

AGENDA

Monday, July 15, 2019

PSAP Budget Review/Ray Schultz

6:15PM

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**

July 01, 2019

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

Presentation of D.A.R.E. City Champion Essay Winner Emily Callan Mishawaka Catholic

A letter from the City Plan Commission regarding recommendations from their July 9, 2019 meeting.

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

P.O. NO. 2019-19 PUD Amendment 6910 N Main St. Units 25 & 26 Microblading/Semi-Permanent Makeup

P.O. NO. 2019-20 Rezone from C-1 to R-1 426 West 6th Street

- 8. Resolutions**

R2019-20 Presentation and Public Hearing Approving an Amendment of the Declaratory Resolution and Economic Development Plan for the Consolidated Area Improvement Project Liberty Mutual/City Hall **Administration Requesting Action be taken August 5, 2019**

- 9. Ordinances on Second Reading**

P.O. NO. 2019-18 Investment of Public Funds Outside the Mishawaka City Limits (Assigned to Budget and Finance Committee)

- 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
July 01, 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 July 01, 2019, at 7:00 p.m. The meeting was called to order by President Dale “Woody” Emmons all were asked to stand for the Pledge of Allegiance.

 Roll Call.

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

Others Present: Clerk Block, Council Attorney Mike Trippel.

Minutes for the Regular Meeting of June 17, 2019 were approved as received from the Clerk’s Office.

Clerk Block read the following petition to the council who referred it to the City Plan Commission for their recommendations.

PETITION NO. 2019-09 Rezone from C-1 to R-1 426 West 6th Street

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

PROPOSED ORDINANCE NO. 2019-18

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA
AUTHORIZING THE INVESTMENT OF PUBLIC FUNDS
PURSUANT TO IC 5-13-9-5 AND 5-13-9-5.3
(Investment of Public Funds Outside Mishawaka City Limits)
(Assigned to the Budget and Finance Committee)**

Clerk Block read the following resolutions in its entirety and opened was opened for public hearing.

RESOLUTION NO. 2019-19

**Honoring the VFW Post 360
All-State-Team Post 2018-2019**

Post Commander Stan Miles, Quartermaster Dan Gann and 3rd District VFW Commander J.C. Moore thanked the Council, Mayor and Clerk for the Resolution honoring the VFW Post 360 and their All State Team Post honors.

Clerk Block said she and her husband were lifetime Auxiliary members of Post 360. She expressed how proud she was of Post 360's community involvement, not only did they serve our country on foreign land but they continue to serve in their community. Clerk Block stated that because of the sacrifices of the men and women we are able to be here today as elected officials in a free Country. She thanked the veterans in attendance and all veterans serving this great country. She congratulated All State Team Members Post Commander Stan Miles and Post Quartermaster Captain Dan Gann.

Members of the council thanked the VFW for their service and everything they continue to do for the community. They also expressed their appreciation for helping vets in the area.

Clerk Block asked the VFW members how many WWII Veterans are lost each day – 200 per day was the reply. She said one of the most important things the VFW/American Legion do is the Honor Guard duties performed at local Veterans Funerals. Clerk Block expressed the important of the honor not only to the Veteran but to the Veterans Families, having experienced this first hand at the funerals of family members and friends.

Question was called for at 7:17P.M. for **RESOLUTION NO. 2019-19**  **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.**

Clerk Block read the following proposed ordinance by title and a letter from the petitioner requesting postponement.

PROPOSED ORDINANCE NO. 2019-17

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.

(Grandview PUD Amd- W. side of N. Gumwood, S. by Cleveland Rd. (SR23)

(Assigned to the Land Use Planning Committee)

Petitioner requested postponement until the August 05, 2019 meeting

Mr. Mammolenti made a motion to postpone **PROPOSED ORDINANCE NO. 2019-17** until the August 05, 2019 meeting, same upon a second by Mr. Banicki motion carried.

Privilege of the Floor

Mayor Wood announced on July 4th there would be events & fireworks at Central Park to celebrate Independence Day.

NEW BUSINESS

Mr. Tanner thanked Office Faltynski for alerting the Oaks neighborhood of the extra activity in the area due to a funeral at a church nearby. He also thanked the Police Department for the marked increase in presence and preparation.

Mr. Mammolenti welcomed Officer Fleming back to work from sick leave.

Ms. Stacy Petko Reisdorf thanked the Police Department, Mayor Wood and all involved in the Independence Day Celebration. She expressed she enjoyed seeing people having a good time; it was a good display of the city.

Mr. Emmons expressed the Farmers Market at Central Park every Sunday has been a great success. He hoped it would continue in the future.

ADJOURNMENT 7:25 P.M.

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

Dale "Woody" Emmons /s/
Dale "Woody" Emmons, President



City of Mishawaka

DAVID A. WOOD, MAYOR

DEPARTMENT OF CITY PLANNING

July 10, 2019

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Plan Commission Recommendation
July 9, 2019, Public Hearing
Certification of Proposed Ordinances

Honorable Members:

A regular meeting of the Mishawaka Plan Commission was held on the above referenced date at which time the following proposed ordinances were considered:

PETITION #19-07 A petition submitted by Thomas J. Herrman/Jack Schoenthaler requesting to amend the University Gardens Planned Unit Development, **6910 North Main Street, Units 25 and 26**, to allow for microblading/semi-permanent make-up services.

The Commission, with a vote of 7-0, recommended approval.

PETITION #19-09 A petition submitted by Rachel Stanfield to rezone **426 West Sixth Street** from C-1 General Commercial District to R-1 Single Family Residential District.

The Commission, with a vote of 7-0, recommended approval.

RESOLUTION #2019-01 A Resolution of the City of Mishawaka Plan Commission Approving an Amendment to a Declaratory Resolution Approved and Adopted by the City of Mishawaka Redevelopment Commission.

The Commission, with a vote of 7-0, approved Resolution 2019-01.

Pursuant to I.C. 36-7-4-605 the Mishawaka Plan Commission hereby certifies to the Mishawaka Common Council the attached proposed ordinances and Resolution regarding the above matters.

Respectfully,

Kari Myers, Administrative Planner
Secretary, Mishawaka Plan Commission

cc: Jack Schoenthaler
Rachel Stanfield

STAFF REPORT

Location: 6910 N. Main Street, Units 25 & 26

Date: June 11, 2019

Petition: 19 07

Prepared By: KM

GENERAL INFORMATION

Applicant: Thomas J. Herrman/Jack Schoenthaler

Status: Property Owner/Tenant

Request: Amend University Gardens PUD to allow microblading/semi-permanent make-up services

Zoning Classification: S-2 Planned Unit Development

Lot Size: Irregular

Applicable Regulations: Section 137-671 to 137-679 S-2 Planned Unit Development District
Section 137-41 Amendment to Zoning Ordinance & Zoning Map

SPECIAL INFORMATION

Area Development Pattern: North: S-2 Planned Unit Development
South: S-2 Planned Unit Development
East: R-3 Multi-Family Residential
West: S-2 Planned Unit Development

Thoroughfare: Southeast corner of Main Street and Cleveland Road (S.R. 23)

School District: Penn-Harris-Madison

Township: Harris

Public Utilities: All utilities are available to the site

Comprehensive Plan: Service Commercial

ANALYSIS

The petitioners are requesting to amend the University Gardens Office Park Planned Unit Development to allow for microblading services within one of the units. Microblading is a form of semi-permanent makeup that provides a means to partially or fully camouflage missing eyebrow hair with the appearance of simulated hair using fine deposits of cosmetic tattoo pigments.

