

AGENDA

July 26, 2021

Meetings of Standing Committees
Council Conference Room
6:45PM

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
COUNCIL CHAMBERS/CITY HALL
7:00PM

WebEx Telephone Number: 408-418-9388
Meeting Number (access code): 173 473 5128
Meeting Password: RPjiJKea582

Livestream #1:
<https://www.facebook.com/cityofmishawaka/>

To connect on-line join using Microsoft Lync or Microsoft Skype for Business

Dial: 1734735128@mishawaka.webex.com

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the Minutes of the Regular Meeting of July 06, 2021
5. Petitions, Communications, Remonstrance and Memorial

A letter from the Board of Zoning Appeals regarding their recommendations from their July 13, 2021 meeting.

A Presentation of Encumbered Funds

6. Report of Special Committee
7. Ordinances on First Reading

P.O. NO. 2021-24 Authorizing the Investments of Public Funds

8. Resolutions

- R2021-14 Fiscal Plan for 20-acre parcel located at Autumn Ridge Subdivision and S. of Blair Hills
- R2021-15 Fiscal Plan for property located at 16996 S.R. 23 South Bend, IN including adjacent S.R. 23 right-of-way and vacant land to the South
- R2021-16 Adding Miscellaneous Property to City's Acquisition List
- R2021-17 Civil City Property Disposal of 126 N. Church Street
- R2021-18 Renewal of Use Variance to allow Automobile Repair in I-1 Light Industrial

9. Ordinances on Second Reading

- P.O. No. 2021-22 Annexation & Zoning of 19.02 Acre to R-1 for a proposed Single Family Residential Subdivision - Autumn Ridge Phase 4
VOTE ONLY
- P.O. No. 2021-23 Annexation & Zoning of 5.24 Acres to I-1 for a proposed Self Storage Facility - 16996 S.R. 23 **VOTE ONLY**

10. Privilege of the Floor - Non-Agenda Items

11. Unfinished Business

12. New Business

13. Adjournment -

This meeting will be aired via live stream:

An archived version of the livestream video can be viewed on the city of Mishawaka's Facebook page,
<https://www.facebook.com/cityofmishawaka/> and also on the Michiana Access TV Facebook page,
<https://www.facebook.com/MichianaAccessTV>

At this time, I know of no other business to come before the Council.

Deborah S. Block, IAMC, MMC, City Clerk

The City of Mishawaka acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements contact Susan Kile, ADA Coordinator, at (574) 258-1615.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

July 6, 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 Tuesday, July 6, 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 (P), Mr. Emmons (P), Mr. Bellovich (P), Mr. Compton (P), Mrs. Voelker (A), Mr. Hixenbaugh (P)
P: Present E: Electronically Participating A: Absent

Others Present: Clerk Boston, Mike Trippel

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 21, 2021 were approved as received from the Clerk's Office.

Clerk Boston read the following appeal by title to the council who referred it to the Board of Zoning Appeals for their recommendation.

Appeal No. 2021-20 Renewal of Use Variance to allow Automobile Repair in I-1 Light Industrial – 1035 E. McKinley

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

PROPOSED ORDINANCE NO. 2021-20AA

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 Electric Automobile Dealership and Service Center – 7207 Grape Road (former JCPenney Home Store)

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

Chris Sotos, 515 N. State Street Chicago Illinois, 60654, spoke in favor of **PROPOSED ORDINANCE NO. 2021-20AA**. Mr. Soto stated they were proposing to convert the existing building that was formerly JCPenney's which was approximately 36,500 square feet to an

electronic automotive alternate energy and solar powered company use. Mr. Sotos stated with that use, they would be knocking down the western building, which was approximately 4,800 square feet and would not propose any other additions to the main JCPenney building. Mr. Sotos stated they would be remodeling the façade with new color schemes, new paint and cleaning up existing store front with new penetrations with the new use. Mr. Sotos stated they recognized the parking lot was in need of some repair and the neighbors around the area had brought up good points regarding the area with them. Mr. Sotos stated the first point involved lighting and they were concerned about site lighting spilling over onto the western side of the property. Mr. Sotos stated the second point had to do with concern over what kind of landscaping material would be used and he believed the city had given them suggestions as to creating a hedge along Cleveland. Mr. Sotos stated the third point was the condition of the fence along the western side of the property. Mr. Sotos stated to address the points, they had discussions with the neighbors and particularly one who was quite involved who lived at 52930 Timberland Drive named Mr. Waters. Mr. Sotos stated his home was the one closest to the western edge of the property and he brought up the concern of how it would be lit and what the conditions would be in the evening. Mr. Sotos stated their use would typically be closed at 7PM and they did not have a strict policy of heavy lighting off hours and did whatever local code suggested. Mr. Sotos stated along the parking on the western side, there were two poles standing 25 feet high and they each contained two heads on them. Mr. Sotos stated they were proposing to change all of the heads in the parking lot to LED to provide a softer and more focused lighting. Mr. Sotos stated in addition, on the western pole, they just wanted to keep 1 head on the pole facing east and at the time there were 2 heads. Mr. Sotos stated they also proposed to put a cutoff shield on the lighting to avoid any significant spillover. Mr. Sotos stated they would also keep them on a separate switch so if that was not a heavily used area then they could be turned off. Mr. Sotos stated the use itself was not a late night or heavy parking intensive use. Mr. Sotos stated these ideas were all communicated to Mr. Waters and he understood them. Mr. Sotos stated the other issue, specifically for Mr. Waters, was the condition of the fence not being up to par. Mr. Sotos stated most of the fence needed repair or replacement and they would take care of that. Mr. Sotos stated with the final issue of landscaping, they would be open to whatever the advice of the city was and they would take it into account.

Mr. Bellovich asked how many people they would be employing once the operation was up and running. Mr. Sotos stated they expected to have about 25 to 30 people employed full-time at the least.

Mr. Emmons asked if the fence would be repaired to match the existing fence or if it would be all torn down and rebuilt. Mr. Sotos stated he was not sure, but he did not like the style of the current fence. Mr. Sotos stated he did know a lot of it was in poor condition and leaning over and it was an issue the current owner should have addressed all along. Mr. Sotos stated he would not mind upgrading their portion, but the fence ran a long way and as it headed to the north to the other office building, they did not control it. Mr. Emmons stated he was just curious if when they repaired the fence if it would be in likeness of the other fence. Mr. Sotos stated their preference was to keep it consistent so it did not stick out. Mr. Emmons asked if he had talked to Mr. Waters about all of the details. Mr. Sotos stated he did.

Mr. Compton thanked Mr. Sotos for attending the meeting and for their interest to do business in Mishawaka. Mr. Compton asked if this would be an auto charging station as well as an electric auto dealership. Mr. Sotos stated that would be one of the attractions for the demographic area and with the proximity to the highway, it would be of great value to the citizens in the area. Mr. Sotos stated they deserved a dedicating charging station to make it an attractive area. Mr. Sotos stated one of the big expenditures for them was to bring in significantly more electricity to the site for the dedicated charging stations and it was not a traditional car sales establishment or the kind of place where one would go to simply buy a car. Mr. Sotos stated it would not be a place that was lit up in any conspicuous way and if anything, signage and branding were minimal, tasteful and elegant for their establishment. Mr. Compton asked if people would be able to drive in during off hours and use their chargers. Mr. Sotos answered yes. Mr. Compton asked how many chargers would be there. Mr. Sotos stated he believed there would be 8, but he was not certain. Mr. Compton asked if he anticipated them being used in off hours given the fact that electrical vehicles took several hours to reach capacity. Mr. Sotos stated he was not the expert on the brand or the ability to repower and this automotive user had several different types of charging capabilities with some charging quicker than others. Mr. Sotos stated he believed full charging could be several hours and quick charging for a more modest range of 100 miles could be done as quick as 15 minutes. Mr. Compton stated this was new to all of them and as they were thinking of neighbors, you had the automobile business on one hand and the charging business and what that brought to the area. Mr. Compton stated he was thinking about that and was not overly concerned, but was thinking about it nonetheless. Mr. Compton thanked Mr. Sotos for his comments and this would help them learn as to what the future could be in automobiles.

Mr. Mammolenti thanked Mr. Sotos for his presentation and meeting with Mr. Waters along with other concerned citizens in the area. Mr. Mammolenti stated his comment regarding the proximity to the highway made perfect sense. Mr. Mammolenti asked if he were to guess, in terms of the patrons charging their vehicles as far as passerby's from the toll road or highway versus local residents, if it would be 50/50, 80/20, etc. or if the majority would be out of towners traveling through the highway. Mr. Sotos stated he was not able to speak to that and the tenant would need to. Mr. Sotos stated he did not have the history.

Mr. Hixenbaugh thanked Mr. Sotos for his time that evening and for his outreach to the surrounding neighbors. Mr. Hixenbaugh stated he knew he and his colleagues scheduled a meeting in the council chambers with the residents and due to a lack of interest from the neighborhood, the meeting ended up not taking place, but he appreciated the effort nonetheless. Mr. Sotos stated Mr. Waters was the one who was primarily affected and it would be one of the lowest impact uses that corner would see and anything else would likely bring more traffic. Mr. Sotos stated himself and Mr. Waters discovered that day that it would be very peaceful for the neighborhood. Mr. Hixenbaugh stated they had 15 conditions imbedded in the ordinance and asked if he had a chance to review them. Mr. Sotos stated he had. Mr. Hixenbaugh asked if he was authorized on behalf of his firm and the end user of the property to commit to the council that he agreed to the conditions as set out in the proposed ordinance. Mr. Sotos stated he was. Mr. Hixenbaugh stated one of the things that caught his attention throughout the process as the media had covered the petition was that although he provided a lot of information, he had been very diplomatic of not mentioning the name of who the end user would be. Mr. Hixenbaugh stated thinking back on his time on the council, he could not recall another instance where they

had not had that disclosed to them. Mr. Hixenbaugh stated he understood that the issue before the council was the appropriateness of the use and not the identity of the end user, but asked if Mr. Sotos could help him understand why it was that precluded him from making that part of his presentation. Mr. Sotos stated that particular tenant, which was the best in class, most successful and very recognizable brand name in space, had done two other transactions with them both of which were under construction and with each transaction they signed a nondisclosure agreement. Mr. Sotos stated those were the rules with the particular tenant and they were not authorized to release any name beyond that. Mr. Hixenbaugh stated he would never ask him to violate any contractual prohibitions along those lines and asked if he could at least share with them when it was the name of the ultimate user would be known to the public. Mr. Sotos stated as soon as it passed committee and was zoned, they would then go about to execute a lease and they were close to being finished and the name would be released as soon as they had a binding agreement where they would be become authorized to be public. Mr. Sotos stated the user had engaged their own due diligence team, their own professional consultancies for architect civil engineering and they had spent money so they were very serious about the area. Mr. Sotos stated prior to Mishawaka they were focused on Fort Wayne and eventually skipped Fort Wayne, because their studies indicated that Mishawaka would be a better fit for their customer base. Mr. Sotos stated with each transaction, they were on a nondisclosure and had to honor it. Mr. Hixenbaugh stated he understood that as a practitioner, but as a governmental official he took issue with it, but he was not indicating to Mr. Sotos that that would generate a particular outcome with regard to his vote. Mr. Hixenbaugh stated he found it to be inconsistent with the many presentations they had received as a council over the course of a long period of time. Mr. Hixenbaugh concluded stating he understood the contractual box Mr. Sotos was in and he would not encourage him to violate the terms of the NDA, but for the record he did find it to be troubling that the fact had not been presented to them along with the other components he had laid in front of them that evening. Mr. Sotos that had been the first time and he had to do presentations without disclosing the tenants and he fully agreed with Mr. Hixenbaugh.

Mr. Mammolenti asked if Mr. Sotos could give them an idea of the number of similar dealerships around the nation so they knew they were dealing with a reputable company. Mr. Sotos stated it was very reputable and very much in the public eye and they had hundreds of locations varying by state based on their regulations. Mr. Sotos stated Michigan was a little less favorable and that made Indiana, specifically Mishawaka, that much more favorable. Mr. Sotos stated they had hundreds of locations and their other lines of businesses were also well known and in the public eye. Mr. Sotos stated as they had ramped up sales over the last several years, 500,000+ units, they realized they had a need for servicing their customers.

Mr. Emmons asked what the weekend hours were for establishment, since during the week they closed around 7PM and open around 8AM. Mr. Sotos stated the hours would be similar with possibly opening up a little later and they would be open on Sundays. Mr. Sotos stated it would not typically be open later than 7PM. Mr. Emmons stated he appreciated the presentation.

Mr. Banicki stated former councilman Gleissner always insisted that when people built something and it was in that area, the name of Mishawaka would be appreciated. Mr. Banicki stated they still would be in the city of Mishawaka, but it could be a Granger address. Mr. Banicki stated they had a Lexus of South Bend and Hooter's of South Bend at one point even

when they were both located in Mishawaka. Mr. Banicki stated they would still be in the city limits and it can be confusing at times. Mr. Banicki stated if they were going to do it that they should do it right and 'of Mishawaka' would be appreciated if they were to go that route. Mr. Sotos stated he understood.

Rodney Waters, 52930 Timberland Drive, spoke in favor of **PROPOSED ORDINANCE NO. 2021-20AA**. Mr. Waters stated since the Plan Commission meeting, they did not like it at all. Mr. Waters stated they had all done their research on the street and brought up some concerns to Mr. Sotos. Mr. Waters stated they did their research on Tesla after the fact and they would welcome them as a neighbor. Mr. Waters also stated they had been in contact quite a few times and the neighborhood backed Chris.

Mr. Mammolenti appreciated Mr. Waters coming forward that evening and keeping the communication lines open. Mr. Waters stated they had exchanged emails and talked over the phone numerous times. Mr. Mammolenti thanked him again.

Mr. Compton stated this was tremendous and it said a lot for Mishawaka. Mr. Compton stated he believed this group was going into a plaza that did not any life left. Mr. Compton stated he thought that maybe the neighbors would judge it in the future, but it could bring a lot of life back to that area and he was hoping that would be the case. Mr. Compton stated the future of the automotive industry was electric vehicles. Mr. Compton stated it was neat for Mishawaka.

Mr. Banicki thanked Mr. Sotos and Mr. Waters for attending the meeting that evening and he looked forward to this being a great development for the city.

Mr. Mammolenti echoed Mr. Compton's comments and stated this was a great win for the city of Mishawaka. Mr. Mammolenti stated this type of brand could really revitalize the complex and help put Mishawaka on the map to let others know how great of a city it was. Mr. Mammolenti stated his only concern was the fact that they would have 24-hour charging stations, though he understood that was the nature of the beast. Mr. Mammolenti stated he felt a little bit more comfortable knowing there would be about 8 of them and he looked forward to supporting the proposed ordinance that evening.

Mr. Hixenbaugh stated he appreciated the information brought forward to the council and the vision represented by the petitioner. Mr. Hixenbaugh stated his concern was the lack of specificity with regard to who the end user was. Mr. Hixenbaugh stated in many instances that would have tilted his vote toward voting against it, but in that instance he was willing to overlook it for two reasons. Mr. Hixenbaugh stated the first reason was the prior use in that facility was, in his mind, at least somewhat consistent with what was being proposed that evening. Mr. Hixenbaugh stated there was enough of a retail component to what Mr. Sotos described to him that made sense that it would be located in that spot. Mr. Hixenbaugh stated the second reason was the effort of the outreach Mr. Sotos did to the neighborhood and that he took into consideration Mr. Waters, his wife and the other folks who had concerns and himself and the developer took that into account. Mr. Hixenbaugh stated while he wouldn't ever like that the fact that they did not have full disclosure when someone stepped up to the podium and asked the council to place their trust in them, because ultimately that was what land use matters came

down to in his mind. Mr. Hixenbaugh stated there was a legal component, an architectural/engineering component and a matter of trust. Mr. Hixenbaugh stated they as a community needed to trust that not him, but the end user would stick to the commitments and be a good neighbor in Mishawaka. Mr. Hixenbaugh stated because of the outreach he did to the neighborhood and the other factors he had described; he was willing to vote for the proposed ordinance but he wanted to go on record saying in different circumstances the lack of disclosure would be an issue. Mr. Hixenbaugh concluded thanking Mr. Sotos for his efforts.

Question was called for at 7:26PM for **PROPOSED ORDINANCE NO. 2021-20AA Vote:**
Motion carried by unanimous roll call vote (summary: Yes = 8).

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5748.**

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

Mr. Emmons reported the Committee of Land Use Planning recommended this proposed ordinance should be adopted. This was signed by the entire committee and upon a second by Mr. Banicki, the motion carried.

Mike Huber, Abonmarche, Consultants, spoke in favor of **PROPOSED ORDINANCE NO. 2021-21**. Mr. Huber stated their petitioner was interested in developing a drive-thru restaurant on one acre of property east of the Mishawaka INN and adjacent to the east property line off of Lincoln way just east of Capital. Mr. Huber stated the Plan Commission heard the petition and voted in favor of the proposed rezoning at their June meeting. Mr. Huber stated the project would still have to take the additional public hearings and Plan Commission approvals if it were approved that evening. Mr. Huber stated they would also have to create a redevelopment parcel through the city subdivision process in order to create an actual buildable lot and also get final site plan approval of the final lot, final building, final draining and all of the technical plans as well. Mr. Huber stated the proposed C-7 drive-thru use for the site was consistent with the neighborhood and consistent with the city’s comprehensive plan for the area. Mr. Huber stated they recognized the area had significant traffic volumes and a number of lanes with some issues regarding the access to the site. Mr. Huber stated they worked diligently with the city of Mishawaka Planning and Engineering departments to ensure they proposed a solution that mitigated any conflicts in as safe of a manner as possible. Mr. Huber stated the Planning and Engineering departments suggested they reach out to Endot in their initial discussions with the idea of reducing the concrete median length to allow them to create a left turn lane for traffic that was traveling east and accessing the property from the north. Mr. Huber stated that was just short of the primary entrance to the McDonald’s in that area where cars would travel west and turn

south into the McDonald's. Mr. Huber stated they had submitted the plans to Endot and received preliminary approval from them on the plans and they were in the process of completing the road survey before they began the permitting process. Mr. Huber stated there were representatives on the line from their client, Dunkin Donuts, and they had additional details in terms of the projected volumes of traffic at the restaurant and when those peak hours or volumes would be. Mr. Huber stated their main key issue was trying to resolve traffic congestion. Mr. Huber stated they also thought that the traffic solution in conjunction with the new investment in the property would allow future redevelopment and development opportunities to occur in the same area that could alleviate other issues known in the property as well.

Mr. Banicki asked if there would be any connectivity to the property to the east, the AutoZone property. Mr. Huber stated the AutoZone property was a difficult connection to make, given that it was a 12-foot grade difference between AutoZone and where their site was. Mr. Huber stated they explored it somewhat, would continue to explore it and if it was feasible they would look at it while working in conjunction with the city of Mishawaka Engineering and Planning to make sure if that happened, it would not bring up any additional access concerns. Mr. Huber stated their goal was to provide connectivity if it was possible with approval of the Planning and Engineering departments. Mr. Banicki stated there could be issues to the back of the property, because they could see the Dunkin Donuts property and turn into the wrong lot accidentally and potentially cause a hazard trying to swing in and out. Mr. Huber stated they eliminated the access directly onto Lincoln way for the project and used the shared drive that served the hotel and both lots. Mr. Huber stated they were actually sharing the hotels drive off the shared drive as well. Mr. Huber stated they were doing everything they could to eliminate any type of stacking or issues with traffic related issues on Lincoln way. Mr. Banicki stated in the summertime it would not be bad because it would still be light outside late into the night, but during the wintertime it would be dark late in the afternoon and early in the evening. Mr. Huber stated that could be an issue in the mornings for the use, but he was not sure it would be a heavy nighttime user. Mr. Banicki stated individuals wanting to grab a donut or a coffee in the morning could find an issue. Mr. Banicki also asked if the parking lot would be well illuminated. Mr. Huber stated it would be in full compliance with the city's lighting standards.

John Piraccini, Coldwell Real Estate Group, spoke in favor of **PROPOSED ORDINANCE NO. 2021-21**. Mr. Piraccini stated they realized the corner was not the greatest situation in quite some time. Mr. Piraccini stated they had the hotel under contract, though nothing was for sure until it was done so he could not make promises but it was with a National and they would join with a large developer in the community. Mr. Piraccini stated they always tried to plan the out lots to help get it going, because the layout of the hotel was old and it made it difficult in some instances. Mr. Piraccini stated this was the best thing they came across that year and the Dunkin moved quite quickly.

Mr. Hazen asked if the developer may need the back half towards the river available for the new development and if that would still be done. Mr. Piraccini stated it would and they tried to protect the river so they could have enough room for parking and not move to the west too much. Mr. Piraccini stated it laid out pretty decent and they would line up the drive with McDonald's as best as possible. Mr. Piraccini stated the light was controlled better than it used to as well.

Parik Patel, a franchisee owner of Dunkin Donuts, spoke in favor of **PROPOSED ORDINANCE NO. 2021-21**. Mr. Patel stated they were excited to bring another store into Mishawaka after opening their first store in Mishawaka a couple of years back. Mr. Patel stated they had been looking extensively for sites for their stores and had several stores in Indiana, Michigan and Chicago as well. Mr. Patel stated he was looking forward to the second restaurant and would answer any questions.

Mr. Hixenbaugh thanked Mr. Patel for his interest in expanding his business in Mishawaka and the community were also excited to get another Dunkin Donuts store in the city.

Mr. Hazen he had gotten nothing but praise from the neighborhood and people were excited about the store.

Question was called for at 7:44PM for **PROPOSED ORDINANCE NO. 2021-21** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5749.**

PROPOSED ORDINANCE NO. 2021-22

AN ORIDNANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA AND PROVIDING ZONING CLARIFICATIONS THEREFORE

Annexation & Zoning of 19.02 Acres to R-1 for a proposed Single Family Residential Subdivision – Autumn Ridge Phase 4 Public Hearing – NO VOTE

Mike Huber, Abonmarche Consultants, spoke in favor of **PROPOSED ORDINANCE NO. 2021-22**. Mr. Huber stated the petitioner was asking to annex a 19-acre parcel located between Autumn Ridge Estates and Blair Hills neighborhood into the city of Mishawaka under an R-1 zoning classification to permit the development of the parcel as phase 4 of the Autumn Ridge Single Family home subdivision. Mr. Huber stated it was contiguous to the city on three sides and the developer had acquired the property which was already planned as phase 3 and they would be developing phase 3 over the next two years with phase 4 coming after that in 2023-2024. Mr. Huber stated this was passed through the Plan Commission with a favorable recommendation at their June meeting and it was planned to have about 39 single family lots with some retention and they wanted to maintain some of the wooded area in the northeast corner as well. Mr. Huber stated prior to the Plan Commission hearing, the developer held neighborhood meetings with both of the neighborhood associations. Mr. Huber stated he did attend the Blair Hills meeting and there were concerns raised about some of the drainage issues related to the development and he knew the engineers were fully aware of issues and would definitely work in conjunction with the city Engineering department to address and take care of the issues. Mr. Huber stated given the location of the property, they heard and agreed that this would be the least intensive and most compatible use the property could take on in the future. Mr. Huber stated he would be happy to answer any questions.

Mr. Bellovich stated there would be a challenge with drainage, because there was an awful lot of water that moved north off of the slope. Mr. Bellovich stated though that would be a great use for the property and he remembered years ago there were a number of establishments looking to go into that area and developing that property was good for the community.

Mr. Compton asked if they were incorporated city streets in the subdivision. Mr. Huber stated they would be.

The public hearing was closed at 7:50PM for **PROPOSED ORDINANCE NO. 2021-22**. Pursuant to state law, no final action was taken that evening but would be taken at a subsequent council meeting.

PROPOSED ORDINANCE NO. 2021-23

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA AND PROVIDING ZONING CLARIFICATIONS THEREFORE

Annexation & Zoning of 5.24 Acres to I-1 for a proposed Self Storage Facility – 16996 S.R. 23 – NO VOTE

Mike Huber, Abonmarche Consultants, spoke in favor of **PROPOSED ORDINANCE NO. 2021-23**. Mr. Huber stated the petitioner was asking to annex roughly 5 acres on State Road 23 just south of the toll road under the I-1 industrial zoning classification to permit self-storage warehouse buildings. Mr. Huber stated the Mishawaka Plan Commission did pass the annexation and rezoning at their June meeting. Mr. Huber stated they did not think the viability of the property as continued single family residential uses was very likely and the proposed self-storage use would be minimally impacted by any of the Toll Road and proximity uses. Mr. Huber stated both Planning and Engineering commented on the proposed office on the site plan that would serve the self-storage development in the requirement for connecting it to city sewer. Mr. Huber stated they did not think it was feasible for them to go through the toll road to get to the north where the sewers existed, but they were exploring with the property owner to the south who had a private sewer connection. Mr. Huber stated if they were unsuccessful there, the developer would be open to not including the office on the front end of the development and saving that feature for a future time when the sewer connection would be more readily available and more affordable. Mr. Huber appreciated the council's consideration for the request and stated he was happy to answer any questions.

The public hearing was closed at 7:53PM for **PROPOSED ORDINANCE NO. 2021-23**. Pursuant to state law, no final action was taken that evening but would be taken at a subsequent council meeting.

ADJOURNMENT 7:54PM

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

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



City of Mishawaka

DAVID A. WOOD, MAYOR

DEPARTMENT OF CITY PLANNING

Deborah S. Block, IAMC, MMC

JUL 13 2021

City Clerk
Mishawaka, IN

July 14, 2021

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Board of Zoning Appeals Recommendation
July 13, 2021, Public Hearing

Honorable Members:

A regular meeting of the Mishawaka Board of Zoning Appeals was held on the above referenced date at which time the following Use Variance was considered:

APPEAL #21-20 An appeal submitted by Jadet LLC requesting a Use Variance for **1035 East McKinley Avenue** to allow for the continuation of automobile repair in I-1 Light Industrial District.

The Board, with a vote of 5-0, recommended approval subject to the following condition:

1. Installation of grit/oil/water separator if any work containing fluids such as brake jobs or oil changes occur at this site in the future.

Respectfully,

Kari Myers, Administrative Planner
Secretary, Board of Zoning Appeals

cc: Jerry DeTurk

STAFF REPORT

Location: 1035 E McKinley

Date: July 13, 2021

Appeal: 21 20

Prepared By: CH

GENERAL INFORMATION

Applicant: JADET LLC

Status: Property Owner

Request: Continuation of Use Variance to allow the sale of tires and automotive mechanical work in the I-1 Light Industrial District

Zoning Classification: I-1 Light Industrial District

Lot Size: 0.49 acres

Applicable Regulations: Section 137-42 / (5) Board of Zoning Appeals – Developmental Variance;
Section 137-586 / I-1 Light Industrial District - Uses

SPECIAL INFORMATION

Area Development Pattern: North: C-4 Automobile Oriented Commercial (vacant car lot)
South: C-4 Automobile Oriented Commercial (pawn shop)
East: C-4 Automobile Oriented Commercial (auto detailing)
West: I-1 Light Industrial (lumberyard)

Thoroughfare: McKinley Avenue

School District: School City of Mishawaka

Township: Penn

Public Utilities: All utilities are available and existing to the site.

