

AGENDA

Monday, October 7, 2019

**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**

September 16, 2019

5. Petitions, Communications, Remonstrance and Memorials

Appeal No. 2019-47 Use Variance to allow Tailoring and Alterations 623 E. 4th Street

Petition No. 2019-12 Rezone from I-1 Light Industrial to R-1 Single Family - 935 E. Fifth St.

Petition No. 2019-13 PUD Amendment to add a Helipad as a Permitted Use - 3220 Beacon Parkway Beacon Health Systems, Inc.

Petition No. 2019-14 Vacation of 20 Ft. Strip of Right-of-Way Beacon Health Systems, Inc. (Former Evergreen Road)

6. Report of Special Committee

7. Ordinances on First Reading

P.O. NO. 2019-26 Transfer Funds - Human Resources - \$7,000.00, Transfer Funds - Clerk's Office - \$5,000.00

P.O. NO. 2019-27 Appropriating Local Road and Bridge Funding - \$1,145,700.00

P.O. NO. 2019-28 Additional Funds Controller - \$56,000.00 Fire- \$215,000.00 total \$271,000.00

P.O. NO. 2019-29 Additional Funds Sidewalk and Curb Repair - \$16,161.00

8. Resolutions

R2019-24 Adding two (2) Parcels to the City's Acquisition List

9. Ordinances on Second Reading

P.O. NO. 2019-21 Elected Officials Salary Ordinance for 2020 (Assigned to Budget and Finance Committee)

P.O. NO. 2019-22 City Employees Salary Ordinance for 2020 (Assigned to Budget and Finance Committee)

P.O. NO. 2019-23 Civil City Budget and Tax Levy for 2020 **FINAL ADOPTION** (Assigned to Budget and Finance Committee)

P.O. NO. 2019-24 Amend PUD to Allow Microblading as a Permitted Use - 239 W. University(Assigned to land Use Planning Committee)

P.O. NO. 2019-25 Prevention of Contractor Tax Fraud (Assigned to Public Health and Safety 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
September 16, 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 September 16, 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. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.

Absent: Mr. Compton.

Others Present: Clerk Block, Chief Deputy Clerk Mary Ellen Hazen, Council Attorney Michael Trippel.

Minutes of the Regular Meeting of September 03, 2019 was approved as received from the Clerk’s Office.

Clerk Block read a letter from the Board of Zoning Appeals and the City Plan Commission regarding their recommendations from their September 10, 2019 meeting.

APPEAL #19-37 An appeal submitted by Paul. A and Kathy F. Kitkowski requesting a Use Variance for **3723 North Home Street** to allow outside storage.

The Board, with a vote of 5-0, recommended approval subject to the following conditions:

1. An Administrative Site Plan shall be submitted.
2. Gravel area shall be limited to a screened outside storage area behind the building, identified on the site plan.
3. No vehicles shall be parked/stored on an unpaved surface; and
4. No known hazardous materials shall be stored on site.

APPEAL #19-38 An appeal submitted by EIG Edison Park Center, LLC, requesting a Use Variance for **605 West Edison Road, Unit L**, to permit permanent make-up services (microshading).

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

PETITION #19-10 A petition submitted by DF Properties LLP requesting to amend the Park Plus Planned Unit Development, **239 West University Drive, Granger**, to allow microblading as a permitted use.

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

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

PROPOSED ORDINANCE NO. 2019-24

**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.**

(Amd PUD to allow microblading as permitted use at 239 W. University)
(Assigned to the Land Use Planning Committee)

Clerk Block requested to amend the agenda to add **PROPOSED ORDINANCE NO. 2019-25** for first reading.

Mr. Tanner made a motion to add **PROPOSED ORDINANCE NO. 2019-25** for first reading same upon a second by Mr. Banicki motion carried.

PROPOSED ORDINANCE NO. 2019-25

**AN ORDINANCE AMENDING THE MUNICIPAL CODE
OF THE CITY OF MISHAWAKA, INDIANA
CONCERNING THE PREVENTION OF CONTRACTOR TAX FRAUD
(Assigned to the Public Health and Safety Committee)**

Clerk Block read the following resolutions by title and were opened for public hearing.

RESOLUTION NO. 2019-22

**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:**

3723 North Home Street, Mishawaka, Indiana
(UV- Outside storage Development Variance permit unpaved area)

John Piraccini, Coldwell Bank Commercial Office represented Paul and Kathy Kitkowski and his client Chris Lauf. He explained his client was a business owner trying to move into the city. Mr. Piraccini continued to say the BZA gave a recommend approval and they agreed to all the terms and conditions. He mentioned the Fire Department questioned space for emergency vehicles and the Engineering Department requested tucks to be driven on hard surface. Mr. Piraccini said there should not be a problem for emergency vehicles. He said he has been working with City Engineer Chris Jamrose for two years looking for a location in Mishawaka. Mr. Piraccini continued to say a lot of the search was getting the variance for storing fencing and other materials outside. He provided the council with photos of the proposed property to show the site and where they were requesting the variance and additional paving. Mr. Piraccini also mentioned they would also widen the parking lot. Mr. Piraccini pointed out the distance from the surrounding residential area on Day Road.

Mrs. Voelker questioned the property fencing. Mr. Piraccini said they would fence the area they would clear to store materials as required by the city. He said if his client's business expands, he would expand the fencing.

Mr. Banicki asked was Chris Lauft the same gentlemen who came before them for a property on Fir Road. Mr. Piraccini replied yes. He explained they could not get the variance on the hard surface and requirements for the property were pricey. He said this proposed property was a better fit and it was in an industrial park.

Mr. Mammolenti commended Mr. Piraccini on the presentation with the aerial views.

Chris Lauft 142099 Old Pine Lane explained they were buying the building under CL Management leasing due to Milestone Fencing, a local company they would like to stay in close distance to. He continued to say the company was growing and the outside storage was a big need for materials. Mr. Lauft mentioned he would also have an access control company ran out of the building for interior storage. He said the company was a local union company, they also traveled in 100-mile radius. Mr. Lauft said he was currently leasing an acre of land down the road from his current location to store materials.

Mrs. Voelker recalled the last time Mr. Lauft appeared, he mentioned they did a lot of highway work. Mr. Lauft replied yes, they have done underpass work in the city and they were currently doing work in Niles and at Penn High School. He said they also did a lot of work at Subaru and Lafayette. Mrs. Voelker questioned the time frame for the new building if approved. Mr. Lauft believed they could close in the next couple of months, the current owner would have 45 days to vacate building. He continued to say at closing they would immediately begin clearing the land and start bidding for the asphalt. Mr. Lauft said he was hoping to open in the next three or four months.

Mr. Tanner questioned the hours of operation. Mr. Lauft said their office hours were typically 8:00A.M. to 5:00P.M., loading was around 6:00 or 7:00A.M. He continued to say they would never work late at night.

Mr. Bellovich questioned the number of employees. Mr. Lauft said currently he had 22 employees. He said they use local 645 labors unions and ironworkers at different locations. Mr. Lauft continued to say payroll fluctuated depending on the job, last year they employed 45.

Mr. Emmons questioned where hard surface would be on the property. Mr. Lauft said there would be hard surface for truck parking and loading, from that point, the ground would be rock base.

Mr. Mammolenti questioned the type of trucks used and how many. Mr. Lauft said they had a 1-ton flatbed truck, 3 or 4 trailers and some skid steers. He said equipment would be stored in the building and the trucks and trailers would be parked behind the fenced area. Mr. Lauft said they had 8 trucks, some of the employees took their trucks home.

Question was called for at 7:22 P.M. for **RESOLUTION 2019-22**  **Vote: Motion carried by unanimous roll call vote (summary: Yes = 8).Yes: Mrs. Voelker, Mr. Tanner, Mr.**

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

RESOLUTION NO. 2019-23

**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:**

605 West Edison Road, Unit L, Mishawaka, Indiana
(UV permit permanent makeup services- Microshading & Cosmetology services)

LaSheen Taylor 797 Pulling Street South Bend said she would like to be able to perform semi-permanent makeup which was enhancement of the eyebrows.

Mrs. Voelker asked the difference between microblading and microshading. Ms. Taylor said there was a slight difference in the two but both services inserted semi-permanent pigment. She continued to say microblading was done manually with a razor that slits the skin to put the pigment into the skin and microshading was done with a small needle machine inserting the pigment into the skin. Ms. Taylor said microblading had more of a healing process.

Mr. Mammolenti questioned the number of artists. Ms. Taylor said she would be the only artist performing microshading and she planned on having two hairstylists.

Mr. Tanner said the service was comparable to tattooing but a different process on the top layer of skin, which required the same health code requirements. He asked was Ms. Taylor was prepared to pursue the requirements if approved. Mr. Taylor replied correct, she has obtained her blood born pathogen certificate. She said she needed to get with her physician to make sure she did not have any permittable diseases and she was aware she had to file tattoo licensing and health code.

Ms. Petko Reisdorf asked was the prevalence of infections decreased verses microblading. Ms. Taylor replied no, the only difference was the manually inserting opposed to a machine.

Mr. Emmons asked was there blood involved in either procedure and how long did the pigment last on the skin. Ms. Taylor said she could not speak on microblading, but in her experience with microshading she has not experienced any blood, but they had to take precaution in case anything would happen. She went on to explain in two to three years the pigment would completely fade away permanently. Mr. Taylor said if the client liked the microshading, they recommended a yearly touchup on the pigment to keep the color and eyebrow shape the client preferred. Mr. Emmons also questioned the cost for the procedure. Ms. Taylor replied around \$600.

Mr. Hixenbaugh made the comment there has been many salons coming before the council for this similar procedure, he would like to engage in a discussion with City Planner Ken Prince on the revision to the existing zoning ordinance that would make sense for this frequent popular request.

Question was called for at 7:33 P.M. for **RESOLUTION NO. 2019-23**  **Vote: Motion carried by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. Voelker, 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 were opened for public hearing.

PROPOSED ORDINANCE NO. 2019-21

**AN ORDINANCE FIXING THE SALARIES
OF CERTAIN ELECTED OFFICIALS OF THE CITY OF MISHAWAKA
FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020
(Elected Officials Salary Ord)
(Assigned to the Budget and Finance Committee)**

Mr. Hixenbaugh made a motion to postpone the public hearing for **PROPOSED ORDINANCE 2019-21** on October 07, 2019 same upon a second by Mr. Banicki motion carried.

PROPOSED ORDINANCE NO. 2019-22

**AN ORDINANCE THE FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY
OF MISHAWAKA EXCEPT, MISHAWAKA PARK DEPARTMENT, ELECTED OFFICIALS AND
THE MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA,
FOR THE YEAR BEGINNING JANUARY 1, 2020.
(City Employee Salary Ord)
(Assigned to the Budget and Finance Committee)**

Mr. Hixenbaugh made a motion to postpone the public hearing for **PROPOSED ORDINANCE 2019-22** on October 07, 2019 same upon a second by Mr. Banicki motion carried.

PROPOSED ORDINANCE NO. 2019-23

**Civil City Budget 2020
(Assigned to Budget and Finance Committee)
State Required Public Hearing- NO VOTE
(City Controller requesting Amendment)**

Clerk Block read a letter from City Controller Rebecca Miller requesting an amendment to the budget.

Mr. Banicki made a motion to amend **PROPOSED ORDINANCE 2019-23** same upon a second by Mr. Tanner motion carried.

Rebecca Miler, City Controller discussed the amendment. She said the adopted budget for 2020 was very similar to the 2019 budget; it was just over 55 million. Ms. Miller explained when they

advertised, they wanted to make sure they collected the total levy and property taxes, so they adopted a higher tax levy. She continued to explain after the first one was submitted, she reviewed the tax levy, she determined based on the moving of operating funds the levy slightly went down. Ms. Miller said the advertised tax rate was going to be 3.36, the actual tax rate would be closer to 2.09 for 2020, which was close to the 2019 tax rate of 2.07. She continued to say they were close to the same budget as 2019 at 55.7 million verse 55.1 million for 2020. Ms. Miller stated at the budget meetings they would go into more details with the departments and council.

Mr. Tanner thanked Ms. Miller for her effort and receiving the amendment in a timely fashion.

Public hearing was closed. Vote would be taken at the next regular meeting on October 07, 2019.

NEW BUSINESS

Ms. Petko-Reisdorf announced the Twin Branch Neighborhood meeting would be held on September 18, 2019 at 7:00pm. Speaker to be announced.

Mr. Emmons announced the St. Bavo's Neighborhood meeting would be on September 19, 2019 at 7:00pm. The Speaker would be Lt. Eric Beckham and the Department's drug enforcement dog.

ADJOURNMENT 7:34 P.M.

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

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

Use Variance Explanation

1. The owner of record is James and Julie Schmidt. The legal description used in 1977 was The northwest 22' by 22' of Lot numbered 1 Eberhart and Ward Subdivision, commonly knowns at 623 East Fourth Street, Mishawaka, Indiana.
2. The property is currently zoned R-1 Single Family District.
3. The building is set up to be a 2 chair beauty shop.
4. Appellant desires to add "tailoring and alterations" as a permitted use.
5. The zoning ordinance does not permit commercial uses per Section 137-165. Ordinance 2094 allowed the 2 chair beauty shop in 1977.
6. I have been a land contract owner of this property for nearly 2 years. We have been marketing the property as a salon for tenants for well over a year with no luck. We have attempted every channel to rent this property to a tenant for use as a salon with no luck. The vacancy is causing a negative cash flow and income loss every single month. We are requesting this variance because we have a tailor highly interested in the property who has provided an application. This would allow us to fill the vacancy and give an opportunity to a new small business. Filling the unit will raise the value of this property as well as the neighborhood by removing the vacancy.
7.
 1. Approval will not be injurious to the public health, safety, morals, or general welfare of the community. The tailor will be operating under normal business hours and providing a service that will not harm anyone.
 2. The use and value of areas adjacent to the property would only increase in value as this will fill the vacancy and remove any chances of vandalism etc to vacant buildings
 3. The need for this variance arises because the property does not have a full kitchen and therefore can not be a residential unit from my understanding. Restricting use to a salon only has not allowed us to fill the property with a tenant. The space has a bathroom and open area.
 4. The hardship that is being caused by the current use is lack of income to cover the costs of maintaining the property.
 5. No the approval will increase the values in the area as well as fill a vacant property and provide a small business owner a new opportunity.

