

**ALLEN COUNTY COUNCIL MEETING MINUTES
FEBRUARY 18, 2021
8:30 AM**

The Allen County Council met on Thursday, February 18, 2021 at 8:30 am in the Chambers room at Citizens Square. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants and any other business to come before Council.

Attending: Robert A. Armstrong, Joel M. Benz, Sheila Curry-Campbell, Kenneth C. Fries, Tom A. Harris, Kyle A. Kerley and Christopher Spurr.

Also Attending: Jackie Scheuman, Finance and Budget Director

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

Kyle Kerley: Good morning everyone. First on the agenda is the approval of the January 21, 2021 meeting minutes.

Tom Harris: Move to approve the minutes from January 21, 2021.

Kenny Fries: Second.

Kyle Kerley: All in favor signify by saying aye, opposed, same sign. The motion passes 7-0. The next item would normally be the financial report but Auditor Jordan is on vacation. He has submitted the financials in our meeting packet and they will be available online. In lieu of that do I have a motion to accept the financial report?

Tom Harris: I will move for approval of the financial report.

Sheila Curry-Campbell: Second.

Kyle Kerley: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Total appropriation requests in the General Fund are \$900. Total appropriation requests in Other Funds are zero. Is there anyone here for public comment? Seeing none, we will move on to the next item which is appointment to the New Haven Economic Development Commission. In December, we had appointed Craig Dellinger and due to a conflict of interest he was unable to serve in that capacity. Mayor McMichael has asked that we appoint Matthew Kennedy in his place. This is just a bookkeeping item that we need to address.

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Joel Benz: I will make the motion to appoint Matthew Kennedy.

Bob Armstrong: Second.

Kyle Kerley: Are there any further nominations? **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.** Next item on the agenda is the Sheriff's Department. I told them they didn't need to come. They are requesting permission to apply for the State Criminal Alien Assistance Program grant. They come to us every January or February to request that they apply for the grant so they can get some extra funds. It is kind of bookkeeping and it is something that we do every year and do every year for the foreseeable future.

Tom Harris: I will move for the approval to apply for the State Criminal Alien Assistance Program grant.

Bob Armstrong: Second.

Kyle Kerley: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.** The next department is Allen County Juvenile Courts.

Wendy Kyler: Wendy Kyler with the Allen County Juvenile Center. We have three items for you today. The first is to appropriate the final installment of the DAC Grant that we received. It is for \$900. We are asking to appropriate it to the line so that we can add it to the P.O. That is going to help pay for a new dashboard in the Quest Case Management system. Do you want me to keep going?

Kyle Kerley: Yes, just keep going.

Wendy Kyler: The second request is in our budget line in the 300 Series in Building. We have an amount of \$69,479 and we are requesting that these funds be moved to supply lines in the 200 Series and capital lines in the 400 Series. This transfer comes about just to make more appropriate line choices for items that are being purchased throughout the year. Finally we are requesting to apply for the JDAI grant. This will be our eighth year. The deadline for the application is the 21st of this month. We are expecting \$55,000 again this year which we will come back to appropriate when the grant is fully executed. There is also an amount of \$24,116 in the 100 Series of salaries and benefits that we are requesting to be moved to the 300 Series. This is money that the State carried over at the very beginning of the JDAI Initiative that they are not requesting back. We would like to get that now

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because the JDAI grant no longer supports salaries or benefits for any type of personnel.

Kyle Kerley: Thank you.

Tom Harris: I will ask in terms of the Building of \$69,479, Jackie are those the right account numbers that it is being moved to?

Jackie Scheuman: Yes, it was probably a request from our office for them to move it. We discovered through the audit last year that some departments were taking everything out of Building Maintenance and it is really more appropriate to be out of Maintenance Supply or a capital item. It is not really Building Maintenance if you are buying filters for the furnace. We are trying to clean all of that up.

Tom Harris: Okay.

Kyle Kerley: Mr. Armstrong.

Bob Armstrong: Jackie, I have a question for you. That \$69,479, is that for the year?

Jackie Scheuman: Yes.

Bob Armstrong: So there is nothing in that Building line at all.

Jackie Scheuman: No.

Bob Armstrong: Okay.

Jackie Scheuman: We had a couple in January that we are just trying to get it cleaned up so that State Board of Accounts is happy.

Joel Benz: Transparency is a good thing, right? If there is no further discussion I will make a motion here. I will make a motion for appropriation in ACJC Maintenance for \$900, transfer of \$69,479 from Building to Building Materials and Furniture and Fixtures, item number five for permission to apply for the JDAI grant and the transfer within the JDAI Grant Fund 223 of \$24,116 from Extra Deputy Hire, FICA and JDAI Coordinator to Travel, Utility and Schools and Seminars. That would take care of all of their items.

