



## OFFICE OF THE CITY CLERK

KAREEMAH FOWLER, CITY CLERK

PERSONNEL & FINANCE

SEPTEMBER 14, 2016 5:00 P.M.

Committee Members Present: Karen White, Regina Williams-Preston, John Voorde,  
Gavin Ferlic (late)

Other Council Present: Jo M. Broden, Tim Scott

Councilmembers Absent: Oliver Davis, Randy Kelly, Dr. David Varner

Others Present: Kareemah Fowler, Joseph Molnar, Kathleen Cekanski-Farrand,

Agenda: Budget Hearing #7  
Building Department  
Fire Pension  
Clerk Budget  
Common Council Budget

Committee Chair Karen White called the Personnel and Finance Committee to order with three (3) items on the agenda. She thanked the councilmembers who have come to all the various budget hearings as this is a very important aspect of the duties of the Council. There is an off-site budget hearing on October 3rd 2016 at Pinhook Pavilion at 6:00 p.m.

### **Building Department**

Charles Bulot, Building Commissioner with offices at 125 S. Lafayette Blvd., presented the Building Department's 2017 Budget to the Committee. The presentation he used is on file with the City Clerk's Office. There are not many big changes this year with the department. We are trying to do our job as efficiently as possible. The goal of the Building Department is to attain a one-hundred percent (100%) verifiable code compliant "built environment". This goal can be achieved by: hiring the best inspectors and front office personnel, insuring quality by education and communication, tracking information, and providing the highest caliber of service.

Revenue has a projected three percent (3%) increase based on trends. Expenditures has a six point seven percent (6.7%) increase from 2016, primarily due to interfund allocations. There are four (4) overall staffing changes: Secretary V changed to Administrative Assistant, a plumbing inspector retirement replacement, a second HVAC inspector was hired and a Secretary V

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JENNIFER M. COFFMAN  
CHIEF DEPUTY/ CHIEF OF STAFF

ALKEYNA M. ALDRIDGE  
DEPUTY/ DIRECTOR OF POLICY

JOSEPH MOLNAR  
ORDINANCE VIOLATION CLERK

retirement replacement. It's great to have two (2) HVAC inspectors because we have huge seasonal demand when people fire up their furnaces.

Committeemember Gavin Ferlic joined the meeting at 5:10 p.m.

Mr. Bulot explained the department's accomplishments during 2016. The Building Department contacted the State Archives and received permission to archive documents after verifying that our permitting/archiving system has sufficient failsafe backups. We were the first in the State to be allowed to do this. One-hundred percent (100%) of all County Commercial files have been scanned and archived. All City residential files have been consolidated by fifty percent (50%) and archiving has started. All business processes have been mapped and made available, making a visual guide for those unfamiliar with otherwise complex procedures. All forms have been changed to fillable file formats. They are also working to consolidate the Area Board of Zoning Appeals and associated procedures out of the Building Department program list. It is a non-revenue generator and is starting to affect effectiveness. The department also finally invested in a digital front counter cash register. It is linked directly to the permitting system and reduces cash out time for clients and time for inputting accounting information.

Mr. Bulot continued by detailing the 2017 goals and challenges for the department. The remainder of all property files and permits need to be scanned. They want to transition from iPads to Surface Pros for field inspections. The Surface Pros have a lot more capability and are more in line with what the City is doing in terms of their overall IT plan. The department is planning to schedule regular seminars for homeowners on remodeling/repair either by Contractor or as homeowner and create an emergency packet/checklist including Business Process Analysis (BPA) so tiered personnel can operate without instruction. We are in the process of setting up a Commercial Plan Review if the state allows Local Plan Review. We have been working for a year and a half on that. If it goes through it would be a tremendous revenue boost. The department is also looking to transition some ABZA duties to the Area Plan Commission. Generally we have thirteen (13) to fifteen (15) submissions to ABZA each month. That has moved up to twenty-six (26) to thirty (30) each month. That is a one-hundred percent (100%) increase and comes with a ton of paperwork and time. That is also a non-revenue generator which we are trying to move away from.