Comprehensive Plan: The Mishawaka 2000 Comprehensive Plan identifies General commercial along McKinley and Industrial along the railroad tracks.

ANALYSIS

The Appellant is requesting a continuation of use variance originally approved in 2020 to allow the sale of tires and automotive mechanical work in the I-1 Light Industrial District subject to the following conditions:

1. Submittal of an Administrative Site Plan
2. Installation of a grit/oil/water separator if any work containing fluids such as brake jobs or oil changes are going to occur at this site
3. Conditional Use ends September 1, 2021

Planning Staff met with the property owner and business owner on July 6, 2021 to view the conditions. The current tenant, House of Wheels, is only selling and installing wheels and tires. There were no floor drains, and Staff saw no evidence of work being done which contained fluids, therefore, a grit/oil/water separator is not required at this time. All the tires are stored in a shed and removed every 2 weeks. We asked that the tires on display in front be moved closer to the building, as to not disrupt traffic flow. These items are only out while the business is open. No outside storage of inoperable cars shall be permitted. The property owner painted lines so parking spaces are better defined.

The building was built in 1980, according to tax records. Previous businesses at this location include Old Bob's Country Store and the Sign Shop. This area, at the intersection of McKinley Avenue, Merrifield Avenue, and the railroad tracks has a mix of commercial and industrial uses. The closest residential property is approximately 500 feet away.

Pertinent departments have reviewed this request without further comment. There have been no zoning or code violations since the automotive use was approved last year.

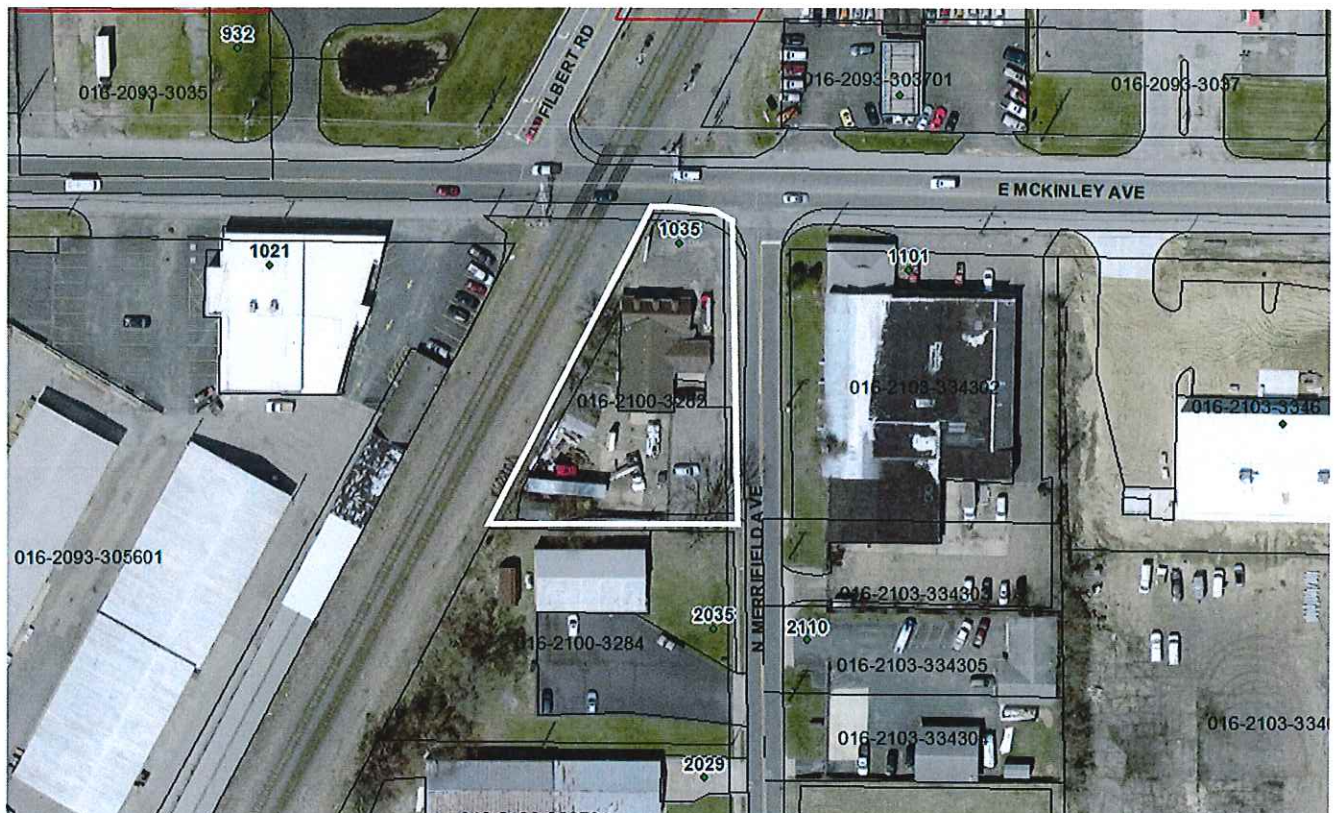
RECOMMENDATION

The Planning Staff recommends approval of Appeal 21-20 to allow continuation of Use Variance to allow the sale of tires and automotive mechanical work in the I-1 Light Industrial at 1035 E McKinley subject to the installation of a grit/oil/water separator if any work containing fluids such as brake jobs or oil changes will to occur at this site in the future. This recommendation is based upon the following findings of fact:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community because there are other similar uses in the McKinley/Merrifield corridor;
2. The use and value of the area adjacent to the property included in the variance will has not been affected in a substantially adverse manner in the past year because the property will be used similarly to other properties in the immediate area;
3. The need for the variance arises from some condition peculiar to the property in that automobile uses are not allowed in the I-1 Industrial District;
4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought because the property has been operating at this use for the past year, denying this request would result in a vacant building and a displaced business;
5. The recommendation is consistent with Comprehensive Plan which indicates both general commercial and industrial uses for this area.

ATTACHMENTS

Aerial, Photographs, Appeal, Location Map





Front view 2020



Front view 2021



View from Merrifield 2020



View from Merrifield 2021



Rear storage area 2020



Rear storage area 2021



2 parallel spaces in front of building



2 parallel spaces on east side of building



7 parking spaces along fence



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller
Misti D. Horvath, Deputy Controller

Deborah S. Block, IAMC, MMC

JUL 12 2021

City Clerk
Mishawaka, IN

Date: July 12, 2021
To: Honorable Members of the Common Council
From: Rebecca Miller
Re: **Presentment of encumbered funds**

Due to contracts not completed or invoices not paid in the year in which they were budgeted, these earmarked dollars move forward to the next year's budget. Most are capital related and contractual as detailed in the attached report.

Please contact me with any questions.

c: David A. Wood

Deborah S. Block, IAMC, MMC

JUL 12 2021

City Clerk
Mishawaka, IN

ENCUMBRANCES			PAGE-6		
The following appropriations which have been encumbered (carried forward by contract or purchase order)					
by this unit from the 2020 budget Year to the 2021 Budget year, identified by Fund, Department					
or Function, and by Major Budget classification as applicable.					
County	Saint Joseph	Unit Name	Mishawaka		
514	2021	71	Date- 03/30/21		
ID	YEAR	CO			
FUND: FIRE PENSION					
	702	100000	PERSONAL SERVICES		
		200000	SUPPLIES		
		300000	OTHER SERVICES AND CHARGES		
		400000	CAPITAL OUTLAY		
		9999	TOTAL		\$0.00
TOTALS:					
		100000	PERSONAL SERVICES		\$209,888.99
		200000	SUPPLIES		\$245,065.05
		300000	OTHER SERVICES AND CHARGES		\$372,629.14
		400000	CAPITAL OUTLAY		\$2,148,727.57
		9999	TOTAL		\$2,976,310.75

JUL 12 2021

City Clerk
Mishawaka, IN

PROPOSED ORDINANCE NO. 2021-24

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA
AUTHORIZING THE INVESTMENT OF PUBLIC FUNDS
PURSUANT TO IC 5-13-9-5

Whereas, the City of Mishawaka (the "City") desires pursuant to IC 5-13-9-5 to allow banks outside the political subdivision to submit quotes on public funds certificates of deposit for the purpose of investing its operating and utility funds;

Section 1. Now, therefore, pursuant to IC 5-13-9-5, the Common Council of the City of Mishawaka hereby authorizes the investing officer of the City to invest in certificates of deposit of depositories that have been designated by the state board of finance as a depository for state deposits under IC 5-13-9.5. This authorization expires one (1) year after the adoption date.

Section 2. This ordinance shall be in full force and effect from and after its passage, signing and attestation.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana

On this _____ day of _____, 2021 at _____ o'clock, _____. M.

Gregg Hixenbaugh, Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED BY ME to the Mayor of the City of Mishawaka, Indiana

on this _____ day of _____, 2021 at _____ o'clock, _____. M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED BY ME this _____ day of _____, 2021 at

_____ o'clock, _____. M.

David A. Wood, Mayor



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller
Kurtis Vardaman, Deputy Controller

Deborah S. Block, IAMC, MMC

JUL 12 2021

City Clerk
Mishawaka, IN

Date: July 12, 2021
To: Honorable Members of the Common Council
From: Rebecca Miller
Re: Investment of Public Funds

For the July 19th meeting I am requesting first reading on our Investment of Public Funds ordinance. This ordinance has an annual renewal and is necessary to allow me to invest in financial institutions outside of the Mishawaka city limits.

I work with Baker Tilly who requests bids and recommends the most advantageous interest rates and maturity dates.

Please contact me with any questions.

c: David A. Wood, Mayor

JUL 20 2021

City Clerk
Mishawaka, IN

RESOLUTION NO. 2021- 14

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY:

A 20 acre parcel located north of Autumn Ridge Subdivision and south of Blair Hills Subdivision.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MASONRY NAIL MARKING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 59 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1320.97 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1974.64 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 628.21 FEET TO A CAPPED ONE INCH IRON PIPE SAID PIPE BEING SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHWEST CORNER OF THE EAST HALF (E ½) NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 56 MINUTES 51 SECONDS EAST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1319.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 SAID POINT BEING

SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 627.92 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; A DISTANCE OF 1318.46 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.
CONTAINING 19.01 ACRES OF LAND
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP IN ST. JOSEPH COUNTY, MISHAWAKA, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH THIRTY (30) FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST JOSPEH COUNTY, MISHAWAKA, INDIANA.
CONTAINING 0.909 ACRES MORE OR LESS.

Section II. Following the review of documents prepared by the Department of Planning and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day
of _____, 2021, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____,

2021, at _____ o'clock ____M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2021, at
_____ o'clock _____.M.

David A. Wood, Mayor



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF BUILDING, COMMUNITY DEVELOPMENT & PLANNING

July 21, 2021

Mr. Dale Emmons, 1st District City Council
Mr. Mike Bellovich, 2nd District City Council
Mr. Anthony Hazen, 3rd District City Council
Mrs. Kate Voelker, 4th District City Council
Mr. Michael Compton, 5th District City Council
Mr. Ron Banicki, 6th District City Council
Mr. Gregg Hixenbaugh, At Large City Council
Mr. Matt Mammolenti, At Large City Council
Mr. Maggie DeMaegd, At Large City Council
Mrs. Deborah S. Block, City Clerk

Re: Fiscal Plans and Approving Resolutions for proposed Ordinances to Annex property into the City of Mishawaka: approximately 20 acres north of Autumn Ridge Subdivision and south of Blair Hills

Dear Council Members and Clerk:

Attached herewith for your review is a copy of the Fiscal Plan and approving resolution prepared by the Planning Department in accordance with the requirements of the State of Indiana Code Section 36-4-3-3.1. This document provides basic information about the area to be annexed, and describes how the City of Mishawaka will provide services to the area to be annexed.

Prior to preparing a fiscal plan, copies of the proposed request are forwarded to all applicable City Departments. The Departments are then asked what expenditures/costs will be required to service the area and if the request can be accommodated with the funds currently approved within the City Budget. In this case, given that the property is immediately adjacent to existing City limits, and that the developer is responsible for installing, and if necessary extending, all utilities to the site and constructing any required improvements within the public right-of-way, no additional expenditures are anticipated at this time.

Staff will present a brief summary of the plan and be prepared to respond to questions at the Common Council meeting on July 26, 2021.

If you have any questions, please feel free to contact our office at your convenience.

Sincerely,

Christa Hill, Associate Planner

cc: David A. Wood, Mayor

BUILDING • PLANNING • COMMUNITY DEVELOPMENT • REDEVELOPMENT
ECONOMIC DEVELOPMENT • HISTORIC PRESERVATION

City Hall • 600 East Third Street • Mishawaka IN • 46544-2241

Building Phone: (574) 258-1607 Fax: (574) 968-6999

Community Development • Redevelopment • Economic Development Phone: (574) 258-1609 Fax: (574) 968-6999

Planning • Historic Preservation Phone: (574) 258-1625 Fax: (574) 968-6999



City of Mishawaka

*MOE AN, LLC and Blair Hills
Community Association, Inc.
20 Acre Annexation*

*Property located
north of Autumn Ridge
Subdivision and
south of Blair Hills Subdivision*

July 2021

Prepared by:
City of Mishawaka
Department of Planning
600 E. Third Street
Mishawaka, IN
46544-2241

Phone: (574) 258-1625
Fax: (574) 968-6999
E-mail: planning@mishawaka.in.gov

**MOE AN, LLC AND BLAIR HILLS COMMUNITY ASSOCIATION, INC.
20 ACRE PROPERTY
LOCATED NORTH OF AUTUMN RIDGE SUBDIISION
AND SOUTH OF BLAIR HILLS SUBDIVISION
ANNEXATION FISCAL PLAN**

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Annexation Fiscal Plan

PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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TAB A- CITY OF MISHAWAKA **ANNEXATION POLICY**

CITY OF MISHAWAKA ANNEXATION POLICY

GENERAL POLICY

The City of Mishawaka recognizes that as the population of St. Joseph County grows and development trends change, there will be a continuous demand for infrastructure and urban services provided by cities such as Mishawaka. Infrastructure includes, but is not limited to, water, sanitary sewer, electric, and transportation. Urban services include, but are not limited to, police, fire, and emergency medical services. With a stable tax rate, low crime rate, outstanding public schools, and strong neighborhoods, the City of Mishawaka is a livable community where families and businesses desire to locate. The expansion of infrastructure and services combined with the desire of families and businesses to locate in Mishawaka has necessitated the City to create a policy on annexation.

It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services. Although exceptions will be considered for large industrial projects or proposals related to specific economic development efforts, the City recognizes that compact and contiguous growth promotes the cost-effective delivery of services.

The City of Mishawaka continues to promote the logical expansion of infrastructure into the unincorporated areas of the county contiguous to the City on request provided there is availability. The voluntary extension of infrastructure, such as water and sewer, requires the benefactor(s) of that infrastructure to waive or consent to future annexation at the time of connection. The extension of infrastructure does not automatically equate to the immediate annexation of property. To meet the statutory requirements for annexation, both infrastructure and urban services must be provided. As such, many unincorporated areas are currently provided with public rate-supported utilities by the City that will not be suitable for annexation in the foreseeable future. Thus, it is the policy of the City of Mishawaka that the initiation of annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City. To consider annexation, infrastructure and urban services must be available to the proposed annexation area at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka.

IMPACT OF ST. JOSEPH COUNTY GROWTH

The City of Mishawaka also recognizes the impact growth and development currently occurring in unincorporated St. Joseph County has on annexation efforts. There has been a trend in St. Joseph County to allow for development on septic and well systems sporadically throughout the county. As is currently the case in St. Joseph County, there are numerous examples of the problems associated with this type of sprawling development. Septic systems based on poor installation or lack of maintenance; contribute to the pollution of both surface and groundwater. Based on groundwater concerns, residents desire to connect to public water systems. Residents are also calling for urban services, rather than the rural services typically provided by county governments. Residential streets need to be plowed, and emergency response times for police, fire and emergency medical services frequently exceed the times typically expected of suburban development.

As the population of these areas increase, the demand/need for infrastructure and increased urban services will grow exponentially. Due to the sprawling nature of this development, the cost for providing infrastructure and urban services to the existing City of Mishawaka standard far exceeds the tax revenue generated by these areas. This point has been addressed within this annexation policy because of the past concerns expressed by some residents/property owners of these areas who have been historically opposed to annexation. These concerns, for the most part, are based in fear and do not reflect the reality of the practical constraints of annexation. For the record, the cost of providing services, based on the sprawled growth and statutory limitations, makes it both undesirable and not readily feasible for the City of Mishawaka to annex large non-contiguous developed areas.

This point has also been included to identify the reciprocal concern of the City relative to the sprawling growth within unincorporated St. Joseph County. Currently, the taxpayers within the City of Mishawaka pay City taxes to sustain infrastructure and a desired level of urban services. Furthermore, the taxpayers of the City of Mishawaka also pay county taxes that are used in part to provide similar services to county residents. Cities are wholly responsible for these services within their respective jurisdictional areas. These services include, but are not limited to, road maintenance, police patrols, and emergency medical services. These are services subsidized by general county tax dollars that the City of Mishawaka contributes to but does not receive the

corresponding reciprocal benefit. The taxpayers of the county do not pay taxes that directly or indirectly support these services within the City. Based on the current division of general county funds, this equates to the City of Mishawaka financially subsidizing the sprawling growth of the county. Accordingly, the City of Mishawaka continues to seek a more equitable distribution of existing general county tax revenues. Furthermore, based on this existing inequity, it is an important objective of the City to work with county officials to ensure that there are not future increases in spending to address the problems associated with sprawling unincorporated development. The City also recognizes the need to develop fair cost-sharing practices to provide for regional services that does not adversely impact the residents of the City, while still providing for the needed/desired services in the unincorporated county.

Although the equitable distribution of tax dollars is an important concern, the City also recognizes that the problems associated with this sprawling unincorporated development also impacts the City of Mishawaka. The City is impacted by the limitations existing development has on future City growth, and the corresponding increased costs of extending infrastructure. As such, the City of Mishawaka will continue to work with the county in a cooperative effort, where possible, to address problems. However, it is only fair that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the tax payers of the City of Mishawaka.

STATUTORY LIMITATIONS

The City of Mishawaka also recognizes the burden placed on municipalities within St. Joseph County based on the statutory requirements on Municipal Annexation and Dis-annexation. The controlling legislation on annexation is established by the Indiana Code 36-4-3-series.

The statute also places minimum requirements on municipalities regarding providing services to proposed annexation areas, the timing of implementation, and contiguity requirements. The statute also requires that a fiscal plan be adopted showing how the costs associated with providing services will be paid. An estimated amount of time required for voluntary annexation is three to four months. The increased time required to process an annexation has placed a burden on real estate transactions and development on the fringe of the City. It is not uncommon to have annexation placed as a condition on the sale of property by the buyer. Annexation is typically requested because City services are desired or needed to serve the proposed project. This increased time frame when compared to the traditional rezoning process has the potential for directing appropriate contiguous growth away from the City due to the lack of suitable available property that can be developed in a short period of time.

IMPLEMENTATION OF POLICY

The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties. The purpose of this evaluation is to examine the proposed annexation area to the existing City limits relative to providing a compact and contiguous City boundary.

Annexation law significantly limits the ability of municipalities to annex property without the consent of the majority of property owners. Therefore, the City has deemed it necessary to review adjacent unincorporated properties that have not requested annexation at the time a voluntary annexation is proposed. Although this may ultimately necessitate the annexation of property without the consent of a minority of the adjacent property owners, this policy provides for a means to expand the City boundary in a compact and contiguous manner that would otherwise not be possible based on statutory requirements.

A secondary purpose of this policy is to reduce the number of separate contiguous annexation petitions that are likely to be filed within a short period of time. The potential inclusion of additional property as part a proposed annexation petition will counteract the discouraging development influence of time limitations placed by the Indiana Code.

In the past, voluntary annexations without this policy have created a chaotic City boundary that promotes the inefficient delivery of services for both the City of Mishawaka and St. Joseph County. Chaotic refers only to the physical geographic location of the boundary. Common chaotic configurations include *saw-tooth shapes*, *islands*, and *adjacent pockets*. The attributes of these boundary configurations are described as follows:

A *saw-tooth boundary* refers to shape where contiguous properties located along a single roadway change municipal boundaries multiple times in a relative short distance. This situation creates difficulties in providing for the efficient delivery of services. Specifically, it is more difficult for the postal service, police, fire, and emergency medical providers to determine the physical limits of jurisdictions in the field. Under non-emergency circumstances, this situation is likely to result in inconveniences only. However, in emergency situations, confusion on boundary locations in the field has the potential to delay providing potentially life saving services, or could otherwise promote providing double coverage for the area limiting the ability of one provider to respond to other calls.

An *island* refers to unincorporated areas that are physically surrounded by the incorporated City. This situation provides for the inefficient delivery of services for both the City of Mishawaka and unincorporated St. Joseph County. Services such as trash removal, snow plowing, road maintenance, police, fire, and emergency medical services could all potentially require one service provider to travel through another service provider's jurisdictional area. This inherently inefficient situation potentially increases the costs of providing services for both jurisdictions.

Adjacent pockets refers to unincorporated area that is reasonably adjacent to the City and is currently served at least in part by City infrastructure. When the infrastructure was provided to these areas, these areas were typically located on the fringes of the City where other services were either not available or desired at the time. However, as the demand for growth and development continues, the demand for additional services also grows. Over time, pockets are also typically provided with some peripheral City services without expense. Emergency service providers within the City of Mishawaka and St. Joseph County have consistently worked together to provide reciprocal assistance in responding to calls when the other provider is either occupied or at a considerable distance, provided resources are available. Typically, due to the general location adjacent to the City and the increased ability of the City to provide services, these pocket areas will intermittently receive City emergency services.

Furthermore, pockets become obstacles to the future expansion of infrastructure and services. They are considered obstacles due to the contiguity requirements established by the Indiana Code for annexation. If these pockets are not annexed over time, the City is prevented from expanding. The annexation of these pocket areas not only allows for the continued growth of the City, but also provides for the efficient and equitable delivery of services.

SUMMARY

- It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services.
- It is the policy of the City of Mishawaka that the annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City.
- To address existing sprawl and inequitable distribution of general county tax dollars, it is the policy of the City of Mishawaka that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the taxpayers of the City of Mishawaka.
- The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties to promote the efficient delivery of services and remove chaotic boundary configurations.

Annexation Fiscal Plan

PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MASONRY NAIL MARKING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 59 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1320.97 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1974.64 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 628.21 FEET TO A CAPPED ONE INCH IRON PIPE SAID PIPE BEING SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHWEST CORNER OF THE EAST HALF (E ½) NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 56 MINUTES 51 SECONDS EAST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1319.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 SAID POINT BEING SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 627.92 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; A DISTANCE OF 1318.46 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.
CONTAINING 19.01 ACRES OF LAND
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP IN ST. JOSEPH COUNTY, MISHAWAKA, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH THIRTY (30) FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST JOSEPH COUNTY, MISHAWAKA, INDIANA.
CONTAINING 0.909 ACRES MORE OR LESS.

TAB B- BASIC DATA & FISCAL **ANALYSIS**

BASIC DATA & FISCAL ANALYSIS

A. LOCATION AND SIZE

The area proposed for annexation is illustrated on the following maps and shown on the accompanying aeriels. This area is legally described as follows:

PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP IN ST. JOSEPH COUNTY, MISHAWAKA, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 0.909 ACRES MORE OR LESS.

Annexation Area

The area to be annexed includes two parcels of land (Tax Parcel# 014-1032-052815 & 014-1032-052812) located north of Autumn Ridge Phase 2 and south of Blair Hills. The southern 19 acre rectangular shaped parcel, is vacant, with trees in the northeast corner. The norther 0.909 acre rectangular parcel is a vacant 30' strip which provided the Blair Hills Subdivision additional buffer for their community walking path. The property is bound on the north, east and south with approximately 3,295 linear feet being incorporated into the City, while the adjacent property to the west is are located

in unincorporated St. Joseph County. The property is currently zoned "R" Single Family District within unincorporated St. Joseph County. If annexed, the property will be zoned R-1 Single Family District to allow for the expansion of Autumn Ridge Subdivision Section 4.

Contiguity with the Existing City Limits

The property to be annexed into the City totals almost 20 acres. The external boundary of the annexation area measures 3,954.19 linear feet with 3,295 linear feet being contiguous with the current corporate boundary of the City of Mishawaka. The border of the contiguous area is 83.3% of the total external boundary. This is in excess of the minimum 12.5%, or 1/8, of the boundary that is required to be contiguous based on the determination requirements of the Indiana Code.

B. TOPOGRAPHY AND EXISTING USE/IMPROVEMENTS

The property primarily slopes from the southwest corner northwest corner. Per the generalized two (2) foot contour topographic maps, elevations range from approximately 874 feet at the western edge to 828 at the wooded northeast corner.

C. LAND USE/CURRENT ZONING

The property is currently zoned "R" Single Family District within unincorporated St. Joseph County. If annexed, the property will be zoned R-1 Single Family District to allow for the expansion of Autumn Ridge Subdivision Section 4.

D. ASSESSMENT

The territory to be annexed consists of two (2) parcels of property. The Land and Improvement Valuations shown below are based upon current GIS parcel data:

Tax ID Number	Property Owner	Number of Acres*	Land & Imp. Valuation
014-1032-052815	MOE AN LLC	19 ACRES	\$21,400
014-1032-052812	BLAIR HILLS COMMUNITY ASSOC INC	0.909 ACRES	\$4,200

E. CURRENT TAX RATE

The City's tax rate 2020 payable 2021 was \$1.9952 per \$100 of assessed valuation. For property owners in Penn Township, in which this proposed annexation is located, the total taxes will be \$3.9255 per \$100 of assessed valuation. Property owners in this area currently pay \$2.1450 per \$100 of assessed valuation. These rates are based on the best information available at the time this plan was prepared. Tax rates for 2021 payable 2022 are not yet available so actual tax rates will vary.

