

**ALLEN COUNTY COUNCIL MEETING MINUTES
OCTOBER 18, 2018
8:30 AM**

The Allen County Council met on Thursday, October 18, 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, budget approval and any other business to come before Council.

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

Also Attending: Nick Jordan, Auditor and Jackie Scheuman, Finance and Budget Director

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 September 20, 2018 meeting minutes. Are there any additions or corrections?

Tom Harris: Move to approve the minutes from September 20, 2018.

Sharon Tucker: Second.

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

Nick Jordan: Good morning, Council. In your packet is the financials through September. You will see that Miscellaneous Revenue is trending very, very close to that but if you dig down into the details, you will see that a couple of them are substantially higher than estimated and carry the weight for a couple of others that are trending lower. The property tax revenues are reflecting around 50% based on collecting twice a year. I can take any questions, if you have them. If not, we will do the budget adoption at the end of this meeting.

Tom Harris: Just a question. Any idea where that might end up on Miscellaneous Revenue?

Nick Jordan: The two pieces that are significant is the Care of Federal Prisoners which is about 128% of estimated and my estimate would be that we will be 102% or 103% of our estimates.

Tom Harris: Okay.

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Nick Jordan: Excise Tax is another one that I didn't mention. A better economy and people are buying newer and higher tax cars, so to speak. That is driving that figure up also.

Larry Brown: I have a question. I don't recall and I didn't go back and do a history check but Public Defender reimbursement, does that normally lag?

Nick Jordan: Yes, we spend the quarter and then seek reimbursement. We will be at least a quarter that we turned in behind and depending on how quickly the State gets it back to us. Historically we will collect at least three quarters or maybe four and then the next year we may collect five. There would be a little bit of a variance there. Usually we get three if not the full year. The first revenues that we receive of any given year are usually from the prior year's last quarter expenditures.

Larry Brown: Thank you.

Tom Harris: Move for approval of the financial report.

Larry Brown: Second

Joel Benz: All in favor signify by saying aye, opposed, same sign. The motion passes 6-0-1 (Tippmann absent). This morning, total appropriations requested in the General Fund are \$22,595 and the total appropriations in Other Funds are zero. I would like to move into the Public Comment portion of our meeting. If there is anyone here who would like to speak on behalf of any of the things coming before us, feel free to come forward and be recognized.

John Estes: I am John Estes from the Town of Leo-Cedarville. I didn't plan to do this but I will speak, if I may. I am currently a Councilman and in my fifteenth year of being in office. I am 73 years old and have some gray hair. I am a degreed accountant and have done a number of different things with Mr. Jordan who is an awesome public servant. This particular initiative that is the rural improvement development project, I think is extremely valuable to our community and all of the communities that are involved. It is an absolutely great project because it has connectivity to each of the other communities through the trails project. I know Mr. Clendenen is here from New Haven and you folks have a number of things involved in parks. I guess my message is that I am here to encourage you to support this initiative because it is important for economic development. It is important for the actual living viability of our community and the other communities. I used to have a business in Grabill and I never could vote there. It was called the Grabill Fudge and Coffee Factory and Prince of Peace Gallery. We were custom framers. We had that business for fifteen or twenty years. I know the value, the absolute value, of connectivity. I live on the Leo-Grabill Road and we have an awesome sidewalk that goes from Leo-Cedarville to Grabill and because of where I live, I see the value of people using that as a trail concept to bike on it, walk on it and run on it. It is just an awesome thing for our community. I want to encourage you to be supportive of this project.

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Joel Benz: Thank you for your input. Are there any others?

Steve McMichael: My name is Steve McMichael and I thank you Council and Auditor for giving me the opportunity to speak. I am the City Council President of New Haven and also the Fifth District City Council Representative. Much of the investment in this plan for the New Haven portion of it is in my Council district and it builds perfectly on the investments that this body and Commissioners and many other groups including the CIB have built in Fort Wayne. With the close proximity of our Community Center to downtown Fort Wayne, to Riverfront, to Parkview Field and all of these amenities that have invested throughout the County in our urban core, this is a perfect build on that. As a tireless advocate for the subdivisions in my Council district, mainly Meadowbrook, this provides connectivity to the rest of the city and eventually to the rest of our great trail system throughout Allen County. I urge you to support the full funding of this package and make sure that we remember that everyone lives in Allen County and not just those who live in the urban core of Fort Wayne. This does a perfect job of building on other investments that have been made throughout the community. We are working together on this and it is a great example of collaboration and in conversations with Mayor McDonald we talked about this. New Allen Alliance was collaborative when collaborative wasn't cool. Now it is a cool thing to do and is a buzz word. We have been working together for years. We are seven unique communities with one bold vision. Thank you for your thoughts on this matter.

Joel Benz: Thank you.

Charlie Hatton: Charlie Hatten, President of the New Haven Chamber of Commerce. I want to speak real quickly to the façade program. We are on a roll and will be doing six ribbon cuttings this month. Things are going really, really, really good. Having said that the tools we have for economic development for the smaller businesses that are not machine intensive, service businesses and things like that are really limited. The façade program is a big piece. A 50/50 match program, and this money doesn't include New Haven but we are going to have our own where the city is going to put some money in. New Allen has one with a one-third match where we give \$1,000 and in New Haven I think I have done almost \$10,000. With a 50/50 match, I have at least four businesses that have about \$85,000 in investment that they would like to make and they would love to see the façade program go through. I would just like to point that out.

Marty Pastura: I am Mary Pastura, I am President and CEO of the YMCA of Greater Fort Wayne and I am also the Chair of the Fort Wayne Trails Board. I am here to advocate for the trails system that we have in our city and county. I believe that for the last 22 years, being the CEO of the YMCA, we have tried to improve the quality of life of the people who live in Fort Wayne and the Greater Fort Wayne area. I think we have done a great job of that and that is why I am a volunteer for the Trails Board as well. I believe that the trails can bring economic development to our community and also quality of life. I think we have some beautiful trails throughout our county and I want those to continue to grow so that we can show that Fort Wayne is a great place to live. I am

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talking on behalf of the Cedar Creek Trails Project that I think is before you today. I am advocating for that. We have \$5 million funded, at this point, and we need another million to do the total trails. I emailed a few of you about that a few days ago and I know there are always budget constraints but I feel that since we are doing well economically, it is a good time to invest in the people of our community and I know that quality of people is very important. Quality of place brings quality of people. That is really why I do what I do every day and that is why I am asking you to support all that you can when we want to build trails. Thank you.

John Niemeyer: My name is John Niemeyer, Vice President of the Hoagland Chamber of Commerce representing approximately 65 business owners in southeast Allen County. We certainly support the entire package that has been presented to you all. It is very important that we have a good collaboration of the communities in the rural part of Allen County. I also want to specifically address the unincorporated parts of the county, particularly Hoagland and Harlan. We all we beneficiaries of another tax increase this last year courtesy of the City of Fort Wayne. We didn't get to vote on it. It is called the LIT tax. The incorporated communities in the county are getting their share of the money. The unincorporated are not. It is very important to us in the rural communities that have no tax base to get some of these funds returned to us so we can pay for street lights and park improvements. It is really critical if we can get the five-year funding for ongoing maintenance. Without that we have a very difficult task ahead of us. We are just asking for a return of some of our tax money. We are not asking for anything new. I appreciate it.

Joel Benz: I am going to go ahead and close the public comment portion of this meeting. Thank you all for your input. We are going into economic development.

Rachel Black: Rachel Black, Allen County Economic Development. Today we have a resolution before you, 2018-10-18-01, Application of SAC Properties, LLC and NIA, LLC. As you likely recall back in July, the company Northern Indiana Anodize came before you asking for a tax phase-in for their \$6.6 million investment of real and personal property. The company has plans to build a 47,000 square feet building and hire 48 employees. The company is currently pursuing economic revenue bonds through the City of Fort Wayne to assist them in the financing for this project. The Fort Wayne Economic Development Commission adopted an inducement resolution on September 20th and the City of Fort Wayne Council also approved an inducement resolution on October 9th. The amount of the bonds is not to exceed \$8 million. The resolution before you today confirms that you give consent to the City of Fort Wayne to be the issuer of these bonds. Tom Ludwiski is here to answer any questions you may have.

Tom Ludwiski: Tom Ludwiski from Barrett McNagny and we serve as Bond Counsel and Borrower Counsel on this proposed transaction. Just as a reminder, the City of Fort Wayne and Fort Wayne EDC has jurisdiction over outside the incorporated boundaries of Fort Wayne but within Allen County. In order to ultimately close on the bonds, we need to get consent from the Allen County Council when the project falls outside of the

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incorporated boundaries of the City of Fort Wayne. I would be happy to answer any questions you might have.

Tom Harris: From a liability standpoint, from the County perspective, what does that do for us?

Rachel Black: From my understanding, it is their choice and the company can choose. Allen County and the City of Fort Wayne both have an Economic Development Commission and they can choose which one they want to go with.

Tom Harris: And in this case, they have chosen the City of Fort Wayne.

Tom Ludwiski: Yes, due to some timing issues with dates of meetings and things like that. We recommended going with the City of Fort Wayne in this case. As far as the liability, the only liability is for the borrower and there are no obligations for the City of Fort Wayne or Allen County in this case. All obligations are on the borrower for repayment.

Rachel Black: We had a similar situation with Indiana Tech where it was in the City of Fort Wayne and County Council was the issuer of those bonds. I think that was back in 2012 or 2013.

Tom Harris: With that I will move for approval of Resolution 2018-10-18-01, Application of SAC Properties, LLC and NIA, LLC.

Bob Armstrong: Second.

Joel Benz: We have a motion and a second. All in favor signify by saying aye, opposed, same sign. The motion passes 6-0-1 (Tippmann absent). Next on the agenda is the New Allen Alliance and their request.

