REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
January 7, 2019

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 January 07, 2019, at 7:00 p.m. The meeting was called to order by Clerk Block all were asked to stand for the Pledge of Allegiance.

Clerk Block introduced newly elected council members Stacy Petko Reisdorf, 3rd District and Gregg A. Hixenbaugh, Councilmen at Large. Clerk Block explained at the last meeting of the year, they knew they would be replacing Councilmen at Large Joe Canarecci. She continued to say they had no idea Ross Deal, 3rd District would be the new State Representative District 7.

Dale "Woody" Emmons 1st District
Mike Bellovich 2nd District
Stacy Petko Reisdorf 3rd District
Kate Voelker 4th District
Michael Compton 5th District
Ron Banicki 6th District
Gregg A. Hixenbaugh At Large
Matt Mammolenti At Large
Bryan J. Tanner At Large

Chief Deputy Clerk Mary Ellen Hazen roll call showed the following, **Roll Call.**
Present: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.

Others present; Mike Trippel Council Attorney.

Clerk Block opened the floor for nominations for President of the Council. Mr. Banicki nominated Dale "Woody" Emmons with a second by Mr. Compton the motion carried.

Chief Deputy Clerk Hazen polled the Council on the motion to elect Mr. Emmons, President.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 9). **Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner,
Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.

Mr. Banicki made a motion, to close the nominations with a second by Mr. Tanner the motion carried

Clerk Block turned the meeting over to President Dale "Woody" Emmons who opened the floor for nominations for Vice President of the Council. Mr. Tanner nominated Ron Banicki for Vice President upon a second by Mr. Mammolenti the motion carried.

Clerk Block polled the Council on the motion to elect Mr. Banicki, Vice President. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 9).**Yes:** Mrs. Voelker, Mr.

Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.

Minutes for the Regular Meeting of December 17, 2018 were approved as received from the Clerk's Office.

Clerk Block read letters from the Board of Zoning Appeals and the City Plan Commission regarding their recommendations from their December 11,2018 meeting.

Appeal No 2018-45 **Conditional Use for Tattoo Establishment**
236 W. Edison Rd

Petition No 2018-34 **PUD Amendment to add Senior Daycare Use**
6005 North Fir Rd

Clerk Block read the following proposed ordinances by title were assigned to a committee and set for public hearing at next the meeting.

PROPOSED ORDINANCE NO, 2019-01

AN ORDINANCE APPROVING AND AGREEMENT BETWEEN THE CITY OF MISHAWAKA AND THE MISHAWAKA FIREFIGHTERS ASSOCIATION LOCAL NO. 360 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AFL-CIO
(CBA between City & Firefighter Local 360 1-01-2019 thru 12-31-2021)
(Petitioner requested second reading)

Mrs. Voelker made a motion to suspend council rules to allow second reading for **PROPOSED ORDINANCE NO. 2019-01** upon a second by Mr. Banicki motion carried.

Geoff Spiess, Corporation Counsel thanked the council for suspension of rules. He went on to say the collective bargaining agreement would cover 2019 through 2021. Mr. Spiess said the union body ratified on December 27th and the Board of Public Works and Safety ratified on December 28th.

Mrs. Voelker mentioned she had a privilege to sit in on meeting with Police and Fire. She said she admired the hard work in negotiating.

Mr. Emmons thanked the Administration and all that were involved for all their work, time and effort.

Question was called for at 7:11 P.M. for **PROPOSED ORDINANCE NO. 2019-01** **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 9).**Yes:** Mrs. Voelker, Mr.

Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons. Thus, it becomes **ORDINANCE NO. 5644**

Clerk Block read the following proposed ordinances and opened for public hearing.

PROPOSED ORDINANCE NO. 2018-38

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, AUTHORIZING THE ISSUANCE OF ECONOMIC DEVELOPMENT REVENUE BONDS IN ONE (1) OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SEVEN MILLION EIGHT HUNDRED THOUSAND DOLLARS ($7,800,000) AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO
(EDC Bond $7,800,000 – Ironwood Village Apts.)
(Assigned to the Budget and Finance Committee)

Mr. Compton reported the Budget and Finance Committee recommended this proposed ordinance should be presented to the council as a whole. This is signed by the entire committee upon a second by Mr. Banicki motion carried.