Tax District	Existing Tax Rate	Tax Rate after Annexation
Penn Township	2.1450	3.9255

The City's tax rate has remained relatively stable over the years:

2020	\$1.9952
2019	\$2.0226
2018	\$2.0701
2017	\$2.0516

2016	\$1.9977
2015	\$1.8750
2014	\$2.0062
2013	\$1.9086
2012	\$1.8186
2011	\$1.7362
2010	\$1.6741
2009	\$1.6557
2008	\$1.5283
2007	\$1.3326
2006	\$1.3899
2005	\$1.3382
2004	\$1.3313
2003	\$1.2476
2002	\$1.8627
2001	\$5.5007 ¹
2000	\$5.2417

¹ Change in Tax Code

F. NEW ADDRESSES

If the proposed annexation is approved, the property will be zoned R-1 Single Family District to permit the future expansion of the adjacent Autumn Ridge Subdivision, Phase 4. The property will be split into individual lots following the Mishawaka Subdivision Ordinance. Addresses would be assigned by the City of Mishawaka Engineering Department as new homes are built.

G. DETERMINATION OF SERVICE STANDARDS AND COSTS

Every proposed annexation area to the City of Mishawaka is reviewed by each pertinent City department or agency that would ultimately be required to provide infrastructure and/or urban services to a given area. Departments were asked to evaluate the location, area, and existing conditions of this proposed annexation area relative to providing infrastructure and urban services at a standard that is identical to other areas of the City. In determining required services, departments reviewed the area relative to similar geographic and use areas that currently exist within the City of Mishawaka.

The standards for infrastructure and services provided by the City of Mishawaka, broken down by department, have been included within this document following Tab C. After establishing an understanding of the existing conditions, each department or agency was asked to identify any capital improvements required to serve the proposed annexation area to meet existing city standards. Although no development is currently proposed for the property, it will be the responsibility of any future property owner/developer to bear any expense required to connect to existing City services. Given the location of the proposed annexation area, adjacent to the existing city limits, and, similar land use to the adjacent properties, each department identified that non-infrastructure-related services could be provided to the proposed annexation area with no additional expenditures. Increased maintenance costs for non-rate supported services, were identified as minimal and well within the approved budgets for each department.

Given that no consequential additional expenditures are anticipated, the itemization of costs associated with providing each service is not possible relative to the annexation area. However, to document that funds have been approved and are available for the services identified, a copy of the approved year 2020 City budget has been attached to the Summary of Service Report for each applicable non-rate supported department. These budgets identify the costs for personnel, equipment, repairs, and other expenditures anticipated for the budget year. Budgets for any department are available for the review of the public upon request at City Hall.

H. TERMS AND CONDITIONS

The City of Mishawaka will provide a level of basic services, including infrastructure and urban services, at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka. The specific date of implementation of services has been identified within the description of specific services where applicable. Given the location of the proposed annexation area, the existing land uses, and the presence of existing infrastructure, no capital expenditures are required to serve the proposed annexation area. Basic services, not otherwise specified, will be provided to the annexation area within one year of the effective date of the annexation as required by law. However, it is anticipated that the majority of basic services will be available immediately or at least in a timely manner.

The effective date of annexation, if approved, will be thirty days from the date of approval of the annexation ordinance as required by law.

I. FISCAL IMPACT ON TAXPAYERS, MUNICIPAL FINANCES, AND POLITICAL SUBDIVISIONS

Analysis:

The property proposed to be annexed is currently vacant with no taxable improvements or structures. Per information presented by the contingent owner at the June 8, 2021 Plan Commission meeting, the plan is to subdivide the approximately 19 acres into 39 lots for the construction of single family homes.

For the purposes of this analysis, an estimate that 10 homes could be built each year over the next four years was made. These houses would be sold for \$250,000-\$300,000. Based upon these numbers, the initial assessed valuation would be approximately \$10,000,000.

The current and future political subdivisions and their associated tax rates were determined by the geography of the property and the attached "Tax Rate Chart for the year 2020 payable 2021". (See Tab "D" / Appendix "C".) This chart is provided by the St. Joseph County Auditor's Office.

Current property assessed valuation:

\$21,400

Future anticipated property assessed valuation:

\$10,000,000

Current Property Taxes Generated from the Property:

The current property taxes that are being generated from the property were determined utilizing an online estimator available through the Indiana Gateway for Government Units > Taxpayer Portal > Tax Bill Estimator website. The current URL address for this estimator is <https://gateway.ifionline.org/CalculatorsDLGF/taxcalculator.aspx>. (See Tab "D" / Appendix "D" & "E".)

The website requires you to enter the geographic location of the property by County, Township, and School Corporation. You then enter the type of property, if it is a homestead (owner-occupied residential); residential rental, non-homestead residential, and agricultural; or other. You then input the assessed valuation and it estimates the maximum tax bill as well as the property tax cap credit if applicable.

This calculation has been done with a scenario before annexation for residential rental, non-homestead residential, and agricultural property due to it being excess vacant residential property, then following annexation for other (vacant) identifying the property as now being subject to the City tax rate.

The estimated property tax value for the property is as follows:

Prior to annexation: \$428

Following annexation: \$100,000

Political Subdivisions before Annexation:

Percent of tax rate and corresponding yearly estimated property tax revenue*

- St. Joseph County (31.4%) - \$134.41
- Penn Township (16.8%) - \$71.9
- PHM School Corporation (42.9%) - \$183.60
- Mishawaka Penn Harris Library (6.8%) - \$29.10
- Airport Authority (2.1%) - \$8.99

** Estimates may not equal estimated tax value due to rounding.*

The current tax rate of all of these entities combined is 2.1450%.

The tax rate will increase to 3.9255% upon annexation to the City, however, the tax cap rate is set at 1%. Regardless of the actual tax rate, revenue is expected to increase due to the anticipated increase in assessed valuation once the houses are built. With the additional revenue, the distribution of property tax revenue would increase for all existing tax entities, except for Penn Township.

Political Subdivisions following Annexation:

Percent of tax rate and corresponding yearly estimated revenue for existing taxing units upon annexation*

- St. Joseph County (17.2%) - \$1,720 (+\$1585.59 per year)
- Penn Township (0.9%) - \$90 (+\$18.10 per year)
- PHM School Corporation (23.4%) - \$2,340 (+\$2,156.40 per year)
- Mishawaka Penn Harris Library (3.7%) - \$370 (+\$340.90 per year)
- Airport Authority (1.1%) - \$110 (+\$101.01 per year)
- South Bend Transpo (2.9%) - \$290
- City of Mishawaka (50.8%) - \$5,080

** Estimates may not equal estimated tax value due to rounding.*

Four Year Projection of Property Tax Revenue following Annexation (above numbers x4)

Straight line projection assuming existing use remains and the tax rate and assessed valuation remains constant

• St. Joseph County	\$6,880
• Penn Township	\$360
• PHM School Corporation	\$9,360
• Mishawaka Penn Harris Library	\$1,480
• Airport Authority	\$440
• South Bend Transpo	\$1,160
• City of Mishawaka	\$20,320

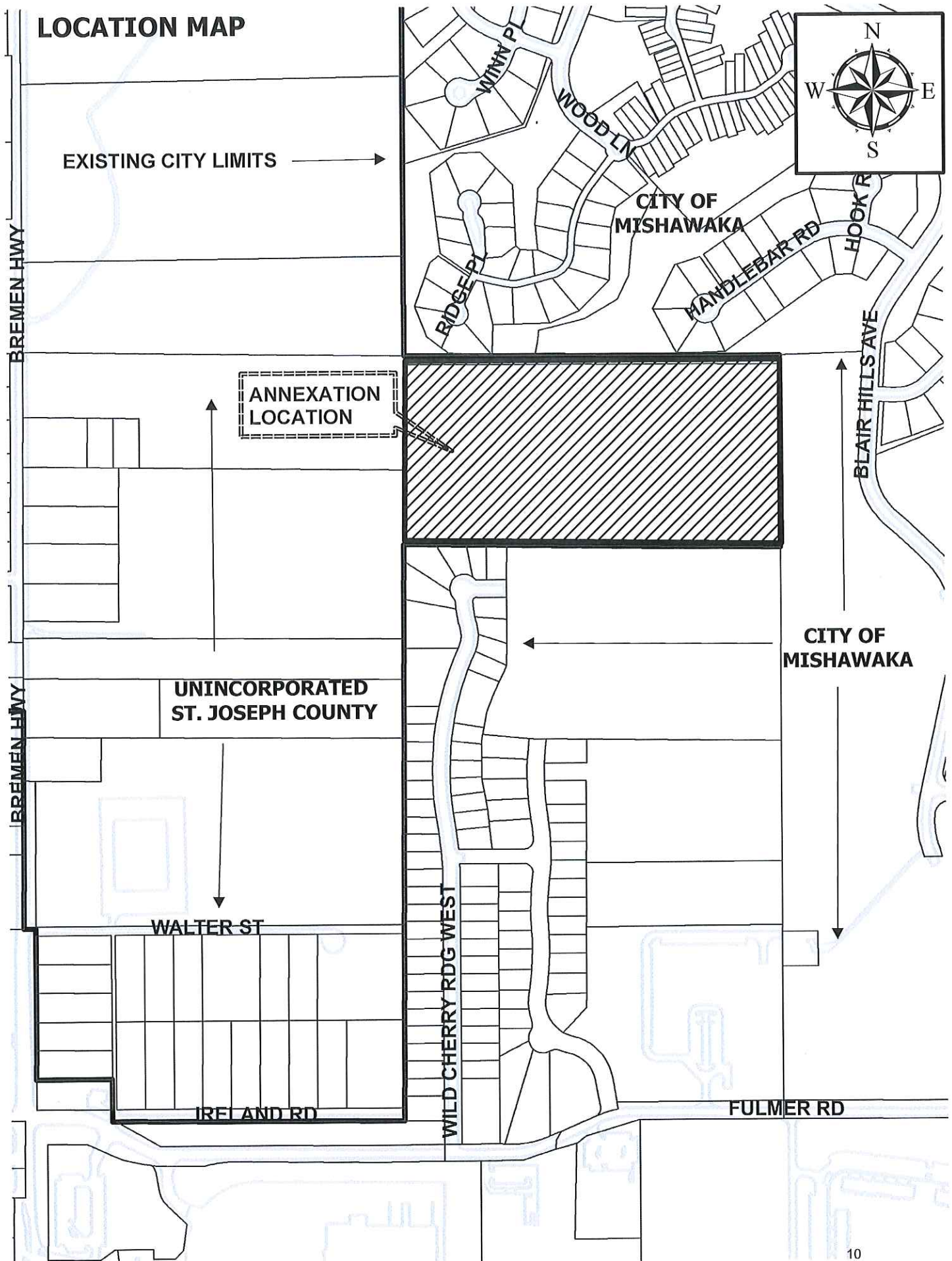
J. ASSUMED INDEBTEDNESS & COUNTY INFRASTRUCTURE REIMBURSEMENT

Pursuant to I.C. 36-4-3-4.2 under certain circumstances the City would be required to assume a portion of indebtedness as it would pertain to the proposed annexation area. Specifically, this would be required if the County had used property tax revenue to repay debt used to build infrastructure within the annexation area, or if income tax was being

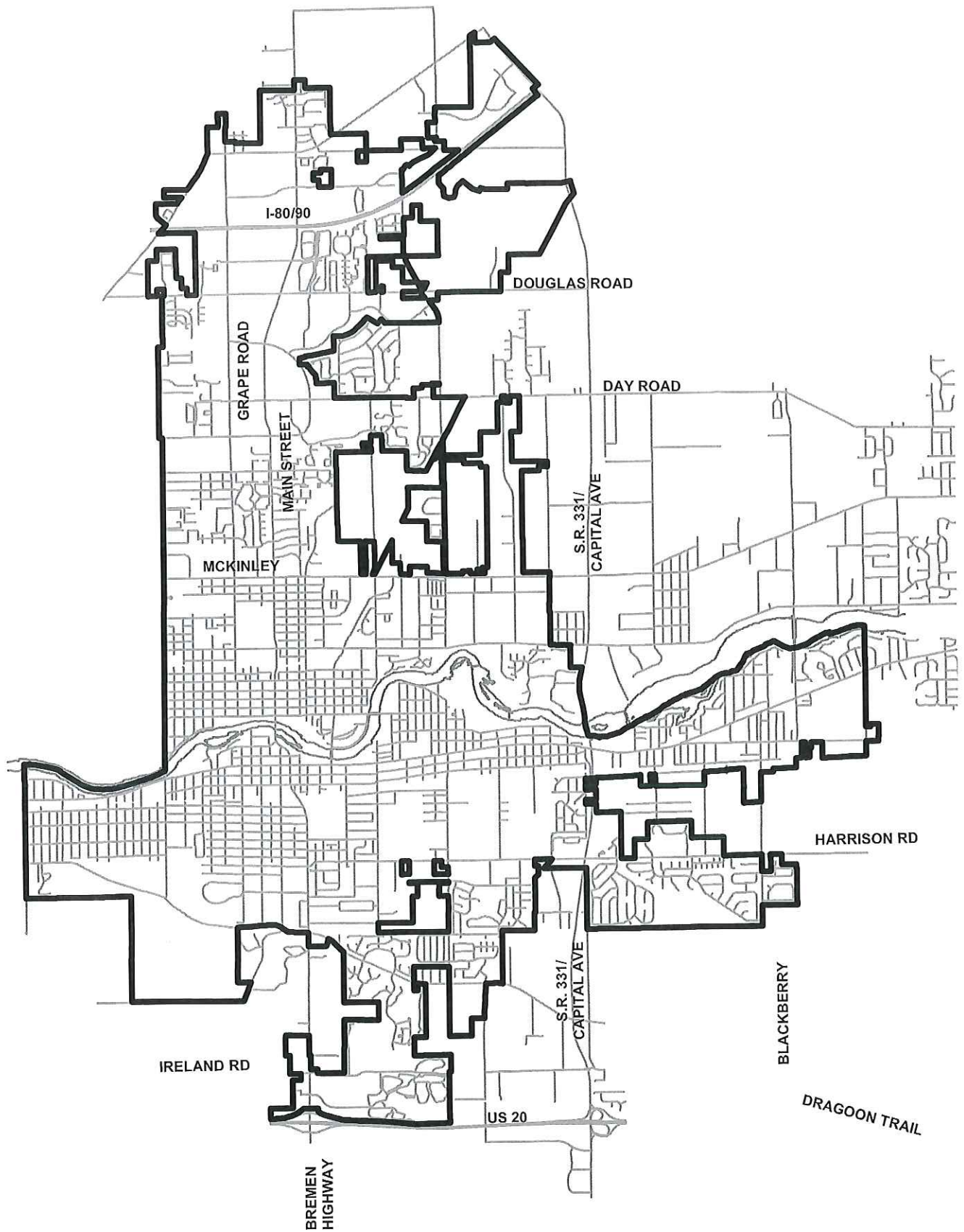
generated from the property in question that was being used to pay off applicable county wide debt that would now be allocated to the City upon annexation.

Upon reviewing the site and the information identified in Tab "D" / Appendix "F", there is no County infrastructure debt associated within the proposed annexation, nor is there any outstanding county debt on infrastructure that is payable by a local option income tax.

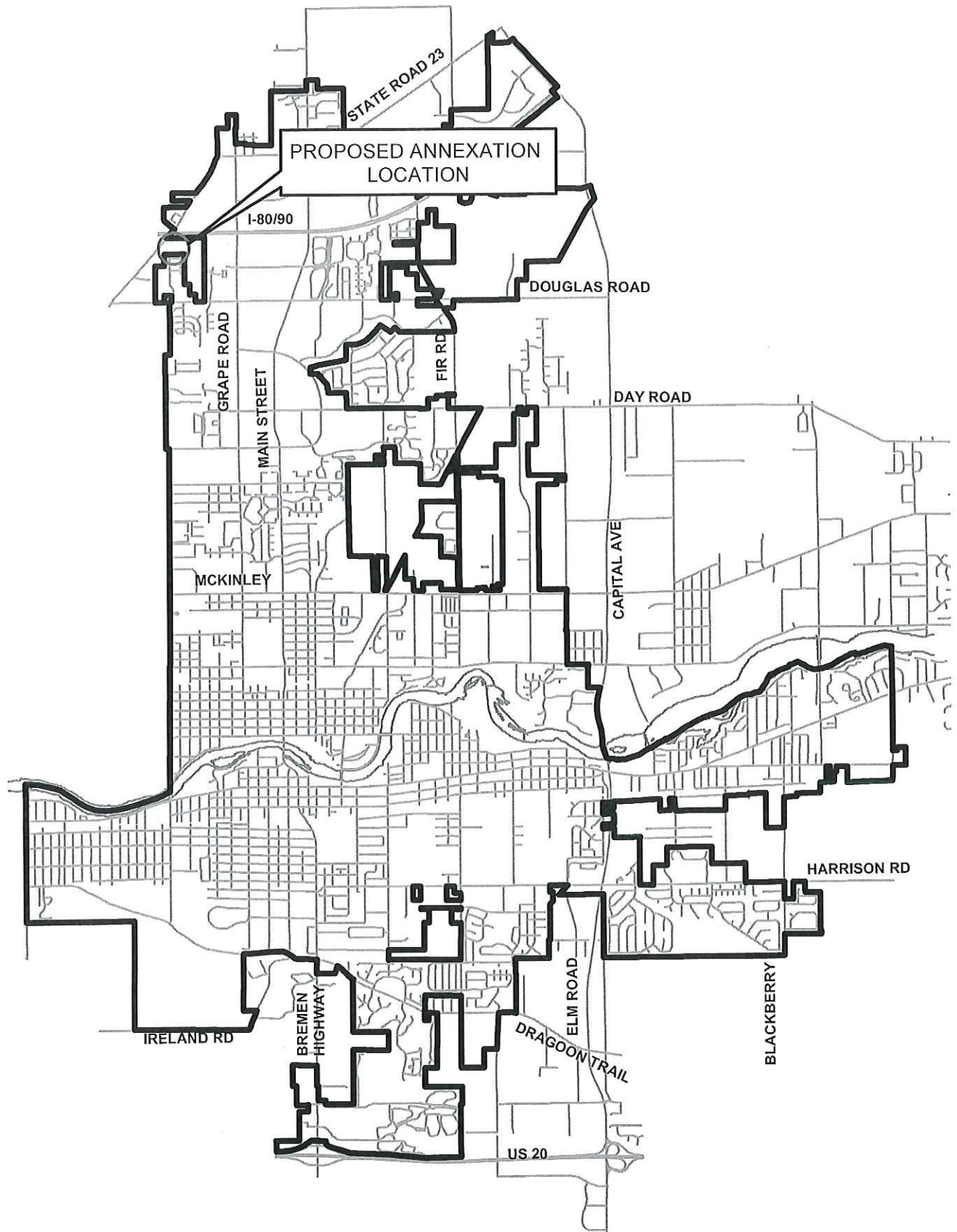
LOCATION MAP



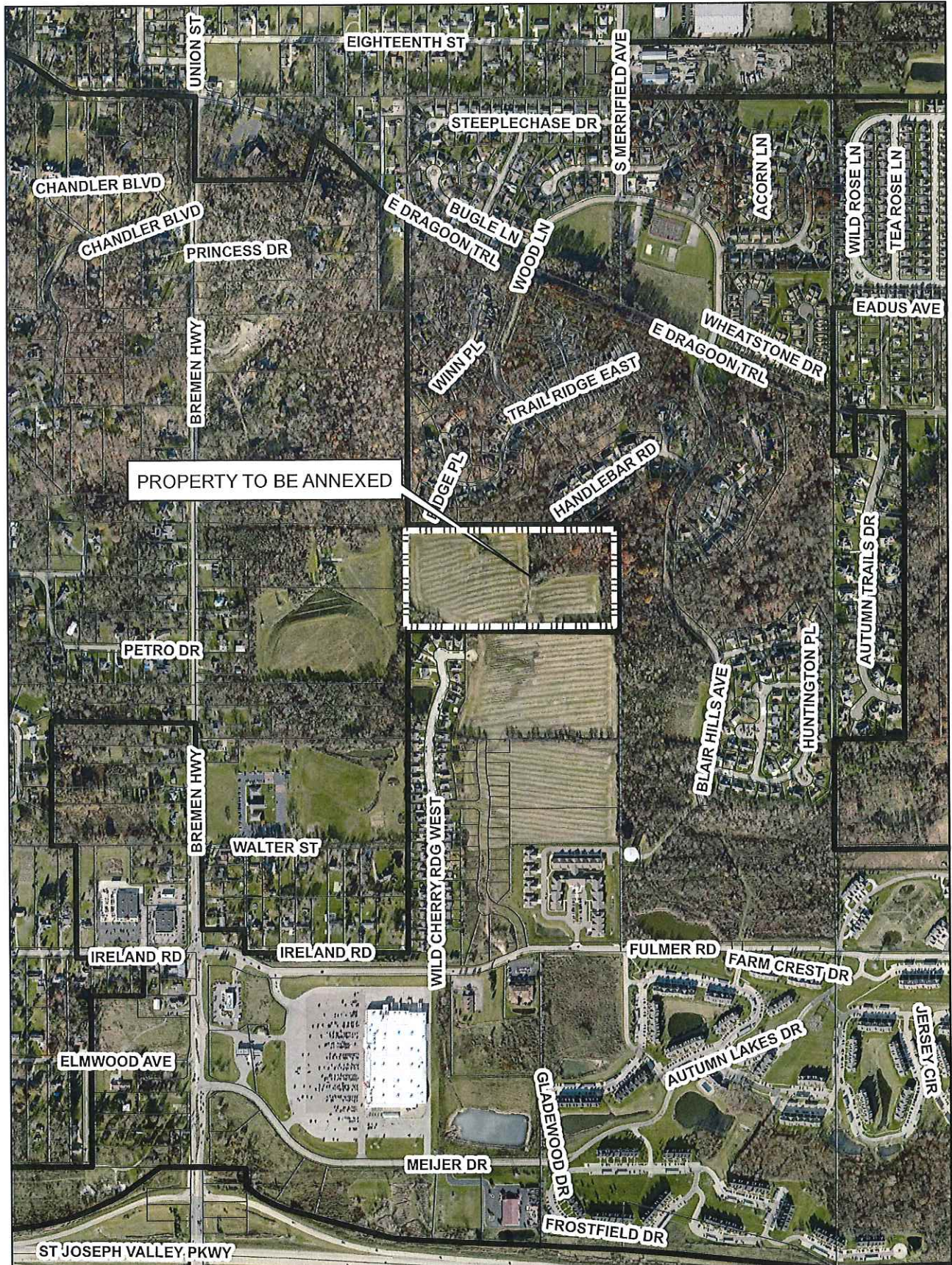
MAP OF EXISTING CITY LIMITS



MAP OF PROPOSED CITY LIMITS



AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED



AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED



PHOTOGRAPHS OF PROPERTY TO BE ANNEXED



Due north



Due east



For reference, a view southeast of the site towards the water tower



Engineering • Architecture • Land Surveying

DATE: May 19, 2021

TO: Honorable Members of the Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana



RE: Petition for Annexation and Zoning Classification

The undersigned MOE AN, LLC respectfully show they are the owners of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

LEGAL DESCRIPTION ATTACHED

Petitioners own one-hundred (100%) percent of the above-described parcel of land which is located in the State of Indiana and that petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with a R-1 Residential District. Petitioners further state they intend to utilize said land for a single-family residential subdivision development.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate, showing the size of the proposed lots, roads and drainage infrastructure.

Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, Petitioners respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with a R-1 Residential District zoning classification.

Carolyn Moser
MOE AN, LLC

Carolyn Moser
Printed
5-20-21

ART Moser
ART Moser
5-20-21

Contact: Mike Huber
Abonmarhce Consultants
315 W. Jefferson Blvd.
South Bend, Indiana 46601
(574) 347-4610
mhuber@abonmarhce.com



Blair Hills

908 Blair Hills Ave, Mishawaka, IN 46544

June 7, 2021

Mr. Ken Prince
City Planner
City of Mishawaka Planning and Economic Development
600 East Third Street
Mishawaka, IN 46544

RE: Annexation Petition #21- 09

Mr. Prince:

Blair Hills Community Association, Inc. through its Board of Directors, supports the proposed annexation of property currently before the Mishawaka Plan Commission as Petition #21-09 and authorize the City of Mishawaka to include a vacant property owned by Blair Hills Community Association, Inc. known as parcel #71-09-27-126-001.000-031 in that petition for annexation.

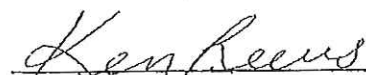
Thank you for your consideration.

Blair Hills Community Association, Inc.



Scott Grimm/ President

6/7/2021
Date



Ken Reeves/ Vice-President

6/7/2021
Date

LEGAL DESCRIPTION PARCEL ID 014-1032-052815 & 014-1032-052812

PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MASONRY NAIL MARKING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 59 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1320.97 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1974.64 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 628.21 FEET TO A CAPPED ONE INCH IRON PIPE SAID PIPE BEING SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHWEST CORNER OF THE EAST HALF (E ½) NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 56 MINUTES 51 SECONDS EAST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1319.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 SAID POINT BEING SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 627.92 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; A DISTANCE OF 1318.46 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.

