AGENDA

Tuesday, September 4, 2018

Meetings of Standing Committees
Council Conference Room
6:45 P.M.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
COUNCIL CHAMBERS/CITY HALL
7:00 P.M.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of the Minutes of the Previous Regular Meeting**

   August 20, 2018

5. **Petitions, Communications, Remonstrance and Memorials**

   Appeal No. 2018-26 Use Variance to allow a Temporary Office Trailer not to exceed 24 months 902 & 916 E. McKinley

   Appeal No. 2018-28 Use Variance to allow Warehouse/Storage in C-1 District & Development Variances for Bldg/Parking Setbacks, Landscaping/Screening and Off-Site Parking 1324 Benton St.

   Petition No. 2018-22 Annex rear 181.5' of 55946 Clover Rd & rear 90.75 of 1828 E. McKinley Ave. - Rezone rear 181.5' of 55946 Clover Rd & 1828 E. McKinley Ave to I-1 Light Industrial

6. **Report of Special Committee**
7. **Ordinances on First Reading**
8. **Resolutions**

   R2018-17 Fiscal Plan for Annexation Part of NW Capital and Toll Road PUD

9. **Ordinances on Second Reading**

   P.O. NO. 2018-18 Annexation, Rezoning to S-2 PUD & PUD Amendment Part of Northwest Capital - Toll Road PUD Beacon Health Systems, Inc. **PUBLIC HEARING - NO VOTE**

10. **Privilege of the Floor – Non-Agenda Items**
11. **Unfinished Business**
12. **New Business**
13. **Adjournment**

At this time I know of no other business to come before the Council.
Deborah S. Block, IAMC, MMC, City Clerk

The City of Mishawaka acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact Geoffrey Spiess, ADA Coordinator, at (574) 258-1615.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
August 20, 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 August 20, 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. Tanner, Mr. Deal, Mr. Emmons, Mr. Canarecci, Mr. Mammolenti.
Absent: Mr. Compton, Mr. Banicki, Mr. Bellovich.

Minutes of the Regular Meeting of August 6, 2018 were approved as received from the Clerk's Office.

Chief Deputy Clerk Hazen read letters from the Board of Zoning Appeals and the City Plan Commission regarding their recommendations from their August 14, 2018 meeting.

APPEAL #18-21 An appeal submitted by Nick and Jessica Hause requesting a Use Variance for **2606 and 2608 Ewing Avenue** to allow a two-family home to remain in the R-1 Single Family Residential District.

The Board, with a vote of 5-0, recommended approval.

PETITION #18-20 A petition submitted by Beacon Health System, Inc. requesting to annex and zone **14710 State Road 23, Granger** to S-2 Planned Unit Development and amend the Northwest Capital – Toll Road Planned Unit Development.

The Commission, with a vote of 7-0, recommended approval subject to the following:

Chief Deputy Clerk Hazen read the following proposed ordinances by title and was set for public hearing at the next council meeting.

PROPOSED ORDINANCE 2018-17

**AN ORDINANCE OF THE
COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA,
AMENDING ORDINANCE NO. 5590 REGARDING THE ISSUANCE OF ECONOMIC DEVELOPMENT REVENUE BONDS IN ONE (1) OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED NINETEEN MILLION AND 00/100 DOLLARS ($19,000,000.00)**
(Amd Hellenic Senior Living of Mishawaka, LLC)
(Petitioner requested second reading)

Mr. Canarecci made a motion to suspend council rules to allow second reading for PROPOSED ORDINANCE NO. 2018-17 second by Mr. Tanner motion carried.

Mr. Rompola, Attorney Barnes & Thornburg said the Common Council adopted Ordinance No. 5590 last September authorizing the issuance of bonds in an aggregate principal amount not to exceed $19,000,000 and approving related actions related to loaning the bond proceeds to the Borrower for the purpose of completing the project which consists of the construction of a 136-unit senior affordable assisted living facility at the Dragoon Trail site. He continued to say since that time the Borrower has been working to provide the financing for the project and had represented it was now prepared to proceed. Mr. Rompola said since last fall, a new underwriter is working with the Borrower which requires an amendment to the Bond Ordinance to change the reference to the underwriter. He said they had prepared the amending ordinance to change the underwriter reference and also to change reference to the bonds to be 2018 Bonds. Mr. Rompola assured there were no other changes to the Bond Ordinance were required to allow the Project to proceed. He said as a reminder (and as set forth in the Bond Ordinance and in Indiana Code 36-7-12 authorizing the City to issue the Bonds), the City's role is only as a conduit issuer – the City bears no responsibility for the Project or the payment of the debt service on the Bonds. Mr. Rompola said Mishawaka project was delayed by several factors, last fall the financing for the project in Elkhart, which was moving along at the same time was able to be concluded. He continued to say at the end of the year the Federal Tax Cuts came in and it changed the dynamics of the overall projects financing. Mr. Rompola explained this project was financed in part by the bond proceeds, 50% of Tax Exempt Bonds was the federal requirement and the balance of the 50% would come from the Sale of Tax Credits that the project would generate. He said the Indiana Housing and Community Development Authority approved the project for Tax Credits as well as the Bond Financing. He said with the delay in the various project issues that came up last fall coupled with the Tax Cut, the equity Tax Credit market changed significantly, so the original tax credit provider was not able to continue Hellenic, which was the developed entity for HEPA (Greek Fraternal Organization), which was also the developer for the project. Mr. Rompola said HEPA had been working since the beginning of the year trying to identify a new equity provider, NDC located out of Cleveland Ohio was willing to provide the equity and currently in their due diligence to close the financing. He mentioned NDC was partnered with Cain Brothers & Company, LLC, a division of Key Bank Capital Markets which would become the new underwriter. Mr. Rompola said the request for second reading and adoption would help the underwriters due diligence. He continued to say at this point they were proposing to close the end of September or early October.

Robert Dine, Director of Construction for HEPA gave an update on the project. He said the project was known as 1128 W. Dragoon Trail but during the course the last few months, the postal service and others had concerns, so the address changed to 1540 S. Logan Street. He explained majority of the project would continue to remain the same as proposed in last ordinance. Mr. Dine said construction cost was reaching up to 17.5 million dollars and the overall development cost would cost 27 million dollars. He continued to say they were hoping to get through the due diligence period from now through September with the hope of a closing in October. Mr. Dine said this project would be a tremendous opportunity for seniors in the Mishawaka area to live and to participate in a wonderful program. He said they have built in Albany Indiana which closed in March and was over 50% occupied, they also had a location in Indianapolis that closed around the same time and was 45% occupied. Mr. Dine mentioned their

Medicaid waiver program had reached higher than they had hoped to be, he said over 70% of their residence were in the waiver program. He went on to say at the final stage of the project they would be employing nearly 40 making 8.50 to 82,000 dollars for the managers of the building. Mr. Dine said the monthly rates would remain the same ranging from 2,800 to 4,100 dollars a month.

Mr. Emmons asked where the building would be located. Mr. Dine said the building would be located at the corner of Dragoon and Logan across the street from the school. He mentioned the arrangements to be a participant in the school getting the future parking lot area would stay the same; they made some adjustments to make everything accommodating.

Mr. Canarreci asked would they be hiring local contractors. Mr. Dine replied yes, they had an outfit out of Indianapolis who serves as their general contractor and they will come to Mishawaka to do the formal bidding process and they will draw from the local market. He said the bidding process was now underway.

Mr. Mammolenti asked was this a general contractor they previously worked with. Mr. Dine replied, yes, Shield Sexton has done their Indiana projects and they were currently under construction on the Elkhart project.

Mrs. Voelker asked where people would transition if they had to go into skilled nursing. Mr. Dine said they had an operator out of Illinois called Gardant, which was one of the largest operators in Illinois that had 40 facilities they either own or operate. He continued to say Gardant would be operating the facility. Mr. Dine explained within the Gardant organization they had service coordinators who would monitor the residence, as time changes in their lives they help them transition into other areas. Mrs. Voelker had concerns regarding the entrance to the building. Mr. Dine said they worked with the City Engineer and their Engineers to redesign the entrance. He continued to say they would widen the curbs and roadway, add lighting, and sidewalks, it would be changed accordant to traffic and safety.

Questioned was called for at 7:21 P.M. for **PROPOSED ORDINANCE NO.2018-17**
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).
Yes: Mrs. Voelker, Mr. Tanner, Mr. Deal, Mr. Emmons, Mr. Canarecci, Mr. Mammolenti.

PROPOSED ORDINANCE NO. 2018-18

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA, AND PROVIDING ZONING CLASSIFICATION THEREFORE

(Toll Road PUD Beacon Health System, Inc)
(Assigned to Land Use Planning Committee)

Chief Deputy Clerk Hazen read the following resolution by title and was opened for public hearing.

RESOLUTION NO. 2018-16

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A PETITION OF THE MISHAWAKA BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT:

2606 and 2608 Ewing Avenue, Mishawaka, Indiana

Sharon McDonald, Remax 100 represented petitioners. She said the property was currently in escrow and they were under contract to sell proposed property. Ms. McDonald said the property had been a duplex since 1954 and has had separate meters since 1972. She explained they need the use variance because the lender would not loan on the property with the zoning of R-1. Ms. McDonald said if there were major damages to the property such as a fire, the property could only be rebuilt if the damage was not more than 75% of the fair market value. She continued to say if the property burned to the ground it could not be rebuilt without the use variance.

Mrs. Voelker asked was the property currently occupied. Ms. McDonald replied yes, 2606 was occupied by long term clients. She continued to say the other unit would be owner occupied.

Mr. Emmons questioned the for-sale unit 2608. Ms. McDonald explained 2608 was currently for sale but they did have a buyer for the property, and the buyer would own and live on the property as well as manage the tenants in the 2606.

Question was called for at 7:27 P.M. for **RESOLUTION NO. 2018-16 Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).**
Yes: Mrs. Voelker, Mr. Tanner, Mr. Deal, Mr. Emmons, Mr. Canarecci, Mr. Mammolenti.

Chief Deputy Clerk Hazen read the following ordinance by title and was opened for public hearing.

PROPOSED ORDINANCE NO. 2018-16

AN ORDINANCE TRANSFERRING FUNDS FROM THE MOTOR VEHICLE HIGHWAY FUND AND THE LOCAL ROAD AND STREET FUND OF THE CITY OF MISHAWAKA TO THE LOCAL ROAD & BRIDGE MATCHING GRANT FUND OF THE CITY OF MISHAWAKA FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2018 AND AN ORDINANCE APPROPRIATING ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31, 2018

(Transfer & Appropriate Community Crossing Grant $1,300,000)
(Assigned to Budget and Finance Committee)

Mr. Canarecci reported the Budget and Finance Committee recommended this proposed ordinance should be adopted and moved for acceptance of same upon a second by Mr. Tanner motion carried.

Rebecca Miller, City Controller requested approval for the transfer of $183,000 from the Motor Vehicle Highway Fund and $467,000 from the Local Road and Street Fund to the Local Road & Bridge Matching Grant Fund as this is their necessary match for the Community Crossings Grant. She said these funds were budgeted for 2018 for the purpose of the match. Ms. Miller continued to say this transfer along with the $650,000 grant received from the State must be appropriated. She also requested approval of the additional appropriation for $1,300,000.00. Ms. Miller explained this ordinance takes care of both the transfer and appropriation in this fund and is required every year to show proper accounting of the grant and match.

Question was called for at 7:30 P.M. for **PROPOSED ORDINANCE NO. 2018-16 Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).**
Yes: Mrs. Voelker, Mr. Tanner, Mr. Deal, Mr. Emmons, Mr. Canarecci, Mr. Mammolenti.

ADJOURNMENT 7:31 P.M.

Mary Ellen Hazen /s/	Matt Mammolenti /s/
Mary Ellen Hazen, Chief Deputy Clerk	Matt Mammolenti, President

troyer group

Together, We Will

RECEIVED
AUG 14 2018
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

Appeal for Use Variance AP 18-26

RECEIVED
DEBORAH S. BLOCK, MMC
AUG 30 2018
CITY CLERK
MISHAWAKA, IN

August 22, 2018

Honorable Members of the Board of Zoning Appeals
City of Mishawaka, Indiana

RE: Appeal for Use Variance

The undersigned appellant respectfully shows the Board:

1. I, William Pemberton, am the owner of 916 East McKinley Avenue located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

PARENT PARCEL LEGAL DESCRIPTION: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION THREE (3), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE THREE (3) EAST, DESCRIBED AS BEGINNING AT THE SOUTHWEST QUARTER OF SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE FOLLOWING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, N89°09'36"W, ADISTANCE OF 1485.60 FEET; THENCE N01°14'56"W, A DISTANCE OF 40.03 FEET TO THENORTH RIGHT-OF-WAY LINE OF MCKINLEY AVENUE AND THE POINT OF BEGINNING; THENCE CONTINUING N01°14'56"W, A DISTANCE OF 1284.32 FEET; THENCE S89°00'24"E, A DISTANCEOF 413.36 FEET; THENCE S01°10'14"E, A DISTANCE OF 1283.15 FEET TO THE NORTH RIGHTOF WAY LINE OF MCKINLEY AVENUE; THENCE N89°09'36"W, A DISTANCE OF 411.57 FEETALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 12.14 ACRES, MORE OR LESS AND COMPRISED OF 2 LOTS.

LOT 1: 902 E. McKinley Ave.

(5.31 Acres) A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION THREE (3), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE THREE (3) EAST, DESCRIBED AS BEGINNING AT THE SOUTHWEST QUARTER OF SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE FOLLOWING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, N89°09'36"W, ADISTANCE OF 1485.60 FEET; THENCE N01°14'56"W, A DISTANCE OF 40.03 FEET TO THENORTH RIGHT-OF-WAY LINE OF MCKINLEY AVENUE AND THE POINT OF BEGINNING; THENCE CONTINUING N01°14'56" W, A DISTANCE OF 1284.32 FEET; THENCE S89°00'24"E, A DISTANCEOF 183.06 FEET; THENCE S01°00'46"E A DISTANCE OF 1283.65 FEET TO THE NORTH RIGHTOF WAY LINE OF MCKINLEY AVENUE; THENCE N89°09'36"W, A DISTANCE OF 177.75 FEETALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 5.31 ACRES, MORE OR LESS.

LOT 2: (6.83 Acres) 916 E. McKinley Ave.

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION THREE (3), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE THREE (3) EAST, DESCRIBED AS BEGINNING AT THE SOUTHWEST QUARTER OF SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE FOLLOWING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, N89°09'36"W, ADISTANCE OF 1485.60 FEET; THENCE N01°14'56"W, A DISTANCE OF 40.03 FEET TO THENORTH RIGHT OF WAY LINE OF MCKINLEY AVENUE; THENCE CONTINUING N01°14'56"W, ADISTANCE OF 1284.32 FEET; THENCE S89°00'24"E, A DISTANCE OF 183.06 FEET TO THEPOINT OF BEGINNING; THENCE CONTINUING S89°00'24"E, A DISTANCE OF 230.30 FEET;THENCE S01°10'14"E, A DISTANCE OF 1283.15 FEET TO THE NORTH RIGHT OF WAY LINE

OFMCKINLEY AVENE; THENCE N89°09'36"W, A DISTANCE OF 233.82 FEET ALONG SAID NORTHRIGHT OF WAY LINE; THENCE N01°00'46"W, A DISTANCE OF 1283.65 FEET TO THE PLACE OFBEGINNING, CONTAINING 6.83 ACRES, MORE OR LESS.

2. The above-described real estate presently has a zoning classification of **I-1** Light Industrial Use District under the Zoning Ordinance of the City of Mishawaka.

3. Appellant presently occupies (or proposes to occupy) the above-described property in the following manner: PD Realty currently owns both aforementioned properties and currently operates Pemberton Davis Electric and Direct Line Communications at the 916 East McKinley Facility and utilizes the facility for the business operations. These operations include the ware house which houses the trucks and business equipment. The current out door area also houses various supplies necessary for day to day operations.