University Gardens Office Park PUD was established in 1980 as a professional and commercial development and the uses have generally followed the C-6 Linear Office Commercial District. The need to amend the PUD arises from the fact that a tattoo establishment is not an approved use within the C-6 zoning district.

In March, 2018 and March, 2019, similar PUD Amendments were approved for Units 13, 21, and 22 also allowing for microblading services. ***It should be noted that while microblading is a service that can be found in a spa or beauty salon, it is a form of tattoo and not specifically permitted within the zoning district or the PUD as established.***

Also, the requested amendment does not amend the entire PUD, but specifically Units 25 and 26 that the Petitioner owns.

All pertinent City Departments have reviewed this request and recommend approval.

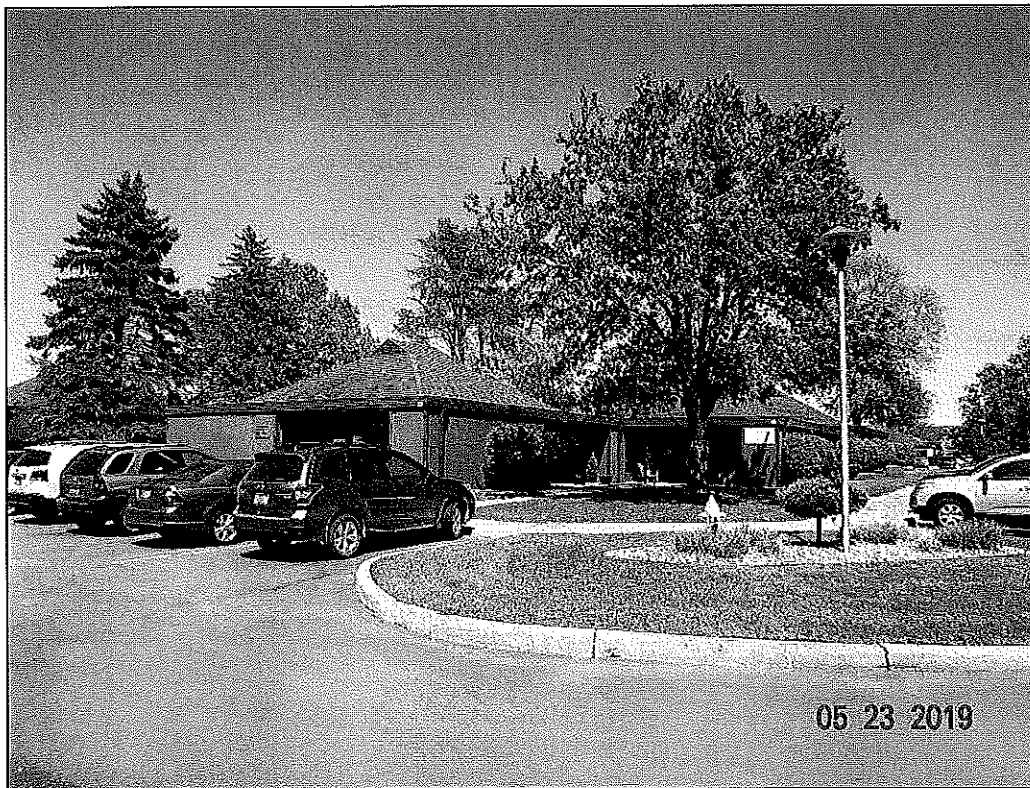
RECOMMENDATION

Staff recommends in favor of Petition #19-07 to amend the University Gardens PUD to allow microblading services in Units 25 and 26. This recommendation is based on the following findings of fact:

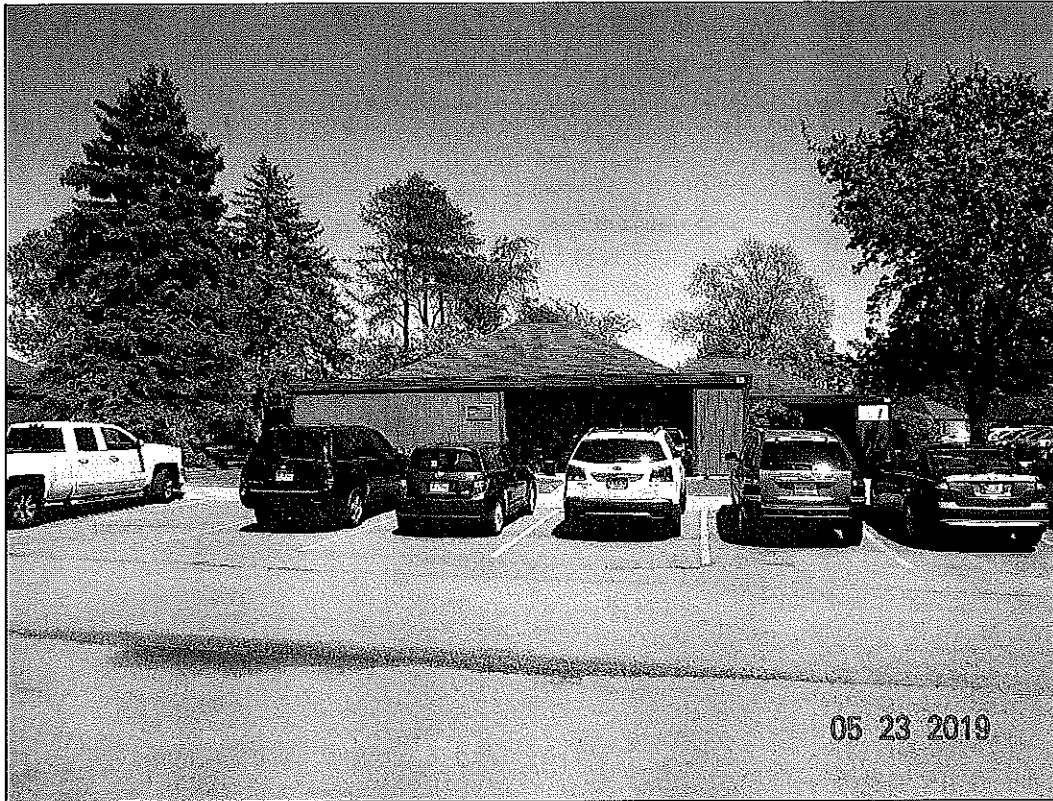
1. Existing Conditions – The use will be located near other buildings with similar personal services/salon uses.
2. Character of Buildings in Area - The character of the buildings located within this development and the surrounding area are professional and commercial.
3. The most desirable/highest and best use – Because of the parcel's location within the professional/commercial development, the most desirable use for the property is commercial/personal services.
4. Conservation of property values - The proposed amendment will not be injurious to property values in the surrounding area, because the nature of the business is similar to that of a salon and should not generate more traffic than any of the existing businesses within the development.
5. Comprehensive Plan- The proposed amendment is consistent with the Comprehensive Plan identifying this area for service commercial uses.

ATTACHMENTS

Photographs, Petition, Aerial, Location Map



View of building



Front view of building

STAFF REPORT

Location: 426 W. Sixth St.