Our 2018 goal for the average permit processing time is three (3) minutes. This is from the actual start of the processing of the permit. It does not include the time at the counter. Our 2015 average time was 2:22 and 2016 year to date is 2:45. Three (3) minutes is a good goal to maintain.

Mr. Bulot gave a breakdown of the key program costs for the department. Inspections, which includes traveling to and making various types of building inspections, has an estimated cost of \$410,560. That includes salary and benefits. Customer inquiries, which is the direct conversation, research, and investigation time associated with customer inquiries, has an estimated cost of \$137,990. Permitting, which includes processing, filing, archiving and distributing permits, has an estimated cost of \$71,053. ABZA appeals, which includes processing all variances, Special Exceptions, Special Uses, along with meeting, filing and research for same, has an estimated cost of \$65,087. Zoning Ordinance Violations, which includes investigating

Ordinance Violations including those commonly associated with Code Enforcement, has an estimated cost of \$48,944.

Committeemember John Voorde asked what the chances were of the Commercial Plan Review happening.

Mr. Bulot stated he has been assured by the state building commissioner that there was a very good chance that by the end of the year the legislation would be enacted. It would then take probably about six (6) months to get an ordinance written, get the hardware, and set up the program internally. Optimistically the soonest would be July of 2017 but things happen. Mr. Bulot reported that he went down to Indianapolis a few months ago to testify before the Building Board regarding this very item.

Councilmember Tim Scott asked Mr. Bulot to clarify about moving some of the duties to the Area Plan Commission.

Mr. Bulot responded the reason is for over the years when Area Plan does a rezoning they have told us they do the rezoning anyway. It essentially takes it off of the Building Department's plate because they are doing it anyway. Area Plan came to us and asked if it would make sense for them to handle the Area Board of Zoning Appeals. It really does make sense for them to handle it because they work closer with those types of issues.

Councilmember Scott asked if there would be savings for the Building Department.

Mr. Bulot responded it would be time saving and free up staff for other duties.

Councilmember Jo M. Broden asked how the department obtains customer and consumer feedback.

Mr. Bulot responded they don't have anything formal in place but we have been meaning to do so. We are hoping to develop a satisfaction survey and add it at the end of the permitting process. He stated he is hoping to get some help from IT on figuring out how it would work practically.

Councilmember Broden asked why were special exceptions up.

Mr. Bulot responded that's a good question. People are savvier now in terms of property use and utilizing that to its fullest extent. From the professional side, they are finding new and better ways to shoehorn projects into certain areas but massaging the ordinance to their benefit. If someone looks hard enough they can find a way to get certain things legally.

Councilmember Broden asked how frequently do communities review their ordinances and update them.

Mr. Bulot stated they are constantly looking at it and are always working with the Area Plan Commission when they have time or an issue is pressing. Right now we are meeting with Area Plan concerning Code Enforcement for the County. That has been an issue for years but we

haven't had the time to tackle it. Now there is a lot of incentive and push by the County to look into that. We have been essentially functioning as Code Enforcement for the County but are not really set up to do that. We do it via the zoning ordinance and use the zoning districts as leverage against certain uses.

Councilmember Regina Williams-Preston stated she thinks the seminars for homeowners is a wonderful idea. She asked if there is a way to help seniors, and all homeowners, find reputable contractors. She stated she gets a lot of calls from seniors in particular who spend a bunch of money on a project and then the contractor did not do the work correctly and they have no recourse.

Mr. Bulot responded that has been an ongoing problem and he spends a lot of time tracking down these disreputable people. We cannot legally recommend a contractor because of liability issues but we can tell people if the contractor is currently registered with the Building Department to work on property in St. Joseph County. We also try to emphasize to homeowners that they should not pull the permit themselves, the contractor should do that. The permit is a legal document that connects the contractor to the property. If the homeowner pulls the permit then the homeowner technically becomes the contractor and they release liability on who is doing the work.

Councilmember Williams-Preston asked about how a contractor becomes registered.

Mr. Bulot responded a contractor must post a bond which means that the bonding or insurance company will make sure the contractor is financially stable to a certain extent. Then the contractor fills out information and references and contact information.