RECEIVED
DEBORAH S. BLOCK, MMC

OCT 01 2019

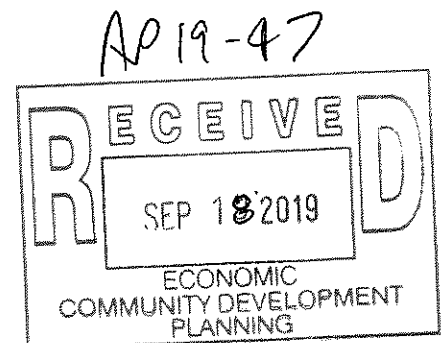
CITY CLERK
MISHAWAKA, IN

Matthew 09-18-19

574-370-7447

4000 E Bristol St Suite #3
Eberhart, IN 46514

matth@matfbuysindianahouses.com



Letter of Permission for Representation

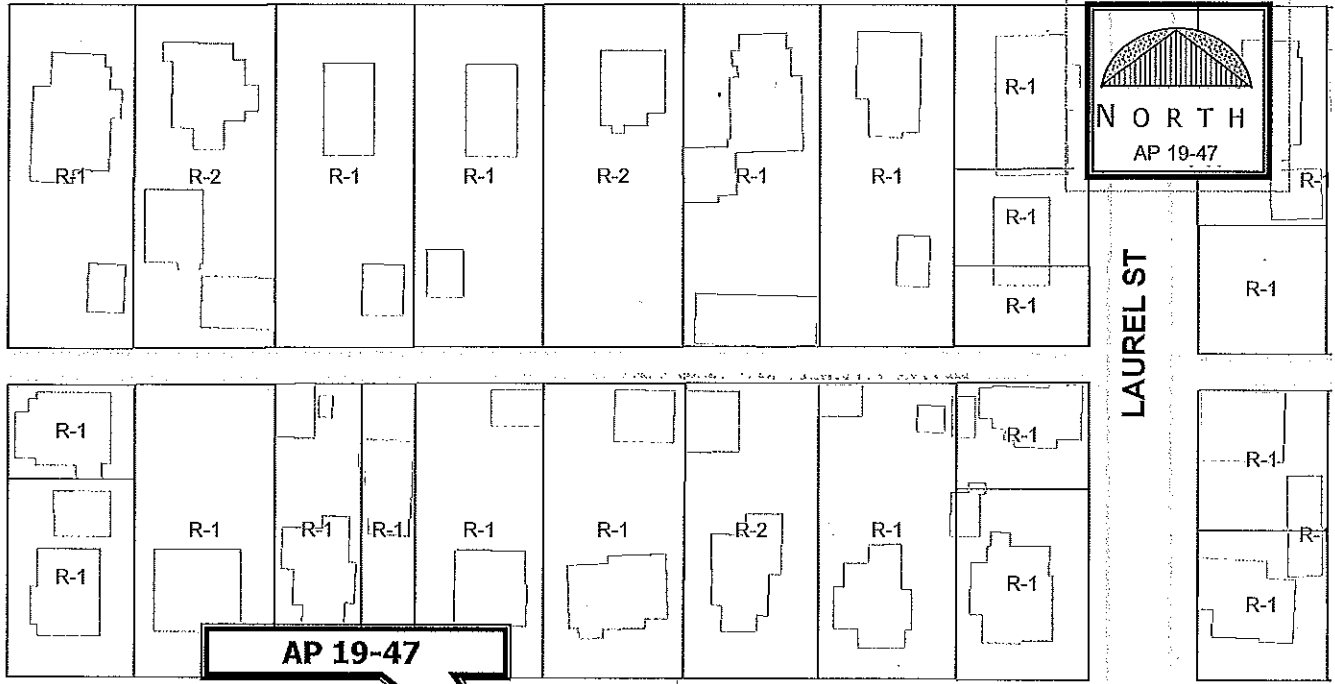
I Jim Schmidt own the property at 623 e 4th st in Mishawaka. I give permission to Matt Vukovich the land contract holder with equity investment in this property to represent me at both city council meetings and in this matter regarding the variance use of the property.

Signature 

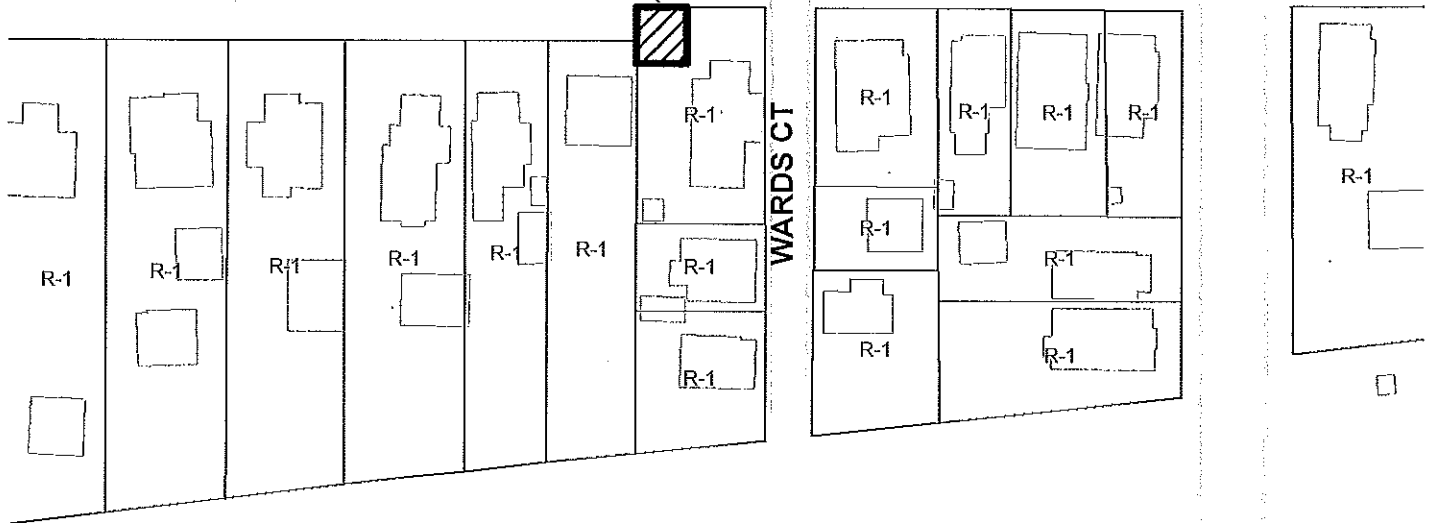
Date 9/18/19

E THIRD ST

S CEDAR ST



E FOURTH ST

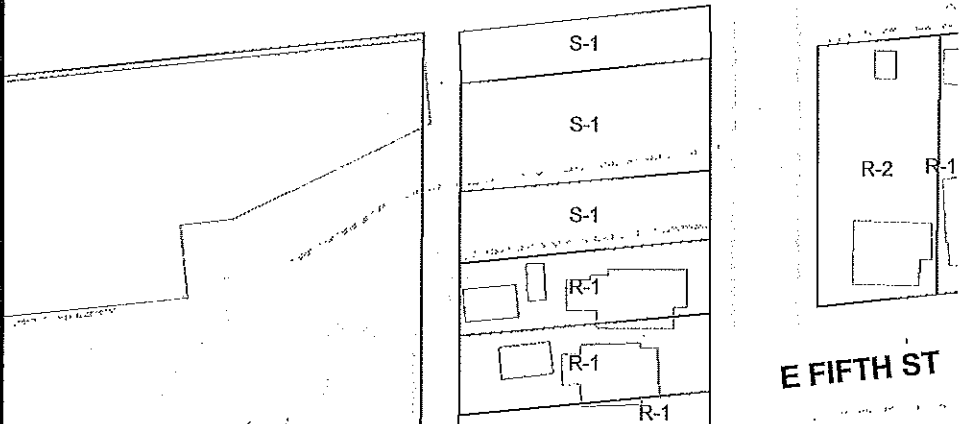


Location Map APPEAL 19-47

JAMES E. & JULIE C. SCHMIDT
(OWNERS) & MICHIANA RENTAL
PROPERTIES / MATT VUKOVICH

623 E. 4TH ST. - PT. OF LOT 1 IN
EBERHART & WARDS SUB OF LOT
C IN STRONGS 1ST ADD.

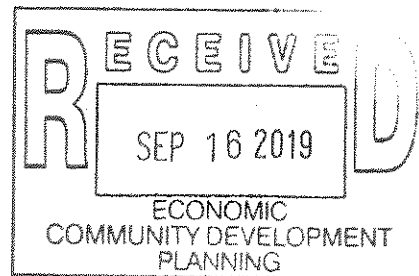
USE VARIANCE TO ALLOW
TAILORING AND ALTERATIONS



E FIFTH ST

Sept.14.2019

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



RECEIVED
DEBORAH S. BLOCK, MMC

RE: PETITION TO REZONE

OCT 01 2019

The undersigned Szabolcs Szemethy respectfully
show his are the owner of the following described real estate located in the
City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

CITY CLERK
MISHAWAKA, IN

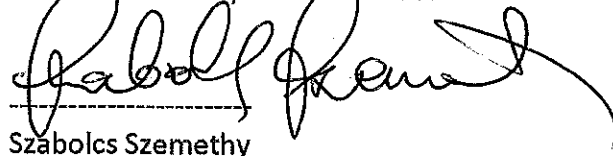
Lot 72 Ward\$ 2nd Additions
935 e5th street Mishawaka, Indiana 46544
Tax ID: 016-1119-4727
Parcel Number: 71-09-15-401-005,000-023

Petitioner own one hundred (100%) percent of the above described parcel
Of land witch carries a zoning classification of I-1 Light Industrial District.
Said property is my home.

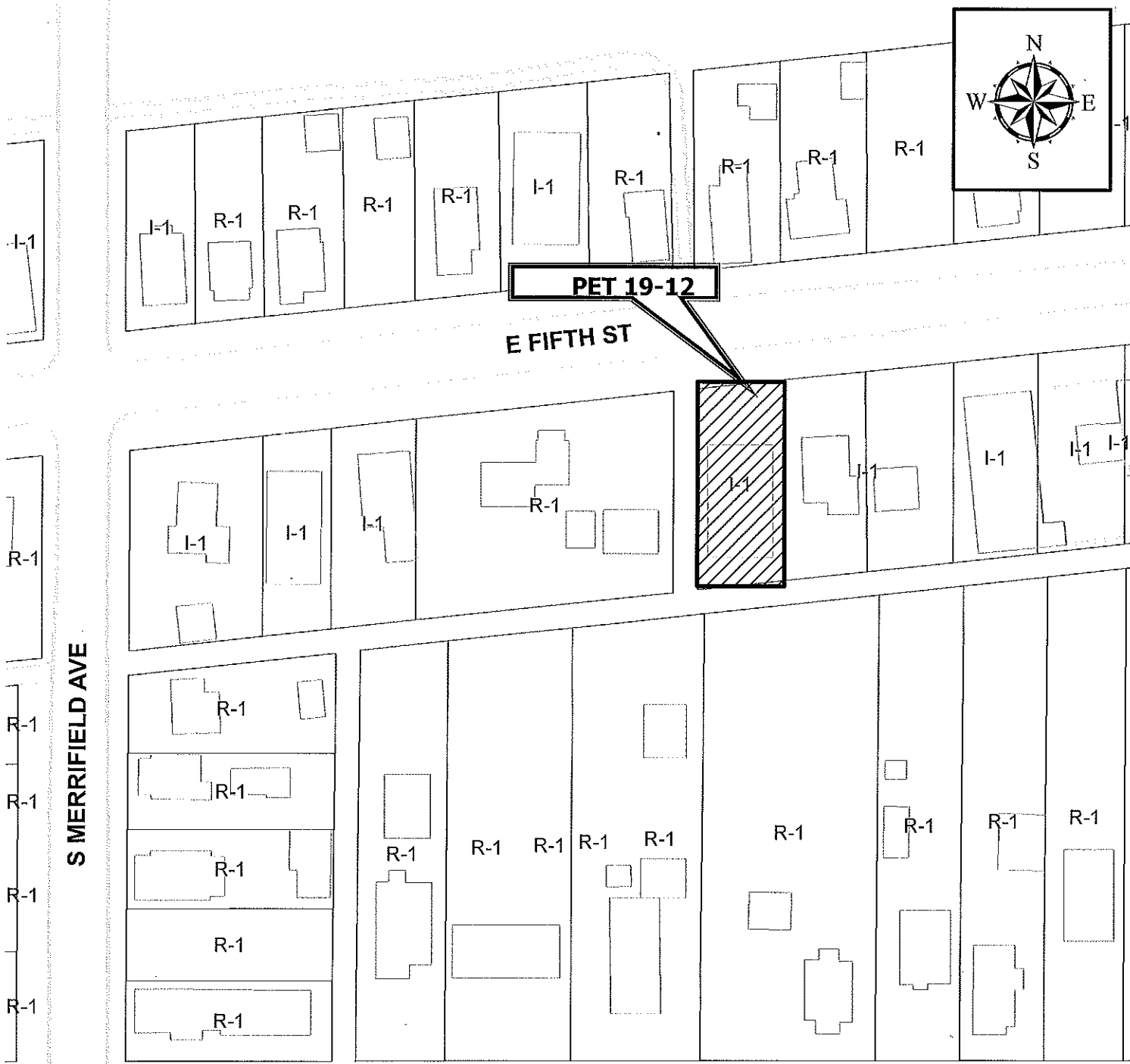
Petitioner desire said real estate to be rezoned to R-1 Single Family District.
Petitioner further state that his intend to utilize said land for:

Early 1992 Rent the Building for small business (repairing small surgical
instruments). my wife filed divorce. Lost my home. Got sick, unable to work, later disabled.
Had no choice but stay in the building. Since 1992 the building my home.

Wherefore, the petitioner pray and respectfully request 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.


Szabolcs Szemethy

**CONTACT PERSON: Szabolcs Szemethy 935 e5th street Mishawaka,
IN 46544. Ph: 574 329-6771**



Location Map

PET 19-12

935 E FIFTH ST
OWNER: SZABOLIC SZEMETHY

REZONE FROM
I-1 LIGHT INDUSTRIAL
TO R-1 SINGLE FAMILY
RESIDENTIAL

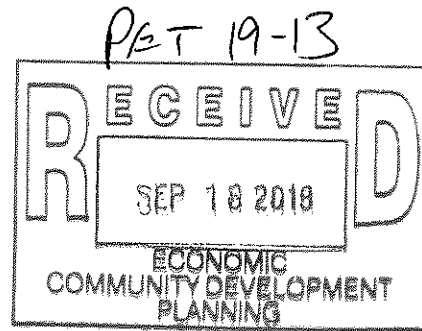
E SIXTH ST

I-2

September 18, 2019

Honorable Members of the Common Council
City of Mishawaka, Indiana
600 E. Third Street
Mishawaka, IN 46544

RE: Beacon Health Systems, Inc.
Petition for an Amended PUD:



Honorable Members of the Common Council,

The undersigned, Beacon Health Systems, Inc., the Petitioners, respectfully shows that they are the owners of the following described real estate located in the City of Mishawaka, Harris Township, St. Joseph County, Indiana:

LEGAL DESCRIPTION: Lot #2 of Beacon Health Subdivision as recorded in the office of the St. Joseph County Recorder on 8/17/2018, instrument #1820960

Also commonly known as the Northwest corner of Capital Avenue and Beacon Parkway, 3220 Beacon Parkway, Granger, Indiana 46530.

The above described parcel of land is presently zoned "S-2" Planned Unit Development District under the City of Mishawaka zoning development codes.

The Petitioners desire to amend the existing standards for the previously approved "S-2" Planned Unit Development District, known by Mishawaka Petition #18-18, Proposed Ordinance No. 2015-15, and Ordinance No. 5620 as amended. The requested amended standards would be for the above described real estate portion of the previously approved "S-2" Planned Unit Development District. More specifically the Petitioners are requesting amended standards for adding a Medical Heliport that is an on-grade dedicated helicopter take-off and landing helicopter pad for hospital support needs.

With regards for helipad use, the previously approved Ordinance did not include or anticipate a Medical Heliport need. Beacon Health wishes to have a heliport to provide ability to transfer patients to specialty hospitals that are outside of our region. Anticipated transfers may be limited to several per month typically. Although this acute care emergency hospital is NOT a trauma center, under certain circumstances, such as a local emergency, the hospital may at times receive incoming trauma patients from Medical Evacuation Helicopters as needs may dictate or arise.

All portions of the TLOF (Touchdown and Liftoff) concrete pad area is fully within building setbacks and FATO (Final Approach and Takeoff) and Safety Area open lawn areas, as defined by the FAA, are fully within Beacon property limits.

RECEIVED
DEBORAH S. BLOCK, MMC

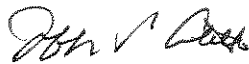
OCT 01 2019

CITY CLERK
MISHAWAKA, IN

These requested amended changes to the PUD Development standards are shown on the attached preliminary site plan sheet C100, revision 12, dated August 19, 2019.

All other previously approved PUD standards for Mishawaka Petition #18-18, Proposed Ordinance No. 2015-15, and Ordinance No. 5620 as amended, shall be adhered to for the development of the above described property.