4. Appellant desires to have a use Variance for the following:

A. To allow for a temporary office trailer on the property for the duration of 24 months. The office trailer will service the immediate needs of Pemberton Davis Electric, Inc. Until Neighboring property 902 (Lot 1) can be constructed. (Site Plan approvals and State building approvals already obtained) The client intends to utilize the office to address immediate expansion needs due to the growth of Pemberton Davis Electric, Inc.. The temporary office trailer will abide by Section 101-30 Mobile Home; anchorage and tie downs for the duration of the 24 months being proposed.

The petitioner further state they intend to utilize said office trailer for business operations related to the Pemberton Davis Electric, Inc. Operations.

5. The Zoning Ordinance of the City of Mishawaka requires:

There currently isn't a specific ordinance pertaining to temporary office trailers. The only ordinance regarding trailers pertains to the construction trailer for the use during construction of that specific site (Construction Trailers are allowed under the Light Industrial Zoning Classification).
The closest Zoning Ordinance would require per: Section 101-30
A. Every mobile home or travel trailer situated on a permanent site within the city shall, within 30 days after it has been so situated, be so anchored and tied down as to enable it to withstand winds of the velocity of not less than 90 miles per hour without shifting upon its supporting blocks or piers or overturning. It shall be the responsibility of the owner thereof to comply with the requirements of this section.

6. Explain why strict adherence to the Ordinance requirements would create an unusual hardship:

There currently isn't a specific ordinance pertaining to temporary office trailers. The only ordinance regarding trailers pertains to the construction trailer for the use during construction of that specific site or for (Section 101-30) Mobile Home and RV trailer use. However office trailer being requested will be for office use until and adjacent site can be constructed. The office will utilized for temporary expansion needs due to the business growth. Not having the temporary office trailer will hinder business operations due to the fact that operations staff would need to be located at other properties away from the business location.

7. Answer the following necessary questions for a DEVELOPMENTAL VARIANCE:

(1) Will approval be injurious to the public health, safety, morals or general welfare of the community? YES OR NO and explain your reason why.

No, the office trailer will be set up to the standards, similar to that of job and mobile trailers as already dictated by the current ordinance. All access points will be to current safety standards for similar uses. The office trailer will be present only be for duration of 24 months until the adjacent site can be developed by the property owner.

(2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? YES OR NO and explain your reason why.

No, the office trailer will only be a temporary trailer similar to what is used on various construction sites throughout the city. These trailers typically are cladded with similar building materials that are common of most industrial developments. The trailer will be maintained so that the aesthetics will not be a detriment to the surrounding area or adjacent neighbors.

(3) Will strict application of the terms of this chapter result in practical difficulties in the use of the property? YES OR NO and explain your reason why.

Yes, if the Office Trailer is not allowed Pemberton Davis Electric will have to find another location to locate their employees. This will impede the day to day operations of the business. This will in turn reduce the productivity and limit communication between the staff to adequately perform the daily business tasks.

WHEREFORE, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.

Second Property Owner/Title Holder

Signature of Property Owner/Title Holder

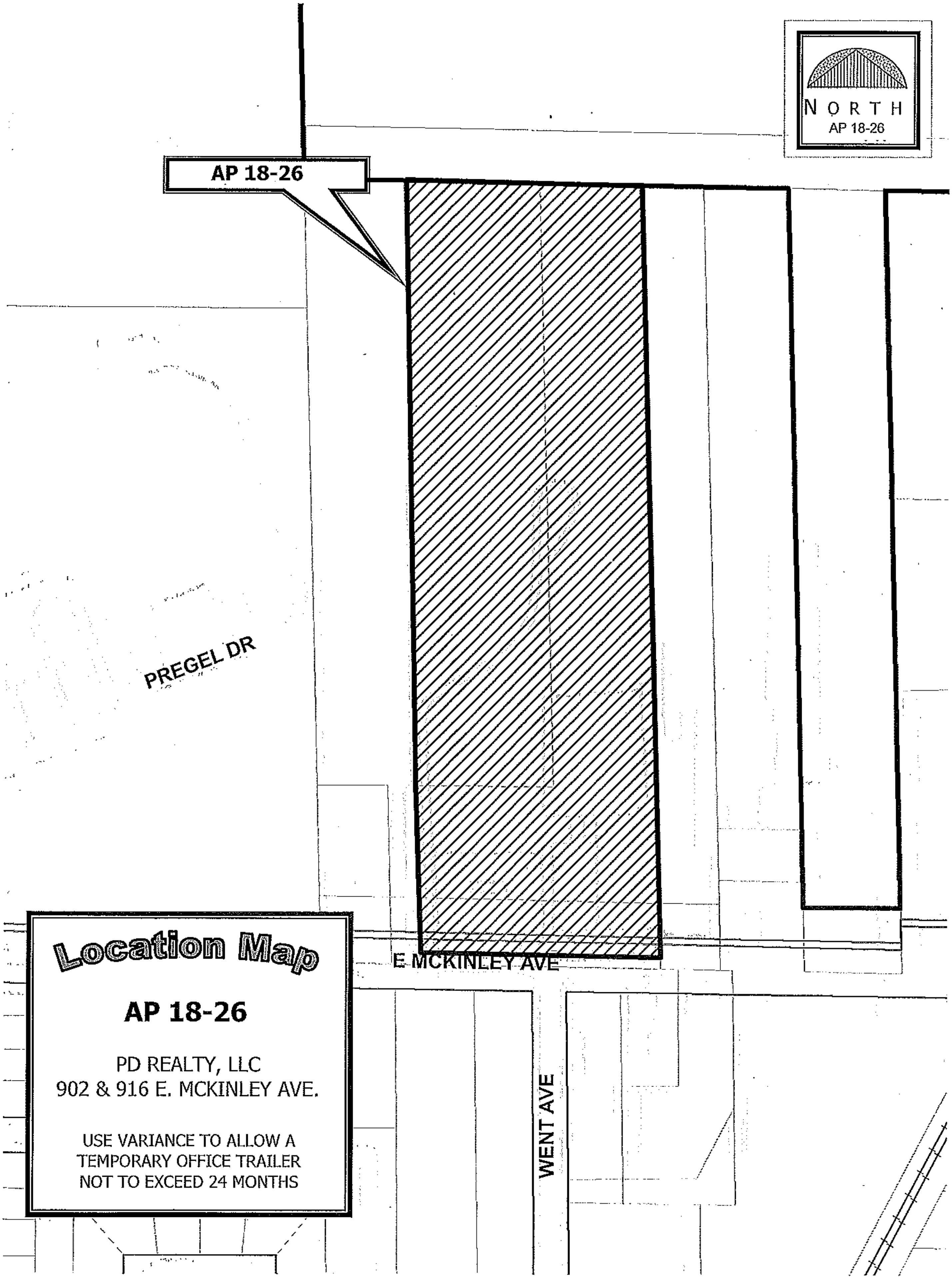
John Davis

Print Name Here

William Z. Robinson

Print Name Here

Contact Person:
Steven Ruby, PLA
550 Union Street
Mishawaka, IN 46544
Ph:(574) 259-9976
Fax:(574)254-4048
sdr@troyergroup.com


NORTH
AP 18-26
AP 18-26
PREGEL DR
E MCKINLEY AVE
WENT AVE
Location Map
AP 18-26
PD REALTY, LLC
902 & 916 E. MCKINLEY AVE.
USE VARIANCE TO ALLOW A
TEMPORARY OFFICE TRAILER
NOT TO EXCEED 24 MONTHS

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 30 2018

CITY CLERK
MISHAWAKA, IN

DATE: AUGUST 16, 2018

MISHAWAKA BOARD
OF ZONING APPEALS

RE: VARIANCE REQUEST AP 18-29

RECEIVED
AUG 22 2018
BUILDING & ZONING
COMMUNITY DEVELOPMENT

PETITION ADDRESS: 1324 BENTON STREET
MISHAWAKA, IN 46545

The undersigned Appellants respectfully show the Board:

1).That they are the owners of the below-described real estate located in the City of Mishawaka, Indiana, to-wit:

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 13 OF THE UNRECORDED PLAT "HASTINGS ADDITION TO THE CITY OF MISHAWAKA".
CONTAINING 0.14 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD

Also commonly known as 1324 Benton Street, Mishawaka, Indiana 46545.

2). The above described real estate presently has a Zoning classification of "C-1 GENERAL COMMERCIAL" under the Zoning Ordinance of the City of Mishawaka.

3). The Appellant desires to utilize the existing building on the subject property for additional storage space for the South Bend Clutch business located across the street at 709 West Jefferson Boulevard. The property was previously utilized for the D&M Salvage Store business. The salvage store business consisted of a retail/office portion and was considered a permitted use under the property's zoning classification of "C-1 GENERAL COMMERCIAL". With the proposed use of additional storage for South Bend Clutch as the exclusive use of the subject property, a zoning classification of Industrial would be needed to allow for the storage use. After discussion with the Planning staff, it was determined that the best means by which to allow the storage use on the property would be to obtain a Use Variance. The Appellant therefore, requests a Use Variance to allow a stand-alone storage use on property with a zoning classification of "C-1 General Commercial".

In 2007, the owner of the subject property added an addition to the existing building. The City of Mishawaka requires that when a there is a change of use on a property and/or improvements are made to an existing property that non-conforming developmental standards such as landscaping, parking, etc… be brought into compliance with current requirements. At that time, several developmental variances were approved to allow for the addition. The variances approved were as follows:

1). Zero foot (0-ft) pavement setback along the north property line.
2). Allow two (2) trees at a distance more than 40-ft of 60-ft off center along the south property line.
3). Allow no tree plantings within the front-yard along Benton Street.
4). Allow no additional screen fencing along the south property line.

4). In order to allow more storage space, the Appellant desires to construct an addition to the east and west of the existing building. The addition will be approximately 21.10'X 14.25' in the front and 21.10' X 8.58' in the rear. After discussion with the Planning Staff, it was determined that several developmental variances would be need to be obtained in order to allow the proposed addition, including those previously approved variances obtained in 2007.

When the property was surveyed, it was discovered the existing building encroaches into the required 5-ft building setback along the south property line. The furthest encroachment of the building is a 4.73-ft setback at the southwest corner of the building from the foundation wall. With the proposed addition, keeping the same foundation wall/line of the existing, the addition would encroach a little further into the required south setback line, resulting in a setback of approximately 4.67-ft from the foundation wall. With a maximum proposed overhang of 1-ft, the setback would be 3.67-ft. Therefore, in order to allow for the proposed addition, the Appellant requests a variance to allow an encroachment of 2.50-ft in the required 5-ft building setback along the south property line, resulting in a 3.50-ft building setback along the south property line.

In 2007 when the first addition occurred, the City recommended that a 24-ft wide access easement be established along the north of the subject property and the RBIS Sports Bar and Grill property. The access easement encroached approximately 6-ft onto the subject property and 18-ft onto the north adjacent property. Since the common easement crosses the common property line to the north, the required 5-ft pavement setback cannot be maintained. There is also existing pavement between the alley to the east and the existing building. The Appellant desires to keep the existing pavement to allow access to storage from the alley. Therefore, the Appellant requests a variance to allow a zero foot (0-ft) pavement setback along the north and east property line.

Because the property is zoned "C-1 General Commercial", the Commercial Landscape Ordinance would require tree plantings along the south, east, and north property line at 40-ft o.c. for understory trees and/or 60-ft for overstory trees. The placement of the existing building and the proposed addition, approximately 3.50-ft from the south property line, allow little room for tree plantings where they would not interfere with the building. As a result of the lack of space along the south, the existing drive along the north, and the existing pavement along the alley to the east, the Appellant requests a variance to allow no required tree plantings along the north, south, and east property lines.

In addition to required tree planting along the side and rear of the property, the Commercial Landscape Ordinance would require tree plantings in the front along Benton Street at one (1) tree at 25-ft o.c. for understory trees and/or 40-ft o.c. for overstory trees. The Ordinance also requires a hedgerow screen, fencing, and/or earth-berm. Since the proposed use of the property and building will only be storage, no parking spaces will be needed on the property and no parking screening will be needed. There are two (2) existing overstory trees that are located within the tree lawn along Benton Street. These trees are located within public right-of-way and not within the subject property and therefore cannot be credited as required tree plantings. However, the right-of-way trees encroach several feet onto the subject property making the growth of proposed trees on the subject property problematic. For the above stated reason, the Appellant requests a variance to allow no required tree plantings and no screening within the front-yard along Benton Street.

Along with required landscaping, the Ordinance requires a seven foot (7-ft) opaque fence between the subject property and the residentially zoned property to the south. There is only lawn between the south property line and the existing building and the proposed addition. The exterior of the building will act as a screen from the activity occurring onsite. Therefore, the required screening is not applicable. The Appellant requests a variance to allow no screen fencing along the south property line.

The subject property is zoned "C-1 General Commercial". Off-street parking spaces are required on commercially zoned property based on the square footage of the building. With the requested Use Variance, the subject building, addition, and property will be utilized for storage only. Since no "commercial" activity, retail, office, and/or manufacturing of any kind will occur on site, off-street parking will not be needed. However, since the property itself is zoned "C-1 General Commercial", parking based on square footage of the building would be required. Therefore, the Appellant is requesting a variance to allow no required off-street parking.

5). The Appellants are requesting the following Use Variance:

a. A Use variance to allow a stand-alone storage use on property with a zoning classification of "C-1 General Commercial".

Appellants would contend that approval of the Use Variance:

1. Will not be injurious to the public health, safety, moral or general welfare of the community because the building is existing and all building codes will be adhered to during construction of the addition;
2. Will not substantially affect the area adjacent to the property included in the variance in an adverse manner because a salvage/storage use with a small commercial component has previously occurred on the property;
3. The need for the variance arise from some condition peculiar to the property because the property is zoned "C-1 General Commercial", which does not allow for the proposed stand-alone storage use;
4. The strict application of the terms of this chapter constitute an unnecessary hardship if applied to the property. The current building is a structure designed for storage and the property is small, which would not allow for required improvements required and needed for commercial use properties, such as parking. The only means by which to allow the storage use without rezoning the property to an industrial zoning classification, which would not be appropriate for the surrounding neighborhood, is to obtain the Use Variance;
5. The approval will not interfere substantially with the Mishawaka 2000 Comprehensive Plan, because a storage/commercial use currently exists on the property and there are existing commercial uses to the north, west and northwest of the property.

6). The Appellants are requesting the following Developmental Variances:

a. A variance to allow an encroachment of 2.50-ft in the required 5-ft building setback along the south property line, resulting in a 3.50-ft building setback along the south property line.
b. A variance to allow a zero foot (0-ft) pavement setback along the north and east property lines.
c. A variance to allow no required tree plantings along the north, south, and east property lines.

d. A variance to allow no required tree plantings and no screening within the front-yard along Benton Street.
e. A variance to allow no screen fencing along the south property line.
f. A variance to allow no required off-street parking.

Appellants would contend that approval of the Developmental Variances:

1. Will not be injurious to the public health, safety, moral or general welfare of the community because the building is existing and all building codes will be adhered to during construction of the addition;
2. Will not substantially affect the area adjacent to the property included in the variance in an adverse manner because conditions, such as pavement setbacks, building setbacks, landscaping, and screening currently exist on the property. Furthermore, several of the requested variances were previously approved by the City. The only new issue being addresses with this appeal is for the proposed small addition to the existing building All required building setbacks, other than variance requested, will be maintained.
3. The strict application of the terms of this chapter constitute an unnecessary hardship if applied to the property because existing conditions such as pavement, small lot size, building placement, and existing landscaping do not make adherence to the required developmental standards feasible.

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 13 OF THE UNRECORDED PLAT "HASTINGS ADDITION TO THE CITY OF MISHAWAKA".
CONTAINING 0.14 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

REQUESTED USE VARIANCE:

A. A USE VARIANCE TO ALLOW A STAND-ALONE STORAGE USE ON PROPERTY WITH A ZONING CLASSIFICATION OF "C-1 GENERAL COMMERCIAL".