Chris Spurr: Second.

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Kyle Kerley: We have a motion and a second. Is there any further discussion? All in favor say aye, those opposed, like sign. The motion passes 7-0. The next item on the agenda is Circuit Court.

Eric Zimmerman: My name is Eric Zimmerman and I am the Chief Probation Officer for Adult Probation and still resuming some fiscal responsibilities for Circuit Court.

Anne Webster: My name is Anne Webster and I am Judge Davis' Court Administrator for Circuit Court.

Eric Zimmerman: I am here to transfer some funds from Travel and Schools and Seminars. We started a kind of remodel project last year with some transfer of funds left over from 2019 and this is kind of phase two. I will tell you that when the new administration took over in January, Judge Davis brought a lot of excitement and a lot of energy and a lot of ideas on how we could make Circuit Court better and build on what Judge Felts had built over twenty years. In the process of examining our budget, we realized that we weren't going to travel this year and we also realized that a lot of the training that is required for judicial officers and staff and probation officers could be done online. A lot of the organizations that we use for training literally removed their pay walls. We were able to get training that would otherwise cost us money. Those numbers represented in Travel and Schools and Seminars are fifty percent transfer into ability to purchase some phase two of our office remodel. When the remodel budget was put together, the business model was different than what it is going to be today. We had one office with one employee and now we are going to have two employees in there. We just need to shift a little bit. I will tell you that between the Commissioners and the Building Department, it has been a real pleasure to work with them. They have been very responsive to our needs. The Commissioners have stepped up and allowed Judge Davis to do some of her own remodeling and I know that is fairly standard but still they have been more than accommodating. Our goal is to transfer this money today so we can finish the remodel and rework some of the current office space and do it without any additional appropriation and operating within our 2021 budget. I would be happy to entertain any questions.

Tom Harris: The question I have is you mentioned the fifty percent that you are transferring fifty percent of Schools and Seminars and Travel. Did I hear that right?

Eric Zimmerman: Yes that is correct.

Tom Harris: What is the \$13,000 paying for?

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Eric Zimmerman: That is paying for two desk areas and two offices that are getting completely remodeled. It also allows us to purchase some decorative stuff and wall art in employees' offices. The first part of the remodel was about \$15,000 and we went a little over what we originally intended in the budget of 2019. That is what our plan is now.

Tom Harris: What kind of wall art?

Eric Zimmerman: Like some pictures of the Courthouse put on canvas, nothing extravagant but just something nice other than blank walls.

Chris Spurr: Do we have an idea of the total cost of that?

Eric Zimmerman: Of that specific thing?

Chris Spurr: Like the wall art.

Eric Zimmerman: Probably a couple hundred bucks but no more than \$500. Most of this is to remodel three offices, a Magistrate's office, Room 311 and the new Magistrate this year, Magistrate Trevino. The new Court Administrator's Office was set up for two employees and we are converting that to one. We are taking an office that was designed for one and making it for two. Just the internal remodeling of the business model for the way the workflow has changed with the new administration that has come in.

Tom Harris: I will add that I generally try to provide as much assistance as we can when we see new Elected Officials or new people come in just as we did with ACJC from the previous Judge that had been in that seat. We will provide some but at some point that had to stop. We can't keep doing more and more and more renovations. Just a cautionary note to the new Judge that we probably need to put a cap on that and it doesn't go on forever.

Eric Zimmerman: Duly noted.

Kyle Kerley: Is there any other discussion?

Chris Spurr: I would like to point out for the record that Mr. Zimmerman and I had spoken and I had requested that the Travel, due to the pandemic be virtually eliminated as much as possible. He agreed with that. Outside of any mandatory training that is required. With that being said, I will move to approve Schools and Seminars at \$7,000 and Travel at \$6,000 be transferred to Furniture and Fixtures for a total of \$13,000.

Bob Armstrong: Second.

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Kyle Kerley: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. With that we are onto Discussion and Other Business to come before Council. Is there any new business?

Tom Harris: I have before me a resolution in opposition of the Food and Beverage Tax. We had discussed the idea of bringing that before Council from a resolution standpoint and I will be pleased to introduce that this morning. Do you want that at this time?

Kyle Kerley: Yes.