CONTAINING 19.01 ACRES OF LAND

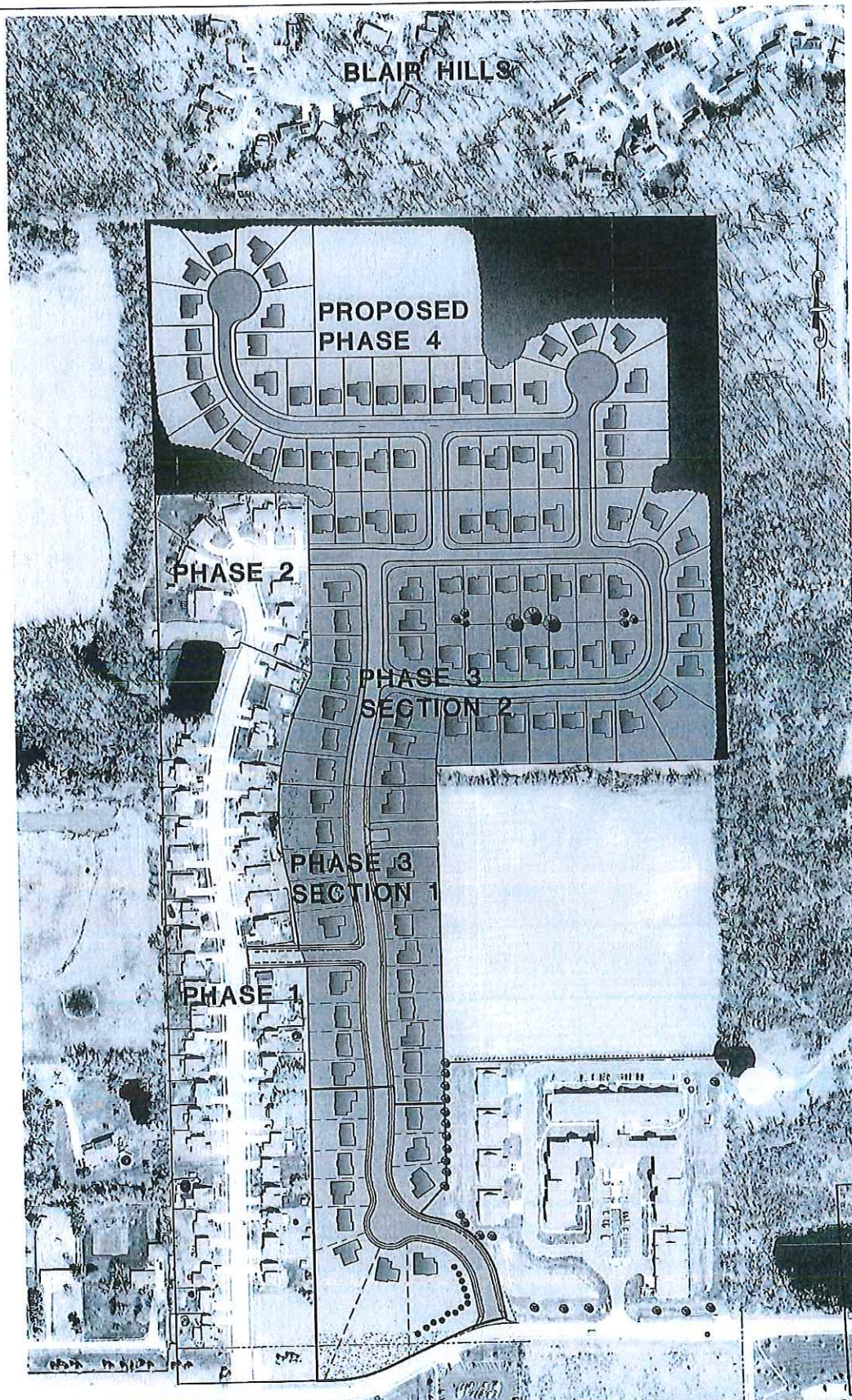
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP IN ST. JOSEPH COUNTY, MISHAWAKA, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH THIRTY (30) FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST JOSPEH COUNTY, MISHAWAKA, INDIANA.

CONTAINING 0.909 ACRES MORE OR LESS.



AUTUMN RIDGE

SCALE: 1"=100'
DATE: APRIL 19, 2021

ABONMARCHÉ

2330 Highway 101, Suite 101
St. John's, NL A1B 1X6
Tel: (709) 221-4110

Geomatics, Inc.
Geomatics, Inc.
Geomatics, Inc.

DESIGNERS / LAND SURVEYING / PLANNING / CONSTRUCTION SERVICES



965
21-09

Annexation Fiscal Plan

PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 0.909 ACRES MORE OR LESS.

TAB C- SUMMARY OF SERVICES

SUMMARY OF SERVICES

The City of Mishawaka, known as the Princess City, was incorporated in 1833 with only a few hundred residents. Now, with an estimated population of nearly 50,000 present-day Mishawaka is continuing to grow. From the bustling Grape Road corridor to the quiet paths of the Shiojiri Garden at Merrifield Park, the city offers residents a comforting sense of community where people like to live, work and raise families.

The backbone of any city is its services, and no unincorporated area of St. Joseph County can come close to matching the number and quality of services offered in the City of Mishawaka.

Some of the services provided are basic: electric, sewer, and water. Others, such as strong police and fire protection, efficient trash removal and access to parks and libraries, greatly improve the quality of life.

Sewer, water and electric services in the City are not paid by tax dollars; rather, Mishawaka Utilities services are all paid for through the low rates given to property owners.

Instead of dealing with septic systems, property owners can tap into lines provided by Mishawaka Utilities Wastewater Division. The Division has a plant staffed 24 hours a day, and maintenance technicians are available at all times to respond to emergencies. The City's sewer insurance program provides sewer coverage for each single-family residential homeowner on the public sewer system for a small monthly fee, paid with the Mishawaka Utilities bill. With this program, the homeowner is protected from paying the cost of catastrophic sewer repairs outside the home. A \$42 million expansion of the wastewater treatment plant was completed in June 2008. From 2013 to 2020, capital improvements to the wastewater system were made including the replacement of four lift stations, three emergency generators, and final clarifier troughs. Additional plant and system improvements with a focus of implementing the Combined Sewer Overflow Long Term Control Plan are planned in the upcoming years.

The City's water rates have traditionally been among the lowest in the state. The Water Division completed a \$26 million capital improvement project in 2003. Several improvements to the overall system were made including the addition of a new well field, the replacement of water mains, and the extension of services to some areas that previously did not have water service. In late 2019, a new 2 million gallon reservoir went online with the rehabilitation of the old 3 million gallon tank occurring throughout 2020. The 3 million gallon tank went online in January 2021. Planned future improvements include a new water treatment facility and well field along Veteran's Parkway near Juday Creek and a new 1.5 million gallon elevated tank in the north part of the City. Construction is anticipated to begin in 2021 and take between 18 months to two years.

Another service provided by Mishawaka Utilities is the distribution of electricity. Although Mishawaka Utilities does not generate or produce power, electricity is purchased at a wholesale rate and is distributed by Mishawaka Utilities. Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers.

But property owners get more out of being in the City of Mishawaka than just those basic services. Public safety is a priority in the City, with about 50 percent of the budget going toward fire, police and emergency medical services.

Mishawaka has a full-time Fire Department, with four stations. The Department maintains a Class 2 fire rating with the Insurance Services Office (ISO) rating improving from a Class 3 rating in November 2019. The City nearly received a Class 1 rating of which there are only three in the State of Indiana. It is expected that a Class 1 rating will be achieved during the next reevaluation. The lower the rating, the lower a resident's homeowner's insurance will be. Additionally, the department's response time is excellent, and fire trucks arrive within three minutes to a call for 90 percent of the city.

The Mishawaka Police Department, with approximately 90 officers and employees, responds to critical incidents within three to five minutes. The Department offers many personal services within its Community Relations and Street Crimes Units, and the Riverwalk Beat. These services include attendance at neighborhood watch meetings, administering various programs for school-aged children and senior citizens, and focusing on crime reduction in high crime areas of the city.

The City's EMS Department is a centralized system that responded to nearly 8,300 calls in 2020. The City, with its population of nearly 50,000, responds to about 50% more calls than the County ambulance service does, with its population of over 120,000 residents spread over a much larger area. The business of "saving lives" has a very narrow window of four to six minutes, so the quicker an ambulance can respond, the more likely a life will be saved.

The efficiency of the City's Street Department is unmatched when it comes to snow removal, compared to St. Joseph County. Like other services, the county cannot provide a similar level of service because resources are spread out over a much larger area. In the event of a windstorm that blows trees and limbs into the streets, the City usually can have streets reopened in less than an hour.

Access to leisure activities is readily available in the City of Mishawaka. Residents can use all 28 City parks and the Eberhart-Petro golf course. Park rentals, for events such as weddings and receptions, are also less expensive for residents of the City.

Additionally, residents of the City of Mishawaka have access to all three branches of the Mishawaka-Penn-Harris Public Library. The Main Branch on Church Street in downtown Mishawaka, the Bittersweet Branch on the City's east side, and the Harris Branch on Elm Road in Granger.

Trash pick-up in the City is also inexpensive and efficient, with the monthly fee for single-family trash pickup at \$14.86. For senior citizens, the rate is \$12.09. The rates include the cost of recycling and yard waste, which is picked up on the same day the trash.

With the exception of the trash removal, library use and Mishawaka Utilities services, the vehicle with which to pay for the rest of the City's services is through city property taxes. And the City of Mishawaka has a long history of having a low, stable tax rate – in fact, the rate has remained relatively stable for the past 15 years.

With its rich history, Mishawaka continues to prepare and grow for the future. New development within the City's Central Business District and the continued development of the city's commercial and industrial sectors guarantee its strength in the future. This growth allows the tax rates to remain low. With the low tax rate and the multitude of services provided, the City of Mishawaka is an excellent place to build homes, start businesses, and raise families.

SANITARY SEWER, TRANSPORTATION, AND DRAINAGE

Existing Sanitary Sewer Infrastructure

The City has an existing sanitary sewer manhole that is located in the center of Wild Cherry Ridge West, south of this annexation. This connects to the existing 10" gravity sanitary sewer main that continues west then south through the existing subdivision. The sanitary sewer will be available as the subdivision is developed and shall be constructed per City of Mishawaka Engineering Standards. The cost of this connection shall be the responsibility of the owner/developer. This sanitary sewer connection will discharge into the sanitary sewer system that is publicly maintained and ultimately discharges to the City of Mishawaka's Wastewater Treatment Plant. The existing downstream sanitary sewer system (Blair Hills) shall be evaluated for size and flow to ensure further development will not adversely affect its performance.

Existing Road/Transportation Infrastructure

Currently, this annexation does not have frontage to any public streets. Streets and sidewalks shall be extended and constructed per City of Mishawaka Engineering Standards as the subdivision develops. The cost to extend the streets shall be the owner/developers responsibility. After construction is complete and accepted, the City will perpetually maintain. Individual driveways and sidewalks shall be constructed with home builds.

Existing Storm Sewer/Drainage Infrastructure

This annexation will be required to retain the stormwater runoff generated by the proposed development on site for a minimum 100-year, 24-hour storm event. A geotechnical investigation shall be conducted to determine the existing soil conditions and seasonal groundwater table, as they may limit the amount of runoff that will infiltrate into the ground. This requirement provides significant protection to both existing and proposed developments regarding the impact of stormwater run-off. Several different engineering methods are considered acceptable by the City of Mishawaka to calculate this requirement. The simplest method of calculation is using the one-line rational equation. However, the Rational Method, Curve Number Method, and TR-55 Method are also acceptable, taking into consideration the percolation rate of soil types and ratios of developed impervious surfaces. Additionally, due to historically high groundwater and poor draining soils in this area, underdrains and a sump discharge system shall be installed, similar to the existing subdivision. The developer is required to bear all costs associated with stormwater management. All land disturbing activities shall fully comply with the City's Erosion & Sediment Control Ordinance.

Planned Capital Expenditures, Staff and Rates

If annexed, any public streets and utilities within the annexed parcel will be maintained by the City after acceptance. The City Departments do not require any additional funds than what is currently allocated within the present City budget. For general information, the repair and maintenance of sanitary sewers is supported by rates paid by its users. Otherwise, as a general percentage of City expenditures, approximately 15 cents of every dollar of the City budget is allocated for street and storm sewer expenditures.

Personal Service Programs

The Engineering Department works closely with the Sewer Department regarding the maintenance of the City sewer system. Construction records are kept for all sanitary and storm sewers and technical/administrative assistance is provided on sewer repairs for the Sewer Lateral Insurance Program. Specifically, the Sewer Lateral Insurance Program covers each single-family residential homeowner connected to the public sewer system within the City of Mishawaka. For a \$2.20 monthly fee, which is included in the Mishawaka Utilities sewer bill, the homeowner is protected from paying catastrophic sanitary sewer repair costs for the portion of sewer lateral between the street right-of-way and outside of foundation wall of the home. Currently, this annexation area proposes an R-1 Single Family Residential, therefore each home will be eligible for this program after acceptance.

CITY OF MISHAWAKA
2020 BUDGET

ENGINEERING DEPARTMENT
101-13

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Director of Engineering	79,352.00	3,052.00
411-02	Assistant Director	65,791.00	2,530.40
	Project Manager	55,682.00	2,141.60
	Traffic Manager	54,288.00	2,088.00
	Project Coordinator	40,332.00	1,551.20
	Office Manager	35,573.00	1,368.18
	City GIS Coordinator	<u>54,288.00</u>	2,088.00

385,306.00

Other Personal Services

411-65	PE Certification	<u>10,000.00</u>	192.31
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395,306.00

2 SUPPLIES

Office Supplies

421-90	General Supplies	<u>8,000.00</u>	8,000.00
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3 OTHER SERVICES AND CHARGES

Professional Services

431-06	Consulting	5,000.00
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Communication and Transportation

432-03	Travel and Training	6,000.00
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Repairs and Maintenance

436-01	Equipment Repair	2,500.00
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Other Services and Charges

439-03	Subscriptions, Dues, etc.	<u>1,000.00</u>
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14,500.00

417,806.00

ELECTRIC SERVICE

Services and Rates

Mishawaka Utilities – Electric Division does not currently serve the proposed annexation area. *If the annexation is approved, Mishawaka Utilities – Electric Division will attempt to acquire the service area from AEP as it is not already in our franchise boundary. If AEP releases the service area to Mishawaka Utilities, we can supply both single phase and three phase service.*

The costs of providing service for future/planned development will be the responsibility of applicant(s) for service (reference Terms and Conditions, Section 9.0). The necessary expenditure to make connection to an applicant for service will be considered to be warranted when the estimated total revenue (i.e., net revenue) as estimated by the Utility for a period of two and one-half (2½) years to be realized by the Utility from permanent and continuing Customers on such an extension is at least equal to the estimated cost of such extension.

Whenever, in the opinion of the Utility, the necessary expenditure to make connection to an applicant for service is not warranted by the Utility's estimate of prospective revenues to be derived there from, or whenever, in the opinion of the Utility, the permanence of the Customer's load is questionable, the Utility may require the applicant to make an advance deposit for line construction or service connection. Or, the Utility may require a long-term agreement, an aid to construction payment, monthly minimum charge or such definite and written guarantee from a Customer, or group of Customers, in addition to any minimum payment required by the Rate Schedule. This requirement may also be made covering the payment by the Customer of the cost of tapping existing transmission or distribution lines for light or power service or both, when such service will not provide sufficient load or revenue, in the opinion of the Utility, to justify the cost of tapping said lines.

In those cases where it is not feasible or practicable to construct lines on public rights of way and it is necessary to secure easements or line-clearing permits on private property, the applicant or applicants shall secure the same without cost to the Utility or assist the Utility in obtaining such easements or line-clearing permits on private property before construction shall commence. The Utility shall be under no obligation to construct lines in the event the necessary easements or line-clearing permits cannot be so obtained.

Personnel

Mishawaka Utilities – Electric Division has a staff of 46 employees. The Division, under the direction of the Electric Division Manager, is divided into the departments of engineering, construction, metering and operations:

- Engineering: Consists of the System Reliability Supervisor, Substation Supervisor, Substation Technician, Engineering Projects Manager, and support engineering personnel.
- Construction: Consists of the Construction Superintendent, two Construction Foremen, and support construction personnel (Journeyman, Apprentices and Linemen).
- Metering: Consists of Metering Department Manager and support metering personnel.
- Operations: Consists of the Operations Coordinator along with supporting personnel in dispatch/stores.

Description of Services

Normal working hours are from 7:30 a.m. to 4:00 p.m. Monday through Friday. During these hours, the Electric Division staff is available to provide immediate response to any system perturbation.

Services provided after normal working hours are on an emergency basis only. Customers requiring assistance can call the after-hours answering service, where a call is then placed to a duty supervisor to assess the situation. The duty supervisor then calls out required support personnel (via the answering service).

Mishawaka Utilities – Electric Division is well equipped to respond to problems associated with providing electric service. The electric division utilizes a wide breadth of equipment to meet the needs of the consumer. Major equipment includes loaders, backhoes, trenchers, boring machines, pushing machines, trailers, compressors, forklifts, bucket and line trucks, and pole trailers.

The service response time to restore from a loss of electricity resulting from storm damage or other physical line damage is typically less than AEP (AEP customers are spread geographically over a much larger area). However, since Mishawaka Utilities does not produce power, the utility is not able to control service problems based on the generation of power and has minimal control of transmission to, or within, Mishawaka.

Costs Associated with Services

Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers. Mishawaka Utilities does not generate or produce power. Mishawaka Utilities purchases electricity at a wholesale rate and is responsible for distributing it to every customer within the service area. Based on the large numbers of customers in a relatively small geographic area, Mishawaka Utilities is able to deliver electricity more economically than larger companies such as AEP. Although AEP actually generates or produces power, the cost for delivering the electricity to the consumer is greater because the customers are spread geographically over a much larger area. Actual rates will vary over time.

FIRE PROTECTION/EMS

The Mishawaka Fire/EMS Department is one of the area's best, with quick response times, excellent training, and the latest equipment.

Staffing and Response Times

The Mishawaka Fire Department currently has four stations located strategically throughout the City of Mishawaka. The Fire Department and the Emergency Medical Services Department merged January 1, 2002.

In accordance with the firefighter's union Collective Bargaining Agreement and the City of Mishawaka, minimum staffing of 29 personnel are available at all times. The department also has three members working in the City's Fire Inspection Bureau.

The Department's response time is excellent. The Fire Department's average response time to calls is just over 6 minutes within the City.

Fire Stations

The four fire stations are located in strategic areas around the City:

Station No. 1, built in 1991, is located on Union Street near downtown. It is staffed by a minimum of eleven (11) firefighters manning one Sutphen pumper truck, one aerial truck, a 105' Sutphen aerial/pumper combination), one heavy-duty K.M.E. rescue truck and one A.L.S. Paramedic ambulance unit.

Station No. 2, located at 2332 N. Main St., is staffed by five (5) to six (6) firefighters at all times, manning one Sutphen pumper truck, and one A.L.S. Paramedic ambulance unit. If annexed, this would be the primary responding station since it is the nearest to the site.

Station No. 3, located at 333 E. Douglas Road, is staffed by eight (8) firefighters at all times, manning one Seagrave pumper truck, one aerial truck (a 105' Sutphen aerial/pumper combination,) and one A.L.S. Paramedic ambulance unit.

Station No. 4, located at 3000 Harrison Road, is staffed by 5 firefighters manning one Seagrave pumper truck, and one Battalion Chief Vehicle.

All engine and ladder Companies are certified advanced life support non-transport.

For the year 2020 out of 8,269 runs 6,259 or roughly 75% were medical in nature. The Mishawaka Fire Department restructured going to a three-platoon system in 2013. With the addition of a third ambulance we were able to move ambulances out of one central location to be closer to the neighborhoods they served. This and the availability of paramedics on some engine companies have decreased the time in which it takes to start lifesaving interventions if needed. Engine and ladder companies also have Advanced E.M.T.'s on board who may begin vital treatment such as 12 lead E.K.G.'s, establishing I.V. lines, and administration of a handful of drugs. Once the ambulance arrives the paramedics take over in the continuum of care depending upon the severity of the call.

Equipment

Equipment for the department is very comparable with what is available to surrounding township departments, but the City's fire department offers other advantages not available to the township fire departments. By having 29-36 firefighters on duty at any given time Mishawaka is able to send more resources depending upon the nature of the call. The Mishawaka Fire Department has three ladder/pumper trucks available for emergencies. Two of these are in service at all times with the third being a reserve. Depending upon the location, some outside fire departments utilize mutual aid agreements in the event of the need for an aerial device.

The City maintains a fifteen (15) member Dive/Rescue team for water emergencies.

Training

The fire department undergoes year-round training in all areas of suppression, haz-mat, emergency medical, inspection, water rescue, public education, confined space, high angle rescue, extrication and others.

In order to work on an ambulance, the State of Indiana requires personnel to be Emergency Medical Technicians (minimum training). Generally speaking, while employed with an ambulance service, employees have an opportunity to advance their skills. Training is offered at two additional levels, Advanced EMT, (IV therapy, cardiac monitoring) and Paramedic, (addition of several other medications). The EMS division is highly regarded by other services and municipalities in our area offering paramedic service.

All firefighters hired by the City of Mishawaka must become an Advanced level E.M.T within eighteen (18) months of hiring and maintain it throughout their career.

In the calendar year 2020 each firefighter took part in an average of 200+ hours of continuing education.

Complete training records for all personnel are available.

Fire Insurance Rating

Mishawaka maintains a Class 2 fire rating with the Insurance Services Office. The lower the number in the rating, the lower a homeowner's insurance policy could be. Thus, properties that are annexed into the city could see a reduction in property insurance.

During the last audit in November of 2020 Mishawaka's rating improved from 78.65% out of a maximum of 100% in 2012 to 88.35% out of 100% in 2020.

We are currently only 1.65% away from a Class one (1) designation of which there are only three (3) in the State of Indiana.

We are waiting for improvements as a result of the ongoing Public Safety Answering Point mergers and some other internal improvements to occur before we asked to be reevaluated by the I.S.O.

Of course, the only way to determine if a reduction will occur is to contact applicable insurance providers. Homeowner's insurance portion that is fire related would benefit the least while those of a business would have a much larger impact.

For comparison, many township departments have ratings of 7 to 9. After our next reevaluation we believe Mishawaka's fire insurance rating will be the highest possible a Class one (1).

Future Plans

Additional personnel will become necessary in the future as the City grows. This increase is due in part to the increased role the department plays as the first responder unit for medical and accident calls. Given the numerous locations of fire stations in the city, the Fire Department is able to respond to emergency medical and accident situations in a shorter period of time than the emergency medical units alone.

The next Station slated for major improvements is Station #2 located at 2332 North Main Street. Planning and funding are being researched now.

Plans are also underway to place a fourth A.L.S. Paramedic ambulance in service as future growth of the department allows.

Potential increases in personnel, equipment, and buildings, are evaluated on a continual basis. Although these increases represent the anticipated long term needs of the department, these increases are not

needed in the short term to provide the consistent high level of service that has been historically provided to the city.

Citizen Programs

The fire department provides regular fire inspections for businesses located in the area, and home inspections upon request.

In 2020 the Fire Prevention Bureau performed 948 fire inspections of new and existing buildings in Mishawaka.

In addition, residents are encouraged to take part in the department's smoke detector giveaway and installation programs.

Fire Marshals give extinguisher demonstrations and emergency planning procedures upon request to businesses in the City. Participants use real extinguishers on mock up fires to prepare them for the real thing.

The department also participates in drive through flu clinics, C.P.R. classes, Triad pill drops, car seat installations and clinics throughout the year.

Costs Associated With Services

If annexed, the City of Mishawaka Fire Department is capable of providing a level of service for the area that is equal to the services currently provided for the City. Given the proximity of the proposed annexation area, the Fire Department does not require any additional funds than what have been allocated within the current city budget to provide these services. For general information purposes, a copy of the year 2020 budget has been included for reference.

CITY OF MISHAWAKA
2020 BUDGET

FIRE/EMS DEPARTMENT
101-19

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Fire Chief	79,527.00	3,058.72
411-02	Assistant Chief		
	3 @ 73,791	221,373.00	2,838.08
	Battalion Chief		
	3 @ 67,122	201,366.00	2,581.60
	Captains 15 @ 63,890	958,350.00	2,457.28
	Lieutenants		
	15 @ 62,143	932,145.00	2,390.08
	Fire Inspectors		
	3 @ 62,143	186,429.00	2,390.08
	Driver Operator		
	30 @ 60,424	1,812,720.00	2,324.00
	1st Class Firefighter		
	34 @ 59,942	2,038,028.00	2,305.45
	Master Firefighters		
	11 @ 57,529	<u>632,819.00</u>	2,212.64
			7,062,757.00
	<u>Civilian</u>		
	Executive Secretary	<u>35,589.00</u>	1,368.80
			35,589.00

Other Personal Services

411-12	Specialty Pay	264,800.00	
411-60	Overtime	650,000.00	
411-66	Uniform Allowance 115 @ 1,250	143,750.00	
411-67	Pension Equalization	<u>10,900.00</u>	
			<u>1,069,450.00</u>
			8,167,796.00

Employee Benefits

413-01	Social Security	13,300.00	
413-02	Medicare	119,000.00	
413-03	PERF-14.2%	30,500.00	
413-05	Health Insurance	2,975,000.00	
413-06	Life/Disability Insurance	6,500.00	
413-08	Deferred Comp Match	70,000.00	
413-09	77 Pension 20.5%	<u>1,400,000.00</u>	
			<u>4,614,300.00</u>
			12,782,096.00

CITY OF MISHAWAKA
2020 BUDGET

FIRE/EMS DEPARTMENT
101-19

2 SUPPLIES

Office Supplies

421-90 Office Supplies 6,000.00

Operating Supplies

422-01 Operating Supplies 200,000.00

422-03 Medical Supplies 125,000.00

Other Supplies

429-10 Public Education

Training/ Seminar

Supplies/Refreshments 6,000.00

337,000.00

3 OTHER SERVICES AND CHARGES

Repairs and Maintenance

436-01 Building/ Equipment Repair 100,000.00

436-91 Laundry Maintenance 3,000.00

Other Services and Charges

439-03 Subscriptions, Dues, etc. 3,000.00

106,000.00

13,225,096.00

PARKS AND RECREATION OPPORTUNITIES

Parks and Recreation

Mishawaka offers 28 public parks, each with its own unique natural attributes. For boating enthusiasts, there are four parks with boat launches into the St. Joseph River. East of the American Electric Dam by Capital Avenue, the river provides opportunities for water-skiers and sailors. Mishawaka parks also have an excellent swimming pool, splash pads, as well as accommodations for tennis and various field sports. Disc golf is another popular park sport. The City also contains the Eberhart-Petro 18 hole municipal golf course located along the St. Joseph River.

Some Mishawaka parks contain attractive areas for walking and picnicking, and nearly all have playground equipment and play field areas. Three parks, Shiojiri Niwa, Battell, and the Robert Beutter Riverfront Park, have attractive landscape and water amenities and are routinely the place for weddings, special events, and family pictures. The parks in Mishawaka range in size from 0.2 acres to 90 acres for the Eberhart-Petro Golf Course.

The Ball-Band Biergarten, opening in July 2020, is a unique event and gathering space along the popular Riverwalk and increasingly vibrant downtown. The center of the building will provide a service area for beverages and limited concessions to be enjoyed by all ages.

The responsibility for development of the parks and recreation system for the City rests with the Board of Parks and Recreation. The Board consists of four members and a member from the Board of School Trustees and a member from the Library Board.

Staff and Equipment

The park office staff consists of the Superintendent, Office Coordinator, and Community Center Director. There are 5 Park Divisions (Recreation, Special Events, Golf, Aquatics/Ice Rink, and Landscape). Four (4) have Division Directors and the Landscape Division is headed by the Landscape Manager.

The Mishawaka Parks Department provides budget support for its park maintenance through the Central Services Department, which manages all operations and maintenance staff and equipment for streets, parks, motor pool, and some electrical service vehicles.

Costs Associated With Services

All programs implemented through the Mishawaka Park and Recreation Department are available to all who wish to participate in them or rent the facilities. Listings of all park and recreation rates are available through the City of Mishawaka Park Department.

If annexed, the existing park system will continue to provide a level of service for the area that is equal to the services currently provided for the rest of the city. Resident services will begin immediately upon annexation.

For general information purposes, a copy of the year 2021 budget has been included for reference.

