

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

February 3, 2020

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, February 03, 2020 at 7:00PM. The meeting was called to order by President Gregg Hixenbaugh all were asked to stand for the Pledge of Allegiance.

  **Roll Call.**

Present: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mrs. Voelker, Mr. Hixenbaugh.

Others present; Mike Trippel, Council Attorney.

Minutes for the Regular meeting of January 27, 2020 were approved as received from the Clerk's Office.

Clerk Block read the following appeal and petitions to the council who referred them to the City Plan Commission and the Board of Zoning Appeals for their recommendations.

Appeal No. 2020-01 Use Variance to allow a construction business in a new building addition on an existing house (Pending R-1 district) 4416 Lincolnway E.

Petition No. 2020-01 Rezoning from C-1 Commercial to R-1 Residential for existing house and Contractors Business (Pending Appeal 2020-01) 4416 Lincolnway E.

Petition No. 2020-02 Vacating Areas of N Wenger Ave. between Lincolnway E and Homewood – The East 63' of the East/West alley North of Lincolnway E – all alleys bounded by Homewood on the North, Indiana on the West, and Wenger on the East – Mishawaka High School

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

PROPOSED ORDINANCE NO. 2020-04

AN ORDINANCE AMENDING CHAPTER 105 OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS “THE DESIGN REVIEW DEVELOPMENT PLAN ORDINANCE” OF THE CITY OF MISHAWAKA, INDIANA.

(Assigned to Land Use Planning Committee)

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

PROPOSED ORDINANCE NO. 2020-02

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.

(Rezone from R-1 to R-2 Multi-Family 115 E 9th St)

Mr. Bellovich reported the Committee on Land Use Planning recommended this proposed ordinance should be adopted. This is signed by the entire committee upon a second by Mr. Banicki motion carried.

John Pangani, Pollack Reality spoke on **PROPOSED ORDINANCE NO. 2020-02** regarding the change from an R-1 to an R-2.

Mr. Emmons asked Mr. Pangani if he contacted any of the neighbors regarding the residence becoming a duplex. Mr. Pangani replied no.

Mr. Emmons asked Ken Prince, City Planner, if the neighbors were alerted of the change. Mr. Prince stated that notices were sent out to property owner and all properties within 300 feet.

Mrs. Voelker asked how the potential buyer planned to divide the house and if the residence was a single family home. John Pangani stated it was two separate apartments, as of now there was one apartment upstairs and one downstairs.

Mr. Emmons stated that both residents enter from the back of the building and the upstairs has a stairwell.

Mr. Mammolenti asked where parking for residence was located and how long the property has been occupied. Mr. Pangani explained parking was in the front of the building. He went on to say he was not sure how long the building has been occupied. Mr. Pangani also mentioned the property was being rented as an Airbnb.

Question was called for at 7:11PM for **PROPOSED ORDINANCE NO. 2020-02**  Vote: Motion carried by unanimous roll call vote **(summary: Yes = 9)**.

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mrs. Voelker, Mr. Hixenbaugh. Thus, it becomes **ORDINANCE NO. 5683**.

NEW BUSINESS

Mr. Mammolenti announced his monthly neighborhood watch meeting with Mr. Hazen would be held on February 19th at Twin Branch School starting at 7PM. The speaker of the event would be announced at the next council meeting.

Mr. Emmons announced there would not be a neighborhood watch meeting in the 1st District in February. The meetings would be continued in March.

ADJOURNMENT 7:12PM

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

Gregg A. Hixenbaugh /s/
Gregg A. Hixenbaugh, President