

**ALLEN COUNTY COUNCIL MEETING MINUTES**  
**JUNE 18, 2020**  
**8:30 AM**

The Allen County Council met on Thursday, June 18, 2020 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: Joel M. Benz, Larry L. Brown, Kenneth C. Fries, Tom A. Harris, Kyle A. Kerley. Robert A. Armstrong was absent.

Also Attending: Nick Jordan, Auditor

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 May 21, 2020 meeting minutes. Are there any additions or corrections?

**Larry Brown:** Move to approve the minutes from May 21, 2020.

**Kyle Kerley:** Second.

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

**Nick Jordan:** In your packet is the financials through May. Miscellaneous Revenue is tracking right along for year-to date. There is one interesting one the Care of Prisoners is running at twelve percent. The State is paying us in one lump sum in June or July of each year so we will receive the payment for last year through year end and we will see what that payment looks like. Due to the population being lowered, the payment won't be as high as in prior years. The other piece that is of interest to the taxing units is total property and excise that has been distributed in June Settlement is only about 2.9% less than 2019 which is a positive sign given all that has been going on. We will do another distribution in July of any collections that are paid as of July 10<sup>th</sup> of the extended due date for property taxes based on Governor Holcomb's executive order. I can take any questions that you have. Next month we will start the budget process for 2021.

**Larry Brown:** If there are no questions, I will make a motion to approve the financial report as presented.

**Tom Harris:** Second.

**Joel Benz:** All in favor signify by saying aye, opposed, same sign. The motion passes 6-0-1 (Armstrong absent). This morning, we have \$3,579,866 in appropriation requests

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in the General Fund and zero dollars in Other Funds. At this point I will open it up for public comment.

**Nick Jordan:** I have received some electronically. Do you want me to read them into the record?

**Joel Benz:** That is fine.

**Nick Jordan:** The first one is from Ms. Sarah Wheaton at 4931 Hartford Drive. “What is the County Council’s response to police brutality? How does the County Council plan on better supporting our black citizens? How could the County’s funds move away from violence and move toward supporting and valuing all citizens in our County while also better funding institutions that prevent crime from occurring in the first place? What types of anti-bias and anti-racism work education has each Council member participated in? That is it from Ms. Wheaton.

**Kenny Fries:** Do you have as many as I have gotten? There were probably 30 different ones.

**Nick Jordan:** I haven’t gotten thirty. I think I have...

**Sheila Curry-Campbell:** What was the last question?

**Nick Jordan:** The last question from Ms. Wheaton was “What types of anti-bias and anti-racism work education has each Council member participated in?”

**Sheila Curry-Campbell:** I could speak for myself not necessarily through the County. I have been through several trainings. Have I gone through anything with the County? No sir. As an individual, yes I have.

**Kenny Fries:** As a Police Officer for 34 years, we had it annually.

**Tom Harris:** As an HR Director for 30 years, I have had a whole bunch of that throughout my career.

**Kyle Kerley:** I have had it with three different companies and gone through it.

**Larry Brown:** Then I have to say something. My comment would be that my parents and grandparents raised me in such a manner that I have tried to be as equal as absolutely possible.

**Joel Benz:** Well said.

**Nick Jordan:** The next one is from Mr. Paul-Phillip Michelson 4822 South Wayne Avenue. “As a citizen of Allen County, I am deeply disgusted by the disproportionate and unnecessary violent response by the Fort Wayne Police Department in the recent protest

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for George Floyd and Black Lives. I witnessed firsthand and through videos as police tear-gassed peaceful protesters, children and reporters. I watched as police escalated multiple situations far beyond necessary and escalated them again and again. I have seen sickening violence by people who are supposed to serve and protect. Unfortunately none of this is surprising as this is par for the course with policing across the U.S especially for our black and brown and native residents. I had hoped Fort Wayne was different. Not only is this kind of policing unethical, hurtful and stupid, it is a huge waste of money. There are many proven community-based alternatives to heavy-handed violent policing and many more qualified people to do it. Why does policing and criminal justice take up such an enormous amount of money in the budget? How much did the SWAT tanks, tear-gas and other military weapons of urban warfare used to harass people rightfully expressing their sorrow cost us? Please reconsider our budget. Let's make Fort Wayne an example of how to do things right in a place where people of color not only matter but can thrive and live lives of joy without fear." The next one is from Mr. James Harp 1026 Maxine Drive. "I am writing to express my outrage at the continued failure of our leadership to respond appropriately to the ongoing protests in support of black lives. Not only have police and leadership not apologized or acknowledged their wrongdoing, they have double-downed on their aggressive disproportionate tactics. Recently it appears that the police have begun hunting down and arresting individuals involved in organizing protests. Protests that I will remind you, in every case, have been peaceful until escalated by our militarized police force. The charges against protesters unjustly harassed and arrested must be dropped. As a County Council member, are you proud of the way the situation is being handled by the authorities? You should be ashamed. Do you honestly believe contrary to all research and experience that these tactics improve public safety? Seventy-one percent of the 2020 County budget is devoted to law enforcement. Seventy-one percent of the budget have SWAT teams and riot gear and use tear gas on peaceful protesters. This is absolutely unacceptable. The footprint of the criminal justice apparatus must be significantly reduced and the funding must be redirected to public services that legitimately support the quality of life in our country."

**Kenny Fries:** He is wrong there with the 71% going to the Police. The 71% goes to the criminal justice system which also helps with all of those programs that we have put in place in Allen County, one of the best Counties in the State of Indiana. I think there are two Judges here that could attest to the fact that we have more programs to help the citizens of Allen County than any other County in the State.

**Nick Jordan:** I was going to say that the actual Sheriff and Jail only runs 20% to 30%. The Courts, Prosecutor and Public Defenders are all thrown into that Law Enforcement category. The next one is from Dr. Danee Pye of 200 6<sup>th</sup> Street Suite 201 Fort Wayne, Indiana. "Dear County Council Members, As a Fort Wayne resident and business owner, I am shocked, disgusted and quite frankly embarrassed to see the City's response to the current protests and public outrage sparked by the death of George Floyd. I have lived in Fort Wayne for eight years and have long understood the City's de facto segregation has been a lesser quality of life for black people and other people of color, myself included. We are now seeing all of that come to a boiling point and instead of reacting to long overdue empathy the Police Department is terrorizing the citizenry. When it comes to

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welcoming all, Allen County is behind the times and you are largely responsible for that. It is never too late to do the right thing and stand on the right side of history. You can make Fort Wayne a great place to raise a family even a black family or a brown family or a poor family because in case you didn't know, it's only a great place for certain families. Please call off the terrorizing of citizens, drop charges on the protesters and be the leaders you were elected to be." Mr. Richard May who lives in the South Wayne Historic Neighborhood. "I am very concerned with the direction that our City is heading. We have brave men and women using their first amendment rights to protest the injustices they have suffered their entire lives. However the City government and the Fort Wayne Police Department has met these protesters with excessive force and made arrests on trumped up charges. As a citizen of the City since I was five years old, I was extremely proud of being a Fort Wayne resident so much so that I was trying to get my cousin and his family to move here. Now I am embarrassed at the Police Department's behavior and would not recommend this as a safe City to live in thanks to the City officials. Please explain to us, your taxpayers, why the tax money is going overwhelmingly to the Police Force. We wouldn't need so many Police Officers or Juvenile Detention Centers if things like the Parks Department and Social Programs were being funded adequately or even just properly funding the school systems so that there were buses. Please make change because you are losing the trust of the City and you will lose a lot of tax paying citizens in the future." That is all I have. I will forward them all to you.

**Joel Benz:** Good morning. Please identify yourself for the record.

**Andy Kurzen:** My name is Andy Kurzen and I live here in Fort Wayne. I would like to thank you guys for the work you do hidden in plain sight. To be honest, I don't know much at all about what you do here but I appreciate the opportunity to speak as one of the many disillusioned citizens. Being attacked or villainized for protesting against injustice is on one hand highlighting some major problems that need addressed as were most of the comments talked about. It is also undermining the larger fight for racial and social justice in Allen County that needs to take place. We can't focus our efforts on creative possibilities in our community without justice for those who have been wrongfully harmed, arrested and traumatized during peaceful protests. I ask for you to carry out a full independent investigation of the response of the protests from May 27<sup>th</sup> through today. Who was involved? What resources were expended? The response to the protests took place in plain sight and was live streamed by thousands but something that has been hidden in plain sight from many of us in this room are the disparities between white and black lives in our community. The only thing that is hidden about them is that they probably don't affect us on a daily basis. Higher unemployment, lower wages, higher infant mortality, five times higher rates of incarceration despite being only fifteen percent of the population. Stricter sentencing and the list goes on. There are two possible explanations in my mind. Either white people are superior and deserve all of the advantages in these categories or systemic racism and social injustice is a real thing in Allen County and it is up to us to create change. The government alliance on racial equity defines racial equity as when race can no longer be used to predict life outcomes and outcomes for all groups are improved. Racial inequity and social justice are urgent moral and socioeconomic endeavors for our community. Addressing these issues is not only an

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ethical obligation but is essential to ensure the continued economic vitality of our community. Business as usual is not acceptable. What can you, as a Council, do to propose today in this meeting to work towards justice in Allen County? What steps can be taken towards justice with the budget that is under your review? Thank you for listening.

**Sheila Curry-Campbell:** Thank you, Andy. May I say something?

**Joel Benz:** Go right ahead.

**Sheila Curry-Campbell:** I know Andy personally and Andy is a real soldier. He worked with Frost Illustrated. He worked with Attorney Ed Smith. I have worked with him personally. He has always made sure that the paper, when it was in existence, was of high quality. I appreciate you, Andy, for speaking today. I know as a Council that we haven't discussed some of those things but we will be working on the budget and I think that is something that we have all heard from our constituents as what they want us to do. We will do our best to try to make sure that we are looking at this budget very seriously. Please stay in touch. I love you. Thank you, Andy.

**Nick Jordan:** I have another one. Mr. Trevor Walker...

**Joel Benz:** Hold on, Nick. I have a comment. Sir, I appreciate you being willing to come today instead of shooting an email out. It is so easy to do that and not so easy to come up and sit in front of a microphone and say a few words. I do think there are some things going on in our Country that we all need to evaluate but I also am concerned there is the issue of racism. There is also the issue of justice. Some of that stuff has gotten blurred between those two things. It is our job... the Lady Justice with the scales is blindfolded for a reason. We need to separate those issues from the issues of racism and deal with those issues separately. I do appreciate your comments. All of us have taken an introspective look at what our Country looks like and what we can do better. I will point out last month our meeting we spent several million dollars to start up a program that some of the Council members here disagreed with pretty vehemently. I think that was a step in the right direction ahead of some of the things that have occurred here to maybe look at how we are doing things and doing them a little differently. I think that was a progressive step for our community and a step in the right direction. Anyway, I appreciate your time. Councilman Fries.

**Kenny Fries:** I reiterate that. Andy, I do appreciate you coming here because most people will send an email and they don't have the guts to come up here and say a few words. I will also tell you to please don't prejudice the Police. We all are human. There are Police Officers that make mistakes but 99.9% of the Officers put that uniform on every day and try to help people. They try to save lives. They always try to do the right things. Will people make mistakes? Yes. Please don't prejudice the Law Enforcement across the Country. I will tell you that Fort Wayne and Allen County have some amazing men and women on their departments that do an unbelievable job every day. They come from our community and they are our neighbors. They want this to be the best and safest

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place in the world and it is on honor and on them to make sure they do the right thing and they always try. Please don't prejudice all Police and think they are all bad. Thank you for coming.

**Nick Jordan:** Mr. Trevor Walker "I have a question for the public record. How much money has been spent on the protests in downtown Fort Wayne between monitoring the protesters, arresting them and holding them, wages for Police Officers, overtime and equipment? When the Police Department has to start settling lawsuits for excessive force will it come out of their budget?"

**Larry Brown:** Excuse me. Certainly you are not going to read all 30 or 40.

**Nick Jordan:** That is all I've got. Because of social distancing that could have been the reason some of them didn't come but they were specifically sent to me for the public record.