CITY OF MISHAWAKA
2020 BUDGET

PARK AND RECREATION
204-50

1 PERSONAL SERVICES

<u>Salaries and Wages</u>		biweekly	
411-01	Department Head	68,788.00	2,645.66
411-02	Regular Employees	510,426.00	
	Group 1: 14@20.64*2092	604,505.00	
411-03	Temporary/Summer Help	500,000.00	1,683,719.00
	CS reimburse - 54,309* 1.55 for assts.	65,906.00	
	Reimburse MVH Director - 64,439*5%	3,222.00	<u>69,128.00</u>
			1,752,847.00

Other Services Personal

411-60	Overtime	25,000.00	
411-63	Longevity	13,835.00	
411-64	FTO	10,000.00	48,835.00

Employee Benefits

413-01	Social Security	107,000.00	
413-02	Medicare	25,000.00	
413-03	PERF 14.2%	174,400.00	
413-04	Unemployment	5,000.00	
413-05	Employee Insurance Benefits	390,000.00	
413-06	Life Insurance	1,500.00	
413-08	Deferred Comp Match	8,000.00	
			<u>710,900.00</u>

2 SUPPLIES

2,512,582.00

Office Supplies

421-90	Office Supplies	8,000.00	
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Operating Supplies

422-02	Gas, Oil, Parts, etc.	73,000.00	
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Other Supplies

429-09	Merrifield Complex Supplies	32,000.00	
429-14	Maintenance Supplies	70,000.00	
429-15	Program Supplies	30,000.00	
429-16	Golf Course Concessions	40,000.00	
429-18	Athletic Event Supplies	36,000.00	
429-19	Battell Center Supplies	22,500.00	
429-20	Golf Course Supplies	40,000.00	
429-21	Other Concessions	5,000.00	
429-23	Merrifield Concessions	25,000.00	
429-24	Battell Center Concessions	<u>3,000.00</u>	
			384,500.00

CITY OF MISHAWAKA
2020 BUDGET

PARK AND RECREATION
204-50

3 OTHER SERVICES AND CHARGES

Professional Services

431-09	Health Screenings/Vaccines	8,000.00
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Communication and Transportation

432-02	Postage and Freight	2,000.00
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432-03	Travel and Training	8,000.00
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432-04	Telephone	7,000.00
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Printing and Advertising

433-01	Printing/Newsletter etc.	10,000.00
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Insurance

434-90	Insurance Premiums/Deductibles	120,000.00
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Utility Services

435-01	MU/AEP Charges	450,000.00
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435-02	NIPSCO	30,000.00
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Repairs and Maintenance

436-01	Equipment/Facility Repair	75,000.00
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436-90	Service Contracts	100,000.00
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Rentals

437-05	Uniforms/Port-o-lets	11,500.00
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Other Services and Charges

439-03	Subscription, Dues, etc.	3,000.00
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439-09	Miscellaneous/Charges	1,000.00
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439-18	Instructor Fees	15,000.00
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439-19	Official/Referee Fees	10,000.00
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439-21	Recreation Event/Entertainment	48,000.00
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439-93	Sales Tax	25,000.00
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923,500.00

3,820,582.00

CITY OF MISHAWAKA
2020 BUDGET

PARK AND RECREATION NON-REVERTING
214-50

1 PERSONAL SERVICES

Salaries and Wages

411-03	Temporary Help	15,000.00	
			15,000.00

2 SUPPLIES

Other Supplies

	Merrifield Supplies and Repairs	19,300.00	
	Wilson Supplies and Repairs	15,000.00	
429-17	Landscaping/Chemical Supplies	70,000.00	
			104,300.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-06	Consulting	75,000.00	
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Communication and Transportation

432-04	Wilson Hill Phone and Internet	<u>2,500.00</u>	
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Repairs and Maintenance

436-01	Golf Cart Repair	5,000.00	
436-90	Animal Control	15,000.00	
	Henry Frank fence	5,000.00	
	GPS Contract	<u>28,200.00</u>	
			<u>130,700.00</u>
			<u>250,000.00</u>

POLICE AND CRIME PREVENTION

The City of Mishawaka's Police Department provides residents with professional public protection and safety, helping keep the city's crime rate low. The officers are among the area's most well-trained, receiving the best training, using top-of-the-line equipment and offering personal service to Mishawaka residents.

Staffing

There are currently a total of 7 full time civilians within the Mishawaka Police Department, and are budgeted for 108 sworn officers. The Department has 23 officers on the day shift, 23 on the afternoon shift, and 23 on midnights, making for a total of 69 officers in the Uniform Division, plus 3 Captains; 1 Captain for each shift.

Because of a State Mandate, effective on January 1, 2015, the four dispatch centers in St. Joseph County (including the Mishawaka Public Safety Dispatch Center) were required to consolidate into two Dispatch Centers. The former Mishawaka Police Dispatchers are now employed by St. Joseph County; hence the reduction in civilian employees for the MPD.

There are also 9 officers in the Investigative Division and 6 officers assigned to special duty (special crimes, domestic violence, school resource, etc.)

All police officers in the State are required to successfully complete the basic program at the Indiana Law Enforcement Academy within the first year of employment. This is a 15-week program. Current ILEA standards require each Officer to complete 24 hours of service training per year. The Mishawaka Police Department averages 65 hours of training, compared with minimums of 24+ statewide.

Equipment

The Police Department has a take-home patrol car program. Currently, there are 108 take-home vehicles. Each car contains standard first aid equipment for immediate response. Each officer is also well equipped with standard equipment such as side-arms, shotguns, Tasers, and body armor. All officers have been provided with digital cameras for recording accident and crime scenes. In addition, 652 cars are equipped with video cameras to record events on patrol. The City provides for the continual maintenance, repair, and replacement of equipment. Standard equipment items such as cars and firearms are on a set replacement schedule for both reliability and performance.

Several years ago the City purchased a radar trailer, which detects a motorist's speed and flashes it on a screen, for \$9,000. This equipment assists in controlling speed by making motorists aware of their current rate of travel. This equipment can also specifically be used in the annexation area.

The Police Department has three School Resource officers available with School City of Mishawaka. One officer is assigned to Mishawaka High School, one officer is assigned to John Young Middle School and one is assigned to the elementary schools. The cost of these officers is shared with School City.

The Community Relations Unit

The Community Relations Officers handle various public relationship events such as Neighborhood Watch meetings, MPD tours for boy scouts and schools, reading to kids, bike safety rodeos, and participating in Tri-Ad Senior Citizens Organization. The unit is partnered with Nixle.com (a California-based Internet messaging-service provider). This provider offers a standardized, secure, and certified communication platform for local police departments, municipalities, and their agencies to communicate important, neighborhood-level information to the residents of their communities. This has been a great success with

improving how we get crime information and other important information out to the public. The unit also handles neighborhood complaints, such as drug houses, speeding, neighbor disputes, and other "quality of life" issues.

Street Crimes Unit

The Street Crimes Unit was implemented in July of 2009. There are 4 officers assigned to the Unit. The goal of this Unit is to concentrate efforts in high crime areas of the city and work in conjunction with the Police Department's Investigative Division to identify criminals and solve crimes. So far, the SCU has worked very hard at their mission and has proven to be quite a success. Because of their determination and self-motivation, the Unit has taken several criminals, weapons and drugs off the streets and has seen crime decrease in the high crime neighborhoods.

Riverwalk Beat

A "Riverwalk beat" was implemented in 2015 and determined to be very successful. Several methods of patrol have been utilized, including the Kawasaki mule, bicycles and motorcycle. The extra patrols have minimized reported vandalism that was seen in previous years. The renovation of Central Park has brought an increase of visitors to both the park and Riverwalk. The MPD continues its patrol efforts in the parks enhanced with the installation of a video camera surveillance system throughout the Riverwalk, Beutter and Central Park. Several emergency call boxes will also be installed, thus enhancing the safety of all Riverwalk users.

CAPS Program

The Citizens in Alliance with Police (CAPS) Program has much success in patrolling the Riverwalk and City parks and has expanded to two teams of volunteers that can be seen on the weekends.

Response Time and Crime Statistics

On average, the Mishawaka Police Department responds to critical incidents within three to five minutes. This is comparable to three to seven minutes in South Bend. South Bend has a modestly larger coverage area. Response times for the county were not available; however, with the St. Joseph County Police Department's much larger coverage area per officer, it is anticipated that the response time within the City of Mishawaka is significantly lower than in the county.

The Uniform Division was instrumental in responding to several high-profile cases in 2020 including six homicide scenes between July and December. Other notable arrests were for robbery suspects, narcotics arrest, firearms, stolen autos and the capture of several felons wanted on warrants.

These events are not uncommon; as the uniform officer is normally the first to arrive on scene during an emergency call situation. They are the face of the Department. Promoting a positive working relationship within the community helps to keep peace and harmony in our neighborhoods.

The Uniform Division was tasked with covering over 40,013 calls for service in 2020. That number also reflects reporting on 1,774 vehicle crashes.

For general information purposes, a copy of the year 2021 budget has been included for reference. The budget itemizes the costs of providing services for the entire city.

Costs Associated with Services

If annexed, the City of Mishawaka Police Department is capable of providing a level of service for the area that is equal to the services currently provided within the City of Mishawaka. The Police Department does not require any additional funds than what has been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation.

CITY OF MISHAWAKA
2020 BUDGET

POLICE DEPARTMENT

101-20

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Police Chief	80,000.00	3,076.92
411-02	Assistant Chief		
	3 @ 74,275	222,823.00	2,856.70
	Captain		
	6 @ 63,263	379,580.00	2,433.20
	Lieutenant		
	14 @ 62,062	868,868.00	2,387.00
	Sergeant		
	20 @ 60,901	1,218,017.00	2,342.34
	1st Class Patrol Officer		
	46 @ 60,120	2,765,523.00	2,312.31
	2nd Class Patrol Officer		
	18 @ 57,998	<u>1,043,964.00</u>	<u>2,230.69</u>
			6,578,775.00

Civilians

	Administrative Assistant	42,079.00	1,618.40
	Administrative Secretary	36,048.00	1,386.45
	Secretary 2 @ 35,590	71,180.00	1,368.85
	Parking Personnel	35,590.00	1,368.85
	Property Manager	39,125.00	1,504.80
	Office Manager	<u>37,415.00</u>	<u>1,439.02</u>
			261,437.00
	Crossing Guards 20 @ 7,651	153,020.00	
411-03	Substitute Crossing Guard	2,000.00	
	Temporary Help/Part-time	20,000.00	
411-65	IDACS Specialist	<u>500.00</u>	175,520.00

Other Personal Services

411-02	Shift Differential 2nd @350 3rd @ 700	57,600.00	
411-60	Overtime/ Court-time Officer-Non Officer	500,000.00	
411-66	Uniform Allowance 1@600, 108@2050	222,000.00	
411-66	Equipment Allowance 108@1250	135,000.00	
411-66	Off Duty Weapon Stipend 108@400	43,200.00	957,800.00

Employee Benefits

413-01	Social Security	30,000.00	
413-02	Medicare	114,000.00	
413-03	PERF 14.2%	45,000.00	
413-05	Health Insurance	2,650,000.00	
413-06	Life Insurance	6,250.00	
413-08	Deferred Comp Benefit	65,000.00	
413-10	77 Pension 19.5%	<u>1,224,000.00</u>	<u>4,134,250.00</u>
			12,107,782.00

CITY OF MISHAWAKA
2020 BUDGET

POLICE DEPARTMENT
101-20

2 SUPPLIES

Operating Supplies

422-01 Operating Supplies 35,000.00

Other Supplies

429-11 Seminars/ Community Relations 1,000.00

36,000.00

3 OTHER SERVICES AND CHARGES

Communication and Transportation

432-03 Travel and Training 2,000.00

Printing and Advertising

433-01 Printing 1,800.00

Repairs and Maintenance

436-01 Building Repair/ Maintenance
Service Contracts 90,000.00

Other Services and Charges

439-03 Subscriptions, Dues, etc. 3,000.00

439-09 Miscellaneous Charges 5,000.00

439-11 Special Expense 13,000.00

439-12 Canine Expenses 3,000.00

117,800.00

12,261,582.00

STREET DEPARTMENT

The Mishawaka Street Department, with its large staff and several trucks and multiple pieces of equipment, constantly maintains the City's streets and is prompt at answering to emergencies.

Staffing

The Mishawaka Street Department, headed by the Street Commissioner, has 32 union employees, two clerical personnel and two assistant street commissioners. The telephone is staffed 24 hours a day, and one manager is on call at all times, so that most emergencies can be handled in less than one hour.

Equipment

The Department uses 3 tandem axle and 11 single-axle trucks for the majority of the City's snow plowing. The Department also has 12 4-wheel drive trucks used for plowing smaller streets.

If the need arises during a winter storm, the Department also can call upon the Utilities and Parks departments to help supplement the snow removal efforts.

Along with the three loaders, two graders and the help of the manpower and equipment from other departments, the City can put a total of seven loaders, five backhoes and four additional trucks on the road to help remove snow. St. Joseph County does not have as many resources and has a larger area to plow; therefore, it takes the county longer to clear their roads.

Services

The City's leaf pick-up program is completed on a weekly basis every fall, compared with the County's leaf pick-up program, which is done by quadrants.

The City also has an aggressive street sweeping schedule, with all streets swept every 10 days. The County does little street sweeping.

Also, in the event of a wind storm that blows trees into streets, the City can have the street reopened, in most cases, in less than an hour. The county can take six to eight hours, as evidenced by calls from residents on streets just outside the City's boundaries.

Costs Associated with Services

If annexed, the City of Mishawaka Street Department is capable of providing a level of service for the area that is equal to the services currently provided for similar geographic areas within the City of Mishawaka. Given the proximity of the proposed annexation area, bordered to the south by the existing City limits, the Street Department does not require any additional funds than what have been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation. Services will begin within one year of the date of annexation as required by law.

For general information purposes, a copy of the year 2020 budget has been included for reference.

WASTE DISPOSAL AND RECYCLING SERVICES

Waste Disposal and Recycling Services

Trash pick-up in the City of Mishawaka is inexpensive and efficient. The monthly fee for single family trash pickup is \$14.86. This includes trash, yard waste and recycling. Residents also are allowed to place up to two large items out each week for removal with their regular trash. Large items could include furniture, appliances, and similar objects that are not readily placed within containers.

A discounted rate of \$12.09 per month is provided for senior citizens.

Similar to the county and other municipalities, trash removal services are not offered to multiple family developments, commercial, or industrial businesses. The waste stream generated from these uses varies widely and usually require private dumpsters. These uses are required to contract for services through private trash contractors. Given that portion of the proposed annexation is an industrial facility; waste disposal will be the responsibility of the property owner with no involvement from the City.

Leaf pick-up and the Organic Center

The leaf pick-up and Christmas tree pick-up programs are done through the City's Street Department. The Organic Center offers recycling for residents of Mishawaka only. Brush, grass and leaves may be brought in, by residents at no charge.

CITY OF MISHAWAKA
2020 BUDGET

CENTRAL SERVICES DEPARTMENT
101-22

1 PERSONAL SERVICES

Salaries and Wages

		biweekly
411-02 Assistant 4 @ 54,309	217,236.00	2,088.80
Fleet Maintenance Technician		
6 @ 21.73*2092	272,755.00	
Group 1: 4 @ 20.64*2092	172,716.00	
PT maintenance 1040 hrs @ 11.00	11,440.00	
Reimburse MVH Director - 64,439*5%	<u>3,222.00</u>	
		677,369.00

Other Services Personal

411-60 Overtime	15,000.00	
411-63 Longevity	<u>6,370.00</u>	
		<u>21,370.00</u>
		698,739.00

2 SUPPLIES

Office Supplies

421-90 Office Supplies	2,000.00	
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Operating Supplies

422-02 Gas, Oil, etc.	800,000.00	
422-05 Equipment/ Vehicle/Maint Supplies	110,000.00	

Other Supplies

429-08 Uniform/ Supplies	<u>5,750.00</u>	
		917,750.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-09 Health Screenings/ Vaccines	1,000.00	
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Communication and Transportation

432-03 Travel and Training	1,000.00	
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Repairs and Maintenance

436-01 Building Repair / Equipment/Maint	70,000.00	
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Rentals

437-05 Uniforms	5,000.00	
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Other Services and Charges

439-09 Miscellaneous Charges	<u>1,500.00</u>	
		<u>78,500.00</u>
		<u>1,694,989.00</u>

CITY OF MISHAWAKA
2020 BUDGET

MOTOR VEHICLE HIGHWAY
201-50

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Street Commissioner	64,439.00	2,478.40
411-02	Office Administrator	35,818.00	1,377.60
	Office Manager	35,573.00	1,368.18
	Group 1: 32 @ 20.64*2092	1,381,725.00	
	CS reimburse - 54,309* 1.55 for assts.	84,179.00	
			1,601,734.00

Other Services Personal

411-60	Overtime	80,000.00	
411-63	Longevity	17,335.00	
411-64	FTO (Flexible Time Off) Plan	<u>8,000.00</u>	
			105,335.00

Employee Benefits

413-01	Social Security	98,000.00	
413-02	Medicare	21,000.00	
413-03	PERF 14.2%	226,000.00	
413-04	Unemployment	5,000.00	
413-05	Employee Ins Benefits	680,644.00	
413-06	Life Insurance	1,900.00	
413-07	Deferred Comp Benefit	<u>8,100.00</u>	
			<u>1,040,644.00</u>
			2,747,713.00

2 SUPPLIES

Office Supplies

421-90	Office Supplies	1,500.00	
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Other Supplies

429-08	Uniform Supplies	7,000.00	
429-13	Traffic Supplies	<u>35,000.00</u>	

43,500.00

3 OTHER SERVICE AND CHARGES

Professional Services

431-09	Health Screenings/ Vaccines	5,000.00	
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Communication and Transportation

432-03	Travel and Training	3,000.00	
432-04	Telephone/ Paging	7,500.00	

CITY OF MISHAWAKA
2020 BUDGET

MOTOR VEHICLE HIGHWAY

201-50

Printing and Advertising

433-02 Publications 500.00

Rentals

437-05 Uniforms 8,000.00

Other Services and Charges

439-09 Miscellaneous Charges 3,000.00

27,000.00

4 CAPITAL OUTLAYS **MVHR**

Improvements Other than Buildings

442-01 Street Repair 1,000,000.00

1,000,000.00

3,818,213.00

LOCAL ROAD AND STREET

202-50

4 CAPITAL OUTLAYS

Improvements other than Buildings

442-04 Sidewalk and Curb Program 300,000.00

445-02 MVH Equipment 370,000.00

670,000.00

WASTEWATER

Services

Services are provided by the Mishawaka Wastewater Division 24-hours a day. There are at least two operators staffing the facility at all times. Additionally, maintenance technicians can be called in during off-hours to respond to emergencies. The thirty remote sewage lift stations are continuously monitored by radio telemetry.

Facilities

Mishawaka's wastewater treatment plant is a Class IV facility that was recently expanded to provide an average design capacity of 20 million gallons per day (MGD). The peak design capacity is 42 MGD. The plant is designed to operate in the conventional activated sludge mode. Single stage nitrification is achieved in the activated sludge process to convert ammonia to nitrate. Phosphorus is removed both biologically and by chemical precipitation using ferrous chloride. Solids generated in the treatment process are anaerobically digested and mechanically dewatered. These biosolids are land applied on area farm fields for soil conditioning and fertilizing. The treated effluent from the facility is disinfected with sodium hypochlorite, then treated with sodium bisulfite to remove any chlorine residual. The dechlorinated effluent is aerated to add dissolved oxygen.

For the year 2020, an average flow of 9.21 MGD was treated. The average cBOD removal was 98% and the average suspended solids removal was 98%.

Staff

Twenty-six people staff the wastewater utility. There are 5 managers/supervisors, 4 chemists, 9 operators, 6 maintenance technicians, 1 buildings and grounds technician and 1 biosolids technician. At least two operators are on duty at all times.

Support Personnel

The Wastewater Division relies on the Mishawaka Utilities Business Office for support functions such as billing, budget tracking, and customer service. The City's Engineering Division works closely with the Wastewater Division on plan reviews for sewer and lift station additions. Consulting engineering firms are used to design improvements and for comprehensive studies.

Past and Planned Capital Improvements

A \$42 million upgrade was completed in mid 2008 for the wastewater utility. This upgrade was necessary to provide capacity for service area growth and to address the CSO requirements established in Mishawaka's NPDES permit and CSO control regulations. The upgrade increased both the dry weather flow capacity and the plant's capability to treat wet weather flows. Construction began in November 2005 and was substantially complete in June 2008.

The capital improvements increased the wastewater treatment plant's capacity from 12 MGD to 20 MGD. The hydraulic peak capacity increased from 24 MGD to 42 MGD. The scope of the wastewater treatment plant improvements include the following elements:

- Parallel 60-inch interceptor sewer from CSO 009 to treatment plant
- Influent Pump Station Expansion
- Additional Fine Screen
- New Grit Separation and Washing Equipment
- New Scum Concentrating Equipment
- Addition of Two New Grit Removal Tanks
- Addition of Two New Primary Clarifiers
- Addition of Two New Aeration Tanks
- Addition of Two New Final Clarifiers
- Addition of Chlorine Contact Tank
- Conversion From Gaseous Chlorine and Sulfur Dioxide to Liquid Sodium Hypochlorite and Sodium Bisulfite Disinfection
- Rehabilitation of Ferrous Chloride Storage and Feed System
- Addition of two WAS Gravity Belt Thickener
- Addition of a second belt filter press for biosolids dewatering

- New Anaerobic Digester and Rehabilitation of Existing Digesters Including New Covers
- Modifications to the Plant Electrical Feed
- Installation of a high efficiency turbo aeration blower
- New Process Air Blower Equipment
- Administration Building Modifications
- Expansion of Maintenance Facilities
- Site Landscaping

In 2013, the Carriage Lane and Winding Brook lift stations were replaced and stand-by emergency generators were added. The Southampton lift station was upgraded to include a stand-by emergency generator as well.

In 2017, the Oakland St. lift station was replaced. In 2020 the Willow Creek Lift Station was completely re-built following a catastrophic failure of the station.

Construction of miscellaneous plant improvements included replacement of the manual bar screen with a new automated fine screen, improvements to the hypochlorite disinfection system, improvements to CSO 009, and replacement of the existing air monitoring systems in the Headworks and Digester Control Buildings was substantially completed in 2019. Also, replacement of the Home St. lift station was completed in 2019.

In 2020 the replacement of the effluent troughs in the 4 west side final clarifiers was completed.

Future capital improvements focusing on the Combined Sewer Overflow Long Term Control Plan will consist mainly of sewer system improvements to convey greater volumes of wet weather flow to the Wastewater Plant for treatment as well as sewer separation.

Statistical Information

Mishawaka's wastewater treatment plant exhibits outstanding performance. For the year 2020 the average removals and effluent concentrations were as follows:

	Percent Removal	Effluent Concentration mg/l
CBOD	98%	<2.3
Total Suspended Solids	98%	<2.5
Phosphorus	87%	0.49
Ammonia Nitrogen	96%	<0.46

During 2020 there were 3 exceedances of NPDES permit effluent mercury limitations. The permit limit for mercury is 3.2 parts per trillion as an annual average over the most recent (rolling) 12 month period. This is a very low limit and treatment plants are not designed specifically for mercury removal. A part per trillion is the equivalent of one inch in sixteen million miles. Compliance with this limit is dependent on controlling discharges of mercury at their source. The Utility instituted a Mercury Minimization Plan to address source control of mercury discharges.

Costs Associated with Services

Mishawaka Utilities Wastewater Division is predominately supported through revenue generated by the rates charged to customers. 2005 was the first full year of construction of the Wastewater Treatment Plant Upgrade and Expansion. The project was completed in June of 2008. The City financed \$41.9 million for the plant improvements through a low interest State Revolving Fund Program loan, which will save considerable interest expense throughout the twenty year life of the loan. The expansion serves the dual purpose of providing capacity for continued growth in the community and cut annual combined sewer overflow (CSO) volume in-half. Because a portion of the expanded capacity will serve growth in the Northwest TIF area, TIF funding has been pledged to the Wastewater Division to assist in funding debt service payments. An annual TIF distribution of \$3.36 million reduces the rate increases necessary to fund the expansion's bond payments.

Residents of St. Joseph County who have access to city sanitary sewer pay the same sewer rate provided to residents of the city. However, Wastewater Utility customers whose premises are served

by the utility and are located within the City limits shall receive a credit applied towards their monthly sewer bill in recognition of the portion of the principal and interest on Wastewater Utility bonds paid by the City from TIF revenues. City sewer facilities are available to the proposed annexation area and will have no impact on the level of service provided by the city. Mishawaka Utilities currently provides a level of service for the area that is equal to the rest of the City. No additional Wastewater Division capital expenditures are required in association with this proposed annexation.

WATER SERVICE

Water Utilities

The Mishawaka Utilities Water Division is a medium-sized public water utility that serves a population and area larger than just the City of Mishawaka. The combined well fields average about 7 million gallons pumped each day, with a peak daily rate of 25 mgd and a maximum capacity of 32 mgd. The water is treated with chlorine, fluoride and phosphate and is regularly and comprehensively tested in accordance with state and federal regulations. The city public water supply consistently exceeds the strict standards set forth by the United States Environmental Protection Agency and the Indiana Department of Environmental Management.

Serving the Proposed Annexation Area

There is an 8" water main at the dead end of Wild Cherry Ridge West stubbed heading east. There is a curb cut and access to the 8" water main running north and south along Wild Cherry Ridge West across from 3127 Wild Cherry Ridge West. There is a 16" water main running east and west along the southern end of the proposed annexation area on Fulmer Road. Most of the water main on the southern portion is off the road on the north side of the street fronting the annexation area. A water main extension would need to be done to extend water to the property.

The costs associated with the extension of water service to the individual property, including tap fees, are paid by developer's/property owners, and are not paid by Mishawaka Utilities. For existing properties with wells, a 1-inch copper service line is typically provided to the property line for future connection. Similar to other areas of the city, the customer would be required to pay for the tap in order to use the service. The property owner also would be responsible to run the service from the property line to any future proposed development and install a meter setter in accordance with Water Division standards.

Staff and Services

The Mishawaka Utilities Water Division has a 24-hour emergency answering service line, which calls the supervisor on duty on a cellular telephone. Crews generally report on site within an hour of an emergency. On average, service outages only last about three hours.

There are a total of twenty-nine (29) employees in the Water Division consisting of twenty (20) union employees and nine (9) salaried personnel. An additional administrative staff of four (4) people and an office staff of twenty-three (23) carries out all billing and clerical work for both the electric and water divisions.

The Water Division has twenty-seven (27) vehicles and eight (8) large specialized pieces of equipment to serve the area.

Services to Residents

The Mishawaka Utilities Water Division provides three programs to replace lead services within the City's water system.

