

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
May 08, 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 May 08, 2019, 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: Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.

Absent: Mrs. Voelker.

Minutes for the Regular Meeting of April 15, 2019 were approved as received from the Clerk’s Office.

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

PETITION NO. 2019-06 PUD Amendment Addition of property for parking & stormwater Management for proposed Multi-Family Housing Development – North of the Edison Lakes Parkway & Holy Cross Parkway Intersection

Presentation of Encumbered Funds – No Action Required

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

PROPOSED ORDINANCE NO. 2019-12

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

(Correction to Ordinance No. 5594 Annex of 16839 Douglas Rd. by Scrivener’s Error)
(Assigned to the Land Use Planning Committee)

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

PROPOSED ORDINANCE NO. 2019-09

**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.**

(Rez from R-1 to I1 Ind. 215 & 217 S. Elder)
(Assigned to the Land Use Planning Committee)

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

Terry Lang Feeney, Lang Feeney & Associates represented the petitioner. He said the parcel was immediately adjacent from the railroad crossing at Elder Street. Mr. Feeney continued to say surrounding the property to the east and the west were zoned industrial and the parcels to the south were residential. He said the use of the property would be for storage warehouse, the facility may create a sound buffer for the train noise, which would be great for the residence nearby.

Questioned was called for at 7:06P.M. for **PROPOSED ORDINANCE NO. 2019-09** 

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8). **Yes:** Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons. Thus, it becomes **ORDINANCE NO. 5653**

PROPOSED ORDINANCE NO. 2019-10

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

(Add Funds – Merrifield Improvements \$18,500)
(Assigned to the Budget and Finance Committee)

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

Phil Blasko, Park Superintendent said due to unexpected circumstances the Merrifield Pool slide needed repairs. He continued to say in order to accommodate the cost, they were requesting for an additional appropriation of funds in the amount of \$18,500 from their non-reverting account.

Mr. Mammolenti questioned the major repairs needed for the pool. Mr. Blasko said at this time the pool slide and resurfacing the interior.

Mr. Emmons asked when they planned to open the pool for the season. Mr. Blasko said they were hoping to open the first weekend of June. He continued to say since majority of their lifeguards were high school students, they would open the pool fully once school was out for summer. Mr. Emmons also questioned the time frame to repair the slide. Mr. Blasko said the slide repair should be done in a week.

Question was called for at 7:09P.M. for **PROPOSED ORDINANCE NO. 2019-10**  **Vote:**
Motion carried by unanimous roll call vote (**summary:** Yes = 8).
Yes: Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons. Thus, it becomes **ORDINANCE NO. 5654**

PROPOSED ORDINANCE NO. 2019 -11

AN ORDINANCE AMENDING ORDINANCE 5642 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, 2019.

(Amd Civil City 2019 Salary Ord)

(Assigned to the Budget and Finance Committee)

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

Rebecca Miller, City Controller explained they discovered 2 items needed to be corrected in the salary ordinance. She said the first item they discovered was the Part-Time Hourly Position, it was currently minimum wage at \$7.25 to 25 an hour. She continued to say when the full-time salary was populated to the hourly position, just over 25 dollars an hour. Ms. Miller stated now it was time to raise the upper ceiling of the part time hourly wage to \$30 an hour. Ms. Miller went on to say there was also the matter of correcting the hourly wage for the MVH Group 3 Laborers. She said was not calculated correctly from the original salary ordinance, the hourly wage should be \$18.20 an hour.

Mr. Mammolenti questioned the part time position. Ms. Miller said they currently had a position in the Engineering Department, the Mishawaka MS4 Coordinator for the Separate Storm System Permit Program. She explained the position was originally full time, they made it a part time position to keep the employee working as it was a valuable position.

Question was called for at 7:13 P.M. for **PROPOSED ORDINANCE 2019-11**  **Vote:**
Motion carried by unanimous roll call vote (**summary:** Yes = 8).**Yes:** Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons. Thus, it becomes **ORDINANCE NO. 5655**

NEW BUSINESS

Mr. Mammolenti announced the Twin Branch Neighborhood meeting would be May 15th at 7P.M., guest speaker would be Indiana State Representative Ross Deal.

Mr. Emmons announced the Police Department Memorial Ceremony would be held at the Police Station on May 15, 2019 at 6P.M. He also announced the 1st District Neighborhood meeting would be May 16, 2019 at St. Bavo's Church at 7P.M., speaker would be Judge Jason Cickowitz.

ADJOURNMENT 7:17 P.M.

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

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