Tom Harris: Allen County Council Resolution in opposition to a Food and Beverage Tax, whereas the restaurant industry within Allen County is essential industry and has encountered abundant difficulties due to the impacts of COVID-19; and whereas a substantial number of Allen County hospitality workers have been involuntarily idled during the COVID-19 pandemic and whereas such difficulties encountered by restaurants, restaurant suppliers and related vendors have resulted in a loss of income which has adversely affected many families and whereas the imposition of a food and beverage tax will have a dramatic and negative impact on one of the hardest hurt industries and whereas a change of the food and beverage tax statute would chill future investment and slow Allen County's economic recovery from the effects of COVID-19, now therefore be it resolved the Allen County Council stands with other fiscal bodies of Allen County to oppose any and all efforts by the Indiana General Assembly to allow any local government unit within the County of Allen to adopt an additional food and beverage tax. That is in the form of a motion.

Kyle Kerley: Was that in the form of a motion to introduce or a motion to pass?

Tom Harris: A motion to pass.

Joel Benz: I will second that.

Kyle Kerley: We have a motion and a second. Is there any discussion on this?

Bob Armstrong: How many other communities in Allen County have signed these resolutions?

Kyle Kerley: It has been introduced with Fort Wayne City Council and Hometown Town Council. Neither has taken an official vote on it yet. As you are aware about a week and a half or two weeks ago Senator Holdman announced that the Senate would not have any hearings on the Food and

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Beverage Tax increases during the 2021 session. That doesn't mean there aren't other avenues that Food and Beverage Tax language could get inserted into a bill.

Tom Harris: One question as I looked over this is does this resolution stand forever or does it stand for this point in time? Maybe this General Assembly, we should add an addendum to this that it is for this General Assembly.

Kyle Kerley: We could modify the therefore to the 2021.

Kenny Fries: In my opinion, as I have said before, I don't believe there is ever a good time for an additional tax. I don't think it is good now or will be five years from now. For what my opinion is worth I think we should leave it go for infinity and beyond.

Tom Harris: Just a technical piece to that. I guess we can pass this but then in five years when the discussion comes up, we can pass a tax, right? This doesn't keep us from doing that.

Kyle Kerley: This resolution says this is where we stand.

Tom Harris: I am also not in favor of any kind of tax increase but I don't want to tie the hands in the future that we could never adopt a Food and Beverage and it is coming from the State anyway.

Chris Spurr: We are pushing it back to local authorities.

Sheila Curry-Campbell: Exactly. The impact of COVID-19 is going to be for years to come. I kind of agree with what Ken is saying but at this point the impact of COVID-19 is long term.

Tom Harris: So with that probably unless you want to do an addendum, I would leave it as it is.

Kyle Kerley: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.** I will forward that information onto Fort Wayne City Council and Hometown Town Council that we have passed this. With that are there any other things to talk about?

Sheila Curry-Campbell: Is there any information about COVID-19 with any updates on vaccines? I think we are beyond testing. Everybody wants to know when they can get it.

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Kyle Kerley: The only information I would have is what the Governor announces every Wednesday and what is made public. I think we're 65 and over.

Kenny Fries: It is 65 because I am not eligible yet.

Chris Spurr: I recently learned and I have not independently verified this but it was brought to my attention that even if you are a citizen in the confines of Allen County, you can cross county lines to get your vaccination. Has anybody else verified this? You cannot cross state lines but you can county lines.

Joel Benz: I think that would be a good question for the Health Department but there is no representative here today.

Sheila Curry-Campbell: My church, Pilgrim Baptist Church, reached out to me and they wanted to know how they could help as far as being a site. They are in the 46803, East Central Neighborhood. It is very affected. You could probably knock on every door and someone knows someone who has lost their life to COVID. We need to think about how we can address that.

Tom Harris: That might be something you want to bring up to the Health Department.

Sheila Curry-Campbell: Most definitely. I just wanted to know if we had any updates. Thank you.

Kyle Kerley: Are there any liaison reports?

Tom Harris: I will mention one thing. The HR Department had provided some updates and analysis on the exempt. If you remember, we have a number of people that are listed as non-exempt in the County and I think I promised Council to have that done by Christmas but I have not been able to get that done. HR has been very on it and has gotten the information back to me last week but I have not gotten back to them yet. I hope to have some information coming soon in terms of a recommendation in changing the non-exempt employees to exempt. They feel the impact would be almost nil and most of them are not working overtime hours anyway or have not. It would be a change to paperwork but it would help the County to reduce liability potential by getting them classified appropriately. I hope to have some information by the next Council meeting.

Kyle Kerley: Based on that...

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Tom Harris: Approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of February 18, 2021.

Joel Benz: Second.

Kyle Kerley: All in favor please signify by saying aye. The motion passes 7-0.

Joel Benz: Move to adjourn.

Bob Armstrong: Second.

Kyle Kerley: All in favor please signify by saying aye. Opposed like sign. The motion carries 7-0.