

## **REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL**

**June 21, 2021**

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall and via telephone on Monday, June 21, 2021 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 (P), Mr. Banicki (P), Mr. Hazen (P), Mr. Mammolenti (E), Mr. Emmons (P), Mr. Bellovich (P), Mr. Compton (P), Mrs. Voelker (P), Mr. Hixenbaugh (P)**  
**P: Present E: Electronically Participating A: Absent**

Others Present: Clerk Block

**Members attending virtually do so by WebEx. Public that attend can participate by WebEx or observe meetings by YouTube or Facebook live. The Council meetings are also streamed live on Michiana Access on Comcast/AT&T U-verse Channel 99.**

Minutes for the Regular Meeting of June 7, 2021 were approved as received from the Clerk's Office.

**Clerk Block read a letter from the City Plan Commission regarding their recommendations from their June 8, 2021 meeting.**

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

### **PROPOSED ORDINANCE NO. 2021-20**

**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.**

**University Marketplace PUD Amendment to allow an Automobile Dealership and Service Center – 7207 Grape Road (former JCPenney Home Store)  
(Assigned to Land Use Planning Committee)**

### **PROPOSED ORDINANCE NO. 2021-21**

**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 C-1 District to C-7 District to allow Restaurant with Drive-Thru – Part of 2754 Lincoln Way East – existing parking area for Mishawaka INN  
(Assigned to Land Use Planning Committee)**

**PROPOSED ORDINANCE NO. 2021-22**

**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.**

**Annexation & Zoning of 19.02 Acres to R-1 for a proposed Single Family Residential Subdivision – Autumn Ridge Phase 4**

**(Assigned to Land Use Planning Committee)**

**PROPOSED ORDINANCE NO. 2021-23**

**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.**

**Annexation & Zoning of 5.24 Acres to I-1 for a proposed Self Storage Facility – 16996 S.R. 23**

**(Assigned to Land Use Planning Committee)**

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

**RESOLUTION R2021-13**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, ADDING PARCELS TO THE CITY’S PROPERTY ACQUISITION LIST ASSOCIATED WITH A PREVIOUSLY APPROVED COMMON COUNCIL RESOLUTION 2014-07 WHICH APPROVED AN ORDER OF THE CITY OF MISHAWAKA PLAN COMMISSION APPROVING A CERTAIN DECLARATORY RESOLUTION, AN AMENDMENT TO THE BOUNDARIES OF THE NORTHWEST AREA IMPROVEMENT PROJECT, CONSOLIDATION OF THE SOUTHSIDE ECONOMIC DEVELOPMENT AREA AND THE NORTHWEST IMPROVEMENT PROJECT INTO ONE CONSOLIDATED AREA IMPROVEMENT PROJECT, AND AN AMENDMENT TO THE ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED AREA IMPROVEMENT PROJECT ADOPTED BY THE CITY OF MISHAWAKA REDEVELOPMENT COMMISSION.**

Ken Prince, City Planner, spoke in favor of **RESOLUTION R2021-13**. Mr. Prince began stating he would give a deeper explanation of the resolution with the youth council present that evening. Mr. Prince began stated tax increment financing was underdeveloped property created in an area around that property and once that property was improved, the additional tax increment collected would be put in a special fund called tax increment funding. Mr. Prince continued stating it would then be used to fund capital improvements in that area. Mr. Prince stated the tax increment financing district in the city was last amended in 2014, it included thousands of properties that

had been developed in the 1980s. Mr. Prince stated as part of the last amendment in 2014, the city amended the district, because at that point per state law it was allowed to follow roadways and to do things in areas where they knew needed capital improvements but didn't necessarily have the funding to match. Mr. Prince stated one of the areas was Union Street south, their long terms goals as a city were to make from Bremen Highway, Union, Church, Main and Gumwood all five lanes from one end of the city to the other end and systematically they had taken their shot in getting project after project done to make it happen. Mr. Prince stated in 2014, they knew they wanted to do the project, but did not know what properties they needed. He said they would come back before the council when they had a better idea of what properties they needed. Mr. Prince stated in this case, they were working on the engineering, but did not have the engineering completed for the expansion of Union Street as you went down Ninth Street all the way past Dragoon Trail, which was the city limits in that portion. Mr. Prince stated there were many properties needed to be acquired as part of that improvement, and as part of it, they knew they had to improve the intersection where Twelfth and Thirteenth met at Union and right on the corner was a former Ray Buck construction office. Mr. Prince stated it was located immediately north of where Papa Joe's was located. He said they had approached the owner at the time about selling but they had some personal issues and would not sell at that time. Mr. Prince stated they had recently come back to them in the last month asking if they had interest and they did, which was why they were before the council that evening to acquire the property. Mr. Prince stated they knew without doing any detailed engineering, they needed to acquire the property. He said they knew there would be other properties they may bring to the council as they came available to ask the council to put them on the acquisition list. Mr. Prince stated there had been properties that had become for sale and they were not at the point to purchase them at that time even after being contacted by the owners, because they did not have a definitive answer yet. Mr. Prince stated they were prudent in terms of where they would take the properties to the council for their approval and he was happy to answer any questions.