Kent Castleman: Kent Castleman, volunteer President of the New Allen Alliance. I am bringing the seven communities in East Allen with one bold new vision. I am also the Executive Director of the Fort Wayne Trails. Obviously in my daytime capacity I have some interest in this project as well. Normally Kristi Sturtz would be with us this morning however the Office of Community and Rural Affairs has a broadband summit and five members of our Board and Kristi are at that conference. Broadband is still a question that we have not been able to figure out for our communities as well. I want to thank the people in attendance today from East Allen and the New Allen Alliance and the support from Fort Wayne Trails. This is definitely a community project as we recap everything here this morning. I asked for your important involvement in the funding of project, the overall proposal and the overall initiative as we move forward. This is a project, as we have said before, that is a culmination of four years of work. We started our in 2014 with a strategic investment plan for our communities and we have really been working that plan. This has all come about because our communities felt that we wanted to be better prepared if an opportunity that came forward. The Office of Community and

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Rural Affairs came out with the Regional Stellar Opportunity. In the past it was just given to one community and moving forward they are looking at a region which is two or more communities or counties that are working together for community economic development. We are happy to be one of five finalists now. There were six finalists but one backed out last week. It is now down to five finalists at the State level and they will fund two of the regions. We feel very good about the background work that we have done and that brings us here today. As we dive into the work, I am reminding that the goals of this program were to provide economic sustainability to our communities, provide regional vitality as we work together that we are stronger together than we are separate and to ensure that our communities remain livable communities and build on the strengths that are there and add other amenities to improve upon that quality of life. As we look at the quality of life and place investment, we concentrated our efforts on downtown, parks, trails and sidewalks connectivity, senior housing and community health. When it comes to trails and sidewalks, we specifically looked at ensuring there are gaps in the system and communities that are connecting the important assets in those communities. Connecting from downtowns to parks, from downtowns to schools and other amenities in those communities ensuring that there is a great system that is connecting people to build upon the infrastructure and as the communities have continued to grow and some of the subdivisions have grown, there hasn't been as much planning put in place in unincorporated areas where sidewalks have been put. Some of the funding, as we move forward gets put into sidewalks to fill those gaps and put connectivity to all of those important destinations. The impact of our work is to attract and retain population in Allen County by providing a great place to live. There is no doubt that Fort Wayne is the economic engine of the area but we also know our communities have a lot of employers, specifically B F Goodrich, and in looking at that our communities have a lot of great businesses that are suppliers to businesses in the area and we want to continue that economic vitality in attracting and retaining talent. We also want to increase regional capacity to do more and this was really about our efforts in educating each other and working together in the seven communities. Most of our communities do not have full-time staff who is working on things. They are part-time Councilmen. I think all of you probably understand what that means. Being part-time in that capacity stretches the capabilities of our communities and only allows time for day-to-day. This initiative has really helped to put planning in place and to help us move things forward and help the communities in ways that we haven't seen before. The last is to foster an environment for additional private residential, commercial and industrial investment. That is to ensure that our communities are ready when that investment comes. One of the questions that was posed to me by Mr. Busch when I had a conversation with him was what has changed? Why are we back here and why are we here now? When we came before you the first time, we were simply looking at budgets that we put together and was our best guess based upon the past experience our communities have had and the past experience Kristi Sturtz has had putting the Stellar applications together. As we were awarded a \$20,000 planning grant and as we went further into the development and design of those projects, it brought about a lot of things that were questions that came up. It brought about issues in funding. Obviously if we are having conversations as Town Councils and New Allen Alliance that is different than having a designer or engineer involved. As the designers and engineers were involved, they really started placing the true cost of where things

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were at. There were quite a few things that came back at a higher cost. We also had to take a hard look at the Cedar Creek Parks Trail and realize that it will not be totally built in one year. We started phasing that part out and looking at some of the added costs to not be able to do all of that construction at once. The trail came back at a significantly higher cost. It originally came at about a \$10 million mark and that was including a bridge over Cedar Creek. We eliminated that out of the project and took it down to the bare bones. That is really focusing on the connectivity of Metea Park to Hurshtown Reservoir. The adjusted amount came down to \$6 million. As we have been going throughout this, we have been tightening our belt where we could and adding in the scales of economy where we could but there are some projects that have proven to be more costly. We also had some rules that were defined further on the funding streams. The money that was available for the Community Block Grant dollars that we were planning to use on specific projects, we ended up finding out there were already some other commitments that were on the county books through the Commissioners' Office that disallowed us from using some of that money in unincorporated areas which then put a strain on other unrestricted allotments of money that were appropriated for this project. INDOT was another one, the INDOT funding that is before us, by the time we weeded out all of the rules we found that the only communities that can use that money are Woodburn and Monroeville. It really limited that we were originally planning on that money being used towards the trail segments and things along those lines. When INDOT money is received in the Stellar initiative, you have to forego the rule allotments that you would receive during that time. It is around a \$2 million package from them and currently that is the annual allotment that Allen County gets. In order for them to use that in the unincorporated areas of \$2 million, you would have had to forego \$8 million. It did not make economic sense for that to continue and so that is why the dollars went there. That is also why we are putting a bigger portion back on the county side for additional funding this morning. We have had conversations with Council members here and there is a desire to create a façade program for the county. To work on that we believe that will be a great compliment to the work that is being done. A lot of the downtowns are being concentrated on in our communities and we can work on the infrastructure however when we look at the facades and improving that development, it has been a typical economic development tool that has been used however there is not one created specifically for Allen County. It does say in the layout that it excludes Fort Wayne and New Haven. New Haven has a separate pot of money that is going to the new façade program that they are putting into place. The other point is the discussion of sustainability. As we had to fill out the application for Stellar and had conversations with Council as well, is the question of how to make sure that these projects will continue in the unincorporated areas and continue to be maintained and funded. Specifically there is a \$250,000 allotment that is a five-year commitment for each community of Harlan and Hoagland and would be used for maintenance of their parks, community areas and light bills and things along those lines. Through this initiative there is increased safety with children getting on buses and such and having additional lighting is ensuring the safety. The second to the last bullet point, we did receive \$3.3 million from the Capital Improvement Board. When we originally came to you we had budgeted \$4.25 million for the Capital Improvement Board and working with them we did get to \$3.3 million but that left a gap of about \$950,000 that did not get funded. We did submit this application in September and we

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were not able to get on your agenda for the September meeting. In the proposal that we submitted, we put that a \$2 million commitment from County Council was pending. We will be going before the Judging Panel on November 16th for our presentation and we are looking to come back with some good news about that. As we move forward, just an outline of where that portfolio ended up, projects with Stellar funding and local funding that was used to leverage that funding totaled a little over \$17 million. The Complementary Projects totaled a little over \$47 million. Complementary Projects are any projects that are happening in the region that is in the same time period as the Stellar initiatives. So 2019 through 2022, any project that was happening, road, infrastructure, sewer, water or anything along those lines are counted as complimentary projects. One of those complementary projects is the Cedar Creek Parks Trail. That is working and leveraging other dollars from NIRCC and some work in the Leo-Cedarville area as well for the Amstutz Road improvement. For a total package of almost \$65 million was submitted in our application. The next funding matrix gives you an outline of percentages as they were connected to each entity that has been supportive. As we stand here today, the dollars from Stellar still has to be approved from the State but the rest of the entities have passed resolutions to support their contributions towards the funding. It is important that you are the last stop on the train before we go to the State. Continuing to fill that gap is important and we have adjusted it down to the \$1.75 million request that we have before you this morning. As we look at how Council can help, \$1.75 million is set aside for the Harlan and Hoagland maintenance of \$250,000. These are placed in priority order and we feel that this is one of the first priorities of this funding. We want to make sure they have sustainability and have support on the maintenance side of things. There is \$1 million set aside for the Cedar Creek Parks Trail and as was alluded to by Marty Pastura, we do have \$5 million committed to us through other ways. The third is the Allen County Façade program at \$500,000. Moving forward, these are just some overall maps of the project areas. It kind of gives you an idea of some of the investment in Harlan. Hoagland Park is next and the one following that is the Hoagland Streetlights Project. As we are looking at the Hoagland Park, they are really concentrating on that connectivity to downtown and they currently do not have a sidewalk that connects to their community park. They are also challenged with a railroad in the middle of their community which is the way a lot of our communities are. They want to make sure there is a safe crossing at that railroad. The last one is the trail investment for Cedar Creek Parks Trail. This gives you a diagram of where we ended. The parts highlighted in purple are the sole responsibility of Allen County as it lies in the unincorporated area. The part in red is the trail that already exists. The part in green is the responsibility of Grabill. Leo-Cedarville and Grabill have put money forward but there is a need for assistance in those communities to make sure that the connectivity can happen. A portion of the money this morning would assist those communities since they can't fund it all. The last slide is the Allen County Façade Program for downtown commercial properties for parts that face the main public areas. It is for rural communities specifically as we have stated. There would be a property owner match in it. Priority would be given to the Rural Revival Target Areas. There are more in the downtown areas in most of our communities and in New Haven it would be the Meadowbrook area. This is to be managed by Allen County Development to be sure that it is overseen by the county. That is the overview of where we are and why we are here. I would be happy to take questions.

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Joel Benz: Let me start off by saying that is a lot of planning and a short overview. I know you spent a lot of time on that and it does show in the scope of what you are requesting here. Councilwoman Tucker.

Sharon Tucker: I am glad to see the façade program being added. I have been out in Hoagland and I know that railroad track because I had to walk across it. I absolutely see the need for this façade program for a lot of the businesses. I think we are in a unique spot right now because we have all had conversations with how we can help give funding back to the rural communities. Especially with the surplus give and take that we have in the county. I will be supporting this fully funded because I see the need by having spent hours walking the community door to door. I really do see how this helps. Plus, I also see how it begins to anchor into the growth pattern that we want to see. How do we reach the road to one million without having quality of life that attracts individuals to our area? For me, I absolutely see the need.

Tom Harris: I have a variety of questions here, starting with why did one of the other finalists back out?

Kent Castleman: I think they were afraid of us. I had to say it but they said in their press release that the amount of work and time and energy and effort and resources that go into preparing this application was insurmountable for them. I also feel when OCRA moved to a regional model, collaboration is not easy. Getting people to work together and to agree on common movement is another part of that reason. They said the county did not have a strategic development plan that was newer than ten years old. I think the push back was that they weren't ready because the county wasn't ready. We took it upon ourselves to create that strategic investment plan and that is obviously two years old and so that plays well in our area.

Tom Harris: So there are five in the running.

Kent Castleman: Correct.

Tom Harris: And two of those entities are going to be selected. That just improved our odds.

Kent Castleman: Absolutely.

Tom Harris: When we started down this road, the thought was that this was a matching grant or a matching process and you were looking for the county and other entities to be able to match. Are we still there or are you looking for these to be something more than a match?

Kent Castleman: I believe Council was mailed our entire application and I encourage you to continue to look at that. There is a funding matrix in there. As we got into the projects and started working on all of that there is definitely a part where there is a local

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match. We need to have the match in place and that is the bare bones of what we have to have. When we talk about scoring well in the process of Stellar, having complementary projects that are fully funded and ready to go is also a part of that positive scoring. The State looks at the money they are putting into the pot is also leveraging the other complementary dollars that are coming into the region and into the communities. Yes, it is still being used as leverage from that standpoint. If we were just going in with the bare bones minimum match that we would need, we would not be competitive. I believe the proposal, as it sits today, we have an application that almost doubles what they are putting in or triples from a match standpoint. It really makes us stronger from that way. Also, I will say that the County's investment in this is what helped sway the Capital Improvement Board to be a partner in this as well. It took that County investment and it takes additional investment since they weren't able to fully fund to complete that package.

Tom Harris: Kent, five years is a long time, right? The idea that the economy and things change, priorities change and all of those kinds of things, for these communities to come in and say they are going to do these plans and this is our commitment, there is no legal commitment for them to stick with this. For the years that the economy is doing something different and the community has a different view, they can pull back, pull out or change, right?

