

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

March 16, 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, March 16, 2020 at 7:00PM. The meeting was called to order by President Gregg Hixenbaugh all were asked to stand for the Pledge of Allegiance followed by a moment of silence for Mr. Compton's Father who passed away.



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 and Raven Boston, Deputy Clerk.

Minutes for the Regular meeting of March 2, 2020 were approved as received from the Clerk's Office.

Clerk Block read letters from the City Plan Commission and the Board of Zoning Appeals regarding their recommendations from the March 10th meeting.

A letter from the Board of Zoning Appeal regarding their recommendations from their March 10, 2020 meeting.

A letter from the City Plan Commission regarding their recommendation from their March 10, 2020 meeting.

Presentation of the 2019 Tax Increment Finance Report.

Clerk Block read the following proposed ordinances and were set for public hearings at the next meeting.

PROPOSED ORDINANCE NO. 2020-08

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 area South of retention area from R-1 Single Family to C-1 General Commercial
4019 & 4021 LWE
(Assigned to Land Use Planning)**

PROPOSED ORDINANCE NO. 2020-09

**AN ORDINANCE DECLARING AN EMERGENCY AND DETERMINING THE
EXPENDITURE OF ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31,
2020**

**Additional Appropriation – Cumulative Capital Improvement Fund \$55,000 – Public
Safety LIT Fund \$713,901 – CREDIT Fund \$713,901 – Improvement Sidewalk/Curb 50/50
\$20,000 – Ambulance Fund \$198,000 – Total \$1,228,794
(Assigned to Budget & Finance)**

Clerk Block read the following resolutions and opened the public hearing.

RESOLUTION NO. 2020-03

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA,
INDIANA HONORING CHIEF DEPUTY CITY CLERK MARY ELLEN HAZEN FOR
SERVICE TO THE CITY OF MISHAWAKA, INDIANA.**

Mary Ellen Hazen read a letter to the Council:

It's hard to believe I have worked 34 years in the City Clerk's Office. When Jan Opfell hired me she said it may be for only 18 months. Thanks to Debbie it has been a wonderful career professional and personally. I feel very lucky to have had the opportunity to stay at one job for so many years. When you are with people that long you become family. A couple of highlights in my years in the Clerk's office were when my husband Dale was on the council and when I met Linda Dotson. I know that Debbie has 2 very responsible and fun people to work with who are quick learners and computer smart Raven and Michael. Dale and I have become friends with many past and present councilmen. My family and I want to thank you Debbie for not only being a great boss but also being part of my family. WE all truly think the world of you. As supportive and memorable as this journey has been at City Hall I am looking forward to retirement with my GROWING family. It's usually never a dull moment. Thank you.

Mr. Emmons explained how fortunate the City of Mishawaka has been to see Mary Ellen Hazen greet a lot of people over the years and work for the Clerk's office. He continued to explain how he will miss her and hopes to see her in the future. Mr. Emmons concluded by thanking her for her 34 years of service.

Mrs. Voelker began stating how special it was to have Mary Ellen Hazen's family in attendance for the meeting. She also wished her the best in retirement.

Mr. Mammolenti stated how smoothly the council meetings and Clerk's Office operations ran while she was in office. He continued to explain how appreciative he is of her kindness and dedication to Mishawaka.

Mr. Banicki thanked Mary Ellen Hazen for her hard work and dedication to her work. He continued by telling her to enjoy retirement.

Mr. Compton started by saying he appreciated her professionalism and work she did in the office. He also stated she was one of the people who supported his family and expressed appreciation to everything she has done. He finished by congratulating her and wishing her nothing but precious times in the future.

Mary Ellen Hazen introduced her family in attendance.

Mr. Hixenbaugh thanked her and all of her family for being in attendance. He continued stating how big of an impact Mary Ellen Hazen had on the community over her years of service. Mr. Hixenbaugh expressed how big of a role she has played in the office and how deserving she has been of all the accolades she received. He concluded by stating she is an unsung hero in the city of Mishawaka and has left the community better than when she began working.

Question was called for at 7:28PM for **RESOLUTION 2020-03**  **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.

RESOLUTION NO. 2020-04

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA APPROVING A PETITION OF THE MISHAWAKA BOARD OF ZONING APPEALS LOCATED AT:

SE Corner of Comfort Place & N. Pine Street

**Use Variance to permit and Accessory Structure (Maintenance building) on a lot without a
primary structure of Comfort Place & N. Pine Street**

Chris Chockley, Jones Petrie Rafinski, spoke on the Resolution.