**Larry Brown:** Thank you. Most of them were cut and paste.

**Tom Harris:** I received about fifteen of all the same letter.

**Kenny Fries:** People need to understand we are the fiscal body of the County. We don't do investigations. We are the fiscal body.

**Larry Brown:** Yep.

**Sheila Curry-Campbell:** I know I have probably received 60. A lot of them you were all copied on. Some of them went to my personal email along with my County email. They all are kind of what Nick is reading. They are kind of the same. There were some that were kind of out there. Personally, me, this is the first time in my lifetime that black is right. Black has always been associated with being wrong. I hope we are all sitting here and will be on the right side of history. Like I said, my whole life black has been wrong. This is the first time black is right. Thank you, sir.

**Joel Benz:** Is there any other comment for the public record? Ozzie Mitson, our Board Appointment to the Alcohol Beverage Commission has a presentation.

**Ozzie Mitson:** I am Ozzie Mitson and I am your appointment to the Alcohol Beverage Commission. It has been a couple of years since I have been here. For those of you that aren't familiar with what the Alcohol Beverage Commission does, we meet twice a month and renew alcohol permits that come before us with no violations. Those are automatically renewed for two years. A new permit will have to apply and go through a hearing with us. Any permit that has had a violation will have a hearing with us. Our vote is a recommendation to the State ATC. They have the final say. Occasionally they overturn us but for the most part they take our recommendation. I would welcome you to come to any of our meetings on the second and fourth Monday of every month.

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**Kenny Fries:** What time and where?

**Ozzie Mitson:** At 9:30 in this room.

**Sheila Curry-Campbell:** How many members?

**Ozzie Mitson:** There are four members. One is appointed by the Mayor. One appointed by the Commissioners. One appointed by your body and one Indiana Excise Officer.

**Sheila Curry-Campbell:** What is the term?

**Ozzie Mitson:** One year.

**Tom Harris:** The permits that come to Allen County are based on population? Is that accurate?

**Ozzie Mitson:** It depends on if it is in a municipality or in the unincorporated area.

**Tom Harris:** Any changes over the last two years in terms of the number of permits?

**Ozzie Mitson:** I believe the State increased the number you could have in a municipality. For the most part, everything has remained steady here.

**Tom Harris:** The biggest challenge? I know a couple of years ago there were some challenges for you. Is there anything happening today?

**Ozzie Mitson:** Nothing to that level. Mostly it is Excise Checks where they are serving to minors or not having server permits but nothing to the level that we had with Sports and Spirits.

**Tom Harris:** Any recommendations or comments for Council.

**Ozzie Mitson:** No, I welcome you to attend and feel free to call me if you have any issues.

**Joel Benz:** How long have you served as our representative?

**Ozzie Mitson:** About five or six years.

**Joel Benz:** We appreciate the job you are doing. Thanks for coming this morning. Next item on the agenda is the Allen County Public Library with a Bond Resolution Request.

**Dave Sedestrom:** I am Dave Sedestrom, Chief Financial Officer for the Library. With me is Greta Southard, Executive Director of the Library. I appreciate the chance to talk to you about a proposal for our bond issue that is coming before you for approval. As a background, I think Nick has forwarded to you some of the materials that we had at our

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Board of Trustee meeting that we had on the 28<sup>th</sup>. I will summarize some of those and go through them quickly. Then we can take any questions that you would like. As far as background, many of you may remember the large expansion program we went through from 2001 to 2006. That was around an \$84 million bond issue that affected most of the Library buildings and facilities. Those have been in place since that time. At 2016, we decided to do a comprehensive floor to ceiling inventory and assessment of all of our facilities in order to utilize as our capital planning tool that resulted in a plan that goes out twenty years as far as showing what is due to be expiring as far as the age of the equipment, condition and what it will cost to replace it and inflation factors. We decided last year to look at what of those are the most critical? We had a life cycle assessment done on the major components, HVAC's, pumps and things like that. What that looked at was taking all of that equipment and seeing two aspects, what is the likelihood of failure mainly based on age and how much use it gets and what would be the impact of that failure. The example I use is the Monroeville Branch has two cooling units. If one of those failed, it would be very catastrophic for the building. The single unit probably wouldn't be able to keep up with the dead of summer. The Main Library has 18 humidifiers. If one of those failed, it would be covered by the other 17. That is what the study looked at. What are the items that are going to be most critical to replace? The other thing I put on the slide was in 2017-2018 we had an assessment done of the buildings really looking at where they needed to be modified, changed and brought up to date. The example I use there is when we built these in 2001 to 2006 we put in a lot of space for desktop computers. Desktop computers aren't needed now. People bring their own devices, tablets, phones and things like that. Looking at how these buildings need to be modified and how do they need to be changed, is there more need for meeting space? Based on those studies, we put together our proposal for moving forward with a number of projects and this is the first one of that. This is the thing to address, the maintenance items that need to be done on that. What we are proposing is the \$5.35 million bond that is mainly dealing with maintenance and improvements. I think I included a list of the projects that we are proposing to do with this bond. Many of them deal with the HVAC, safety and security concerns and things like that. Our generators at the Tech Center and one at the Main Library are close to 20 years old. Those are the two buildings that house all of our IT and operational systems. If those fail that is our alternative power source and so we want to replace those. Things that are on that list and say Level 9 are the worst situation. A lighting improvement project, we have an opportunity our fluorescent system to LED lighting system. That will result in savings over \$200,000 a year. Right now our electric bill is about \$850,000. It is a significant opportunity for savings. I have included a presentation by Baker Tilley. Todd Samuelson, our Financial Advisor is here if you have any specific questions. We have designed this bond to be a wraparound bond that the current bonds that went for the expansion 2001-2006 are due to expire in January 2021. These debt service payments will not kick in until after that is done. There will be no impact to the taxpayer of any change in rate or levy for them. This will be about a two-and-a-half year bond and once that is paid off then we will look at the modification plan and see what needs to be done after this. That is probably my song and dance on it but I would be glad to answer any questions. The Library Board approved the bond on the May 28<sup>th</sup> meeting and it comes to you for final approval.



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**Sheila Curry-Campbell:** What was the vote?

**Dave Sedestrom:** Four to three.

**Joel Benz:** Councilman Fries, go ahead.

**Kenny Fries:** I can tell you on the blush that as a taxpayer I tire of bonds that expire and a new bond is put in its place to keep payments going. That troubles me. How much reserve does the Library have?

**Dave Sedestrom:** Right now we have about \$28 million and of that \$20 million is not restricted. We needed \$9.7 million for cash flow to get through our tax season. Most of our funding comes from property tax. That leaves about \$6 million and I am sure that Nick has indicated that we are holding back because of lost revenues not only from potential property tax but Ball State just recently completed a study that is indicating different levels of potential loses on local revenues. We are looking at anywhere from \$2.2 to \$2.7 million. In the end that brings it down to less than \$5 million as an available fund balance. That is why we are looking to do this. We are not sure of how much more we are going to see of COVID-19 and the expenses related with it. I hope not many but as that study showed and some of the others based on the income tax impact of the unemployment and all, we are going to see the effect on the Growth Quotient at least for a few years. We want to make sure we have the reserves available in order to fund the Library services to the citizens.

**Kenny Fries:** To follow up on that if we are taking in less money, wouldn't it be better to reduce our payments? That is what we do at our house.

**Dave Sedestrom:** That would be a question for the Board of Trustees. That is what they will have to decide, is it better to reduce services to the citizens or use the reserves in order to get through.

**Kenny Fries:** Let the current bond expire and not have to pay for another one.

**Dave Sedestrom:** I suppose that could be done. We are at the point where we are trying to maintain our level of service.

**Kyle Kerley:** When I look at this bond, you are asking for what I consider to be maintenance items. In my household, we budget for maintenance items. We keep a reserve fund if the air conditioner breaks or the refrigerator breaks or I get a water leak or whatever, we have a reserve fund. It is my understanding that you also have a Capital Fund to address these issues?

**Dave Sedestrom:** Actually the Capital budget is within our Operating budget. We budget about \$1.8 million each year for capital related items. Those are things like computer replacements, roofing repairs or things that are an emergency nature. The ones in this bond are more of the planned items. Every year we budget about \$1.8 to \$2 million for capital related maintenance.

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**Kyle Kerley:** What is in your current Capital account? What is in your Capital Improvement Account balance? You said there was \$28 million in reserves and \$20 million of that was unrestricted. What is the other \$8 million?

**Dave Sedestrom:** There is \$3.2 million for Debt Service. There is \$2 million in the Rainy Day Fund and \$3.6 million is in the LIRF which is the Library Improvement Reserve Fund. That plus \$4 million in our General Fund Reserve balance is being held for future expansion. When I mentioned the study on modernization, we are looking at needing to spend money on areas that were not addressed. You might have noticed that the list indicated Aboite and Dupont. Those are two of our busiest branches and they are also ones not included in the 2001 to 2006 expansion. Those are going to need to be addressed and so we are allocating around \$7 million just to deal with those two projects as far as land acquisition, construction etc.

**Kyle Kerley:** Now to me, as a taxpayer, future projects that are transformative like you are talking about whether it's building a new branch or something like that to me is when I would be coming to Council asking for a bond. That is a big project. When I am looking at things like replacing HVAC and stuff that is normal cyclical in nature, as a County we direct all of our other departments to budget for those issues within their current budget and not come back to ask for additional tax revenue to repair HVAC, elevators or things like that. They have a service life cycle. The departments know what that service life cycle is and so they budget to replace those in that nature. If it would be something big like building a new building or something like that is when they come and make a special ask. In my opinion, I think you are looking at this backwards. You should be spending the money that you have to take care of your normal known operations and you should be coming to ask us when you have bigger projects.

**Sheila Curry-Campbell:** We all have something to say. Welcome and thank you for coming. Thank you for sharing your story. What kind of maintenance have you done in 2019-2020? Have you replaced any lightbulbs or anything?

**Dave Sedestrom:** As for fluorescent, we are replacing those all the time.

**Sheila Curry-Campbell:** How much have you spent on maintenance? You have so much money. Like we all think that if a light goes out, we go get some lightbulbs. We have been talking about fluorescent for a while. I am just curious that you have all this money and today you are coming to us asking and I have a real problem with it. I am just trying to figure out what you have done. Have you done any maintenance and changed any lightbulbs in the last month or so?

**Dave Sedestrom:** All the time. It is a daily occurrence for our maintenance staff.

**Sheila Curry-Campbell:** So why are you asking us to do this and you have money? I am just curious.

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**Dave Sedestrom:** In the lighting situation, it is an opportunity to save money. On this project we would spend \$2.1 million and have the savings from that change over to LED. In the Operating budget, it would be saving \$200,000 or more plus each year.

**Sheila Curry-Campbell:** Okay.

**Greta Southard:** And there are 15 buildings that we manage and so it is an opportunity to do all of those buildings at once as opposed to doing projects piecemeal. That is a benefit to being able to do that.

**Sheila Curry-Campbell:** With the money that you have, it is a benefit. A lot of people don't have that reserve. We are in the middle of COVID and I think this is the time you might want to use that money.

**Greta Southard:** It is also an opportunity to create projects that can help stimulate the economy in terms of creating jobs.

**Sheila Curry-Campbell:** Okay.

**Joel Benz:** Councilman Harris and then Councilman Brown.

**Tom Harris:** I don't need to necessarily know names but four to three was a close vote for the Board. Give us an understanding of the three that voted against it. Was one of them a Council representative or our appointment?

**Dave Sedestrom:** Yes.

**Tom Harris:** And what were their concerns? That is a pretty close vote for the Board to move forward on this.

**Dave Sedestrom:** Certainly they had the same questions you have had, the use of reserves versus funding these projects with an additional bond. That was their primary argument against it.

**Tom Harris:** That is good to understand. Today we have the Coliseum coming before us with a request for about \$3 million and having the hurt that they are going through as well as businesses throughout the community, this might be that time that Rainy Day, as we are going to look at today. This is the stuff that we have to deal with right now. It might be considerable for you to go the same direction.

**Dave Sedestrom:** And part of that reserve balance is the Rainy Day Fund that we are earmarking for the COVID-19 expenses.

**Tom Harris:** One last question. What happens if funds simply get tight and you can't operate or you have to start making tough decisions? What tough decisions do you make? What does that mean to the public?