Councilmember Williams-Preston asked about the money designated towards the ordinance violations portion of the budget.

Mr. Bulot responded that money is what it costs for us to go out and do that ordinance violations process. We do recoup some costs from the fines but it does not make up for the money to offset the volume of work.

Committee Chair White thanked Mr. Bulot for the presentation.

## **Fire Pension**

Steve Cox, Chief of the South Bend Fire Department with offices at 1222 S. Michigan Street, introduced Gerard Ellis who is the Fire Pension Secretary.

Mr. Ellis stated his main goal as pension secretary is taking care of the retirees. In 2016, six (6) drop retirements occurred, one (1) disability retirement and two (2) normal retirements. The majority of retirements recently have been drop retirements. We have had a few guys retire at less than age fifty-two (52) but with more than twenty (20) years of service. We provided service for the passing of seven (7) widows this year and four (4) retired firefighters. That is probably the most stressful aspect of the job is helping the families in their time of need. Mr. Ellis reported

that he totally eliminated using an old DOS based system and now everything is run through a spreadsheet on Excel. Hopefully it is more efficient and streamlined.

Mr. Ellis stated a main goal for him is to always try to find the best way to communicate with retirees. It really depends on the retiree but many of them are moving to smart phones which is nice and over the past year we have collected fifty (50) new email addresses. We held a seminar at our firefighter's union hall and brought in representatives from outside agencies. These were for individuals who may retire soon or are thinking about it in the next few years. There was a lot of great feedback about the type of information those potential retirees are looking for. In 2017 things will mostly remain the same and we'll continue to keep improving communication with the City's Human Resources.

Mr. Ellis gave a breakdown of where each fighter is accounted for in the various pension funds. Every fire fighter after 1977 is an obligation to the City. There are about two-hundred and eighty (280) total members. The projection for payroll for 2017 is approximately \$4.9 million. That is down from last year. This year we did have two (2) members in the drop program which is about \$235,000 additional that's paid out. Next year there is going to be nobody that is going to be paid out from drop but as of now there is only two (2) firefighters left on the job that are eligible. One (1) in 2018 and the other has not signed yet. As for drop payments coming from the City there are only two (2) left that will be paid from the City and the rest will be covered by the State.

Regarding expenditures, Mr. Ellis informed the Committee that he is paid for his work and the trustees are paid for their work which is a fixed rate. There are not many office expenditures. Typically we borrow the supplies from the Fire Department. The death benefit is probably the largest expenditure. It is \$12,000 if a retiree passes away. It is hard to budget for that obviously and this year we have had a few and may have two (2) more before the year is over. The other costs are for things like postage which has increased because we are trying to increase communication with all the retirees.

Committee Chair White thanked Mr. Ellis for his presentation and stated he is doing a great job.

### **Clerk Budget**

Kareemah Fowler, City Clerk with offices on the Fourth Floor of the County-City Building, gave a presentation to the Committee on the 2017 budget. The presentation is on file in the City Clerk's Office and available for public inspection. At the beginning of the year the Clerk's Office underwent a reorganization. Clerk Fowler detailed the various staff changes from the beginning of the year. She read the Clerk's Office mission statement and the various services the Clerk's Office provides.

Clerk Fowler discussed the various 2016 Clerk's Office accomplishments. A complete reorganization of the Clerk's Office was undertaken for efficiencies. Individuals now specialize in particular areas to accommodate the Council, such as minutes, policy, HR needs (Council/Clerk), Boards and Commissions and Outreach coordination. The office is now able to host meetings such as the Food and Beverage Tax joint meeting. The Council and Clerk's office now have interactive calendars. Electronic TV monitors outside the Clerk and Council offices

now present upcoming agendas and meeting notices. A "Clerk's Column" was added to the water bill to inform the residents on upcoming issues and legislation affecting them. The issue every month is different and pertains to the specific time of year. Staff and Clerk biographies were added online to increase citizen engagement and transparency. The office contracted with an attorney to ensure compliance with the law. Collaboration took place between Clerk, Council and the Mayor's Office to display local student art in public spaces designated throughout City offices. The office also collaborated with Area Plan and all other entities on Fast Tracking legislative processes.