Date: July 9, 2019

Petition: 19 09

Prepared By: CH

GENERAL INFORMATION

Applicant: Rachel Stanfield
Status: Property Owner
Request: Rezone from C-1 General Commercial District to R-1 Single Family Residential District
Zoning Classification: C-1 General Commercial District
Lot Size: 60' X 81'
Applicable Regulations: Sec. 137-164 Residential R-1 District; Sec. 137-40 Plan Commission; & Sec. 137-41 Amendment to Zoning Ordinance and Zoning Map

SPECIAL INFORMATION

Area Development Pattern: North: I-1 Light Industrial
South: I-1 Light Industrial (Aardvark Pest Control)
East: R-1 Single Family Residential District
West: R-1 Single Family Residential District
Thoroughfare: West Street and Sixth Street
School District: School City of Mishawaka
Public Utilities: Available
Comprehensive Plan: General Commercial

ANALYSIS

The Petitioner is requesting to rezone 624 W Sixth Street from C-1 General Commercial District to R-1 Single Family Residential District. The property is located at the northeast corner of Sixth and West Streets. Sixth Street is predominately residential, with commercial pockets at the cross streets. The property across the street (former site of Squad's) was rezoned to R-1 Single Family Residential in 2015 and a house built in 2016.

Since 1964, when the front brick structure was added, the property has been occupied as a single family home in the back residential portion with a commercial business in the front brick structure. A number of years ago Huyveart's TV Sales and Service operated from the brick storefront with residential in the rear. Requests to use the property for a contractor's office and coffee shop never came to fruition. Although a use variance to permit residential living quarters in a C-1 district was approved in 2013, the Petitioner states they are required to have commercial garbage disposal (i.e. dumpster) because of the commercial zoning.

The Petitioner has several updates to make the property look more residential. This includes:

1. Creating a yard area by removing concrete, replacing with grass and fencing;
2. Covering the brick commercial building with aluminum siding to match the house;
3. Removing the Motorola sign. The pole would be removed at a later date.
4. Replacing the double glass exterior doors with wood or metal residential exterior doors.
5. The property will be surveyed to determine lot lines.

Both the 2007 and 2013 Use Variances requested the removal of the sign, or that it be used to advertise an existing business. Since the property will no longer be zoned for any business use, the Staff requests to remove the sign.

Pertinent City Departments reviewed and approved the request.

RECOMMENDATION

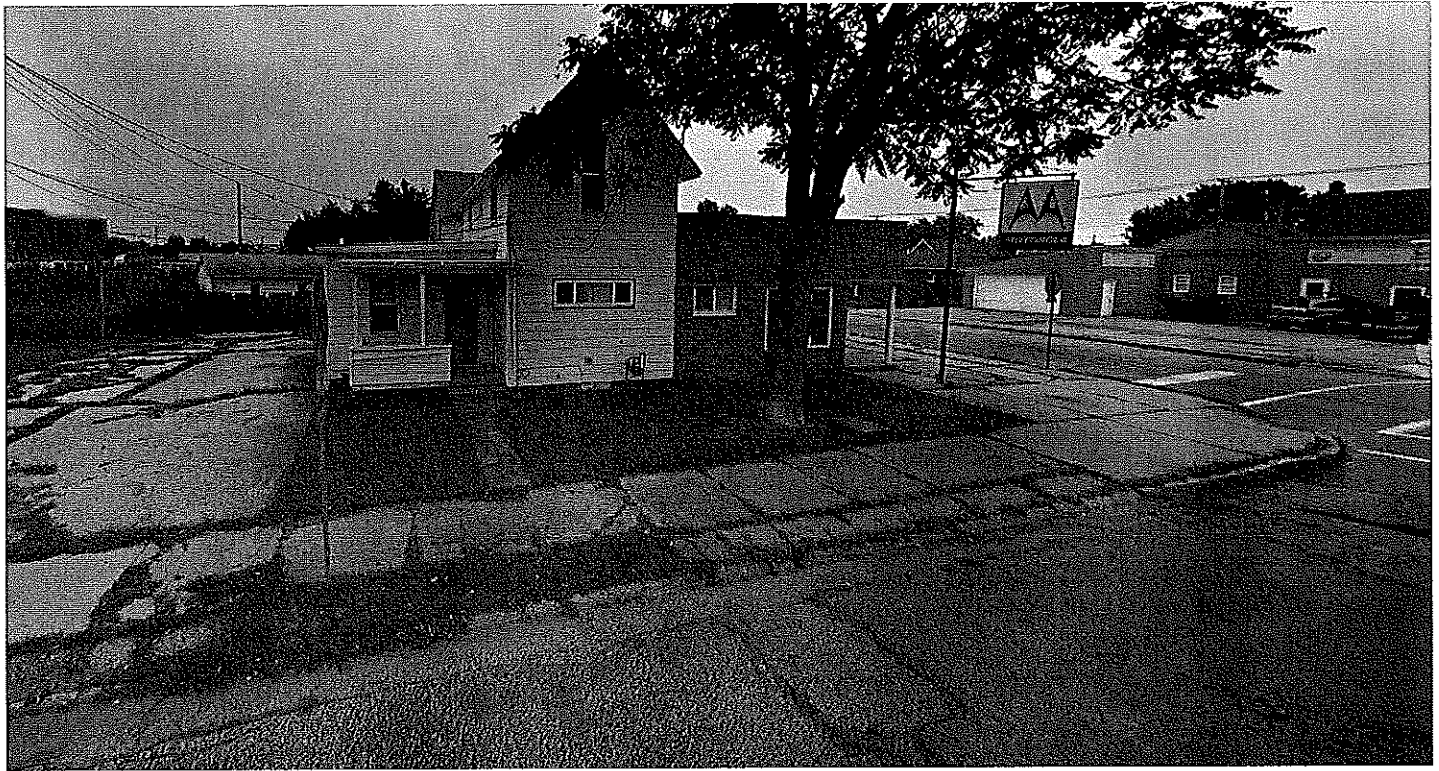
The Planning Department recommends **approval** of Petition #19-09 to rezone 426 W. Sixth to R-1 Single Family Residential District subject to the sign being removed within one year of approval. This recommendation is based upon the following findings of fact:

1. Many of the properties in the immediate vicinity are residential in use. Tax records and Sanborn maps support its historic use as a single-family dwelling;
2. The use and value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner because as a single-family home, there will be less impact to the neighborhood, and improvements will be made to make it look and feel like a single-family home;
3. Because the parcel is located in an area of residential properties, the rezoning to R-1 Single-Family Residential is a desirable use for this property;
4. As opposed to the range of potential commercial development that could occur with the current commercial zoning, rezoning this parcel to the R-1 Single Family Residential classification will have a favorable and stabilizing impact on the neighborhood, conserving property values in the immediate and surrounding residential neighborhood; and will allow the property owner to use it as any other single-family home; and,
5. The City's Comprehensive Plan identifies the area General Commercial, however, the historical use as single-family home is consistent with the Plan for that area.

ATTACHMENTS

AERIAL, PHOTOGRAPHS, PETITION, LOCATION MAP





View from West Street



View from Sixth Street

JUL 10 2019

1st Reading 7-15-19
2nd Reading
Passed
Failed
Continued To

PETITION 19-07

CITY OF MISHAWAKA, INDIANA

CITY CLERK
MISHAWAKA, IN

PROPOSED ORDINANCE NO. 2019-19E

ORDINANCE NO. _____

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.