REQUESTED DEVELOPMENTAL VARIANCES:

A. A VARIANCE TO ALLOW AN ENCROACHMENT OF 2.50-FT IN THE REQUIRED 5-FT BUILDING SETBACK ALONG THE SOUTH PROPERTY LINE, RESULTING IN A 3.50-FT BUILDING SETBACK ALONG THE SOUTH PROPERTY LINE.
B. A VARIANCE TO ALLOW A ZERO FOOT (0-FT) PAVEMENT SETBACK ALONG THE NORTH AND EAST PROPERTY LINES.
C. A VARIANCE TO ALLOW NO REQUIRED TREE PLANTINGS ALONG THE NORTH, SOUTH, AND EAST PROPERTY LINES.
D. A VARIANCE TO ALLOW NO REQUIRED TREE PLANTINGS AND NO SCREENING WITHIN THE FRONT-YARD ALONG BENTON STREET.
E. A VARIANCE TO ALLOW NO SCREEN FENCING ALONG THE SOUTH PROPERTY LINE.
F. A VARIANCE TO ALLOW NO REQUIRED OFF-STREET PARKING.

APPELLANTS:

PYFER PYFER AND PYFER
709 W. JEFFERSON BLVD,
MISHAWAKA, INDIANA 46545

LAND SURVEYOR:

DANCH, HARNER & ASSOCIATES, INC.
1643 COMMERCE DRIVE
SOUTH BEND, INDIANA 46628

The Appellants therefore pray and respectfully request a hearing on this appeal and that after such hearing the Board approve the requested variances.

Peter Pyfer

Peter Pyfer

PETITION PREPARED BY & CONTACT PERSON:
Danch, Harner & Associates, Inc.
1643 Commerce Drive
South Bend, Indiana 46628, (574) 234-4003

Mishawaka Board of Zoning Appeals
600 East Third Street
Mishawaka, Indiana 46544

August 15, 2018

RE: 1324 Benton Street Mishawaka, IN
Variance Request:

Dear Board Members,

This letter is to inform the Board Members that we have granted authority to Danch, Harner & Associates to represent us at the Mishawaka Board of Zoning Appeals meeting and Common Council meeting at which our Variance Request will be heard.

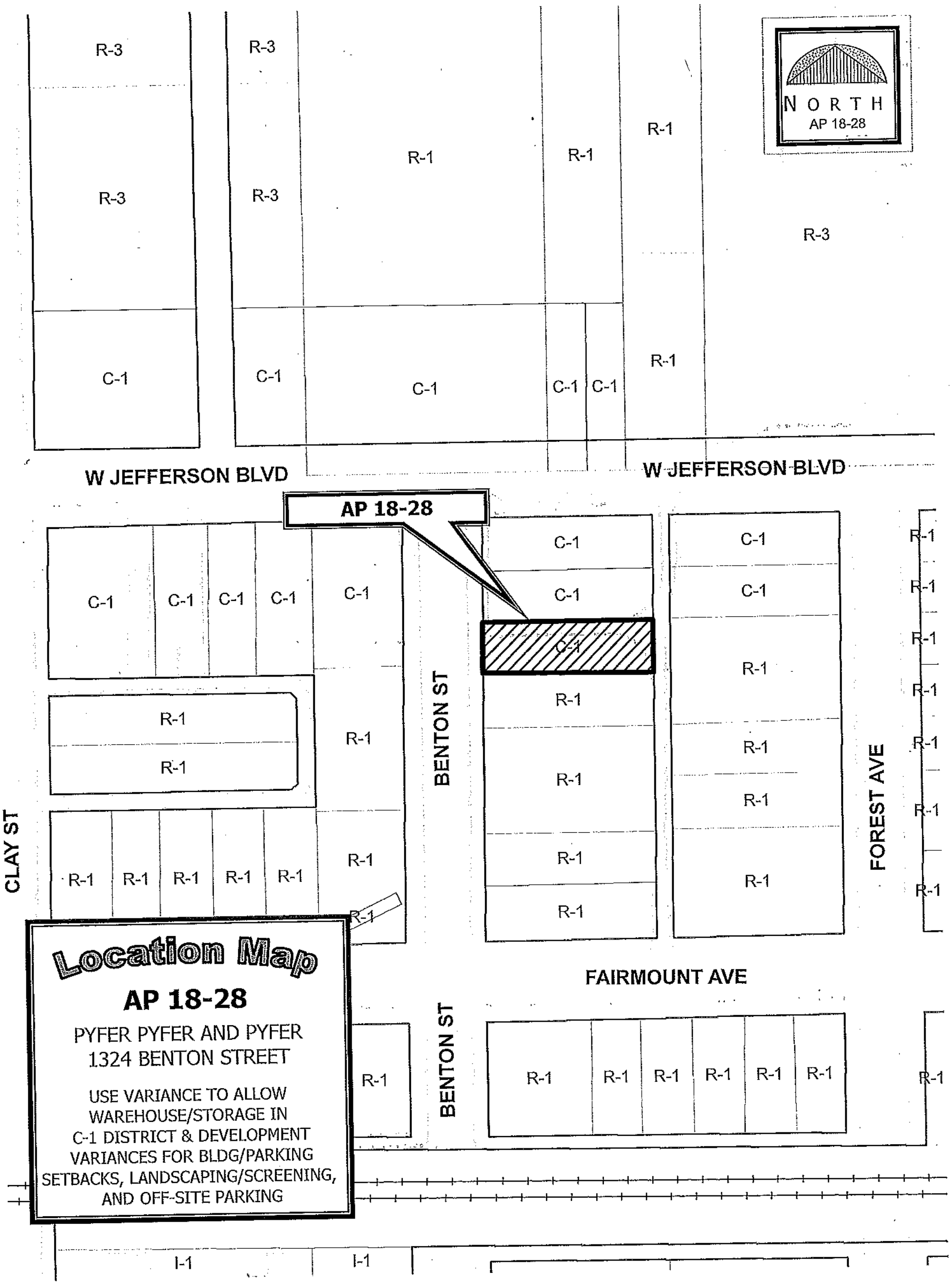
If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

Peter Pyfer

Peter Pyfer

File No. 180185 "C" Md.



NORTH
AP 18-28
W JEFFERSON BLVD
W JEFFERSON BLVD
AP 18-28
BENTON ST
BENTON ST
CLAY ST
FOREST AVE
FAIRMOUNT AVE
R-3
R-1
C-1
I-1
Location Map
AP 18-28
PYFER PYFER AND PYFER
1324 BENTON STREET
USE VARIANCE TO ALLOW
WAREHOUSE/STORAGE IN
C-1 DISTRICT & DEVELOPMENT
VARIANCES FOR BLDG/PARKING
SETBACKS, LANDSCAPING/SCREENING,
AND OFF-SITE PARKING

RECEIVED
DEBORAH S. BLOCK MMC
AUG 30 2018
CITY CLERK
MISHAWAKA, IN

PETS 18-22

RECEIVED
AUG 22 2018
BUILDING PLANNING
COMMUNITY DEVELOPMENT

DATE: August 22, 2018

TO THE:

Honorable Members of the Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: Petition for Annexation and Zoning Classification and Rezoning Classification

The undersigned SLB Properties, LLC respectfully show they are the owners of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

> For Annexation and Zoning Classification:
> The east 181.5' of the north half of Lot 9 in Sults Baby Farm;
> The west 183' of the south half of Lot 9 in Sults Baby Farm; and
> The north 90.75'+/- of Lot 6 in Sults Baby Farm.
>
> For Rezoning:
> The South 150.00'+/- of Lot 6 in Sults Baby Farm.

For Annexation and Zoning Classification:
Petitioner owns One Hundred (100%) percent of the above-described parcel of land which is located at 1828 E. McKinley Avenue (rear portion); 55960 Clover Road and 55946 Clover Road (rear portion) and that Petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with an Industrial I-1 District. Petitioners further state they intend to utilize said land for immediate expansion of adjacent warehouse and continue the single family residence at 55960 Clover as a non-conforming use with future plans of demolition and future expansion of warehouse.

For Rezoning:
Petitioner owns one hundred (100%) percent of the above described parcel of land located at 1828 E. McKinley Ave which carries a zoning classification of Residential R-1 District. Said property is currently a residential house. Petitioner desire said real estate to be rezoned to Industrial I-1 District. Petitioner further states that they intend to utilize said land for the construction of storage warehouse for the adjacent business and continue the single family as a non-conforming use with future plans of demolition and future expansion of warehouse.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate, showing the size of the proposed building and also the location of the proposed building structure(s).

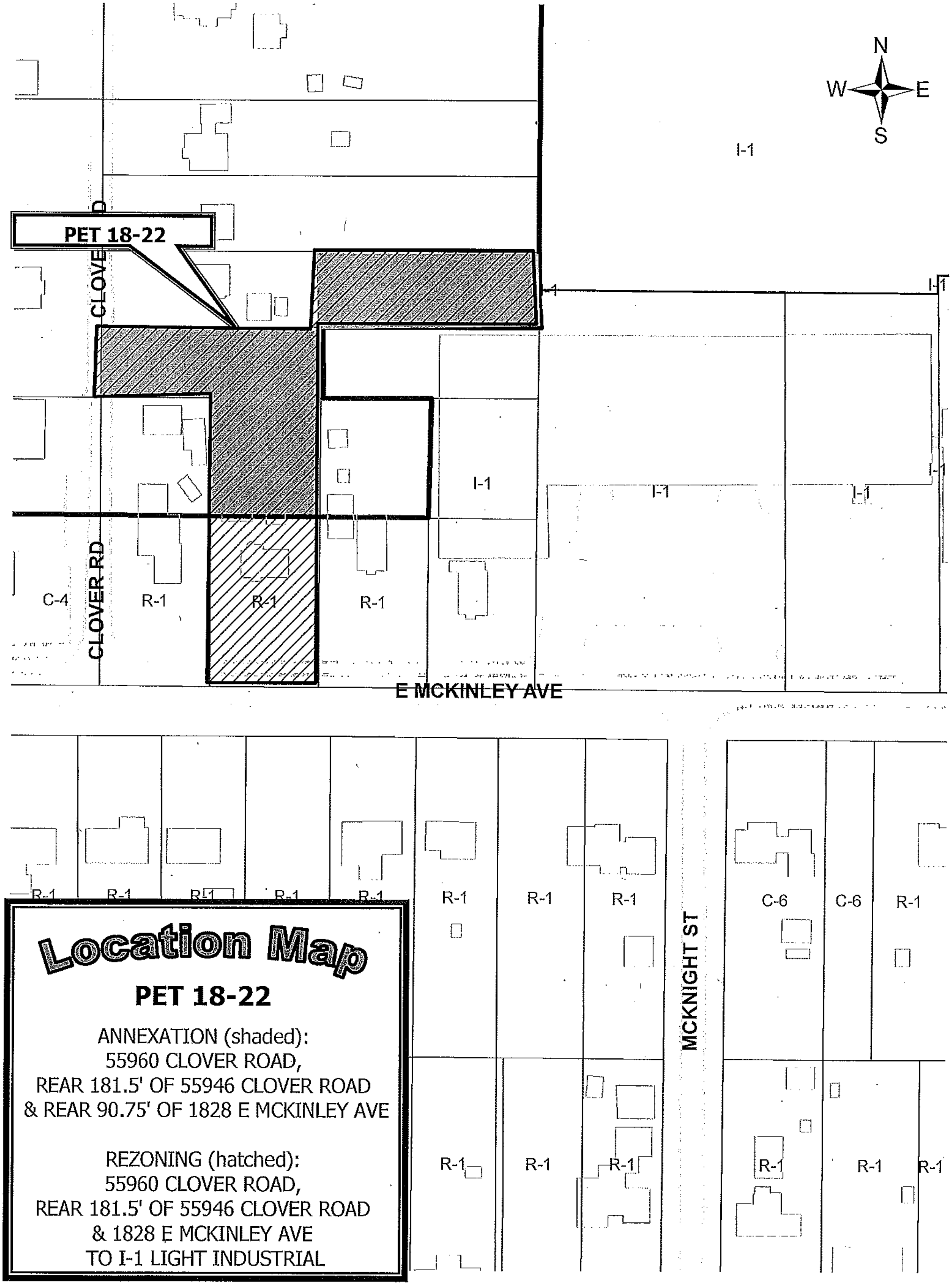
Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, Petitioners pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with an Industrial I-1 District.

SLB Properties, LLC
By MATTHEW VELDMAN (print name)
1906 McKinley Avenue
Mishawaka, Indiana 46545

Contact Person:

Lang, Feeney & Associates, Inc.
Terance D. Lang
715 South Michigan Street
South Bend, Indiana 46601
574-233-1841
Terry@LangFeeney.com


N
W
E
S
PET 18-22
CLOVER RD
I-1
C-4
R-1
E MCKINLEY AVE
MCKNIGHT ST
C-6
Location Map
PET 18-22
ANNEXATION (shaded):
55960 CLOVER ROAD,
REAR 181.5' OF 55946 CLOVER ROAD
& REAR 90.75' OF 1828 E MCKINLEY AVE
REZONING (hatched):
55960 CLOVER ROAD,
REAR 181.5' OF 55946 CLOVER ROAD
& 1828 E MCKINLEY AVE
TO I-1 LIGHT INDUSTRIAL

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR **DEPARTMENT OF BUILDING, COMMUNITY DEVELOPMENT & PLANNING**

August 28, 2018

RECEIVED
DEBORAH S. BLOCK, MMC
AUG 28 2018
CITY CLERK
MISHAWAKA, IN

Mr. Dale Emmons, 1st District City Council
Mr. Mike Bellovich, 2nd District City Council
Mr. Ross Deal, 3rd District City Council
Mrs. Kate Voelker, 4th District City Council
Mr. Michael Compton, 5th District City Council
Mr. Ron Banicki, 6th District City Council
Mr. Joe Canarecci, At Large City Council
Mr. Matt Mammolenti, At Large City Council
Mr. Bryan Tanner, At Large City Council
Mrs. Deborah S. Block, City Clerk

Re: Fiscal Plans and Approving Resolutions for proposed Ordinances to Annex and Zone property into the City of Mishawaka: 14710 State Road 23 – South of State Road 23 between Fir Road and Capital Avenue

Dear Council Members and Clerk:

Attached herewith for your review is a copy of the Fiscal Plan and approving resolution prepared by the Department of City Planning in accordance with the requirements of the State of Indiana Code Section 36-4-3-3.1. This document provides basic information about the areas to be annexed, and describes how the City of Mishawaka will provide services to the area to be annexed.

Prior to preparing a fiscal plan, copies of the proposed request are forwarded to all applicable City Departments. The Departments are then asked what expenditures/costs will be required to service the area and if the request can be accommodated with the funds currently approved within the City Budget. In this case, given that the property is immediately adjacent to existing City limits, and that the developer is responsible for installing, and if necessary extending, all utilities to the site and constructing any required improvements within the public right-of-way, no additional expenditures are anticipated at this time.

Staff will present a brief summary of the plan and be prepared to respond to questions at the Common Council meeting on September 4, 2018.

If you have any questions, please feel free to contact our office at your convenience.

Sincerely,

Derek J. Spier, AICP
Senior Planner & Economic Development Specialist

cc: David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 28 2018

CITY CLERK
MISHAWAKA, IN

RESOLUTION NO. 2018-17

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

14710 State Road 23, Granger, IN 46530.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of City Planning has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of City Planning has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°33'26" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 1,318.45 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 1,131.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 188.01 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°30'57" WEST ALONG SAID WEST LINE, 250.18 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD 23; THENCE NORTH 55°27'51" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY, 226.82 FEET; THENCE SOUTH 00°30'57" EAST, 378.59 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.35 ACRES MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF-WAY RECORD.

Section II. Following the review of documents prepared by the Department of City Planning and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this ________ day

of _________________, 2018, at ___________ o'clock __.M.

____
Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _______ day of _________________

2018, at _________o'clock __.M.