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**Dave Sedestrom:** I leave that to Greta and the Board.

**Greta Southard:** In looking at what is the sort of tough decisions would we make, we would look at reducing services. What does that mean? The bulk of our ongoing costs in our budget are our people. That is 60% to 70% of our budget, personnel expenses. That would be looking at closing facilities so we can reduce our ongoing cost.

**Tom Harris:** Were you eligible for the PPE?

**Greta Southard:** No. We are not eligible for that sort of thing.

**Dave Sedestrom:** No.

**Tom Harris:** You were closed for a period of time and you had some savings but you also lost the revenue that would have been associated with that time.

**Greta Southard:** We kept our people on the payroll and had people working from home on projects that would enable us to continue to provide services. They were working on projects that would enable us to roll forward when we reopened. We were delivering programs via Zoom, we were planning projects and getting the summer learning program to roll forward. Our choice was to keep people on the payroll. There were other Libraries that we not in that situation in this State. There are at least 31 Libraries in the State that don't have six months of operating expenses. Each Library is in a different situation.

**Tom Harris:** Thank you for being able to maintain that.

**Larry Brown:** Where do I start? I will start with this, way back when our distinguished Councilman Roy Buskirk was a member of this body he asked you year after year as your Rainy Day Fund grew did you have a fund set aside for maintenance. Repeatedly, year after year, yes we do, yes we do and yes we do. That is number one. Number two, based on your presentation it is very clear to me that you are taking advantage of a situation where bonds are dropping off or being paid off and asking for approval of a new bond. Yes, there is no additional impact to the taxpayers but there was impact to the taxpayers back when it all started. It goes back to the theory that once a tax comes on it never goes away. I personally am going to vote against this. I think you have ample reserves and you need to be smart about the way you spend it. If, indeed, COVID-19 creates a revenue shortfall or decrease, you need to do the same thing that this body did year after year after year in 2010, 2011, 2012 and 2013. Tighten your belt. You figure out how to do it. Thank you.

**Joel Benz:** Council, at this point, is there a motion to move either one of these Resolutions forward? Hearing none, neither one of those will pass. We will send you back to retool and continue the discussion on your end.

**Greta Southard:** Thank you.

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**Sheila Curry-Campbell:** Thank you and tell us a little bit about you. I have never met you. How long have you been here?

**Greta Southard:** I have been in this community for five-and-a-half years.

**Sheila Curry-Campbell:** Five-and-a-half years. It's nice to meet you.

**Joel Benz:** Council, next on the agenda is Purdue Extension.

**Sheila Curry-Campbell:** Be nice people. Please. Will you please be nice?

**James Wolff:** I am James Wolff, the Director for Purdue Extension. This is the first time I have come to you in this role.

**Kyle Kerley:** Nice to meet you in person.

**Tom Harris:** Congratulations to you.

**James Wolff:** Thank you. Today I come for appropriation of \$5,012 for a copy machine. I can also answer any questions you have about the department. As the paperwork submitted indicates, at the time last year that we submitted the budget we were not aware that the copy machine contract was up. In January they came out to service the machine and they notified us that the machine was getting to the point of being unserviceable due to age and wear and tear. We need to get a new copy machine. We worked with the County to get quotes and this came in as the cheapest. While we appreciate our Canon service, I don't think the difference of \$3,000 was worth the expense. This machine is a larger machine and meets all of our needs because we do a lot of different things with newsletters and publications that go out as well as utilizing fax. The volume we do is beneficial to have the service agreement and isn't any different than the current one we had and should not be any affect to the rest of our budget. It is just the purchase of the machine.

**Joel Benz:** Councilman Harris, go ahead.

**Tom Harris:** I will be supporting this today but I have to tell you that we continue to get the mailings and thank you for them. We really need to move beyond that fifteen page document that is printed out every single month coming to me or however it is coming to me. Companies, organizations, not-for profits, locally, regionally and nationwide have moved to other kinds of ways to send those out and reduce an extraordinary amount of paper and cost. I challenge you and the Extension to figure out a way to reduce those costs. You can probably move a lot of people to an electronic document, save the price and pay for this printer just by making that swift change, just an FYI.

**James Wolff:** Most of our newsletters are electronic. 4-H is fully electronic. Mine is all but about 25 of our Amish clients. The one that you still are receiving is the Homemakers

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publication and they bring in funds to help cover the cost of that but we are trying to work at how we can make some changes for the future.

**Sheila Curry-Campbell:** What are some of the other things that you use the printer for? Some of the other things you print for the community, can you share?

**James Wolff:** Right now we are gearing up for Fair season. We are going to do something associated with our 4-H even though the Allen County Fair is closed or cancelled. But that is one thing that we do a lot of things for 4-H through that machine that helps promote the youth in our community. Right now we are also utilizing that machine to do a lot of our stuff for Johnny May Farm and things we are doing on the southeast side of Fort Wayne. We are doing programs with the Y and the Library. We are expanding our youth presence in that community. We serve a large portion of our Amish community and they are unable to access things electronically. We utilize that to give them the publications from Purdue to help them related to health, food, farming and all those things to improve our environment and their financial stability.

**Larry Brown:** Don't kid yourself on the Amish community. Their Smartphone is smarter than mine.

**James Wolff:** I do realize that.

**Sheila Curry-Campbell:** I do appreciate you sharing that because I think people need to know what you are using your printer for. We do have a gap on the southeast side of Fort Wayne. A lot of those folks don't have email or internet access too and so I appreciate you sharing that information. Thank you.

**Larry Brown:** In some of the rural areas they don't have coverage.

**Kenny Fries:** Some of us have very poor coverage.

**Tom Harris:** With that I will move for approval of the appropriation reduction in Council General Fund Other Capital in the amount of \$5,012 and the appropriation in Purdue Extension General Fund for \$5,012.

**Sheila Curry-Campbell:** Second.

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

**Kyle Kerley:** I have a question for Auditor Jordan. Did they have any rollover last year?

**Tom Harris:** Do you know?

**James Wolff:** We did not have any rollover. In fact, we were paying some of our utility bills out of some other funds that we were able to get from Purdue.

**Nick Jordan:** It was \$474.29.

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**James Wolff:** Sorry.

**Kenny Fries:** In my house that is a lot of money.

**Nick Jordan:** It was from salaries.

**James Wolff:** Salaries, okay.

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

**Sheila Curry-Campbell:** One more thing. Can you just speak about the open position that you have? I am the liaison and I want him to share that he is looking to fill a position also.

**James Wolff:** From retirements last fall, we were able to an HHS Educator before the COVID-19 stuff hit and they are on staff and working. We are still working to fill the 4-H position after we had to do a hiring freeze. We are still hiring for a 4-H Youth Development Educator to full Barb Touma's position from when she retired. We are trying to reach out and get good representation from our community. It is a very interactive job that does a lot of things with the youth in our community in Boys & Girls Clubs, YMCA's and the schools. It also does a lot of volunteer development and enrichment within our community. There is also an adult component to that as well. Hopefully we will be hiring for that soon and have it filled but we had some delays with the hiring freeze.

**Sheila Curry-Campbell:** Do you want to talk about the position that you did fill at Johnny May Farms?

**James Wolff:** Yes, we also recently filled a Program Assistant position at Johnny May Farm. It is a position that is actually funded primarily from a grant with the City of Fort Wayne since they own the farm. We are working with them to do programming and education there. The Program Assistant is a Farm Manager and we were able to hire from the community and will be starting on Monday. That will free us some of the rest of us that have been working on our programming while she can help run and manage that farm and make sure we are providing fresh and healthy produce to that community throughout the summer and especially in this time of need.

**Kenny Fries:** When I was the liaison, I know there was a problem getting community buy-in down there. Has that changed at all?

**James Wolff:** Yes, it is a constant thing that we are working on. I think we have now started to establish a presence there. We have consistent hours for the market. Some of the kids in the community come down and visit the market. There is a park not even a block away. They say their parents won't let them go to the park because they don't see the park as safe but they recognize our space is safe. They routinely come down every week for the market and participate in activities. They come out and have done many

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activities at the farm and learned about the growing of vegetables. We do some programs with YMCA. We are building a presence.

**Kenny Fries:** Growing a presence.

**James Wolff:** Growing, yes. Good words. We are developing that and will be a continual thing to work on. Now that we have the Program Assistant there that will help us really develop the engagement and interaction with that neighborhood.

**Joel Benz:** Your department has undergone a lot of change here recently in personnel and a lot of things. It is good to see some energy and some revitalization, maybe, occurring.

**James Wolff:** Thank you.

**Joel Benz:** Next we have the Commissioners with several interlocal agreements.

**Chris Cloud:** Chris Cloud, Chief of Staff for the Board of Commissioners. In the back row over there is a young man I would like to introduce you to. Zackery Sand is the new Director of Governmental Affairs and is taking over for Beth Lock who has sadly left us for greener pastures.

**Kenny Fries:** Maybe you should step aside a little bit and have Zackery come up here and tell us about himself.

**Chris Cloud:** Zackery can do all of this and I will be happy to go back to my office.

**Zackery Sand:** Good morning, Council.

**Sheila Curry-Campbell:** Good morning.

**Zack Sand:** I am Zack Sand and I just recently came from the State Senate when they wrapped up their session in March. I helped with the Congressional campaign in Hamilton County. I am happy to be back in Allen County working as the Government Affairs. I think I will meet with all of you at some point.

**Tom Harris:** Very good, thank you.

**Sheila Curry-Campbell:** We expect great things from you.

**Chris Cloud:** I think this is his second week on the job. We did a County Budget 101 Class on the dry erase board last week and I am pretty sure Nick is going to have to set him straight on everything. Beth would have been here with this if she had still been with Allen County. She was sort of the shepherd of this process. Because I was a history major, I think there is a little history lesson here for those that weren't around eleven years ago when we first did these. Back in 2006 to 2009, there were a lot of changes at the State and local level with changes of how bonding works to tax caps and local



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government dealing with all ramifications of how things would fall out. One of the areas that we came into a pickle on is funding for bridges. Allen County has three rivers, as you are all aware, and over 300 bridges. That makes us the second highest bridge-count in the State behind Marion County. They are expensive to maintain and they are all over the County. No matter where you live, at some point in time you have to cross a river and so you use a bridge. October 31, 2007, the Board of Commissioners held the first meeting of what was then called the Bridge Fund Task Force. I believe through that effort former Councilwoman Paula Hughes-Schuh and former Councilman Roy Buskirk were Council's liaisons to that Board. Roy, in particular was very helpful. He always had a great knack for understanding local government finance and was a big help as we endeavored to figure out the best way to fund bridge maintenance going forward. Through that process the idea of raising the Wheel Tax/Surtax came up. County Council did that in 2008 or 2009. We signed interlocal agreements with the various communities. There is a provision in State law, because Allen County no longer has a Cumulative Bridge Fund that if we do not have an interlocal agreement with a City or Town we are not responsible for their bridge maintenance. I will say that is unique to Allen County but so the law is so it goes. The first round, all of the communities in Allen County, we had agreements and things worked well. Every two years there is a federally mandated bridge inventory that is completed. The Feds pay for the bulk of it. What comes out of that is a really thick book is all of our bridges, their status, pictures of them, lots of technical stuff and an expected timeline of when you would need to do major work on it and the cost. We used that as our platform for guessing what the next eight years of bridge expenses and based our agreements on that. Those agreements expired in 2008 and as we wound up conversations on the next round of them we did a similar process on the best way to fund. Today is sort of the culmination of that work. Thankfully I am not asking you for any money. All I am asking for is approval of these agreements. Any interlocal agreement, by State law, has to be adopted by both the Fiscal Body and the Executive Body of a political subdivision. For a town that is the same group, for a City it is City Council, County Council and the Mayor and Commissioners. The various Towns outside of Fort Wayne that have opted to do their own bridge repair and maintenance and fund it themselves are adequately able to do that with the expertise of their Engineering and Street Departments with their own Wheel Tax/Surtax. They wanted to be able to prioritize bridges in the order and manner in which they wanted to do them. Especially downtown they wanted to have bridges be a little more decorative to fit with the historical aspect of the bridge or trails with them. For instance, they are doing a cultural trail that they are trying to do downtown. They might want a trail on the side of a bridge. It was easier for them to take over bridges so they could prioritize how it would work. The other communities in Allen County, this is the path for them again. There are six-year agreements to line up with the last bridge inventory received. I am able to try and answer any questions that you would have.