WHEREAS, the Plan Commission of the City of Mishawaka, Indiana, has recommended the reclassification of the zoning as herein set forth of the real estate hereinafter described.

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

Section 1. Chapter 137, of the Municipal Code of the City of Mishawaka, commonly known as "The Zoning Ordinance of 1966", be, and the same is hereby amended as follows:

The following described real estate in the City of Mishawaka, Harris Township, St. Joseph County, State of Indiana, to-wit:

Unit 25 and 26, University Gardens Office Park

COMMON ADDRESS: 6910 North Main Street

which real estate is now classified as S-2 Planned Unit Development District shall hereafter be amended to allow microblading services in Units 25 and 26 only.

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

1. Existing Conditions – The use will be located near other buildings with similar personal services/salon uses.
2. Character of Buildings in Area - The character of the buildings located within this development and the surrounding area are professional and commercial.
3. The most desirable/highest and best use – Because of the parcel's location within the professional/commercial development, the most desirable use for the property is commercial/personal services.
4. Conservation of property values - The proposed amendment will not be injurious to property values in the surrounding area, because the nature of the business is similar to that of a salon and should not generate more traffic than any of the existing businesses within the development.

Proposed Ordinance No: PO 19-19

Ordinance No: _____

5. Comprehensive Plan- The proposed amendment is consistent with the Comprehensive Plan identifying this area for service commercial uses.

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 _____, 2019, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2019, at _____ o'clock ____M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2019, at _____ o'clock ____M.

David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

MAY 30 2019

CITY CLERK
MISHAWAKA, IN

University Gardens Office Park
6910 North Main Street
Granger, Indiana 46530

May 21, 2019

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

RE: PETITION OF PUD AMENDMENT

The undersigned, Thomas J. Herrman, respectfully show they are the owners of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

University Gardens, Inc,
6910 N Main Street
Building 25 & 26
Granger, IN 46530

Petitioner(s) own one hundred (100%) percent of the above described parcel of land which carries a zoning classification S-2 Planned Unit Development specifically for leased commercial space/office use.

Legal Description of land:

UNIT 25 UNIVERSITY GARDEN OFFICE PARK
PARCEL NUMBER: 71-04-27-102-027.000-036 / 030-1001-000430
PROPERTY ADDRESS: 6910 N GUMWOOD UNIT 25, GRANGER, IN 46530

UNIT 26 UNIVERSITY GARDENS OFFICE PARK
PARCEL NUMBER: 71-04-27-102-028.000-036 / 030-1001-000431
6910 N GUMWOOD RD, GRANGER, IN 46530

Petitioner(s) desire said real estate to be amended to allow for Inside Out Salon and Wellness Spa, LLC. To use the space for MICROBLADING/SEMI-PERMANENT MAKEUP applications.

Wherefore, the petitioner(s) 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 that hearing, an appropriate ordinance be enacted amending the PUD of the above described parcels of land located in the City of Mishawaka.

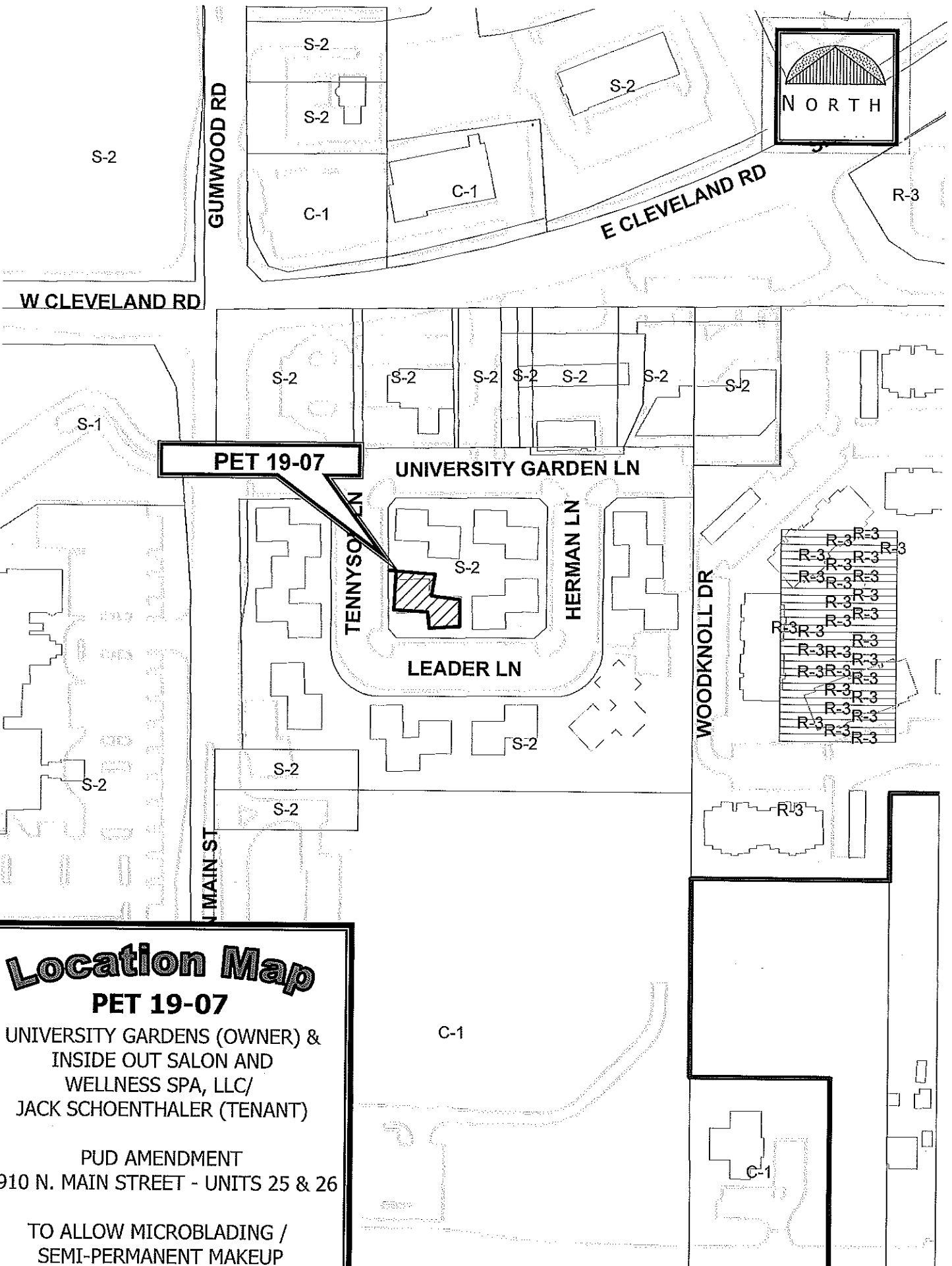
Respectfully,


Thomas J. Herrman, Owner

Contact:
Jennifer Herrman
574-274-2524
jherrman@hgservices.com

JACK SCHOENTHALER
Cell 574-250-3089
jschoenthaler7277@yahoo.com

Let 19-07



Location Map

PET 19-07

UNIVERSITY GARDENS (OWNER) &
INSIDE OUT SALON AND
WELLNESS SPA, LLC/
JACK SCHOENTHALER (TENANT)

PUD AMENDMENT
6910 N. MAIN STREET - UNITS 25 & 26

TO ALLOW MICROBLADING /
SEMI-PERMANENT MAKEUP

JUL 10 2019

1st Reading 7-15-19
2nd Reading
Passed
Failed
Continued To

PETITION 19-09
CITY OF MISHAWAKA, INDIANA
PROPOSED ORDINANCE NO. 2019-20
ORDINANCE NO. _____

CITY CLERK
MISHAWAKA, IN

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.