Kent Castleman: All of the communities passed resolutions at the Council level in support of their funding and specific projects. We feel that we have done the best we could do to tee that up from that standpoint. I would be very disappointed if Councils would back out. I feel that everybody that is involved sees the benefit and will continue to go forward. We have done the best we could do to get a corporate resolution in each of those communities.

Tom Harris: So that could happen. By the way congratulations to you and all of the communities, supporters and folks that have been involved because it has been a huge investment of time, assessment and strategy. I will be supporting this. One of the things I am looking at when I started to consider if I should support this or not and numerous things started sticking out. One is that we have been told by the economic development folks over the last few years that it is about the quality of place. The State is changing its view and we need to do more on quality of place. These kinds of initiatives help to do just that. I heard yesterday that Fort Wayne tops the list of places to be and communities to live and we have to figure out a way for continued housing to grow in the Allen County area in order to sustain that growth for the City of Fort Wayne as well as surrounding communities. The idea that we are improving those quality of places allows developers to develop more housing in these communities makes sense. A question for you, some of these communities haven't been as open for some of that development. Is that accurate or are they more willing to build more houses and grow their communities?

Kent Castleman: As we have been having this conversation, they know it is about growth. It is about the right growth and the smart growth. I think we are all open to that growth however we want to see it adjacent to development that is already there. Some of

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the larger developments that might be out in the middle of somewhere aren't always supported as well by areas because if it is next to the community and the connectivity is there, it improves those rural communities as well. At this point we believe that is the whole point of the initiative, to grow people. You mentioned the road to one million and we are contributing to that by this. The other piece of that is in our communities there is definitely need for senior housing. Senior housing is the focus of what we have been concentrating on. The main reason for that is it is so economical to live in your own home and we have a lot of seniors still living in a single-family home. The idea of creating some senior housing is so we can have those that are able to move into them then we free up single-family homes so we can continue to expand and grow in that way. It is expanding and growing in a way that makes sense for our communities and so far that has been a good conversation.

Tom Harris: I had with the LIT passing that we didn't have a say in it and this is a way that we can continue to give back to those communities as well. Last Council meeting, we gave money to an initiative in Fort Wayne based on some ills of society. We have taken a look at the Sheriff's budget and increased it considerably. We have increased the Prosecutor's budget considerably. Government is there to help in those kinds of things. This is an opportunity for government to help to set the stage for continued growth in Allen County and East Allen County. One final point, as I mentioned before this is a matching piece and I went in initially that should you win, we would back this. I will make a motion or ask that a motion be made that these funds would be based on winning this award. If you do not win the award, it would allow us to talk further about these initiatives and I am willing to do that but I would like to see this initiative today be based on winning that award. Should you not win it, I am still willing to talk about additional funds but maybe in a different way and reprioritize some of those initiatives.

Joel Benz: Councilman Armstrong.

Bob Armstrong: Thanks for all of your work and the seven communities that have also put into this. I totally agree on quality of life, quality of place and we in Allen County need to start understanding that the quality of life and place does not stop within the City of Fort Wayne. We have responsibility to rural Allen County. Their quality of life and place is very important to Allen County. I will be backing this. I am a big backer of neighborhoods and building our rural communities. We need to continue to do that. I wish you the best of luck and will be supporting you.

Kent Castleman: Thank you.

Bob Armstrong: One other thing that Mr. Harris said and I totally agree is that we did not have any voice in the LIT dollars and I wrote that this Council needs to take back the LIT money because we are the financial arm of the County. We need to oversee and make sure that LIT dollars are given back to the rural communities and that LIT dollars are not just being spent on special projects within the City of Fort Wayne. It is time that all of us represent Allen County and we sometimes forget that there are rural communities out there that we need to oversee and fund.

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Joel Benz: Councilman Brown:

Larry Brown: Several things. First of all, we did have a voice in the LIT decision but according to the Legislature we could carry the day. If you think that is not representation, I am sorry but we did have a vote and we expressed ourselves that we were not in favor. We did have a say but we just couldn't carry the day. I am not going to support this initiative and here is why. I look at the funding matrix and there is a little less than \$10 million of private investment. That leaves \$54 million of tax dollars. That is not much of a match. Secondly, this is a very worthy project and compliments to the folks that put the plan together. It is a great quality of place projects. I must remind you that Council has a responsibility for the courts, Sheriff, jail, the Prosecutor and Public Defender and everything associated with that. I also remind you that we have projects on our radar that are not optional. They are going to have to be done, including Community Corrections, ACJC, Adult Probation, Work Release, jail expansion and more. All of that is thanks to House Bill 1006. I think between CIB and the Commissioners, the amount that has been pledged is worthy, appropriate and I am not in favor of adding Council dollars. We don't generate money. We spend money. I think it is the frugal thing and we have done this many, many times in my ten years on Council. We recognize a project, we prepare for it and we do the smart thing and guess what, we pay cash. We don't ask the taxpayers for a bond. We haven't done that. Maplecrest was before our time and so you can't count that one. That is my position.

Sharon Tucker: Can I ask you to expound on something? You had mentioned the public and private funding. A lot of these communities are smaller and don't have the ability to have much public investment as other communities may have.

Larry Brown: Sure. I am just going by the matrix provided.

Sharon Tucker: If you looked at that matrix and you take into consideration the size of the communities there wouldn't be the funding.

Larry Brown: There are tax dollars.

Sharon Tucker: There wouldn't be the private funding available to include in that unless I heard you wrong. Will you repeat that again for me?

Larry Brown: I am saying on the matrix provided there is a little less than \$10 million of private investment. That leaves \$54 million plus coming from tax dollars in one form or another, local, State, Federal or whatever. It is still tax dollars. That is my argument to the matching comment.

Sharon Tucker: I guess I see the communities are much smaller...

Larry Brown: I grew up in Grabill.

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Sharon Tucker: Yeah. The private dollars are not as available I would think. We can agree to disagree, how about that.

Joel Benz: Councilman Busch, go ahead.

Justin Busch: I would like to echo some of the comments of my colleagues. As someone who has helped folks through Federal grants, I can only assume the late nights that you had. I am sorry there was a conflicting meeting and you couldn't have more of your team here to support you and that is a shame. I understand why they are not here. To expound a little bit about with Councilman Brown and I see that we have a lot of pass-through dollars. We have State dollars. We have some local dollars. I believe there are entities and mechanisms that have been put in place to look at public funding and use it for economic development and that is with LIT dollars. I agree with the gentleman that came up here before and we talked about this point. We were not given a say, we were given a say but unfortunately the weight of our vote was not one that could carry the day on that. I also look at the fact that we really haven't expounded on is that Allen County, as a whole, is already committed to \$4.2 million with the Commissioners from the mechanism that produces money for economic development. I very much appreciate you answering my questions from the conversations that we have had about the additional programs that were added. We talked about a savings account to do that. I also look at the fact that the CIB as an entity that takes in Food and Beverage Tax and uses that money for expansions and they gave a million less than what you asked for. I feel that sometimes Council, for better or worse, becomes the last resort for making up that money. When we met on April 30th, I agree with a lot of points that Larry made, I looked at supporting it at a lesser level. This body has argued about color versus black and white printers to save us a thousand dollars. We have been fiscally prudent and I use that point to say that we are in a good place financially because of this body and Councils before. For me to up it another \$750,000 or another \$1 million is a lot. I look at the entities that I am the liaison for, the Sheriff's Department. We have an over-capacity jail and we told them we would give them another \$700,000 just for overtime for their Officers. The jail is going to be a problem for future Councils. I am the liaison to the Highway Department and we talk about road maintenance in the county. We still have gravel roads. We have bridges that were built in the 1970's and 1980's and need to be maintained or torn down and started anew. These are the kinds of things that weigh on me when I see projects like this. Not that everything in this project is not worthy because I think it is. I grew up in unincorporated Allen County and I understand what these communities mean. What is good for Fort Wayne is good for Grabill and good for New Haven but it is the dollar amount that gives me some pause. With that said, I would be willing to come close but a million of this is also just in trails. There are a lot of different programs all wrapped up into one and that is where this does give me pause because I know the constitutional responsibilities that we have of what this money is meant for as opposed to the other entities where the mechanism is in place for something just like this.

Joel Benz: I want to get a little bit down to the brass tacks. You listed your number one thing as the lighting funding for Harlan and Hoagland and upkeep of their grounds.

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Expound as to why you would put that as your number one priority and the thought process behind it.

Kent Castleman: It is our number one priority because of sustainability and whatever the investment of Stellar might be. I know there are people on this Council who have fought for light bills in Harlan for the last several years. Where we are at with this is the unincorporated areas deserve a better level of service. Because there is a larger population base in those designated areas, they have post offices and downtown cores and from that standpoint we believe that they have a higher level of service that needs to be given to them. In conversations with the Commissioners and things along those lines, incorporation has been talked about and that is because it is been a conversation around taking care of those kinds of things. However that has not been supported in the past. We are just trying to make sure our communities are taken care of in that way and it is number one because we feel it is important that they have those funds back so that they don't have to come back to the Council table and argue about an \$8,000 light bill every year. It is something that should automatically be taken care of and I wished we didn't have to be asking for it, period.

Joel Benz: Understandable. I do feel to a certain extent that those communities would have options if they were incorporated. They have chosen to remain unincorporated and that is why they are not able to adjust their funding resources for that. A second question I have is going toward the façade program. We just kind of briefly went over it and even our conversations prior to this that program would be for the whole community. Potentially if Arcola had something that they wanted to do with their downtown that one is not specific to East Allen so much, is that right?

Kent Castleman: That is correct. That is how we proposed it.

Joel Benz: Okay.

Justin Busch: You have weighted it and selected zones that would have a higher priority over other communities?

Kent Castleman: In the sense that the revival areas in Stellar would be given priority from the others.

Joel Benz: A gentleman was up here as part of the public comment and said he has several businesses that are lined up and interested in that funding. Do you have a list of those businesses or do you have knowledge where you would put some of that funding?

Kent Castleman: We don't have a list, at this point. It is about getting the program created and we would work with redevelopment to define all of the parameters that would need to be in place. I am not sure if that would come back or not from that standpoint or if it would be something just handled by redevelopment. We just feel it would be a great complementary project to everything that is happening especially with all of the focus of downtown development and the infrastructure that we are looking at in the downtown.

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New Allen has had a façade program for about 25 years and we have about eight to ten businesses every year that comes forward. That is less than what we used to have because we are only giving \$1,000 as our match and anymore that is not enough money for a façade program. We are very limited in our funding and that is just the interest for the low interest loans that we give out from the New Allen Alliance. We definitely see a growing need for larger scale projects to happen and as our downtowns are all 100 years old, we have a lot of facilities that really could use improvement. In keeping with the connectivity with the downtown core, it would be important for us to continue to maintain those facilities. This is a typical economic development tool that has been used for years to assist businesses and I think it is a great complement to what is happening.

Joel Benz: Kind of on that subject, do you see you maintaining some sort of nucleus of funds and using it the interest off that or as people come utilizing it based on merit?