1. The Division replaces any lead service that is in need of repair.
2. The Division replaces any lead service to a current customer when the customer replaces the line from the street shut-off to the house.
3. The Division replaces any lead service that is not currently in use by a customer at a reduced cost to customer when a new structure is built.

The Division has no benefits geared strictly toward senior citizens, but it does accept money from the Project Safe program, provided by Real Services. Real Services provides state funds to pay utility bills of low-income families that fall within a certain income range. The low-

income families must fill out an application, at the Real Services office, to become eligible for this benefit.

Costs Associated with Services

Mishawaka Utilities Water Division is not supported by tax dollars, but rather through revenue generated by the sales of water to its consumers. All costs associated with providing water service are rate generated. No tax dollars are used to provide this service. If annexed, Mishawaka Utilities is capable of providing a level of service for the area that is equal to the services currently provided within the City.

Annexation Fiscal Plan

PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MASONRY NAIL MARKING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 59 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1320.97 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1974.64 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 628.21 FEET TO A CAPPED ONE INCH IRON PIPE SAID PIPE BEING SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHWEST CORNER OF THE EAST HALF (E ½) NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 56 MINUTES 51 SECONDS EAST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1319.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 SAID POINT BEING SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 627.92 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; A DISTANCE OF 1318.46 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.
CONTAINING 19.01 ACRES OF LAND
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP IN ST. JOSEPH COUNTY, MISHAWAKA, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH THIRTY (30) FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST JOSPEH COUNTY, MISHAWAKA, INDIANA.
CONTAINING 0.909 ACRES MORE OR LESS.

TAB D - APPENDICES

RESOLUTION NO. 2021- 14__

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY:

A 20 acre parcel located north of Autumn Ridge Subdivision and south of Blair Hills Subdivision.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MASONRY NAIL MARKING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 59 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1320.97 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1974.64 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 628.21 FEET TO A CAPPED ONE INCH IRON PIPE SAID PIPE BEING SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHWEST CORNER OF THE EAST HALF (E ½) NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 56 MINUTES 51 SECONDS EAST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1319.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 SAID POINT BEING

SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 627.92 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; A DISTANCE OF 1318.46 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.
CONTAINING 19.01 ACRES OF LAND
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP IN ST. JOSEPH COUNTY, MISHAWAKA, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH THIRTY (30) FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST JOSPEH COUNTY, MISHAWAKA, INDIANA.
CONTAINING 0.909 ACRES MORE OR LESS.

Section II. Following the review of documents prepared by the Department of Planning and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day
of _____, 2021, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____,

2021, at _____ o'clock ____ .M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2021, at

_____ o'clock ____ .M.

David A. Wood, Mayor

PETITION #21-09

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. _____

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF
MISHAWAKA, INDIANA, AND PROVIDING ZONING CLASSIFICATION THEREFORE

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and the zoning as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MASONRY NAIL MARKING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 59 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1320.97 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1974.64 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 628.21 FEET TO A CAPPED ONE INCH IRON PIPE SAID PIPE BEING SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHWEST CORNER OF THE EAST HALF (E ½) NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 56 MINUTES 51 SECONDS EAST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1319.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 SAID POINT BEING SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 627.92

FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; A DISTANCE OF 1318.46 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.
CONTAINING 19.01 ACRES OF LAND
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP IN ST. JOSEPH COUNTY, MISHAWAKA, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 0.909 ACRES MORE OR LESS.

COMMON ADDRESS: 19.2 acres north of Autumn Ridge Subdivision

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of R-1 Single Family Residential District.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Existing Conditions – The subject property is vacant land in Unincorporated St. Joseph County, owned by the same developer at Autumn Ridge Phase 3.
2. Character of Buildings in the Area – The character of buildings and land uses located west of Bremen Highway between Dragoon and Fulmer are primarily residential, with a few commercial land uses south of Fulmer.
3. The most desirable/highest and best use – Because of the property's location adjacent existing residential developments, the most desirable use for the property is residential.
4. Conservation of property values – The proposed zoning will not be injurious to the property values in the surrounding area. The expansion of the subdivision is compatible with the existing surrounding residential uses.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan, created in 1990, identified this area as low density residential, which is how it has developed.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2021, at _____ o'clock _____.M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2021, at _____ o'clock _____.M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2021, at _____ o'clock _____.M.

David A. Wood, Mayor

Tax Rate Chart for the year 2020 payable 2021 Tax Rate Chart for the year 2020 payable 2021
 Tax Duplicates (Notices) is hereby given that the Tax Duplicates for the Towing Units of St. Joseph County, for the year 2020 payable 2021, are now in the hands of the St. Joseph County Auditor, who is ready to receive the Taxes charged thereon.
 Tax Duplicates (Notices) is hereby given that the Tax Duplicates for Real Estate, Personal Property and Mobile Homes. The first installment will be delinquent after May 10, 2021.

[illegible]

[Return to Taxpayer Portal \(/public/taxpayer/Default.aspx\)](#)

Tax Bill Estimator

The figures provided by this tool are estimates only and should not be taken as a statement of true tax liability.

Select Tax Year

2021 ▼

1. Select your unit items [?]

Select a county:

St. Joseph ▼

Select a tax district: [?]

031 - Penn Township ▼

Assessed Value: [?]

\$ 21400

Select a property type from the list: [?]

Residential Rental, Non-Homestead Re ▼

2. Select your deductions [?]

Homestead Deduction

Suppl. Homestead Deduction

☐ Mortgage Deduction

☐ 65 or Over Deduction

☐ Disabled Veteran's Deduction

☐ Partially Disabled Veteran's Deduction

☐ Other Deductions \$

Estimate This Bill

Clear All Input Values

Estimated Tax Bill - 2020 Pay 2021

Gross Assessed Value	\$21,400
Net Assessed Value	\$21,400
Gross Annual Taxes	\$459
Minus Savings Due to Property Tax Cap	\$31
Taxes Due to Property Tax Cap Exempt Tax Rates	\$0
Net Annual Tax Bill Estimated	\$428

Tax Rate Details

Total Tax Rate	2.145%
Property Tax Cap Exempt Tax Rate	0.0000%
Property Tax Cap	2%
Maximum Property Tax Bill	\$428

[Return to Taxpayer Portal \(/public/taxpayer/Default.aspx\)](#)

Tax Bill Estimator

The figures provided by this tool are estimates only and should not be taken as a statement of true tax liability.

Select Tax Year

2021

1. Select your unit items

Select a county:

St. Joseph

Select a tax district:

022 - Mishawaka - Phm School

Assessed Value:

\$ 10000000

Select a property type from the list:

Homestead (Owner-occupied residence)

2. Select your deductions

Homestead Deduction \$45,000

Suppl. Homestead Deduction \$2,548,750

☐ Mortgage Deduction

☐ 65 or Over Deduction

☐ Disabled Veteran's Deduction

☐ Partially Disabled Veteran's Deduction

☐ Other

Deductions

\$

Estimate This Bill

Clear All Input Values

Estimated Tax Bill - 2020 Pay 2021

Gross Assessed Value \$10,000,000

Net Assessed Value \$7,406,250

Gross Annual Taxes \$290,732

Minus Savings Due to Property Tax Cap \$190,732

Taxes Due to Property Tax Cap Exempt Tax Rates \$0

Net Annual Tax Bill Estimated \$100,000

Tax Rate Details

Total Tax Rate 3.9255%

Property Tax Cap Exempt Tax Rate 0.0000%

Property Tax Cap 1%

Maximum Property Tax Bill \$100,000

Appendix "F"

Indebtedness of St. Joseph County and Penn Township

St. Joseph County
Submitted to the State on
Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: Mental Health Revenue Refunding Bonds, Series 2012 (Limited Tax)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062V
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 5-1-5 and 36-2-6-18
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County, Indiana
Current Debt Limit: \$53,332,514.00
Current Debt Capacity (after issuance of this debt): \$41,332,514.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution:
Date of Appropriation Resolution:
Date of Debt Sale: 9/13/2012
Date of Debt Closing: 9/27/2012

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
----------------	-----------	--------	--------

Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wastewater Revenues: No

Grant Revenue: No

Other (Mental Health Property Tax Levy) : Primary

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? Yes

Purpose/Cost

Purpose of Debt: Current refunding of outstanding Economic Development Refunding Revenue Bonds, Series 1997

Total Project Cost: \$4,355,660.76

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
10/30/2012	\$0	0.00	\$0	\$0		\$0				\$4,080,000
2/15/2013	\$170,000	2.00	\$38,103	\$208,103		\$208,103				\$3,910,000
8/15/2013	\$225,000	2.00	\$48,000	\$273,000		\$0				\$3,685,000
2/15/2014	\$225,000	2.00	\$45,750	\$270,750		\$543,750				\$3,460,000
8/15/2014	\$225,000	2.00	\$43,500	\$268,500		\$0				\$3,235,000
2/15/2015	\$235,000	2.00	\$41,250	\$276,250		\$544,750				\$3,000,000
8/15/2015	\$235,000	2.00	\$38,900	\$273,900		\$0				\$2,765,000
2/15/2016	\$235,000	3.00	\$36,550	\$271,550		\$545,450				\$2,530,000
8/15/2016	\$235,000	2.00	\$33,025	\$268,025		\$0				\$2,295,000
2/15/2017	\$250,000	2.00	\$30,675	\$280,675		\$548,700				\$2,045,000
8/15/2017	\$250,000	2.00	\$28,175	\$278,175		\$0				\$1,795,000

2/15/2018	\$250,000	2.50	\$25,675	\$275,675		\$553,850				\$1,545,000
8/15/2018	\$250,000	2.50	\$22,550	\$272,550		\$0				\$1,295,000
2/15/2019	\$250,000	3.00	\$19,425	\$269,425		\$541,975				\$1,045,000
8/15/2019	\$255,000	3.00	\$15,675	\$270,675		\$0				\$790,000
2/15/2020	\$260,000	3.00	\$11,850	\$271,850		\$542,525				\$530,000
8/15/2020	\$265,000	3.00	\$7,950	\$272,950		\$0				\$265,000
2/15/2021	\$265,000	3.00	\$3,975	\$268,975		\$541,925				\$0
Total	\$4,080,000		\$491,028	\$4,571,028		\$4,571,028				

Notes

St. Joseph County

Submitted to the State on

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: Economic Development Income Tax Revenue Bonds of 2014

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number: 790607

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 6-3.5-7

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y

Applicable Issuer: St. Joseph County

Current Debt Limit: \$52,426,723.00

Current Debt Capacity (after issuance of this debt): \$35,171,723.00

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 9/16/2014

Date of Appropriation Resolution:

Date of Debt Sale: 12/11/2014

Date of Debt Closing: 12/30/2014

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: Primary

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Construct a new Public Safety Answering Point and renovate existing facility to serve as a backup

Total Project Cost: \$9,155,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received: 11/18/2014

Date Construction Started: 9/30/2014

Estimated Date of Substantial Completion: 9/30/2015

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
6/30/2015	\$210,000	2.00	\$131,866	\$341,866						\$8,945,000
12/31/2015	\$215,000	2.00	\$129,766	\$344,766		\$686,631				\$8,730,000
6/30/2016	\$215,000	2.00	\$127,616	\$342,616						\$8,515,000
12/31/2016	\$220,000	2.00	\$125,466	\$345,466		\$688,081				\$8,295,000
6/30/2017	\$220,000	2.00	\$123,266	\$343,266						\$8,075,000
12/31/2017	\$225,000	2.00	\$121,066	\$346,066		\$689,331				\$7,850,000
6/30/2018	\$225,000	2.00	\$118,816	\$343,816						\$7,625,000
12/31/2018	\$225,000	2.00	\$116,566	\$341,566		\$685,381				\$7,400,000
6/30/2019	\$230,000	2.00	\$114,316	\$344,316						\$7,170,000
12/31/2019	\$230,000	2.00	\$112,016	\$342,016		\$686,331				\$6,940,000
6/30/2020	\$235,000	2.00	\$109,716	\$344,716						\$6,705,000

12/31/2020	\$235,000	2.00	\$107,366	\$342,366		\$687,081				\$6,470,000
6/30/2021	\$240,000	3.00	\$105,016	\$345,016						\$6,230,000
12/31/2021	\$240,000	3.00	\$101,416	\$341,416		\$686,431				\$5,990,000
6/30/2022	\$245,000	3.00	\$97,816	\$342,816						\$5,745,000
12/31/2022	\$250,000	3.00	\$94,141	\$344,141		\$686,956				\$5,495,000
6/30/2023	\$255,000	3.00	\$90,391	\$345,391						\$5,240,000
12/31/2023	\$255,000	3.00	\$86,566	\$341,566		\$686,956				\$4,985,000
6/30/2024	\$260,000	3.00	\$82,741	\$342,741						\$4,725,000
12/31/2024	\$265,000	3.00	\$78,841	\$343,841		\$686,581				\$4,460,000
6/30/2025	\$190,000	3.00	\$74,866	\$264,866						\$4,270,000
12/31/2025	\$195,000	3.00	\$72,016	\$267,016		\$531,881				\$4,075,000
6/30/2026	\$200,000	3.00	\$69,091	\$269,091						\$3,875,000
12/31/2026	\$200,000	3.00	\$66,091	\$266,091		\$535,181				\$3,675,000
6/30/2027	\$205,000	3.13	\$63,091	\$268,091						\$3,470,000
12/31/2027	\$205,000	3.13	\$59,888	\$264,888		\$532,978				\$3,265,000
6/30/2028	\$210,000	3.25	\$56,684	\$266,684						\$3,055,000
12/31/2028	\$215,000	3.25	\$53,272	\$268,272		\$534,956				\$2,840,000
6/30/2029	\$215,000	3.38	\$49,778	\$264,778						\$2,625,000
12/31/2029	\$220,000	3.38	\$46,150	\$266,150		\$530,928				\$2,405,000
6/30/2030	\$225,000	3.38	\$42,438	\$267,438						\$2,180,000
12/31/2030	\$225,000	3.38	\$38,641	\$263,641		\$531,078				\$1,955,000
6/30/2031	\$230,000	3.50	\$34,844	\$264,844						\$1,725,000
12/31/2031	\$235,000	3.50	\$30,819	\$265,819		\$530,663				\$1,490,000
6/30/2032	\$240,000	3.50	\$26,706	\$266,706						\$1,250,000
12/31/2032	\$240,000	3.50	\$22,506	\$262,506		\$529,213				\$1,010,000
6/30/2033	\$245,000	3.63	\$18,306	\$263,306						\$765,000
12/31/2033	\$250,000	3.63	\$13,866	\$263,866		\$527,172				\$515,000
6/30/2034	\$255,000	3.63	\$9,334	\$264,334						\$260,000
12/31/2034	\$260,000	3.63	\$4,713	\$264,713		\$529,047				\$0
Total	\$9,155,000		\$3,027,870	\$12,182,870		\$12,182,857				

Notes

St. Joseph County

Submitted to the State on Friday, February 17, 2017

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District, Special Taxing District Bonds of 2016

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number: 79062M

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized: I.C. 36-7-14 & I.C. 36-7-25

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y

Applicable Issuer: St. Joseph County Redevelopment District

Current Debt Limit: \$28,513,058.00

Current Debt Capacity (after issuance of this debt): \$15,333,058.00

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s): Tri-County News and South Bend Tribune

Date of Public Hearing: 7/1/2016

Date of Final Approval/Lease Execution:

Date of Appropriation Resolution: 7/12/2016

Date of Debt Sale: 11/21/2016

Date of Debt Closing: 11/30/2016

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Provide funds to finance various improvements in or serving the NewCarlisle EconomicDevelopmentArea

Total Project Cost: \$9,197,753.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
8/1/2017			\$196,716	\$196,716						\$8,730,000
2/1/2018			\$146,925	\$146,925		\$343,641				\$8,730,000
8/1/2018			\$146,925	\$146,925						\$8,730,000
2/1/2019	\$565,000	3.00	\$146,925	\$711,925		\$858,850				\$8,165,000
8/1/2019			\$138,450	\$138,450						\$8,165,000
2/1/2020	\$490,000	3.00	\$138,450	\$628,450		\$766,900				\$7,675,000
8/1/2020			\$131,100	\$131,100						\$7,675,000
2/1/2021	\$505,000	3.00	\$131,100	\$636,100		\$767,200				\$7,170,000
8/1/2021			\$123,525	\$123,525						\$7,170,000
2/1/2022	\$520,000	3.00	\$123,525	\$643,525		\$767,050				\$6,650,000
8/1/2022			\$115,725	\$115,725						\$6,650,000

2/1/2023	\$535,000	3.00	\$115,725	\$650,725		\$766,450			\$6,115,000
8/1/2023			\$107,700	\$107,700					\$6,115,000
2/1/2024	\$550,000	3.00	\$107,700	\$657,700		\$765,400			\$5,565,000
8/1/2024			\$99,450	\$99,450					\$5,565,000
2/1/2025	\$565,000	3.00	\$99,450	\$664,450		\$763,900			\$5,000,000
8/1/2025			\$90,975	\$90,975					\$5,000,000
2/1/2026	\$585,000	3.00	\$90,975	\$675,975		\$766,950			\$4,415,000
8/1/2026			\$82,200	\$82,200					\$4,415,000
2/1/2027	\$600,000	3.00	\$82,200	\$682,200		\$764,400			\$3,815,000
8/1/2027			\$73,200	\$73,200					\$3,815,000
2/1/2028	\$620,000	3.00	\$73,200	\$693,200		\$766,400			\$3,195,000
8/1/2028			\$63,900	\$63,900					\$3,195,000
2/1/2029	\$265,000	4.00	\$63,900	\$328,900		\$392,800			\$2,930,000
8/1/2029			\$58,600	\$58,600					\$2,930,000
2/1/2030	\$275,000	4.00	\$58,600	\$333,600		\$392,200			\$2,655,000
8/1/2030			\$53,100	\$53,100					\$2,655,000
2/1/2031	\$290,000	4.00	\$53,100	\$343,100		\$396,200			\$2,365,000
8/1/2031			\$47,300	\$47,300					\$2,365,000
2/1/2032	\$300,000	4.00	\$47,300	\$347,300		\$394,600			\$2,065,000
8/1/2032			\$41,300	\$41,300					\$2,065,000
2/1/2033	\$310,000	4.00	\$41,300	\$351,300		\$392,600			\$1,755,000
8/1/2033			\$35,100	\$35,100					\$1,755,000
2/1/2034	\$325,000	4.00	\$35,100	\$360,100		\$395,200			\$1,430,000
8/1/2034			\$28,600	\$28,600					\$1,430,000
2/1/2035	\$335,000	4.00	\$28,600	\$363,600		\$392,200			\$1,095,000
8/1/2035			\$21,900	\$21,900					\$1,095,000
2/1/2036	\$350,000	4.00	\$21,900	\$371,900		\$393,800			\$745,000
8/1/2036			\$14,900	\$14,900					\$745,000
2/1/2037	\$365,000	4.00	\$14,900	\$379,900		\$394,800			\$380,000
8/1/2037			\$7,600	\$7,600					\$380,000
2/1/2038	\$380,000	4.00	\$7,600	\$387,600		\$395,200			\$0
Total	\$8,730,000		\$3,306,741	\$12,036,741		\$12,036,741			

Notes

St. Joseph County

Submitted to the State on Thursday, April 12, 2018

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2017 General Obligation (Guaranteed Energy Savings) Bonds

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number:

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y

Applicable Issuer: Saint Joseph County

Current Debt Limit: \$54,674,687.00

Current Debt Capacity (after issuance of this debt): \$44,174,687.00

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing: 8/8/2017

Date of Final Approval/Lease Execution: 8/15/2017

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 10/12/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Capital improvements to County facilities for energy savings

Total Project Cost: \$10,574,935.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
12/30/2017	\$0	2.00	\$53,062	\$53,062		\$53,062	\$0			\$10,500,000
6/30/2018	\$260,000	2.00	\$122,450	\$382,450			\$0			\$10,240,000
12/30/2018	\$315,000	2.00	\$119,850	\$434,850		\$817,300	\$0			\$9,925,000
6/30/2019	\$320,000	2.00	\$116,700	\$436,700			\$0			\$9,605,000
12/30/2019	\$325,000	2.00	\$113,500	\$438,500		\$875,200	\$0			\$9,280,000
6/30/2020	\$325,000	2.00	\$110,250	\$435,250			\$0			\$8,955,000
12/30/2020	\$330,000	2.00	\$107,000	\$437,000		\$872,250	\$0			\$8,625,000
6/30/2021	\$330,000	2.00	\$103,700	\$433,700			\$0			\$8,295,000
12/30/2021	\$335,000	2.00	\$100,400	\$435,400		\$869,100	\$0			\$7,960,000
6/30/2022	\$340,000	2.00	\$97,050	\$437,050			\$0			\$7,620,000
12/30/2022	\$345,000	2.00	\$93,650	\$438,650		\$875,700	\$0			\$7,275,000
6/30/2023	\$345,000	2.00	\$90,200	\$435,200			\$0			\$6,930,000

12/30/2023	\$350,000	2.00	\$86,750	\$436,750		\$871,950	\$0		\$6,580,000
6/30/2024	\$355,000	2.00	\$83,250	\$438,250			\$0		\$6,225,000
12/30/2024	\$355,000	2.00	\$79,700	\$434,700		\$872,950	\$0		\$5,870,000
6/30/2025	\$360,000	2.00	\$76,150	\$436,150			\$0		\$5,510,000
12/30/2025	\$365,000	2.00	\$72,550	\$437,550		\$873,700	\$0		\$5,145,000
6/30/2026	\$365,000	2.13	\$68,900	\$433,900			\$0		\$4,780,000
12/30/2026	\$370,000	2.25	\$65,022	\$435,022		\$868,922	\$0		\$4,410,000
6/30/2027	\$375,000	2.38	\$60,859	\$435,859			\$0		\$4,035,000
12/30/2027	\$380,000	2.38	\$56,406	\$436,406		\$872,266	\$0		\$3,655,000
6/30/2028	\$385,000	2.50	\$51,894	\$436,894			\$0		\$3,270,000
12/30/2028	\$390,000	2.50	\$47,082	\$437,082		\$873,975	\$0		\$2,880,000
6/30/2029	\$395,000	2.75	\$42,206	\$437,206			\$0		\$2,485,000
12/30/2029	\$400,000	2.75	\$36,775	\$436,775		\$873,981	\$0		\$2,085,000
6/30/2030	\$405,000	3.00	\$31,275	\$436,275			\$0		\$1,680,000
12/30/2030	\$410,000	3.00	\$25,200	\$435,200		\$871,475	\$0		\$1,270,000
6/30/2031	\$415,000	3.00	\$19,050	\$434,050			\$0		\$855,000
12/30/2031	\$425,000	3.00	\$12,825	\$437,825		\$871,875	\$0		\$430,000
6/30/2032	\$430,000	3.00	\$6,450	\$436,450		\$436,450	\$0		\$0
Total	\$10,500,000		\$2,150,156	\$12,650,156		\$12,650,156	\$0		

Notes

2017 GO Energy Savings Bond. Closed 10/12/17. Gateway debt unlocked and information updated on 4/12/18.

St. Joseph County

Submitted to the State on Thursday, October 19, 2017

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2015 PSAP Equipment Lease (US Bank)

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 3/31/2015

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 3/31/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wastewater Revenues: No

Grant Revenue: No

Other (PSAP Charges) : Primary

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology and Equipment for a 911 Center

Total Project Cost: \$12,000,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
6/30/2015	\$601,375	2.22	\$67,188					\$668,563		\$11,398,625
12/31/2015	\$542,324	2.22	\$126,240			\$1,337,127		\$668,563		\$10,856,301
6/30/2016	\$548,329	2.22	\$120,234					\$668,563		\$10,307,972
12/31/2016	\$554,403	2.22	\$114,161			\$1,337,127		\$668,563		\$9,753,569
6/30/2017	\$560,543	2.22	\$108,021					\$668,563		\$9,193,026
12/31/2017	\$566,751	2.22	\$101,813			\$1,337,127		\$668,563		\$8,626,275
6/30/2018	\$573,027	2.22	\$95,536					\$668,563		\$8,053,248
12/31/2018	\$579,374	2.22	\$89,190			\$1,337,127		\$668,563		\$7,473,874
6/30/2019	\$585,790	2.22	\$82,773					\$668,563		\$6,888,084
12/31/2019	\$592,278	2.22	\$76,286			\$1,337,127		\$668,563		\$6,295,806
6/30/2020	\$598,838	2.22	\$69,724					\$668,571		\$5,696,968
12/31/2020	\$605,469	2.22	\$63,094			\$1,337,125		\$668,563		\$5,091,499

6/30/2021	\$612,175	2.22	\$56,388				\$668,563		\$4,479,324
12/31/2021	\$618,955	2.22	\$49,609			\$1,337,127	\$668,563		\$3,860,369
6/30/2022	\$625,810	2.22	\$42,754				\$668,563		\$3,234,559
12/31/2022	\$632,741	2.22	\$35,823			\$1,337,127	\$668,563		\$2,601,818
6/30/2023	\$639,748	2.22	\$28,815				\$668,563		\$1,962,070
12/31/2023	\$646,833	2.22	\$21,730			\$1,337,127	\$668,563		\$1,315,237
6/30/2014	\$653,997	2.22	\$14,566				\$668,563		\$661,240
12/30/2014	\$661,240	2.22	\$7,323			\$1,337,127	\$668,563		\$0
Total	\$12,000,000		\$1,371,268			\$13,371,268	\$13,371,268		

Notes

2015 PSAP Equipment and Technology Lease. US Bank. \$12,000,000 original principal amount.

St. Joseph County

Submitted to the State on Wednesday, November 15, 2017

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2017 PSAP US Bank Technology Lease Amendment

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 11/14/2017

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 11/14/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other (PSAP Charges for Services) : Primary

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): Saint Josephy County

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology Improvements at County 911 Center

Total Project Cost: \$2,500,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
5/16/2018	\$111,034	2.46	\$30,713					\$141,747		\$2,388,966
11/16/2018	\$112,398	2.46	\$29,348			\$283,494		\$141,747		\$2,276,568
5/16/2019	\$113,779	2.46	\$27,968					\$141,747		\$2,162,789
11/16/2019	\$115,177	2.46	\$26,570			\$283,494		\$141,747		\$2,047,612
5/16/2020	\$116,592	2.46	\$25,155					\$141,747		\$1,931,020
11/16/2020	\$118,024	2.46	\$23,723			\$283,494		\$141,747		\$1,812,996
5/16/2021	\$119,474	2.46	\$22,273					\$141,747		\$1,693,522
11/16/2021	\$120,942	2.46	\$20,805			\$283,494		\$141,747		\$1,572,580
5/16/2022	\$122,428	2.46	\$19,319					\$141,747		\$1,450,152
11/16/2022	\$123,932	2.46	\$17,815			\$283,494		\$141,747		\$1,326,220
5/16/2023	\$125,454	2.46	\$16,293					\$141,747		\$1,200,766
11/16/2023	\$126,996	2.46	\$14,751			\$283,494		\$141,747		\$1,073,770