WHEREAS, the Plan Commission of the City of Mishawaka, Indiana, has
recommended the reclassification of the zoning as herein set forth of the real estate
hereinafter described.

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

Section 1. Chapter 137, of the Municipal Code of the City of Mishawaka,
commonly known as "The Zoning Ordinance of 1966", be, and the same is hereby
amended as follows:

The following described real estate in the City of Mishawaka, Penn Township,
St. Joseph County, State of Indiana, to-wit:

Lot 1, R E Perkins Addition, City of Mishawaka, Penn Township, St. Joseph County,
State of Indiana

COMMON ADDRESS: 426 West Sixth Street

which real estate is now classified as C-1 General Commercial District shall hereafter
be within and a part of that District known as R-1 Single Family Residential District
designated in "The Zoning Ordinance of 1966" as amended.

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

1. Many of the properties in the immediate vicinity are residential in use. Tax records and Sanborn maps support its historic use as a single-family dwelling;
2. The use and value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner because as a single-family home, there will be less impact to the neighborhood, and improvements will be made to make it look and feel like a single-family home;
3. Because the parcel is located in an area of residential properties, the rezoning to R-1 Single-Family Residential is a desirable use for this property;

Proposed Ordinance No: _____

Ordinance No: _____

4. As opposed to the range of potential commercial development that could occur with the current commercial zoning, rezoning this parcel to the R-1 Single Family Residential classification will have a favorable and stabilizing impact on the neighborhood, conserving property values in the immediate and surrounding residential neighborhood; and will allow the property owner to use it as any other single-family home; and,
5. The City's Comprehensive Plan identifies the area General Commercial, however, the historical use as single- family home is consistent with the Plan for that area.

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 _____, 2019, at _____ o'clock _____.M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

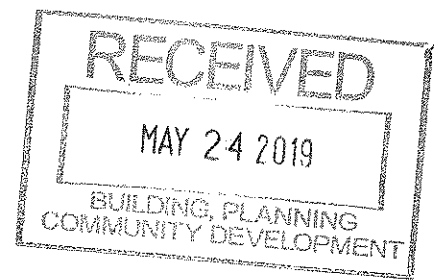
PRESENTED by me to the Mayor this _____ day of _____, 2019, at _____ o'clock _____.M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2019, at _____ o'clock _____.M.

David A. Wood, Mayor

DATE: May 24th, 2019



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

RE: PETITION TO REZONE

The undersigned, Rachel Stanfield, respectfully shows they are the owner of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

Legal Description:

Lot 1 R E Perkins Addition

Common Address:

426 West 6th Street

Mishawaka, Indiana 46544-1908

Tax ID Number: 016-1140-5493

Petitioner owns one hundred (100%) percent of the above described parcel of land which carries a zoning classification of C-1 District. Said property is currently vacant of any commercial business and is therefore not in commercial use.

Petitioner desires said real estate to be rezoned to R-1 District. Petitioner further states that they intend to utilize said land for residential purposes.

This property has been used primarily as a residential home despite carrying the C-1 zone. There have been no active businesses at this address in recent history despite requests for variances to open them.

Wherefore, the petitioner respectfully requests 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 rezoning the above described parcel of land located in the City of Mishawaka.


Rachel Stanfield

A rectangular stamp with a double border. The word "RECEIVED" is at the top in a large, bold, sans-serif font. Below it, the date "JUN 27 2019" is stamped in a smaller font. At the bottom, the name "DEBORAH S. BLOCK, MMC" is stamped in a small, sans-serif font.

JUN 27 2019

CITY CLERK
MISHAWAKA, IN

Ret 19-09

Conceptual Site Plan for Lot 1 R E Perkins Addition

426 West 6th Street, Mishawaka, Indiana 46544-1908

If the property is rezoned to R-1 from C-1, we would like to request a permit tear out a large portion of the asphalt and concrete located in the rear of the property to create a yard. In addition to this, we would put a privacy fence around the rear of the property, as well as adding a wrought iron, chain link, or picket fence around the front grass area of the property. There will be a portion of asphalt large enough to park two vehicles left on the south side of the property. The leftover portion of asphalt would be redone pending viability of remaining asphalt,

The outer brick portion of the currently commercial side would eventually be covered in vinyl siding to match the already residential portion of the building.

The Motorola sign hanging in front of the currently commercial side would be removed. The pole holding the sign would also be permitted to be removed at a later date.

The double glass doors acting as the exterior doors on the currently commercial side would be removed and replaced with sturdy wooden or metal plated residential exterior doors.

We will also hire a surveyor to survey the property in order to learn the property lines. There is a dilapidated fence in the rear of the property that has never been determined to be ours or that of our neighbors. If it is ours, we will remove the fence and replace it with a new one. If it is not ours, we will find a way to put a privacy fence along our rear property line.