Randy Rompola, Attorney with Barnes and Thornburg served as Bond Counsel for this proposed financing transaction. He said the proposed ordinance was requested to be adopted by EDP Ironwood, LP which was the borrower in the proposed financing. Mr. Rompola continued to say Eagle Point Development was looking to renovate the apartment complex formerly known as Arbors at Ironwood, which would be known as Ironwood Village Apartments. He explained the ordinance provides for tax exempt financing to finance the acquisition of rehabilitation of 128 apartment units. Mr. Rompola said the council approved the inducement resolution back in July. He said the Economic Development Commission held its public hearing on December 10, 2018 and adopted its final resolution recommending adoption of the ordinance by the council. Mr. Rompola went on to say the ordinance did state the bonds to be issued were not to exceed 7.8 million dollars. He explained the forms with the ordinance read 7.6 million was the borrowing amount, but the 7.8 million was the maximum amount not to exceed. Mr. Rompola said they were expecting the bond issue to be slightly less. He explained the current working number was 7.6 million dollars, which was the reason it was reflected in the indenture and loan agreement that was attached to the ordinance. Mr. Rompola went on to explain the bonds would be issued as tax exempt bonds, which required the local governing body to issue the bonds. He said the Federal Government had a tax program to allow conduit issuers, the “City of Mishawaka” to issue the bonds and loan the proceeds to the developer for purposes of completing acquisitions and rehabilitation. Mr. Rompola stated the city bares no responsibility and would not have any role once the bonds were issued. He said if the project failed or the developer failed to make a payment, it would have no effect on the city or the city’s credit rating. Mr. Rompola continued to say the proposed purchaser of the bonds would look solely to the developer for repayment. He said the ordinance authorized the issuance of the bonds; it provided for the bonds to be sold by an underwriter and it approved the form of the loan agreement. Mr. Rompola mentioned there was also a land use restriction agreement as well approved by this ordinance, which would provide the tax-exempt requirements for the developer to meet. Mr. Rompola introduced Jason Barnes to speak on behalf of Eagle Point to discuss the project in details.

Jason Barnes, Eagle Point Development said Arbor at Ironwood was a currently 128-unit affordable housing community with a mix of 1, 2, 3-bedroom apartments serving families in Mishawaka. He said their rehab budget was 4 million dollars. Mr. Barnes continued to say the rehab would include all units to receive high energy star rated appliances, updated electrical and mechanical finishes, updated kitchens and other finishes throughout the units. He said there would also be exterior updates on roofing, insolation in the attics, exterior lighting, playground equipment and more. Mr. Barnes went on to say they would meet with the Indiana Housing Authority in two weeks for approval. He said after approval from the Housing Authority they expect to close to start rehab in the second quarter with a 12-month construction schedule.

Mrs. Voelker asked was the 4 million dollars the total amount they would have available for the apartment units. Mr. Barnes explained they had 4 million dollars in their budget and they carry a contingency. He said it was 31, 250 dollars per unit.

Mr. Compton asked would they be hiring locally. Mr. Barnes said their General Contractor was CRG Residential outside of Indianapolis and they were soliciting local trade carpenters. Mr. Compton said outside of Indianapolis may sound local to them, but they would like for them to hire Mishawaka citizen or at least St. Joseph County citizens working on this project. He continued to say it was good for the community and it was what the city promoted.

Mr. Emmons asked had they heard of any traffic concerns coming out of Arbors crossing Dragoon Trail. Mr. Barnes replied no. Mr. Emmons said it was brought to his attention and asked that he address the issue if possible.

Mr. Tanner thanked and commended Mr. Rompola on explaining the parameters and how the city bares no burden of this type of issuance.

Question was called for at 7:23 P.M. for **PROPOSED ORDINANCE NO. 2018-38**
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 9).**Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons. Thus, it becomes **ORDINANCE NO. 5645**

PROPOSED ORDINANCE NO. 2018-40

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

(PUD Amd S 10 acres SE Main & Douglas PUD lot 1 Portillo's Main St.)
(Assigned to the Land Use Planning Committee)

Mrs. Voelker reported the Land Use Planning Committee recommended this proposed ordinance should be presented to the council as a whole. This is signed by the entire committee upon a second by Mr. Banicki motion carried.