____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this ________ day of __________________ 2018, at

__________ o'clock ___.M.

____
David A. Wood, Mayor

City of Mishawaka

Beacon Health System Inc.
14710 State Road 23
Annexation

Property located South of State Road 23 between Fir Road & Capital Avenue

September 2018

Prepared by:
City of Mishawaka
Department of Building, City Planning & Community Development
600 E. Third Street
Mishawaka, IN
46544-2241

Phone: (574) 258-1625
Fax: (574) 968-6999
E-mail: planning@mishawaka.in.gov

BEACON HEALTH SYSTEM INC.
ANNEXATION FISCAL PLAN

TABLE OF CONTENTS

A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°33'26" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 1,318.45 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 1,131.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 188.01 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°30'57" WEST ALONG SAID WEST LINE, 250.18 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD 23; THENCE NORTH 55°27'51" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY, 226.82 FEET; THENCE SOUTH 00°30'57" EAST, 378.59 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.35 ACRES MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF-WAY RECORD. (ADDRESS: 14710 STATE ROAD 23, GRANGER, IN, 46530.)

TAB A- CITY OF MISHAWAKA ANNEXATION POLICY

corresponding reciprocal benefit. The taxpayers of the county do not pay taxes that directly or indirectly support these services within the City. Based on the current division of general county funds, this equates to the City of Mishawaka financially subsidizing the sprawling growth of the county. Accordingly, the City of Mishawaka continues to seek a more equitable distribution of existing general county tax revenues. Furthermore, based on this existing inequity, it is an important objective of the City to work with county officials to ensure that there are not future increases in spending to address the problems associated with sprawling unincorporated development. The City also recognizes the need to develop fair cost-sharing practices to provide for regional services that does not adversely impact the residents of the City, while still providing for the needed/desired services in the unincorporated county.

Although the equitable distribution of tax dollars is an important concern, the City also recognizes that the problems associated with this sprawling unincorporated development also impacts the City of Mishawaka. The City is impacted by the limitations existing development has on future City growth, and the corresponding increased costs of extending infrastructure. As such, the City of Mishawaka will continue to work with the county in a cooperative effort, where possible, to address problems. However, it is only fair that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the tax payers of the City of Mishawaka.

STATUTORY LIMITATIONS

The City of Mishawaka also recognizes the burden placed on municipalities within St. Joseph County based on the statutory requirements on Municipal Annexation and Dis-annexation. The controlling legislation on annexation is established by the Indiana Code 36-4-3-series.

The statute also places minimum requirements on municipalities regarding providing services to proposed annexation areas, the timing of implementation, and contiguity requirements. The statute also requires that a fiscal plan be adopted showing how the costs associated with providing services will be paid. An estimated amount of time required for voluntary annexation is three to four months. The increased time required to process an annexation has placed a burden on real estate transactions and development on the fringe of the City. It is not uncommon to have annexation placed as a condition on the sale of property by the buyer. Annexation is typically requested because City services are desired or needed to serve the proposed project. This increased time frame when compared to the traditional rezoning process has the potential for directing appropriate contiguous growth away from the City due to the lack of suitable available property that can be developed in a short period of time.

IMPLEMENTATION OF POLICY

The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties. The purpose of this evaluation is to examine the proposed annexation area to the existing City limits relative to providing a compact and contiguous City boundary.

Annexation law significantly limits the ability of municipalities to annex property without the consent of the majority of property owners. Therefore, the City has deemed it necessary to review adjacent unincorporated properties that have not requested annexation at the time a voluntary annexation is proposed. Although this may ultimately necessitate the annexation of property without the consent of a minority of the adjacent property owners, this policy provides for a means to expand the City boundary in a compact and contiguous manner that would otherwise not be possible based on statutory requirements.

A secondary purpose of this policy is to reduce the number of separate contiguous annexation petitions that are likely to be filed within a short period of time. The potential inclusion of additional property as part a proposed annexation petition will counteract the discouraging development influence of time limitations placed by the Indiana Code.

In the past, voluntary annexations without this policy have created a chaotic City boundary that promotes the inefficient delivery of services for both the City of Mishawaka and St. Joseph County. Chaotic refers only to the physical geographic location of the boundary. Common chaotic configurations include *saw-tooth shapes*, *islands*, and *adjacent pockets*. The attributes of these boundary configurations are described as follows:

A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°33'26" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 1,318.45 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 1,131.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 188.01 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°30'57" WEST ALONG SAID WEST LINE, 250.18 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD 23; THENCE NORTH 55°27'51" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY, 226.82 FEET; THENCE SOUTH 00°30'57" EAST, 378.59 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.35 ACRES MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF-WAY RECORD. (ADDRESS: 14710 STATE ROAD 23, GRANGER, IN, 46530.)

TAB B- BASIC DATA & FISCAL ANALYSIS

of the site. The property is currently vacant and was occupied with a single-family house until being demolished in 2017.

C. LAND USE/CURRENT ZONING

The proposed area to be annexed is currently zoned R Residential within unincorporated St. Joseph County and is vacant land. If the Mishawaka Common Council approves the annexation request, the area will be zoned to S-2 Planned Unit Development to permit C-1 General Commercial District uses.

D. ASSESSMENT

The territory to be annexed consists of one (1) parcel. The Land and Improvement Valuations shown below are based upon current GIS parcel data:

Tax ID Number	Property Owner	Number of Acres	Land & Imp. Valuation
006-1008-0089	BEACON HEALTH SYSTEM, INC.	1.35 ACRE (0.797 W/O RIGHT-OF-WAY)	$25,600*

E. CURRENT TAX RATE

The City's tax rate 2017 payable 2018 was $2.0516 per $100 of assessed valuation. For property owners in Harris Township, in which this proposed annexation is located, the total taxes will be $3.9957 per $100 of assessed valuation. Property owners in this area currently pay $2.1602 per $100 of assessed valuation. These rates are based on the best information available at the time this plan was prepared. Actual tax rates may vary.

Tax District	Existing Tax Rate	Tax Rate after Annexation
Harris Township	2.1602	3.9957

The City's tax rate has remained relatively stable over the years:

2017	$2.0516
2016	$1.9977
2015	$1.8750
2014	$2.0062
2013	$1.9086
2012	$1.8186
2011	$1.7362
2010	$1.6741
2009	$1.6557
2008	$1.5283
2007	$1.3326
2006	$1.3899
2005	$1.3382
2004	$1.3313
2003	$1.2476
2002	$1.8627
2001	$5.5007 [1]
2000	$5.2417

[1] *Change in Tax Code*

The property proposed to be annexed is currently vacant with no taxable improvements or structures. Since no new development is being proposed, the annexation will likely not change the assessed valuation. For the purposes of this analysis, a conservative assumption was made that the property will remain vacant over the next four years with no new commercial development. If commercial development were to occur on this property, there may in fact be positive impacts to other taxing units based on a significant increase in assessed valuation.

The current and future political subdivisions and their associated tax rates were determined by the geography of the property and the attached "Tax Rate Chart for the year 2017 payable 2018". (See Tab "D" / Appendix "C".) This chart is provided by the St. Joseph County Auditor's Office.

Current property assessed Valuation:

$25,600

Current Property Taxes Generated from the Property:

The current property taxes that are being generated from the property were determined utilizing the State of Indiana Department of Local Government Finance Gateway website calculator located at https://gateway.ifionline.org/CalculatorsDLGF/TaxCalculator.aspx.

The website requires you to enter the geographic location of the property by County, Township, and School Corporation. You then enter the type of property, if it is a homestead (owner-occupied residential); residential rental, non-homestead residential, and agricultural; or other. You then input the assessed valuation and it estimates the maximum tax bill as well as the property tax cap credit if applicable.

This calculation has been done with a scenario before annexation for other property, then following annexation identifying the property as now being subject to the City tax rate.

The estimated property tax value for the property is as follows:

Prior to annexation: $553

Following annexation: $558

Political Subdivisions before Annexation:

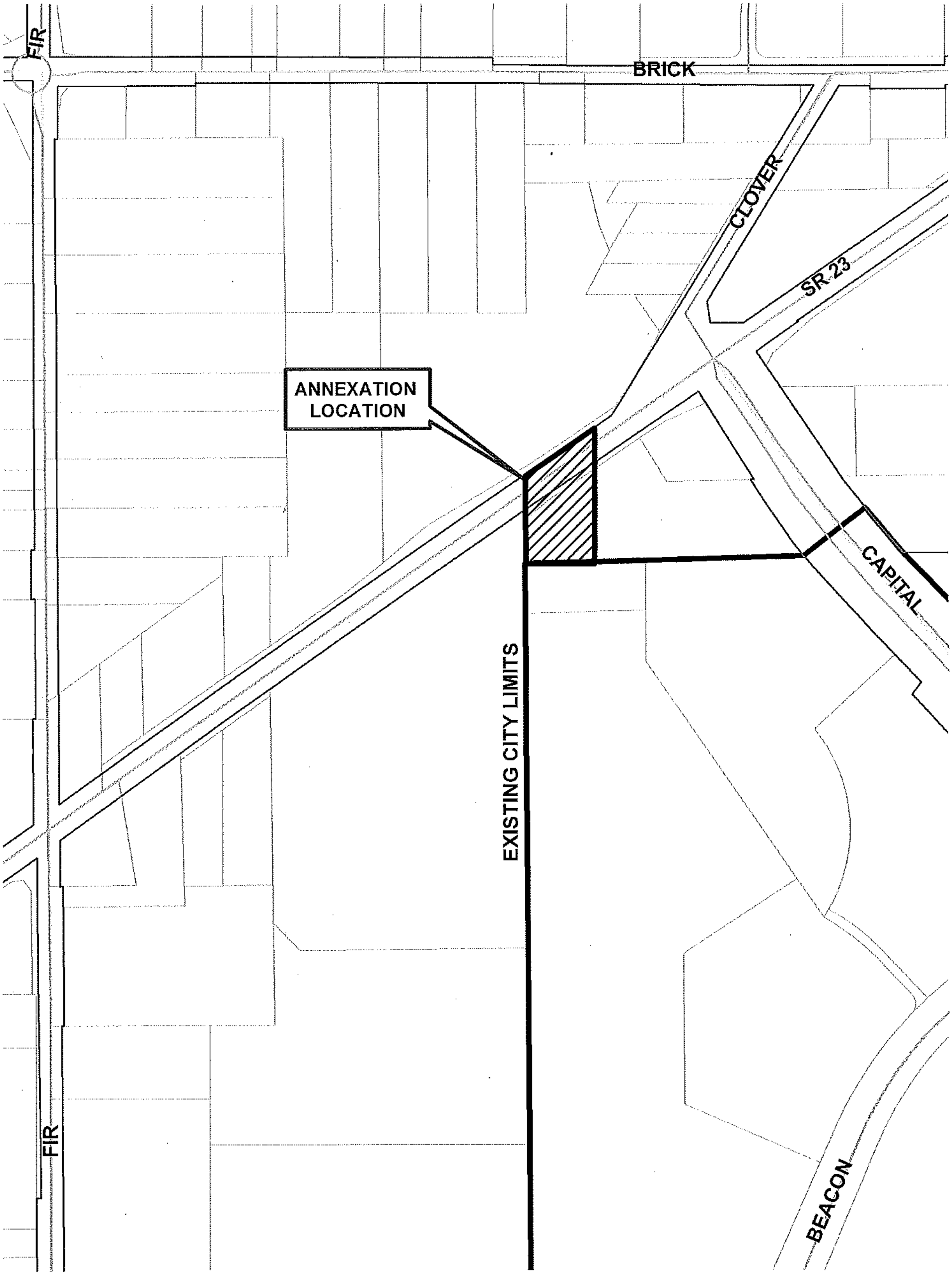
Percent of tax rate and corresponding yearly estimated property tax revenue*

- St. Joseph County (32.0%) - $176.96
- Harris Township (15.9%) - $87.93
- PHM School Corporation (42.0%) - $232.26
- Mishawaka Penn Harris Library (7.5%) - $41.48
- Airport Authority (2.6%) - $14.38

** Estimates may not equal estimated tax value due to rounding.*

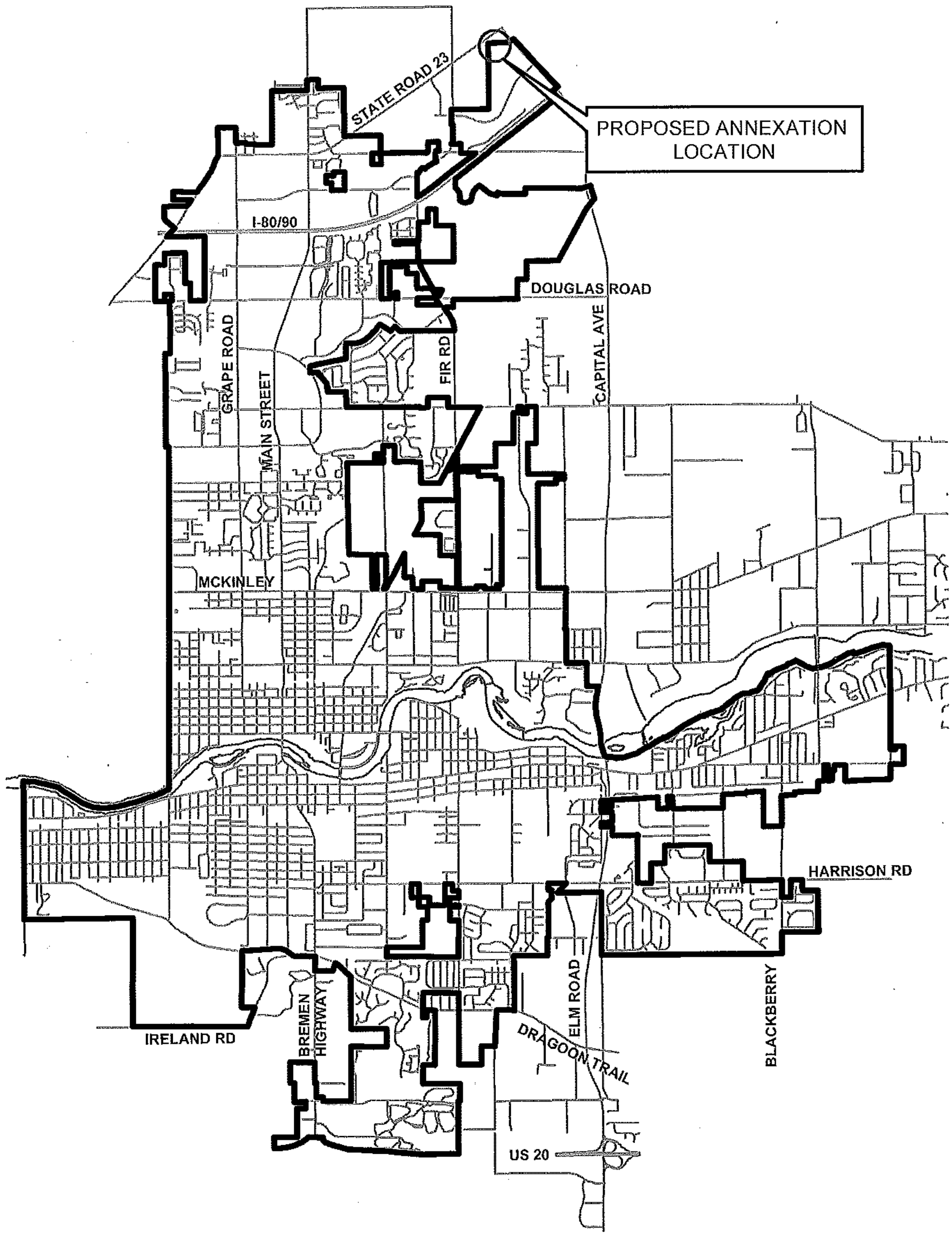
The current tax rate of all of these entities combined is 2.1602%.