Kent Castleman: This would be an appropriation on the county side and so redevelopment would hold that pot of money and they would make appropriations from that as approved. We would work with them to assure that we are bringing people forward and working with the business owners to educate them on the program and encourage them to apply.

Joel Benz: Part of my thought is that we could do this on our own and not have it weighted towards East Allen or anywhere but just have it weighted it towards any building that has the most need. That is just my thinking process.

Tom Harris: In essence that may be happening because it is going to redevelopment. Different communities can come before redevelopment and request that. In essence that is going to play out that way. A couple thoughts, one is that this pledge is for the full \$2 million at \$400,000 each year for the next five years. Kent, you are mentioned that the number is down to \$1.75 million.

Kent Castleman: We originally had another contracted position that we were looking at to help with small grants and different projects along those lines. We also have a need for leadership development succession in our communities however just in conversations. We knew we didn't have support of Council so we tightened our belt on that and said if we were going to do that we are going to have to find another way to pay for it.

Tom Harris: So you are at \$1.75 million. Council, I mentioned this earlier but a month ago we gave \$500,000 to the opioid issue in Fort Wayne and this community. It is a tough situation for society and folks that are living through that. These are people that are following the rules and doing what they are supposed to do, fighting to pay their bills and their house payment and grow their communities. I think it is a great opportunity to do what economic development and experts tell us and that is it's about quality of place. A question for you, Kent, would be what happens if that \$1.75 million turns into something less? What do you do in terms of the number of initiatives that you have on here?

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Kent Castleman: Obviously if there are gaps in funding, we would have to look for other sources for that income. I think the biggest issue for us is one of the scoring factors in Stellar is the show of readiness. A big portion of that show of readiness is do you have all of the funding in place. More importantly is we would like the whole appropriation to happen so we can go in front of the Office of Community Affairs and say that we have 100% of our funding committed.

Tom Harris: Council had passed a resolution some time ago in support of this and you can take a letter down and present that, correct?

Kent Castleman: That is correct.

Tom Harris: And that got you into the finalist category. For us to not do anything and not pass any amount today, would that send a bad signal to your opportunity to win this thing?

Kent Castleman: I think it sends mixed messages. I understand your point that you sent a letter supporting it and then if there are not additional dollars from this body...

Tom Harris: From that standpoint and some of the additional points I made earlier, I hope Council would consider some portion of this today. If we can't get to \$1.75 million, can we get to some number in support of some of these initiatives?

Joel Benz: Councilwoman Tucker.

Sharon Tucker: Kent, you had made a comment that kind of triggered something for me and I can't think of the exact words that you said but if I paraphrased it is that the approval process is looking to see that communities are willing to invest in their communities in order to determine who the Stellar award winner will be. Our investment really determines whether or not we would be great candidates for this.

Kent Castleman: It assists in making a strong case.

Sharon Tucker: Okay. I also note what Councilman Harris just said that last meeting we gave \$500,000 to the community for the opioid crisis which also had received dollars from other county entities. I don't want us to get into a place where we are making it that this time we are not going to do it because you had gotten other county dollars but this program we will support even though they had gotten other county dollars. I will remind Council that we just supported an initiative that received dollars from multiple levels. The other thing I would like to mention is that I have walked these areas. I have put my feet on the ground in Hoagland, New Haven and a lot of the communities here that are going to be represented under this program. The light program is needed in this community. The façade program is needed in these communities and these communities don't get the opportunity to come to Council for funds. Councilman Brown, you had mentioned that we don't make money. We do have the opportunity to expand our tax base by improving the communities so that more residents can move into them and then contribute to the

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taxing base. Although we don't generate income, we do generate taxing income and I kind of understand what you are saying but I am looking at the overall. To me, when I originally voted no for the improvements in the Building Department and then I went over and saw what they were actually working with and how the department was functioning at less than capacity because of the conditions, when I walk in New Haven, Hoagland and Monroeville I see what they are working with and the possibility that they have that this program brings to them.

Tom Harris: I will move for approval of Resolution 2018-10-18-02 financial commitment regarding East Allen's Rural Revival Regional Development Plan and would be contingent upon receiving the award from the Indiana State Stellar Community Funding Program. You probably want to know the amount, right? That would be for \$1.75 million.

Sharon Tucker: I will second that rollcall vote, please.

Nick Jordan: The motion is not contingent on it, the pledge is contingent.

Joel Benz: We have a motion and a second. Before we make the vote, I want to point out a couple of things. One of the major impetuses that has been put forward is that the LIT, the increase we received, should go back to the communities. That increase was about \$2 million. The Commissioners have already committed \$4.25 million back into this and so that is more than double the increase we got from that tax. This would be on top of that.

Bob Armstrong: Can we have a rollcall vote on this?

Joel Benz: Yes. Councilman Harris.

Tom Harris: Aye.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: Aye.

Joel Benz: Councilman Busch.

Justin Busch: Nay.

Joel Benz: I am going to vote no to that level. Councilman Brown.

Larry Brown: No.

Joel Benz: Councilman Armstrong.

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Bob Armstrong: I am going to vote yes and even though this is a tie vote and fails, I think it is a shame that this body does not represent the rural communities. They have every right and Council should be backing our rural communities and we are not. We send a sad message and all I can really say on that point is make sure you see who voted for and who voted against and go out and vote.

Tom Harris: Mr. President, I will move for Resolution 2018-10-18-02 financial commitment regarding East Allen's Rural Revival Regional Development Plan and the pledge would be contingent on receiving the award for \$1.25 million.

Sharon Tucker: I will second that and with a rollcall vote request, please.

Justin Busch: I will say that I think you can support these communities. We have already put \$4.25 million. I think the CIB came up a million dollars short. If this motion passes, Councilman Harris, the county has put a total of almost \$5.5 million to this project and I think that is a show of support. Not to come to that absolute number that you brought to us, I understand how the money was added and I get that. When we talked in April, I was for it when it was less than a million dollars. I felt that we could do that and now we have come to the fall and it has doubled in size. To say that a no vote on a doubled in size is not a support of rural communities, I disagree with that.

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

Tom Harris: Aye.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: Aye.

Joel Benz: Councilman Busch:

Justin Busch: Aye.

Joel Benz: I will vote yes. Councilman Brown.

Larry Brown: Nay.

Joel Benz: Councilman Armstrong.

Bob Armstrong: Aye.

Joel Benz: The motion passes 5-1(Brown)-1(Tippmann absent).

Bob Armstrong: I do have one thing to say. It is interesting of the comments and I hope that as Mr. Busch moves onto higher ground that when the regional partnerships in Indianapolis talks about phase two of regional partnership funding in 2019 that you vote

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in support of that money does not go into the City of Fort Wayne but into our rural communities that would be outstanding.

Tom Harris: Councilman Busch, as we look at the timeline on this decision, you may have an opportunity to have some support down at the Statehouse. We greatly appreciate it.

Justin Busch: I look forward to continued friendships with both of you Councilmen and you both have my personal cellphone number and know where to find me. On a serious note I hope to continue to long tradition of having an advocate for this region at the Statehouse.

Joel Benz: Kent, thank you.

Kent Castleman: Thank you for your support.

Joel Benz: I hope you take this as a win. I really think it is for the communities. I didn't feel that we could support you at the full level based on some of the other things we have coming at us. \$1.25 million is nothing to be sneezed at. I hope it makes our community better and I look forward to your work moving forward.

Kent Castleman: Thank you for your support and we will bring home the win when we hear back on December 6th.

Joel Benz: Council, moving on to the Treasurer's Office and a transfer.

Nick Jordan: This is a transfer from Supplies to their Capital line so they can purchase more adequate chairs as noted in the request. It is nothing really complex. No new funds, just transferring.

Sharon Tucker: I will make a motion for the transfer of \$500 in Supplies to Furniture and Fixtures.

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(Tippmann absent).** Now we are moving on to Superior Court.

John McGauley: John McGauley, Court Executive for Allen Superior Court.

Leslie Owen: Leslie Owen, Financial Coordinator for Allen Superior Court.

John McGauley: We are here to request some capital money to replace three copiers and replace a copier with a printer in another location. We know this is not your favorite thing to do but we come to you for machines that simply can't be fixed anymore. We have been

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advised by the vendors that they are not making parts for these machines anymore. We are updating machines in several high volume locations that have to crank out notices and orders in very high volume. In one case we have gotten to a point of e-filing and don't have to make as many copies and so what we have asked for is a printer. They can continue to produce what they need to but the volume is going down.

Larry Brown: Will that be a budget reduction?

John McGauley: We have to come to you for this money. These machines are in our Family Relations Division, Misdemeanor and Traffic Division and our Central Scheduling Division.

Larry Brown: I have a question. Is this black and white or color?

John McGauley: I am going to turn to the boss.

Leslie Owen: The copiers are black and white. The printer is color.

Sharon Tucker: That was a joke.

Tom Harris: I will move for approval of the appropriation reduction in Council General in the amount of \$22,595 and for the appropriation in Superior Court General for \$22,595.

Bob Armstrong: 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(Tippmann absent). Public Defender, I think Councilman Harris is the liaison here, correct?

Tom Harris: Yes and I think they are here.

Nick Jordan: Council, as they are coming up, for efficiency sake if we could handle both pieces. The first piece is the salary ordinance restructuring and the second piece is their 2019 budget appeal that we tabled last month.

Eric Ortiz: My name is Eric Ortiz and I am the Executive Director of the Public Defenders' Office. This is Micki Kraus and she is the Interim Chief Public Defender.

Cathy Serrano: I am Cathy Serrano and I am the newest appointed member of the Public Defender Board.

Charles Pratt: I am Judge Charles Pratt with the Family Relations Division of Superior Court.

Micki Kraus: I will say this is my first rodeo.

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Cathy Serrano: I did want to take just a moment. The President of the Board wanted me to make a special announcement that he is sorry he couldn't be here today but he has an all-day trial and could not get it continued. His intention is to be at these meetings in support whenever he can.

Joel Benz: We appreciate your presence. As I remember, the Public Defender Board has not had a presence, in general, from their Board Members. I think that says something that you would make time to be here.

Eric Ortiz: The first proposal is a salary ordinance reclassifying the pay of certain Public Defenders that handle higher case felonies. Currently our Criminal Felony Attorneys are paid the same salary and we would like to create a tier pay system for Public Defenders that is based on experience and work performed. This money is currently in our budget and will also help with compliance standards with the Public Defender Commission. The second proposal is a reorganization of how we pay our CHINS attorneys for 2019. Currently we pay an hourly rate of \$90 an hour and vouchers are submitted for each case. With the rising number of CHINS cases being filed by DCS, we are having a difficult time staying within our budget. We would like to move away from the hourly rate and move towards a salary compensation system. Micki will provide further detail.