We digitized all old record and minute books this year. That process is complete and they will be uploaded online after indexing of the documents takes place. Everyone in the office is trained to aid the councilmembers if they have technology issues. We created a community distribution list so everyone in the community receives important information the Council wishes to disperse, Councilmember Jo M. Broden aided in the creation of the list. We are assisting the Council to aid their presence at community events such as Mayor's Night Out. We always have a table at Mayor's Night Out but we also make sure the Council has their resources available at the meeting and if a Councilmember cannot be there we staff their table. We are also helping the Council with their social media presence and the community is updated on the positive developments in the City.

Clerk Fowler presented to the Committee the Clerk Office's 2017 goals and challenges. The Office plans on implementing a shared digital program throughout the City for City boards, commissions and Council committees. It is currently hard to coordinate between all the various entities that appoint to these boards and this new technology will help keep the entire City on the same page. We have found a vendor we want to go with and they have a great amount of useful tools such as a demographic information broken down. It also has the capability to have historically information dumped into it as well. We want to return to electronically bookmarking the Council agenda and revamp the Clerk and Council websites. The Office is planning on creating a research center in the Clerk's Office as a good balance between streamlining of city information and a face to face experience. The art contest will be expanded as well and we plan on providing internships. The Council meetings are currently streamed live through WNIT and then uploaded on YouTube, in 2017 we plan on trying to stream live on YouTube. There are also some standard operating procedures that need to be completed and we are still working on the mission statement. The Office and the Legal Department will work together on Open Door Law training as well. Finally, the Office is going to continue to move to a completely paperless office.

Clerk Fowler presented the Key Performance Indicators. We are no longer just simply planning on doing more meetings and the Council passing more legislation because an increase in quantity of meetings does not mean increase in good governance. She highlighted that the 2017 projection for percentage of petitioners that file successfully is ninety-one percent (91%) and already for 2016 we are averaging ninety-five percent (95%). One-hundred percent (100%) of Council meetings have been aired on WNIT in 2016 as well.

Clerk Fowler presented the key programs and costs slide which is a complete breakdown of what we do and how many hours individual projects take and what is the breakdown cost of those projects. The Clerk's Office broke down their programs into: Council and Committee Meetings –

Legal, Constituent Queries and Response, Community Events/Outreach, Records Distribution and Retention – Legal, Municipal Code Administration/Compliance, Council and Committee Meetings – Optional, Special Meeting/Study Committee/Ad Hoc Advisory, Records Distribution and Retention – Optional, Legal, Boards and Commissions, and Technological Support.

Clerk Fowler also gave an example breakdown of the hours spent by the office on the Special Advisory Committee, Street Renaming Committee, and Miscellaneous Meetings/Events. It was in using those breakdown of various projects that the office came to the conclusions on the key programs and costs. This is a good breakdown of not just what the Clerks have done but also what the Council has done and what we have supported them at. It speaks to what the Clerks and the Council do.

Clerk Fowler continued the presentation, highlighting the Ordinance Violations Bureau. She stated it is a work in progress but we did have some accomplishments this year. We gained access to the BMV, which we have not had for a very long time, this enabled us to collect on parking tickets. The office worked through over 8,000 parking tickets from 2014 and 2015. From that batch, over 1,800 tickets have been sent to collections this year. The OVB processed seventeen (17) Scrap Metal Licenses and over fifty (50) Lawn Parking Permits in 2016. The lawn parking tickets so far have brought in \$8,807.60 and that will increase as the season goes on.

Going forward in 2017, the office has a goal to work more diligently with Code Enforcement to streamline all processing of Code citations in one (1) system. Right now we are working out of three (3) systems which is very time consuming. We will continue to work with Code Enforcement and the Legal Department to streamline the Collections process. The office also wants to purchase new parking equipment so that the tickets can be stored in the cloud for real-time access by citizens, DTSB and the Clerk's Office. We are working on that with Aaron Perri. Clerk Fowler also expressed the desire to implement an amnesty program for the City. There is money out there and no one would want to write it off but it can be still collected. With the amnesty program, we could waive the late fees and people could come and clear the slate only paying for their tickets and not the late fees. This would generate revenue and allow the City to start fresh and move forward. It would give downtown businesses opportunities to pay their workers' tickets. We would advertise that heavily and hopefully it would bring in a nice revenue boost for the City.

