

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

Others present: Clerk Block, Chief Deputy Clerk Mary Ellen Hazen, Council Attorney Mike Trippel,

Clerk Block read a letter from the City Plan Commission regarding recommendations from their December 10, 2019 meeting.

PETITION NO. 2019-17 A petition submitted by LaFree Properties LLC (1/2 interest) & John A. Jayne L. Piraccini (1/2 interest): and KLT Properties, LLC requesting to vacate right-of- way near the northwest corner of Bremen Highway and Elmwood Ave.

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

A public hearing on V2019-02 required by State Statute on behalf of LaFree Properties, John & Jayne Piraccini, KLT Properties LLC.
Part of Elmwood Ave. W. of Bremen Highway

John Piraccini, 633 Windy Cove Drive, Mishawaka spoke on behalf of the owners. He said by vacating Elmwood Ave. Meijer Drive will be a new road. He said the donated land will become a decel lane. He stated half of the land will be theirs and the other half will belong to the city.

Mayor Wood speaking on behalf of Ken Prince said after constructing a new road it is better aligned. He said there is no use for the property, some utilities will need to be moved.

Kate Voelker said the road looks great and she was glad it was lining up.
The public hearing closed at 7:07pm

PROPOSED ORDINANCE NO. 2019-38

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.
(Correction to Ord 5675 vacation of 20ft strip of Evergreen Rd)

Bryan Tanner made a motion to request second reading, seconded by Ron Banicki so moved.

Clerk Block explained this was to correct the legal description in 2 places.

Question was called for at 7:08pm for PROPOSED ORDINANCE NO. 2019-38 with the vote being 9 to 0. Thus, it becomes ORDINANCE NO. 5678.

Clerk Block read the following proposed ordinance by title and assigned to committee.

PROPOSED ORDINANCE NO. 2019-39

**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**

(Vacation Part of Elmwood Ave. West of Bremen Highway)
(Assigned to Land Use Planning Committee)

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

PROPOSED ORDINANCE NO. 2019-36

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

(Transfer Park & Rec \$34,000)
(Assigned to Budget and Finance Committee)

Mike Bellovich reported the Committee on Budget and Finance recommended this proposed ordinance should be adopted. This is signed by the Entire Committee, upon a second by Ron Banicki motion carried.

Phil Blasko, Park Superintendent stated this transfer is needed to cover utilities for the month of December. He stated the 3 lines where the money will come from are: Temporary \$16,000.00, Gas, Oil, Parts, Etc. \$15,000.00, Official, Ref. Fees 3,000.00 for a total of \$34,000.00.

Matt Mammolenti thanked Mr. Blasko and his team for an outstanding basketball league.

Bryan Tanner also thanked Mr. Blasko for the positive experience he has with all the kid's programs.

Question was called for at 7:13pm on PROPOSED ORDINANCE NO. 2019-36, with the vote being 9 to 0. Thus, it becomes ORDINANCE NO. 5679

PROPOSED ORDINANCE 2019-37

AMENDING ORDINANCE NO. 5666AA

AN ORDINANCE AMENDING 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.

(Amendment to City Salary ORD 5666AA for 2020)

(Assigned to Budget and Finance Committee)

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

Dave Wood, Mayor said he is requesting the council's approval and support for the 2020 salary ordinance. He said the main change is an increase for our valued public servants of up to 3% this is above what we had originally requested and a result of us going back and trying to improve what the council has given other departments. He stated this is above what they had originally asked for and it does take them out of their comfort zone but are trying to stay conservative and meet the realization of the fiscal cliff and tax cap situation. He said we recognize the need to invest in our employees and staff and recognition of the great work they do and wished it could be more. He also stated this ordinance does address the reorganization in police records. He said Police Chief Witkowski is here tonight to answer any questions. He said there would be an increase in IDAC stipend and a new position as administrative assistance in the chief's office. He stated an additional amount of \$275.00 will be met annually in the Department of Labors minimum salary standard when overtime is not offered this affects a small hand full of employees. Mayor Wood summarized the raises as council at 6.1%, typical police salary plus add-ins at 6.1%, firefighters 3.5%, most employees at 3%, mayor at 2.1% and the clerk at 2.3%

Gregg Hixenbaugh thanked the mayor, controller and rest of his administration for their fiscal conservatism of 3% he also stated we have great people working for the city and feel good about rewarding them accordingly. Mr. Hixenbaugh stated he would like more detail with regards to the reorganization of the records department at the police department and the administrative assistant in the police department. The mayor said he knows positions have been cut back and jobs eliminated but the work still needs to be done landing on the chief's assistant.

Mike Compton commented in response to the mayor's earlier stated percentages wanted to clarify the council, clerk and mayor all receives the same 1.5% plus \$500.00. This is no matter how the percentages look on paper, this is because of the difference in wages.

Gregg Hixenbaugh asked Chief Witkowski to give a walk-through of the reorganization of the records department.