Mr. Bellovich asked if Mr. Prince to give a couple of examples of projects that had been funded by TIF money across the city of Mishawaka. Mr. Prince stated everything from the Main Street underpass, Battell Center, Edison Lakes, virtually all of the improvements as they widened Main Street, the bridge across the Toll Road, Beacon Parkway and the demolition of Uniroyal downtown were all funded by TIF money.

Question was called for at 7:15 PM for **RESOLUTION R2021-13** **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.** The resolution passed 9-0.

## **PRIVILEGE OF THE FLOOR**

Mayor Wood made comments about the youth council being present that evening and stated their previously scheduled night at the electric lineman training facility got cancelled, because of their guys working 16 hour shifts the previous night and doing an exceptional job of keeping the power on for Mishawaka citizens after the storms. Mayor Wood stated they were in for a treat getting educated on TIF and something they could take with them off to college and hopefully back to the princess city once they were done with college. Mayor Wood stated they had over

150 youth council members over his 11 years with kids doing amazing things, going off to college and service academies, living all over the country, athletes who were achieving at the highest of levels and impressive all around. Mayor Wood stated he loved them all and as much as he was impressed with all of his youth council groups, he could not be more impressed than with the group present at the meeting. Mayor Wood stated they had to meet and continue to function through and unprecedented time throughout the pandemic and continued to serve their city. Mayor Wood stated of all of the projects they did on a big scale, he could not think of any he was more proud of than the kids designing Heroes Park and taking it from concept to completion and it being a very popular park for Mishawaka families for a great southeast neighborhood. Mayor Wood stated they learned an awful lot about how local government worked. Mayor Wood stated they made an important improvement in their community and this was the one where in decades from that point, they could come back to it knowing they had a hand in it and it would still be productive and a neat place to be. Mayor Wood stated their youth council was the best practice around the state, because of the kid's willingness to step up and make their community better. Mayor Wood stated they were seeing them do amazing things and were even hiring from alumni groups in the past, which was also a great thing for the city. Mayor Wood stated he could not be more proud of them and their community was so much better because of their hard work and service. Mayor Wood stated he knew the council would be very impressed as he was with them.

Mr. Hixenbaugh welcomed the youth council and thanked them for the work they did on behalf of the community. Mr. Hixenbaugh stated they made a tangible difference in their community, which was all any of them could ask as citizens at the end of the day.

Mr. Hixenbaugh allowed for all of the members of the youth council to come to the podium and give their name, the high school they attended, their grade and where the graduated seniors would be attending college along with their major.

Mr. Hixenbaugh thanked all of the members for attending the meeting after introducing themselves and also thanked Mrs. Hazen and Mrs. Wood who did it because of their passion for it and appreciated the work they did to make it all come together.

Mrs. Voelker complimented the Mayor's youth council along with the Mayor Assistant, Mrs. Hazen and Mrs. Wood and stated she was impressed with the park and also the way they laid out their program at the ribbon cutting. Mrs. Voelker stated it was very impressive how each of them had a role to play and they did a great job in telling the audience what the important parts were, it was very meaningful. Mrs. Voelker stated she found the way they described the various parts of the park, why they put them there, how they named them and who they involved in the process was very moving and interesting. Mrs. Voelker stated they did a tremendous job and it was the best ribbon cutting she had ever been to.

Mr. Hixenbaugh thanked them all again for being present that evening.

Mayor Wood stated there would be another groundbreaking on Thursday, June 24 at 1PM at the Ironworks Plaza for the Plaza, Café, Rink project. Mayor Wood stated this was another project that in part was conceived by a past Mayor youth council and they would be there with shovels

and dirt ready for them to turn if they could be present. Mayor Wood stated it was a significant project for them and construction crews would be at the gates waiting for them to turn the dirt so they could get in and make it happen.

## **NEW BUSINESS**

Clerk Block announced a request to change the meeting dates. Clerk Block stated the request was to move the July 19<sup>th</sup> meeting to July 26<sup>th</sup>, October 4<sup>th</sup> meeting to October 11<sup>th</sup> and October 18<sup>th</sup> meeting to October 25<sup>th</sup>. Mr. Compton made a motion and Mr. Banicki seconded the motion to change the regularly scheduled council meeting dates as read by the Clerk prior to the motion.

Question was called for at 7:28PM for the motion **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.** The meeting date changes were approved 9-0.

ADJOURNMENT 7:29PM

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

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