The tax rate will increase to 3.9957% upon annexation to the City. However, the revenue will not increase significantly until the site is redeveloped commercially given that the property is currently close to the tax cap, which for residential rental, non-homestead residential, and agricultural property is 2% plus tax cap exempt rate of 0.1785%. Thus, the distribution of property tax revenue will decrease for existing taxing entities based on getting a smaller percentage of revenue when the City tax rate and to a very minor extent, the South Bend Transpo rate is added to the overall rate. This

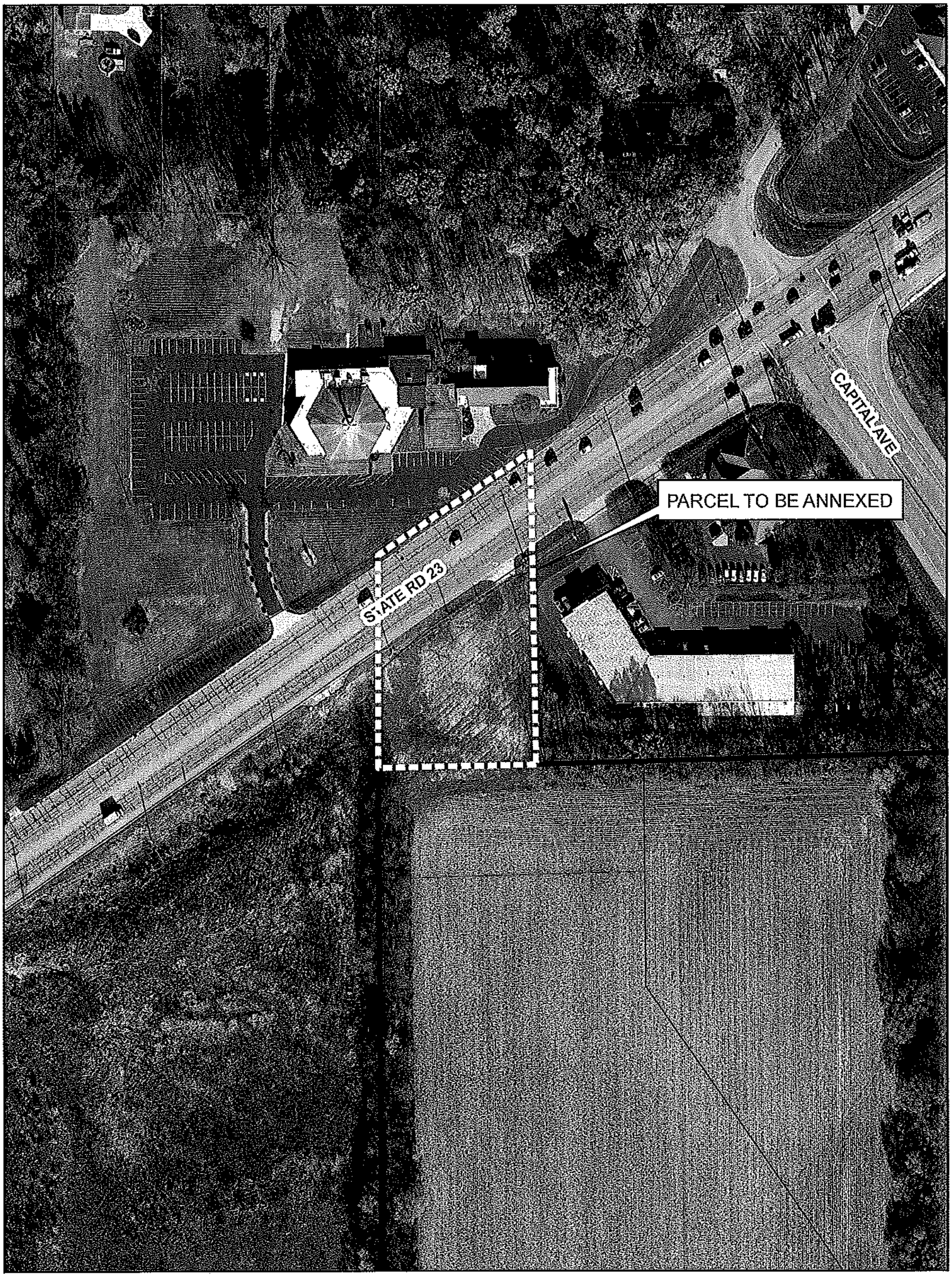


LOCATION MAP

MAP OF PROPOSED CITY LIMITS



AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED



PET 13-20

RECEIVED
JUL 13 2018
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

DATE: July 18, 2015

TO THE:

Honorable Members of the Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: Petition for Annexation, Zoning Classification, and PUD Amendment

The undersigned Beacon Health System, Inc respectfully show they are the owners of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 38 NORTH, RANGE 3 EAST HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°33'26" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 1,318.45 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 1,131.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 188.01 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°30'57" WEST ALONG SAID WEST LINE, 250.18 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD 23; THENCE NORTH 55°27'51" EAST ALONG SAID NORTHERLY RIGHT OF WAY, 226.82 FEET; THENCE SOUTH 00°30'57" EAST, 378.59 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.35 ACRES, MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF- WAY OF RECORD. (ADDRESS: 14710 STATE ROAD 23, GRANGER, IN 46530)

Petitioners own One Hundred (100%) percent of the above-described parcel of land which is located within a part of the northwest quarter of Section 23, Township 38 North, Range 3 East, Harris Township, St Joseph County and that Petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with a "S-2" Planned Unit Development District to allow for uses in the C1 zoning classification. Petitioners further state that the current proposal includes medical uses, including an acute care hospital, along with uses compatible to such. It is the Petitioners' intent that the existing "S-2 Planned Unit Development" and its referenced legally described property created through Ordinance #5186 be amended to include the Annexation of this parcel, bringing the full area within the City of Mishawaka municipal jurisdiction under the approved zoning classification.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate

Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

EXHIBIT A

LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 38 NORTH, RANGE 3 EAST HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°33'26" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 1,318.45 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 1,131.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 188.01 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°30'57" WEST ALONG SAID WEST LINE, 250.18 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD 23; THENCE NORTH 55°27'51" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY, 226.82 FEET; THENCE SOUTH 00°30'57" EAST, 378.59 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.35 ACRES MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF-WAY RECORD. (ADDRESS: 14710 STATE ROAD 23, GRANGER, IN, 46530.)

TAB C- SUMMARY OF SERVICES

The City's EMS Department is a centralized system that responded to approximately 7,400 calls in 2017. The City, with its population of nearly 50,000, responds to about 50% more calls than the County ambulance service does, with its population of over 100,000 residents spread over a much larger area. The business of "saving lives" has a very narrow window of four to six minutes, so the quicker an ambulance can respond, the more likely a life will be saved.

The efficiency of the City's Street Department is unmatched when it comes to snow removal, compared to St. Joseph County. Like other services, the county cannot provide a similar level of service because resources are spread out over a much larger area. In the event of a windstorm that blows trees and limbs into the streets, the City usually can have streets reopened in less than an hour.

Access to leisure activities is readily available in the City of Mishawaka. Residents can use all 28 City parks and the Eberhart-Petro golf course. Park rentals, for events such as weddings and receptions, are also less expensive for residents of the City.

Additionally, residents of the City of Mishawaka have access to all three branches of the Mishawaka-Penn-Harris Public Library. The Main Branch on Church Street in downtown Mishawaka, the Bittersweet Branch on the City's east side, and the Harris Branch on Elm Road in Granger.

Trash pick-up in the City is also inexpensive and efficient, with the monthly fee for single-family trash pickup at $13.86. For senior citizens, the rate is $11.09. The rates include the cost of recycling and yard waste, which is picked up on the same day the trash.

With the exception of the trash removal, library use and Mishawaka Utilities services, the vehicle with which to pay for the rest of the City's services is through city property taxes. And the City of Mishawaka has a long history of having a low, stable tax rate – in fact, the rate has remained relatively stable for the past 10 years.

With its rich history, Mishawaka continues to prepare and grow for the future. New development within the City's Central Business District and the continued development of the city's commercial and industrial sectors guarantee its strength in the future. This growth allows the tax rates to remain low. With the low tax rate and the multitude of services provided, the City of Mishawaka is an excellent place to build homes, start businesses, and raise families.

sanitary sewer repair costs for the portion of sewer lateral between the street right-of-way and outside of foundation wall of the home. Currently, this annexation area proposes an S-2 Planned Unit Development use, and therefore is not eligible for this program.

ELECTRIC SERVICE

Services and Rates

Mishawaka Utilities – Electric Division does not currently serve the proposed annexation area. *If the annexation is approved, Mishawaka Utilities – Electric Division will attempt to acquire the service area from AEP as it is not already in our franchise boundary. If AEP releases the service area to Mishawaka Utilities, we can supply both single phase and three phase service.*

The costs of providing service for future/planned development will be the responsibility of applicant(s) for service (reference Terms and Conditions, Section 9.0). The necessary expenditure to make connection to an applicant for service will be considered to be warranted when the estimated total revenue (i.e., net revenue) as estimated by the Utility for a period of two and one-half (2½) years to be realized by the Utility from permanent and continuing Customers on such an extension is at least equal to the estimated cost of such extension.

Whenever, in the opinion of the Utility, the necessary expenditure to make connection to an applicant for service is not warranted by the Utility's estimate of prospective revenues to be derived there from, or whenever, in the opinion of the Utility, the permanence of the Customer's load is questionable, the Utility may require the applicant to make an advance deposit for line construction or service connection. Or, the Utility may require a long-term agreement, an aid to construction payment, monthly minimum charge or such definite and written guarantee from a Customer, or group of Customers, in addition to any minimum payment required by the Rate Schedule. This requirement may also be made covering the payment by the Customer of the cost of tapping existing transmission or distribution lines for light or power service or both, when such service will not provide sufficient load or revenue, in the opinion of the Utility, to justify the cost of tapping said lines.

In those cases where it is not feasible or practicable to construct lines on public rights of way and it is necessary to secure easements or line-clearing permits on private property, the applicant or applicants shall secure the same without cost to the Utility or assist the Utility in obtaining such easements or line-clearing permits on private property before construction shall commence. The Utility shall be under no obligation to construct lines in the event the necessary easements or line-clearing permits cannot be so obtained.

Personnel

Mishawaka Utilities – Electric Division has a staff of 47 employees. The Division, under the direction of the Electric Division Manager, is divided into the departments of engineering, construction, metering and operations:

Engineering:	Consists of the System Reliability Supervisor, Substation Supervisor, Substation Technician, Engineering Projects Manager, and support engineering personnel.
Construction:	Consists of the Construction Superintendent, two Construction Foremen, and support construction personnel (Journeymen, Apprentices and Linemen).
Metering:	Consists of Metering Department Manager and support metering personnel.
Operations:	Consists of the Operations Coordinator along with supporting personnel in dispatch/stores.

Description of Services

Normal working hours are from 7:30 a.m. to 4:00 p.m. Monday through Friday. During these hours, the Electric Division staff is available to provide immediate response to any system perturbation.

Services provided after normal working hours are on an emergency basis only. Customers requiring assistance can call the after-hours answering service, where a call is then placed to a duty supervisor to assess the situation. The duty supervisor then calls out required support personnel (via the answering service).

FIRE PROTECTION/EMS

The Mishawaka Fire/EMS Department is one of the area's best, with quick response times, excellent training, and the latest equipment.

Staffing and Response Times

The Mishawaka Fire Department currently has four stations located strategically throughout the City of Mishawaka. The Fire Department and the Emergency Medical Services Department merged January 1, 2002.

In accordance with the firefighter's union Collective Bargaining Agreement and the City of Mishawaka, minimum staffing of 29 personnel are available at all times. The department also has three members working in the City's Fire Inspection Bureau.

The Department's response time is excellent. The Fire Department responds to calls within three minutes for 90 percent of the City.

Fire Stations

The four fire stations are located in strategic areas around the City:

Station No. 1, built in 1991, is located on Union Street near downtown. It is staffed by a minimum of eleven (11) firefighters manning one Sutphen pumper truck, one aerial truck, a 105' Sutphen aerial/pumper combination), one heavy-duty K.M.E. rescue truck and one A.L.S. Paramedic ambulance unit.

Station No. 2, located at 2332 N. Main St., is staffed by five (5) to six (6) firefighters at all times, manning one Sutphen pumper truck, and one A.L.S. Paramedic ambulance unit. If annexed, this would be the primary responding station since it is the nearest to the site.

Station No. 3, located at 333 E. Douglas Road, is staffed by eight (8) firefighters at all times, manning one Seagrave pumper truck, one 105' Pierce Quint aerial/pumper combination, and one A.L.S. Paramedic ambulance unit.

Station No. 4, located at 3000 Harrison Road, is staffed by 5 firefighters manning one Seagrave pumper truck, and one Battalion Chief Vehicle.

All engine and ladder Companies are certified advanced life support non-transport.

For the year 2017 out of 7,432 runs 5,731 or roughly 77% were medical in nature. The Mishawaka Fire Department restructured going to a three-platoon system. With the addition of a third ambulance we were able to move ambulances out of one central location to be closer to the neighborhoods they served. This and the availability of paramedics on some engine companies have decreased the time in which it takes to start lifesaving interventions if needed. Engine and ladder companies also have Advanced E.M.T.'s on board who may begin vital treatment such as 12 lead E.K.G.'s, establishing I.V. lines, and administration of a handful of drugs. Once the ambulance arrives the paramedics take over in the continuum of care depending upon the severity of the call.

Equipment

Equipment for the department is very comparable with what is available to surrounding township departments, but the City's fire department offers other advantages not available to the township fire departments. By having 29-36 firefighters on duty at any given time Mishawaka is able to send more resources depending upon the nature of the call. The Mishawaka Fire Department has three ladder/pumper trucks available for emergencies. Two of these are in service at all times with the third being a reserve. Depending upon the location, some outside fire departments utilize mutual aid agreements in the event of the need for an aerial device.

The City maintains a fifteen (15) member Dive/Rescue team for water emergencies.

Citizen Programs

The fire department provides regular fire inspections for businesses located in the area, and home inspections upon request.

In 2016 the Fire Prevention Bureau performed 1,109 fire inspections of new and existing buildings in Mishawaka.

In addition, residents are encouraged to take part in the department's smoke detector giveaway and installation programs.

Fire Marshals give extinguisher demonstrations and emergency planning procedures upon request to businesses in the City. Participants use real extinguishers on mock up fires to prepare them for the real thing.

The department also participates in drive through flu clinics, C.P.R. classes, Triad pill drops, car seat installations and clinics throughout the year.

Costs Associated With Services

If annexed, the City of Mishawaka Fire Department is capable of providing a level of service for the area that is equal to the services currently provided for the City. Given the proximity of the proposed annexation area, the Fire Department does not require any additional funds than what have been allocated within the current city budget to provide these services. For general information purposes, a copy of the year 2018 budget has been included for reference.