5/16/2024	\$128,556	2.46	\$13,191					\$141,747		\$945,214
11/16/2024	\$130,135	2.46	\$11,612			\$283,494		\$141,747		\$815,079
5/16/2025	\$131,734	2.46	\$10,013					\$141,747		\$683,345
11/16/2025	\$133,352	2.46	\$8,395			\$283,494		\$141,747		\$549,993
5/16/2026	\$134,990	2.46	\$6,757					\$141,747		\$415,003
11/16/2026	\$136,659	2.46	\$5,098			\$283,494		\$141,747		\$278,344
5/16/2027	\$138,327	2.46	\$3,420					\$141,747		\$140,017
11/16/2027	\$140,017	2.46	\$1,730			\$283,494		\$141,747		\$0
Total	\$2,500,000		\$334,949			\$2,834,940		\$2,834,940		

Notes

2017 PSAP Technology Lease Amendment in the amount of \$2,500,000 with U.S. Bank. Approved by Commissioners on 11/14/17.

St. Joseph County

Submitted to the State on Monday, January 22, 2018

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal)

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination: 1/7/2015

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 5/1/2015

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 5/27/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other (Company Guarantee) : Primary

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: General Sheet Metal Expenditures

Total Project Cost: \$3,300,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
2/1/2016		3.00	\$67,100	\$67,100	\$67,100					\$3,300,000
8/1/2016		3.00	\$49,500	\$49,500	\$49,500	\$116,600				\$3,300,000
2/1/2017		3.00	\$49,500	\$49,500	\$49,500					\$3,300,000
8/1/2017		3.00	\$49,500	\$49,500	\$49,500	\$99,000				\$3,300,000
2/1/2018		3.00	\$49,500	\$49,500	\$49,500					\$3,300,000
8/1/2018	\$90,000	3.00	\$49,500	\$139,500	\$0	\$189,000				\$3,210,000
2/1/2019	\$100,000	3.00	\$48,150	\$148,150	\$0					\$3,110,000
8/1/2019	\$105,000	3.00	\$46,650	\$151,650	\$0	\$299,800				\$3,005,000
2/1/2020	\$105,000	3.00	\$45,075	\$150,075	\$0					\$2,900,000
8/1/2020	\$105,000	3.00	\$43,500	\$148,500	\$0	\$298,575				\$2,795,000
2/1/2021	\$110,000	3.00	\$41,925	\$151,925	\$0					\$2,685,000
8/1/2021	\$110,000	3.00	\$40,275	\$150,275	\$0	\$302,200				\$2,575,000

2/1/2022	\$110,000	3.00	\$38,625	\$148,625	\$0					\$2,465,000
8/1/2022	\$115,000	3.00	\$36,975	\$151,975	\$0	\$300,600				\$2,350,000
2/1/2023	\$120,000	3.00	\$35,250	\$155,250	\$0					\$2,230,000
8/1/2023	\$135,000	3.00	\$33,450	\$168,450	\$0	\$323,700				\$2,095,000
2/1/2024	\$135,000	3.00	\$31,425	\$166,425	\$0					\$1,960,000
8/1/2024	\$135,000	3.00	\$29,400	\$164,400	\$0	\$330,825				\$1,825,000
2/1/2025	\$140,000	3.00	\$27,375	\$167,375	\$0					\$1,685,000
8/1/2025	\$140,000	3.00	\$25,275	\$165,275	\$0	\$332,650				\$1,545,000
2/1/2026	\$145,000	3.00	\$23,175	\$168,175	\$0					\$1,400,000
8/1/2026	\$145,000	3.00	\$21,000	\$166,000	\$0	\$334,175				\$1,255,000
2/1/2027	\$150,000	3.00	\$18,825	\$168,825	\$0					\$1,105,000
8/1/2027	\$150,000	3.00	\$16,575	\$166,575	\$0	\$335,400				\$955,000
2/1/2028	\$155,000	3.00	\$14,325	\$169,325	\$0					\$800,000
8/1/2028	\$155,000	3.00	\$12,000	\$167,000	\$0	\$336,325				\$645,000
2/1/2029	\$160,000	3.00	\$9,675	\$169,675	\$0					\$485,000
8/1/2029	\$160,000	3.00	\$7,275	\$167,275	\$0	\$336,950				\$325,000
2/1/2030	\$160,000	3.00	\$4,875	\$164,875	\$0					\$165,000
8/1/2030	\$165,000	3.00	\$2,475	\$167,475	\$0	\$332,350				\$0
Total	\$3,300,000		\$968,150	\$4,268,150	\$265,100	\$4,268,150				

Notes

Debt Schedule No. 15 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal).

St. Joseph County

Submitted to the State on Monday, February 11, 2019

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2019 Motorola PSAP CAD System Capital Lease

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 1/15/2019

Date of Appropriation Resolution:

Date of Debt Sale: 1/15/2019

Date of Debt Closing: 1/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: New PSAP 911 CAD System

Total Project Cost: \$2,976,131.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received: 8/24/2018

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
2/1/2020	\$377,837	3.91	\$116,367			\$494,204		\$494,204		\$2,598,294
2/1/2021	\$392,611	3.91	\$101,593			\$494,204		\$494,204		\$2,205,683
2/1/2022	\$407,962	3.91	\$86,242			\$494,204		\$494,204		\$1,797,721
2/1/2023	\$423,913	3.91	\$70,291			\$494,204		\$494,204		\$1,373,802
2/1/2024	\$440,488	3.91	\$53,716			\$494,204		\$494,204		\$933,319
2/1/2025	\$457,711	3.91	\$36,493			\$494,204		\$494,204		\$475,608
2/1/2026	\$475,608	3.91	\$18,596			\$494,204		\$494,204		\$0
Total	\$2,976,130		\$483,298			\$3,459,428		\$3,459,428		

Notes

Debt Schedule No. 25

2019 Motorola PSAP Lease

Approved by PSAP Executive Board on 12/14/18

Approved by County Commissioners on 12/15/19

St. Joseph County

Submitted to the State on Thursday, October 24, 2019

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District Special Taxing District Bonds of 2019 (SS Double Tracking)

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number: 79062M

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-7-14 and 36-7-25

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y

Applicable Issuer: St. Joseph County Redevelopment District

Current Debt Limit: \$33,579,426.00

Current Debt Capacity (after issuance of this debt): \$16,039,426.00

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 8/13/2019

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 10/17/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wastewater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Finance a portion of County's share of the South Shore Double Tracking Project

Total Project Cost: \$9,508,859.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
8/1/2020			\$213,740			\$213,740				\$9,375,000
2/1/2021			\$135,469							\$9,375,000
8/1/2021			\$135,469			\$270,938				\$9,375,000
2/1/2022			\$135,469							\$9,375,000
8/1/2022			\$135,469			\$270,938				\$9,375,000
2/1/2023			\$135,469							\$9,375,000
8/1/2023			\$135,469			\$270,938				\$9,375,000
2/1/2024			\$135,469							\$9,375,000
8/1/2024			\$135,469			\$270,938				\$9,375,000
2/1/2025			\$135,469							\$9,375,000
8/1/2025			\$135,469			\$270,938				\$9,375,000

2/1/2026			\$135,469						\$9,375,000
8/1/2026			\$135,469			\$270,938			\$9,375,000
2/1/2027			\$135,469						\$9,375,000
8/1/2027			\$135,469			\$270,938			\$9,375,000
2/1/2028			\$135,469						\$9,375,000
8/1/2028			\$135,469			\$270,938			\$9,375,000
2/1/2029			\$135,469						\$9,375,000
8/1/2029			\$135,469			\$270,938			\$9,375,000
2/1/2030			\$135,469						\$9,375,000
8/1/2030			\$135,469			\$270,938			\$9,375,000
2/1/2031			\$135,469						\$9,375,000
8/1/2031			\$135,469			\$270,938			\$9,375,000
2/1/2032			\$135,469						\$9,375,000
8/1/2032			\$135,469			\$270,938			\$9,375,000
2/1/2033			\$135,469						\$9,375,000
8/1/2033			\$135,469			\$270,938			\$9,375,000
2/1/2034	\$750,000		\$135,469						\$8,625,000
8/1/2034			\$124,219			\$1,009,688			\$8,625,000
2/1/2035	\$800,000		\$124,219						\$7,825,000
8/1/2035			\$112,219			\$1,036,438			\$7,825,000
2/1/2036	\$2,475,000		\$112,219						\$5,350,000
8/1/2036			\$75,094			\$2,662,313			\$5,350,000
2/1/2037	\$2,600,000		\$75,094						\$2,750,000
8/1/2037			\$36,094			\$2,711,188			\$2,750,000
2/1/2038	\$2,750,000		\$36,094			\$2,786,094			\$0
Total	\$9,375,000		\$4,566,655			\$13,941,655			

Notes

Debt Schedule No. 32 - 2019 Redevelopment South Shore Double Tracking Bond. County Share. Closing on October 17, 2019. Financial advisor - Cender & Company. Bond Counsel - Barnes & Thornburg and Thorne Grodtnik.

St. Joseph County

Submitted to the State on Thursday, October 24, 2019

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2019 U.S. Bank Police Radio Lease

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 7/2/2019

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 8/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of radios for the police department

Total Project Cost: \$1,760,003.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
2/15/2020	\$115,840	2.49	\$21,947	\$137,787				\$137,787		\$1,644,163
8/15/2020	\$117,285	2.49	\$20,502	\$137,787		\$275,574		\$137,787		\$1,526,878
2/15/2021	\$118,747	2.49	\$19,040	\$137,787				\$137,787		\$1,408,131
8/15/2021	\$120,228	2.49	\$17,559	\$137,787		\$275,574		\$137,787		\$1,287,903
2/15/2022	\$121,727	2.49	\$16,060	\$137,787				\$137,787		\$1,166,176
8/15/2022	\$123,245	2.49	\$14,542	\$137,787		\$275,574		\$137,787		\$1,042,931
2/15/2023	\$124,782	2.49	\$13,005	\$137,787				\$137,787		\$918,149
8/15/2023	\$126,338	2.49	\$11,449	\$137,787		\$275,574		\$137,787		\$791,811
2/15/2024	\$127,914	2.49	\$9,874	\$137,787				\$137,787		\$663,897
8/15/2024	\$129,509	2.49	\$8,279	\$137,787		\$275,574		\$137,787		\$534,388
2/15/2025	\$131,124	2.49	\$6,664	\$137,787				\$137,787		\$403,264
8/15/2025	\$132,759	2.49	\$5,029	\$137,787		\$275,574		\$137,787		\$270,505

2/15/2026	\$134,414	2.49	\$3,373	\$137,787				\$137,787		\$136,091
8/15/2026	\$136,091	2.49	\$1,699	\$137,794		\$275,581		\$137,794		\$0
Total	\$1,760,003		\$169,022	\$1,929,025		\$1,929,025		\$1,929,025		

Notes

Debt Schedule No. 30. U.S. Bank Capital Lease for police radios. seven years. 14 semi-annual payments.

St. Joseph County

Submitted to the State on Friday, October 25, 2019

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2019 U.S. Bank Election Equipment Lease

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 7/2/2019

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 7/19/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of new election equipment

Total Project Cost: \$2,500,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
1/15/2020	\$235,946	2.56	\$31,975	\$267,921				\$267,921		\$2,264,054
7/15/2020	\$238,964	2.56	\$28,957	\$267,921		\$535,842		\$267,921		\$2,025,090
1/15/2021	\$242,021	2.56	\$25,901	\$267,921				\$267,921		\$1,783,069
7/15/2021	\$245,116	2.56	\$22,805	\$267,921		\$535,842		\$267,921		\$1,537,953
1/15/2022	\$248,251	2.56	\$19,670	\$267,921				\$267,921		\$1,289,702
7/15/2022	\$251,426	2.56	\$16,495	\$267,921		\$535,842		\$267,921		\$1,038,276
1/15/2023	\$254,642	2.56	\$13,280	\$267,921				\$267,921		\$783,634
7/15/2023	\$257,899	2.56	\$10,023	\$267,921		\$535,842		\$267,921		\$525,735
1/15/2024	\$261,197	2.56	\$6,724	\$267,921				\$267,921		\$264,538
7/15/2024	\$264,538	2.56	\$3,384	\$267,925		\$535,846		\$267,925		\$0
Total	\$2,500,000		\$179,214	\$2,679,214		\$2,679,214		\$2,679,214		

Notes

Debt Schedule No. 31. 2019 U.S. Bank Election Equipment Lease. 5-year lease. Paid with Cumulative Capital Development Fund. Vendor RBM Consulting.

St. Joseph County

Submitted to the State on Saturday, January 16, 2021

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2020 Ducomb Center Body Scanner US Bank Lease

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 5/20/2020

Date of Appropriation Resolution: 5/12/2020

Date of Debt Sale: 2/19/2020

Date of Debt Closing: 5/21/2020

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (Fee Revenue) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): U.S. Bank Leasing
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of body scanner for Ducomb Center
Total Project Cost: \$149,000.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion: 9/2/2020

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
7/15/2020	\$24,838	2.16	\$805	\$25,643		\$25,643		\$25,643		\$124,162
1/15/2021	\$24,302	2.16	\$1,341	\$25,643				\$25,643		\$99,860
7/15/2021	\$24,564	2.16	\$1,078	\$25,643		\$51,286		\$25,643		\$75,296
1/15/2022	\$24,829	2.16	\$813	\$25,643				\$25,643		\$50,466
7/15/2022	\$25,098	2.16	\$545	\$25,643		\$51,286		\$25,643		\$25,369
1/15/2023	\$25,369	2.16	\$274	\$25,643		\$25,643		\$25,643		\$0
Total	\$149,000		\$4,856	\$153,858		\$153,858		\$153,858		

Notes

Fund 0027 - U.S. Bank Ducomb Lease
Debt Schedule No. 34
U.S. Bank Leasing

Penn Township, St. Joseph County

Submitted to the State on Tuesday, January 22, 2019

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: Republic First National-Sutphen Pumper

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution:

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 1/1/2024

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment**Property Tax:** Primary**TIF Revenue:** No**COIT:** No**Motor Vehicle Highway/Local Road & Street:** No**CAGIT:** No**Stormwater Revenues:** No**CEDIT:** No**Electric Revenues:** No**Water Revenue:** No**Wasterwater Revenues:** No**Grant Revenue:** No**Other () :** No**Allocation Area from which the TIF Revenues will be generated:****Name of Lessor (Building Corporation/Hold Corporation):** Republic First National**Does this debt refinance or refund any previously outstanding debt?** No**Purpose/Cost****Purpose of Debt:** Lease Purchase of Sutphen Pumper**Total Project Cost:** \$511,509.50**Sources**

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates**Date Bids Received:****Date Construction Started:****Estimated Date of Substantial Completion:****Amortization Schedule**

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
7/1/2019								\$57,617		
1/1/2020								\$57,617		\$427,200
7/1/2020								\$57,617		\$376,871
1/1/2021								\$57,617		\$325,755
7/1/2021								\$57,617		\$273,757
1/1/2022								\$57,617		\$220,862
7/1/2022								\$57,617		\$167,055
1/1/2023								\$57,617		\$112,320
7/1/2023								\$57,617		\$56,640
1/1/2024								\$57,617		\$0
Total								\$576,170		

Penn Township, St. Joseph County

Submitted to the State on Friday, January 15, 2021

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: Republic First National Corporation Ford F550 Ambulance

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution:

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 1/1/2026

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Lease Purchase of Ford F550 Ambulance

Total Project Cost: \$262,189.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
7/1/2020	\$21,877		\$2,083					\$23,959		\$244,033
1/1/2021	\$2,018,386		\$3,776					\$23,959		\$223,258
7/1/2021	\$20,501		\$3,458					\$23,959		\$202,213
1/1/2022	\$20,823		\$3,136					\$23,959		\$180,892
7/1/2022	\$2,115,022		\$2,809					\$23,959		\$159,293
1/1/2023	\$21,483		\$2,477					\$23,959		\$137,413
7/1/2023	\$21,820		\$2,139					\$23,959		\$115,246
1/1/2024	\$22,163		\$1,797					\$23,959		\$92,791
7/1/2024	\$22,511		\$1,448					\$23,959		\$70,042
1/1/2025	\$22,865		\$1,095					\$23,959		\$46,997
7/1/2025	\$23,224		\$735					\$23,959		\$23,651
1/1/2026	\$23,589		\$371					\$23,959		\$0

Total	\$4,354,264		\$25,324					\$287,508		
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Notes

Penn Township, St. Joseph County

Submitted to the State on Tuesday, January 22, 2019

Report printed on Tuesday, July 20, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: Republic First National-SCBA

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution:

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 7/1/2022

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): Republic First National

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Lease Purchase of self Contained Breathing Apparatuses

Total Project Cost: \$179,247.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
1/1/2019								\$21,271		\$138,652
7/1/2019								\$21,271		\$119,898
1/1/2020								\$21,271		\$100,802
7/1/2020								\$21,271		\$81,361
1/1/2021								\$21,271		\$61,566
7/1/2021								\$21,271		\$41,412
1/1/2022								\$21,271		\$20,892
7/1/2022								\$21,271		\$0
Total								\$170,168		

Penn Township, St. Joseph County

Submitted to the State on Tuesday, November 12, 2019

Report printed on Tuesday, July 20, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: Penn Township General Obligation Series 2019

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number: 707678

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y

Applicable Issuer: Penn Township

Current Debt Limit: \$5,146,901.00

Current Debt Capacity (after issuance of this debt): \$1,046,901.00

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution:

Date of Appropriation Resolution: 10/7/2019

Date of Debt Sale: 10/22/2019

Date of Debt Closing: 11/7/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Construction of a Fire Station

Total Project Cost: \$4,100,000.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
6/30/2020	\$270,000	2.00	\$53,072	\$323,072						\$3,830,000
12/30/2020	\$270,000	2.00	\$38,300	\$308,300		\$631,372				\$3,560,000
6/30/2021	\$280,000	2.00	\$35,600	\$315,600						\$3,280,000
12/30/2021	\$285,000	2.00	\$32,800	\$317,800		\$633,400				\$2,995,000
6/30/2022	\$285,000	2.00	\$29,950	\$314,950						\$2,710,000
12/30/2022	\$290,000	2.00	\$27,100	\$317,100		\$632,050				\$2,420,000
6/30/2023	\$290,000	2.00	\$24,200	\$314,200						\$2,130,000
12/30/2023	\$295,000	2.00	\$21,300	\$316,300		\$630,500				\$1,835,000
6/30/2024	\$300,000	2.00	\$18,350	\$318,350						\$1,535,000

12/30/2024	\$300,000	2.00	\$15,350	\$315,350		\$633,700				\$1,235,000
6/30/2025	\$305,000	2.00	\$12,350	\$317,350						\$930,000
12/30/2025	\$305,000	2.00	\$9,300	\$314,300		\$631,650				\$625,000
6/30/2026	\$310,000	2.00	\$3,250	\$313,250						\$315,000
12/30/2026	\$315,000	2.00	\$3,150	\$318,150		\$631,400				\$0
Total	\$4,100,000		\$324,072	\$4,424,072		\$4,424,072				

Notes

JUL 20 2021

City Clerk
Mishawaka, IN

RESOLUTION NO. 2021-15

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

16996 S.R. 23, South Bend, IN 46635 including the adjacent S.R. 23 public right-of-way, and a vacant parcel to the south.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

PARCEL I

A TRACT OF LAND SITUATE IN SOUTH WEST QUARTER (1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE THREE (3) EAST, COMMENCING SIX HUNDRED SIXTY-SEVEN (667) FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTH WEST QUARTER (1/4) OF SAID SECTION 28; THENCE EAST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE SOUTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET; THENCE WEST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE NORTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET TO THE PLACE OF BEGINNING, CONTAINING FOUR (4) ACRES, MORE OR LESS, AND BEING KNOWN AS LOTS ELEVEN (11), TWELVE (12), THIRTEEN (13) AND FOURTEEN (14) OF CLARA MURRAY'S PROPOSED PLAT.

PARCEL II

A PARCEL OF LAND SITUATE IN THE NORTH WEST QUARTER (NW 1/4) OF THE SOUTH WEST QUARTER (SW 1/4) OF SECTION NUMBER TWENTY-EIGHT (28), TOWNSHIP NUMBER THIRTY-EIGHT (38) NORTH, RANGE NUMBER THREE (3) EAST, BOUNDED BY A LINE RUNNING AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SAID SECTION 28; THENCE SOUTH ALONG THE WEST LINE THEREOF A DISTANCE OF 427 FEET TO THE CENTER LINE OF STATE ROAD NUMBER 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST ALONG THE CENTER LINE OF SAID ROAD A DISTANCE OF 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST A DISTANCE OF 40 FEET FOR THE BEGINNING POINT OF THE HEREIN CONSIDERED; RUNNING THENCE

SOUTH 45 DEGREES 50 MINUTES EAST 411.85 FEET; THENCE WEST 358.15 FEET TO A POINT 25 FEET EAST OF THE WEST LINE OF SAID NORTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SAID SECTION; THENCE NORTH ON A LINE PARALLEL WITH SAID WEST LINE, A DISTANCE OF 221.85 FEET TO THE SOUTH LINE OF SAID STATE ROAD NO. 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST ALONG THE SOUTH LINE OF SAID STATE ROAD NO. 23, A DISTANCE OF 90.15 FEET TO THE PLACE OF BEGINNING, AND BEING KNOWN AS LOT NUMBERED TEN (10) ON A SURVEY OF A PART OF LOTS 3 AND 4 IN THE PARTITION OF LANDS OF CHAUNCEY JOHNSON, DECEASED.

S.R. 23 RIGHT-OF-WAY

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH SECTIONS LYING IN TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 427 FEET TO THE CENTERLINE OF STATE ROAD 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG THE CENTERLINE OF SAID ROAD, 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST 40 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO KENNETH F. BECHTOLD, AS DESCRIBED IN INSTRUMENT NUMBER 1004730, ST. JOSEPH COUNTY RECORDER, AND BEING THE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 50 MINUTES WEST, ALONG THE NORTHERLY LINE EXTENDED OF SAID BECHTOLD LAND TO THE NORTHWESTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY, TO A POINT LYING NORTH 45 DEGREES 50 MINUTES WEST OF THE NORTHWEST CORNER OF SAID BECHTOLD LAND; THENCE SOUTH 45 DEGREES 50 MINUTES EAST, PARALLEL WITH SAID NORTHERLY LINE EXTENDED, TO SAID NORTHWEST CORNER, ALSO BEING ON THE SOUTHEASTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY, 90.15 FEET TO THE POINT OF BEGINNING.

Section II. Following the review of documents prepared by the Department of Planning and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2021, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____,

2021, at _____ o'clock ____M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2021, at
_____ o'clock _____.M.

David A. Wood, Mayor



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF BUILDING, COMMUNITY DEVELOPMENT & PLANNING

July 20, 2021

Mr. Dale Emmons, 1st District City Council
Mr. Mike Bellovich, 2nd District City Council
Mr. Anthony Hazen, 3rd District City Council
Mrs. Kate Voelker, 4th District City Council
Mr. Michael Compton, 5th District City Council
Mr. Ron Banicki, 6th District City Council
Mr. Gregg Hixenbaugh, At Large City Council
Mr. Matt Mammolenti, At Large City Council
Mr. Maggie DeMaegd, At Large City Council
Mrs. Deborah S. Block, City Clerk

Deborah S. Block, IAMC, MMC

JUL 20 2021

City Clerk
Mishawaka, IN

Re: Fiscal Plans and Approving Resolutions for proposed Ordinances to Annex and Zone property into the City of Mishawaka: 16996 S.R. 23 – East of S.R. 23 Approximately 170' South of the Indiana Toll Road

Dear Council Members and Clerk:

Attached herewith for your review is a copy of the Fiscal Plan and approving resolution prepared by the Planning Department in accordance with the requirements of the State of Indiana Code Section 36-4-3-3.1. This document provides basic information about the area to be annexed, and describes how the City of Mishawaka will provide services to the area to be annexed.

Prior to preparing a fiscal plan, copies of the proposed request are forwarded to all applicable City Departments. The Departments are then asked what expenditures/costs will be required to service the area and if the request can be accommodated with the funds currently approved within the City Budget. In this case, given that the property is immediately adjacent to existing City limits, and that the developer is responsible for installing, and if necessary extending, all utilities to the site and constructing any required improvements within the public right-of-way, no additional expenditures are anticipated at this time.

Staff will present a brief summary of the plan and be prepared to respond to questions at the Common Council meeting on July 26, 2021.

If you have any questions, please feel free to contact our office at your convenience.

Sincerely,

Derek J. Spier, AICP
Senior Planner & Economic Development Specialist

cc: David A. Wood, Mayor

BUILDING • PLANNING • COMMUNITY DEVELOPMENT • REDEVELOPMENT
ECONOMIC DEVELOPMENT • HISTORIC PRESERVATION

City Hall • 600 East Third Street • Mishawaka IN • 46544-2241

Building Phone: (574) 258-1607 Fax: (574) 968-6999

Community Development • Redevelopment • Economic Development Phone: (574) 258-1609 Fax: (574) 968-6999

Planning • Historic Preservation Phone: (574) 258-1625 Fax: (574) 968-6999



City of Mishawaka

*Kenneth F. Bechtold
16996 S.R. 23 Annexation*

*Property located East of S.R. 23
& South of the Indiana Toll Road*

July 2021

Prepared by:
City of Mishawaka
Department of Planning
600 E. Third Street
Mishawaka, IN
46544-2241

Phone: (574) 258-1625
Fax: (574) 968-6999
E-mail: planning@mishawaka.in.gov

KENNETH F. BECHTOLD
16996 S.R. 23 – SOUTH OF THE INDIANA TOLL ROAD
ANNEXATION FISCAL PLAN

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Annexation Fiscal Plan

PARCEL I

A TRACT OF LAND SITUATE IN SOUTH WEST QUARTER (1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE THREE (3) EAST, COMMENCING SIX HUNDRED SIXTY-SEVEN (667) FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTH WEST QUARTER (1/4) OF SAID SECTION 28; THENCE EAST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE SOUTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET; THENCE WEST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE NORTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET TO THE PLACE OF BEGINNING, CONTAINING FOUR (4) ACRES, MORE OR LESS, AND BEING KNOWN AS LOTS ELEVEN (11), TWELVE (12), THIRTEEN (13) AND FOURTEEN (14) OF CLARA MURRAY'S PROPOSED PLAT.