Micki Kraus: If I could go in reverse order, Judge Pratt is here to support the second proposal and he has a trial that may be waiting on him. To the extent that I want to make his time efficient, if we can do that one. I will just say that the CHINS TPR (Children in Need of Services and Termination of Parental Rights), we have Public Defenders that are appointed by the court to represent indigent parents in that situation. The Public Defender Commission is the one that sets the \$90 per hour and to be in compliance with them, we have to pay our Public Defenders \$90 per hour. As you have seen through the last couple of years, our budget has gone up as a result of the number of cases that are being filed. It is not just Allen County. It is sort of a crisis mode throughout the State of Indiana with these CHINS TPR cases because of the number of filings going on. My understanding is that much of it is related to the opioid crisis and parents getting involved in using and trying to protect the children who are the people getting hurt by that. This is a joint effort between the Public Defenders' Office and Judge Pratt and his staff. Quite frankly, we couldn't do this realignment unless we had the cooperation with Judge Pratt. He and his staff have sat down and looked at the way they handled cases and are adjusting their court calendar to make it more efficient for their staff and our staff to handle these cases. I don't do CHINS cases so I am not that familiar. Cathy is a DCS attorney and knows but what I understand that our lawyers are in court five days a week. They could have hearings scheduled in front of more than one judge at any given time. There are delays and waiting and sometimes cases don't move as quickly as they could because they are spread so thin. What Judge Pratt is doing is adjusting his calendar and he can tell you about that. We will have a Public Defender assigned to a particular judge. We did that in felony court a few years ago and it made it so much more efficient for us to practice once we knew we only had one judge to be in front of. This will mean that the Public Defender isn't going to have to run from court to court and there are not going to be delays. They are not charging for delays. The \$45,000 is what they are going to get regardless of being

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in court for one hour or two hours on a given day. The way that Judge Pratt as realigned his calendar is that the maximum time the Public Defenders will spend in court will be between two to two-and-a-half days a week versus the five days a week. From the judicial side and handling those cases and the Public Defender handling those cases, we are streamlining it and making it more efficient and not taking away the effectiveness of the lawyers that are providing representation to these indigent clients but are making it more efficient for them. By doing the \$45,000 salary, we are proposing hiring 16 Public Defenders who will only do CHINS cases and no more crossovers to criminal or felony cases. The 16 will only do the CHINS TPR cases. The criminal lawyers are doing their own thing over here. At the \$45,000 and 16 lawyers, the number is related to the Public Defender Commission caseload caps. We get 40% reimbursement from the Public Defender Commission for the CHINS TPR cases provided we are in compliance with lawyers who are qualified and have had the training to do it and stay within the caseload caps. We are capping the cost and won't go over on the budget that we are asking for because everybody knows what they are going to get paid and they are going to be more efficient in getting that done. Part of our proposal asks for a support person. We currently don't have anybody assigned from the Public Defenders' Office to the CHINS TPR cases. Our idea is that we would have someone working with Judge Pratt's staff in the Courthouse monitoring who is getting assigned what cases and making sure those caseloads stay in compliance.

Charles Pratt: I might explain what we are doing. I just returned from Pittsburgh where I spoke about some of the things we are doing in Allen County and I asked for some grant money for my staff on one of these issues. It is one family and one judge. The way Pittsburgh does it and the way we want to model it is that I will have a team which is the Public Defenders assigned to me and my court, the Guardian ad Litem and CASA. There is one staff for each court. There aren't the calendar issues because if you are in Judge Pratt's court, then you know that every Monday and Tuesday we will have that time that is exclusively set. If I am going to set another hearing, we will know it will be within that blocking and won't have to do calendar problems. What it is right now is that there could be as many as four Public Defenders for one TPR case or one fact finding. All of the fathers and mothers need Public Defenders. Getting that group together and that old phrase of herding cats is what we have been doing and that costs money. This plan streamlines that and we have it ready operationally to be in place by January. I will be candid with you that it is a little like moving the Courthouse in making changes and we have been working on this since June. The first couple of weeks of January are going to be rocky but it won't impact it fiscally. If this is approved, it will be fiscally in place and we will have some chaotic things to work through. We really believe with what I saw in Pittsburgh and with the discussions that we have had that this is a significant move to efficiency. I might also add that we are going to have a CASA person do all of our triage at the beginning of the onset of a CHINS case so that we can make sure we have the right cases going to the right judge and that there is a balance in the judges and an even distribution of cases. We have applied for a State and National grant for CASA to help enhance what we are doing as a CASA program to really build on all of this as well. This team has been working really hard, I think, to make a significant difference and still meeting all of the due process needs. In my opinion it is going to enhance the due process

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needs of the families. What happens too but if she were a mother in a Child in Need of Services case and there was a conflict, her attorney might be a different attorney because he is substituting for her attorney. This is going to make sure the mother and father have the same attorney except for rare instances of health or something like that. There is a continuation of representation and is far better than the system we are doing now. I am really excited about this because it has been working very well in Allegheny County. It is a great idea.

Cathy Serrano: I will just add that in addition to coordinating with the courts and staff, we also coordinate with the DCS attorney and their lead counsel that not only are the PD's going to be assigned to a specific docket but specific DCS attorneys will also be assigned to that docket. You will have a team working on that docket and not looking for an attorney that might be in Courtroom Four or wherever. They are all going to be right there ready and waiting to go in. It will be more streamlined. The court cases will move faster. It is a win, win and win from my perspective.

Joel Benz: When you are talking efficiency that is music to my ears. Not just for dollars and cents.

Cathy Serrano: But it helps in that way as well.

Joel Benz: Let me ask one question. We have seen the CHINS cases explode. They have doubled basically every year since 2015. We are finishing up a lawsuit that was based on caseloads. Let's say we approach the maximum caseloads that you have to maintain, would you then be able to contract out at the \$90 rate or how would that be handled?

Eric Ortiz: That is something that we could contract out at the \$90 and we could also use the supplemental Public Defender Fund that we could use to absorb the cost in that. We could hire an extra two or three attorneys and pay them on a \$90 an hour contract to absorb those extra cases.

Joel Benz: At this point, you feel that you have built in enough of a cushion there?

Micki Kraus: I was going to ask Eric because he knows the numbers better than anyone else. Based on the \$45,000 amount, we are looking at what the Commission's standards are and we always want to keep our lawyers from hitting the 90% to 100%. We think at 16 Public Defenders that it is going to take in that there are going to be some higher numbers. If it doubles or triples, we hope that doesn't happen because it affects so many mothers and dads but we think we have planned for an increase in numbers and the sixteen will be able to absorb those increased numbers.

Joel Benz: When you add all of those salaries together, it comes out to less than what we have spent already this year.

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Micki Kraus: That is correct. Since you approved the \$250,000 in September, our budget for this year is \$820,000 for CHINS and this proposal is \$120,000 less than this \$820,000.

Joel Benz: Councilman Harris.

Tom Harris: I wanted to start out by saying congratulations and thank you for all of the work that you have done. Judge thank you for the innovative approach and looking at efficiency changes throughout. Micki, thank you for stepping into this role as well. One of the questions is as these folks move to a contractual relationship do they receive any kind of benefits?

Micki Kraus: They will not receive benefits. We have been in discussions with HR.

Eric Ortiz: We are currently creating the contract that each of them will sign.

Micki Kraus: There is a distinction between what the Public Defenders in the CHINS TPR world does versus what the criminal does. Once they are appointed in the CHINS TPR world, they have that case and they do everything on that case. They don't use our investigators or our paralegals. The one support staff that we are asking for is really to help manage but they are not doing anything on those individual cases. Every other case from misdemeanor, juvenile division and into the felony division, when a Criminal Public Defender gets assigned a case, we rely on the staff at the Public Defenders' Office to help support that. If I need a subpoena issued, I request it from the staff and they send an investigator out to issue that subpoena. They type of work that is being done and the relationship with the Public Defenders' Office is very distinctive. We have talked to an attorney that is working on a contract that is absolutely legal and appropriate for the type of work that is being done.

Tom Harris: Initially, and I have talked to Eric about this, one of the concerns I have is if you are now getting more efficient in how you move the different attorneys around and then we are going to move them into a salaried relationship and I thought why would we want to do that if we are going to reduce the amount of time they are going to spend there but then we are going to pay them for time that they are not there. As we talked about it, the idea that since they are going to be salaried they are going to try to move those cases faster and get them done because they are not going to get paid more for those cases. Let's get them processed and moved on. I applaud you and think it is a great move.

Joel Benz: I think Councilwoman Tucker had something she wanted to bring up.

Sharon Tucker: Mine goes back to removing of the benefits. Do we know what the savings will be to the county for not paying out these benefits?

Micki Kraus: We are not currently receiving those benefits. We are not taking away from anybody. They are getting paid \$90 per hour and that is their contract now.

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Nick Jordan: You have two different pools. The almost 30 salaried Public Defender attorneys potentially are receiving benefits depending on the hours worked. These 16 that they are proposing at \$45,000 are contractual attorneys being paid out of one line. The \$90 per hour didn't receive any benefits. This doesn't affect the other side of the approximately 30 Public Defenders that handle the felony and misdemeanor cases.

Sharon Tucker: So the answer to Tom's question of removing the benefits...

Micki Kraus: I think what he wanted to make sure that we are not offering benefits to the 16 CHINS TPR and we do have benefits for the criminal attorneys but there is a clear distinction between what those attorneys are doing. It is not removing it but we are just not offering it. We have talked to HR and an employment attorney who is working on that contract and legally we can do what we are asking to do.

Cathy Serrano: And largely because the PD's in the CHINS TPR cases were always intended to be part-time employees. This \$45,000 thing is still reflecting that they are a part-time employee working two to two-and-a-half days a week. They are not going to work the number of hours that would qualify them for benefits anyway. We are in the salary program and acknowledging that fact. In fairness to them, instead of making them work the five days a week that they do right now, we are actually benefitting them by taking them back to the part-time philosophy that it was intended to be before the cases exploded beyond control.

Micki Kraus: And we still get the 40% reimbursement.

Sharon Tucker: That is fine I can't recall the data right now in the Commissioners and Council conference room where I am pretty sure I heard the question I just asked but I won't hold it to you. Thank you.

Tom Harris: One other question. The unintended consequences trying to understand from a morale standpoint how will this play out with attorneys? What will you be doing in terms of tracking and measuring these going forward?

Micki Kraus: That is what this support person is going to do.

Tom Harris: Morale standpoint?

Micki Kraus: From what I understand, they are all for it because getting paid at \$90 an hour and running out of money is all hit and miss. They know they are guaranteed their salary and they are ecstatic with what Judge Pratt is doing in streamlining the calendars. We think that everybody is in favor of this change.

Cathy Serrano: The ones that have spoken to me, I tend to be very accessible and many of them know me because I have worked in this jurisdiction before I moved to Dekalb. By and large, everyone that spoke with me is very much in favor of moving to the two to

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2.5 days work week and that the \$45,000 is a very acceptable program. They understand there will be no benefits.

Charles Pratt: It is very stressful for these attorneys to be required to be in three different places at once. This is going to remove that.

Tom Harris: In a small way, we understand that.