**Joel Benz:** Councilman Brown, go ahead.

**Larry Brown:** You did an awesome job. Your politically correct explanation...

**Chris Cloud:** I have been around a long time to know not to get myself in trouble.

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**Larry Brown:** I would have chosen a different explanation but that is okay. The total inventory Countywide is like 3...

**Chris Cloud:** It is like 318 or 321 and of that 240 some or 250 some are in unincorporated Allen County or in the municipalities. Fort Wayne has several because of the rivers. Municipalities have a handful each if they have one. It is generally Allen County and Fort Wayne that have the bulk of the bridges. New Haven has two and some of them are prominent bridges. Some are even more unique where the bridge spans a jurisdiction and then we have to assign whoever has more of the bridge in their jurisdiction. There are some that Fort Wayne took and some that we took. Maplecrest is a good example. It actually hugs three municipalities, some with road and some with bridges and so we have an arrangement with that about maintenance and upkeep and things like that.

**Tom Harris:** I wanted to find out that of this list, Fort Wayne is the only one that chose not to be in these agreements.

**Chris Cloud:** That was a very amicable agreement.

**Tom Harris:** This has been a long-time discussion. Why are the Commissioners not here to talk through this? This is something that I think is big enough that they should be here to talk through this.

**Chris Cloud:** I have been coming for the Commissioners to Council for many years as the Chief of Staff.

**Tom Harris:** I am beginning to feel this is like the City of Fort Wayne with the Executive Branch.

**Chris Cloud:** We have a monthly liaison meeting with the President of Council.

**Tom Harris:** I challenge when we get to some of these bigger things, and this is a big one, it has been talked about and discussed and there has been controversy with it. I would think and hope when we have these bigger issues that we get to see the eyes of our Commissioners before the meeting. That said, these were all in agreement but the concern that I have is that the City of Fort Wayne has a Wheel Tax and the County has a Wheel Tax through this process. If you live in the City of Fort Wayne you are getting the opportunity to do that twice. Is that correct?

**Chris Cloud:** If you reside in the City of Fort Wayne, because State law permits it, you are paying Wheel Tax/Surtax to both.

**Tom Harris:** We had hoped, in some way, to resolve that two or three years ago. I recognize the City of Fort Wayne is not working with us that but it still pains me to think that the citizens of Fort Wayne are paying both Wheel Taxes. That is just unfortunate.

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**Joel Benz:** Any further comments, Council?

**Larry Brown:** I will make a motion but I may need in help wording it.

**Joel Benz:** I think adoption of an interlocal agreement and just read off the towns.

**Larry Brown:** Do I need to read any of the interlocal agreement?

**Nick Jordan:** No. If you read the title what is at the top in bold print.

**Larry Brown:** I make a motion to approve the interlocal cooperation agreement for the usage and conveyance of Wheel Tax and Surtax revenue between the County of Allen and the Towns of Leo-Cedarville, New Haven, Huntertown, Woodburn, Monroeville and Grabill.

**Tom Harris:** Second.

**Joel Benz: We have a motion and a second.** I appreciate the amount of work your office put into this because I know it has been a lengthy process.

**Kyle Kerley:** I would just note the Woodburn and New Haven are Cities.

**Larry Brown:** Technically you are correct.

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

**Chris Cloud:** Just before I leave, we have received many of the same emails that you received and I will just say one thing. The things that we can answer, we have answered. A lot of the questions are directed to Fort Wayne and so we have made sure that we give them the correct contact information for whatever group is best answered whether it is the Police Department of the Mayor's Office or a City or State Rep. Some of the things they have talked about are actually State laws and so we are trying to direct folks. The public doesn't always see the jurisdiction difference between the City and the County or us and the State and the Feds. The public views us as all government.

**Kenny Fries:** I think a civics lesson would be in order.

**Sheila Curry-Campbell:** Absolutely. We have talked about that.

**Chris Cloud:** We have tried that with our emails as to who does what.

**Sheila Curry-Campbell:** I know we have talked about that earlier about people knowing the difference of the departments. I don't know if that is something that you can give two minutes on. Not today but I mean in the future. I know a lot of people have addressed

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things to me that just don't fall in my wheelhouse as County Council. It we can maybe take a couple of moments and just explain to individuals how government works. That would be awesome.

**Kenny Fries:** High school Government class would be in order.

**Joel Benz:** The Memorial Coliseum is next on the agenda.

**Randy Brown:** Randy Brown, Executive Vice President and General Manager of the Memorial Coliseum.

**CJ Steigmeyer:** CJ Steigmeyer, Vice President of Finance and Chief Operating Officer.

**Randy Brown:** I am sorry that we are here under these circumstances. At the last meeting we gave you the long version of how we ended up getting to where we are today. Just to summarize and say that in the 60-year history of the Coliseum, we haven't come to your table asking for funding. We are disappointed that this is the position in we are in today. Back in January and February we were on track to possibly have a record-setting year with two NCAA tournaments, great events and the last event we hosted was the Alpaca event with no public invited. Unfortunately I have to tell you that cancellations continue. We were notified earlier this week that the Mad Ants wouldn't start until mid-December. The REMC concert and annual meeting has cancelled until next year. We have not turned the corner yet. On the positive side, we will be announcing at noon today that we are adding a concert in the parking lot. That will be in August. We are trying to be creative and proactive to make things happen as much as we can. We do still have approximately 400 people on furlough. It is a sad state to have to tell you that. We have brought two catering people back, a Banquet Manager and a Chef, because we are starting some events this weekend. We have the Lucky Duck Sale and our wedding reception business is starting on Saturday. We hope we are starting to see some return to the New Normal, as we will call it. We are doing hydrostatic cleaning, spraying and disinfecting and all of those things. That is to make sure the Coliseum is a safe environment and the public knows that when we do reopen for full activity, it will be safe to come to the Coliseum and we are ready to serve our guests. CJ, do you want to talk about our need today?

**CJ Steigmeyer:** Sure. Thank you for having us here today. As we talked at the last meeting, the range of losses that we anticipate depending on when social distancing ends, if it ends, will greatly impact that number. As Randy indicated, the numbers since we did this the first time have changed. The number that you are seeing here has not changed just because it changes every day. At this time we are requesting a little over \$3.5 million or almost \$3.6 million of assistance necessary to pay our bills on a regular basis going forward through hopefully the rest of the year. We have reduced operating expenses where we can. We are not doing anything we don't need to do in order to keep business. There are certain things you have to do in order to maintain a facility like ours and those are the things we are doing. We are cutting our corners and cutting the costs where we can however with that large building there are maintenance contracts that have to be kept

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up in order to keep the equipment operating. With this number, depending on what happens with attendance and events, this number could grow. We just don't know at this time. With cleaning costs as well, we think we have a pretty good idea but until those things start happening on a regular basis with events, it is hard to say whether or not what we have budgeted is going to be enough. There is a chance we could be back. We did anticipate some revenues that are included with this loss but if those revenues do not come in where we expect them to come in because of more cancellations of events then that leaves us in another precarious condition of coming back here to talk to you again.

**Tom Harris:** How much revenue, by the way?

**CJ Steigmeyer:** There is about \$606,000 of revenue included in the revenue line for the third and fourth quarter.

**Randy Brown:** We try to be conservative so that we don't surprise you. We don't like surprises and we know you don't either. I think the other thing I will add is we don't know what next year is going to bring. There are a lot of unknowns. We are optimistic right now that the Komet Hockey season will start on October 17<sup>th</sup>. We are optimistic that Purdue Fort Wayne Basketball tournament season will start in November. Right now, those two are on track to play a normal schedule. To what extent we are open to the public is a big unknown still. Currently our hockey capacity has gone from 10,500 to less than 2,000. We have been notified by the Komets that if we have social distancing in place, it is very hard for them to play.

**Sheila Curry-Campbell:** Thank you so much for coming before us with this request. I do support you wholeheartedly. What can you say to the folks that are watching from home, how can we support the Memorial Coliseum?

**Randy Brown:** I am pleased to say that we have had a lot of support over the years. Our name says it all. We are the Allen County War Memorial Coliseum. The building is a living memorial to our veterans first and foremost. We appreciate that support. The veterans are behind us and the comments I received from the folks with the Allen County Council of Veterans is warming. They are concerned about us and they are concerned about us personally. I get asked all the time how I am holding up. My concern isn't for me but for our staff. We have a lot of people who this is their first job and for others it is their second job. It is how they make ends meet. I think the public will be there when the time comes. I think part of it for us is to show that we are safe by nature of the things that we are doing. We are going to have seven graduation ceremonies next month. Early in the week, before we start those ceremonies, we are going to have a media conference demonstrating the things we are doing to let the public know that the Coliseum is safe. We are honoring the best practices but are going beyond that. It starts with us demonstrating to the public that the Coliseum is open for business and then doing what we always do, providing a clean and comfortable environment. It takes events too and that is the unknown piece. We have a nice building and we hosted you last month in the Conference Center and I think the building shows very well. It is a million square feet and so we have something for everyone. There are a number of contacts that we have had

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recently where business have found that because of social distancing, they don't have space under their own roof to do events and we are working with them and talking about what we can do to support them. We have the Health Department in our building today with the same situation. They needed space. Voter Registration, the vote count, again with what we are doing with our County colleagues in some cases they are able to help us cover the overhead and in other cases like the ballot counting, there was no additional revenue. We are accommodating and doing what we can. When the community calls, we get the call from the Red Cross saying that they need us, we answer that we are here and come on over.

**Sheila Curry-Campbell:** Thank you. I think folks knowing that you are open for business and case by case you can accommodate. We just wanted to make sure that our residents know that the Coliseum is open for business and please support.

**Randy Brown:** Thank you. We are in Stage Four of the Governor's plan today and we can do an event of up to 250 people with social distancing. We have the Lucky Duck Sale on Friday and Saturday. We are counting people as they come in and when we hit 250 people and when five people leave, five more people go in. It takes more staff. As CJ mentioned, the cost of doing business is higher than normal. The cost of cleaning is higher than normal. We have to do it. When it comes to cleaning and safety, you can't cut corners there.

**Joel Benz:** Councilman Fries.

**Kenny Fries:** Randy, you and CJ and your staff have done an excellent job running that Coliseum for years. It is certainly a gem of Allen County. Council appreciates the job that you do there. We don't take this \$3.5 million lightly. This isn't really a hard decision but it is a difficult decision because it is taxpayer money. I also believe this is one of those institutions that need to be kept here. I know at the last meeting you talked about the impact the Coliseum has on the economy. Can you talk a little bit about the money that typically, I think it was \$111 million, gets brought in because of things that happen at the Coliseum? Talk about how that affects the small businesses of Allen County and Fort Wayne.

**Randy Brown:** Sure. A couple of details related to that. We do license plate surveys. We can tell by ticketing where people buy their tickets from. We know that 60% of our attendance comes from outside of Allen County. What that means is guests are paying to park and buying a Pepsi or what have you they are helping to support the buildings. That reduces the costs for our residents. Our economic impact annually varies from \$109 million to above \$120 million. We are a major economic generator for the Allen County community. What that really means, when we talk about economic activity like that is jobs whether it is someone who works at Glenbrook Mall or a gas station or any of the restaurants or hotels around. Let's say it is a major concert. It is very difficult to find an open hotel room in Allen County. If you have driven down Coliseum Boulevard and seen the restaurants before a concert, they are busy. The same thing is true for Komet Hockey, Mad Ants and other events. The Fort Wayne Farm Show is a significant piece of

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business. Sports tournaments that we bring in and wrestling tournaments and volleyball tournaments and cheerleading tournaments are all hotel rooms. That is an important part and right now most of the hotels are operating with an occupancy rate in the twenties right now. It is a sad time for people in the hospitality industry. Anything we can do in a safe way to get open and help generate that activity is jobs for our friends and neighbors. That is the bottom line.