Mike Huber, Abonmarche Consultants represented the petitioner and property purchaser. He said the project was located east of Main Street, east of Cheddars and Portillo's and west of St. Joe Hospital. Mr. Huber said the primary entrance to the proposed development would be off to Edison Lakes Parkway. He continued to say they were working with the Planning and Fire Department as they were looking at additional connectivity and access point to make sure they met all requirements. Mr. Huber said the project was 10 acres of land at the southern edge of the PUD and they were also bringing in 1.63 acres to the west, which was east of the Cheddars Restaurant. He said they were requesting to change the zoning in the southern 10 acres to allow for a multiple family housing development. Mr. Huber said there would be 400 units on five four story buildings over parking. He continued to say their client was developing a unique product in the area. Mr. Huber went on to say it would be exclusively studio and one bedroom units that would target employees of the hospital. He said this was a new market being built nationally and specifically targeting a life style and millennial employees of the hospital who valued the proximity to where they lived and work. Mr. Huber went on to say one of the things they were asking for in the petition was a reduction in 1.5 cars per unit to 1.2 cars per unit. He continued to say they were providing more parking density, every unit would have a spot with additional for visitors. Mr. Huber said they were looking at a really nice design to match the design of the hospital.

Mr. Mammolenti said every time a new a potential new apartment complex arrives in Mishawaka; he was frequently asked the same questions, how many more apartments and who would live in them. Mr. Huber said as he mentioned before this was a new market they were targeting, and it was new to this area. He continued to say this was a national model they were using; they have done this around the country. Mr. Huber said the developers have done their homework and they were confident they had the ability to segment the target of that population. He pointed out there was also another hospital to the south and a couple of medical centers in the close proximity. Mr. Mammolenti asked what was the occupancy rate for these facilities. Mr. Huber he did not know for sure, but he could get that information.

Mr. Tanner asked would this be four stories on top of a parking structure. Mr. Huber replied no, it was surface parking. Mr. Tanner said he also noticed the maximum height of the structure was 48 feet. He asked what kind of construction it would be able to hit those parameters. Mr. Huber said he was not sure. He believed it would be wood frame construction, but it could be steel. Mr. Tanner made the comment he was not sure this would really stand out especially with the hospital nearby, it seemed like a tight constraint for the amount of stories being built and the parameters set with them.

Mr. Emmons asked were the other facilities around the country at similar density. Mr. Huber replied yes, they did similar densities at other properties as well. Mr. Emmons asked did the developer feel confident they could fill 400 units. Mr. Huber replied yes, the developer did extensive market research in the area, they knew the target market and they knew the density of their target particularly in that area. He said they were pretty confident. Mr. Emmons also questioned the construction time line. Mr. Huber said they had to go back and redo some architectural and planning services. He continued to say they were looking at end of first quarter, early second quarter for construction to begin but it may be delayed to the end of second quarter, early third. Mr. Huber said a year after they would begin leasing.

Mr. Banicki questioned the amenities for this project. Mr. Huber said he knew there would be a gathering room with kitchen. He said the developer certainly had ideas of having communal spaces and amenities that appealed to this target demographic; it was a key component of the apartment designs. Mr. Banicki asked was part of the philosophy to include walking paths to the hospital. Mr. Huber replied yes, that was the main philosophy of this project, to connect with a walking path to the hospital.

Mr. Mammolenti questioned the monthly rent for the proposed apartments. Mr. Huber said he was not sure. Mr. Tanner said he read an article in the South Bend Tribune regarding the projects projections of monthly rent would be $1,000 to $1,200.

John Piraccini, Realtor wanted to clarify a few of the questions that were asked. He said the density was high because of the cost of the land was very expensive. Mr. Piraccini continued to say the sewer line had to be brought in through Edison Lake because there was not access on Douglas Road, which the developer had to purchase additional land for the access. He mentioned they were working very closely with Ken Prince, City Planner on multiple access point. Mr. Piraccini said there was a small mitigated wet land they had to work through and Juday Creek was also nearby. He said they had a lot of meetings with the hospital discussing the plans for the project. Mr. Piraccini said the developer had around a total of 12 properties, they had similar properties in Fort Wayne, North West Indiana, Orlando Florida, and Boston to name a few. He went on to discuss the amenities. Mr. Piraccini said there would not be a pool; all amenities would be within the units because of the density of the property. He went on to say they wanted to make sure everything mixed in with the access between Qdoba and Portillo's. Mr. Piraccini said access out to Douglas Road and Edison Lakes would be the major access points. He mentioned the developer was in early negotiation with the hospital, the hospital may take an entire floor of apartments. He believed this would be a nice fit. Mr. Piraccini went on to say they were coming close to the front three acres of more retail. He said Mr. Coussens turned down a developer for apartments on a section of land because he wanted to wait to see how well this development did. Mr. Piraccini said the demand seemed to be there.

