surprise. They are looking at a period from 2015 through 2017. The biggest piece, we do not anticipate spending this much but I am just asking higher than what we anticipate so that I don't have to come back in case the audit period would expand and they find something else. The largest piece of this is the three percent PERF that employees pay is subject to FICA tax. When that was switched in 2012, the change was never made and so the error incurred and we haven't paid FICA tax on it. That is the overwhelming majority and could be \$750,000 to \$900,000. The second piece is we have a Wellness benefit. You get a gym membership or a personal trainer and you get reimbursed for that. The IRS looks at it that we are paying you and getting money that is subject to tax and not just the reimbursement. That is subject to income taxes and FICA. The third piece is the Early Retirement Incentive Plan and has been around since 2006. Just now, the IRS is looking at it as a constructive receipt. What that means is that even though you choose insurance, you have been offered \$350 or whatever the cash payment is, you are subject to tax on that money even though you never took it. Either way the second two pieces of Early Retirement Incentive Plan and the Wellness are smaller, they are still a couple hundred thousand dollars versus the three percent PERF and FICA which is a larger amount because you are talking about the County as a whole. I will not one positive aspect of it I mentioned the three percent PERF and that started in late 2012 the IRS is only looking at a window of 2015 through 2017. We potentially, from 2012 up to 2015, are okay. I want to be clear that this is just taxes. It is just like property taxes. If you don't pay your taxes, we sell your house with no penalties. The IRS has been very cooperative. Jackie and her staff have been very responsive. The HR Department has decided they want to have an attorney look at the Early Retirement Incentive. I wasn't necessarily on the same lines of it but so be it, they can do what they want. They have an attorney looking at it and we have executed a Power of Attorney and he is discussing with the IRS Agent that part. That being said, if anything would change with the Early Retirement piece, I still feel a million dollars on the other two pieces would be taxes due. You can't get away without paying payroll taxes.

Larry Brown: Nick, my experience is all IRS opinions are just that. An interpretation of an elaborate, complicated, extensive and what other word could I use, a conglomerate of tax code. What, if any, steps is available to the County to review, dispute, question or challenge?

Nick Jordan: The largest piece, the three percent PERF, I would say close to zero. The reason I say that is this is specifically noted in the ordinance passed by Council and provided by INPRS. It is subject to FICA tax. Not to income tax but to the FICA tax. It was clearly just an error. We didn't intend to evade taxes.

Larry Brown: That was out in-house error.

Nick Jordan: Yes. I don't think there is any argument. We have already told the IRS that we agree, informally. The Wellness benefit, the City went through this last year and we

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have very similar plans. The City gave us a heads up that you might want to change this. We actually made the change in 2017 and start taxing the Wellness benefit. We have already changed that procedure and to argue now, we really can't. For the fact that the City has agreed to it, we have identical positions and their attorneys have looked at it and I don't want to exhaust any effort and/or expenses on our end. I look at it as really besides this two-year period of back taxes, the future taxes are on the employee. The income tax is the highest piece at 7.65%. The Wellness benefit is about \$160,000 a year overall is not substantial. I don't know if it is worth it since the City has already settled on their piece two years ago. As I said, the HR Department is having an attorney look more into the Early Retirement Incentive and potentially that may be a moot point.

Eric Tippmann: Would those taxes have normally been paid by the employees?

Nick Jordan: Half of it would, yes. Since it is back you can't go back and take it from the employee. The income tax piece, 25% is what the County will have to pay. If you took 15.3%, FICA is 7.65% times two, plus the 25% on the Wellness benefit that has to be paid. The Early Retirement Incentive, the three percent PERF is just FICA tax 15.3%. As I noted because of the late 2012 to 2014, we kind of wash away some of that because we didn't pay anything, not that I wanted to say that publicly, but that is what it is and the fact is we have to submit corrected W-2's so that the employees get the Social Security and Medicare accounts corrected for the statements that say you have worked this long and this is what your benefits would be in the future. We are working with IT to do a one-time upload for almost 4,000 corrected W-2's.

Eric Tippmann: One way to describe what happened is that for that time period we were giving the County employees a bonus?

Nick Jordan: It is an unintended benefit that they received.

Joel Benz: Leave it to the Federal government to come in.

Justin Busch: I think the County is well served when the Honorable Nick Jordan and the IRS is getting along.

Nick Jordan: To date, we have not had one penny of penalties be mentioned.

Eric Tippmann: You can't use your fantastic math skills to get us out of this?

Nick Jordan: No.

Eric Tippmann: You tried though, right?

Nick Jordan: Math is not going to get you out of an IRS audit. You can try to bend the numbers all you want.

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Justin Busch: The IRS is a super opponent. I will make a motion for the appropriation in the Auditor's General Fund in the amount of \$1.5 million in FICA.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion is defeated 4-0-3(Armstrong, Harris and Tucker absent).

Eric Tippmann: I would like us to remember that unintended benefit at COLA time.

Nick Jordan: Commissioner Peters has noted that same thing.