So far in 2016, OVB has referred two-hundred and sixty-four (264) tickets to the Legal Department, those are not parking tickets. The revenue, if it was all collected, would be a potential revenue of \$27,515. There have been 1,536 parking tickets referred by OVB so far this year. That is pretty great because previous to this year we did not have BMV access to refer those tickets at all. That could potentially bring in \$34,645. Lawn Parking Permits issued this year are already up \$2,000 this year from 2015 and again the season is not even over. Scrap metal permits are down slightly because there was one (1) less permit issued this year. The program cost for everything related to the OVB including salary and everything else is approximately \$70,000.

Clerk Fowler detailed the significant budget changes this year for the Clerk's Office. This year we have a total increase of fourteen point one percent (14.1%) which is a dollar amount of \$62,710. That includes a request to bring the City Clerk's salary in line with IACT and other City Department Heads with administrative oversight responsibilities and staff. Clerk Fowler provided a comparison between other Second Class Indiana cities population and their city clerk's wages. The City Clerk salary right now is \$59,000 and Clerk Fowler is asking for an increase to \$73,000. There is also an increase for the salary of the Clerk's Office staff by two percent (2%), that is a consistent flatline increase, which is the same as the rest of the City of South Bend employees. If the rest of the City does not take the two percent (2%) increase then the Clerk's Office will not increase because all of the staff is new and are not at the maximum amount. There is money going back into the General Fund this year because they have not reached their maximum amount yet. The budget also adds \$10,000 for Professional Legal Services for future liability pertaining to the Clerk's office which includes policy and HR. If something was to happen with a staff member of the Clerk's Office, the City Legal Department does not have to represent the Clerk's Office and neither does the Council Attorney. Clerk Fowler stated she does not project they would use all of those funds but it is an assurance. Year to date, the Clerk's Office has spent \$4,300 on legal services. A large majority of this increase was from the new IT allocation which for the Clerk's Office is \$59,000. If you take the IT allocation away, the budget increased by only a little over \$12,000. We made about \$30,000 in cuts from the budget but with the IT allocation it is still up fourteen point one percent (14.1%).

Committee Chair White asked if the Committee or Councilmembers have any questions.

Councilmember Tim Scott stated it has been a pleasure working with Clerk Fowler and her staff.

Committee Chair White echoed those sentiments. The Clerk's Office provided tremendous support during the Special Elbel Committee and provided comprehensive minutes. She also thanked the office for having a representative at all of the walking tours as well.

Councilmember Jo M. Broden concurred that the public information provided during the Elbel discussions was tremendously helpful and also the healing that provided to the people were offended by the process.

Clerk Fowler thanked the Committee and stated they have made a lot of progress but there is a lot of progress to yet be made.

Councilmember Broden asked about possible internships.

Clerk Fowler responded that she believes her office is better off doing their own thing outside of the Administration. We have received a number of interested people willing to intern for our office. We have created a form for interns to fill out that is modeled off of the Mayor's form. We state that in return for their service we can provide recommendations and quality experience. It is pretty straight forward that it will not be paid internship. We have been very successful with interns, we had one (1) that spent two (2) years here in high school and will still be an intern now that she is in college. We think we are providing good life experience for the interns and Alkeyna Aldridge has been a wonderful community resource because she works with the JAG program.



She occasionally has students who come and sit with her during the Council meetings. Clerk Fowler expressed her opinion that the Council and Clerk's Office should come together and do our own intern program.

Councilmember Broden stated this is a bit off topic but neighborhood meetings should have the ability to display information like we do at the meeting in the County-City Building. The Clerk's Office has the ability to get that information to the public in a positive way.

Clerk Fowler stated she agrees and the only thing we would really need to buy is the projectors because everyone has a white wall and the office all have laptops now. One (1) thing that would also be helpful is a handhold recorder.

Committee Chair White thanked Clerk Fowler for her presentation.