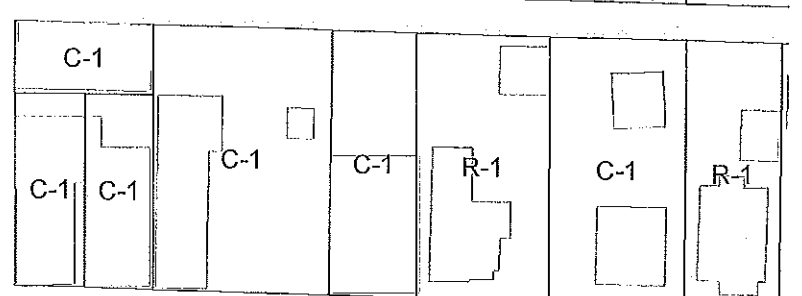
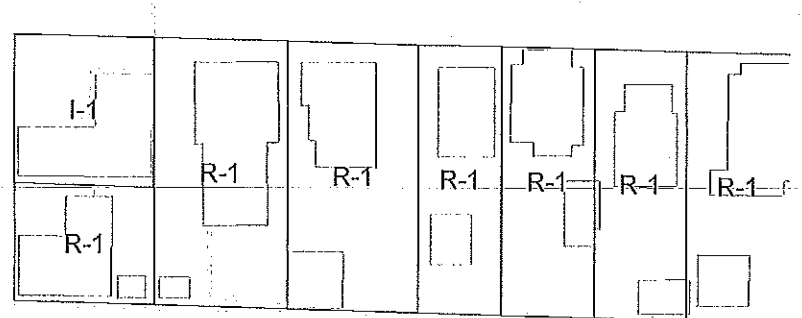
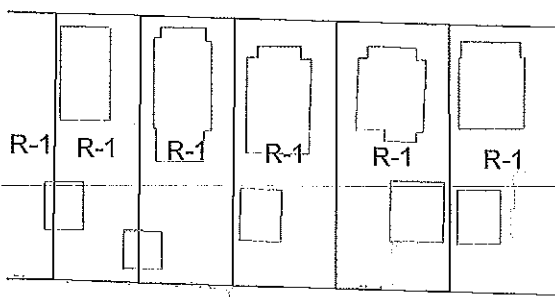
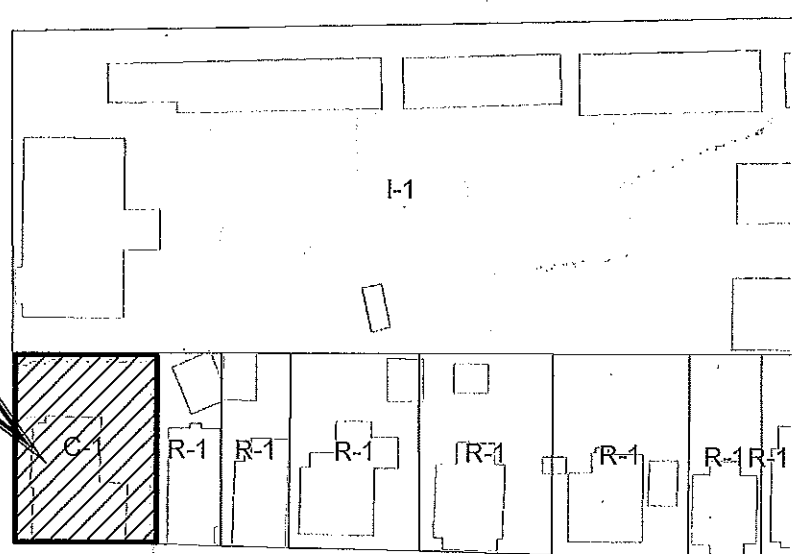
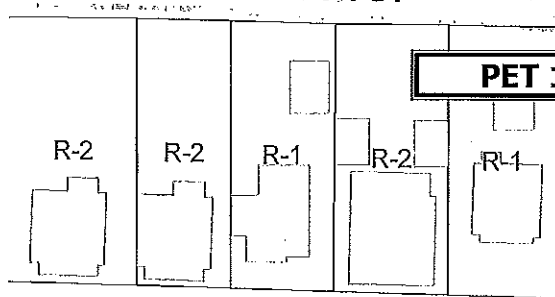
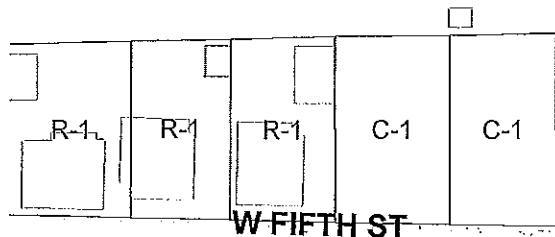
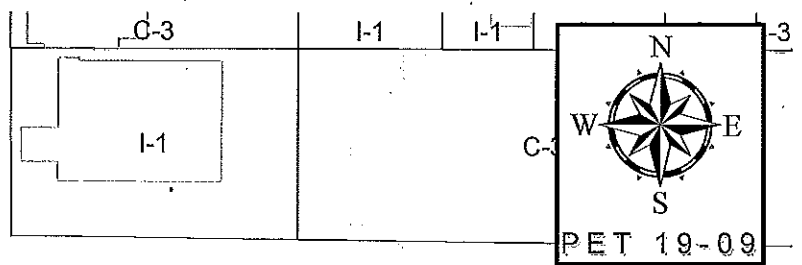
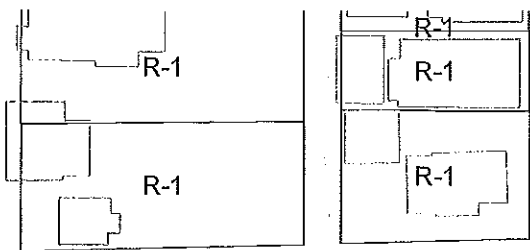
CONTACT PERSON:

NAME: Rachel Stanfield

ADDRESS: 426 W 6th St, Mishawaka, IN 46544

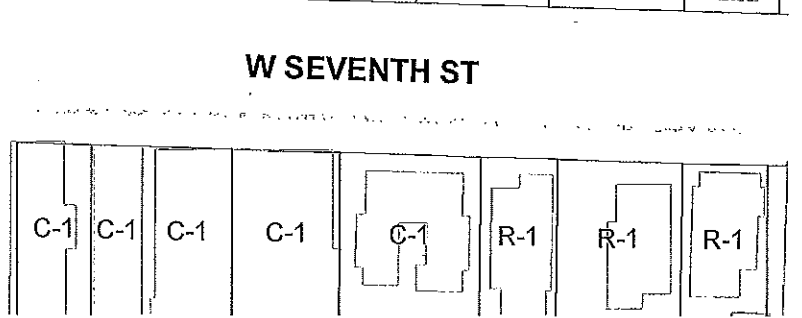
PHONE NUMBER: 574-703-5878

EMAIL: rachelstanfield5@yahoo.com



Location Map
PET 19-09
 426 W SIXTH
 OWNER: RACHEL STANFIELD
 REZONE FROM
 C-1 GENERAL COMMERCIAL
 TO R-1 SINGLE FAMILY
 RESIDENTIAL

S WEST ST



RESOLUTION NO. 2019-20

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
MISHAWAKA, INDIANA, APPROVING AN AMENDMENT OF THE DECLARATORY
RESOLUTION AND ECONOMIC DEVELOPMENT PLAN FOR THE
CONSOLIDATED AREA IMPROVEMENT PROJECT**

WHEREAS, the City of Mishawaka Redevelopment Commission (the "Redevelopment Commission") previously adopted a declaratory resolution (as subsequently confirmed and amended from time to time, the "Declaratory Resolution") pursuant to the provisions of Indiana Code 36-7-14 (the "Act") designating an area in the City of Mishawaka known as the Consolidated Area Improvement Project (the "Area") as an economic development area pursuant to the Act, designating the Area as an allocation area pursuant to Section 39 of the Act, and approving an economic development plan for Area (the "Plan"); and

WHEREAS, the Redevelopment Commission heretofore approved and adopted a Resolution (the "2019 Resolution") on July 8, 2019, amending the Declaratory Resolution and the Plan to add the acquisition pursuant to the Plan of the parcels described in Exhibit A to the 2019 Resolution, all as described in the 2019 Resolution; and

WHEREAS, the Redevelopment Commission submitted the 2019 Resolution to the City of Mishawaka Plan Commission (the "Plan Commission") for its approval pursuant to IC 36-7-14-16; and

WHEREAS, the Plan Commission heretofore issued its order on July 9, 2018, approving the 2019 Resolution;

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF MISHAWAKA, INDIANA, AS FOLLOWS:**

SECTION 1. The Common Council hereby approves the amendment to the Declaratory Resolution and the Plan as provided in the 2019 Resolution, and hereby approves the order of the Plan Commission approving the 2019 Resolution.

SECTION 2. This Resolution shall be in full force and effect upon adoption and compliance with Indiana Code 36-4-6.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana, on
this _____ day of July, 2019, at _____ o'clock, P.M.

Dale (Woody) Emmons, President

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

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DEBORAH S. BLOCK, MMC

JUL 10 2019

**CITY CLERK
MISHAWAKA, IN**

PRESENTED by me to the Mayor for his approval and signature this _____ day of July, 2019.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED and SIGNED by me this _____ day of July, 2019.