Joel Benz: At this time we are going to move on to Discussion and Other Business. We had on the agenda a discussion of LIT projects but that has been pushed off. Councilman Armstrong had requested that and I talked to him last night and he was amenable to it not occurring today. I think we will save that for another day. Resolution 2018-04-19-01 concerning the Rainy Day Fund is somewhat my proposal. I feel like our operating budget has increased and the Rainy Day funding has not increased. I think it is fiscally prudent to maintain a budget of about 15% of our operating budget. Nick, you may have the numbers there but it is about \$1.7 million that will get us to that 15%. I also think, in light of budgetary requests that we may be moving in the future, I think it is wise to have this piece put where it needs to be so that we are ready for any downturn in the economy that may occur in the future. We have discussed this a little bit in the past. Council, do you have any questions about this?

Justin Busch: I think it is a wise and prudent move.

Larry Brown: Is that a motion?

Justin Busch: That is a motion. I will make a motion that we approve the resolution for transferring funds in the County General Fund to the Rainy Day Fund. The Allen County Council is the fiscal body of Allen County and has agreed to transfer an amount not to exceed \$1.7 million of unused and unencumbered funds from the General Fund to the Rainy Day Fund.

Eric Tippmann: Second.

Larry Brown: Do we need the resolution number?

Nick Jordan: If you can. It is on there if not.

Justin Busch: Resolution number 2018-04-19-01.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 4-0-3 (Armstrong, Harris and Tucker). The other piece of business this morning is Stacey O'Day has worked hard to get the PTABOA Board replacement. They have a lady, Patty Tritch, who has expressed a willingness to serve on

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that Board. I believe she has been vetted and unless you have any questions, I would entertain a motion to appoint her.

Eric Tippmann: I will make a motion that we appoint Mrs. Tritch to the PTABOA Board.

Justin Busch: I second that motion.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 4-0-3 (Armstrong, Harris and Tucker absent). Nick, maybe you can explain this one a little better.

Nick Jordan: Back in 2011, the Joint Oversight Permitting Board was created based on the notion that there were problems within the permitting process. Nonetheless, here we are in 2018 and the activities have been few and far between with the Permitting Board and there is a Permitting Leadership Team. I didn't even know it was being amended by Kate Love-Jacobson but they said in January the parties to be wanted to continue that agreement. The expenses are very minimal and the highest expense is Kate Love-Jacobson's salary which is split 50% with the County and the City. There are also some potentially smaller projects going on that haven't had much progress in the last year. Or I guess we haven't been billed in the last year.

Larry Brown: Just a heads up that there will be a little bit of an increase, and I don't really know what that means yet, in the 2019 budget for a yearly review from a high level tech person to basically do a checkup on the computer systems that we are using for permitting related activities. Acella is a very complex, interwoven system and when something goes wrong it requires a pretty high level of knowledge.

Joel Benz: What they were doing was applying patches from our contracted computer people. The Building Department came in and asked for \$100,000 last month and that gentleman has already come in and they had a report of the things he was able to accomplish. Pretty incredible in streamlining and instead of just patching stuff, he is going through and rewriting codes. Instead of their machine crashing consistently, NIRCC was one of the recipients of that and had all kinds of problems.

Larry Brown: And for a lot less money than the requested amount.

Joel Benz: Yes. So he did some really great things. That is what Councilman Brown is talking about.

Justin Busch: Did that sound almost like a motion, Councilman Brown?

Larry Brown: I don't think it takes a motion.

Nick Jordan: Yes, he has an agreement there unless you want to wait until next month.

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Larry Brown: There is no place for us to provide.

Nick Jordan: Yes, there was no place for you or City Council to sign Joel has the one with the official signature page. You have to approve it, City Council, the Mayor and Commissioners all have to approve it.

Larry Brown: I failed to look on the copy I had but is this a three-year agreement?

Nick Jordan: I really don't have a clue. Like I said, I didn't even know it was being brought forward again.

Larry Brown: Yes, it is three years. I will make a motion to approve the updated interlocal agreement for the Joint Permitting Oversight Board.

Justin Busch: I second that motion.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 4-0-3 (Armstrong, Harris and Tucker absent).** Are there any recent or upcoming meetings or liaison reports to give this morning? Councilman Brown.

Larry Brown: Unless you have your head in the sand, you know there is a lot of activity going on construction-wise in the area of Harrison and Superior. That location will be a prime location for river related exposure for any business that wants to be in front of people. The point of all of these comments is that Community Corrections, that location is not appropriate for Community Corrections for a lot of different reasons including finding a more appropriate location. They are landlocked. They are at capacity as far as the size of the building. There are a lot of reasons to find a different location. That process is underway and there are four to six properties that are being analyzed and reviewed as possible properties to relocate to. Just to give you a heads up, at this point we have no idea other than from a 50,000 foot level that it is probably a \$5 million to \$6 million project. How it gets funded is still way up in the air. There are a lot of different possibilities. The current property does have a very good value to it and so hopefully it will be sold but how fast that happens and Council might need to be involved in interim financing kind of thing maybe. Don't know yet but it's coming.

Joel Benz: Thank you, Councilman Brown.

Larry Brown: Approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of April 19, 2018.

Eric Tippmann: Second.

Joel Benz: **All in favor please signify by saying aye. The motion passes 4-0-3 (Armstrong, Tucker and Harris absent).**

Justin Busch: Move to adjourn.

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Larry Brown: Second.

Joel Benz: All in favor please signify by saying aye. Opposed like sign. The motion carries 4-0-3 (Armstrong, Tucker and Harris absent). There being no further business the meeting was adjourned at 10:41.