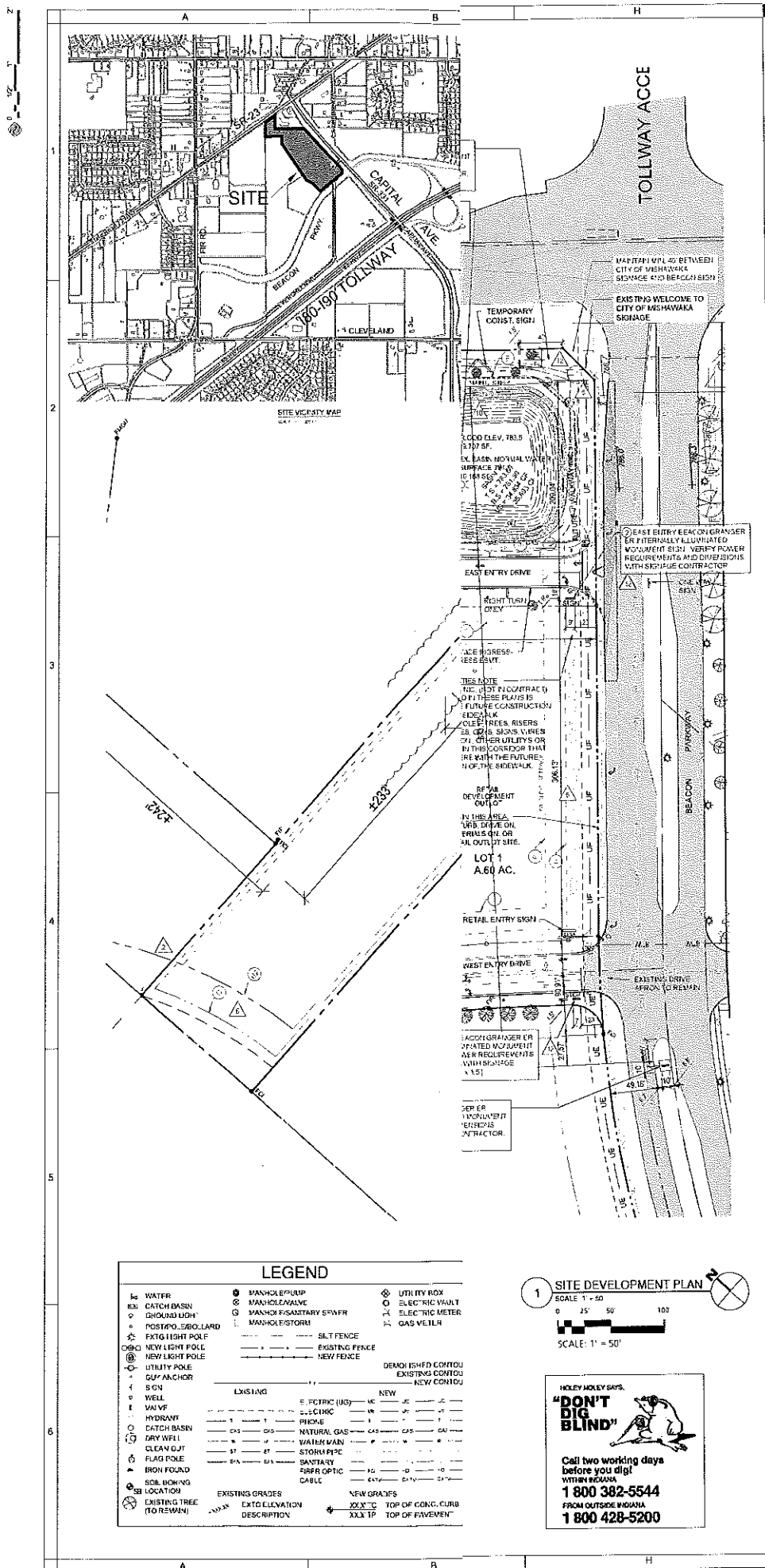
Wherefore, the Petitioners prays and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted the rezoning the above described parcel of real estate located in the City of Mishawaka, Indiana.



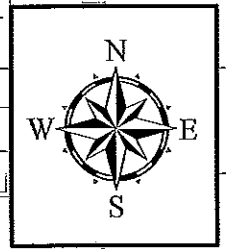
Jeffrey P. Costello
Vice President & Chief Financial Officer
Beacon Health System, Inc.
615 N. Michigan Street
South Bend, IN 46601
574-647-3699

Contact person:
Philip E. Panzica, RA, NCARB
President / Principal Architect
Panzica Architecture Group
416 East Monroe Street, Suite 320
South Bend, Indiana 46601
(574) 234-1123
e-mail: pepanzica@panzica.net

End



C100



SR 23

PET 19-13

CAPITAL AVE

S-2

BEACON PKWY

S-2

Location Map

PET 19-13

3220 BEACON PARKWAY
OWNER:
BEACON HEALTH SYSTEMS, INC

PUD AMENDMENT
TO ADD A HELIPAD
AS A PERMITTED USE

September 18, 2019

RECEIVED
DEBORAH S. BLOCK, MMC

To the Honorable Members of the
Common Council
City of Mishawaka, Indiana

OCT 01 2019

CITY CLERK
MISHAWAKA, IN

-and-

Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: Petition for Vacation of Public Right-of-Way

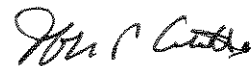
The undersigned, Beacon Health System, adjacent property owner respectfully request the Mishawaka Common Council and the Mishawaka City Plan Commission vacate the following described public right-of-way located in the City of Mishawaka, St. Joseph County, Indiana:

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 WEST LINE OF THE NORTHEAST
QUARTER OF SAID SECTION 23, 2,072.20 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 00°33'26" WEST ALONG SAID WEST LINE, 154.93 FEET;
THENCE SOUTH 42°35'06" EAST, 29.87 FEET; THENCE SOUTH 00°33'26"
EAST PARALLEL WITH SAID WEST LINE, 132.91 FEET; THENCE SOUTH
89°55'22" WEST, 20.00 FEET TO THE POINT OF BEGINNING, SAID PARCEL
CONTAINING 0.066 ACRE, MORE OR LESS, AND SUBJECT TO EASEMENTS,
COVENANTS, AND RIGHT-OF- WAY OF RECORD.

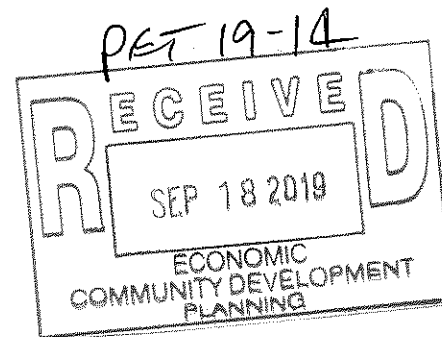
Petitioners further state they are the owners of the property immediately adjacent to the above-described right-of-way.

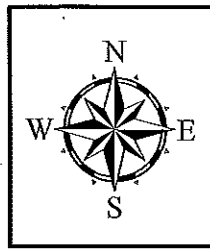
Wherefore, the Petitioner prays and respectfully requests that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted to vacate the above described right-of-way located in the City of Mishawaka.



Jeffrey P. Costello, CPA / CFO
Beacon Health System
3220 Beacon Parkway

CONTACT PERSON:
Philip E. Panzica, RA
Panzica Architecture Group
416 E. Monroe St. South Bend, IN 46601
Email: pepanzica@panzica.net
Phone: 574-234-0124





CAPITAL AVE

PET 19-14

S-2

S-2

BEACON PKWY

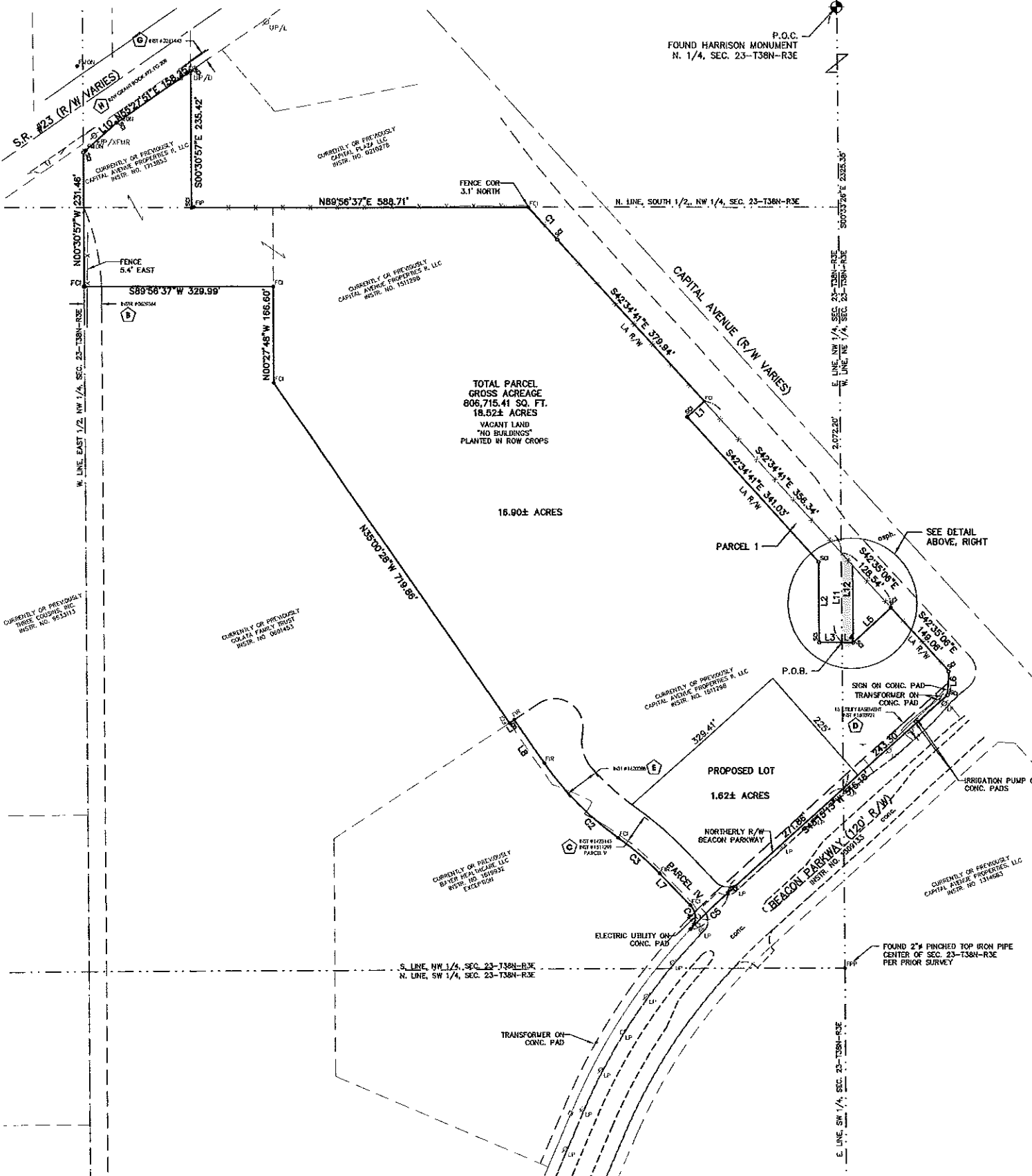
Location Map

PET 19-14

PETITIONER:
BEACON HEALTH SYSTEMS, INC

VACATION OF 20 FOOT STRIP
OF RIGHT-OF-WAY
(FORMER EVERGREEN RD)

EXHIBIT DRAWING



DETAIL

- # LEGEND
- | | |
|---|---|
|  | FOUND SECTION CORNER AS NOTED |
|  | SET CAPPED IRON ROD
"ABDOMARGIE FIRM #0050" |
|  | FOUND CAPPED IRON ROD
"ABDOMARGIE FIRM #0050" (HILD) |
|  | FOUND IRON PIPE |
|  | ELECTRIC TRANSFORMER |
|  | ELECTRIC PEDESTAL |
|  | ELECTRIC VAULT |
|  | FIRE HYDRANT |
|  | LIGHT POLE |
|  | GAS MARKER |
|  | CURB CATCH BASIN |
|  | UTILITY MANHOLE |
|  | WATER MANHOLE |
|  | WATER VALVE |
|  | TELEPHONE PEDESTAL |
|  | WIRE FENCE |
|  | CONCRETE R/W MARKER |
|  | POWER POLE |
|  | RIGHT-OF-WAY |

LEGAL DESCRIPTIONS

LEGAL DESCRIPTION PARCEL

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°33'28" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 2,072.20 FEET TO THE POINT OF BEGINNING THENCE NORTH 89°58'48" WEST, 39.97 FEET; THENCE NORTH 00°33'28" WEST, 139.54 FEET; THENCE NORTH 42°34'41" WEST, 341.03 FEET; THENCE NORTH 47°29'19" EAST, 40.00 FEET; THENCE SOUTH 42°34'41" EAST, 358.34 TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 00°33'28" EAST ALONG SAID EAST LINE, 159.28 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 0.45 ACRES, MORE OR LESS, AND SUBJECT TO EASEMENTS, COVDANTS, AND RIGHT-OF-WAY OF RECORD.

LEGAL DESCRIPTION PARCEL

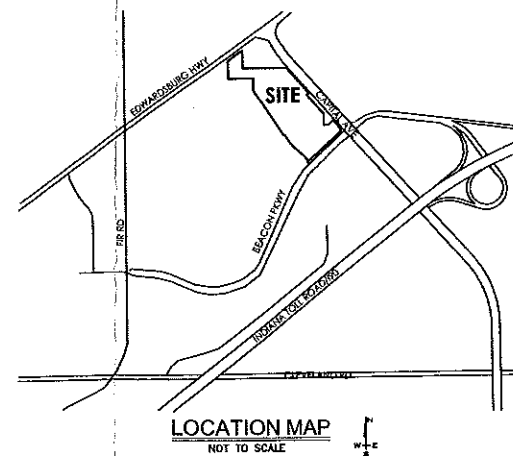
A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 38, NORTH, RANGE 3 EAST HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00°32'25" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, 2.000.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°03'22" EAST ALONG SAID WEST LINE, 151.93 FEET; THENCE SOUTH 42°35'06" EAST, 29.87 FEET; THENCE SOUTH 00°32'26" EAST PARALLEL WITH SAID WEST LINE, 132.91 FEET; THENCE SOUTH 89°53'00" WEST, 20.00 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINS 10.00 ACRES OF LAND, BEING MORE PARTICULARLY SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF-WAY OF RECORD.

LEGAL DESCRIPTION PARCEL:

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 WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, 2,072.20 FEET; THENCE NORTH 89°53'22" EAST, 200.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°37'26" EAST, 1,084.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 42°30'56" EAST, 58.67 FEET; THENCE SOUTH 47°22'33" WEST, 88.98 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 0.10 ACRE, MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF-WAY OF RECORD.



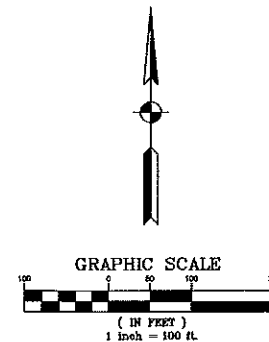
CURVE DATA					
CURVE	ARC LTH.	RADIUS	CHD. LTH.	CHD. BRG.	DELTA
C1	75.24'	539.86'	75.24'	S42°12'16"E	02°08'42"
C2	183.99'	2000.00'	183.07'	S44°57'11"E	19°53'27"
C3	95.28'	495.00'	95.13'	N49°23'04"W	11°01'42"
C4	45.66'	30.00'	41.38'	N00°15'57"W	87°12'32"
C5	90.93'	1060.00'	90.91'	S45°47'47"W	04°54'55"

LINE DATA		
LINE	BEARING	DISTANCE
L1	S47°25'19"W	40.00'
L2	S00°33'26"E	139.54'
L3	N89°55'48"E	39.97'
L4	N89°55'22"E	20.00'
L5	N47°22'53"E	88.98'
L6	S03°13'40"W	41.74'
L7	N43°52'13"W	76.83'
L8	N35°00'28"W	91.46'
L9	S56°55'30"W	10.01'
L10	N47°59'18"E	75.88'
L11	S00°33'26"E	155.28'
L12	S00°33'26"E	154.93'

LAND SURVEYOR'S CERTIFICATE

THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION.
I AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN
REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS
DOCUMENT, UNLESS REQUIRED BY LAW.

DATE: 11/23/10
MICHAEL J. ROZYCKI, PS
mrozycki@bonmarche.com
PROFESSIONAL LAND SURVEYOR #20400047
STATE OF INDIANA



1	REVISED PARCEL 2, ADDED PARCEL 3	DEF	11/29/18
NO.	REVISION DESCRIPTION:	BY:	DATE:

STILL LIVES

DRAWN BY: DEF
FIELDBOOK: RBS #8 PG 10
PM REVIEW: ALJR
QA/QC REVIEW: FC
DATE: 9-25-18 / 11-29-18



HARD COPY IS INTENDED TO
BE 24" X 36" WHEN PLOTTED.
SCALE(S) INDICATED AND
GRAPHIC QUALITY MAY NOT
BE ACCURATE FOR ANY
OTHER SIZES

SCALE:
HORIZ: 1" = 100'
VERT:
ACROSS

18-0839/1911
SHEET NO.