### **Common Council**

Council President Tim Scott gave the Council budget presentation which is on file in the City Clerk's Office. The Council budget really should just be at the minimum it possibly can be to do our operations. The budget for 2017 is a one point one percent (1.1%) increase over 2016. It looks like the LOIT projections are up ten percent (10%) and so the City is looking at a minimum two percent (2%) pay raise. This budget includes a two percent (2%) raise for the councilmembers which is what the average City employee is getting. Council President Scott stated personally he is against the pay raise and will vote against it but it is in the budget for Councilmembers to talk about.

In 2017 we do have all nine (9) members taking salary. In 2016 we only had seven (7). That was an initial financial challenge. In 2017, seven (7) members are taking insurance and in 2016 there was only four (4). IT services increased as well. This is proper allocation but looking at the total sum it leads to the question of does the Council need all of this technology. It was at one (1) point \$63,000 which takes a big bite out of our budget and we have got it down to close to \$43,000. Professional Services includes a two percent (2%) raise in line with what we are doing with the Council. We also have money set aside for outside legal negotiations which are pretty much in line.

Committee Chair White stated next year they should just be in negotiations with the Fire Department not the other two (2).

Council President Scott responded that we don't actually know that. We are budgeting a little higher because we don't know how long of a contract we will get with Teamsters and Police.

Council President Scott continued with his presentation and stated so far this year the Council has had a ninety-four percent (94%) attendance rate which is excellent. We have had seventy-four (74) Committee meetings with a ninety-four (94%) attendance rate as well. So far this year we had one-hundred and ninety-four (194) bills come before the Council. To date there was seven (7) public meetings on the budget with a few more to go. We added the electronic displays outside and almost all of our data is going out online and a good portion of it is going out in

English and Spanish. Council President Scott thanked Adriana Rodriguez and the Clerk's Office for working on that. Adriana has been an excellent addition for the extra support she provides for the Council Attorney.

Council Attorney Kathleen Cekanski-Farrand stated the legal staff sent out their report to the Council and they appreciate the opportunity to serve.

Adriana Rodriguez stated her position is new as full time and the Council is saving money because they are contracted out and not employees of the City which gives the City savings on health insurance.

Council President Scott stated he is also interested in working with the Clerk's Office to get the meetings streamed on more sources and to move to paperless filing which would help the people who do business with the Council. Council President Scott also expressed interest in doing Committee meetings on a different day than the Council meetings to give the Council more time to contemplate the bills and meet with constituents. That would mean we would be meeting formally every Monday of the year and that is something to talk about. We also are looking into doing off-site Council meetings.

Councilmember Preston asked to clarify how we save money on having the legal services as contractors and not employees. Originally she thought the legal services were employees because their offices are here and they use the City office materials.

Adriana Rodriguez responded that there are different definitions for a general contractor. Some do have their own office that they work out of but you can also have a general contractor on site and provide a space for because the information that they are processing is for that specific client only. The work that we do is specifically for the Council only and we don't have other clients. If the Council needs us we are always here for them.

Council Attorney Cekanski-Farrand stated it has only been about seven (7) or eight (8) years that she has had an office here. Before that she worked out of her private practice office. It was much more efficient for us to be on site because several councilmembers do come in frequently asking for our services. Other City department staff also come in periodically to meet with us as well and it is more convenient for them to have us here.

Adriana Rodriguez also stated since the Councilmembers are part-time it is good to have us here full time for whenever they can pop in. We are here every day and try to coordinate that if one (1) of us is working off site the other one (1) will try to be here. That way the Council is always covered.

Council President Scott stated when Adriana works off site, she will log in and send him an email. He also thanked Council Vice President Davis and Committee of the Whole Chairperson Ferlic for helping him with the budget as well.

Councilmember John Voorde stated he is glad we are looking into using a different meeting date for the Committee meetings especially when we have controversial issues so we can get more public feedback.

Committee Chair White stated she also thinks they should try it because then it would show the public we are not just running haphazardly through these decisions.

With no further business before the Committee, Committee Chair White adjourned the meeting at 6:37 p.m.

Respectfully Submitted,

Karen White, Chairperson