David A. Wood, Mayor

EXHIBIT A

Property Address: 100 Lincolnway West, Mishawaka, Indiana

Property Description:

Parcel I:

Lots Numbered Nine (9) through Twelve (12), inclusive, and lots Numbered Thirty (30), Thirty-two (32), Thirty-four (34), and Thirty-six (36), together with the vacated East and West alley lying South and adjoining Lots Eleven (11) and Twelve (12), as shown on the additional plat of the Town of St. Joseph Iron Works, also known as Liberty Square Addition, now City of Mishawaka being all of the block in the City of Mishawaka bounded on the North by First Street, on the East by Mill Street, on the South by Lincoln Way, and on the West by Spring Street, together with the 16.5 feet North and South vacated alley running through the center of said block.

Parcel II:

Lots Numbered Nine (9) through Twelve (12), inclusive, and Lots Numbered Twenty-two (22), Twenty-four (24), Twenty-six (26), and Twenty-eight (28), together with the vacated East and West alley lying South and adjoining Lots Eleven (11) and Twelve (12) as shown on the additional plat of the Town of St. Joseph Iron Works, also known as Liberty Square Addition, now City of Mishawaka being all of the block in the City of Mishawaka bounded on the North by First Street, on the East by Main Street, on the South by Lincoln Way, and on the West by Mill Street, together with the 16.5 feet North and South alley running through the center of said block.

Parcel III:

The entire width of the vacated Mill Street from the South right-of-way line of First Street to the North right-of-way line of Lincolnway West.

JUL 10 2019

Good afternoon all,

CITY CLERK
MISHAWAKA, IN

Attached is a draft of the resolution as prepared by Barnes and Thornburg regarding the potential purchase of the Liberty Mutual Building. As requested, I have confirmed with Randy Rompola that the Council has an opportunity to take this resolution under consideration at your July 15th meeting and act on it at your regularly scheduled August 5th meeting. This date would still allow us to meet the deadline established by the seller for providing a response since there is only a minimum of 10 days required between the date of the Council action and the final action of the Redevelopment Commission. Based on the questions of the Council and the desire to have more public input, the Administration's desire is to hold a public hearing and to make another full presentation on Monday the 15th at the Council Meeting, then have the decision on the resolution tabled until August 5th. That will allow for additional public meetings and/or time to answer questions before August 5th as may be requested by the Council.

As previously identified, the Redevelopment Commission did approve combining their regularly scheduled July and August meetings into a special meeting on August 19th to consider the confirming resolution and a potential purchase agreement. The official purchase agreement has not been created, but we have given direction to Barnes and Thornburg to work with the seller to prepare a draft for mutual consideration. Once a final draft is available, we will distribute it immediately. We do not expect that a final draft of that agreement will be available until August and that it's purpose will fill be to fill in details on the transaction, but not change the substantive content of the signed LOU.

Furthermore, in being asked about the future role of the Council in the process. If funding is provided through a utility bond as suggested by the Administration, it would require the approval of the Common Council. This fact should allow us to talk conceptually about funding as part of this initial process and if approved, more detailed discussions can occur as part of a larger picture as has been requested. If the decision is made to move forward with the acquisition, the Clerk and Council

would also play an active part in the design process given the needs associated with their respective functions that would be included in the newly consolidated building.

We will be able to respond to some of the questions that have been raised on Monday. The power point will be a little longer. As such, we are happy to move this presentation to the end of the meeting as may be determined by the Council, so that other business can be concluded in a timely manner. Following that presentation we will make the power point available on the City's website for public viewing and reference. Since we know it will have additions, we didn't want to post the current one then change it. We have had a few requests to be sent the powerpoint, and you are welcome to share what has been sent. We just want the one posted on line to be the most up-to-date.

Again, we appreciate your continued help and consideration. Please let me know if you have any additional questions or if there is anything else we can provide.

Ken

Kenneth B. Prince, ASLA, AICP

Executive Director- City Planner

City of Mishawaka

Economic-Community Development-Planning

600 East Third Street

Mishawaka, IN 46544

Phone- (574) 258-1625

RESOLUTION NO. 2019-01

**RESOLUTION OF THE CITY OF MISHAWAKA PLAN COMMISSION APPROVING
AN AMENDMENT TO A DECLARATORY RESOLUTION APPROVED AND
ADOPTED BY THE CITY OF MISHAWAKA REDEVELOPMENT COMMISSION**

WHEREAS, the City of Mishawaka Plan Commission (the "Plan Commission") is the body charged with the duty of developing a general plan of development for the City of Mishawaka, Indiana (the "City"); and

WHEREAS, the City of Mishawaka Redevelopment Commission (the "Redevelopment Commission") previously adopted and amended a declaratory resolution (the "Declaratory Resolution") pursuant to the provisions of the Indiana Code 36-7-14 (the "Act") designating an area known as the Consolidated Area Improvement Project (the "Consolidated Area Improvement Project:") (the "Area") as an economic development area, pursuant to the Act, designating the Area as an allocation area pursuant to Section 39 of the Act, and approving an economic development plan for the Area (the "Plan"); and

WHEREAS, the Redevelopment Commission heretofore approved and adopted a resolution on July 8, 2019 (the "2019 Resolution") amending the Declaratory Resolution and the Plan to add the acquisition pursuant to the Plan of the parcels described in Exhibit A to the 2019 Resolution, as described in the 2019 Resolution; and

WHEREAS, the Redevelopment Commission has submitted the 2019 Resolution to the Plan Commission for its approval pursuant to IC 36-7-14-16;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MISHAWAKA PLAN COMMISSION, as follows:

1. The 2019 Resolution and the amendment to the Plan contained therein conform to the plan of development for the City.
2. This Plan Commission hereby approves the 2019 Resolution and the amendment to the Plan contained therein. This resolution hereby constitutes the written order of the Plan Commission approving the 2019 Resolution and the amendment to the Plan contained therein pursuant to IC 36-7-14-16.
3. The Secretary of this Plan Commission is hereby directed to file a copy of the 2019 Resolution with the minutes of this meeting.

SO RESOLVED BY THE CITY OF MISHAWAKA PLAN COMMISSION this 9th day of July, 2019.

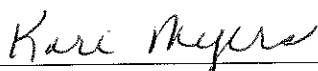
CITY OF MISHAWAKA
PLAN COMMISSION

President



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DEBORAH S. BLOCK, MMC

ATTEST:


Secretary
DMS 14721560v1

JUL 10 2019

CITY CLERK
MISHAWAKA, IN

EXHIBIT A

Property Address: 100 Lincolnway West, Mishawaka, Indiana

Property Description:

Parcel I:

Lots Numbered Nine (9) through Twelve (12), inclusive, and lots Numbered Thirty (30), Thirty-two (32), Thirty-four (34), and Thirty-six (36), together with the vacated East and West alley lying South and adjoining Lots Eleven (11) and Twelve (12), as shown on the additional plat of the Town of St. Joseph Iron Works, also known as Liberty Square Addition, now City of Mishawaka being all of the block in the City of Mishawaka bounded on the North by First Street, on the East by Mill Street, on the South by Lincoln Way, and on the West by Spring Street, together with the 16.5 feet North and South vacated alley running through the center of said block.