**Tom Harris:** We spoke this morning to the Library in terms of what they had in a Rainy Day Fund. Have you had a Rainy Day Fund? Have you tapped into it? Please help us understand that a little bit. When do you think you can project 2021? Is it December 31<sup>st</sup> or sometime in October or November?

**Randy Brown:** We started off with cash reserves of a little over \$1 million. We will pretty well have burned through that by next month. That is part of the reason or the timing of why we are here today.

**Tom Harris:** For the public to understand, you have used all of your reserves.

**Randy Brown:** Yes and we have been very good about building that up over a number of years and that is what gets us through the summer during slower time periods. It gets up as high as \$1.8 million as we come through the fall season and we have a cash burn during the summer. Some months are slower than others. Our money making months are September through sometimes May. If we have burned through all of that cash, it is going to put us in a very difficult position to start next year with. We have also been lobbying with Washington D.C. for the Payroll Protection Act. There is a brand new act called the Restart Act and I have received an email from Senator Young's office while we were waiting to speak to you. We were told that we were not eligible and we probably won't be eligible under that act. There might be another opportunity, Fourth Phase. We are looking at every possible opportunity to find some additional financial support so we can lessen the impact to the taxpayers of Allen County.

**Tom Harris:** What I am thinking about is the decision today is an easy one but what about 2021? Council, we need to be thinking about the potential of you coming back here again next year depending on how 2021 goes.

**Randy Brown:** Our booked business for 2021 is very good. Our bookings are ahead. Concert activity is up and concerts are the most lucrative events. Some of the concerts that postponed and cancelled this year have moved to 2021 or 2022. I am optimistic about where we will be next year but with an asterisk depending. Is the public going to be comfortable coming out? Right now the surveying says that between 30% and 40% of the public will not be comfortable to an event until there is a vaccine. If we lose 30% of our crowd we don't get to a break even where we need to be.

**Sheila Curry-Campbell:** Do you have any marketing dollars? I know what you are going through but do you have any marketing dollars just to push it out there? Like you say, the next couple of months are really going to tell the time. I am curious if you have

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any marketing dollars to let folks know that you are up, running and this is what we are doing and we can accommodate you. COVID is here and is probably here to stay.

**Randy Brown:** We are continuing to market. We have all the way through this and we are doing a lot of social media because it comes at a lower cost. Our Marketing Department is down to Nathan and who is doing a great job as he is our Chief Event Coordinator and Chief Catering Salesperson. Fortunately nationally, where our big events come from, we are very well known. I have been active in the industry for forty some years. Our contacts, how we book shows and how we get events are feeling the pain too. A lot of those entities have furloughed their staff. Feld Entertainment, which is Disney on Ice, is down to a handful of staff. They furloughed 1,200 people. That just goes across the whole entertainment industry. Live Nation, our chief contact is a Vice President, has been furloughed. It is a little harder but at the same time, based on the contacts that we have we know the right people. It is like making this parking lot concert work that is relationships that I have developed over the years and decided that we were going to find a way to do this. We are the only venue, to date, which is non-movie theater venue that they are doing this at. That means that we had to do a couple of things. We had to get quotes for staging, video screens and all of that. Our attitude is don't find reasons to say no. Find ways to say yes.

**Tom Harris:** Will we know the name?

**Randy Brown:** At noon today you will know the names. It is a contemporary Christian artist. We appreciate your support and encouragement. You all have been exceptional to us. We take this personally. This is a letdown. I am very disappointed to be here.

**Joel Benz:** That is evident in your comments, the way you have handled this and the way you interacted with us. You knew this was not going to be easy for us to absorb or for you to make. The level of professionalism that I have seen come out of you guys and the Coliseum has been extraordinary. I echo Ken Fries' comments that you are kind of a jewel of our community and I think when this community comes back, we are going to need things like you guys that kind of bring our community together. I think it is a powerful thing to have in our community and I appreciate what you are doing. Not only on just that level but on a personal level where you have handled the individuals that are employed as well as salary reductions. Across the board you have handled this very appropriately. It is not an easy chunk to see going out and I think it needs to come out of our Rainy Day Fund because I think this is a Rainy Day.

**Tom Harris:** I will move for approval of the appropriation in the Memorial Coliseum General Fund in the amount of \$3,574,854.

**Kenny Fries:** Second.

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



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**Randy Brown:** Just to give credit to Nick for all of his help creating the mechanism of how you are helping us financially and CJ for monitoring the numbers from our end. We will do everything we can to make this as low a number as possible. Thank you.

**Joel Benz:** Community Corrections is up next.

**Judge Felts:** Tom Felts, Judge of the Allen Circuit Court and Chair of the Allen County Community Corrections Advisory Board.

**Judge Gull:** Fran Gull, Judge of Allen Superior Court and Vice Chair of the Allen County Community Corrections Advisory Board.

**Judge Felts:** It is nice to be here. I noticed a little different atmosphere since the last time we were with you. We are here to clear up some loose ends from the last meeting. I want to thank Auditor Jordan for talking us through this process. These ordinances came up on my radar and I didn't know what had happened. Nick explained to me that we needed to make sure we did this right. For the last meeting, there was an awful lot of work done by a lot of people preparation-wise from our end and the County's end and your end. We dumped a lot of material on you. It was all well done and all well thought and all well directed. Everything went through. Now that meeting is over and now what do we do? It was discovered that a couple of things were done incorrectly. First I am going to explain that our Director Kim Churchward would normally be here on any Community Corrections item but the fact that these do concern her salary, we thought it would be inappropriate for her to be here. That is why Judge Gull and I are here. One of the issues and I am not trying to call out Bob but he incorrectly noted or listed...

**Nick Jordan:** Typographical error.

**Judge Felts:** And that kicked out the ordinance and brought things to light. Talking further with County HR, there just wasn't an opportunity to review and score some of the changes before the last meeting. We are here today just to say we are back in front of you. They were approved once and now they are corrected and then pledge that HR and Community Corrections will work together going forward.

**Joel Benz:** Council, do you have any questions? I do have one question about the first ordinance on the Senior Security Officer from POLE 4 to POLE 5. Talk me through the differences in that position. Is that position going to have an expanded role, is that person seeing more people? I am not as clear on that position.

**Judge Gull:** An expanded role and more people to supervise is the correct analysis.

**Joel Benz:** It is going from what to what?

**Judge Gull:** It is going from a POLE 4 to a POLE 5.

**Joel Benz:** But I mean the people they are overseeing and job duties.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Judge Gull:** Keep in mind that when you approved the original package, included within that is an additional 38 full-time employees and two additional part-time employees spread out across the different areas within Community Corrections but primarily at the new residential facility. We are increasing staff and responsibilities and the need.

**Joel Benz:** So how many directly is this one going to oversee in addition to what they are doing now.

**Judge Gull:** That hasn't quite been figured out but maybe Bob will be able to answer that for you.

**Bob McArdle:** Right now there are three full-time and one part-time Security.

**Nick Jordan:** You need to scoot up to the mike.

**Bob McArdle:** Let me start over. Currently there are three full-time and one part-time Security Officers in the main office building. There will be the addition of two full-time Building Security Officers at the residential facility. Roughly a 50% expansion in the headcount that this individual needs to directly supervise in addition to developing the procedures for what is going to be a very different type of operation than what we are used to. In the current facility we have participants coming in and out every day for various classes, meeting with Case Managers and so on and so forth as opposed to the new facility where they are going to be residents. It poses a whole different set of challenges. Different types of people coming into that facility and the need to function with a completely different security system.

**Tom Harris:** Question on this. Did this one make it through HR?

**Joel Benz:** I believe what happened was we had decided to bring this whole package directly to Council. That is when he referenced going to HR. None of it had been put through their normal process and so no, I don't believe this position was.

**Tom Harris:** So how did we come to the conclusion from POLE 4 to POLE 5? That is an 18% increase. How did we determine that it was going to POLE 5 if HR didn't review it?

**Judge Felts:** Kim's discussions with Charity early on had some indications going in that direction but President Benz was correct in that this was sent directly to Council and didn't go through the vetting process. There was a lot of discussion between the two of them before.

**Tom Harris:** So it was her thought that it might be a level five.

**Judge Felts:** That is my understanding.

**Kenny Fries:** Charity is in the audience.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Larry Brown:** It was all timing and if there had been more time that could have happened but we didn't have time.

**Kenny Fries:** And this is a non-exempt position and so they get overtime at \$72,000?

**Judge Gull:** Yes.

**Joel Benz:** And part of it too was in the COVID thing and that threw a wrench in this whole process.

**Tom Harris:** How significant would it be for Operations to have that back through HR? Is it detrimental to moving forward?

**Nick Jordan:** Council, from an overall standpoint, if you are going to go that route...the only reason this position is even on here is because when it was originally submitted in the package last month, it was submitted as a POLE 4. If it had been submitted as a POLE 5, you wouldn't see it today. Included in that package, there were other new positions and/or reclassifications that in the historical process would have gone to Personnel Committee. That didn't happen here and if you want to redo this one then you may want to look at the whole gamut.

**Bob McArdle:** I would say this is the typo. There were two mistakes made and this one was my error. In typing from one document to another, this one was my error what each of those positions was.

**Tom Harris:** I am not as concerned about that as much as our system processes that HR should look at those before we act because otherwise, I am not saying this about Kim, any Department Head could just pick whatever they want and then run it by HR without the Personnel Committee having some say. I recognize your point, Larry that we didn't have time.

**Joel Benz:** This was a unique instance.

**Larry Brown:** Might I suggest that if we approve these three then part of that approval is that all of the positions including the ones that are added from the last meeting, actually the whole department would go through HR review process. We can then decide, based on that what gets red-lined or what doesn't or blah, blah, blah.

**Tom Harris:** The risk that comes to me is that if we were to pass something today and then say guess what it is not going to happen, it will be less than what we thought. Maybe that has happened already that there is an anticipation of increases coming. If we were to send it back to HR and they come back with a different number...I am not suggesting that we don't do that but the concern is if we pass it today do we have to backtrack and say oops we passed it for more than it should have been.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Kenny Fries:** Why didn't these go through HR? We have been working on this since September of last year.

**Sheila Curry-Campbell:** It was a typo. He is admitting that he made a type.

**Larry Brown:** That is the one.

**Kyle Kerley:** For this one position. There were 35 other positions.

**Sheila Curry-Campbell:** Thirty-eight.

**Larry Brown:** There was seven days from the time it had to be submitted to Council and she was given the go ahead to put everything together.

**Kenny Fries:** But this had been working since September of last year.

**Judge Gull:** But we did not get approval from the Advisory Board was not at the meeting when this was addressed. We then had seven days from the date that the Commissioners asked the Advisory Board to move forward. The Advisory Board directed the Director to move forward and there was a seven-day time frame and there was no Personnel Committee scheduled in that seven-day timeframe. We were required to submit the budget within that timeframe and it was just simply no Personnel Committee and then we all got hit with COVID. Everything shut down.

**Tom Harris:** So you had a variety of things. But I guess the question would be is it detrimental to moving forward in the operations and things that need to happen if we were to table these today and have these back before HR and then come back next month to pass them. I am asking if that is detrimental.

**Judge Felts:** This whole process has been on a fast track and this is supposed to open in six weeks. If we start backtracking, if this is the decision it is the decision but I think if we did that now we wouldn't be on the timeframe to open. There have been an extraordinary amount of hours put into this on all sides. I think if we backtracked we wouldn't get the center opened on time.

**Larry Brown:** And the 2021 budget deadline to DOC is fast approaching.

**Judge Gull:** Yes sir.

**Joel Benz:** I believe that deadline is before our next meeting.

**Larry Brown:** Yes.

**Sheila Curry-Campbell:** I just want to be clear. Have all of the positions been filled?

**Judge Gull:** No.

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**Judge Felts:** No.

**Sheila Curry-Campbell:** No.

**Judge Gull:** They are in the process of being posted to be filled. Applications are being received.

**Sheila Curry-Campbell:** Okay because I know that was our biggest concern. I received overwhelming emails about folks and their jobs making sure that we were looking at those folks as we transition. I don't want to delay and I understand what you are saying that it was a typo. I just wanted to make sure those folks will still have an opportunity to apply for these positions. This salary goes with this, correct?