Mr. Chockley represented the Center for Hospice Care. He began stating the design of the building would reflect the other buildings within the neighborhood.

Mrs. Voelker asked if the property was for sale and Mr. Chockley stated it was not for sale and that it was the last remaining lot of the Center for Hospice campus.

Question was called for at 7:33PM for **RESOLUTION NO. 2020-04**  **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.

RESOLUTION NO. 2020-05

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:

403 & 411 S. Main Street

Use Variance to allow Furniture Retail & Showroom at 403 & 411 S. Main Street

Angela Rockenbaugh, Owner of Interior Motives in Elkhart, Indiana, spoke in favor of the Resolution. Mrs. Rockenbaugh requested to open an interior design studio along with furniture accessories to allow for a full service interior design studio.

Maurice Bokhart, current owner of building, also spoke in favor of the Resolution. Mr. Bokhart began stating he purchased the 403 S Main Street building was purchased for the store and the 411 S Main Street building purchased mainly for parking.

Mr. Mammolenti and Mrs. Voeleker thanked the petitioners for choosing Mishawaka.

Mr. Hixenbaugh wished good luck to the petitioners on their new adventure and added a thank you to the staff for aiding with development in the community.

Question was called for at 7:38PM for **RESOLUTION NO. 2020-05**  **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.

PRIVILEGE OF THE FLOOR – NON-AGENDA ITEMS

Mayor Wood gave an update on the COVID-19 effort locally in Mishawaka. He began stating we are ahead of the curve in preparation and receiving updates all through the county daily and holding meetings daily. Mayor Wood appointed Assistant Chief of EMS Division Brian Thomas to be Point Person on information regarding the virus and also constructed a task force made up of key city staff that meets daily to go over latest events. One objective, Mayor Wood stated, was to make sure the city is available to provide critical services and utilities without interruption on a daily basis throughout this period of time. Mr. Wood continued by giving an example of water in the city and how big of a job it is to distribute in these times. He continued stating how well trained Public Safety departments are for an occurrence like this and are equipped to aid the community. Mr. Wood stated there was 1 confirmed case in St. Joseph Community and no community spread to date. Mayor Wood continued explaining precautions are being taken with testing and stopping a potential spread. A fourth ambulance has been added on standby if needed and a fifth ambulance is expected to be ready within the next week. Mayor Wood also stated the city staff has been assigned an HR manager and Safety individual to talk to each department about cleanliness, social distancing, what can be done to control environment around them, and bringing them up to speed on CDC requirements. Mayor Wood explained how the City Clinic has instant testing for individuals put at risk for the virus. Mayor Wood continued stating the clinic is being set up for drive through service to aid individuals who need medical attention while avoiding exposing other patients and staff to illness. In conclusion, Mayor Wood asked the public to follow CDC & SJC health requests and guidelines and thanked all staff involved for all their hard work through this time

Mr. Compton thanked Mayor Wood for the information and also asked about the State of the City meeting. Mayor Wood answered stating the Battell Center has been shut down and discussed moving the date back so the public may attend. Mayor Wood expressed his preference to schedule State of the City for another time also stated the focus needs to be on COVID-19 at this time.

Mr. Mammolenti thanked the Mayor for pro-active decisions during this time.

Mr. Hazen stated the city employees are stepping up to the plate and also the Activate Clinic is a huge benefit for the city of Mishawaka.

Mayor Wood stated how diligent staff members have been throughout and how seriously the virus has been taken. Mr. Wood also thanked all individuals disinfecting City Hall and specifically expressed appreciation for Fred Kile for his suggestion of keeping the department doors open throughout City Hall to prevent the spreading of germs.

Mr. Hixenbaugh thanked Mayor Wood for the hard work and stated to the public to be prepared but not panic during this process. Mr. Hixenbaugh also expressed the council's readiness for any steps needed to be taken to move forward with regard to any ordinances or business.

Clerk Block added the Election Board is encouraging individuals to vote by mail and gave information on how to access Absentee ballots.

UNFINISHED BUSINESS

Mr. Hixenbaugh made a motion to postpone the State of the City address to a later date to be determined, seconded by Mr. Mammolenti.

Mr. Emmons canceled monthly neighborhood meeting in March and announced the April neighborhood meeting will be put on hold due to the virus complications.

Mr. Hazen stated Twin Branch neighborhood meeting on March 18th had been canceled.

Mr. Compton thanked everyone on the council for all of their support after his father's passing and stated the memorial service will be delayed until a later date.

Mr. Mammolenti congratulated Phil Blasko and his family for their new addition to their growing family.

ADJOURNMENT 8:04PM

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

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