Parcel II:

Lots Numbered Nine (9) through Twelve (12), inclusive, and Lots Numbered Twenty-two (22), Twenty-four (24), Twenty-six (26), and Twenty-eight (28), together with the vacated East and West alley lying South and adjoining Lots Eleven (11) and Twelve (12) as shown on the additional plat of the Town of St. Joseph Iron Works, also known as Liberty Square Addition, now City of Mishawaka being all of the block in the City of Mishawaka bounded on the North by First Street, on the East by Main Street, on the South by Lincoln Way, and on the West by Mill Street, together with the 16.5 feet North and South alley running through the center of said block.

Parcel III:

The entire width of the vacated Mill Street from the South right-of-way line of First Street to the North right-of-way line of Lincolnway West.

RESOLUTION NO. 2019-04

**RESOLUTION OF THE CITY OF MISHAWAKA REDEVELOPMENT COMMISSION
APPROVING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND
ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED AREA
IMPROVEMENT PROJECT**

WHEREAS, the City of Mishawaka Redevelopment Commission (the "Commission"), the governing body of the City of Mishawaka, Indiana, Department of Redevelopment (the "Department") exists and operates under the provisions of Indiana Code 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission has heretofore adopted a declaratory resolution (as subsequently confirmed and amended from time to time, the "Declaratory Resolution") designating an area known as the Consolidated Area Improvement Project (the "Area") as an economic development area pursuant to the Act, designating the Area as an allocation area pursuant to Section 39 of the Act (the "Allocation Area"), and approving an economic development plan for Area (the "Original Plan"); and

WHEREAS, pursuant to Sections 15-17.5 of the Act, the Commission desires to amend the Declaratory Resolution and the Original Plan by adding the acquisition of the parcels described in Exhibit A attached hereto (the "Property") to the Original Plan (collectively, the "Amendment"); and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Area, the location of various parcels of property, streets, alleys, and other features affecting the replatting, replanning, rezoning, redevelopment or economic development of the Area and the parts of the Area that are to be devoted to public ways, sewerage and other public purposes under the Original Plan, as amended by the Amendment; and

WHEREAS, the Commission has caused to be prepared a list of the parcels of property located in the Area and the owners thereof; and

WHEREAS, the proposed Amendment and supporting data were reviewed and considered at this meeting;

NOW, THEREFORE, BE IT RESOLVED by the City of Mishawaka Redevelopment Commission, as follows:

1. The Commission hereby finds that it will be of public utility and benefit to adopt the Amendment, and that the public health and welfare will be benefited by the Amendment. The Commission further finds and determines that the Amendment is reasonable and appropriate when considered in relation to the Original Plan and the purposes of the Act, and that the Original Plan, as amended by the Amendment, conforms to the comprehensive plan for the City. The Commission hereby reconfirms the findings and determinations set forth in the Declaratory Resolution with respect to the Area.

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DEBORAH S. BLOCK MMC

JUL 11 2019

CITY CLERK
MISHAWAKA, IN

2. The Amendment is hereby approved in all respects. The Original Plan, as amended by the Amendment, is hereby confirmed in all respects.

3. Any member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this resolution, and any such action taken prior to the date hereof is hereby ratified and approved.

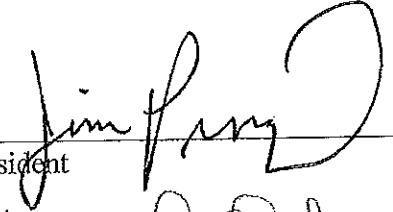
4. This Resolution, together with any supporting data, shall be submitted to the City of Mishawaka Plan Commission (the "Plan Commission") and the Common Council of the City of Mishawaka (the "Common Council") as provided in the Act, and if approved by the Plan Commission and the Common Council shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

5. The Commission authorizes the hiring of two (2) appraisers to appraise the value of the Property.

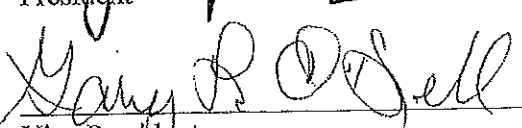
6. This resolution shall take effect immediately upon its adoption by the Commission.

Adopted this 8th day of July, 2019.

CITY OF MISHAWAKA
REDEVELOPMENT COMMISSION



President



Vice President



Secretary

Member



Member



School Board Non-Voting Member

EXHIBIT A

Property Address: 100 Lincolnway West, Mishawaka, Indiana

Property Description:

Parcel I:

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Parcel II:

Lots Numbered Nine (9) through Twelve (12), inclusive, and Lots Numbered Twenty-two (22), Twenty-four (24), Twenty-six (26), and Twenty-eight (28), together with the vacated East and West alley lying South and adjoining Lots Eleven (11) and Twelve (12) as shown on the additional plat of the Town of St. Joseph Iron Works, also known as Liberty Square Addition, now City of Mishawaka being all of the block in the City of Mishawaka bounded on the North by First Street, on the East by Main Street, on the South by Lincoln Way, and on the West by Mill Street, together with the 16.5 feet North and South alley running through the center of said block.

Parcel III:

The entire width of the vacated Mill Street from the South right-of-way line of First Street to the North right-of-way line of Lincolnway West.

1st Reading 7-1-19
2nd Reading
Passed
Failed
Continued To

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DEBORAH S. BLOCK, MMC

JUN 07 2019

PROPOSED ORDINANCE NO. 2019-18

ORDINANCE NO. _____

CITY CLERK
MISHAWAKA, IN

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA
AUTHORIZING THE INVESTMENT OF PUBLIC FUNDS
PURSUANT TO IC 5-13-9-5 AND 5-13-9-5.3

Whereas, the City of Mishawaka (the "City") desires pursuant to IC 5-13-9-5 to allow banks outside the political subdivision to submit quotes on public funds certificates of deposit for the purpose of investing its operating and utility funds;

Section 1. Now, therefore, pursuant to IC 5-13-9-5, the Common Council of the City of Mishawaka hereby authorizes the investing officer of the City to invest in certificates of deposit of depositories that have been designated by the state board of finance as a depository for state deposits under IC 5-13-9.5. This authorization expires one (1) year after the adoption date.

Section 2. This ordinance shall be in full force and effect from and after its passage, signing and attestation.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana

On this _____ day of _____, 2019 at _____ o'clock, _____. M.

Dale "Woody" Emmons, Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED BY ME to the Mayor of the City of Mishawaka, Indiana

on this _____ day of _____, 2019 at _____ o'clock, _____. M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED BY ME this _____ day of _____, 2019 at

_____ o'clock, _____. M.

David A. Wood, Mayor



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller
Kurtis Vardaman, Deputy Controller

Date: June 7, 2019

To: Honorable Members of the Common Council

From: Rebecca Miller

Re: Investment of Public Funds

For the July 1st meeting I am requesting first reading on our Investment of Public Funds ordinance. This ordinance used to expire after two years, but now has an annual renewal. This ordinance is necessary to allow me to invest in financial institutions outside of the Mishawaka city limits.

I work with Baker Tilly (formerly Umbaugh) who requests bids and recommends the most advantageous maturity dates.

Please contact me with any questions.

c: David A. Wood, Mayor

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DEBORAH S. BLOCK, MMC

JUN 07 2019

CITY CLERK
MISHAWAKA, IN