

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
May 21, 2018

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall on Monday May 21, 2018, at 7:00 p.m. The meeting was called to order by President Mammolenti all were asked to stand for the Pledge of Allegiance.

 Roll Call.

Present: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Deal, Mr. Banicki, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Mammolenti.

The Minutes from the May 9th meeting were approved as received from the City Clerk's Office.

Clerk Block read letter from the City Plan Commission regarding recommendations from their May 15, 2018 meeting.

PETITION #18-12 A petition submitted by Brittany Conard requesting to rezone **1111 Webster Street** from I-1 Light Industrial District to R-1 Single Family Residential District.

The Commission, with a vote of 8-0, recommended approval.

PETITION #18-13 A petition submitted by James J. and Joyce L. Vance requesting to rezone **421 South Capital Avenue and 501 South Capital Avenue** from C-1 General Commercial District to R-1 Single Family Residential District.

The Commission, with a vote of 8-0, recommended approval.

PETITION #18-14 A petition submitted by the Donald and Patricia Cressy Foundation requesting to rezone vacant land **west of and adjacent to 906 West Edison Road** from C-1 General Commercial District to C-4 Automotive Oriented Commercial District.

The Commission, with a vote of 7-1, recommended denial.

Clerk Block read the following proposed ordinances by title and were set for public hearing at the next council meeting.

PROPOSED ORDINANCE NO. 2018-10

**AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL
CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME
AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF
THE CITY OF MISHAWAKA, INDIANA.**

(Rezone from I-1 to R-1 Single Family – 1111 Webster)
(Assigned to the Land Use Planning Committee)

PROPOSED ORDINANCE NO. 2018-11

**AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL
CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME
AMENDED, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF 1966” OF
THE CITY OF MISHAWAKA, INDIANA.**

(Rezone from C-1 to R-1 Single Family 421 & 501 S. Capital Ave.)
(Assigned to the Land Use Planning Committee)

PROPOSED ORDINANCE NO. 2018-12

**AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL
CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME
AMENDED, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF 1966” OF
THE CITY OF MISHAWAKA, INDIANA.**

(Rezone C-1 to C-4 Auto Oriented Commercial for Car Was E. of 906 W. Edison)
(Assigned to the Land Use Planning Committee)

Clerk Block read the following Resolution by title and opened the public hearing.

RESOLUTION NO. 2018-11

**RESOLUTION OF THE MISHAWAKA COMMON COUNCIL APPROVING AN
INTERLOCAL AGREEMENT FOR THE OPERATION OF A SEASONAL
HOUSEHOLD HAZARDOUS WASTE COLLECTION CENTER**

Geoff Speiss, Corporation Counsel stated the agreement was approved by the Board of Solid Waste Management District by 5-2 vote on May 14, 2018. He continued to say the agreement laid out the respective responsibilities of the two entities. Mr. Spiess mentioned Tim Ryan, Street Commissioner and Central Service Director and Randy Przybysz, Executive Director of the Solid Waste District were in attendance to answer questions regarding the agreement or operation center.

Mr. Tanner asked for conformation the seasonal program would begin June to November. Tim Ryan, Mishawka Street Commissioner and Central Service Director replied yes, training for his employees would begin June 5th. He continued to say this was originally set up for April but it depended on when the snow fall would stop, April to mid-December was the standard season. Mr. Ryan explained this was delayed a couple of times through readings to the Solid Waste District, they finally got it squared away.

Mr. Bellovich asked other than the difference in the time line would it run the same. Mr. Ryan replied yes, they would accept electronics, tires, hazardous household waste, paints and more.

He said the only differences were city employees would operate the facility and the county would pay for all the disposal fees for anything they collect.

Mr. Canarecci said since the collection facility moved there was less participation from Mishawaka residence, he asked Mr. Ryan was that his observation. Mr. Ryan said the last report at the Solid Waste District meeting did show there was a tremendous drop off usage from Mishawaka residence. He continued to say in the past the drop off was South Bend. Mr. Ryan said since the center moved the residence refusing to go to South Bend would leave or throw the recycling in the trash, leave it in the alley or find a field. He continued to say since the Solid Waste Center left Mishawaka, they constantly pick up tires and televisions and other waste.

Mr. Emmons commented this was a 5year agreement and every year they would see how this was financed and if everything worked according to what they passed. Mr. Ryan added after a 6-month period notification would be sent to the city and county to see the operation progress of Mishawaka. He said the Solid Waste District in South Bend would continue to run.

Mr. Mammolenti asked would there be pick-up for the disposals. Mr. Ryan explained Solid Waste Management would pick up the full trailer and drop off an empty trailer at the facility. He said in his 22 years he did not expect to see a whole lot drop off volume. Mr. Ryan continued to say his first day was working at the recycling center, he said it never dropped off, it always seemed to gain. He said he did not see the city loading and transporting trailers, he believed they would have to get more involved as a city.

Mr. Bellovich asked would they have to hire more staff. Mr. Ryan said they originally ran the facility with two people in the past then it became three when solid waste hired one of their own. He continued to say he had an employee who was good handling the organics and was crossed trained in hazardous waste. Mr. Ryan said they had good control on the organics, controlling who comes out and getting rid of contractors. He hoped two employees would work, if not, he would hire a third employee mid-summer for a month as opposed to an entire season or year. Mr. Ryan continued to say the volume picked up early, drop offs picked up in the summer, when fall came it dropped off again. He said he planned on having four of his personnel and one manager to go through the eight-hour course to be certified to work the facility.

Randy Przybysz, Executive Director of the District 828 Kurr Street South Bend clarified they did not own trucks but once this passed he would call their vendors to tell them which location to pick up, which would go in the contracts. He continued to say their budget grew over the last several years as they have taken more materials but the vendors did not care, they just wanted to know where to pick up materials. Mr. Przybysz added this year since they moved there was a 19% increase in South Bend residence using the program and there was almost an equal decrease in the number of Mishawaka residence. He said Mishawaka always had the highest percentage of residence using the program, County residence were second, in last the City of South Bend. Mr. Przybysz went on to say the idea of this was to give the option to people to promote them to use the program and not throw the materials out.

Mr. Mammolenti thanked the administration and Mr. Emmons for all their time and effort bringing this back to Mishawaka. He believed it was a true value to the residence and environment.

Question was called for at 7:15 P.M. for **RESOLUTION 2018-11**  **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 9). **Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Deal, Mr. Banicki, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Mammolenti.

UNFINISHED BUSINESS

PROPOSED ORDINANCE NO. 2018-07

AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF 1966” OF THE CITY OF MISHAWAKA, INDIANA.

(PUD Amend- Apartment Development S. of Vistula, E. of Bittersweet)
(Assigned to the Land Use Planning Committee)

Mrs. Voelker reported the Land Use Planning Committee recommended this proposed ordinance should be adopted and moved for acceptance of same upon a second by Mr. Banicki motion carried.

Clerk Block read a letter from the petitioner requesting to table **PROPOSED ORDINANCE NO. 2018-07** until the next meeting on June 04, 2018.

Mr. Deal made a motion to table **PROPOSED ORDINANCE NO. 2018-07** until the June 04, 2018 meeting second by Mr. Banicki motion carried.

Ken Prince, City Planner said he recalled there were questions regarding the PUD and what the city was proposing from the administration. He provided maps for anyone interested.

NEW BUSINESS

Mr. Deal reminded the Memorial Day Parade would be Monday May 28, 2018.

ADJOURNMENT 7:19 P.M.

Deborah S. Block _____/s/
Deborah S. Block, IAMC, MMC, City Clerk

Matt Mammolenti _____/s/
Matt Mammolenti, President