FIRE/EMS DEPARTMENT
101-19

2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	6,000.00	
Operating Supplies			
422-01	Operating Supplies	200,000.00	
422-03	Medical Supplies	125,000.00	
Other Supplies			
429-10	Public Education Training/ Seminar Supplies/Refreshments	6,000.00	
			337,000.00
3 OTHER SERVICES AND CHARGES			
Repairs and Maintenance			
436-01	Building/ Equipment Repair	100,000.00	
436-91	Laundry Maintenance	3,000.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	3,000.00	
			106,000.00
			12,552,110.00

CITY OF MISHAWAKA
2018 BUDGET

PARK AND RECREATION
204-50

1 PERSONAL SERVICES

Salaries and Wages				biweekly
411-01	Department Head	65,304.00		2,511.69
411-02	Regular Employees	479,334.00		
	Group 1: 14 @19.51*2092	571,409.00	1,116,047.00	
411-03	Temporary/Summer Help	377,000.00	377,000.00	
	Directors	1,800.00		
	Reimburse CS Assts. 1.25	64,317.00		
	Reimburse MVH director 5%	3,058.00	69,175.00	
			1,562,222.00	
Other Services Personal				
411-60	Overtime	30,000.00		
411-63	Longevity	12,050.00		
411-64	FTO	15,000.00	57,050.00	
Employee Benefits				
413-01	Social Security	101,000.00		
413-02	Medicare	24,000.00		
413-03	PERF 14.2%	177,000.00		
413-04	Unemployment	5,000.00		
413-05	Employee Insurance Benefits	375,000.00		
413-06	Life Insurance	1,500.00	683,500.00	
			2,302,772.00	

2 SUPPLIES

Office Supplies			
421-90	Office Supplies	5,000.00	
Operating Supplies			
422-02	Gas, Oil, Parts, etc.	73,000.00	
Other Supplies			
429-09	Merrifield Complex Supplies	15,000.00	
429-14	Maintenance Supplies	60,000.00	
429-15	Program Supplies	40,000.00	
429-16	Golf Course Concessions	40,000.00	
429-18	Athletic Event Supplies	20,000.00	
429-20	Golf Course Supplies	30,000.00	
429-21	Other Concessions	5,000.00	
429-23	Merrifield/BC Concessions	20,000.00	
			308,000.00

CITY OF MISHAWAKA
2018 BUDGET

PARK AND RECREATION NON-REVERTING
214-50

1 PERSONAL SERVICES			
Salaries and Wages			
411-03	Temporary Help	15,000.00	
			15,000.00
2 SUPPLIES			
Other Supplies			
429-09	Wilson Hill Supplies	7,500.00	
429-16	Golf Course Concessions	10,000.00	
429-17	Landscaping/Chemical Supplies	60,000.00	
			77,500.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-06	Consulting	75,000.00	
Communication and Transportation			
432-04	Wilson Hill Phone and Internet	2,500.00	
Repairs and Maintenance			
436-01	Golf Cart Repair	5,000.00	
436-20	Merrifield Pool and Rink Repair	15,000.00	
436-21	Wilson Building Repair	10,000.00	
436-90	Animal Control	15,000.00	
	GPS Contract	28,000.00	
			150,500.00
4 CAPITAL OUTLAYS			
Machinery and Equipment			
444-10	Golf Carts	65,000.00	
			65,000.00
			308,000.00

The unit also handles neighborhood complaints, such as drug houses, speeding, neighbor disputes, and other "quality of life" issues.

Street Crimes Unit

The Street Crimes Unit was implemented in July of 2009. The goal of this Unit is to concentrate efforts in high crime areas of the city and work in conjunction with the Police Department's Investigative Division to identify criminals and solve crimes. So far, the SCU has worked very hard at their mission and has proven to be quite a success. Because of their determination and self-motivation, the Unit has taken several criminals, weapons and drugs off the streets and has seen crime decrease in the high crime neighborhoods.

Riverwalk Beat

A "Riverwalk beat" was implemented in 2015 and determined to very successful. Several methods of patrol have been utilized, including the Kawasaki mule, bicycles and motorcycle. The extra patrols have minimized reported vandalism that was seen in previous years. The renovation of Central Park has brought an increase of visitors to both the park and Riverwalk. The MPD continues its patrol efforts in the parks enhanced with the installation of a video camera surveillance system throughout the Riverwalk, Beutter and Central Park. Several emergency call boxes will also be installed, thus enhancing the safety of all Riverwalk users.

CAPS Program

The Citizens in Alliance with Police (CAPS) Program has much success in patrolling the Riverwalk and City parks and has expanded to two teams of volunteers that can be seen on the weekends.

Response Time and Crime Statistics

On average, the Mishawaka Police Department responds to critical incidents within three to five minutes. This is comparable to three to seven minutes in South Bend. South Bend has a modestly larger coverage area. Response times for the county were not available; however, with the St. Joseph County Police Department's much larger coverage area per officer, it is anticipated that the response time within the City of Mishawaka is significantly lower than in the county.

Mishawaka crime rates in general continue to remain low for cities of comparable sizes. Serious crimes such as rapes, robberies, assaults, thefts, auto thefts have dropped from 2016 to 2017. There was an increase in robberies from 2016 to 2017. Overall there was a 2% decrease in crime in 2017. Mishawaka had 2 homicides in 2016. In 2017 there were 3 homicides.

For general information purposes, a copy of the year 2018 budget has been included for reference. The budget itemizes the costs of providing services for the entire city.

Costs Associated with Services

If annexed, the City of Mishawaka Police Department is capable of providing a level of service for the area that is equal to the services currently provided within the City of Mishawaka. The Police Department does not require any additional funds than what has been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation.

CITY OF MISHAWAKA
2018 BUDGET

POLICE DEPARTMENT
101-20

2 SUPPLIES			
Operating Supplies			
422-01	Operating Supplies	35,000.00	
Other Supplies			
429-11	Seminars/ Community Relations	1,000.00	
			36,000.00
3 OTHER SERVICES AND CHARGES			
Communication and Transportation			
432-03	Travel and Training	2,000.00	
Printing and Advertising			
433-01	Printing	1,800.00	
Repairs and Maintenance			
436-01	Building Repair/ Maintenance Service Contracts	90,000.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	3,000.00	
439-11	Special Expense	13,000.00	
439-12	Canine Expenses	3,000.00	
439-16	Crime Stoppers Program	5,000.00	
			117,800.00
			11,527,299.00

CITY OF MISHAWAKA
2018 BUDGET

CENTRAL SERVICES DEPARTMENT
101-22

1 PERSONAL SERVICES			
Salaries and Wages			biweekly
411-02	Assistant 4 @51,453	205,812.00	1,978.94
	Fleet Maintenance Technician		
	6 @ 20.55*2092	257,944.00	
	Group 1: 4 @ 19.51*2092	163,260.00	
	PT maintenance 1040 hrs @ 11.00	11,440.00	
	Reimburse MVH Director-61,148*5%	3,058.00	
			641,514.00
Other Services Personal			
411-60	Overtime	15,000.00	
411-63	Longevity	4,575.00	
			19,575.00
			661,089.00
2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	2,000.00	
Operating Supplies			
422-02	Gas, Oil, etc.	800,000.00	
422-05	Equipment/ Vehicle/Maint Supplies	110,000.00	
Other Supplies			
429-08	Uniform/ Supplies	4,250.00	
			916,250.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-09	Health Screenings/ Vaccines	1,000.00	
Communication and Transportation			
432-03	Travel and Training	1,500.00	
Repairs and Maintenance			
436-01	Building Repair / Equipment/Maint	70,000.00	
Rentals			
437-05	Uniforms	5,000.00	
Other Services and Charges			
439-09	Miscellaneous Charges	2,500.00	
			80,000.00
			1,657,339.00

MOTOR VEHICLE HIGHWAY
201-50

3 OTHER SERVICE AND CHARGES			
Professional Services			
431-09	Health Screenings/ Vaccines	5,000.00	
Communication and Transportation			
432-03	Travel and Training	5,000.00	
432-04	Telephone/ Paging	7,500.00	
Printing and Advertising			
433-02	Publications	500.00	
Insurance			
434-90	Insurance Premiums/Deductibles	150,000.00	
Utility Service			
435-01	MU Charges	135,000.00	
435-02	NIPSCO	100,000.00	
Repairs and Maintenance			
436-01	Building/ Equipment Repair	200,000.00	
Rentals			
437-05	Uniforms	8,000.00	
Other Services and Charges			
439-09	Miscellaneous Charges	3,000.00	
			614,000.00
4 CAPITAL OUTLAYS			
Improvements Other than Buildings			
442-01	Street Repair		
	Community Crossings Grant match	183,000.00	
			183,000.00
			3,734,090.00

WASTE DISPOSAL AND RECYCLING SERVICES

Waste Disposal and Recycling Services

Trash pick-up in the City of Mishawaka is inexpensive and efficient. The monthly fee for single family trash pickup is $13.86. This includes trash, yard waste and recycling. Residents also are allowed to place up to two large items out each week for removal with their regular trash. Large items could include furniture, appliances, and similar objects that are not readily placed within containers.

A discounted rate of $11.09 per month is provided for senior citizens.

Similar to the county and other municipalities, trash removal services are not offered to multiple family developments, commercial, or industrial businesses. The waste stream generated from these uses varies widely and usually require private dumpsters. These uses are required to contract for services through private trash contractors. Given that portion of the proposed annexation is an industrial facility; waste disposal will be the responsibility of the property owner with no involvement from the City.

Leaf pick-up and the Organic Center

The leaf pick-up and Christmas tree pick-up programs are done through the City's Street Department. The Organic Center offers recycling for residents of Mishawaka only. Brush, grass and leaves may be brought in, by residents at no charge.

- Addition of a second belt filter press for biosolids dewatering
- New Anaerobic Digester and Rehabilitation of Existing Digesters Including New Covers
- Modifications to the Plant Electrical Feed
- Installation of a high efficiency turbo aeration blower
- New Process Air Blower Equipment
- Administration Building Modifications
- Expansion of Maintenance Facilities
- Site Landscaping

In 2013, the Carriage Lane and Winding Brook lift stations were replaced and stand-by emergency generators were added. The Southampton lift station was upgraded to include a stand-by emergency generator as well.

In 2017, the Oakland St. lift station was replaced.

In 2018, the west side final clarifier troughs are to be replaced. Also, design has begun on miscellaneous plant improvements to include replacement of the manual bar screen with a new automated fine screen, improvements to the hypochlorite disinfection system, improvements to CSO 009, and replacement of the existing air monitoring systems in the Headworks and Digester Control Buildings. Also, design has begun on the replacement of the Home St. lift station to be constructed in 2019.

Future capital improvements focusing on the Combined Sewer Overflow Long Term Control Plan will consist mainly of sewer system improvements to convey greater volumes of wet weather flow to the Wastewater Plant for treatment as well as sewer separation.

<u>Statistical Information</u>

Mishawaka's wastewater treatment plant exhibits outstanding performance. For the year 2017 the average removals and effluent concentrations were as follows:

	Percent Removal	Effluent Concentration mg/l
CBOD	98%	<2.0
Total Suspended Solids	98%	<2.6
Phosphorus	83%	0.56
Ammonia Nitrogen	97%	<0.8

During 2017 there were 2 exceedances of NPDES permit effluent mercury limitations. The permit limit for mercury is 3.2 parts per trillion as an annual average over the most recent (rolling) 12 month period. This is a very low limit and treatment plants are not designed specifically for mercury removal. A part per trillion is the equivalent of one inch in sixteen million miles. Compliance with this limit is dependent on controlling discharges of mercury at their source. The Utility is developing a Mercury Minimization Plan to address source control of mercury discharges.

<u>Costs Associated with Services</u>

Mishawaka Utilities Wastewater Division is predominately supported through revenue generated by the rates charged to customers. 2005 was the first full year of construction of the Wastewater Treatment Plant Upgrade and Expansion. The project was completed in June of 2008. The City financed $41.9 million for the plant improvements through a low interest State Revolving Fund Program loan, which will save considerable interest expense throughout the twenty year life of the loan. The expansion serves the dual purpose of providing capacity for continued growth in the community and cut annual combined sewer overflow (CSO) volume in-half. Because a portion of the expanded capacity will serve growth in the Northwest TIF area, TIF funding has been pledged to the Wastewater Division to assist in funding debt service payments. An annual TIF distribution of $3.36 million reduces the rate increases necessary to fund the expansion's bond payments.

Residents of St. Joseph County who have access to city sanitary sewer pay the same sewer rate provided to residents of the city. However, Wastewater Utility customers whose premises are served by the utility and are located within the City limits shall receive a credit applied towards

WATER SERVICE

Water Utilities

The Mishawaka Utilities Water Division is a medium-sized public water utility that serves a population and area larger than just the City of Mishawaka. The combined well fields average about 7 million gallons pumped each day, with a peak daily rate of 25 mgd and a maximum capacity of 32 mgd. The water is treated with chlorine, fluoride and phosphate and is regularly and comprehensively tested in accordance with state and federal regulations. The city public water supply consistently exceeds the strict standards set forth by the United States Environmental Protection Agency and the Indiana Department of Environmental Management.

Serving the Proposed Annexation Area

An existing twelve (12) inch distribution main is located on the north side of Beacon Parkway and dead ends at Capital Avenue. There is no water main at the State Road 23 parcel area. A water main extension would need to be done to extend water into the annexation area.

The costs associated with the extension of water service to the individual property, including tap fees, are paid by developer's/property owners, and are not paid by Mishawaka Utilities. For existing properties with wells, a 1-inch copper service line is typically provided to the property line for future connection. Similar to other areas of the city, the customer would be required to pay for the tap in order to use the service. The property owner also would be responsible to run the service from the property line to any future proposed development and install a meter setter in accordance with Water Division standards.

Staff and Services

The Mishawaka Utilities Water Division has a 24-hour emergency answering service line, which calls the supervisor on duty on a cellular telephone. Crews generally report on site within an hour of an emergency. On average, service outages only last about three hours.

There are a total of twenty-nine (29) employees in the Water Division consisting of twenty (20) union employees and nine (9) salaried personnel. An additional administrative staff of four (4) people and an office staff of twenty-three (23) carries out all billing and clerical work for both the electric and water divisions.

The Water Division has twenty-seven (27) vehicles and eight (8) large specialized pieces of equipment to serve the area.

Services to Residents

The Mishawaka Utilities Water Division provides three programs to replace lead services within the City's water system.

1. The Division replaces any lead service that is in need of repair.
2. The Division replaces any lead service to a current customer when the customer replaces the line from the street shut-off to the house.
3. The Division replaces any lead service that is not currently in use by a customer at a reduced cost to customer when a new structure is built.

The Division has no benefits geared strictly toward senior citizens, but it does accept money from the Project Safe program, provided by Real Services. Real Services provides state funds to pay utility bills of low-income families that fall within a certain income range. The low-income families must fill out an application, at the Real Services office, to become eligible for this benefit.

A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°33'26" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 1,318.45 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 1,131.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 188.01 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°30'57" WEST ALONG SAID WEST LINE, 250.18 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD 23; THENCE NORTH 55°27'51" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY, 226.82 FEET; THENCE SOUTH 00°30'57" EAST, 378.59 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.35 ACRES MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF-WAY RECORD. (ADDRESS: 14710 STATE ROAD 23, GRANGER, IN, 46530.)

TAB D - APPENDICES

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _________ day

of __________________, 2018, at ____________ o'clock ___.M.

____
Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this ________ day of __________________

2018, at __________o'clock ___.M.

____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _________ day of ___________________ 2018, at

___________ o'clock ____.M.

____
David A. Wood, Mayor

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Existing Conditions – The subject parcel is located on State Road 23, a highly travelled corridor on which traffic volumes will remain consistent or increase due to the significant commercial and residential growth that has occurred in the northeast part of the Mishawaka and Granger. The site, which is currently vacant, is adjacent to a church to the north, vacant land to the west, agricultural land to the south within the Northwest Capital – Toll Road Planned Unit Development approved for various commercial and medical uses, and a multi-tenant commercial building to the east.

2. Character of Buildings in the Area – The character of buildings and land uses located along State Road 23 vary greatly and include both low-density single family residential homes and commercial development within unincorporated St. Joseph County.

3. The most desirable/highest and best use – With the property's location along State Road 23 and the planned office and medical uses to the south, the most desirable use for the property is for commercial use.

4. Conservation of property values – The proposed zoning will not be injurious to the property values in the surrounding area because the C-1 General Commercial uses are compatible with the existing and adjacent proposed development.

5. Comprehensive Plan – The property is not included within the extents of the Mishawaka 2000 Comprehensive Plan. However, it is within the extents of the Capital Avenue Land Use Plan which identifies this parcel and the adjacent land to the south as an area for commercial office and retail, hotel, medical, and research parks. This plan was jointly prepared by St. Joseph County and the City of Mishawaka.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _______ day of ________________, 2018, at ______ o'clock ___.M.

____
Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC, MMC, City Clerk

Appendix "C"

Tab Rate Chart for the year 2017 payable 2018

Notice is hereby given that the Tax Duplicates for the Taxing Units of St. Joseph County, for the year 2017 payable 2018, are now in the hands of the St. Joseph County Auditor, who is ready to receive the Taxes charged thereon.
The following table shows the rate of taxation on each $100.00 of Taxable Real Estate, Personal Property and Mobile Homes. The first installment will be delinquent after May 10, 2018.
Second installment will be delinquent after November 12, 2018. Michael J. Hamann, Auditor of St. Joseph County.