1 of 1

1 of 1



RECEIVED
DEBORAH S. BLOCK, MMC

OCT 03 2019

CITY CLERK
MISHAWAKA, IN

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

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

Date: October 3, 2019
To: Honorable Members of the Common Council
From: Rebecca Miller
Re: **Transfers: Clerk – Human Resources – MVHR/Community Crossings**

Additional Appropriations: Controller – Fire – Local Road & Bridge Matching Fund/Community Crossings – Sidewalk/Curb Funds

For first reading on October 7th, I have numerous items that have been enumerated below:

1. Transfer for the Clerk's Office: moving funds from professional services to the temporary employment line to cover part time employee's wages. This position was unknown at budget time.
2. Transfer for Human Resources: moving funds from temporary employment line to professional services. The office manager had an extended absence where it was necessary to hire additional staffing which came from an outside agency.
3. Transfer for Community Crossings: moving matching funds from Motor Vehicle Highway Restricted fund to Local Road & Bridge Matching fund is required for the Community Crossing Grant.
4. Additional Appropriation for the Controller's budget: the Humane Society's funding requirement for 2019 was \$56,000 more than was budgeted.
5. Additional Appropriation for the Fire Dept: numerous factors have increased overtime in 2019.
6. Additional Appropriation Local Road & Bridge Matching Grant fund: \$572,280 was received for the Community Crossing Grant. This amount plus our match that is transferred from MVHR must be appropriated to be spent.
7. Additional Appropriation Sidewalk/Curb fund: the citizen portion of the 50/50 sidewalk program must be appropriated to be spent.

Please contact me with any questions.

c: David A. Wood – Mayor
Deborah S. Block – City Clerk
Geoff Spiess – HR Director/Corporation Counsel
Chris Jamrose – Director of Engineering/City Engineer



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

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

Bryon Woodward – Fire Chief

OCT 03 2019

CITY CLERK
MISHAWAKA, IN

1st Reading 10-7-19
2nd Reading
Passed
Failed
Continued To

PROPOSED ORDINANCE NO. 2019-26

ORDINANCE NO. _____

AN ORDINANCE DECLARING AN EMERGENCY AND
TRANSFERRING AND REAPPROPRIATING FUNDS
WITHIN THE BUDGET ADOPTED FOR THE
CALENDAR YEAR ENDING DECEMBER 31, 2019

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA,
INDIANA, THAT:

Section 1. An emergency exists which requires the transfer and reappropriation of
funds within the Human Resources Department in the General Fund budget adopted for
the fiscal year ending December 31, 2019.

Section 2. There is hereby transferred and reappropriated the sum of \$12,000.00
as follows:

General Fund

From: Human Resources
Personal Services
101-04-411-03 Temporary \$ 7,000.00

Total \$ 7,000.00

To: Human Resources
Other Services and Charges
101-04-431-04 Professional Services \$ 7,000.00

Total \$ 7,000.00

From: Clerk
Other Services and Charges
101-03-431-04 Professional Services \$ 5,000.00

Total \$ 5,000.00

To: Clerk
Personal Services
101-03-411-03 Temporary \$ 5,000.00

Total \$ 5,000.00

Section 3. 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 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

OCT 03 2019

1st Reading 10-7-19

2nd Reading

Passed

Failed

Continued To

PROPOSED ORDINANCE NO. 2019-27

ORDINANCE NO. _____

CITY CLERK
MISHAWAKA, IN

AN ORDINANCE TRANSFERRING FUNDS FROM THE
MOTOR VEHICLE HIGHWAY RESTRICTED 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, 2019
AND AN ORDINANCE APPROPRIATING ADDITIONAL
FUNDS FOR THE YEAR ENDING DECEMBER 31, 2019

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

Section 1. There is hereby transferred from the Motor Vehicle Highway Restricted
(MVHR) Fund of the City of Mishawaka to the Local Road & Bridge Matching Grant Fund of
the City of Mishawaka the sum of \$572,850.00 as required for the Community Crossing
Grant.

Motor Vehicle Highway Restricted Fund (MVHR)

From:

Capital Outlays

203-50-442-01

Street Repair

\$572,850.00

Total

\$572,850.00

Local Bridge and Road Matching Grant Fund

To:

Other Services and Charges

244-50-436-03

Street Repair

\$572,850.00

Total

\$572,850.00

Section 2. Which requires the appropriation of additional funds for the fiscal year
ending December 31, 2019 in addition to that set out in detail in the published budget.

Section 3. There is hereby appropriated from the Local Bridge and Road
Matching Grant Fund of the City of Mishawaka the sum of \$1,145,700.00 for assignment
as follows:

Local Road & Bridge Matching Grant Fund

Other Services and Charges

244-50-436-03

Street Repair

\$1,145,700.00

Total

\$1,145,700.00

Section 4. 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

OCT 03 2019

CITY CLERK
MISHAWAKA, IN

1st Reading 10-7-19

2nd Reading

Passed

Failed

Continued To

PROPOSED ORDINANCE NO. 2019-28

ORDINANCE NO. _____

**AN ORDINANCE DECLARING AN EMERGENCY AND
DETERMINING THE EXPENDITURE OF ADDITIONAL
FUNDS FOR THE YEAR ENDING DECEMBER 31, 2019**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA
INDIANA, THAT:

Section 1. An emergency exists which requires the appropriation of additional funds for the fiscal year ending December 31, 2019 in addition to that set out in detail in the published budget.

Section 2. There is hereby appropriated from the General Fund of the City of Mishawaka the sum of \$271,000.00 for assignment as follows:

General Fund

Controller

Other Services and Charges

101-02-431-05	Humane Society	\$ 56,000.00
---------------	----------------	--------------

Fire

Personal Services

101-19-411-60	Overtime	\$ <u>215,000.00</u>
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Total		\$ 271,000.00
-------	--	---------------

Section 3. 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, President

.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, MMC, City Clerk

APPROVED BY ME this _____ day of _____, 2019 at
_____ o'clock, ____ .M.

David A. Wood, Mayor

OCT 03 2019

CITY CLERK
MISHAWAKA, IN

1st Reading 10-7-19

2nd Reading

Passed

Failed

Continued To

PROPOSED ORDINANCE NO. 2019-29

ORDINANCE NO. _____

AN ORDINANCE DECLARING AN EMERGENCY AND
DETERMINING THE EXPENDITURE OF ADDITIONAL
FUNDS FOR THE YEAR ENDING DECEMBER 31, 2019

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA
INDIANA, THAT:

Section 1. An emergency exists which requires the appropriation of additional
funds for the fiscal year ending December 31, 2019 in addition to that set out in detail in the
published budget.

Section 2. There is hereby appropriated from the Sidewalk and Curb Repair fund
of the City of Mishawaka the sum of \$16,161.00 for assignment as follows:

Sidewalk and Curb Repair

Capital Outlays

220-50-442-04	Street/Sewer/Sdwlk/Curb	\$ 16,161.00
---------------	-------------------------	--------------

Section 5. 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

SEP 27 2019

CITY CLERK
MISHAWAKA, IN

Good afternoon,

Attached is proposed resolution 2019-24 which if approved would add two parcels of land to the City's acquisition list.

As you recall when the City's consolidated TIF District was last amended in 2014, rather than bringing potentially hundreds of properties to the Council to create a comprehensive speculative acquisition list, a decision was made to bring the individual parcels to the Council on a case by case basis based on specific proposed projects. The last parcel to be added to this list was the Liberty Mutual Building.

At this time, the Administration would like to add 209 East Mishawaka Avenue and the vacant parcel just north of 112 Ironworks Avenue to the list.

As you may have read in the Redevelopment Commission packet in September, 209 East Mishawaka Avenue is being proposed as a strategic acquisition based on the current poor condition of the property and its physical location adjacent to Central Park. Although the Council's role is merely to determine if the property is appropriate to acquire rather than review the proposed purchase price, the negotiated purchase price for this parcel is \$200,000 which is \$7,500 less than the average of the two appraisals that were obtained as part of the acquisition process. The agreement also requires the owner to remove the excessive amount of material/stuff in the building before the City would actually close on the property. The closing has been tentatively set for early November. In this case, the successful private adaptive reuse of the building is unlikely because of the current condition of the property, the layout of the interior spaces and the lack of private parking available relative to the square footage. Although the City has no immediate plans for the property other than demolishing the building, the properties location is unique in that it has both redevelopment potential as well as park expansion potential.

The Administration is also requesting that the parcel immediately north of 112 Ironworks Avenue be added to the acquisition list. This property was originally part of the Uniroyal properties that was sold to Prime Development as part of their construction of the building located at 112 Ironworks Avenue. This property was intended to be Phase II of that

development. As is well known, when 112 Ironworks Avenue was constructed in 2008, it sat vacant for a number of years being a casualty of the great recession. Once the building reached full occupancy, it was then sold. The remaining undeveloped parcel has had limited development interest in the last 10 years with most of the interest coming from financial institutions looking for a small suburban branch with drive-thru facilities. The City has repeatedly identified that this type of suburban use is not appropriate and continues to encourage more of a mixed use, architecturally significant, pedestrian friendly project more consistent with the City's Master Plan.

The reason the City has reached out to the property owner to inquire about repurchase of the land at this time is because of planned road and walkway improvements being planned for both Front Street and Mill Street. Mill Street is intended to have a pedestrian corridor that would extend from 4th Street to the entrance of Beutter Park. This concept was presented as part of the Liberty Mutual public meeting process. In addition, Recent traffic projections have also identified a need for dual lefts in Front Street for left hand turns on to Main Street. Both of these projects require additional right-of-way that was not envisioned when the property was sold to the developer in 2007. Rather than just pursuing the right-of-way, the City has asked the owner IWM-2, LLC if they would be willing to sell the whole parcel back to the City. The Developer's representative has offered the parcel to the City for \$90,000 for the 0.55 acre parcel which is likely significantly lower than the current appraised value of the parcel. Recent appraisals of vacant land in this area have been coming in at about \$300,000 an acre. A buy sell agreement is currently being created but has not been executed for the parcel. If acquired, the remaining parcel after the right of way expansion would then be re-marketed by the City following the construction of the desired walk and roadway improvements. This parcel also has added benefit by providing a staging area for the pending road and walk improvements.

Although this resolution would not be placed on your agenda until October 7th, we wanted to provide this draft resolution to you early to provide time for any questions, or if the Council would like a separate meeting to review the proposed acquisitions.

As always, thank you for your consideration.

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

Email- kprince@mishawaka.in.gov

Website- www.mishawaka.in.gov

SEP 27 2019

RESOLUTION NO. 2019-24
Miscellaneous Property AcquisitionsCITY CLERK
MISHAWAKA, IN

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
MISHAWAKA, INDIANA, ADDING PARCELS TO THE CITY'S
PROPERTY ACQUISITION LIST ASSOCIATED WITH A PREVIOUSLY
APPROVED COMMON COUNCIL RESOLUTION 2014-07 WHICH
APPROVED AN ORDER OF THE CITY OF MISHAWAKA PLAN
COMMISSION APPROVING A CERTAIN DECLARATORY
RESOLUTION, AN AMENDMENT TO THE BOUNDARIES OF THE
NORTHWEST AREA IMPROVEMENT PROJECT, CONSOLIDATION
OF THE SOUTHSIDE ECONOMIC DEVELOPMENT AREA AND THE
NORTHWEST IMPROVEMENT PROJECT INTO ONE
CONSOLIDATED AREA IMPROVEMENT PROJECT, AND AN
AMENDMENT TO THE ECONOMIC DEVELOPMENT PLAN FOR THE
CONSOLIDATED AREA IMPROVEMENT PROJECT ADOPTED BY
THE CITY OF MISHAWAKA REDEVELOPMENT COMMISSION**

WHEREAS, on February 24, 2014, the City of Mishawaka Redevelopment Commission (the "Commission") approved and adopted its Resolution No. 2014-03 entitled "Resolution of the City of Mishawaka Redevelopment Commission Designating and Declaring Certain Areas as Economic Development Areas, Amending the Boundaries of the Northwest Area Improvement Project, Consolidating the Southside Economic Development Area and the Northwest Area Improvement Project Into One Area, And Amending the Economic Development Plan for the Consolidated Area Improvement Project" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution (i) designated and declared certain areas within the City of Mishawaka, Indiana (the "City") to be economic development areas (the "Expansion Areas") for purposes of tax increment financing pursuant to Section 39 of Indiana Code 36-7-14 (the "Act") to expand the existing Northwest Area Improvement Project (the "Northwest Area"); (ii) removed certain parcels from the Northwest Area; (iii) consolidated the Southside Economic Development Area (the "Southside Area") and the Northwest Area into one area (to be known as the Consolidated Area Improvement Project) (the "Consolidated Area"); and (iv) approved an amendment (the "Plan Amendment") to the Economic Development Plan for the Northwest Area (the "Economic Development Plan") to provide for such Economic Development as amended to serve as the economic development plan for the Consolidated Area Improvement Project (as amended by the Plan Amendment shall hereinafter be referred to as the "Economic Development Plan"); and

WHEREAS, on March 11, 2014, the City of Mishawaka Plan Commission (the "Plan Commission") adopted and approved its resolution 2014-01, determining that the Declaratory Resolution and the Economic Development Plan, as amended by the Plan Amendment, conform to the plan of development for the City and approving, ratifying and

confirming the Declaratory Resolution and the Economic Development Plan, as amended by the Plan Amendment, and designated such resolution as the written order of the Plan Commission approving the Declaratory Resolution and the Economic Development Plan, as amended by the Plan Amendment, as required by Section 16 of the Act (the "Plan Commission Order"); and

WHEREAS, Section 16 of the Act prohibits the Commission from proceeding until the Plan Commission Order is approved by the legislative body of the City; and

WHEREAS, the Common Council of the City (the "Common Council") previously approved the Plan Commission Order by Common Council Resolution 2014-07; and

WHEREAS, as part of the previous approval various public improvement projects were listed as part of the Economic Development Plan; and

WHEREAS, a number of those projects including the continued redevelopment of the former Uniroyal properties and the acquisition of a blighted commercial properties in the downtown were included in the economic development plan; and

WHEREAS, the Administration is asking the legislative body for its review and approval of adding certain properties to the City's acquisition list to implement a portion of these projects; and

WHEREAS, the description of the properties proposed to be added are as follows:

209 East Mishawaka Avenue, Mishawaka IN

North Pt Lot C Mishawaka Hydraulic

Tax Parcel #16-2075-2557

Together with:

Lot south of 112 Ironworks Avenue, Mishawaka IN

Lot 2 Secondary Plat, Ironworks Phase II

Tax Parcel #16-1001-002302

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The referenced parcels are hereby added to the City's acquisition list as part of the consolidated area improvement projects
2. This Resolution shall be in full force and effect from and after its passage by the Common Council.

* * * * *

Passed and adopted at a meeting of the Common Council of the City of Mishawaka, Indiana, held on October 7, 2019.