Nick Jordan: Before you make a motion, just for clarification, the salary restructuring of the Felony Attorneys, do you want that effective immediately upon passage?

Eric Ortiz: Yes.

Nick Jordan: That is what you are doing right now and the sixteen attorneys at \$45,000 will be done in thirty minutes when we do the budget adoption.

Tom Harris: Everything that you have just talked about was really a budget item.

Micki Kraus: For 2019.

Larry Brown: If I might make a comment, this is a pretty significant change and I would surely appreciate a six-month report card.

Eric Ortiz: We can do that.

Tom Harris: I will move for consideration of a salary ordinance amending the pay for certain Felony Public Defenders.

Joel Benz: Wait a minute that is the first item, right? I don't think we have thoroughly discussed this restructuring enough.

Tom Harris: Yes and I will hold my motion until we discuss that further.

Micki Kraus: With regard to the salary adjustment for the Felony Public Defenders, historically every Public Defender, criminal side and does not affect CHINS TPR at all, I have been a Public Defender for 30 years. I have always been paid what everybody else has been paid. We have people in Juvenile Court that are handling cases. We have people in the Level Six which are low level felony cases. Levels one through five are the higher level felony cases and we have all been paid the same thing. What we are asking for is money that has been appropriated to us and to have a tiered salary for the Felony Public Defenders. There is a letter from Derrick Mason who is a Senior Staff Attorney from the Public Defenders Commission supporting our request for a tiered salary and indicated that across the State, this is something that is pretty common. This puts us more in alignment with what is going on at the Prosecutor's Office. There you have the best qualified and most experience trying the right cases and the murder cases and the child molestation cases and all of the horrible things. Those are being tried by the most

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qualified with the most experience and they are getting paid more money than those that are handling the Level Six. What we are asking is to take that money and we will pay the Level One through Five Attorneys \$65,000 which is a bump of \$15,000 per attorney. The Public Defender Commission puts standards in place before you can handle those cases. You have to have a certain number of years of experience, tried to completion certain types of cases and the more cases you try, the better qualified you are. That tiered structure follows the trend which the Public Defender Commission expects us to do and that is to compensate those attorneys that are handling those cases in a more fair structure. The Level One through Five Felonies would be paid \$65,000. We call those drug offenses. There are Level One through Five drug offenses just depending on quantity, whether a gun is involved, priors and all kinds of things like that. They are still major felonies. The Level Six would be paid \$55,000. The Juvenile and Drug Court person, revocations, and OWHTV people in Circuit Court salaries would remain the same. We presented this to our lawyers and everybody is in favor of seeing a tiered structure like this because there is a recognition that there are so many murder cases pending in Allen County right now and since I became Chief Public Defender, one of the things I have put into place is a mentoring program with some of the younger lawyers. We are pulling some of the younger lawyers from Misdemeanor and putting them on murder cases because we have so many murder cases pending and they are complex. You have nasty facts and nasty people that we are sometimes representing. Our Public Defenders acknowledge that those handling those cases should be paid more money. When we said let's see if we can get this done, we offered to let anybody switch places. If you were in Level One through Five Felony and you didn't want to be there, we were going to see if we could move you. There were some people that were doing lower level felonies and thought they wanted more money and thought they could do the upper level felonies. Internally there have been switches that have taken place so that people are kind of where they want to be based on the approval of this pay structure.

Tom Harris: They are not going to be able to make those changes throughout the year, right?

Micki Kraus: Oh, no.

Tom Harris: This is going to lock those people that are taking care of the higher cases into those roles.

Micki Kraus: Right. Obviously that can't happen because of a jury trial and getting prepared for trial. Everybody is where they need to be right now. We hear that we may have some attrition that may be happening and some people might be retiring in the future and people will have to be replaced but in Level One through Five, we are primarily talking about Levels One through Three and we have the best qualified people handling those cases. They are doing a great job. We are providing good competent counsel to indigent people.

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Tom Harris: I will move for consideration of a salary ordinance reclassifying the pay for employees within the budget of the Public Defender and we have an attachment that shows all of those changes.

Bob Armstrong: Second.

Joel Benz: We have a motion and a second. I will say that I hope we are not jumping ahead since this is an Interim Director and making a hasty move. I do think this is warranted. **All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (Tippmann absent).** Auditor Jordan, our meeting dates for next year.

Nick Jordan: Nothing needs to be done at this time. I am just giving you a heads up. The one meeting that is not on there is the organization meeting which we usually do in the first or second week of January. In the next couple of weeks we can hash that out especially since Senator Busch is leaving us. Depending on Eric and Sharon's races, we will see what happens there. We will need to convene with all Council members towards the end of December to make sure that first week works out. These dates are the third Thursday. September 19th, we have it long for the budget hearing in case it takes a long time like it did this year. Please check these out and you can let us know in the next month and we will bring the actual calendar to the November meeting. The second one is the same thing, Board Appointments. There is nothing that we need to do today. We are giving you a heads up that all of the highlighted ones will expire at the end of the year. If you want to reach out and confirm if you want the same people to be there and if not, you will need to find new people if these do not want to serve any more.

Justin Busch: I spoke to President Mitson on the Alcohol Beverage Board and he would like to retain his appointment.

Joel Benz: I think traditionally we have tried to reach out to each one of those.

Larry Brown: Could we discuss, within this group, January third for the organizational meeting? Could we get that on the calendar and does that work for everybody?

Nick Jordan: What I will do next month is bring it to the meeting. That is usually about a fifteen minute meeting where you are choosing President and Vice President. What I will shoot out and then you guys can hash out the liaison appointments and you can look at those in advance.

Larry Brown: Do you have any indication of when the swearing in will be?

Nick Jordan: I thought it was towards the end of December.

Tom Harris: I think they started to move to the day after because a lot of people were off January first.

Nick Jordan: I thought it was the end of December.

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Larry Brown: Like the 30th or 31st.

Joel Benz: Nick, maybe you could track that down and bring it to the next meeting also. Also, while we are on the subject, I would like to thank Councilman Busch for his tenure here and as Vice President. I think he has served our body well and I wish him well in the Statehouse. I hope you are an advocate for our community and I think you will be.

Larry Brown: I want to add that I think Roy would be proud.

Justin Busch: Thank you very much and it is kind of you to say that. Very briefly, it has been a real honor to serve in the late Roy Buskirk's seat and I have really enjoyed my time with each and every one of you. Tom, I have a lot of questions and when they are talking I just wait because I figure Tom is going to ask those questions.

Tom Harris: Ouch.

Justin Busch: I mean that in a nice way. When they are talking and I think that is a question I want to bring up, Tom usually brings up the question I had. I have learned so much from everyone and the professionalism that was brought here. Sharon, I am going to miss our little conversations on the side. I really appreciate your stalwart support of your region and how that is always first and foremost on your mind. Joel, it has been an honor to serve with you as Vice President. The conversations we have had before every meeting is really appreciated. I have gotten to know you and appreciate you and the thoroughness and professionalism you bring here. I appreciate your friendship. First President Larry, you brought me up to speed quickly. You want breakfast with Larry you get up really early. I appreciate your professionalism and the dedication you bring here and the unique perspective you have. Councilman Tippmann is not here but I appreciate the levity he has brought to Council at times. We have exchanged some good glances and the unique perspective he has brought. Councilman Armstrong, I appreciate our lunches and friendship and how you have always looked out for the taxpayer. I have learned a lot from you as well. To the Auditor's Office, the professionalism has been awesome. To work with you as one of the best Auditors in the State and I joked with Auditor Jordan when we were walking through a spreadsheet, he asked what I was going to do when I was down State, I still live in Allen County and you are still my Auditor! Auditor Jordan doesn't know it yet but he also accepted a role at the State Senate when I won as well.

Nick Jordan: I screen them though.

Justin Busch: He does do that. Everyone that I have met, up and down and in every department, there are a lot of hard working people in County government. I appreciate what you do every day and that you recognize this is not just a job but is service to your fellow citizens. It has been a fantastic journey and I am moving on as County Council's liaison to Indiana State government but you all have my personal cell phone and you know where to find me. I will not lose having northeast Indiana in the foremost of my thoughts and fighting some unfunded mandates that come your way. Thank you.

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Joel Benz: Thank you. Along those lines, I talked to Auditor Jordan before this meeting to see what we should do about the Vice President and Auditor Jordan didn't feel that we needed to elect a Vice President for the remainder of the term. I felt that was appropriate as long as you guys are okay with it.

Nick Jordan: We are going to close the regular meeting and then we are going to do the 2019 budget adoption.

Sharon Tucker: Approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of October 18, 2018.

Tom Harris: Second.

Joel Benz: All in favor please signify by saying aye. The motion passes 6-0-1 (Tippmann absent). The next regular County Council meeting will be held at 8:30, Thursday, November 15, 2018 in this room.

Tom Harris: Move to adjourn.

Sharon Tucker: Second.

Joel Benz: All in favor please signify by saying aye. Opposed like sign. The motion carries 6-0-1 (Tippmann absent).

BUDGET ADOPTION

Larry Brown: Do we have an agenda?

Nick Jordan: Yes, you have a whole different notebook. If you go to AllenCounty.us or I can email it to you.

Joel Benz: We will reconvene the Allen County Council annual budget adoption. This is Thursday, October 18, 2018. We have several ordinances here for adoption. The first one is the Appropriation of Expenses for Allen County government.

Nick Jordan: Page two is just a summary and not much has changed there. I will note that the budget total at the top of \$104,499,153 will be increased by the \$1,250,000 that was passed today. We factored that into the ordinances but I didn't put it into the summary because I didn't know what you would decide. The revenue has not changed. We didn't make adjustments to that from the hearing at the last meeting. Again, the \$1,250,000 is not factored in. The Public Defender appeal, we had built that in there. That will go up to \$105 million and some change. Tom will read it in the ordinance.

Larry Brown: Can I ask a question?

Nick Jordan: Yes.

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Larry Brown: I feel stupid asking this because I should know but \$1,250,000, I thought that was over four years.

Nick Jordan: It is. What we will do is encumber that. What will happen is depending on what New Allen Alliance and the Commissioners and Redevelopment Commission, the piece about the façade program will go over to Redevelopment if they are going to be the body to administer that. The difference will go with the Commissioners \$4.25 million that they have. It will be lumped together because the Commissioners, procedurally will be the ones approving these claims for the money as they come about and Council is not a full-time body. I am not going to take the reins on those claims, they can do it.

Tom Harris: Second question along those same lines. Should they not receive the award, what would happen with that process?

Nick Jordan: If they don't receive that award or that it is not all spent, I will have the Commissioners say a quid pro quo you are going to spend this much of the CEDIT Fund for Economic Development or they will give those funds back to the General Fund.

Tom Harris: I think the intent was to give it back to the General Fund. At least until we discuss it further.

Nick Jordan: It is no different than any other claim. A claim has to come through for that money as those expenses arise. The first ordinance Tom is going to read is Council's budget adoption and it will take a little bit. In here you can see there are 182 pages. I did not print all of that off but the form 4-B provides a little more detail on the budget, the cash balance, the tax rate and so forth. I didn't print them off but they are in there if you would like to see them.