1.

Fund	Fund Name	71001 Centre Township	71002 South Bend - Centre	71003 Clay Township	71004 South Bend - Clay	71005 Mishawaka - Clay	71006 Indian Village	71007 Roseland	71008 German Township	71009 South Bend - German	71010 Greene Township	71011 Harris Township	71014 Lincoln Township	71015 Walkerton	71016 Madison Township
101	County General	0.5610	0.5610	0.5610	0.5610	0.5610	0.5610	0.5610	0.5610	0.5610	0.5610	0.5610	0.5610	0.5610	0.5610
124	Cumulative Reassessment	0.0117	0.0117	0.0117	0.0117	0.0117	0.0117	0.0117	0.0117	0.0117	0.0117	0.0117	0.0117	0.0117	0.0117
180	Debt Service	0.0111	0.0111	0.0111	0.0111	0.0111	0.0111	0.0111	0.0111	0.0111	0.0111	0.0111	0.0111	0.0111	0.0111
188	Bond & Int/ Debt Serv Ex CB	0.0185	0.0185	0.0185	0.0185	0.0185	0.0185	0.0185	0.0185	0.0185	0.0185	0.0185	0.0185	0.0185	0.0185
702	Highway														
706	LR & S														
790	Cumulative Bridge	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098
792	Major Cumulative Bridge	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183
801	Health	0.0182	0.0182	0.0182	0.0182	0.0182	0.0182	0.0182	0.0182	0.0182	0.0182	0.0182	0.0182	0.0182	0.0182
822	Medical Center														
1301	Park & Recreation	0.0239	0.0239	0.0239	0.0239	0.0239	0.0239	0.0239	0.0239	0.0239	0.0239	0.0239	0.0239	0.0239	0.0239
2391	Cumulative Capital Development	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183	0.0183
711	Total COUNTY	0.6908	0.6908	0.6908	0.6908	0.6908	0.6908	0.6908	0.6908	0.6908	0.6908	0.6908	0.6908	0.6908	0.6908
61	Township Rainy Day														
101	Township General Fund			0.0260	0.0260	0.0260	0.0260	0.0260				0.0095	0.0675	0.0675	0.0122
113	Nonreverting														
601	Twp Community Bldg										0.0069				
840	Twp Poor Relief/Twp Assistance			0.0059	0.0059	0.0059	0.0059	0.0059	0.0075	0.0075	0.0013	0.0004			
885	Twp Poor Relief Debt														
1101	Twp EMS Fund														
1111	Twp Fire										0.1504				0.0765
1181	Twp Fire B'dg Debt Fund														
1182	Twp Fire Equipment Debt														
1187	Twp Emerg Fire Loan														
1190	Twp Cum Fire														0.0069
1312	Twp Recreation								0.0055	0.0055					
1481	Twp Fiire Bldg Debt Ex CB														
1482	Twp Fire Equip Debt Ex CB														
8604	Twp Fire Territory General	0.4561		0.3043			0.3043	0.3043	0.3043			0.3043			
8692	Twp Fire Terrority Equip Repla	0.0301		0.0292			0.0292	0.0292	0.0292			0.0292			
712	Total TOWNSHIP	0.4862	0.0000	0.3654	0.0319	0.0319	0.3654	0.3654	0.3465	0.0130	0.1586	0.3434	0.0675	0.0675	0.0956
0	City Bond/Debt														
61	City/Town Rainy Day														
101	City General		2.8267		2.8267	1.7003		0.3575		2.8267				1.1723	
180	City Debt Service														
181	City/Town Debt Payment														
182	City/Town Bond #2													0.1995	
188	City Debt Serv Ex CB														
280	BOND-GEN SINKIN														
341	City Fire Pension														
342	City Police Pension														
381	City Debt Payment Ex CB														
706	City/Town LR & S														
708	City MVH					0.0701		0.1028						0.0297	
720	City/Town Major Moves Spc														
1101	City Ambulance/EMS														
1191	City Cum Fire Special														
1301	City Park & Rec		0.6651		0.6651	0.1987				0.6651				0.1959	
1303	City/Town Park							0.1029							
1380	Park Bond		0.0293		0.0293					0.0293				0.0325	
1386	City Park Bond Exempt CB														
2120	City Cemetary														
2379	City/Town CCI														
2391	City Cum Cap Development		0.0303		0.0303	0.0484		0.0126		0.0303				0.0473	
6290	City Cum Sewer					0.0346									
8604	City Town Fire Territory Gen												0.3631	0.3631	
8692	City Town Fire Terr Eqp Replac												0.0331	0.0331	
713	Total CITY/TOWN	0.0000	3.5514	0.0000	3.5514	2.0516	0.0000	0.5758	0.0000	3.5514	0.0000	0.0000	0.3962	2.0734	0.0000
22	Referendum-Exempt Operating														
61	School Rainy Day														
101	School General														
180	School Debt Service	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.2401	0.1100	0.1100	0.2401
186	School Retirement/Pension Debt														
188	School Debt Service Exempt CB	0.3628	0.3628	0.3628	0.3628	0.3628	0.3628	0.3628	0.3628	0.3628	0.3628	0.1043	0.3260	0.3260	0.1043
189	School Pension Debt Ex CB	0.0744	0.0744	0.0744	0.0744	0.0744	0.0744	0.0744	0.0744	0.0744	0.0744	0.0281	0.0217	0.0217	0.0281
287	Referendum Debt-Exempt Capital														
608	School Historic Society	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050			0.0050
1214	School Capital Projects	0.3073	0.3073	0.3073	0.3073	0.3073	0.3073	0.3073	0.3073	0.3073	0.3073	0.2583	0.2746	0.2746	0.2583
2016	School Art Institiue	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050			0.0050
2083	2013 STATE LOAN														
6301	School Transportation Fund	0.3686	0.3686	0.3686	0.3686	0.3686	0.3686	0.3686	0.3686	0.3686	0.3686	0.2463	0.1886	0.1886	0.2463
6302	School Bus Replacement	0.0244	0.0244	0.0244	0.0244	0.0244	0.0244	0.0244	0.0244	0.0244	0.0244	0.0205	0.0458	0.0458	0.0205
714	Total SCHOOL	1.1685	1.1685	1.1685	1.1685	1.1685	1.1685	1.1685	1.1685	1.1685	1.1685	0.9076	0.9667	0.9667	0.9076
0	Library Debt														
61	Rainy Day														
101	Library General	0.3038	0.3038	0.3038	0.3038	0.3038	0.3038	0.3038	0.3038	0.3038	0.3038	0.1353	0.0862	0.0862	
180	Library Debt Service												0.0931	0.0931	
188	Library Debt Serv Exempt CB	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0276			
286	Library Lease/Rent Exempt CB														
382	Library Debt #2 Exempt CB														
1720	Library Capital Project														
2011	Library LIRF														
2301	Library Construction														
715	Total LIBRARY	0.3309	0.3309	0.3309	0.3309	0.3309	0.3309	0.3309	0.3309	0.3309	0.3309	0.1629	0.1793	0.1793	0.0000
8001	So Bend Transpo		0.1174		0.1174	0.1174				0.1174					
8090	So Bend Transpo Spec Tran Cum														
8101	Airport Authority General	0.0314	0.0314	0.0314	0.0314	0.0314	0.0314	0.0314	0.0314	0.0314	0.0314	0.0314	0.0314	0.0314	0.0314
8180	Airport Sp Airport Debt	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210	0.0210
8181	Airport Auth Bond Ex CB														
8190	Airport Authority Cum Bldg	0.0031	0.0031	0.0031	0.0031	0.0031	0.0031	0.0031	0.0031	0.0031	0.0031	0.0031	0.0031	0.0031	0.0031
8210	Sp Solid Waste Ma														
8485	SB Redevel Bond #1 Ex CB		0.0178		0.0178					0.0178					
716	Total SPECIAL UNIT	0.0555	0.1907	0.0555	0.1907	0.1729	0.0555	0.0555	0.0555	0.1907	0.0555	0.0555	0.0555	0.0555	0.0555
	Total Tax Rates (Less Convervancy)	2.7319	5.9323	2.6111	5.9642	4.4466	2.6111	3.1869	2.5922	5.9453	2.4043	2.1602	2.3560	4.0332	1.7495

Property Tax System 03/20/2018 11:43 AM by kgregori

1. Harris Township Tax Rates - Prior to Annexation

St. Joseph County
Submitted to the State on Friday, February 26, 2016
Report printed on Thursday, April 26, 2018
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: JAIL BUILDING CORPORATION
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number: 790613
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution:
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 7/15/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Notes

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (Mental Health Property Tax Levy) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? Yes

Purpose/Cost

Purpose of Debt: Current refunding of outstanding Economic Development Refunding Revenue Bonds, Series 1997
Total Project Cost: $4,355,660.76

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
2/15/2021	$265,000	3.00	$3,975	$268,975		$541,925				$0
8/15/2020	$265,000	3.00	$7,950	$272,950		$0				$265,000
2/15/2020	$260,000	3.00	$11,850	$271,850		$542,525				$530,000
8/15/2019	$255,000	3.00	$15,675	$270,675		$0				$790,000
2/15/2019	$250,000	3.00	$19,425	$269,425		$541,975				$1,045,000
8/15/2018	$250,000	2.50	$22,550	$272,550		$0				$1,295,000
2/15/2018	$250,000	2.50	$25,675	$275,675		$553,850				$1,545,000
8/15/2017	$250,000	2.00	$28,175	$278,175		$0				$1,795,000
2/15/2017	$250,000	2.00	$30,675	$280,675		$548,700				$2,045,000
8/15/2016	$235,000	2.00	$33,025	$268,025		$0				$2,295,000
2/15/2016	$235,000	3.00	$36,550	$271,550		$545,450				$2,530,000

St. Joseph County
Submitted to the State on
Report printed on Thursday, April 26, 2018
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: Economic Development Income Tax Revenue Bonds of 2014
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 790607
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 6-3.5-7
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County
Current Debt Limit: $52,426,723.00
Current Debt Capacity (after issuance of this debt): $35,171,723.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 9/16/2014
Date of Appropriation Resolution:
Date of Debt Sale: 12/11/2014
Date of Debt Closing: 12/30/2014

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

12/31/2020	$235,000	2.00	$107,366	$342,366		$687,081				$6,470,000
6/30/2021	$240,000	3.00	$105,016	$345,016						$6,230,000
12/31/2021	$240,000	3.00	$101,416	$341,416		$686,431				$5,990,000
6/30/2022	$245,000	3.00	$97,816	$342,816						$5,745,000
12/31/2022	$250,000	3.00	$94,141	$344,141		$686,956				$5,495,000
6/30/2023	$255,000	3.00	$90,391	$345,391						$5,240,000
12/31/2023	$255,000	3.00	$86,566	$341,566		$686,956				$4,985,000
6/30/2024	$260,000	3.00	$82,741	$342,741						$4,725,000
12/31/2024	$265,000	3.00	$78,841	$343,841		$686,581				$4,460,000
6/30/2025	$190,000	3.00	$74,866	$264,866						$4,270,000
12/31/2025	$195,000	3.00	$72,016	$267,016		$531,881				$4,075,000
6/30/2026	$200,000	3.00	$69,091	$269,091						$3,875,000
12/31/2026	$200,000	3.00	$66,091	$266,091		$535,181				$3,675,000
6/30/2027	$205,000	3.13	$63,091	$268,091						$3,470,000
12/31/2027	$205,000	3.13	$59,888	$264,888		$532,978				$3,265,000
6/30/2028	$210,000	3.25	$56,684	$266,684						$3,055,000
12/31/2028	$215,000	3.25	$53,272	$268,272		$534,956				$2,840,000
6/30/2029	$215,000	3.38	$49,778	$264,778						$2,625,000
12/31/2029	$220,000	3.38	$46,150	$266,150		$530,928				$2,405,000
6/30/2030	$225,000	3.38	$42,438	$267,438						$2,180,000
12/31/2030	$225,000	3.38	$38,641	$263,641		$531,078				$1,955,000
6/30/2031	$230,000	3.50	$34,844	$264,844						$1,725,000
12/31/2031	$235,000	3.50	$30,819	$265,819		$530,663				$1,490,000
6/30/2032	$240,000	3.50	$26,706	$266,706						$1,250,000
12/31/2032	$240,000	3.50	$22,506	$262,506		$529,213				$1,010,000
6/30/2033	$245,000	3.63	$18,306	$263,306						$765,000
12/31/2033	$250,000	3.63	$13,866	$263,866		$527,172				$515,000
6/30/2034	$255,000	3.63	$9,334	$264,334						$260,000
12/31/2034	$260,000	3.63	$4,713	$264,713		$529,047				$0
Total	**$9,155,000**		**$3,027,870**	**$12,182,870**		**$12,182,857**				

Notes

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? Yes

Purpose/Cost

Purpose of Debt: Costs of a bridge and infrastructure improvements and refunds the Bridge Funding Bonds of 2005
Total Project Cost: $2,808,995.56

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
6/30/2015	$150,000	0.46	$14,330	$164,330						$2,485,000
12/30/2015	$150,000	0.57	$13,090	$163,090		$327,420				$2,335,000
6/30/2016	$145,000	0.69	$12,662	$157,662						$2,190,000
12/30/2016	$145,000	0.80	$12,162	$157,162		$314,824				$2,045,000
6/30/2017	$515,000	0.93	$11,582	$526,582						$1,530,000
12/30/2017	$510,000	1.06	$9,187	$519,187		$1,045,769				$1,020,000
6/30/2018	$500,000	1.20	$6,484	$506,484						$520,000
12/30/2018	$520,000	1.34	$3,484	$523,484		$1,029,968				$0
Total	**$2,635,000**		**$82,981**	**$2,717,981**		**$2,717,981**				

St. Joseph County
Submitted to the State on Friday, February 17, 2017
Report printed on Thursday, April 26, 2018
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District, Special Taxing District Bonds of 2016
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062M
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized: I.C. 36-7-14 & I.C. 36-7-25
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County Redevelopment District
Current Debt Limit: $28,513,058.00
Current Debt Capacity (after issuance of this debt): $15,333,058.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s): Tri-County News and South Bend Tribune
Date of Public Hearing: 7/1/2016
Date of Final Approval/Lease Execution:
Date of Appropriation Resolution: 7/12/2016
Date of Debt Sale: 11/21/2016
Date of Debt Closing: 11/30/2016

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

2/1/2023	$535,000	3.00	$115,725	$650,725		$766,450				$6,115,000
8/1/2023			$107,700	$107,700						$6,115,000
2/1/2024	$550,000	3.00	$107,700	$657,700		$765,400				$5,565,000
8/1/2024			$99,450	$99,450						$5,565,000
2/1/2025	$565,000	3.00	$99,450	$664,450		$763,900				$5,000,000
8/1/2025			$90,975	$90,975						$5,000,000
2/1/2026	$585,000	3.00	$90,975	$675,975		$766,950				$4,415,000
8/1/2026			$82,200	$82,200						$4,415,000
2/1/2027	$600,000	3.00	$82,200	$682,200		$764,400				$3,815,000
8/1/2027			$73,200	$73,200						$3,815,000
2/1/2028	$620,000	3.00	$73,200	$693,200		$766,400				$3,195,000
8/1/2028			$63,900	$63,900						$3,195,000
2/1/2029	$265,000	4.00	$63,900	$328,900		$392,800				$2,930,000
8/1/2029			$58,600	$58,600						$2,930,000
2/1/2030	$275,000	4.00	$58,600	$333,600		$392,200				$2,655,000
8/1/2030			$53,100	$53,100						$2,655,000
2/1/2031	$290,000	4.00	$53,100	$343,100		$396,200				$2,365,000
8/1/2031			$47,300	$47,300						$2,365,000
2/1/2032	$300,000	4.00	$47,300	$347,300		$394,600				$2,065,000
8/1/2032			$41,300	$41,300						$2,065,000
2/1/2033	$310,000	4.00	$41,300	$351,300		$392,600				$1,755,000
8/1/2033			$35,100	$35,100						$1,755,000
2/1/2034	$325,000	4.00	$35,100	$360,100		$395,200				$1,430,000
8/1/2034			$28,600	$28,600						$1,430,000
2/1/2035	$335,000	4.00	$28,600	$363,600		$392,200				$1,095,000
8/1/2035			$21,900	$21,900						$1,095,000
2/1/2036	$350,000	4.00	$21,900	$371,900		$393,800				$745,000
8/1/2036			$14,900	$14,900						$745,000
2/1/2037	$365,000	4.00	$14,900	$379,900		$394,800				$380,000
8/1/2037			$7,600	$7,600						$380,000
2/1/2038	$380,000	4.00	$7,600	$387,600		$395,200				$0
Total	**$8,730,000**		**$3,306,741**	**$12,036,741**		**$12,036,741**				