COMMON COUNCIL OF THE
CITY OF MISHAWAKA, INDIANA

Dale (Woody) Emmons, President

ATTEST:

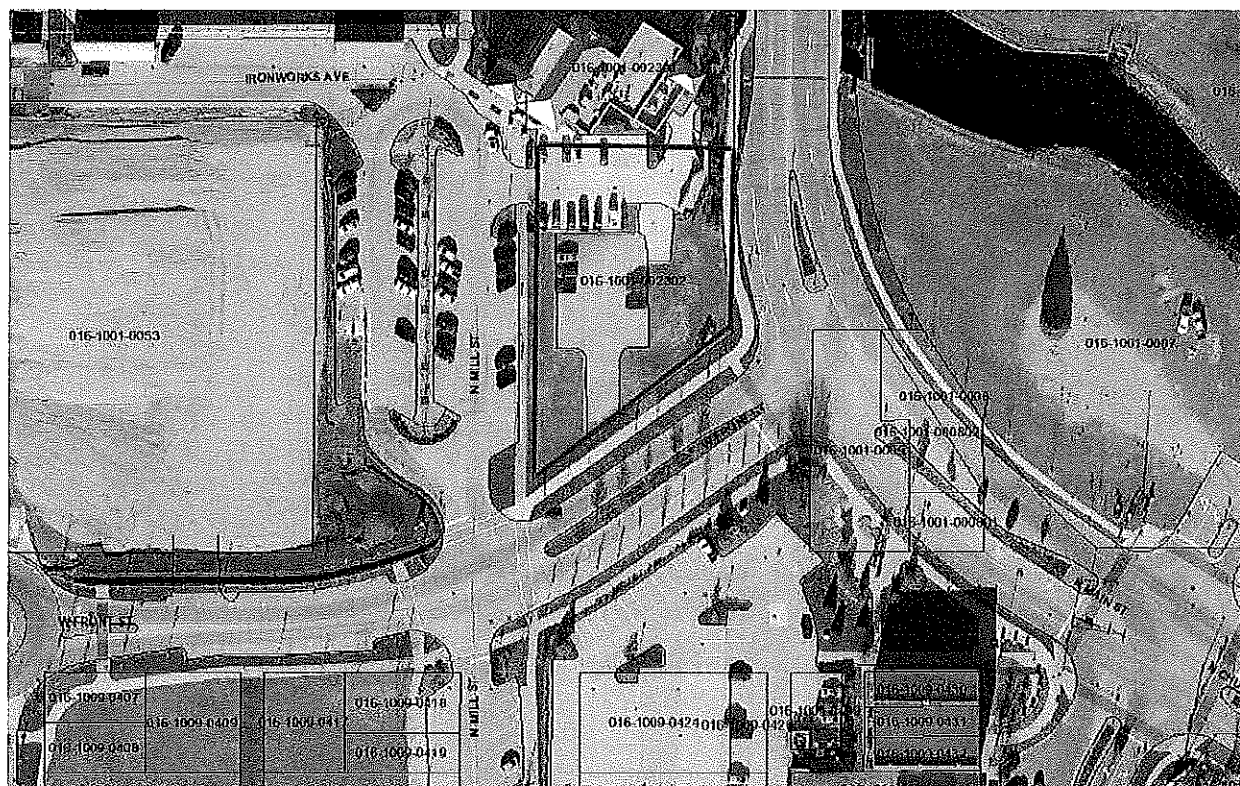
Deborah S. Block
Clerk of the City of Mishawaka, Indiana

Presented by me to the Mayor of the City of Mishawaka, Indiana, on the _____
day of October, 2019, at the hour of _____ .m.

Deborah S. Block
Clerk of the City of Mishawaka, Indiana

This Resolution approved and signed by me on the ____ day of October, 2019, at
the hour of _____ .m.

David A. Wood
Mayor of the City of Mishawaka, Indiana





CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

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

Date: August 15, 2019
To: Honorable Members of the Common Council
From: Rebecca Miller
Re: City and Elected Officials salary ordinances

I am requesting first reading on these salary ordinances covering all employees except park and utilities.

All full-time employees will receive a 1 ½% increase and an additional \$500.

Please contact me with any questions.

c: David A. Wood, Mayor
Geoff Spiess, HR Director/Corporation Counsel

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 15 2019

CITY CLERK
MISHAWAKA, IN

AUG 15 2019

CITY CLERK
MISHAWAKA, IN

1st Reading 8-19-19
2nd Reading
Passed
Failed
Continued To

PROPOSED ORDINANCE NO. 2019-21

ORDINANCE NO. -

AN ORDINANCE FIXING THE SALARIES
OF CERTAIN ELECTED OFFICIALS OF THE CITY OF MISHAWAKA
FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
MISHAWAKA, INDIANA, THAT:

Section 1. The biweekly salaries of the following elected officials of the City of
Mishawaka, Indiana, for the fiscal year beginning January 1, 2020 shall be payable in
26 equal biweekly pay periods beginning January 10, 2020 in the following amounts:

	Biweekly salary
Mayor	\$ 3,103.62
Clerk	2,197.42
Council member	443.34

Section 2. Any prior ordinances in conflict herewith are hereby repealed.

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

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

1st Reading 8-19-19
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 15 2019

PROPOSED ORDINANCE NO. 2019 - 22

CITY CLERK
MISHAWAKA, IN

ORDINANCE NO. _____

AN ORDINANCE THE FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT, MISHAWAKA PARK DEPARTMENT, ELECTED OFFICIALS AND THE MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA, FOR THE YEAR BEGINNING JANUARY 1, 2020.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, THAT:

Section 1. The biweekly salaries of all employees of the City of Mishawaka except the Mishawaka Park Department, Elected Officials and the Mishawaka Utilities for the year beginning January 1, 2020 and shall be payable in 26 bi-weekly pay periods commencing on January 10, 2020.

BIWEEKLY SALARY

MAYOR'S ADMINISTRATIVE ASSISTANT	1,614.11
MAYOR'S EXECUTIVE SECRETARY	1,368.44
CONTROLLER	3,026.60
DEPUTY CONTROLLER	2,076.32
ACCOUNTANT	1,652.25
PAYROLL CLERK	1,506.36
BOOKKEEPER A	1,542.43
BOOKKEEPER B	1,339.28
BOOKKEEPER C	1,253.94
PURCHASING AGENT	1,558.48
CPA CERTIFICATION FT	192.31
CHIEF DEPUTY CLERK I	1,596.58
CHIEF DEPUTY CLERK II	1,548.56
HR DIRECTOR	2,221.39
ASST DIRECTOR	1,557.78
HR OFFICE MANAGER	1,357.20
HR CERTIFICATION	19.23
DIRECTOR OF IT	2,560.52
SYSTEM SPECIALIST IV	2,114.62
SYSTEM SPECIALIST III	1,796.65
SYSTEM SPECIALIST II	1,711.86
SYSTEM SPECIALIST I	1,580.77
CORPORATE COUNSEL/HR DIRECTOR	2,294.94
1 st DEPUTY CITY ATTORNEY	2,402.96
2 nd DEPUTY ASST CITY ATTORNEY	672.75
PART TIME SECRETARY	288.46
COUNCIL ATTORNEY	672.75
DIRECTOR OF ENGINEERING	3,026.60

ASSISTANT DIRECTOR	2,512.85	
TRAFFIC MANAGER	2,076.79	
PROJECT MANAGER	2,129.85	
CONSTRUCTION COORDINATOR	1,867.74	
TECHNICIAN	1,855.60	
GIS COORDINATOR	2,077.10	
PROJECT COORDINATOR	1,547.78	
LOCATOR/INSPECTOR	1,588.30	
OFFICE MANAGER	1,357.20	
PE BONUS FT	192.31	
IDEM REVIEW BOARD BONUS	153.85	
DIRECTOR OF CODE ENFORCEMENT	2,287.87	
OFFICE MANAGER	1,357.20	
CODE ENF OFFICER A	1,862.98	
CODE ENF OFFICER B	1,564.06	
BUILDING COMMISSIONER	2,340.81	
ASSISTANT BUILDING COMMISSIONER	2,206.09	
OFFICE ADMINISTRATOR	1,376.87	
OFFICE MANAGER	1,357.20	
INSPECTOR A	2,242.90	
INSPECTOR B	2,037.32	
FIRE CHIEF	3,019.10	
ASSISTANT CHIEF	2,802.83	
CHIEF FIRE PREVENTION	2,457.22	
BATTALION CHIEF	2,550.99	
CAPTAINS	2,428.72	
LIEUTENANT	2,362.94	
FIRE INSPECTOR	2,362.94	
DRIVER OPERATOR	2,298.61	
1 st CLASS FIREFIGHTER	2,276.67	
MASTER FIREFIGHTER	2,188.75	
PROBATION - FF/EMT	1,993.21	
FIRE EXECUTIVE SECRETARY	1,368.44	
FIRE OFFICE MANAGER	1,357.20	
POLICE CHIEF	3,036.86	
ASSISTANT CHIEF	2,820.55	
CAPTAIN	2,405.30	
LIEUTENANT	2,360.13	
SERGEANT	2,316.37	
1 st CLASS OFFICER	2,286.55	
2 nd CLASS OFFICER	2,206.52	Pre 01/01/18 hire: 2,206.52 Post: 2,064.26
PROBATION	2,009.80	Pre 01/01/18 hire: 2,009.80 Post: 1,875.18
2 ND SHIFT DIFFERENTIAL	13.46	
3 RD SHIFT DIFFERENTIAL	26.92	
POLICE RECRUIT	1,638.44	
PROPERTY MANAGER	1,502.46	
EXECUTIVE SECRETARY	1,368.44	
ADMINISTRATIVE SECRETARY	1,357.20	
SERVICES ADMINISTRATOR	1,550.94	
PROPERTY CLERK	1,325.50	
SECRETARY	1,339.43	

PARKING PERSONNEL	1,339.43
CROSSING GUARDS	21 pays@ 359.04
CITY PLANNER	3,026.60
SENIOR PLANNER/ECON DEVEL SPLIST	2,067.15
SENIOR PLANNER	1,883.40
ASSOCIATE PLANNER	1,788.14
ADMINISTRATIVE PLANNER	1,596.89
OFFICE MANAGER	1,357.20
DIRECTOR COMMUNITY DEVELOPMENT	2,569.77
TIF CONSTRUCTION MANAGER	2,435.40
PROGRAM CONSTRUCTION MANAGER	2,211.01
PROGRAM COORDINATOR	1,566.21
GRANT MANAGER	2,027.60
GRANT SPECIALIST	1,381.83
CENTRAL SERVICES ASSISTANT	2,077.53
STREET COMMISSIONER	2,461.71
OFFICE ADMINISTRATOR	1,376.87
OFFICE MANAGER	1,357.20
SECRETARY	1,339.43

BIWEEKLY HOURLY

PART-TIME HELP	7.25-30.00
CENTRAL SERVICES: FLEET MAINTENANCE TECHNICIAN	21.66
CENTRAL SERVICES/MVH: GROUP 1	20.58
GROUP 2	19.52
GROUP 3	18.71
NIGHT BONUS/SHIFT DIFFERENTIAL	.55/.60
PROJECT COORDINATOR	1.00

ANNUAL/MISC

FIRE:		
SPECIALTY PAY:		
	<u>TIER1</u>	<u>TIER 2</u>
ADVANCED EMT	1,000	3,000
PARAMEDIC	2,000	4,000
LEAD PARAMEDIC	4,000	50/shift
WATER RESCUE/RECOVERY LEADER	1,050	
WATER DIVE/RESCUE TEAM		
MEMBER	950	
SELF-CONTAINED BREATHING		
APPARATUS TEAM TECHNICIAN	1,000	
MECHANIC	2,500	
INFORMATION TECHNOLOGY	1,500	
UNIFORM ALLOWANCE		1,250
POLICE:		
IDACS SPECIALIST		370
PARKING PERSONNEL CLOTHING		600
CROSSING GUARD SUBSTITUTE		20 per day

SUMMER SCHOOL CROSS GUARD	20 per day
UNIFORM ALLOWANCE	2,050
EQUIPMENT MAINT ALLOWANCE	680
PLAN COMMISSION	600
BZA MEMBER	375
INSURANCE STIPEND: ASST CITY ATTORNEY & COUNCIL ATTORNEY	500 per month

Section 2. The City will contribute the employee portion of 3% to the Public Employees Retirement fund for all employees eligible for participation in the Public Employees Retirement Fund.

Section 3. The City will contribute 3% of the employee portion to the 1977 Fire Pension for all employees eligible for participation in the 1977 Fire Pension Fund.

Section 4. The City will contribute 2% of the employee portion to the 1977 Police Pension for all employees eligible for participation in the 1977 Police Pension Fund.

Section 5. The City will contribute a match of 100% of the employee's contribution not to exceed 1% of the employee's base biweekly pay for all employees eligible for participation in the State's 457B plan. Employees under the FOP collective bargaining agreement are exempt from this match.

Section 6. Longevity Bonus will be provided annually to the Central Service and Motor Vehicle Highway Teamster employees (as amended). The Longevity Bonus will be offered to the employees as additional pay. The Longevity Bonus shall be payable annually on the first paycheck following each employee's anniversary date with the regular payroll. The annual Longevity Bonus will be based on the following schedule. Said schedule is based upon completed years of service.

<u>Years of Service</u>	<u>Annual Increments</u>	<u>Bonus</u>
5	0	150
6	75	225
7	75	300
8	75	375
9	75	450
10	75	525

An additional \$80.00 will be added for each year of service after the 10th year.

Section 7. The Administration may pay up to 15% less than annual salaries listed to new employees during the first twelve-month period, except for those public safety salaries which have been negotiated by the Common Council and all other salaries negotiated as part of a Collective Bargaining Agreement.

Section 8. This ordinance shall be in full force and effect from and after its 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, President

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED BY ME, to the Mayor 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

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55885 (7-15)
Approved by the State Board of Accounts, 2015
Prescribed by the Department of Local Government Finance

Budget Form No. 4
Generated 9/5/2019 3:33:07 PM

Proposed Ordinance No. 2019-23

Ordinance / Resolution Number:

Be it ordained/resolved by the **Mishawaka Common Council** that for the expenses of **MISHAWAKA CIVIL CITY** for the year ending December 31, 2020 the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **MISHAWAKA CIVIL CITY**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **Mishawaka Common Council**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Mishawaka Common Council	Common Council and Mayor	10/07/2019

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0101	GENERAL	\$35,154,175	\$30,559,860	2.6471
0254	LOCAL INCOME TAX	\$2,770,991	\$0	0.0000
0341	FIRE PENSION	\$2,072,000	\$0	0.0000
0342	POLICE PENSION	\$1,352,000	\$0	0.0000
0706	LOCAL ROAD & STREET	\$670,000	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$3,818,213	\$1,715,784	0.1486
1151	CONTINUING EDUCATION	\$100,000	\$0	0.0000
1301	PARK & RECREATION	\$3,821,649	\$4,527,227	0.3922
1310	PARK NONREVERTING - CAPITAL	\$250,000	\$0	0.0000
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$60,000	\$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$650,000	\$1,989,730	0.1724
2411	ECONOMIC DEV INCOME TAX CEDIT	\$3,918,802	\$0	0.0000
6290	CUMULATIVE SEWER	\$500,000	\$0	0.0000
		\$55,137,830	\$38,792,601	3.3603

1st Reading 9-3-19
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK, MMC

SEP 06 2019

CITY CLERK
MISHAWAKA, IN

1. The first part of the document is a list of the names of the persons who have been named in the document.

2. The second part of the document is a list of the names of the persons who have been named in the document.

3. The third part of the document is a list of the names of the persons who have been named in the document.

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
 Approved by the State Board of Accounts, 2015
 Prescribed by the Department of Local Government Finance

Budget Form No. 4
 Generated 9/5/2019 3:33:07 PM

Name		Signature
Ronald S. Banicki	Aye ☐ Nay ☐ Abstain ☐	
Michael A. Bellovich	Aye ☐ Nay ☐ Abstain ☐	
S. Michael Compton	Aye ☐ Nay ☐ Abstain ☐	
Dale E. Emmons	Aye ☐ Nay ☐ Abstain ☐	
Gregg A. Hixenbaugh	Aye ☐ Nay ☐ Abstain ☐	
Matthew T. Mammolenti	Aye ☐ Nay ☐ Abstain ☐	
Stacy Petko-Reisdorf	Aye ☐ Nay ☐ Abstain ☐	
Bryan J. Tanner	Aye ☐ Nay ☐ Abstain ☐	
Mary C. Willson	Aye ☐ Nay ☐ Abstain ☐	

ATTEST

Name	Title	Signature
Deborah S. Block	City Clerk	

MAYOR ACTION (For City use only)

Name		Signature	Date
David A. Wood	Approve ☐ Veto ☐		

DRAFT



CITY OF MISHAWAKA
*** DRAFT * 2020 BUDGET**

David A. Wood, Mayor

CITY OF MISHAWAKA 2019 BUDGET

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CITY OF MISHAWAKA
DRAFT 2020 BUDGET

MAYOR
101-01

1 PERSONAL SERVICES

Salaries and Wages

411-01	Mayor	79,009.00	biweekly 3,038.78
411-02	Administrative Assistant	40,854.00	1,571.28
	Executive Secretary	<u>34,273.00</u>	1,318.16
			154,136.00