Bob Armstrong: What he is reading now is...

Tom Harris: Where would they find that?

Nick Jordan: The 4-B's for the County will start on page 73 but if you are only talking about the ordinance that is on page 7.

Bob Armstrong: In that does it discuss the LIT dollars and stuff?

Nick Jordan: One of the funds in here, on the second page and is the one that is 9529. It says CEDIT. When you pass this, it would be on page eight and they are in numerical order, 9529.

Bob Armstrong: I have 2019 Property Tax Cap.

Nick Jordan: Are you in the Budget Adoption Notebook?

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Bob Armstrong: I thought I was.

Nick Jordan: When Tom reads this, you are passing the budget that includes this.

Bob Armstrong: That is my question and we have had the conversation and I have brought it up at many prior meetings. I think this Council needs to take back the control of the LIT money. We are the financial arm of the County and we should be overseeing that budget. My comment and from our oath of office that we have all taken is that it is our responsibility and in my viewpoint we are neglecting our oath of office if we are not overseeing the finances of the County. Is this the time to do that before he reads it?

Nick Jordan: In my opinion, the best time would have been last month when Chris Cloud was here and to address any issues at the hearing. If you don't want this \$26,307,515 passed, you can say no when Tom reads this and depending on how the vote goes then a second budget could be made minus the \$26,307,515. By doing that the Commissioners cannot spend a dime out of there unless it is encumbered or carried over from this year's budget.

Bob Armstrong: Then in 2019 we have total oversight of those funds.

Nick Jordan: You have the same authority as you do today which is approving the budget. You can have the dialogue that you want this versus they want that but at the end of the day all you have is the fiscal.

Tom Harris: The challenge is that we cannot spend it and still basically give it to the Commissioners to be spent.

Bob Armstrong: I don't have a problem with that. My point is if they have it and are going to spend it, I want them to come back on every project that they are allocating that money for so that this body knows what is being spent because we are the overseers of the fund. If I am wrong, let me know but right now we approve a budget and just give them the money and then they spend it. The only time we know anything about it or any projects is if we question them. You see how much money they roll every year and I think we are just to have a better oversight of those funds than just giving them the key to the safe.

Larry Brown: They give us a breakdown of the CEDIT money.

Bob Armstrong: Right.

Larry Brown: We are free to ask more questions or about more detail.

Sharon Tucker: In fairness to what Bob is saying, when I first came on Council, I wondered how or why but my newness or naiveté, I kept looking for the answer as to how or why there was a pot of money over and above their operating budget. We had no idea or input as to how the funds would be spent. We do get a list of what they spend the

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money on. In my mind, the way I saw it was they had a pot of money to do with it what they want and they don't have to come to the fiscal body to make the decision. They are making those decisions. I see what he is saying because I wondered that thing myself.

Nick Jordan: Just so I am clear, because I don't want to diminish your authority but on the screen behind you is the Commissioners' CEDIT budget along with Planning and Highway.

Bob Armstrong: Is that the 329?

Nick Jordan: Yes. So say today, if you like pieces of the \$26,307,515, you have the authority to say to me you don't like Economic Development Incentive then the Commissioners don't have that \$3 million. You can do that but like I said, in my opinion it should have been addressed last month. I am just giving you the procedure and you are allowed to do that. When Tom reads this, I can pen in what the new 2019 budget would be if you take pieces off. Above is the Planning, Elissa McGauley and her staff. The County Commissioners' piece starts here and rolls over to the top here. And \$5.6 million is Highway. The Commissioners do have some Highway, Diebold Road, 60/40 program which is related to neighborhood streets, concrete would be Highway and some of the Commissioners' lines are Highway related. You can say no if that is what the majority wants to do.

Tom Harris: I like the idea of looking closer to that line throughout the year and monthly or bi-monthly having updates in terms of what they are planning to spend. That \$26 million is about larger than everything else on the sheet, right? The idea of looking closer is fair. We basically approve that for all departments and can challenge or question on any line item.

Larry Brown: I might be wrong but I was thinking that in a past meeting and Bob had brought this up, I thought Chris Cloud was sitting there and Bob asked for a breakdown or a report and Chris was more than willing to provide that.

Nick Jordan: April of 2018 he came and did that and the balance as \$20 million. They had a breakdown of what they thought it would potentially be. The \$26 million is just the new budget and doesn't factor in any encumbrances and the new budget could very well be over \$30 million or \$35 million because Highway's project will be encumbered from this year.

Bob Armstrong: The thing that just catches my eye on the LIT from Economic Development on the financial report is that right now the remaining cash balance is \$20,792,000. I don't see them spending \$20,792,000 in two more months. That money will roll. What was the money that rolled from last year to this year? It was \$19,716,000, right? Cash balance as of 1/1/18.

Nick Jordan: This is always a contentious point between me and the Commissioners. When you look at the one side of the sheet, it shows...

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Bob Armstrong: Estimated.

Nick Jordan: And at the bottom you can see what they have to appropriate. If you spent the \$17 million which is the Commissioners', you would only have \$2 million left. And when you look at the actual, they have spent ten percent to date you have a lot more than you can spend. It shows you at the top line, CEDIT, a five-year history of the fund balance at the end of the year...

Bob Armstrong: It is a good chunk of money.

Nick Jordan: The whole thing being that there is definitely a disconnect of what is available for appropriation and what is actually spent. You can make the argument on multiple funds there but to the point of Bob's question that is what this top line is of 329 CEDIT or LIT Economic Development as it is now known.

Justin Busch: I also understand Bob's point and felt the way Sharon did when I came on the Council of how we can have this money that we have no say in. I thought, at least moving forward is we could have a joint talk about a five or ten-year plan of what is to be done with this money so Council can have some input as well. I don't want to start a bad relationship by saying we are going to take that money back but have a conversation and be more collaborative about where that money is going. I know we have talked about it, Auditor Jordan, where I get a number from them and a number from you and it affects projects that are coming now to the Council table with New Allen Alliance. I thought that was what the money was for in economic development. We are sitting on twenty right now and to me that is where this should come from as opposed to the General Fund. I don't know if it is the incoming President that should be meeting with the Commissioners or one of you but the Executive Branch should be thinking more of long-term planning and should be included on what is happening. That was something in the back of my mind if I would have succeeded our President.

Larry Brown: That fund is where things like \$7 million for a Community Corrections building will come from. I think there is a balance that needs to be maintained and I would never expect them to spend it down to zero.

Justin Busch: Sure.

Larry Brown: It is part of what I am saying we need to keep on our radar. Three million to finish out the top of the jail, seven million for Community Corrections and who know what for this and what for that. All of this is as a result of House Bill 1006. Every aspect of the legal system is at capacity. Every alternative sentencing opportunity is at capacity. I heard someone say something about the half million that we gave to the opioid thing. My simple mind says either put half a million into that and try to reform and get these people back to being responsible citizens and taxpayers or you incarcerate them at \$45 a day for the rest of their lives or whatever those numbers are.

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Sharon Tucker: I don't disagree with you on those statements. I guess the thing I am looking at is do we have a guarantee that these projects that we know are coming forward are coming from here or are they going to come from County General?

Larry Brown: There are a lot of moving parts. Relocating Community Corrections may be a zero cost. We know it won't be but we know it will be a lot less if we find out the deal that is negotiated. The property they are on now has value.

Sharon Tucker: I am going to take a different direction. No one is saying any of those projects are not important. We know we have to do it. The question then comes back to what my original thought was. If we are responsible for the decisions of the County fiscal dollars, have we given that responsibility away by not having a vote on how those funds are to be spent? Right now we have said here is your pot of money and you take this money and do good.

Larry Brown: Because it is budgeted doesn't mean it is appropriated.

Nick Jordan: Yes it does. If you adopt it in the budget, it is appropriated for spending.

Larry Brown: I used the wrong word. I just feel that we have the information and if any of us feel that we don't have the information, then shame on us for not asking.

Sharon Tucker: We have asked. Whether or not we get several different numbers where on one side we have a number and on the same piece of paper on the other side, we have a different number. The Auditor has said that we had the opportunity to ask this question but we don't go line by line. We have them present us the amount of money they want. We look at it and say it is in line what we gave you last year or not in line. Five or six departments may come back for appeal and we question those appeals and none of the other. Since I have been on Council, we have not looked at line by line. I would agree that the last time we met we should have done this and we have spent so much time on whether we should or shouldn't add a person. We as a body, in the last four cycles haven't individually looked at those lines.

Joel Benz: Let me interject here. Bob, I think your point is well taken. Actually I think we should move forward on changing the tact on the way we address that. I think you are correct and we should retain more ownership of that. However, today we don't have full representation and I feel that for something like this to happen, there needs to be a little bit more conversation specifically with the Commissioners. This is a big shift in the way things would operate for them and for us. I do think it is merited but I do think we need to talk with them and we need to have each member of Council here before I would be comfortable voting no or backing it out, I guess.

Bob Armstrong: So how do we move forward then? Once it is passed, it is passed. This discussion would have to be brought up in 2019 for 2020. So we are just moving it down the road?

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Larry Brown: It is kind of like the \$5,000 for each Judge.

Nick Jordan: You can have the discussion each month when you get that financial report. We send it to you a week in advance. Let's say you see that it is not being spent. We can reach out and say the Commissioners or Chris needs to come to the meeting and talk about with the plan budget expenditures.

Tom Harris: I like that.

Nick Jordan: Not to point blame but it is on Council. Chris was here last month.

Joel Benz: Let me ask this. Procedurally, if we were to back that out and pass the rest and then have a discussion about it next month, would that delay the timeline too much that we wouldn't be able to get it. Let's say with everyone here we passed it as presented today or if it changed, would that present any hurdles for you?

Nick Jordan: It is always inefficient. If you don't like that piece and are going to dialogue with the Commissioners in the next month that is up to you guys. In my opinion, Chris was here and you had the chance to ask him and get the feedback for this meeting. You can pass it as it is and then have the dialogue next year. You can definitely do it and there is nothing to prevent you from it.

Tom Harris: In my mind I like creating a process where they are giving us updates and are talking a little more closely to them. I don't know if I feel as good about pulling that out.

Bob Armstrong: I don't have a problem. The problem I have is we are not following our oath of office because we are the financial arm. In reality, the buck does stop here. If the Sheriff's Department wants to spend money on cars or whatever, he has a budget. He always has the allocation for the budget but a lot of departments will come back and let us know that they are taking this much out of this or transferring it to here to buy this or whatever. That is all shifting of funds and this is no different. I look at the LIT account as the Commissioners' private Rainy Day money. That is what that money is there for, like Larry said, special projects, jails, judicial or whatever. All I am saying is that this body is responsible for the finances and if they are going to buy a Community Corrections Building, any money that is transposed in that agreement or moved should come across this table so we know how much of this LIT budget was spent. That is all I am saying.