Questioned was called for at 7:40 P.M. for **PROPOSED ORDINANCE NO. 2018-40**
Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).Yes: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons. Thus, it becomes **ORDINANCE NO. 5646**

NEW BUSINESS

Mr. Mammolenti announced Twin Branch neighborhood meeting would be January 16, 2019 at Twin Branch School. He said a guest speaker had not been confirmed, they may be newly elected 3rd District Councilwoman Stacy Petko Reisdorf and Councilmen at Large Gregg A. Hixenbaugh.

Mr. Emmons announced the 1st District neighborhood meeting would be January 17, 2019 at 7 P.M., speaker would be Lt. Eric Beckham discussing the drug problems in the community and nationwide.

MISHAWAKA COMMON COUNCIL
2018 COMMITTEE & APPOINTMENTS
President: Matt Mammolenti
Vice President: Dale "Woody" Emmons

BUDGET & FINANCE COMMITTEE
Mike Compton, Chairman
Gregg A. Hixenbaugh
Mike Bellovich

LAND USE PLANNING COMMITTEE
Ron Banicki, Chairman
Kate Voelker
Bryan Tanner

PUBLIC HEALTH & SAFETY/LONG RANGE PLANNING COMMITTEE
Bryan Tanner, Chairman
Matt Mammolenti
Kate Voelker

PUBLIC IMPROVEMENTS COMMITTEE
Mike Compton, Chairman
Stacy Petko Reisdorf
Mike Bellovich

PERSONNEL COMMITTEE
Gregg A. Hixenbaugh, Chairman
Bryan Tanner
Mike Bellovich

SUB-STANDARD HOUSING COMMITTEE
Matt Mammolenti, Chairman
Stacy Petko Reisdorf
Kate Voelker

Clerk Block read the following appointments to various boards:

Mr. Emmons opened the floor for nomination for Council Attorney. Mr. Mammolenti nominated Mike Trippel as Council Attorney upon a second by Mr. Banicki motion carried.

COUNCIL ATTORNEY – Mike Trippel
PLAN COMMISSION – Woody Emmons 12/31/2019
TRAFFIC COMMISSION – Ron Banicki expires 12/31/2019
MBA – Bryan Tanner, No expiration
SOLID WASTE – Woody Emmons

MACOG – Stacy Petk Reisdorf
INSURANCE COMMITTEE – Gregg A. Hixenbaugh

Mr. Emmon opened the floor for nominations for the Redevelopment Commisson. Mr. Tanner nominated Kris Ermeti and Janet Whitfield Hyduk upon a second by Mr. Compton motion carried

REDEVELOPMENT COMMISSION – Kris Ermeti & Janet Whitfield Hyduk 12/31/2019
FIRE DEPT PLATOON STUDY COMMITTEE – Woody Emmons
BOARD OF ZONING APPEALS – Chuck Trippel 12/31/2019

Mr. Emmons opened the floor for nomination for the Animal Control Commission. Mr. Compton nominated Dr. Headley for Animal Control Commission upon a second by Mr. Tanner motion carried.

ANIMAL CONTROL COMMISSION – Dr. Headley 12/31/2021
HISTORIC PRESERVATION- Kate Voelker 12/31/2020
MISHAWAKA SCHOOL LIASON Woody Emmons

Clerk Block said there was the matter of acceptance of the Conflict of Interest forms filed by:

Dale "Woody" Emmons"
Stacy Petko Reisdorf
Matt Mammolenti
Gregg A. Hixenbaugh
Bryan Tanner

Mr. Banicki made a motion to accept the conflict of Interest form as filed upon a second by Mr. Tanner motion carried

Clerk Block said there was the matter of Nepotisms and Contracting Policy forms to be signed by the eleven elected officials to be presented to the mayor.

Mr. Banicki welcomed Stacy Petko Reisdorf and welcomed back Gregg Hixenbaugh to the council. He also thanked Mr. Deal for everything he's done for the city and hopefully he could help at the state level.

ADJOURNMENT 7:51 P.M.

Deborah S. Block /s/	Dale "Woody" Emmons /s/
Deborah S. Block, IAMC, MMC, City Clerk	Dale "Woody" Emmons, President