2 SUPPLIES

Office Supplies

421-90	Office Supplies	<u>1,000.00</u>	
			1,000.00

3 OTHER SERVICES AND CHARGES

Communication and Transportation

432-03	Travel and Training	2,500.00	
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Printing and Advertising

433-01	Printing	500.00	
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Other Services and Charges

439-03	Subscriptions, Dues, etc.	2,000.00	
439-04	Leadership	2,000.00	
439-07	Memorial Day AL/VFW/DAR	1,500.00	
439-92	Community Promotion	<u>7,500.00</u>	
			<u>16,000.00</u>
			171,136.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

CONTROLLER
101-02

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Controller	77,036.00	2,962.89
411-02	Deputy Controller	52,694.00	2,026.67
	Bookkeeper A	39,018.00	1,500.66
	Payroll Clerk	38,094.00	1,465.14
	Purchasing Agent	39,429.00	1,516.47
	Accountant	41,831.00	1,608.88
411-03	Part time	<u>20,000.00</u>	
			308,102.00

Other Services Personal

411-64	FTO (Flexible Time Off) Plan	30,000.00	
411-65	CPA Certification	<u>5,000.00</u>	
			35,000.00

Employee Benefits

413-01	Social Security	205,000.00	
413-02	Medicare	50,000.00	
413-03	PERF 14.2%	450,000.00	
413-04	Unemployment Compensation	40,000.00	
413-05	Employee Insurance Benefits	1,500,000.00	
413-06	Employee Life Insurance	4,000.00	
413-08	Deferred Comp Match	<u>38,000.00</u>	
			<u>2,287,000.00</u>
			2,630,102.00

2 SUPPLIES

Office Supplies

421-90	Office Supplies/Misc Supplies	<u>15,000.00</u>	
			15,000.00

3 OTHER SERVICES AND CHARGES

Communication and Transportation

432-02	Postage	15,000.00	
432-03	Travel and Training	4,000.00	
432-04	Telephone	45,000.00	

Printing and Advertising

433-02	Publications	13,000.00	
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CITY OF MISHAWAKA
DRAFT 2020 BUDGET

CONTROLLER
101-02

Insurance

434-90 Insurance Premiums/ Deductible 825,000.00

Utility Services

435-01 MU Charges 800,000.00

435-02 NIPSCO 60,000.00

Repairs and Maintenance

436-01 Building/ Equipment/Software
Maintenance/Service Contracts 50,000.00

Other Services and Charges

439-03 Subscription, Dues, etc. 1,000.00

439-09 Miscellaneous Charges 1,500.00

439-15 Election Expenses 75,000.00

1,889,500.00

4 CAPITAL OUTLAYS

Other Capital Outlays

444-05 Capital Outlay 750,000.00

750,000.00

5,284,602.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

CITY CLERK
101-03

1 SERVICES PERSONAL

Salaries and Wages

biweekly

411-01	City Clerk	55,796.00	2,145.97
411-02	Chief Deputy Clerk I	40,405.00	1,554.03
	Chief Deputy Clerk II	39,175.00	1,506.71
411-03	Temporary	<u>20,000.00</u>	

155,376.00

2 SUPPLIES

Office Supplies

421-90	Office Supplies	1,500.00	
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Operating Supplies

422-01	Violations Bureau Supplies	<u>1,500.00</u>	
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3,000.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-01	Attorney Fees	1,000.00	
431-04	Professional Services	14,000.00	

Communication and Transportation

432-03	Travel and Training	3,000.00	
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Other Services and Charges

439-03	Subscriptions, Dues, etc.	1,500.00	
439-92	Community Promotion	<u>1,750.00</u>	

21,250.00

179,626.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

HUMAN RESOURCES
101-04

1 PERSONAL SERVICES

Salaries and Wages

411-02	Office Manager	34,273.00	biweekly	1,318.16
411-03	Temporary Help	<u>50,000.00</u>		

Other Personal Services

411-65	Certifications	<u>1,000.00</u>		
				85,273.00

2 SUPPLIES

Office Supplies

421-90	Supplies	<u>1,000.00</u>		
				1,000.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-06	Consulting	54,000.00		
431-08	Employee Assistance Program	10,000.00		
431-09	Testing/Wellness	5,000.00		

Communication and Transportation

432-03	Travel and Training	2,000.00		
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Printing and Advertising

433-01	Printing/ Advertising	1,000.00		
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Other Services and Charges

439-03	Subscription, Dues, etc.	500.00		
439-20	Staff Development	<u>1,500.00</u>		
				<u>74,000.00</u>
				160,273.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

INFORMATION TECHNOLOGY
101-05

1 PERSONAL SERVICES

Salaries and Wages

411-01	Director	65,097.00	biweekly 2,503.72
411-02	System Specialist IV (2)	102,989.00	1,896.67-2,064.42
	System Specialist III	45,530.00	1,751.13
	System Specialist II	43,358.00	1,667.59
	System Specialist I	<u>40,000.00</u>	1,538.46
			296,974.00

2 SUPPLIES

Operating Supplies

422-01	Operating Supplies	<u>20,000.00</u>	
			20,000.00

3 OTHER SERVICES AND CHARGES

Communication and Transportation

432-03	Travel and Training	30,000.00	
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Other Services and Charges

439-03	Subscriptions, Dues, etc.	<u>15,000.00</u>	
			45,000.00
			<u>361,974.00</u>

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

DEPARTMENT OF LAW
101-06

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Corporation Counsel/Director of HR	58,294.00	2,242.04
411-02	City Attorney	61,061.00	2,348.50
	Asst City Attorney	17,233.00	662.77
	Part time Secretary	7,500.00	288.46
413-05	Asst City Attorney Insurance Stipend	<u>6,000.00</u>	

150,088.00

2 SUPPLIES

Office Supplies

421-03	Professional Books	500.00
421-90	Office Supplies	<u>500.00</u>

1,000.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-01	Attorney Fees-Code Hearings	6,000.00
--------	-----------------------------	----------

Communication and Transportation

432-03	Travel and Training	3,000.00
--------	---------------------	----------

Insurance

434-90	Payment of Claims/Litigation	42,000.00
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Other Services and Charges

439-03	Subscriptions, Dues, etc.	2,500.00
439-09	Miscellaneous Charges	<u>1,500.00</u>

55,000.00

206,088.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

CITY COUNCIL
101-07

1 PERSONAL SERVICES

Salaries and Wages

411-04	Council members		biweekly
	9 @10,864	97,776.00	417.81
411-02	Council Attorney	17,233.00	662.78
413-05	Council Attorney Insurance Stipend	<u>6,000.00</u>	
			121,009.00

2 SUPPLIES

Office Supplies

421-90	Office Supplies	<u>750.00</u>	
			750.00

3 OTHER SERVICES AND CHARGES

Communication and Transportation

432-03	Travel and Training	6,000.00	
--------	---------------------	----------	--

Other Services and Charges

439-92	Community Promotion	<u>5,000.00</u>	
			<u>11,000.00</u>
			<u>132,759.00</u>

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

ENGINEERING DEPARTMENT
101-13

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Director of Engineering	77,036.00	2,962.89
411-02	Assistant Director	63,876.00	2,456.75
	Project Manager	54,065.00	2,079.41
	Traffic Manager	52,706.00	2,027.14
	Project Coordinator	39,155.00	1,505.93
	Office Manager	34,273.00	1,318.16
	City GIS Coordinator	<u>51,377.00</u>	1,976.03

372,488.00

Other Personal Services

411-65	PE Certification	<u>10,000.00</u>	192.31
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382,488.00

2 SUPPLIES

Office Supplies

421-90	General Supplies	<u>8,000.00</u>	8,000.00
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3 OTHER SERVICES AND CHARGES

Professional Services

431-06	Consulting	5,000.00
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Communication and Transportation

432-03	Travel and Training	6,000.00
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Repairs and Maintenance

436-01	Equipment Repair	2,500.00
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Other Services and Charges

439-03	Subscriptions, Dues, etc.	<u>1,000.00</u>
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14,500.00

404,988.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

CODE ENFORCEMENT DEPARTMENT
101-14

1 PERSONAL SERVICES

Salaries and Wages

411-01	Director of Code Enforcement	58,113.00	biweekly 2,235.09
411-02	Code Enforcement Officers		
	4 @ 47,229	188,916.00	1,816.48
	Office Manager	<u>34,273.00</u>	1,318.16
			281,302.00

2 SUPPLIES

Operating Supplies

422-01	Operating Supplies	<u>3,500.00</u>	
			3,500.00

3 OTHER SERVICES AND CHARGES

Communication and Transportation

432-03	Travel and Training	3,000.00	
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Other Services and Charges

439-10	Clean up, Board up, Disposal, etc.	<u>35,000.00</u>	
			38,000.00
			<u>322,802.00</u>

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

BUILDING DEPARTMENT
101-15

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Building Commissioner	59,469.00	2,287.25
411-02	Administrator	34,777.00	1,337.56
	Inspector A 2 @ 56,961	<u>113,922.00</u>	2,190.78
			208,168.00

2 SUPPLIES

Operating Supplies

422-01	Operating Supplies	<u>2,000.00</u>	2,000.00
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3 OTHER SERVICES AND CHARGES

Communication and Transportation

432-03	Travel and Training	4,000.00	
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Other Services and Charges

439-03	Subscription, Dues, etc.	<u>800.00</u>	4,800.00
			<u>214,968.00</u>

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

FIRE/EMS DEPARTMENT
101-19

1 PERSONAL SERVICES

Salaries and Wages

		biweekly
411-01	Fire Chief	71,844.00 2,763.21
411-02	Assistant Chief	
	3 @ 66,304	198,912.00 2,550.13
	Battalion Chief	
	3 @ 64,853	194,559.00 2,494.31
	Captains 15 @ 61,721	925,815.00 2,373.87
	Lieutenants	
	15 @ 60,036	900,540.00 2,309.07
	Fire Inspectors	
	3 @ 60,036	180,108.00 2,309.07
	Driver Operator	
	30 @ 58,388	1,751,640.00 2,245.67
	1st Class Firefighter	
	34 @ 57,826	1,966,084.00 2,224.07
	Master Firefighters	
	11 @ 55,574	<u>611,314.00</u> 2,137.46

6,800,816.00

Civilian

Executive Secretary	<u>34,561.00</u>	1,329.24
		34,561.00

Other Personal Services

411-12	Specialty Pay	264,800.00
411-60	Overtime	600,000.00
411-66	Uniform Allowance 115 @ 1250	143,750.00
411-67	Pension Equalization	<u>10,900.00</u>

1,019,450.00

Employee Benefits

413-01	Social Security	12,000.00
413-02	Medicare	114,000.00
413-03	PERF-14.2%	28,000.00
413-05	Health Insurance	3,000,000.00
413-06	Life/Disability Insurance	6,500.00
413-08	Deferred Comp Match	67,000.00
413-09	77 Pension 20.5%	<u>1,363,250.00</u>

4,590,750.00
12,445,577.00

BUDGET LINE ITEMS CHANGES

		<u>2019</u>	<u>2020</u>	<u>Diff</u>	<u>Net</u>
Mayor					
421-90	office supplies	1,500.00	1,000.00	(500.00)	
432-03	travel and training	2,000.00	2,500.00	500.00	-
Controller					
431-05	animal control	175,000.00	-	(175,000.00)	
431-07	Aim and WNIT	23,000.00	-	(23,000.00)	
444-05	Capital outlay	1,300,000.00	750,000.00	(550,000.00)	(748,000.00)
City Clerk					
411-03	temporary line	12,000.00	20,000.00	8,000.00	8,000.00
HR					
411-03	temporary line	20,000.00	50,000.00	30,000.00	
432-03	travel and training	1,000.00	2,000.00	1,000.00	
439-20	staff development	1,000.00	1,500.00	500.00	31,500.00
IT					
432-03	travel and training	25,000.00	30,000.00	5,000.00	5,000.00
Law					
431-01	attorney fees	5,000.00	6,000.00	1,000.00	
434-90	claims/litigation	44,000.00	42,000.00	(2,000.00)	(1,000.00)
Engineering					
432-03	travel and training	6,050.00	6,000.00	(50.00)	(50.00)
Police					
439-16	CrimeStoppers	5,000.00	-	(5,000.00)	
439-09	Misc Charges	-	5,000.00	5,000.00	-
MVH					
422-02	gas/oil to CEDIT	100,000.00	-	(100,000.00)	
423-03	supplies to CEDIT	175,000.00	-	(175,000.00)	
434-90	ins premiums to CEDIT	175,000.00	-	(175,000.00)	
435-01	MU to CEDIT	165,000.00	-	(165,000.00)	
435-02	NIPSCO to CEDIT	70,000.00	-	(70,000.00)	
436-01	Repair to CEDIT	200,000.00	-	(200,000.00)	
442-01	Street Paving	300,000.00	1,000,000.00	700,000.00	(185,000.00)

BUDGET LINE ITEMS CHANGES

		<u>2019</u>	<u>2020</u>	<u>Diff</u>	<u>Net</u>
LRS					
442-01	Street Paving	733,000.00	-	(733,000.00)	
442-04	sidewalk/curb	-	300,000.00	300,000.00	
445-02	MVH equipment	-	370,000.00	370,000.00	(63,000.00)
Park					
421-90	office supplies	5,000.00	8,000.00	3,000.00	
numerous	Supplies/Concession	348,500.00	384,500.00	36,000.00	
432-03	travel and training	3,000.00	8,000.00	5,000.00	
435-01	MU	370,000.00	450,000.00	80,000.00	
436-01	NIPSCO	50,000.00	75,000.00	25,000.00	
436-90	service contracts	95,000.00	100,000.00	5,000.00	
439-03	misc charges	1,400.00	3,000.00	1,600.00	
439-18	instructor fees	20,500.00	15,000.00	(5,500.00)	
439-21	rec event/entertain.	41,000.00	48,000.00	7,000.00	157,100.00
Park Non Reverting					
429-17	Landscaping	60,000.00	70,000.00	10,000.00	
	Merrifield	-	19,300.00	19,300.00	
	Wilson	-	15,000.00	15,000.00	
	Henry Frank fence	-	5,000.00	5,000.00	49,300.00
Law Enforcement Ed					
432-03	Travel/Training	35,000.00	40,000.00	5,000.00	
445-08	Vests	29,000.00	35,000.00	6,000.00	11,000.00
Public Safety SEE BUDGET BOOK					
436-90	service contracts	350,000.00	400,000.00	50,000.00	
445-09	lease police cars	541,000.00	350,000.00	(191,000.00)	
	equip for cars	-	275,000.00	275,000.00	
445-08	police equipment	102,000.00	65,000.00	(37,000.00)	
445-13	fire equipment	400,000.00	250,000.00	(150,000.00)	(53,000.00)
Cum Cap Development					
445-11	computer equip/software	250,000.00	300,000.00	50,000.00	50,000.00
CEDIT SEE BUDGET BOOK					

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

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

12,888,577.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

POLICE DEPARTMENT
101-20

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Police Chief	72,299.00	2,780.69
411-02	Assistant Chief		
	3 @66,758	200,274.00	2,567.58
	Captains		
	6 @ 61,121	366,726.00	2,350.80
	Lieutenants		
	14 @ 59,964	839,496.00	2,306.30
	Sergeants		
	20 @ 58,843	1,176,860.00	2,263.16
	1st Patrol Officer		
	46 @ 58,079	2,671,634.00	2,233.80
	2nd Patrol Officer		
	18 @ 56,029	<u>1,008,522.00</u>	2,154.95
			6,335,811.00

Civilians

	Executive Secretary	34,561.00	
	Administrative Secretary	34,273.00	
	Secretary 2 @ 33,818	67,636.00	
	Parking Personnel	33,818.00	
	Property Manager	37,994.00	
	Services Administrator	<u>39,236.00</u>	247,518.00
	Crossing Guards 21 @ 7,428	155,988.00	
411-03	Substitute Crossing Guard	2,000.00	
	Temporary Help/Part-time	<u>20,000.00</u>	177,988.00

Other Personal Services

411-60	Overtime/ Court-time Officer-Non Officer	500,000.00	
411-66	Uniform Allowance		
	1 @ 600, 108 @ 2050	222,000.00	
411-02	Shift Differential 2nd @350 3rd @ 700	57,600.00	
411-66	Equipment Allowance	<u>30,000.00</u>	
			809,600.00