**Judge Felts:** Correct. I am in support of what Councilman Brown said about HR and Community Corrections and HR will go forward working on these and if there is something that needs adjustment, absolutely.

**Joel Benz:** The way I look at it is position number one needs to be looked at independently from two and three.

**Tom Harris:** By the way, number one is just one incumbent. Is that correct?

**Judge Felts:** Yes, just one person.

**Joel Benz:** Councilman Kerley, go ahead.

**Kyle Kerley:** I understand when you got the go ahead you had seven days before it had to be submitted. What concerns me is we didn't have a meeting for 120 days. In the 120 days, there was a scheduled Personnel Committee meeting where we were told we had to cancel it because there were no personnel issues to come forward. Where was the breakdown between Community Corrections and HR on these 38 positions?

**Judge Felts:** I don't know the answer to that question.

**Larry Brown:** They couldn't proceed until the Advisory Board gave approval.

**Kyle Kerley:** The Advisory Board gave approval before they submitted it before our March meeting that was cancelled. We didn't meet until May.

**Larry Brown:** No, the Advisory Board didn't give approval and I don't have the date in front of me, seven days before it had to be submitted to be on the agenda.

**Kyle Kerley:** But this was on our March meeting agenda that was cancelled.

**Larry Brown:** I see what you are saying.

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**Kyle Kerley:** We did not have our March meeting or our April meeting but in that timeframe there was a scheduled Personnel Committee meeting. There was a breakdown in communications where these could have been addressed. That is what concerns me overall. We need to make sure this type of thing doesn't happen again.

**Kenny Fries:** I look at it that I don't care about fast I care about getting it right.

**Sheila Curry-Campbell:** Right.

**Kyle Kerley:** What you are proposing is if we have HR review these after the fact and we find out 20 of the 38 positions are overpaid, we will have to redline those positions for three or four years until they catch up.

**Sheila Curry-Campbell:** When we had our discussion that is one of the questions that was asked. If these individuals are leaving the Sheriff and going over to Community Corrections, are they taking a pay cut or are they getting an increase? That question was asked. There is no way these jobs could come in lower. Is that what you are saying?

**Larry Brown:** I am not saying that. What I am going to say in response to your comment is I think HR has a role in this. I think they got a little bit of a black eye on this as well.

**Kyle Kerley:** I am just trying to figure out what happened. Obviously we are in a bit of a pickle. We are discussing things that are outside of what is on the agenda with these other 38 positions or whatever.

**Nick Jordan:** I was going to say to solidify the events, as Larry noted, Bob submitted this on February 26<sup>th</sup>. I emailed Kim on March 2<sup>nd</sup> about the positions on the General Fund salaries. I didn't go through all of the positions but if any of them were new, she would want to check with HR and make sure she didn't need to come to the Personnel Committee if she hadn't already. Kim noted that all parties, Advisory Board, Commissioners, HR aware of the budget submission and the fact that the much accelerated deadline there was no ability to pursue Personnel Committee review. Charity has graciously offered to continue to review positions between now and March 19<sup>th</sup> to assist us to be able to have job descriptions ready to post and proceed should Council appropriate funds on the 19<sup>th</sup>. Therefore to Kyle's point, when the meeting was delayed on the 19<sup>th</sup>, I don't know who dropped the ball or decide when we should reconvene Personnel Committee because we now have potentially more time. You also have to keep in mind that you, as the Council, were very late in each meeting deciding if you were going to have it or not have it up to the very last second of being able to post the advertisement. That may have contributed to the fact that it was never back to Personnel Committee but I am speculating in that regard. I am sure that is what happened with the March meeting. The other thing you have to keep in mind is that on any reclassification, you approved that as of the 21<sup>st</sup> of May and those reclassifications have been done and this person starting that date would have received that increase pay. You would be reducing their salary, not to say you can't do that but I am saying if you decide to take

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this up in four or five months or whenever you would be potentially reducing their salary if it is determined the reclassification was incorrect.

**Kenny Fries:** Then why does it say retroactive to May 21, 2020?

**Nick Jordan:** The ones you guys approved that are not on here in last month, this is three. There was initially seven to twenty that are not all reclassifications but some are new positions but there were reclassifications of existing people. You will increase their pay on 5/21 and then if you choose to do differently you would be reducing their pay.

**Sheila Curry-Campbell:** Reducing their pay.

**Kyle Kerley:** of the 38 positions, how many are new and how many are reclassifications?

**Judge Gull:** Thirty-eight are new. There were seven reclassifications.

**Joel Benz:** Council, I think that discussion is for another day. What we have before us is three things here. One is do we fix this first Senior Security Officer position. Then two, do we change the Director and Deputy Director pay? That is what is on the agenda. I understand how this other stuff fits into it but I think we need to address those.

**Tom Harris:** On this first one, I think it is a format that is moving onto the grid. It is not all over the place but is literally taking a step on the grid. We have structure in it. You look back and did the scope or level of responsibility of the job change from where they were at and where they are going? In my mind the four to five, I will move for consideration of a salary ordinance amending the pay of Senior Security Officer from POLE 4, \$61,624 to POLE 5, \$72,716, 40 hours per week non-exempt and retroactive to May 21, 2020.

**Joel Benz:** We have a motion and a second. Is there any further comment?

**Kenny Fries:** This did not go through Personnel Committee.

**Tom Harris:** One correction that it did go through HR based on the Director of HR reviewing this and suggested that it go from a four to a five.

**Judge Felts:** That was my understanding.

**Kyle Kerley:** Yes or no, Charity?

**Sheila Curry-Campbell:** She is shaking her head no. Do we need her to come to the mike? She is shaking her head no, maybe we are confused.

**Charity Murphy:** Charity Murphy, Allen County Human Resources Director. I haven't seen that specific job description but as I told Kim, we are happy to look at it and score it and make any recommendations based on the original position to how it would be now.

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**Sheila Curry-Campbell:** Does anyone have a description here?

**Nick Jordan:** Is it posted?

**Charity Murphy:** No, it is an existing position. Back in March we had conversations about bypassing Personnel Committee because of the timeframe. With any department, we are happy to make reviews. Anything can go to Council or bypass Personnel Committee if Council is okay with that. I think that was the indication that you guys were okay with bypassing Personnel Committee at that time. I don't know about that part of it because I can't make the determination in our office to bypass.

**Tom Harris:** I made the motion and it has been seconded and I guess what I would prefer to see is I am still in favor of moving forward but just on this position, at least, on the basis of scope and structure I get what is going on. I would ask that this gets back to HR for some kind of final and that they looked at it and it looks right. If it comes back and looks wrong, we will reverse it.

**Joel Benz:** Just because something doesn't go through Personnel Committee doesn't mean that it doesn't go through HR. I am not sure what happened there.

**Nick Jordan:** A job description does exist.

**Sheila Curry-Campbell:** Do you want to read it?

**Nick Jordan:** I don't have it but it does exist.

**Judge Gull:** This is part of a four-banker's box of information that I have accumulated since September of last year when this project started. I probably have it someplace in here or back in my office. It is an existing position with an existing employee currently doing far in excess of what he is being paid to do.

**Tom Harris:** One location?

**Judge Gull:** Right now it is at one location but all of these employees have been tasked with reviewing their current positions as well as additional responsibilities that they will take when the new facility opens sometime hopefully soon.

**Tom Harris:** My mindset, from an HR perspective, from one location to two locations, growth in the program, growth in the number of people going through it makes sense to me that this moves. I don't see a major hiccup with that.

**Kyle Kerley:** I just want to point out that if we would put this through HR, review it and vote on it at the next meeting we could still make it retroactive back to 5/21. He or she would get any back pay that was due them but it would go through the proper channel.



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**Sheila Curry-Campbell:** Is your recommendation to table it right now?

**Larry Brown:** But it is after the deadline for the DOC budget.

**Charity Murphy:** Can I make a request? The other reclassifications that were passed already, if we could put this into the same boat and get it through with those we can look at them all and come back to you? They were already passed.

**Tom Harris:** That is what bothers me.

**Charity Murphy:** Have them all on moving forward on the same process. Would that be possible?

**Larry Brown:** Might I make a suggestion? We need to find out clearly what the DOC budget deadline is and what is the involvement in this decision? Can you step to the mike?

**Kenny Fries:** They could still put this in the budget for the DOC at the higher level.

**Bob McArdle:** The DOC budget deadline is July 17. We have an Advisory Board Meeting scheduled for July 16. They have to approve by State statute before we can submit to the State.

**Sheila Curry-Campbell:** Our meeting is after.

**Tom Harris:** I will move the question. The fact that is has been a motion and second. Again, my comfort in this would probably move from one level to another. I am pretty comfortable with that. For that reason I will move for the question.

**Joel Benz:** We have a motion and a second. All in favor say aye, those opposed, like sign. The motion fails 3 (Curry-Campbell, Harris and Brown)-3 (Fries, Kerley and Benz)-1(Armstrong absent).

**Tom Harris:** So that means it did not pass.

**Larry Brown:** Might I ask, what is your thought or resolution of the issue?

**Kyle Kerley:** Can I make a recommendation?

**Sheila Curry-Campbell:** Please.

**Kyle Kerley:** I recommend that we convene a Personnel Committee meeting as soon as possible. Correct me if I am wrong, Nick, but we could hold a special County Council meeting before their budget session to address this as long as we give ten days' notice.

**Larry Brown:** Can we still do Zoom?

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**Kenny Fries:** There is nothing that says they can't submit their budget to the State DOC at these higher wages.

**Larry Brown:** That is not what I heard.

**Kenny Fries:** If this is not approved, they could still submit the budget at the higher wages, correct?

**Bob McArdle:** Subject to the Board's approving that.

**Kenny Fries:** The Board is going to approve it subject to the Council's approval. If the Board approves it on the 16<sup>th</sup> at these higher wages, they could submit that budget to the State DOC on the 17<sup>th</sup>.

**Joel Benz:** We meet on the 16<sup>th</sup>.

**Sheila Curry-Campbell:** There needs to be a special meeting.

**Kyle Kerley:** What time is your meeting on the 16<sup>th</sup>?

**Judge Gull:** Noon.

**Kyle Kerley:** Our meeting will have concluded by the time you meet on the 16<sup>th</sup>.

**Judge Gull:** I have no idea what your agenda would be and how long it takes.

**Sheila Curry-Campbell:** Do we need a special meeting?

**Nick Jordan:** The next meeting, we would have to get to the newspaper by July second for the meeting on the 16<sup>th</sup>. If you are going to have a special meeting before then it is almost a fourteen day notice. They need ten days with three days to process it. I would almost have to send it by the end of today in order to have a meeting in the first week of July.

**Joel Benz:** Are you talking about a Personnel Committee meeting or Council meeting?

**Kyle Kerley:** Council meeting. You say our next meeting is on the 16<sup>th</sup>, right? We will meet before your Advisory Board meets and we can make these the first thing on the agenda that day and you will have the answer before your meeting.

**Judge Felts:** If that's the way we are going, that is the way we are going.

**Sheila Curry-Campbell:** Is that what you agree to Nick?

**Nick Jordan:** I don't care.

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**Sheila Curry-Campbell:** I understand but I mean as far as putting the advertisement.

**Nick Jordan:** Since the 16<sup>th</sup> is our normal meeting but if you were doing a special one we would need to know ASAP.

**Kyle Kerley:** We have to have our Personnel Committee meeting...

**Larry Brown:** ASAP.

**Charity Murphy:** For this position and we can do that.

**Larry Brown:** For all of them.

**Kenny Fries:** The other 38 have been done and we need to do these three right away. The other ones we can do at the Personnel Committee meeting. We don't have time to get all 38 together.

**Judge Gull:** Keep in mind, folks, we have already posted these positions that you approved on May 21<sup>st</sup>. We are taking applications and are conducting interviews of people to staff this facility so that it can be opened. Top positions have already been posted and approved by this Council and we are receiving applications. We would have to stop that process if you are indicating that all of these positions...

**Sheila Curry-Campbell:** Just the one is what we were talking about.

**Judge Gull:** That is what I thought but then...

### LOTS OF PEOPLE TALKING AT ONCE

**Kyle Kerley:** The issue with the other ones, Judge Gull, will be if they were misclassified, they would be red-lined which means they could be in that position...

