

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
September 03, 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 03, 2019, at 7:00 p.m. The meeting was called to order by President Dale “Woody” Emmons all were asked to stand for the Pledge of Allegiance.



Roll Call.

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

Others Present: Clerk Block, Council Attorney Michael Trippel.

Minutes of the Regular Meeting of August 19, 2019 was approved as received from the Clerk’s Office.

Introduction and Swearing-in of Mayor Wood’s Youth Council

Mayor Dave Wood said the opportunity to swear-in the youth council for the year was one of the best days of the year for him. He continued to say this was one of his most important programs where they would see leadership impact the City of Mishawaka. He said this was the 10th Mayor’s Youth Council and there was no other program in this area as broad at getting kids amerced in as much activity, leadership and in government. Mayor Wood continued to say this was the best program in the state of Indiana, it was copied and emulated around the Midwest. He said in his term, 164 Mishawka students participated in the program, 100 percent of students went to college with all type of interest such as athletes, salutatorians, valedictorians, theater drama, priest, students in all three Military Academy’s, EMS Firefighter and one student would be trying out for an Olympic team very soon. Mayor Wood went on to say this year he would be swearing-in a group made up of sophomores, Juniors and Seniors from three of Mishawaka High Schools and a Mishawaka resident from Adams High school. He expressed the importance of this program was to teach students about local government. Mayor Wood continued to say students seem to know more about federal and state government but this program would provide education to the students on the most important level of government, which had the most impact on the student lives and community. He said this program was hands on to see public service operate, it was a leadership program, the students would embrace and excel. Mayor Wood mentioned every other year the students participated in a leadership project or a mock council meeting, this year would be leadership project and they would throw out new topics to the students. He mentioned the last youth council group held a mock council meeting with the help of Clerk Block, council members and others. Mayor Wood continued to say the students were exceling at being representatives, their approach and professionalism was outstanding dealing with real city issues. He also mentioned the students would participate in community service, each year they did a youth council thanksgiving food drive. Mayor Wood said their food drive served over 1,000 thanksgiving meals to Mishawaka’s neediest families. He said in this program they also tried to introduce the students to community leaders, they’ve had the opportunity to meet State Representatives, Governors, Lieutenant Governors, as well as local business leaders. Mayor Wood went on to say this year they had unique opportunities, they had several students who served two-year commitments already, they liked the program so much they wanted to continue to be a part of it to serve as mentors. He said the mentors would lead project My

Community, My Vision or they would come up with a project idea unique to Mishawaka to present it to the Indiana Housing & Community Development Authority to receive 5,000 dollars to help fund the project. Mayor Wood said they would also have the opportunity to take the students to Youth Council Legislative Day in Indianapolis to see state government in action and an opportunity to go to Bloomington to attend a conference for local youth council programs. He said the program was provided by and for the citizens of Mishawaka. Mayor Wood went on to say this program could not happen without the assistance of a lot of volunteers including parents, his wife Jamie Wood, and his staff Lou Ann Hazen and Debby Gregg. He said this year they would be swearing-in 30 students. Mayor Wood mentioned they received a lot of interest for the program this year, there was now a waiting list.

Clerk Block read the following Appeals and Petitions to the council, who referred them to the Board of Zoning Appeals and the City Plan Commission for their recommendation.

Appeal NO. 2019-37 Use Variance Outside Storage & Developmental Variance to Permit Unpaved Area Within Outside Storage Area 3723 N. Home St. (CL Management & Leasing)

Appeal NO. 2019-38 Use Variance to Permit Permanent Makeup Services (Microshading) & Cosmetology Services 605 W. Edison Rd, Unit L

Petition NO. 2019-10 Amend PUD to Allow Microblading As A Permit Use 239 W. University

Petition NO. 2019-11 Rezone From C-7 Auto Oriented Restaurant Com to C-4 Auto Oriented Com for a Car Wash Facility 410 W. McKinley

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

PROPOSED ORDINANCE NO. 2019-23

Civil City Budget 2020
(Assigned to Budget and Finance Committee)

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

RESOLUTION NO. 2019-21

**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:
228 West Edison Road, Suite 600, Mishawaka, Indiana
(Use Variance to Permit Micro-blading/permanent makeup)**

Lindsay Bowerman explained she has been in business for 3 years performing permanent make-up. She continued to say they offer permanent make-up to people who did not have eyebrows who were experiencing hair loss due to cancer and other different disorders.

Mr. Tanner said Ms. Bowerman mentioned she had been in business for 3 years, he asked was this business a new location. Ms. Bower replied yes.

Question was called for at 7:31 P.M. for **RESOLUTION NO. 2019-21**  **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9). Yes: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.**

Clerk Block read the following proposed ordinance by title and 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. Tanner made a motion to continue the public hearing for **PROPOSED ORDINANCE 2019-21** on September 16, 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. Tanner made a motion to continue the public hearing for **PROPOSED ORDINANCE 2019-22** on September 16, 2019 same upon a second by Mr. Banicki motion carried.

UNFINISHED BUSINESS

PROPOSED ORDINANCE NO. 2019-17

**AN ORDINANCE AMENDING CHAPTER 137 OF THE MUNICIPAL
CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME
AMENDED, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF 1966” OF
THE CITY OF MISHAWAKA, INDIANA.
(Grandview PUD Amd- W. side of N. Gumwood, S. by Cleveland Rd. (SR23))**

(Assigned to the Land Use Planning Committee)

Clerk Block read a letter from Daryl Knip, Abonmarche Consultants INC., on the behalf of the portioners requesting withdrawal at this time.

Mr. Mammolenti made a motion to accept the petitioners request to withdraw **PROPOSED ORDINANCE NO. 2019-17** same upon a second by Mr. Compton motion carried.

Mr. Hixenbaugh made a few comments regarding the way the processed played out. He congratulated the neighbors who advocated against this, for their passion and the work they did to organize and speak their truth. Mr. Hixenbaugh went on to say there were some very impressive, kind, thoughtful people who contacted the council throughout the process but there were some who appeared before the council on too many occasion were insulted by the way they were addressed by the failure to follow rules and the lack of courtesy as they were the community and the council as the represented body of the community were shown. He continued to say he believed the council pride themselves to try to operate in an orderly fashion and to be very inclusive and listen to the perspectives of all. Mr. Hixenbaugh said he did not think it was too much to ask others for the same courtesy even when passions ran hot on issues close to home and their heart. He hoped in the future, as they strived to continue to be good neighbors and represent the concerns of the constituents, those who interact or appear before the council would show the same courtesies and work with them in a different compacity and fashion to try to address their concerns for a better outcome.

NEW BUSINESS

Ms. Petko-Reisdorf announced Twin Branch Neighborhood Watch meeting would be held on September 18, 2019 at 7:00PM. Speaker TBA.

Mr. Emmons announced 1st District Meeting would be held on September 19, 2019 at St. Bavo's Church at 7:00PM. Speaker would be K-9 Officer Beck and dog.

ADJOURNMENT 7:39 P.M.

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

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