Employee Benefits

413-01	Social Security	29,000.00	
413-02	Medicare	113,890.00	
413-03	PERF 14.2%	35,148.00	
413-05	Health Insurance	2,650,000.00	
413-06	Life Insurance	6,250.00	
413-08	Deferred Comp Benefit	65,000.00	
413-10	77 Pension 19.5%	<u>1,195,000.00</u>	
			<u>2,899,288.00</u>
			10,470,205.00

CITY OF MISHAWAKA
DRAFT 2020 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

439-09 Miscellaneous Charges 5,000.00

439-11 Special Expense 13,000.00

439-12 Canine Expenses 3,000.00

117,800.00

10,624,005.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

CITY PLANNING
101-21

1 PERSONAL SERVICES

Salaries and Wages

411-01	City Planner	77,036.00	biweekly 2,962.89
411-02	Senior Planner/Economic Development Specialist	52,459.00	2,017.65
	Administrative Planner	40,413.00	1,554.34
	Associate Planner	<u>45,312.00</u>	1,742.74
			215,220.00
411-06	Plan Commission 9 @ \$600	5,400.00	
	BZA Members 5 @ \$375	<u>1,875.00</u>	
			<u>7,275.00</u>

222,495.00

2 SUPPLIES

Operating Supplies

422-01	Operating Supplies	<u>4,000.00</u>	
			4,000.00

3 OTHER SERVICES AND CHARGES

Communication and Transportation

432-03	Travel and Training	2,500.00	
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Other Services and Charges

439-03	Subscriptions, Dues, etc.	<u>2,000.00</u>	
			<u>4,500.00</u>
			<u>230,995.00</u>

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

CENTRAL SERVICES DEPARTMENT
101-22

1 PERSONAL SERVICES

Salaries and Wages

411-02 Assistant 4 @52,725	210,900.00	biweekly 1,978.94
Fleet Maintenance Technician		
6 @ 21.10*2092	264,834.00	
Group 1: 4 @ 20.04*2092	167,724.00	
PT maintenance 1040 hrs @ 11.00	11,440.00	
Reimburse MVH Director-62,566*5%	<u>3,128.00</u>	
		658,026.00

Other Services Personal

411-60 Overtime	15,000.00	
411-63 Longevity	<u>6,595.00</u>	
		<u>21,595.00</u>
		679,621.00

2 SUPPLIES

Office Supplies

421-90 Office Supplies	2,000.00	
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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	<u>5,750.00</u>	
		917,750.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-09 Health Screenings/ Vaccines	1,000.00	
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Communication and Transportation

432-03 Travel and Training	1,000.00	
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Repairs and Maintenance

436-01 Building Repair / Equipment/Maint	70,000.00	
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Rentals

437-05 Uniforms	5,000.00	
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Other Services and Charges

439-09 Miscellaneous Charges	<u>1,500.00</u>	
		78,500.00
		<u>1,675,871.00</u>

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

REDEVELOPMENT
101-28

1 PERSONAL SERVICES

Salaries and Wages

		biweekly
411-02	TIF Construction Manager	61,892.00 2,380.43
	Program Construction Manager	56,144.00 2,159.36
	Grant Manager	51,446.00 1,978.69
	Program Coordinator	<u>39,627.00</u> 1,524.09
		209,109.00

2 SUPPLIES

Office Supplies

421-90	Office Supplies	<u>1,000.00</u>	1,000.00
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3 OTHER SERVICES AND CHARGES

Professional Services

431-04	Professional Services	130,000.00
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Communication and Transportation

432-03	Travel and Training	4,000.00
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Printing and Advertising

433-02	Publications	<u>1,200.00</u>	
			<u>135,200.00</u>
			345,309.00

CEMETERY
101-29

3 OTHER SERVICES AND CHARGES

Other Services and Charges

439-09	Maintenance	<u>30,000.00</u>	<u>30,000.00</u>
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CITY OF MISHAWAKA
DRAFT 2020 BUDGET

MOTOR VEHICLE HIGHWAY
201-50

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Street Commissioner	62,566.00	2,406.35
411-02	Office Administrator	34,777.00	1,337.56
	Office Manager	34,273.00	1,318.16
	Group 1: 32 @ 20.04*2092	1,341,792.00	
	CS reimburse-52,725* 1.55 for assts.	81,724.00	
			1,555,132.00

Other Services Personal

411-60	Overtime	80,000.00	
411-63	Longevity	18,300.00	
411-64	FTO (Flexible Time Off) Plan	<u>8,000.00</u>	
			106,300.00

Employee Benefits

413-01	Social Security	98,000.00	
413-02	Medicare	23,000.00	
413-03	PERF 14.2%	224,000.00	
413-04	Unemployment	5,000.00	
413-05	Employee Ins Benefits	640,000.00	
413-06	Life Insurance	2,250.00	
413-07	Deferred Comp Benefit	<u>14,000.00</u>	
			<u>1,006,250.00</u>
			2,667,682.00

2 SUPPLIES

Office Supplies

421-90	Office Supplies	1,500.00
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Other Supplies

429-08	Uniform Supplies	7,000.00
429-13	Traffic Supplies	35,000.00
		43,500.00

3 OTHER SERVICE AND CHARGES

Professional Services

431-09	Health Screenings/ Vaccines	5,000.00
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Communication and Transportation

432-03	Travel and Training	3,000.00
432-04	Telephone/ Paging	7,500.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

MOTOR VEHICLE HIGHWAY

201-50

Printing and Advertising

433-02 Publications 500.00

Rentals

437-05 Uniforms 8,000.00

Other Services and Charges

439-09 Miscellaneous Charges 3,000.00

27,000.00

4 CAPITAL OUTLAYS **MVHR**

Improvements Other than Buildings

442-01 Street Repair 1,000,000.00

1,000,000.00

3,738,182.00

LOCAL ROAD AND STREET

202-50

4 CAPITAL OUTLAYS

Improvements other than Buildings

442-04 Sidewalk and Curb Program 300,000.00

445-02 MVH Equipment 370,000.00

670,000.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

PARK AND RECREATION
204-50

1 PERSONAL SERVICES

Salaries and Wages

			biweekly
411-01	Department Head	66,784.00	2,568.60
411-02	Regular Employees	510,000.00	
	Group 1: 14@20.04*2092	586,932.00	1,163,716.00
411-03	Temporary/Summer Help	500,000.00	500,000.00
	Directors	1,800.00	
	Reimburse CS Assts. 1.25	65,906.00	
	Reimburse MVH director 5%	3,129.00	70,835.00
			1,734,551.00

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	106,000.00	
413-02	Medicare	25,000.00	
413-03	PERF 14.2%	171,000.00	
413-04	Unemployment	5,000.00	
413-05	Employee Insurance Benefits	375,000.00	
413-06	Life Insurance	1,500.00	
413-08	Deferred Comp Match	11,000.00	

694,500.00

2 SUPPLIES

2,486,101.00

Office Supplies

421-90	Office Supplies	8,000.00	
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Operating Supplies

422-02	Gas, Oil, Parts, etc.	73,000.00	
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Other Supplies

429-09	Merrifield Complex Supplies	32,000.00	
429-14	Maintenance Supplies	70,000.00	
429-15	Program Supplies	30,000.00	
429-16	Golf Course Concessions	40,000.00	
429-18	Athletic Event Supplies	36,000.00	
429-19	Battell Center Supplies	22,500.00	
429-20	Golf Course Supplies	40,000.00	
429-21	Other Concessions	5,000.00	
429-23	Merrifield Concessions	25,000.00	
429-24	Battell Center Concessions	3,000.00	

384,500.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

PARK AND RECREATION
204-50

3 OTHER SERVICES AND CHARGES

Professional Services

431-09 Health Screenings/Vaccines 8,000.00

Communication and Transportation

432-02 Postage and Freight 2,000.00

432-03 Travel and Training 8,000.00

432-04 Telephone 7,000.00

Printing and Advertising

433-01 Printing/Newsletter etc. 10,000.00

Insurance

434-90 Insurance Premiums/Deductibles 120,000.00

Utility Services

435-01 MU/AEP Charges 450,000.00

435-02 NIPSCO 30,000.00

Repairs and Maintenance

436-01 Equipment/Facility Repair 75,000.00

436-90 Service Contracts 100,000.00

Rentals

437-05 Uniforms/Port-o-lets 11,500.00

Other Services and Charges

439-03 Subscription, Dues, etc. 3,000.00

439-09 Miscellaneous/Charges 1,000.00

439-18 Instructor Fees 15,000.00

439-19 Official/Referee Fees 10,000.00

439-21 Recreation Event/Entertainment 48,000.00

439-93 Sales Tax 25,000.00

923,500.00

3,794,101.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

PARK AND RECREATION NON-REVERTING
214-50

1 PERSONAL SERVICES

Salaries and Wages

411-03	Temporary Help	15,000.00	15,000.00
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2 SUPPLIES

Other Supplies

	Merrifield Supplies and Repairs	19,300.00	
	Wilson Supplies and Repairs	15,000.00	
429-17	Landscaping/Chemical Supplies	70,000.00	104,300.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-06	Consulting	75,000.00	
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Communication and Transportation

432-04	Wilson Hill Phone and Internet	<u>2,500.00</u>	
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Repairs and Maintenance

436-01	Golf Cart Repair	5,000.00	
436-90	Animal Control	15,000.00	
	Henry Frank Fence	5,000.00	
	GPS Contract	<u>28,200.00</u>	
			<u>130,700.00</u>
			<u>250,000.00</u>

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

LAW ENFORCEMENT CONTINUING EDUCATION
210-50

2 SUPPLIES

Operating Supplies

422-36 Ammunition

25,000.00

25,000.00

3 OTHER SERVICES AND CHARGES

Communication and Transportation

432-03 Travel and Training

40,000.00

40,000.00

4 CAPITAL OUTLAYS

Machinery and Equipment

445-08 Vests

35,000.00

35,000.00

100,000.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

CEDIT
430-50

2 SUPPLIES

Repair and Maintenance Supplies

423-03	Equipment/ Parts, Supplies MVH	175,000.00
423-01	Street Material/Dust Control	175,000.00

Operating Supplies

422-02	Gas, Oil, etc. MVH	100,000.00
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Other Supplies

429-17	Landscaping Supplies/Chemicals	100,000.00
429-91	Salt	175,000.00

725,000.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-04	Chamber of Commerce	25,000.00
431-05	Humane Society	298,002.00
431-06	Consulting	150,000.00
431-07	Aim	14,000.00
	WNIT Public Access	40,000.00
431-09	Clinic Services - other portions in MU and PS	346,800.00
436-90	EMS billing service	108,000.00

Repairs and Maintenance Supplies

436-01	City Maintenance	150,000.00
436-23	Splash Pad Repair	50,000.00
436-90	Engineering Maintenance	100,000.00
436-93	Signal Maintenance	100,000.00

Repairs and Maintenance

436-01	Building/ Equipment Repair MVH	200,000.00
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Insurance

434-90	Insurance Premiums/Deductibles MVH	225,000.00
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Utility Service

435-01	MU Charges MVH	165,000.00
435-02	NIPSCO MVH	70,000.00

2,011,802.00

4 CAPITAL OUTLAYS

Other Capital Outlay

443-97	Copier DB	10,000.00
443-97	Computers PD	50,000.00
	PD equipment weapons/radios etc.	10,000.00
	Chiller fire station	40,000.00

CITY OF MISHAWAKA
DRAFT 2020 BUDGET

Improvements Other than Buildings

445-17	Park Development	300,000.00	-100,000.00
	Central Services lighting	60,000.00	
	Phone system	150,000.00	

Machinery and Equipment

	Two golf course mowers	110,000.00
	Transit van IT	32,000.00
445-02	CSD Equipment	<u>120,000.00</u>

442-01	Paving	300,000.00
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1,182,000.00

3,918,802.00

new to CEDIT from MVH 935,000.00

PSAP	904,335.00
------	------------

reductions	797,000.00
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new total	4,026,137.00
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CITY OF MISHAWAKA
2020 BUDGET

FIRE PENSION
702-50

1 PERSONAL SERVICES

Salaries and Wages

411-06	Secretary Salary	3,000.00	
	Pension Board Members		
	5 @ 750.00 per yr	3,750.00	
411-05	Pension Benefits	2,025,250.00	
411-07	Death Benefits	<u>36,000.00</u>	
			2,068,000.00

2 SUPPLIES

Office Supplies

429-09	Misc Supplies	<u>1,000.00</u>	
			1,000.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-01	Legal Fees	2,000.00	
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Communication and Transportation

432-03	Travel and Training	500.00	
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Repairs and Maintenance

436-01	Equipment Repair	<u>500.00</u>	
			3,000.00
			<u>2,072,000.00</u>

POLICE PENSION
703-50

1 PERSONAL SERVICES

Salaries and Wages

411-06	Secretary Salary	3,000.00	
411-05	Pension Benefits	1,310,100.00	
411-07	Death Benefits	<u>36,000.00</u>	
			1,349,100.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-01	Legal Fees	2,500.00	
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Communication and Transportation

432-03	Travel and Training	<u>400.00</u>	
			2,900.00
			<u>1,352,000.00</u>

Expenditure Budget Comparison General Fund

Department	2018 Budget	2019 Budget	Change	% Change	Total Budget
Mayor	167,377	171,136	3,759	2.2%	0.31%
Controller	4,800,110	6,017,602	1,217,492	25.4%	10.79%
Clerk	168,145	171,626	3,481	2.1%	0.31%
Human Resources	127,773	128,773	1,000	0.8%	0.23%
IT	356,536	356,974	438	0.1%	0.64%
Law	197,590	207,088	9,498	4.8%	0.37%
Council	120,125	132,759	12,634	10.5%	0.24%
Engineering	337,654	405,038	67,384	20.0%	0.73%
Code	315,682	322,802	7,120	2.3%	0.58%
Building	209,916	214,968	5,052	2.4%	0.39%
Fire	12,552,110	12,857,627	305,517	2.4%	23.06%
Police	11,527,299	11,819,005	291,706	2.5%	21.20%
Planning	225,842	230,995	5,153	2.3%	0.41%
Central Services	1,657,339	1,675,871	18,532	1.1%	3.01%
Redevelopment	432,844	345,309	(87,535)	-20.2%	0.62%
Cemetery	25,000	30,000	5,000	20.0%	0.05%
Property Tax Cap					
Dept. Totals	33,221,342	35,087,573	1,866,231	5.62%	

Civil City Budget Comparison

All Appropriated Funds

Department	2018 Budget	2019 Budget	Change	% Change	Total Budget
General	33,221,342	35,087,573	1,866,231	5.6%	62.94%
Park and Recreation	3,405,172	3,594,335	189,163	5.6%	6.45%
MVH Funds					
Motor Vehicle Highway	3,734,090	3,923,182	189,092	5.1%	7.04%
Local Road & Street	680,000	733,000	53,000	7.8%	1.31%
LOIT Special Dist	180,000	5,977	(174,023)	-96.7%	0.01%
Cumulative Sewer	500,000	500,000	-	0.0%	0.90%
Capital Fund					
Cum. Cap. Development	550,000	600,000	50,000	9.1%	1.08%
Cum. Cap. Improvement	-	60,000	60,000	0.0%	0.11%
CEDIT	3,569,331	3,828,135	258,804	7.3%	6.87%
Other Operating Funds					
Law Enforcement Con't Ed	75,000	89,000	14,000	18.7%	0.16%
Public Safety	3,017,995	3,609,316	591,321	19.6%	6.47%
Park Non - Reverting	308,000	200,700	(107,300)	-34.8%	0.36%
Pension Funds					
Fire Pension	2,071,750	2,074,750	3,000	0.1%	3.72%
Police Pension	1,535,105	1,443,950	(91,155)	-5.9%	2.59%
Gross Totals	52,847,785	55,749,918	2,902,133	5.49%	

Circuit Breaker loss:

General	4,585,203	5,948,262			
Park & Rec	634,183	714,564			
MVH	83,916	-			
CCD	129,349	205,373			
Cum Sewer	92,468	131,801			
	5,525,119	7,000,000	1,474,881	26.7%	
Net Totals	58,372,904	62,749,918	4,377,014	7.50%	

City Budget Comparison By Category

Appropriated Funds

Civil City Budget Comparison By Category Appropriated Funds

Department	2018 Budget	2019 Budget	Change	% Change	Total Budget
100 - Personal Services	37,332,982	38,252,840	919,858	2.5%	68.62%
200 - Supplies	2,599,000	2,629,500	30,500	1.2%	4.72%
300 - Other Services & Charges	8,803,803	9,341,578	537,775	6.1%	16.76%
400 - Capital Outlays	4,112,000	5,526,000	1,414,000	34.4%	9.91%
Fund Totals	52,847,785	55,749,918	2,902,133	5.49%	100.00%



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

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

Date: August 29, 2019

To: Honorable Members of the Common Council

From: Rebecca Miller

rebecca

RE: 2020 Budget

Attached, please find the new budget totals for 2020 and associated tax rates for publication.