**Judge Gull:** When we have posted these and said specific dollar amounts and specific positions I am now interviewing you, Mr. Kerley, for that job and I am telling you that I am not sure I am going to be able to pay you the amount of money that has been listed.

**Kyle Kerley:** You will be able to pay them that. Red-lining means is they might not get a raise for three or four years.

**Judge Gull:** I know what red-lining means. I am sorry but in what world is and this time is that going to be acceptable to people looking for jobs?

**Tom Harris:** Due to the number of things that came up in this, I think it is important to get this thing right so it never leaves this process with a black eye. Maybe talking the extra few minutes to figure this out at this point in time will be great for everybody.

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**Charity Murphy:** The new residential facility positions, since your meeting we have looked at them and they are in line with where they are posted. I can say that.

**Judge Gull:** So this one, in all likelihood, is also in line.

**Tom Harris:** That probably would have been good to hear ten minutes ago.

**Charity Murphy:** You asked if I had reviewed...

**Sheila Curry-Campbell:** Thank you, Charity, for being here.

**Kenny Fries:** In your opinion, we really just need to review these three?

**Charity Murphy:** Yes.

**Kenny Fries:** Through Personnel Committee.

**Charity Murphy:** We do not for the Executive Director or Deputy Director, they are exempt positions or Non-Classified positions and so HR doesn't make recommendations on those. Many times they will go through Personnel Committee and many times they will come directly to Council. We don't make recommendations on Non-Classified positions.

**Joel Benz:** Let me clarify a little bit about the positions that have already passed. Those positions are passed and are passed at the salary level that they were passed in the last meeting. You can advertise and they can be filled at that point. That would conclude through the remainder of this year. At budget time we would look for the next year whether there would be any red-line positions or not. If they would be then we would make that decision at that time. The current positions can be filled at the position level that they were supposed to be. We are not holding you up at all except for this one position.

**Sheila Curry-Campbell:** Exactly.

**Larry Brown:** What Judge Gull is trying to point out is would you take a job and then be told a few months later that you are not going to get a raise for four years?

**Kenny Fries:** I did.

**Larry Brown:** I don't think so.

**Sheila Curry-Campbell:** You're special.

**Larry Brown:** You would be out of that job pretty quickly.

**Joel Benz:** I understand why there is frustration.

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**Kyle Kerley:** We are coming into a budget time where a year from now we might be telling everybody in the County that they are not getting a pay raise. We did it ten or twelve years ago.

**Kenny Fries:** For three or four years in a row.

**Tom Harris:** So, at this point, we are clear in moving forward...

**Joel Benz:** We have some more items on the agenda.

**Judge Felts:** Considering the conversation this far, my initial thought was to hold off on those two going forward but listening to what Ms. Murphy said now, these don't go through Personnel Committee. They have already been approved by the Council. The numbers were wrong, right Bob?

**Bob McArdle:** The range.

**Judge Gull:** The range.

**Judge Felts:** Again, I don't know why we would have to go through the extra steps that are not normally done anyway. We are just correcting the range error that was made.

**Joel Benz:** On the last two.

**Sheila Curry-Campbell:** On these last two is what you are referring to right now.

**Charity Murphy:** The second two are up to Council to decide if they go through Personnel or not.

**Joel Benz:** Typically, when we have a request, they come and make a salary request first and then they come back for the money to fill it.

**Sheila Curry-Campbell:** Mr. President, can we separate one from two and three?

**Kyle Kerley:** We just did.

**Sheila Curry-Campbell:** Okay.

**Joel Benz:** Two and three are on the table for consideration. If someone wants to make a motion we can move forward or we can have some further discussion.

**Sheila Curry-Campbell:** I move for consideration of a salary ordinance amending the pay of the Deputy Director from Non-Classified at \$89,839 to \$109,581, exempt and retroactive to 5/21/2020. Also consideration of a salary ordinance amending the pay range of Executive Director from Non-Classified at \$96,801 to \$109,620 to be \$96,801 to \$138,115, exempt and retroactive to 5/21/2020.

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**Larry Brown:** I'll second that.

**Tom Harris:** Just some thoughts, talk to us a little bit about the Deputy Director role. That is jumping 22%. Thoughts on why that jump was \$89,839 to \$109,581.

**Judge Gull:** When the work group met on March 6<sup>th</sup>, once the Advisory Board approved moving forward with the new Venture Lane facility Judge Felts, as the Chair directed that a work group be formed. I am Chair of that work group and it consists of Mike McAlexander with the Allen County Prosecutor's Office, Clyde Nix, the CEO of Park Center, the three Criminal Court Judges, Judge Davis, Judge Zent and me as well as Bill Lebrato who is the Chief Public Defender. We have been meeting since March 6<sup>th</sup> to discuss how the Venture Lane facility will come forward. Once the approval came from the Board and the work group met, the first thing we started looking at was how many numbers of folks were we going to be required to hire, how many people will this facility safely hold, what kinds of programming are we going to be doing with this specific facility. At that point, we stepped back as a work group and looked at Allen County Community Corrections is one of the best Community Corrections programs in the State if Indiana. We run a multimillion dollar organization with hundreds of employees. We are now asking this agency, the Director and the Assistant Director assume another 24/7 building with 220 beds, create out of thin air a program that we can use to serve these individuals and as we stepped back to look at that I know the amount of time that is going to be expended to create such a facility and programs. I know the amount of work that is already being done by Community Corrections and the Executive Director and the Assistant Director and the work group felt it was important to step back and take a look at their salaries. The salaries were presented to the Board and the Board approved those salaries at the range that it came up with. The reasoning behind all of that is there is an assumption, a conservative assumption in all fairness the Executive Director and the Assistant Director are going to assume probably 50% more workload than what they are currently doing. Both of these individuals are working ten to twelve hours a day six days a week on this project over and above what they are currently doing to successfully run Allen County Community Corrections and supervise the hundreds of offenders that are under their jurisdiction. It seemed to the work group and to the Advisory Board that it was only fair then to compensate them for the extra work they continue to do without extra compensation. I believe it is probably closer to 50% more work and responsibility but the work group decided that a 30% pay increase for the Executive Director was appropriate and the differential between the Executive Director and the Assistant Director has been 20%. The decision was made to maintain that difference in the salaries because of the difference in the responsibilities. I can tell you that both of these people have been working twelve hour days six days a week to do what the Board and this Council approved in May. Looking at personnel, policies and procedures manuals, visitation policies, medications and how are we going to safely house those people and what kinds of jobs are those people going to be doing is just the tip of the iceberg. This pile of information that I have is a small portion of the four banker's boxes that I have in my office. Again, these are things that these people are doing over and above their current job to successfully monitor all of these people. This hasn't been done lightly. As far as

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the salary increases are concerned, these are well-earned salary increases. Again, I didn't think you would approve a 50% salary increase. It was determined that the salary increase of 30% and 20% was appropriate.

**Kyle Kerley:** So the numbers in the workbook that we were given wrong?

**Judge Gull:** Again, we had a Scribner's error because Mr. McArdle instead of putting the range in there inadvertently put the amount.

**Kyle Kerley:** The amount that was put in there was \$15,700 for her raise and that is a \$13,000 difference than what is being asked for here.

**Bob McArdle:** That amount was the amount for the rest of this year.

**Tom Harris:** What is the Executive Director's pay? Maybe Nick, you could pull that too.

**Judge Gull:** For 2020 it is \$104,662 with cost of living increases and we have the 27<sup>th</sup> pay period in 2020. The 26 pay period is just over \$100,000.

**Kyle Kerley:** So she is at the low end of the range.

**Judge Gull:** Yes sir.

**Kyle Kerley:** Would she be going from the low end to the high end?

**Kenny Fries:** She would have to be if the Deputy was going to \$109,000.

**Bob McArdle:** It would add \$31,400.

**Judge Gull:** To her current salary.

**Sheila Curry-Campbell:** Add \$31,000 to the \$104,000? Is that what you are saying?

**Bob McArdle:** To the \$100,000. Next year we go back to the 26 pay period.

**Joel Benz:** In the grand scheme of things that would put her position as the second highest paid...

**Nick Jordan:** Third. With the Judges paid by the State and with the change in the Board of Health Doctor to two separate positions, it would be Randy (Brown), the Sheriff and this position.

**Judge Gull:** Keep in mind that the Executive Director does not answer to an Elected Official or overseen by any Elected Official. The Director answers to the Statutory Advisory Board and Board of Commissioners as a Department Head. This position is now responsible for two 24/7 buildings that are many miles apart. We have 150 staff in

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2021 and an \$11 million budget that comes from three plus different funding sources. It is difficult to find comparable positions within the County. When you start looking at comparable positions, there really aren't any comparable positions. Back in 2016 when these positions were looked at by Personnel and then-Judge Surbeck there weren't any comparable positions that we could utilize to determine what this person's value is.

**Tom Harris:** I truly feel that some kind of a pay increase should occur. In my mind, I think the range could be brought down a little bit from maybe 30% to 20%. Maybe it is 20% for the Executive Director and maybe 15% for the Deputy Director. That would get the Deputy Director to \$103,000 and the Executive Director to \$115,000 or almost \$116,000. A lot of times we look at promotional increases and this is private sector so it is not government but sometimes you look at a ten to fifteen percent increase as a promotional increase. This is a little bit different than a promotional increase because of the added overall responsibilities. I am not proposing yet but throwing it open for discussion.

**Sheila Curry-Campbell:** There is a motion on the floor.

**Nick Jordan:** Yes, a motion and a second.

**Joel Benz:** We have a motion and a second to take them as presented here.

**Larry Brown:** Items two and three together.

**Joel Benz:** All in favor say aye, those opposed, like sign. Motion fails at 2 (Curry-Campbell and Brown)-4 (Harris, Benz, Kerley and Fries)-1 (Armstrong absent).

**Tom Harris:** I will throw out a recommendation for the Deputy Director to be a 15% increase and the Executive Director at 20% increase.

**Sheila Curry-Campbell:** Is that a motion?

**Tom Harris:** Yes.

**Sheila Curry-Campbell:** Second.

**Kyle Kerley:** Can we put some numbers to that?

**Sheila Curry-Campbell:** Fifteen and twenty percent is your number.

**Tom Harris:** Fifteen percent for the Deputy Director at \$103,314 and the Executive Director...

**Nick Jordan:** Do you want to increase the range 20% or are you scrapping the range and just saying...



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**Tom Harris:** That is a great point.

**Kyle Kerley:** That is why I was asking for a number.

**Tom Harris:** So in that case, it could go to \$120,000.

**Kyle Kerley:** I have it at \$125,594.

**Nick Jordan:** That is exactly right. From \$104,662 it doesn't bump the top of the range up 20%. You are taking the top of the range up 20% of \$104,662. She was not at the top of the range. Is that your motion, Tom?

**Tom Harris:** That allows the organization to move her to the max. They would have the ability to do that.

**Nick Jordan:** In a procedural aspect, they submit the budget for 2021 they put in the salary that they want within that range.

**Tom Harris:** It would be \$125,000 versus \$138,000. I will stay with that.

**Kyle Kerley:** So it will be \$103,314 and \$125,594.

**Kenny Fries:** Is that the range or the salary?

**Kyle Kerley:** The maximum range.

**Joel Benz:** They are allowed in that range to set the salary.

**Sheila Curry-Campbell:** She is underneath because she is at \$104,000 right now.

**Larry Brown:** Might I ask what is wrong with the range as states?

**Tom Harris:** I am just looking at that they are going to go to the max.

**Larry Brown:** They never have. You sat on that Board. They never have.

**Tom Harris:** Larry, I was just putting a percent of increase of the range. The question is if they never have \$125,000 should be applicable for an increase for the next year.

**Larry Brown:** You are more than welcome to make a recommendation back to the Advisory Board of the percentage like you just did and they can consider that. Why monkey with the range? If we want to give the Board the ability to have a range then why not let them go with it?

**Tom Harris:** I agree to that but in essence I am shortening the range. To your point, if they don't go to the max they will be okay with this number. If it is close to the max, it still may be more than she would have gotten from the Board's recommendation anyway.

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**Larry Brown:** Okay.