Ken Witkowski, Police Chief said the main position was pretty much eliminated and the position has been given different duties, as it is re-described today. He said years ago the pay scale and duties were different. They are doing more cross training so that everyone knows the jobs and with technology the duties have gone away, and the money has been redistributed to other people in that division. Mr. Hixenbaugh asked which specific position the Chief was referring to that has had a reduction in responsibility and reduction in compensation. Chief Witkowski said Services Administrator. Mr. Hixenbaugh asked if there still was an employee occupying that position, the Chief said yes. Mr. Hixenbaugh asked if he would continue the position into 2020 the Chief said yes as an office manager. Mr. Hixenbaugh asked if someone will be employed as Service Administrator and separate Office Manager or the service administrator position left vacant. He said it would be left vacant and switched to office manager the duties did not match. Mr. Hixenbaugh said even though it shows a salary it will be left vacant and not anticipated for 2020. Chief said no. Mr. Hixenbaugh asked why it is not just deleted. Becky Miller, Controller stated the salary ordinance includes many different positions, the budget has the positions that are budgeted throughout the year. Salary ordinances list all the positions used they rarely delete positions from the salary ordinance. Mr. Hixenbaugh asked at present there are no plans to fill the service administrator, but it is there if needed. Chief Witkowski said yes. In addition to creating an Office Manager position there will be a re-allocation of funds in the records department to 4 secretaries and the detective bureau secretary but not property clerk. Mr. Hixenbaugh asked with the reallocation of money will they be in line for an increase of more than a 3% raise? Chief Witkowski said they would receive \$750.00 plus 3%. Mr. Hixenbaugh asked if anything else was done in the records division he was told no. Chief Witkowski explained the duties of his secretary he said in the past there was a uniform secretary that's gone, there are duties of a VCS which is Visual Computer Solutions it is attendance software that track time off which is a daily process and payroll responsibility. Mr. Hixenbaugh said for the record he has worked with the police department in the past and they do a fantastic job, this questioning is not geared toward any individual. Mr. Hixenbaugh asked if the creation of this new position would be revenue neutral or added expenditures? Chief Witkowski said additional expenditures. Becky Miller said around \$7,000.00.

Mr. Hixenbaugh asked the controller to explain the plan for several office administrators positions added to Code, Fire, Human Resources and Engineering for future consideration. She said there was no plan. She said it was a range of pay and title according to entry experience.

Mr. Hixenbaugh thanked the Mayor, Police Chief and City Controller in this process. He said he would have preferred this type of structural changes be handled during a typical budget process when they had a series of meetings and discussed various items. He said he is concerned about the clarification of adding \$7,000.00 to the budget. He said it is important that the other dormant job classifications do not have 2 people in similar positions. He said the controller stated there is a fiscal constraint that would become problematic to be able to afford 2 people in one similar position. Mr. Hixenbaugh stated next year during the budget cycle he would like to have a discussion about job titles that are dormant be removed from the salary ordinance.

Question was called for at 7:41PM for PROPOSED ORDINANCE NO 2019-29, with the vote being 9 to 0. Thus, it becomes ORDINANCE NO 5680.

PRIVILEGE OF THE FLOOR

Joe Canarecci, 201 W. 10th St., thanked Ms. Petko Reisdorf for her service on the council. Mr. Canarecci stated that he had enjoyed his time on the Mishawaka Council from 2016-2018 and serving with all the Mishawaka Council. He said he also wanted to acknowledge that this was also the last meeting for Councilman Tanner and Mr. Canarecci said Mr. Tanner would be missed.

NEW BUSINESS

A motion was made by Mr. Compton to change the meeting date of January 20, 2020 to January 27, 2020. Seconded by Mrs. Voelker motion carried.

Clerk Block read Resolution R2019-29 in its entirety.

RESOLUTION NO. 2019-29

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA HONORING BRYAN TANNER FOR SERVICE TO THE CITY OF MISHAWAKA

Council Members expressed appreciation for Mr. Tanners service to the City of Mishawaka and its citizens. Stating that his intelligence and energy has made Mishawaka a better place.

Mr. Tanner thanked everyone he had served on the Council with. He then thanked his Family and especially his wife Cari.

Question on Resolution No. R2019-29 was called with a unanimous Voice Vote the Resolution passed.

Clerk Block read Resolution R2019-30 in its entirety.

RESOLUTION NO. 2019-30

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA HONORING STACY PETKO REISDORF FOR SERVICE TO THE CITY OF MISHAWAKA

State Representative and former 3rd District Mishawaka Councilman Ross Deal thanked Ms. Petko Reisdorf for stepping up to fill the vacancy in the 3rd District when he was chosen to be State Representative.

At this time Mr. Compton excused himself and left the meeting (8:00 pm).

Council Members also expressed their gratitude to Mr. Petko Reisdorf for her service to the City of Mishawaka and its citizens.

Ms. Petko Reisdorf thanked everyone for the kind words.

Both Mr. Tanner and Ms Petko Reisdorf were presented with a shadow box plaque and their name plate.

Mr. Banicki presented President Emmons with a 2019 President Plaque and thanked him for his leadership during 2019. Mr. Emmons thanked everyone for their help during this past year.

President Emmons wished everyone a Merry Christmas and a Happy New Year!

ADJOURNMENT 8:17 P.M.

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

Dale “Woody” Emmons /s/
Dale “Woody” Emmons, President