Notes

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Capital improvements to County facilities for energy savings
Total Project Cost: $10,574,935.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
12/30/2017	$0	2.00	$53,062	$53,062		$53,062	$0			$10,500,000
6/30/2018	$260,000	2.00	$122,450	$382,450			$0			$10,240,000
12/30/2018	$315,000	2.00	$119,850	$434,850		$817,300	$0			$9,925,000
6/30/2019	$320,000	2.00	$116,700	$436,700			$0			$9,605,000
12/30/2019	$325,000	2.00	$113,500	$438,500		$875,200	$0			$9,280,000
6/30/2020	$325,000	2.00	$110,250	$435,250			$0			$8,955,000
12/30/2020	$330,000	2.00	$107,000	$437,000		$872,250	$0			$8,625,000
6/30/2021	$330,000	2.00	$103,700	$433,700			$0			$8,295,000
12/30/2021	$335,000	2.00	$100,400	$435,400		$869,100	$0			$7,960,000
6/30/2022	$340,000	2.00	$97,050	$437,050			$0			$7,620,000
12/30/2022	$345,000	2.00	$93,650	$438,650		$875,700	$0			$7,275,000
6/30/2023	$345,000	2.00	$90,200	$435,200			$0			$6,930,000

St. Joseph County
Submitted to the State on Thursday, October 19, 2017
Report printed on Thursday, April 26, 2018
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2015 PSAP Equipment Lease (US Bank)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 3/31/2015
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 3/31/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

12/31/2018	$579,374	2.22	$89,190			$1,337,127		$668,563		$7,473,874
6/30/2018	$573,027	2.22	$95,536					$668,563		$8,053,248
12/31/2017	$566,751	2.22	$101,813			$1,337,127		$668,563		$8,626,275
6/30/2017	$560,543	2.22	$108,021					$668,563		$9,193,026
12/31/2016	$554,403	2.22	$114,161			$1,337,127		$668,563		$9,753,569
6/30/2016	$548,329	2.22	$120,234					$668,563		$10,307,972
12/31/2015	$542,324	2.22	$126,240			$1,337,127		$668,563		$10,856,301
6/30/2015	$601,375	2.22	$67,188					$668,563		$11,398,625
Total	**$12,000,000**		**$1,371,268**			**$13,371,268**		**$13,371,268**		

Notes

2015 PSAP Equipment and Technology Lease. US Bank. $12,000,000 original principal amount.

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (PSAP Charges for Services) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Josephy County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology Improvements at County 911 Center
Total Project Cost: $2,500,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
11/16/2027	$140,017	2.46	$1,730			$283,494		$141,747		$0
5/16/2027	$138,327	2.46	$3,420					$141,747		$140,017
11/16/2026	$136,659	2.46	$5,098			$283,494		$141,747		$278,344
5/16/2026	$134,990	2.46	$6,757					$141,747		$415,003
11/16/2025	$133,352	2.46	$8,395			$283,494		$141,747		$549,993
5/16/2025	$131,734	2.46	$10,013					$141,747		$683,345
11/16/2024	$130,135	2.46	$11,612			$283,494		$141,747		$815,079
5/16/2024	$128,556	2.46	$13,191					$141,747		$945,214
11/16/2023	$126,996	2.46	$14,751			$283,494		$141,747		$1,073,770
5/16/2023	$125,454	2.46	$16,293					$141,747		$1,200,766
11/16/2022	$123,932	2.46	$17,815			$283,494		$141,747		$1,326,220
5/16/2022	$122,428	2.46	$19,319					$141,747		$1,450,152

St. Joseph County
Submitted to the State on Monday, January 22, 2018
Report printed on Friday, April 27, 2018
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination: 1/7/2015
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 5/1/2015
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 5/27/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

2/1/2022	$110,000	3.00	$38,625	$148,625	$0					$2,465,000
8/1/2022	$115,000	3.00	$36,975	$151,975	$0	$300,600				$2,350,000
2/1/2023	$120,000	3.00	$35,250	$155,250	$0					$2,230,000
8/1/2023	$135,000	3.00	$33,450	$168,450	$0	$323,700				$2,095,000
2/1/2024	$135,000	3.00	$31,425	$166,425	$0					$1,960,000
8/1/2024	$135,000	3.00	$29,400	$164,400	$0	$330,825				$1,825,000
2/1/2025	$140,000	3.00	$27,375	$167,375	$0					$1,685,000
8/1/2025	$140,000	3.00	$25,275	$165,275	$0	$332,650				$1,545,000
2/1/2026	$145,000	3.00	$23,175	$168,175	$0					$1,400,000
8/1/2026	$145,000	3.00	$21,000	$166,000	$0	$334,175				$1,255,000
2/1/2027	$150,000	3.00	$18,825	$168,825	$0					$1,105,000
8/1/2027	$150,000	3.00	$16,575	$166,575	$0	$335,400				$955,000
2/1/2028	$155,000	3.00	$14,325	$169,325	$0					$800,000
8/1/2028	$155,000	3.00	$12,000	$167,000	$0	$336,325				$645,000
2/1/2029	$160,000	3.00	$9,675	$169,675	$0					$485,000
8/1/2029	$160,000	3.00	$7,275	$167,275	$0	$336,950				$325,000
2/1/2030	$160,000	3.00	$4,875	$164,875	$0					$165,000
8/1/2030	$165,000	3.00	$2,475	$167,475	$0	$332,350				$0
Total	**$3,300,000**		**$968,150**	**$4,268,150**	**$265,100**	**$4,268,150**				

Notes

Debt Schedule No. 15 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal).

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 15 2018

CITY CLERK
MISHAWAKA, IN

1st Reading 8-20-18
2nd Reading
Passed
Failed
Continued To

PETITION #18-20

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2018-18

ORDINANCE NO. __________

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA, AND PROVIDING ZONING CLASSIFICATION THEREFORE

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and the zoning as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°33'26" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 1,318.45 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 1,131.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 188.01 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°30'57" WEST ALONG SAID WEST LINE, 250.18 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD 23; THENCE NORTH 55°27'51" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY, 226.82 FEET; THENCE SOUTH 00°30'57" EAST, 378.59 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.35 ACRES MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF-WAY RECORD.

COMMON ADDRESS: 14710 State Road 23, Granger, Indiana

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of S-2 Planned Unit Development District, subject to the following:

1. All previously approved development standards per Ordinance 5186 and 5620AA applicable to property owned by Beacon Health Systems, Inc., being more specifically Lot 2 of the Beacon Health Subdivision, shall be adhered to.

Proposed Ordinance No. 2018-18

Ordinance No. __________

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Existing Conditions – The subject parcel is located on State Road 23, a highly travelled corridor on which traffic volumes will remain consistent or increase due to the significant commercial and residential growth that has occurred in the northeast part of the Mishawaka and Granger. The site, which is currently vacant, is adjacent to a church to the north, vacant land to the west, agricultural land to the south within the Northwest Capital – Toll Road Planned Unit Development approved for various commercial and medical uses, and a multi-tenant commercial building to the east.

2. Character of Buildings in the Area – The character of buildings and land uses located along State Road 23 vary greatly and include both low-density single family residential homes and commercial development within unincorporated St. Joseph County.

3. The most desirable/highest and best use – With the property's location along State Road 23 and the planned office and medical uses to the south, the most desirable use for the property is for commercial use.

4. Conservation of property values – The proposed zoning will not be injurious to the property values in the surrounding area because the C-1 General Commercial uses are compatible with the existing and adjacent proposed development.

5. Comprehensive Plan – The property is not included within the extents of the Mishawaka 2000 Comprehensive Plan. However, it is within the extents of the Capital Avenue Land Use Plan which identifies this parcel and the adjacent land to the south as an area for commercial office and retail, hotel, medical, and research parks. This plan was jointly prepared by St. Joseph County and the City of Mishawaka.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this ________ day of ____________________, 2018, at ______ o'clock ___.M.

____
Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC, MMC, City Clerk

Proposed Ordinance No. 2018-18

Ordinance No. ___________

PRESENTED by me to the Mayor this ______ day of ________________, 2018, at o'clock _____.M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _______________, 2018, at _____ _______o'clock ______.M.

David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

JUL 31 2018

CITY CLERK
MISHAWAKA, IN

PET 18-20

RECEIVED
JUL 13 2018
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

DATE: July 18, 2015

TO THE:

Honorable Members of the Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: Petition for Annexation, Zoning Classification, and PUD Amendment

The undersigned Beacon Health System, Inc respectfully show they are the owners of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 38 NORTH, RANGE 3 EAST HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°33'26" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 1,318.45 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 1,131.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 188.01 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°30'57" WEST ALONG SAID WEST LINE, 250.18 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD 23; THENCE NORTH 55°27'51" EAST ALONG SAID NORTHERLY RIGHT OF WAY, 226.82 FEET; THENCE SOUTH 00°30'57" EAST, 378.59 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.35 ACRES, MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF- WAY OF RECORD. (ADDRESS: 14710 STATE ROAD 23, GRANGER, IN 46530)

Petitioners own One Hundred (100%) percent of the above-described parcel of land which is located within a part of the northwest quarter of Section 23, Township 38 North, Range 3 East, Harris Township, St Joseph County and that Petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with a "S-2" Planned Unit Development District to allow for uses in the C1 zoning classification. Petitioners further state that the current proposal includes medical uses, including an acute care hospital, along with uses compatible to such. It is the Petitioners' intent that the existing "S-2 Planned Unit Development" and its referenced legally described property created through Ordinance #5186 be amended to include the Annexation of this parcel, bringing the full area within the City of Mishawaka municipal jurisdiction under the approved zoning classification.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate

Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, Petitioners pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with a "S-2 Planned Unit Development" zoning classification.

Property Owner Signature

Jeffrey P. Costello

Print Property Owner Name

Contact Person:

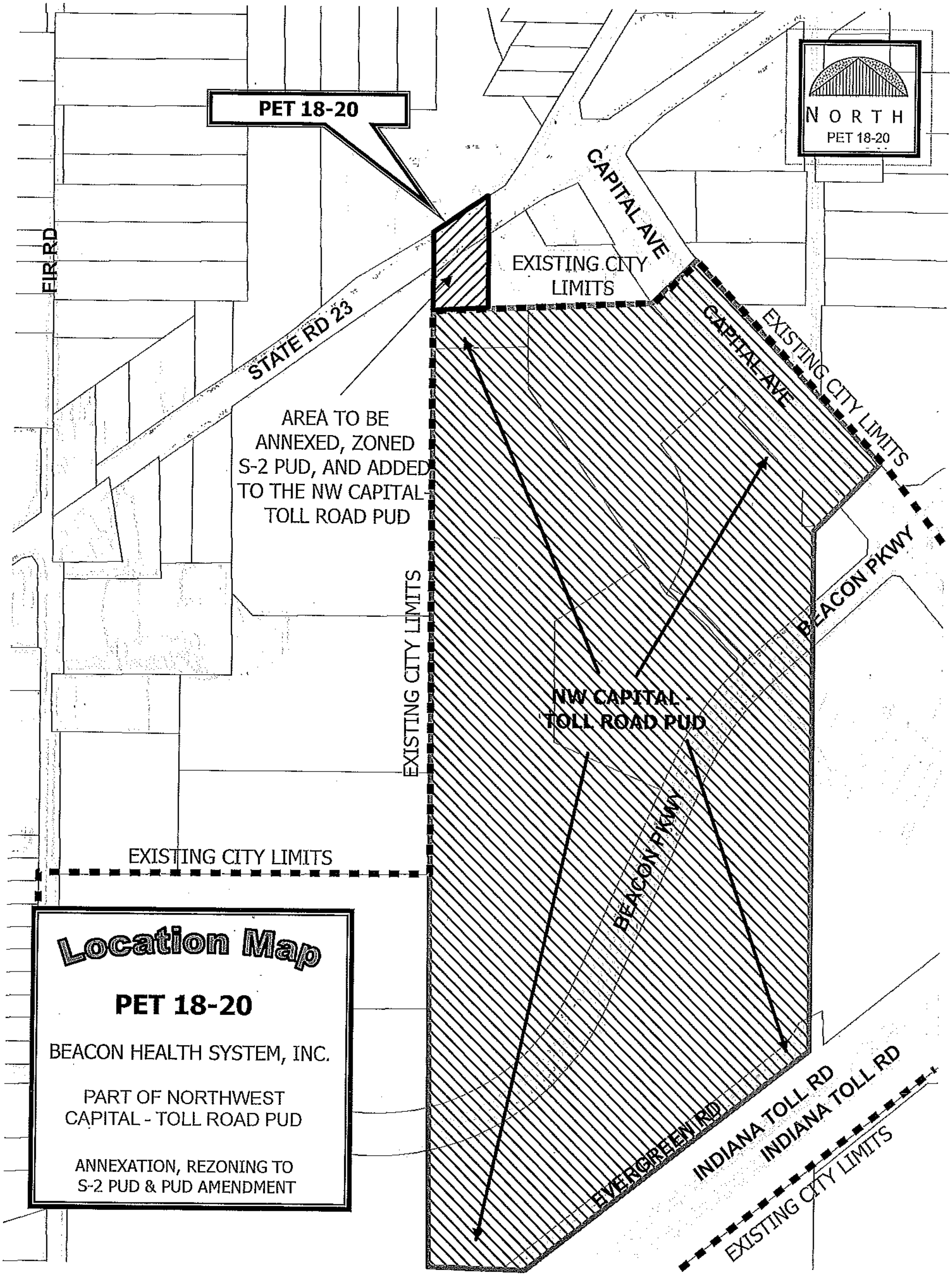
NAME :	Mike Huber, Abonmarche Consultants
ADDRESS :	750 Lincoln Way East
TELEPHONE NUMBER :	574.2332.8700
FAX NUMBER :	574.251.4400
EMAIL:	mhuber@abonmarche.com

EXHIBIT A

LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 38 NORTH, RANGE 3 EAST HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°33'26" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 1,318.45 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 1,131.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°56'36" WEST ALONG SAID SOUTH LINE, 188.01 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°30'57" WEST ALONG SAID WEST LINE, 250.18 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD 23; THENCE NORTH 55°27'51" EAST ALONG SAID NORTHERLY RIGHT OF WAY, 226.82 FEET; THENCE SOUTH 00°30'57" EAST, 378.59 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.35 ACRES, MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF- WAY OF RECORD.



PET 18-20
NORTH
PET 18-20
FIR RD
STATE RD 23
CAPITAL AVE
EXISTING CITY LIMITS
CAPITAL AVE
EXISTING CITY LIMITS
AREA TO BE ANNEXED, ZONED S-2 PUD, AND ADDED TO THE NW CAPITAL-TOLL ROAD PUD
EXISTING CITY LIMITS
BEACON PKWY
NW CAPITAL - TOLL ROAD PUD
BEACON PKWY
EXISTING CITY LIMITS
EVERGREEN RD
INDIANA TOLL RD
INDIANA TOLL RD
EXISTING CITY LIMITS
Location Map
PET 18-20
BEACON HEALTH SYSTEM, INC.
PART OF NORTHWEST CAPITAL - TOLL ROAD PUD
ANNEXATION, REZONING TO S-2 PUD & PUD AMENDMENT