**Joel Benz:** I am just going to say we adjusted this salary a few years ago and I thought it was more than fair then and I think it continues to be and I don't think the range needs to be adjusted at all. **We have a motion and a second.**

**Kyle Kerley:** What we are considering now is a salary ordinance amending the pay of Deputy Director from Non-classified \$89,839 to \$103,314, exempt and consideration of a salary ordinance amending the pay for the Executive Director, \$96,801 to \$125,594, exempt and retroactive to 5/21/2020. I was clarifying your motion.

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

**Larry Brown:** Could we go back to item one and see if we can find a compromise?

**Joel Benz:** They are still at the table if you want.

**Tom Harris:** Help me understand that. What are you thinking?

**Larry Brown:** The original motion was to approve it as presented. It was defeated.

**Kenny Fries:** I will just say that I would rather it go to Personnel Committee because it may come up to a five.

**Tom Harris:** The challenge on that one is there is a structure so we are not picking numbers. Their numbers fall within that structure.

**Larry Brown:** So Council's challenge is to have it back to Personnel Committee and will meet ASAP on this position only?

**Kyle Kerley:** Yes.

**Larry Brown:** Then we will have the information and will be the first line item...

**Kyle Kerley:** On our agenda at the next meeting.

**Larry Brown:** On the 16<sup>th</sup>, the Board will have that vote when they meet at noon on that day.

**Sheila Curry-Campbell:** Thank you so much for your patience and your stack of papers. There is nothing left.

**Joel Benz:** Council, discussion and other business.

**Nick Jordan:** There is one addendum item.

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**Joel Benz:** That's right.

**Larry Brown:** I am just going to say whether or not agree or disagree the establishment of a Title 35 plan, I know there was some separation between us on that but the people that they have referred to that have worked their tails off to get plans, programs and such ready to go is unbelievable. They have really stepped up because they like many of us think that this is an opportunity to improve the overall system. It's another tool in the toolbox.

**Sheila Curry-Campbell:** We are talking about criminal reform and that was the whole conversation. I think that is why we all agreed with them and that is why we voted the way we did.

**Larry Brown:** Charity, I hope you have a good explanation because I read your email and I am more confused now than I was before.

**Charity Murphy:** I hope I do as well. When we passed the supplemental pandemic pay policy last month, it was divided into non-exempt and a section for exempt. The premise for the non-exempt was the \$2.50 per hour amount. The second was in the form of calculating the same way overtime is but for exempt employees that were directly responding to the pandemic crisis. The five employees that were approved for it were within the Health Department. The non-exempt portion is the reason that I am here today. The original policy, we didn't take into account the difference between exempt and non-exempt. It wasn't until we started to evaluate the second portion which was the time and a half for hours worked over 40 that I put into the title of this non-exempt supplemental pay. Why I say this is there are some exempt employees that do not fall under the second category of dealing with the public and the pandemic but fell under the first category where they had frequent and direct contact with the public. As an example, two of those positions were Public Health Nurses that were giving direct care to individuals with COVID. Those individuals should fall into the first portion and receive the \$2.50 increase. That is what we originally had planned on. I didn't think about the fact that those positions were exempt or there might be other exempt positions that fell under that category. What I wanted to point out is we are not asking for anyone to get both portions of it.

**Larry Brown:** Might I ask, don't lose your train of thought you said they didn't have time or couldn't mitigate. Did I understand you right?

**Charity Murphy:** Mitigate risks.

**Larry Brown:** Why? Give me an example. They didn't have time to put a face shield on?

**Charity Murphy:** No. I don't know that I said they didn't have time to mitigate. What I mean is for those positions like in Youth Services Center. They are constantly around the clients all of the time and so there is no way to completely eliminate the risk of them

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being exposed to the virus just because of the nature of their job. That is what I mean by that.

**Larry Brown:** Okay.

**Tom Harris:** In essence, when you went back and started to implement this, we had additional people come forward and say what about us.

**Charity Murphy:** No, there were only five that this is addressing today. Most of them were originally on my list but I did not split them apart between exempt and non-exempt. I will say that since coming to Council, there was really only one department that was approved for the pay that we had not taken into account and that was the Coroner's Office.

**Tom Harris:** Any word from the State yet? Have you submitted the document to the State for reimbursement or where do we stand on that? What is the timeline to submit that?

**Nick Jordan:** We have until the end of the year. Chris Cloud just sent it out to the departments earlier this week.

**Tom Harris:** But we are gathering that info in the coming weeks?

**Nick Jordan:** The dollar amount on these and the items I sent to you for the bulk of it we may not send it because they are not doing anything unordinary from their normal duties. One, if it wasn't budgeted or if it was budgeted but was unordinary to their normal duties then potentially it could be for reimbursement through the Care Act but for Law Enforcement Officers manning the Jail or the streets that is their normal duties.

**Kyle Kerley:** But wouldn't possibly we be able to submit overtime and stuff like that saying that people weren't coming to work because of illness and so we had additional overtime to cover for that. Can we submit that?

**Nick Jordan:** The problem we are having is that it is in the budget.

**Kyle Kerley:** Overtime isn't really in the budget.

**Joel Benz:** It depends on what department it is.

**Nick Jordan:** What will be hard to justify is if you tell people to stay home and then you want to submit overtime for the State or the Feds to reimburse even though it was already in the budget. Right now nobody has come and asked for additional money outside of the 2020 budget. Arguably, it has all been budgeted. We can try but so far the approach has not been to throw everything and see what sticks.

**Kyle Kerley:** I would even submit the bill from the Coliseum for having our meeting there.

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**Kenny Fries:** Do we need to take action today on what Charity has presented?

**Charity Murphy:** I just need the non-exempt portion, \$2.50 per hour to be able to be extended to exempt employees that fall within that category.

**Tom Harris:** No FLSA problem on that?

**Charity Murphy:** No, because it will only be on the base.

**Tom Harris:** We are not treating them as a non-exempt even though they are exempt.

**Charity Murphy:** Correct. This is just on their base hours.

**Kenny Fries:** So we need a motion and a second.

**Kyle Kerley:** I move to extend the \$2.50 an hour to the specified exempt employees for the pandemic pay policy.

**Kenny Fries:** Second.

**Larry Brown:** That wording takes care of it?

**Charity Murphy:** I think Nick needed a salary ordinance allowing for exempt employees to be paid from that portion.

**Nick Jordan:** It should be the addendum.

**Tom Harris:** Be it ordained that Allen County Council of Allen County, Fort Wayne, Indiana that in accordance with the Pandemic Pay Policy approved by the Allen County Commissioners on 5/1/2020, supplemental pandemic pay at a rate of \$2.50 per hour worked (not paid time off/sick leave/comp time/PHL) may be paid if deemed eligible in accordance with the policies guidelines and retroactive to 3/16/2020.

**Larry Brown:** Wait a minute. We had a vote and a second.

**Kyle Kerley:** He just added to my motion.

**Joel Benz:** **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Benz)-1(Armstrong absent).** Do we have any upcoming meetings or liaison reports?

**Tom Harris:** My only request is we have all talked about it should we have restrictions should we consider the other room? If those restrictions are still in place, it might be best...

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**Nick Jordan:** I will continue checking with them. You want in there for sure? Do you have a preference of where you want the seven Council members?

**Kyle Kerley:** Yes.

**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 June 18, 2020

**Sheila Curry-Campbell:** Second.

**Joel Benz:** All in favor please signify by saying aye. The motion passes 6-0-1(Armstrong absent). The next regular meeting will be held July 16, 2020.

**Larry Brown:** I have a question before we adjourn. What is your opinion? I can see the possibility, let me back up and explain. The current goings on in our community with protesting and whatnot, I personally think there is an underlying motivation beyond what we are seeing. That is my opinion. I guess my concern is that somehow our ranks don't get infiltrated and an effort made to separate us. I think we have done a really good job of putting aside race, religion and politics and all that and many, many times our votes reflect that.

**Sheila Curry-Campbell:** Yes. Our votes reflect that being together.

**Kenny Fries:** I will always vote the way I believe.

**Larry Brown:** Should we make a statement or keep our mouths shut?

**Tom Harris:** I disagree with the latter but I would not be interested in making a statement. Meaning I don't know that we need to keep our mouths shut but I would not be in favor of making any kind of statement.

**Kenny Fries:** I agree and I will always vote the way I believe I should vote. I think we all do that.

**Larry Brown:** My concern is that you have all received the emails. Obviously there are some people out there, a lot of people out there that need to be educated in local government. Who is responsible for what? Yes, we are the fiscal body but we don't have any direct...

**Kenny Fries:** And they shouldn't want that. If you think about the larger picture, they should not want a government entity to be able to get hold of the Prosecutor's Office and say hey, drop charges against this guy but put them on this guy. They really shouldn't want that. Somebody said earlier that Lady Justice has a blindfold for a reason. We are not supposed to see color, not see male or female. Everything is based on the facts. We have the best criminal justice system in the world. It's flawed but it is the best in the world. Allow these things to go through the natural process. So much of this is emotional.

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That is why I think it is best not to make a statement. You are not going to be able to argue with somebody's emotions.

**Larry Brown:** Good point.

**Sheila Curry-Campbell:** I understand exactly what you are saying. That is one of the things I hope we come in this room and be of one accord. I understand everybody is voting their passion or what their constituents are sending them here to do. I'm hoping that we are all thinking the best interest of the City of Fort Wayne and representing here at the table as the County. As far as making a statement, I think we make statements by going down there and supporting these young people. A lot of us have been down there. A lot of us follow them on Facebook just to find out what they are doing. I think it is important that we as adults reach out to these young people however we can help them to understand democracy. Whatever we need to do to get them part of the political process and I think we need to reach out to them and help them in that fashion. I am hoping we can always be together on our votes. Maybe that is me the Dreamer. I would love for it to be rosy and rosy.

**Kenny Fries:** Differences is what makes this whole world go around. We don't all like the same color of car and that is what makes this a great place to live. We all have differences and that is okay and we all need to recognize those.

**Larry Brown:** What concerns me is I absolutely will not participate.

**Sheila Curry-Campbell:** Oh, I will. I have and I will.

**Larry Brown:** Where is that fine line between peaceful protest and non-peaceful? In other words, it is illegal to stop traffic. A peaceful demonstration that all of a sudden shuts down Clinton Street or any highway or whatever becomes illegal.

**Sheila Curry-Campbell:** I agree.

**Kenny Fries:** And the Police need to do something about that. It's like getting all of the windows broken downtown. If somebody breaks out the windows in your house, they are not going to say he was just throwing a skateboard, let him go. You break windows in my house you are going to pay for it. My kids, if they did something wrong they got a spanking. You do something wrong...

**Larry Brown:** Absolutely.

**Sheila Curry-Campbell:** The African American community has been getting a spanking for a long time.

**Kenny Fries:** So have my kids.

**Sheila Curry-Campbell:** These kids are frustrated and they are using their anger not in the best way. Once again, we must support them. Say what you want to say and I am

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going to say what I want to say. I want you to understand these kids are out there for a reason. They are angry. They are angry because of the criminal...we are not going to argue about it.

**Kenny Fries:** At what?

**Sheila Curry-Campbell:** They are angry about the criminal justice system and the disparity. That is why they are out there. Somebody want to adjourn this meeting because we are never going to have a meeting of the minds.

**Joel Benz:** We are not going to solve the world's problems at this table.

**Sheila Curry-Campbell:** Not at all but we need to support these young people.

**Tom Harris:** It gets back to Larry's point that maybe we don't do anything collectively as a group but maybe we can still speak out on our own accord in terms of where views are on different issues.

**Larry Brown:** Where I was headed with all of this is and I didn't mean to stir up a pot but we are all being threatened with votes. I would like to see us stay unified.

**Sheila Curry-Campbell:** There you go.

**Joel Benz:** I think the way we handle it is we do the best job we can for our community. The employees of Allen County do the best job that they can and this environment just reinforces the need for that to happen. The other stuff will work itself out.

**Larry Brown:** As uneducated as they are on local government, they do vote. And they also breed. They do vote and they are going to be an uneducated voter.

**Joel Benz:** This is not the format to address that.

**Kenny Fries:** Move to adjourn.

**Kyle Kerley:** Second.

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