I look forward to our budget meetings to discuss the 2020 budget.

I will also be sending out budget book drafts next week for your review.

Please contact me with any questions.

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 29 2019

CITY CLERK
MISHAWAKA, IN

1. The first part of the document is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the Corporation. The names are as follows:

2. The second part of the document is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the Corporation. The names are as follows:

3. The third part of the document is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the Corporation. The names are as follows:

Deb Block

From: Rebecca Miller
Sent: Thursday, September 5, 2019 4:15 PM
To: Deb Block; Mary Ellen Hazen
Subject: Revised budget ordinance Form 4
Attachments: Form4_R2015_0117.pdf

RECEIVED
DEBORAH S. BLOCK, MMC

SEP 11 2019

CITY CLERK
MISHAWAKA, IN

See attached.

The budget did not change, just the amount of tax levy and tax rate. Which is all just for publication.

Form 3 has been submitted which lists our dates for the public hearing and adoption.

Thank you,

Becky

Rebecca S. Miller

Controller
City of Mishawaka

600 E 3rd Street
Mishawaka, IN 46544
574-258-1622
574-258-1724 fax

www.mishawaka.in.gov

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
Approved by the State Board of Accounts, 2015
Prescribed by the Department of Local Government Finance

Budget Form No. 4
Generated 8/29/2019 1:33:18 PM

Ordinance Proposed Ordinance No 2019-23

Be it ordained/resolved by the **Mishawaka Common Council** that for the expenses of **MISHAWAKA CIVIL CITY** for the year ending December 31, **2020** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **MISHAWAKA CIVIL CITY**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **Mishawaka Common Council**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Mishawaka Common Council	Common Council and Mayor	10/07/2019

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0101	GENERAL	\$35,154,175	\$30,665,862	2.6563
0254	LOCAL INCOME TAX	\$2,770,991	\$0	0.0000
0341	FIRE PENSION	\$2,072,000	\$0	0.0000
0342	POLICE PENSION	\$1,352,000	\$0	0.0000
0706	LOCAL ROAD & STREET	\$670,000	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$3,818,213	\$5,201,898	0.4506
1151	CONTINUING EDUCATION	\$100,000	\$0	0.0000
1301	PARK & RECREATION	\$3,821,649	\$3,379,688	0.2928
1310	PARK NONREVERTING - CAPITAL	\$250,000	\$0	0.0000
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$60,000	\$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$650,000	\$3,213,675	0.2784
2411	ECONOMIC DEV INCOME TAX CREDIT	\$3,918,802	\$0	0.0000
6290	CUMULATIVE SEWER	\$500,000	\$0	0.0000
		\$55,137,830	\$42,461,123	3.6781

1st Reading 9-3-19
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK MMC

AUG 29 2019

CITY CLERK
MISHAWAKA, IN

SEP 11 2019

CITY CLERK
MISHAWAKA, IN

PETITION 19-10

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2019-24

ORDINANCE NO. _____

1st Reading 9-16-19
2nd Reading
Passed
Failed
Continued To

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, Clay Township, St. Joseph County, State of Indiana, to-wit:

Lot 5 being a parcel of land being a part of the Northeast Quarter of Section 28, Township 38 North, Range 3 East, Clay Township, St. Joseph County, Indiana and being more particularly described as commencing at the Southeast corner of the Northeast Quarter of said Section 28; thence North 0°-34'-41" East along East line of said Northeast quarter, a distance of 915.81 feet; thence South 89°-35'-28" West, a distance of 450.86 feet to the place of beginning also being the Southwest corner of a parcel of land conveyed to Midas Realty; thence continuing South 89°-35'-28" West, a distance of 523.88 feet; thence North 0°-24'-32" West, a distance of 91.89 feet to the South right-of-way line of University Drive, thence along a non-tangent curve to the left having a radius of 994.93 feet and a central angle of 14°-13'-25" and limited in length by a chord which bears North 66°-37'-58" East, a distance of 246.36 feet; thence North 59°-31'-13" East, a distance of 105.76 feet; thence along a curve to the right having a radius of 914.93 feet and a central angle of 14°-21'-05" and limited in length by a chord which bears North 66°-41'-44" East, a distance of 228.57 feet to the Northwest corner of said Midas Realty Parcel; thence South 0°-28'-44" West along the West line of said Midas parcel, a distance of 332.00 feet to the place of beginning containing 2.54 acres more or less. Located on the south side of University Drive approximately 415 feet west of North Main Street, Mishawaka, Indiana.

COMMON ADDRESS: 239 West University Drive, Granger

Proposed Ordinance No: 2019-24

Ordinance No: _____

which real estate is now classified as S-2 Planned Unit Development District shall hereafter be amended to allow microblading services.

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.
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

Proposed Ordinance No: 2019-24

Ordinance No: _____

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

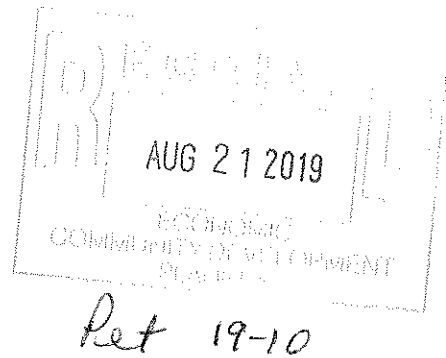
David A. Wood, Mayor

AUG 28 2019

August 13, 2019

CITY CLERK
MISHAWAKA, IN

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



RE: PETITION FOR PUD AGREEMENT

The undersigned, DF Properties LLP, 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:

Lot 5 being a parcel of land being a part of the Northeast Quarter of Section 28, Township 38 North, Range 3 East, Clay Township, St. Joseph County, Indiana and being more particularly described as commencing at the Southeast corner of the Northeast Quarter of said Section 28; thence North 0°-34'-41" East along East line of said Northeast quarter, a distance of 915.81 feet; thence South 89°-35'-28" West, a distance of 450.86 feet to the place of beginning also being the Southwest corner of a parcel of land conveyed to Midas Realty; thence continuing South 89°-35'-28" West, a distance of 523.88 feet; thence North 0°-24'-32" West, a distance of 91.89 feet to the South right-of-way line of University Drive, thence along a non-tangent curve to the left having a radius of 994.93 feet and a central angle of 14°-13'-25" and limited in length by a chord which bears North 66°-37'-58" East, a distance of 246.36 feet; thence North 59°-31'-13" East, a distance of 105.76 feet; thence along a curve to the right having a radius of 914.93 feet and a central angle of 14°-21'-05" and limited in length by a chord which bears North 66°-41'-44" East, a distance of 228.57 feet to the Northwest corner of said Midas Realty Parcel; thence South 0°-28'-44" West along the West line of said Midas parcel, a distance of 332.00 feet to the place of beginning containing 2.54 acres more or less. Located on the south side of University Drive approximately 415 feet west of North Main Street, Mishawaka, Indiana.

Petitioner owns one hundred percent (100%) of the above described parcel of land which carries a zoning classification of S-2 Planned Unit Development specifically for commercial retail - salon services.

Petitioner desires said real estate to be amended to allow for the hair salon to add microblading services.

Wherefore, the petitioner prays and 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 amending the PUD of the above describe parcel of land located in the City of Mishawaka.

Gary Standiford, Managing Partner, DF Properties LLP

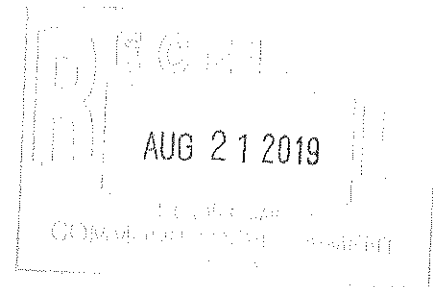
Contact Person: Aaron Slagel
1336 E. 510 S. Lafayette, IN 47909
phone: 765-412-4272 email: aaronslagel@msn.com

August 13, 2019

The undersigned, DF Properties – LLP, respectfully allows Kelly Reynolds, owner of “Blown Away Blow Dry Bar, Inc.” hair salon to appear and act on our behalf at the hearing of the amendment to the Planned Unit Development.



Gary Standiford, Managing Partner, DF Properties – LLP





C-1

N MAIN ST

S-2

S-2

S-1

W UNIVERSITY DR

PET 19-10

S-2

S-2

S-2

C-2

N MAIN ST

S-2

S-2

S-2

Location Map

PET 19-10

239 W UNIVERSITY

AMEND PUD TO ALLOW
MICROBLADING AS A
PERMITTED USE

SEP 13 2019

CITY CLERK
MISHAWAKA, IN

1st Reading 9-16-19 PROPOSED ORDINANCE NO. 2019-25

2nd Reading

Passed

Failed

Continued To

ORDINANCE NO. _____

An Ordinance Amending the Municipal Code

of the City of Mishawaka, Indiana

Concerning the Prevention of Contractor Tax Fraud

WHEREAS, The Common Council ("Council") of the City of Mishawaka, Indiana ("City") has been advised that amendments to the Municipal Code of the City ("Code") are required for the purpose of preventing fraud on the part of construction contractors in the City; and

WHEREAS, the Council, being duly advised, desires to enact the following amendments to the Code for these purposes.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Mishawaka, Indiana as follows:

SECTION ONE: The Municipal Code of the City of Mishawaka, Indiana ("Code") is hereby amended in Chapter 101 on "BUILDINGS AND BUILDING REGULATIONS" by adding a new Article VI, entitled "SPECIAL REGULATIONS", as follows:

Sec. 101-293

(a) For the purpose of this Article VI., the term "contractor" shall be defined as any person, except a licensed architect or registered professional engineer, who in any capacity other than as the employee of another for wages as the sole compensation, undertakes to construct, alter, repair, move, wreck, or demolish any structure. The term includes general contractor, subcontractor or specialty contractor, but does not include a person who furnishes materials or supplies.

(b) Each building permit issued for the construction, reconstruction, remodeling, renovation, repair, maintenance activity, or demolition of any commercial building or structure, or residential building/development containing at least five (5) dwelling units, provided that the cost of the work inclusive of materials and labor has a reasonable estimated value of more than \$250,000.00, shall be subject to the following additional

conditions, qualifications and requirements at all times during the contractor's performance of work on the project:

- (1) The contractor has not been excluded, barred or suspended from submitting a bid or being awarded a contract to perform construction work by any federal, state, or local government agency or instrumentality in the three (3) years preceding application for the building permit for violation of any law or regulation requiring the provision of workers compensation insurance to persons working for or under the control of the contractor as the law may require, misclassifying employees as independent contractors, failure to pay, when due, employer payroll taxes or employee income tax withholding, failure to comply with wage and hour laws, prompt payment law, or prevailing wage laws;
- (2) No court or governmental agency has found or determined in three (3) years preceding application for the building permit, the contractor to be in violation of any law or regulation requiring the provision of workers compensation insurance to persons working for or under the control of the contractor as the law may require, misclassifying employees as independent contractors, failure to pay, when due, employer payroll taxes or employee income tax withholding, failure to comply with wage and hour laws, prompt payment law, or prevailing wage laws;
- (3) The contractor must obtain and maintain appropriate workers compensation insurance coverage for its employees as required by I.C. § 22-3-5-1, *et. seq.*, and provide a certificate evidencing such insurance coverage to the Building Commissioner to be maintained as a public record;
- (4) The contractor must properly classify employees as employees rather than independent contractors and treat them as employees for purposes of complying with minimum wage and overtime compensation, worker's compensation, insurance coverage, unemployment taxes, social security taxes, and state and federal income tax withholding;

- (5) The contractor must maintain detailed written payroll records and provide such records, upon written request to the Building Commissioner or his/her designee, within three (3) business days of the contractor's receipt of the request;
- (6) The contractor must comply with I.C. 22-2 et. seq., with respect to the timely payment of wages; and
- (7) If required by law, the contractor must timely pay contributions to the unemployment insurance benefit fund established by I.C. § 22-4-26-1.

(c) An owner of property who applies for a permit covered by this Division. Shall use his or her best efforts to require that all contractors performing construction work on the property comply with the foregoing requirements of this Division. Consistent with Section 101-63(c), the Building Commissioner may suspend or revoke the license of any contractor upon a determination that the contractor failed to comply with any one or more of the requirements in Sec. 101-293(b). Upon suspension or revocation of the contractor's license, contractor shall cease all work until further notice by the Building Commissioner. The Building Commissioner may withdraw the suspension or revocation of the contractor's license when he or she determines that all violations by the contractor have been satisfactorily remedied.

(d) Any person may file a complaint concerning the possible violation of the requirements of Sec. 101-293(b). Each such complaint shall be made in writing, signed by the complaining party and affirmed upon the complainant's personal knowledge or belief under penalty of perjury. Any complaint may also include documents supportive of such complaint. The complaint shall be filed with the office of the Building Commissioner who shall cause due inquiry or investigation to be made by himself or herself or through the Commissioner's designee. Each registered contractor agrees to produce documents or records germane to the issues raised in a written complaint to the Building Commissioner within five (5) business days of the Commissioner's written request. Any information provided shall not include any employee addresses, social security numbers, and date of birth. Absent any law to the contrary, the complaint and any documents collected as part of the Building Commissioner's investigation shall be considered Public

Records under the Indiana Public Records Act. In the event that the Building Commissioner determines the contractor has failed to comply with any one or more of the requirements in Sec. 101-293(b), the Building Commissioner may suspend or revoke the license of the contractor. Upon suspension or revocation of the contractor's license, contractor shall cease all work until further notice by the Building Commissioner. The Building Commissioner may withdraw the suspension or revocation of the contractor's license when he or she determines that all violations by the contractor have been satisfactorily remedied.

(e) Any contractor that has its license suspended or revoked shall have the right to appeal such determination with the Board of Public Works and Safety. In addition, the person who filed the complaint may also appeal the decision of the Building Commissioner to the Board of Public Works and Safety. Any appeal must be received by the Board of Public Works and Safety within thirty (30) days of the decision of the Building Commissioner.

(f) Upon receipt of a timely appeal, the matter will be considered by the Board of Public Works and Safety at a public meeting where interested parties will be given an opportunity to speak and submit evidence. Pending review by the Board of Public Works and Safety, any suspension or revocation of the contractor's license shall remain in place consistent with Sec. 101-293(c) and (d). If the Board finds that one or more violations have occurred, the Board may suspend or revoke the license of the contractor and shall turn over any documents obtained in the matter to State or Federal prosecutorial authorities for further investigation or prosecution. In addition, if the Board finds that the individual filing the Complaint provided false or materially misleading information and filed a complaint for the purpose of harassment or other reasons inconsistent with this Ordinance, the Board may assess a fine in an amount not to exceed \$1,000 plus any actual expenses incurred by the City in investigating the allegations in the complaint. The Board may also direct the City Attorney to refer the matter to the St. Joseph County Prosecutor for review.

(g) Pursuant to Section 101.105, the Building Commissioner has the right to issue a stop work order. If as part of the Building Commissioner's review of information under Subsections (c) and (d), it is determined that additional contractors that previously

worked on the project or are currently working on the project may also be in violation of subsection (B), the Building Commissioner may issue a stop work order until such time as assurances can be provided that additional violations of Subsection (B) will not occur.

(h) A contractor found to have violated the conditions and requirements of Subsection (b) may have its license with the City of Mishawaka revoked for a period not exceeding three (3) years from the date of such determination.

SECTION TWO: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

SECTION THREE: This ordinance shall be in full force and effect from and after its passage in the manner required by law.

PASSED and ADOPTED by the Common Council of the City of Mishawaka, Indiana on this _____ day of _____, 2019.

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