Larry Brown: You are talking about the LIT portion and not the entire CEDIT portion.

Bob Armstrong: The LIT Economic Development money. It is very clear, unless I misunderstood our conversation, there is Highway, LIT Public Safety...

Nick Jordan: We are talking about Fund 329 and Public Safety is not there.

Bob Armstrong: It is separate.

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Nick Jordan: This fund is those three and the lines we have up here.

Bob Armstrong: I guess I would be more at ease, like you said, if Chris Cloud comes to us once a month or every three months because we all know what is on there and the things that are going on today everything changes.

Joel Benz: Let's put him on the schedule for a quarterly update to start with. Councilman Armstrong, let's visit that. I could vote with you and we could pull that out but I am not going to but let's have the discussion.

Larry Brown: I think as Tom said, let's start asking for monthly.

Bob Armstrong: You could do that.

Larry Brown: Why not monthly instead of quarterly, an update on Fund 329? And with specifics and more detail than what appears there now.

Bob Armstrong: Like that top line, Economic Development Incentives is \$3 million. What is involved in that? Did they allocate half a million here? What is it going to? It is just a raw number and it doesn't tell us where it is actually being spent at.

Larry Brown: I think the information is available if we just ask for it.

Tom Harris: We can't speak on behalf of the Commissioners but I would suspect they would be in favor of doing something like that.

Justin Busch: Increased communication is never a bad thing. We don't want to show that we are overly aggressive at this. We just want to be brought into the process especially since CEDIT used to be Economic Development and then it became Roads Economic Development and the Jail Economic Development. It is different than what the State initiated by letting us have that.

Bob Armstrong: The thing that gave me heartburn today, and I will get off of this, was reading this report that said they still have \$20 million. They wanted \$1.75 million. The Commissioners gave \$4.25 million.

Nick Jordan: That is in the budget.

Bob Armstrong: Right. I though why did we get put on the hook for the \$1.75 million when you have \$20.792 million? Why didn't you fund it all?

Nick Jordan: They didn't want to.

Bob Armstrong: I understand that but I am just saying when you show that up there and people look at that it is a lot of money being rolled every year and that is taxpayer money.

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Sharon Tucker: Can I ask that question? Two months ago that Chris came to us...

Nick Jordan: Last month he came to the hearing.

Sharon Tucker: I didn't think he was on there and we didn't talk about their budget.

Nick Jordan: The Highway and you said you didn't have the printout and I sent it to you at the meeting while we were sitting here.

Sharon Tucker: So he came to the meeting a couple of months ago and brought the breakdown of what they were working on and funds that they had earmarked and that is when he noted that they were budgeting for the Stellar Award.

Nick Jordan: That was in April.

Sharon Tucker: These months go fast. When he provided that information to us, all of the earmarked funds were being used but at what point do the unused funds roll back into the General Fund?

Nick Jordan: They won't. They are in their own fund. At 3/31/18 there was about \$21.5 million and with the earmarks, it left \$3.8 million. These earmarks don't get spent they stay in their own fund. They will never revert to the General Fund. In 329 LIT Economic Development.

Sharon Tucker: So it could just keep growing and growing and growing and stays in the Commissioners' line unless we pull it out.

Nick Jordan: All you can do is not appropriate, or have the discussion prior to saying that we don't like this budgeted line item but it will never go to the General Fund unless law would change.

Sharon Tucker: Okay.

Nick Jordan: Up on the screen I have the Economic Development Incentive that Bob is referring to and has \$3 million for 2019. For 2018 the budget is \$2.256 million. We can show all that has been paid to date to the vendors and we can do this at any point in time. If you do it in advance of the meeting we can ask Chris at the meeting or prior to. It is not secret and is all made public.

Bob Armstrong: Like he said it is all public information and if someone gets on there and looks at that and I am out in the neighborhoods, they ask me. They rolled \$19 million last year! That is my money and I want that in my sidewalks and street lights and all of that. How do you defend that?

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Sharon Tucker: I had this conversation in Hoagland when they were talking about the sewer issues that had and they wonder why that excess money couldn't go to repair their system instead of tapping into the Fort Wayne system.

Tom Harris: With that I will move for the ordinance or resolutions for appropriations and tax rates, Ordinance/Resolution Number 2018-10-18-03, be it ordained/resolved by the Allen County that for expenses of Allen County for the year ending December 31, 2019 the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to me bade during the year unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of Allen County, the property tax levies and property tax rates are herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance. This ordinance/resolution shall be in full force and effect from and after its passage and approval by the Allen County Council.

Justin Busch: 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 (Tippmann absent).

Nick Jordan: On the back page, make sure you mark the Aye or Nay Box when you sign. I will take care of marking Eric as absent. The next piece is the Elected Official Salary Ordinance.

Tom Harris: I will move for approval of the salary ordinance 2019 for Elected Officials, now therefore be it ordained by the Allen County Council that the attached shall be the salaries of the Elected Officials employed by Allen County, Indiana. They shall be paid their annual salary in 24 equal payments and shall receive no overtime. Pursuant to IC 36-2-12-15, the compensation of the Allen County Surveyor will be reduced to \$60,706 if he is not a registered Surveyor under IC 25-21.5 or IC 25-31. Pursuant to IC 36-2-14-15, the compensation of the Allen County Coroner will be reduced to \$36,027 if he is not licensed to practice as a physician in Indiana as determined by County Council. Pursuant to IC 36-2-13-17, the maximum Sheriff annual compensation is equal to that of the full-time Prosecuting Attorney in the County. This ordinance read, considered and adopted by the members of the Allen County Council on this 18th day of October, 2018.

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 (Tippmann absent).

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Nick Jordan: All of the detail on that is in your notebook. The next is the salary ordinance for Non-Classified Employees which is Department Heads, Chief Deputies and those on the Special OCC grid.

Tom Harris: Move for approval of salary ordinance 2019 Non-Classified Employees (Department Heads, Chief Deputies, Attorneys, Doctors, Executives and Special Occupations). Now therefore be it ordained by the Allen County Council that the attached shall be the salaries of the Non-Classified employees employed by Allen County, Indiana. They shall be paid their annual salary in 26 equal payments and shall receive no overtime unless otherwise noted. This ordinance read, considered and adopted by the member of the Allen County Council on this 18th day of October 2018.

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 (Tippmann absent).

Nick Jordan: Next is the Classified Salary Ordinance and those are the ones on the grids.

Tom Harris: 2019 Salary Ordinance, be it ordained by the Allen County Council of Allen County, Fort Wayne, Indiana that this salary ordinance includes wages and other compensation received by employees under the auspices of the Allen County Council for work performed by the employees. Other compensation includes holidays, established by the Board of Commissioners of the County of Allen, plus vacation, sick days and sick day reimbursement allowed as set forth in the Allen County Personnel Manual. Full time employees are employees who are paid from individual annual salary appropriation lines found within their respective office or department budget; provided that any sworn officer of the Allen County Police Department who completes any portion of his first twelve months of County employment during calendar year 2019 shall, for such period in 2019 which comprises any portion of such initial twelve months of employment, be paid at a rate equal to ninety-seven and one-half percent of his salary as approved herein. Except as specifically identified below, full-time employees shall be regularly scheduled to work not less than seven and one-half hours per day on a five day a week schedule. Departments who are required to operate on a twenty-four hour day may establish a four day on and two day off work schedule. Departments may elect varying hours within a work week and shall notify the Auditor of such election. The Auditor shall establish an hourly rate for each full-time employee. The hourly rate shall be determined initially by dividing the employee's annual salary by fifty-two then dividing that number by the regular number of hours the employee is scheduled to work. Once determined, hourly rates shall only be modified with the approval of the County Council. Overtime payments, as required by the Fair Labor Standards Act, are hereby specifically approved. Employees who are on a 37.5 hour work week shall receive straight time for hours worked between 37.5 and 40 and time and one-half thereafter. Employees, who are entitled to overtime payment, in accordance with the Fair Labor Standards Act and are not otherwise compensated, shall be paid an hourly rate as determined above. Classified employees shall have their step increase effective on their anniversary date. Employees,

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who achieve and maintain Level II or III Assessor Certification and are not elected, will receive an additional \$19.23 per pay period up to a maximum of a \$500 for each level achieved payable from the Reassessment Fund. Except as set forth above or otherwise specifically allowed by ordinance, no other payment shall be made to employees for compensation for work performed. A salary grid is hereby established for all classified positions as presented and approved by the Allen County Council for 2019. Said grid shall be modified in accordance with the preceding paragraphs as required. This ordinance read, considered and adopted by the members of the Allen County Council on this 18th day of October, 2018.

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 (Tippmann absent).

Nick Jordan: Next is the Part-Time Salary Ordinance.

Tom Harris: 2019 Part-Time Hire Salary Ordinance. Now therefore be it ordained by the Allen County Council that the attached shall be the hourly salaries for part-time employees employed by Allen County Departments that utilize part-time hire. This salary ordinance indicates the range of pay received by part-time County employees for work performed during the year 2019. Part-time employees shall receive no more than the hourly rate established by County Council for hours worked and will not otherwise be entitled to fringe benefits. Those who are scheduled to work a minimum of thirty hours per week in a position that extends for twelve months or more are eligible for Group Health and Group Life Insurance. Unless otherwise specifically allowed by ordinance, no other payment shall be made to part-time employees for compensation for work performed. This ordinance read, considered and adopted by the members of the Allen County Council on this 18th day of October, 2018.

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 (Tippmann absent).

Nick Jordan: Next one is for the binding tax units, as we call them and the first one is Southwest Fire District.

Tom Harris: Move for the Resolution 2018-10-18-04, be it ordained/resolved by the Allen County Council that for the expenses of Southwest Allen County Fire for the year ending December 31, 2019 the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition for purposes of raising revenue to meet the necessary expenses of Southwest Allen County Fire, the property tax levies

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and property tax rates are herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance. The ordinance/resolution shall be in full force and effect from and after its passage and approval by the Allen County Council.

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 (Tippmann absent).

Nick Jordan: The last one is for the Airport Authority.

Tom Harris: Move for the Resolution 2018-10-18-05, be it ordained/resolved by the Allen County Council that for the expenses of Fort Wayne-Allen County Airport Authority for the year ending December 31, 2019 the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition for purposes of raising revenue to meet the necessary expenses of Fort Wayne-Allen County Airport Authority, the property tax levies and property tax rates are herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance. The ordinance/resolution shall be in full force and effect from and after its passage and approval by the Allen County Council.

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 (Tippmann absent). Councilman Harris, thank you for your fine work.

Justin Busch: I am going to miss your sweet baritone.

Joel Benz: Well that is on the record now.

Justin Busch: I stand by it.

Joel Benz: Is there any other business that needs taken care of here? We don't have to waive a second reading on this so if there is a motion to adjourn, I believe we can do that.

Justin Busch: Mr. President, I make the motion to adjourn.

Tom Harris: 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 (Tippmann absent).