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TAB A- CITY OF MISHAWAKA **ANNEXATION POLICY**

CITY OF MISHAWAKA ANNEXATION POLICY

GENERAL POLICY

The City of Mishawaka recognizes that as the population of St. Joseph County grows and development trends change, there will be a continuous demand for infrastructure and urban services provided by cities such as Mishawaka. Infrastructure includes, but is not limited to, water, sanitary sewer, electric, and transportation. Urban services include, but are not limited to, police, fire, and emergency medical services. With a stable tax rate, low crime rate, outstanding public schools, and strong neighborhoods, the City of Mishawaka is a livable community where families and businesses desire to locate. The expansion of infrastructure and services combined with the desire of families and businesses to locate in Mishawaka has necessitated the City to create a policy on annexation.

It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services. Although exceptions will be considered for large industrial projects or proposals related to specific economic development efforts, the City recognizes that compact and contiguous growth promotes the cost-effective delivery of services.

The City of Mishawaka continues to promote the logical expansion of infrastructure into the unincorporated areas of the county contiguous to the City on request provided there is availability. The voluntary extension of infrastructure, such as water and sewer, requires the benefactor(s) of that infrastructure to waive or consent to future annexation at the time of connection. The extension of infrastructure does not automatically equate to the immediate annexation of property. To meet the statutory requirements for annexation, both infrastructure and urban services must be provided. As such, many unincorporated areas are currently provided with public rate-supported utilities by the City that will not be suitable for annexation in the foreseeable future. Thus, it is the policy of the City of Mishawaka that the initiation of annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City. To consider annexation, infrastructure and urban services must be available to the proposed annexation area at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka.

IMPACT OF ST. JOSEPH COUNTY GROWTH

The City of Mishawaka also recognizes the impact growth and development currently occurring in unincorporated St. Joseph County has on annexation efforts. There has been a trend in St. Joseph County to allow for development on septic and well systems sporadically throughout the county. As is currently the case in St. Joseph County, there are numerous examples of the problems associated with this type of sprawling development. Septic systems based on poor installation or lack of maintenance; contribute to the pollution of both surface and groundwater. Based on groundwater concerns, residents desire to connect to public water systems. Residents are also calling for urban services, rather than the rural services typically provided by county governments. Residential streets need to be plowed, and emergency response times for police, fire and emergency medical services frequently exceed the times typically expected of suburban development.

As the population of these areas increase, the demand/need for infrastructure and increased urban services will grow exponentially. Due to the sprawling nature of this development, the cost for providing infrastructure and urban services to the existing City of Mishawaka standard far exceeds the tax revenue generated by these areas. This point has been addressed within this annexation policy because of the past concerns expressed by some residents/property owners of these areas who have been historically opposed to annexation. These concerns, for the most part, are based in fear and do not reflect the reality of the practical constraints of annexation. For the record, the cost of providing services, based on the sprawled growth and statutory limitations, makes it both undesirable and not readily feasible for the City of Mishawaka to annex large non-contiguous developed areas.

This point has also been included to identify the reciprocal concern of the City relative to the sprawling growth within unincorporated St. Joseph County. Currently, the taxpayers within the City of Mishawaka pay City taxes to sustain infrastructure and a desired level of urban services. Furthermore, the taxpayers of the City of Mishawaka also pay county taxes that are used in part to provide similar services to county residents. Cities are wholly responsible for these services within their respective jurisdictional areas. These services include, but are not limited to, road maintenance, police patrols, and emergency medical services. These are services subsidized by general county tax dollars that the City of Mishawaka contributes to but does not receive the

corresponding reciprocal benefit. The taxpayers of the county do not pay taxes that directly or indirectly support these services within the City. Based on the current division of general county funds, this equates to the City of Mishawaka financially subsidizing the sprawling growth of the county. Accordingly, the City of Mishawaka continues to seek a more equitable distribution of existing general county tax revenues. Furthermore, based on this existing inequity, it is an important objective of the City to work with county officials to ensure that there are not future increases in spending to address the problems associated with sprawling unincorporated development. The City also recognizes the need to develop fair cost-sharing practices to provide for regional services that does not adversely impact the residents of the City, while still providing for the needed/desired services in the unincorporated county.

Although the equitable distribution of tax dollars is an important concern, the City also recognizes that the problems associated with this sprawling unincorporated development also impacts the City of Mishawaka. The City is impacted by the limitations existing development has on future City growth, and the corresponding increased costs of extending infrastructure. As such, the City of Mishawaka will continue to work with the county in a cooperative effort, where possible, to address problems. However, it is only fair that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the tax payers of the City of Mishawaka.

STATUTORY LIMITATIONS

The City of Mishawaka also recognizes the burden placed on municipalities within St. Joseph County based on the statutory requirements on Municipal Annexation and Dis-annexation. The controlling legislation on annexation is established by the Indiana Code 36-4-3-series.

The statute also places minimum requirements on municipalities regarding providing services to proposed annexation areas, the timing of implementation, and contiguity requirements. The statute also requires that a fiscal plan be adopted showing how the costs associated with providing services will be paid. An estimated amount of time required for voluntary annexation is three to four months. The increased time required to process an annexation has placed a burden on real estate transactions and development on the fringe of the City. It is not uncommon to have annexation placed as a condition on the sale of property by the buyer. Annexation is typically requested because City services are desired or needed to serve the proposed project. This increased time frame when compared to the traditional rezoning process has the potential for directing appropriate contiguous growth away from the City due to the lack of suitable available property that can be developed in a short period of time.

IMPLEMENTATION OF POLICY

The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties. The purpose of this evaluation is to examine the proposed annexation area to the existing City limits relative to providing a compact and contiguous City boundary.

Annexation law significantly limits the ability of municipalities to annex property without the consent of the majority of property owners. Therefore, the City has deemed it necessary to review adjacent unincorporated properties that have not requested annexation at the time a voluntary annexation is proposed. Although this may ultimately necessitate the annexation of property without the consent of a minority of the adjacent property owners, this policy provides for a means to expand the City boundary in a compact and contiguous manner that would otherwise not be possible based on statutory requirements.

A secondary purpose of this policy is to reduce the number of separate contiguous annexation petitions that are likely to be filed within a short period of time. The potential inclusion of additional property as part a proposed annexation petition will counteract the discouraging development influence of time limitations placed by the Indiana Code.

In the past, voluntary annexations without this policy have created a chaotic City boundary that promotes the inefficient delivery of services for both the City of Mishawaka and St. Joseph County. Chaotic refers only to the physical geographic location of the boundary. Common chaotic configurations include *saw-tooth shapes*, *islands*, and *adjacent pockets*. The attributes of these boundary configurations are described as follows:

A *saw-tooth boundary* refers to shape where contiguous properties located along a single roadway change municipal boundaries multiple times in a relative short distance. This situation creates difficulties in providing for the efficient delivery of services. Specifically, it is more difficult for the postal service, police, fire, and emergency medical providers to determine the physical limits of jurisdictions in the field. Under non-emergency circumstances, this situation is likely to result in inconveniences only. However, in emergency situations, confusion on boundary locations in the field has the potential to delay providing potentially life saving services, or could otherwise promote providing double coverage for the area limiting the ability of one provider to respond to other calls.

An *island* refers to unincorporated areas that are physically surrounded by the incorporated City. This situation provides for the inefficient delivery of services for both the City of Mishawaka and unincorporated St. Joseph County. Services such as trash removal, snow plowing, road maintenance, police, fire, and emergency medical services could all potentially require one service provider to travel through another service provider's jurisdictional area. This inherently inefficient situation potentially increases the costs of providing services for both jurisdictions.

Adjacent pockets refers to unincorporated area that is reasonably adjacent to the City and is currently served at least in part by City infrastructure. When the infrastructure was provided to these areas, these areas were typically located on the fringes of the City where other services were either not available or desired at the time. However, as the demand for growth and development continues, the demand for additional services also grows. Over time, pockets are also typically provided with some peripheral City services without expense. Emergency service providers within the City of Mishawaka and St. Joseph County have consistently worked together to provide reciprocal assistance in responding to calls when the other provider is either occupied or at a considerable distance, provided resources are available. Typically, due to the general location adjacent to the City and the increased ability of the City to provide services, these pocket areas will intermittently receive City emergency services.

Furthermore, pockets become obstacles to the future expansion of infrastructure and services. They are considered obstacles due to the contiguity requirements established by the Indiana Code for annexation. If these pockets are not annexed over time, the City is prevented from expanding. The annexation of these pocket areas not only allows for the continued growth of the City, but also provides for the efficient and equitable delivery of services.

SUMMARY

- It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services.
- It is the policy of the City of Mishawaka that the annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City.
- To address existing sprawl and inequitable distribution of general county tax dollars, it is the policy of the City of Mishawaka that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the taxpayers of the City of Mishawaka.
- The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties to promote the efficient delivery of services and remove chaotic boundary configurations.

Annexation Fiscal Plan

PARCEL I

A TRACT OF LAND SITUATE IN SOUTH WEST QUARTER (1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE THREE (3) EAST, COMMENCING SIX HUNDRED SIXTY-SEVEN (667) FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTH WEST QUARTER (1/4) OF SAID SECTION 28; THENCE EAST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE SOUTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET; THENCE WEST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE NORTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET TO THE PLACE OF BEGINNING, CONTAINING FOUR (4) ACRES, MORE OR LESS, AND BEING KNOWN AS LOTS ELEVEN (11), TWELVE (12), THIRTEEN (13) AND FOURTEEN (14) OF CLARA MURRAY'S PROPOSED PLAT.

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TAB B- BASIC DATA & FISCAL **ANALYSIS**

BASIC DATA & FISCAL ANALYSIS

A. LOCATION AND SIZE

The area proposed for annexation is illustrated on the following maps and shown on the accompanying aeriels. This area is legally described as follows:

PARCEL I

A TRACT OF LAND SITUATE IN SOUTH WEST QUARTER (1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE THREE (3) EAST, COMMENCING SIX HUNDRED SIXTY-SEVEN (667) FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTH WEST QUARTER (1/4) OF SAID SECTION 28; THENCE EAST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE SOUTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET; THENCE WEST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE NORTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET TO THE PLACE OF BEGINNING, CONTAINING FOUR (4) ACRES, MORE OR LESS, AND BEING KNOWN AS LOTS ELEVEN (11), TWELVE (12), THIRTEEN (13) AND FOURTEEN (14) OF CLARA MURRAY'S PROPOSED PLAT.

PARCEL II

A PARCEL OF LAND SITUATE IN THE NORTH WEST QUARTER (NW 1/4) OF THE SOUTH WEST QUARTER (SW 1/4) OF SECTION NUMBER TWENTY-EIGHT (28), TOWNSHIP NUMBER THIRTY-EIGHT (38) NORTH, RANGE NUMBER THREE (3) EAST, BOUNDED BY A LINE RUNNING AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SAID SECTION 28; THENCE SOUTH ALONG THE WEST LINE THEREOF A DISTANCE OF 427 FEET TO THE CENTER LINE OF STATE ROAD NUMBER 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST ALONG THE CENTER LINE OF SAID ROAD A DISTANCE OF 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST A DISTANCE OF 40 FEET FOR THE BEGINNING POINT OF THE HEREIN CONSIDERED; RUNNING THENCE SOUTH 45 DEGREES 50 MINUTES EAST 411.85 FEET; THENCE WEST 358.15 FEET TO A POINT 25 FEET EAST OF THE WEST LINE OF SAID NORTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SAID SECTION; THENCE NORTH ON A LINE PARALLEL WITH SAID WEST LINE, A DISTANCE OF 221.85 FEET TO THE SOUTH LINE OF SAID STATE ROAD NO. 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST ALONG THE SOUTH LINE OF SAID STATE ROAD NO. 23, A DISTANCE OF 90.15 FEET TO THE PLACE OF BEGINNING, AND BEING KNOWN AS LOT NUMBERED TEN (10) ON A SURVEY OF A PART OF LOTS 3 AND 4 IN THE PARTITION OF LANDS OF CHAUNCEY JOHNSON, DECEASED.

S.R. 23 RIGHT-OF-WAY

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH SECTIONS LYING IN TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 427 FEET TO THE CENTERLINE OF STATE ROAD 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG THE CENTERLINE OF SAID ROAD, 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST 40 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO KENNETH F. BECHTOLD, AS DESCRIBED

IN INSTRUMENT NUMBER 1004730, ST. JOSEPH COUNTY RECORDER, AND BEING THE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 50 MINUTES WEST, ALONG THE NORTHERLY LINE EXTENDED OF SAID BECHTOLD LAND TO THE NORTHWESTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY, TO A POINT LYING NORTH 45 DEGREES 50 MINUTES WEST OF THE NORTHWEST CORNER OF SAID BECHTOLD LAND; THENCE SOUTH 45 DEGREES 50 MINUTES EAST, PARALLEL WITH SAID NORTHERLY LINE EXTENDED, TO SAID NORTHWEST CORNER, ALSO BEING ON THE SOUTHEASTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY, 90.15 FEET TO THE POINT OF BEGINNING.

COMMON ADDRESS: 16996 S.R. 23, SOUTH BEND, IN 46635

Annexation Area

The area to be annexed includes two parcels of land (Tax Parcel #002-2018-0378.10 & #002-2018-0378.11) located on the east side of State Road 23 approximately 170' south of the Indiana Toll Road. The northern 1.33 acre triangular shaped parcel, with a current address of 16996 S.R. 23, has approximately 90' of frontage on S.R. 23 and is occupied by a single-family house and two accessory structures. The southern 3.91 acre rectangular parcel is vacant and wooded property without public frontage. The property is bound to the south with approximately 727.5 linear feet being incorporated into the City, while the remaining adjacent properties are located in unincorporated St. Joseph County. The property is currently zoned "R" Single Family District within unincorporated St. Joseph County. If annexed, the property will be zoned I-1 Light Industrial District and acquired by the contingent developer for a new mini-self storage facility. The facility will include 13 mini-storage unit buildings, a parking area, access drives, storm water retention basin, and other required infrastructure.

Contiguity with the Existing City Limits

The property to be annexed into the City totals 5.24 acres excluding the S.R. 23 right-of-way. The external boundary of the annexation area measures 2499.65 linear feet with 727.5 linear feet being contiguous with the current corporate boundary of the City of Mishawaka. The border of the contiguous area is 29.1% of the total external boundary. This is in excess of the minimum 12.5%, or 1/8, of the boundary that is required to be contiguous based on the determination requirements of the Indiana Code.

B. TOPOGRAPHY AND EXISTING USE/IMPROVEMENTS

The property primarily slopes from the northwest along S.R. 23 to the south and east. Per the generalized two (2) foot contour topographic maps, elevations range from approximately 766 feet adjacent to S.R. 23 to less than 754 feet in the far southeast corner of the property. The northern parcel includes a single family house and two accessory structures. The southern parcel is void of structures and is entirely wooded.

C. LAND USE/CURRENT ZONING

The proposed area to be annexed is currently zoned R Single Family District within unincorporated St. Joseph County and is mostly wooded vacant property. A single-family house and two accessory structures are located on the northern parcel. If the Mishawaka Common Council approves the annexation request, the area will be zoned to the I-1 Light Industrial District.

D. ASSESSMENT

The territory to be annexed consists of two (2) parcels of property. The Land and Improvement Valuations shown below are based upon current GIS parcel data:

G. DETERMINATION OF SERVICE STANDARDS AND COSTS

Every proposed annexation area to the City of Mishawaka is reviewed by each pertinent City department or agency that would ultimately be required to provide infrastructure and/or urban services to a given area. Departments were asked to evaluate the location, area, and existing conditions of this proposed annexation area relative to providing infrastructure and urban services at a standard that is identical to other areas of the City. In determining required services, departments reviewed the area relative to similar geographic and use areas that currently exist within the City of Mishawaka.

The standards for infrastructure and services provided by the City of Mishawaka, broken down by department, have been included within this document following Tab C. After establishing an understanding of the existing conditions, each department or agency was asked to identify any capital improvements required to serve the proposed annexation area to meet existing city standards. It will be the responsibility of any future property owner/ developer to bear any expense required to connect to existing City services. Given the location of the proposed annexation area, adjacent to the existing city limits, and, considering the size of the area, each department identified that non-infrastructure-related services could be provided to the proposed annexation area with no additional expenditures. Increased maintenance costs for non-rate supported services, were identified as minimal and well within the approved budgets for each department.

Given that no consequential additional expenditures are anticipated, the itemization of costs associated with providing each service is not possible relative to the annexation area. However, to document that funds have been approved and are available for the services identified, a copy of the approved year 2021 City budget has been attached to the Summary of Service Report for each applicable non-rate supported department. These budgets identify the costs for personnel, equipment, repairs, and other expenditures anticipated for the budget year. Budgets for any department are available for the review of the public upon request at City Hall.

H. TERMS AND CONDITIONS

The City of Mishawaka will provide a level of basic services, including infrastructure and urban services, at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka. The specific date of implementation of services has been identified within the description of specific services where applicable. Given the location of the proposed annexation area, the size of the area, and the presence of existing infrastructure, no capital expenditures are required to serve the proposed annexation area. Basic services, not otherwise specified, will be provided to the annexation area within one year of the effective date of the annexation as required by law. However, it is anticipated that the majority of basic services will be available immediately or at least in a timely manner.

The effective date of annexation, if approved, will be thirty days from the date of approval of the annexation ordinance as required by law.

I. FISCAL IMPACT ON TAXPAYERS, MUNICIPAL FINANCES, AND POLITICAL SUBDIVISIONS

Analysis:

The two (2) properties proposed to be annexed includes one (1) single family house and two (2) accessory structures on the northern parcel, and a vacant wooded parcel to the south. If the annexation is approved, the contingent developer is proposing to demolish all structures and construct a mini-self storage facility.

As indicated on the preliminary site plan, the development will include 13 mini-storage unit buildings, a parking area, access drives, and storm water retention area. The property is anticipated to be developed in two phases with the first phase consisting of

eight (8) buildings and related infrastructure. Construction is expected to begin by late fall 2021 with completion by summer 2022. The second phase will include the remaining five (5) buildings. Construction on this phase is not anticipated to begin until 2024 or 2025 at the earliest. Due to the uncertainty of the actual phase two construction which may not occur within the next four (4) years, the following analysis only includes the initial eight (8) buildings.

If the proposed development of the first phase occurs in late 2021 with completion in mid-2022, as anticipated, the annexation is expected to significantly increase the assessed valuations and provide positive impacts to a majority of other taxing units. The developer indicated that construction costs for the entire project will be approximately \$3.5 million with the first phase costs being approximately \$2.5 million. Based upon similar projects in the City of Mishawaka, the first phase is expected to yield an initial assessed valuation of approximately \$1.2 million, including \$750,000 for the buildings (30% of the construction costs) and \$450,000 for the land valuation. The land valuation is based upon \$130,000 per acre for the approximate 3.5 acre developed area. The proposed building and land assessments were estimated using six (6) comparable similar mini-storage facilities of which two (2) are located within the same tax district (5510 Shaughn Drive / Tax Parcel 029-2018-0377.03 and 4138 N. Hickory/Tax Parcel 029-100-0003.03) and four (4) located within other tax districts in northern part of the City (1015 University Drive / Tax Parcel 030-1012-0156.07, 5213 Grape Road / Tax Parcel 029-1001-0023.01, 816 E. McKinley Avenue / Tax Parcel 027-1001-0900, and 707 W. McKinley Avenue / Tax Parcel 016-2093-3050).

Although not included in this analysis, the second phase of the proposed development would result in an additional increase in the assessed valuations and provide additional tax revenue if constructed. This phase is anticipated to include five (5) buildings with a construction cost of approximately \$1 million.

The current and future political subdivisions and their associated tax rates were determined by the geography of the property and the attached "Tax Rate Chart for the year 2020 payable 2021". (See Tab "D" / Appendix "C".) This chart is provided by the St. Joseph County Auditor's Office.

Current property assessed valuation:

\$91,700

Future anticipated property assessed valuation:

\$1,200,000

Current Property Taxes Generated from the Property:

The current property taxes that are being generated from the property were determined utilizing an online estimator available through the Indiana Gateway for Government Units > Taxpayer Portal > Tax Bill Estimator website. The current URL address for this estimator is <https://gateway.ifionline.org/CalculatorsDLGF/taxcalculator.aspx>.

The website requires you to enter the geographic location of the property by County, Township, and School Corporation. You then enter the type of property, if it is a homestead (owner-occupied residential); residential rental, non-homestead residential, and agricultural; or other. You then input the assessed valuation and it estimates the maximum tax bill as well as the property tax cap credit if applicable.

This calculation has been done with a scenario before annexation for residential rental, non-homestead residential, and agricultural property, then following annexation for other (commercial) identifying the property as now being subject to the City tax rate.

The estimated property tax value for the property is as follows:

Prior to annexation: \$2,201

Following annexation: \$40,796

Political Subdivisions before Annexation:

Percent of tax rate and corresponding yearly estimated property tax revenue*

- St. Joseph County (23.8%) - \$523.84
- Clay Township (12.2%) - \$268.52
- South Bend Community School Corporation (51.3%) - \$1,129.11
- St. Joseph County Public Library (11.2%) - \$246.51
- Airport Authority (1.5%) - \$33.02

** Estimates may not equal estimated tax value due to rounding.*

The current tax rate of all of these entities combined is 2.8296%.

The tax rate will increase to 4.624% upon annexation to the City, however, the other (vacant) tax cap rate including the exempt rate is set at 3.3997%. Even though the cap is set at 3.3997%, the revenue will increase due to the estimated increase in assessed valuation realized from the proposed mini-storage facility. Thus, the distribution of property tax revenue is anticipated to increase for all existing tax entities based on getting a larger percentage of revenue when the City tax rate, and to a very minor extent, the South Bend Transpo rate is added to the overall rate.

Political Subdivisions following Annexation:

Percent of tax rate and corresponding yearly estimated revenue for existing taxing units upon annexation*

- St. Joseph County (14.6%) - \$5,956.22 (+\$5,432.38 per year)
- Clay Township (0.7%) - \$285.57 (+\$17.05 per year)
- South Bend Community School Corporation (31.4%) - \$12,809.94 (+\$11,680.83 per year)
- St. Joseph County Public Library (6.9%) - \$2,814.92 (+\$2,568.41 per year)
- Airport Authority (1.0%) - \$407.96 (+\$374.94 per year)
- South Bend Transpo (2.4%) - \$979.10
- City of Mishawaka (43.1%) - \$17,583.08

** Estimates may not equal estimated tax value due to rounding.*

Four Year Projection of Property Tax Revenue following Annexation (above numbers x4)

Straight line projection assuming existing use remains and the tax rate and assessed valuation remains constant

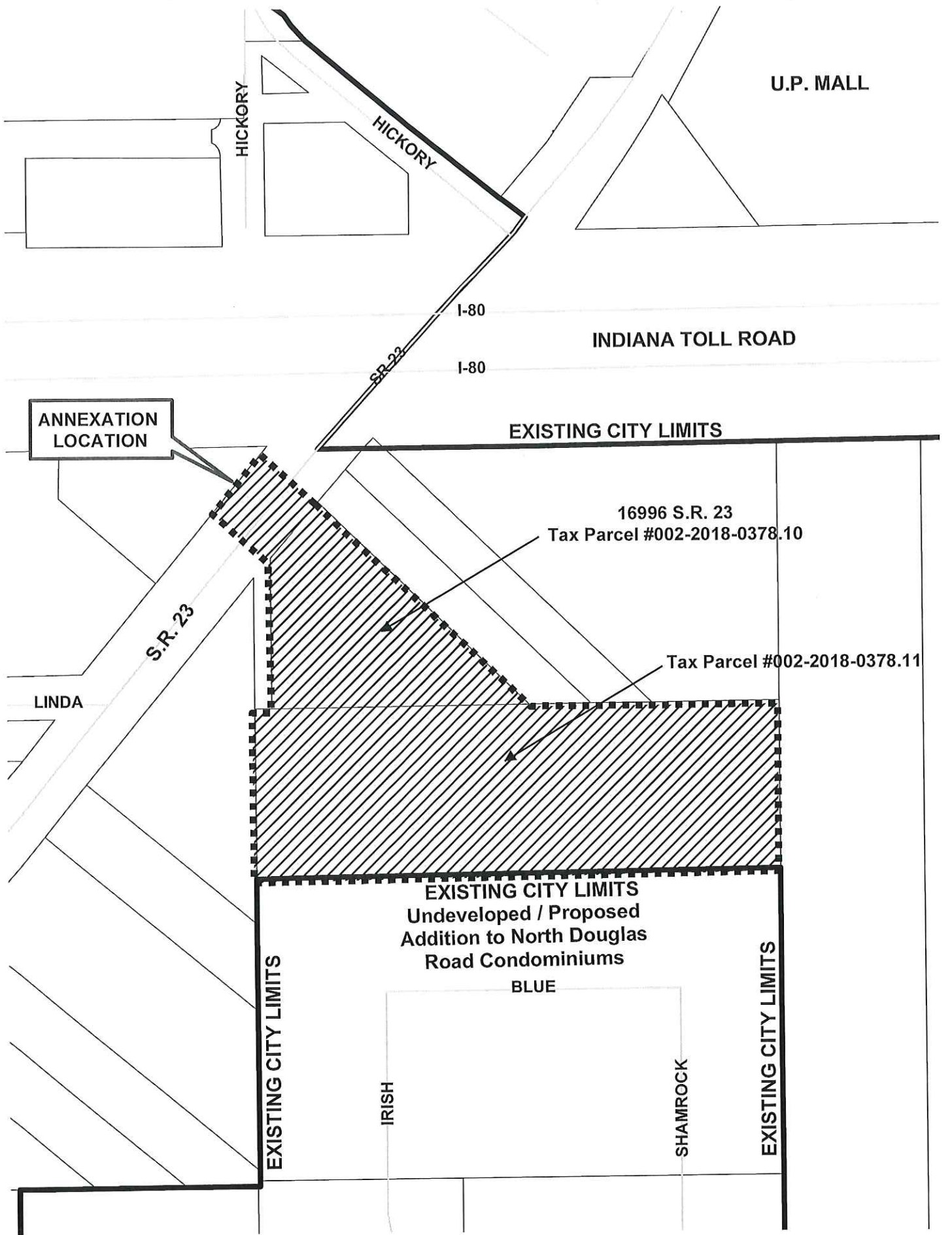
• St. Joseph County	\$23,824.88
• Clay Township	\$1,142.28
• South Bend Community School Corporation	\$51,239.76
• St. Joseph County Public Library	\$11,259.68
• Airport Authority	\$1,631.84
• South Bend Transpo	\$3,916.40
• City of Mishawaka	\$70,332.32

J. ASSUMED INDEBTEDNESS & COUNTY INFRASTRUCTURE REIMBURSEMENT

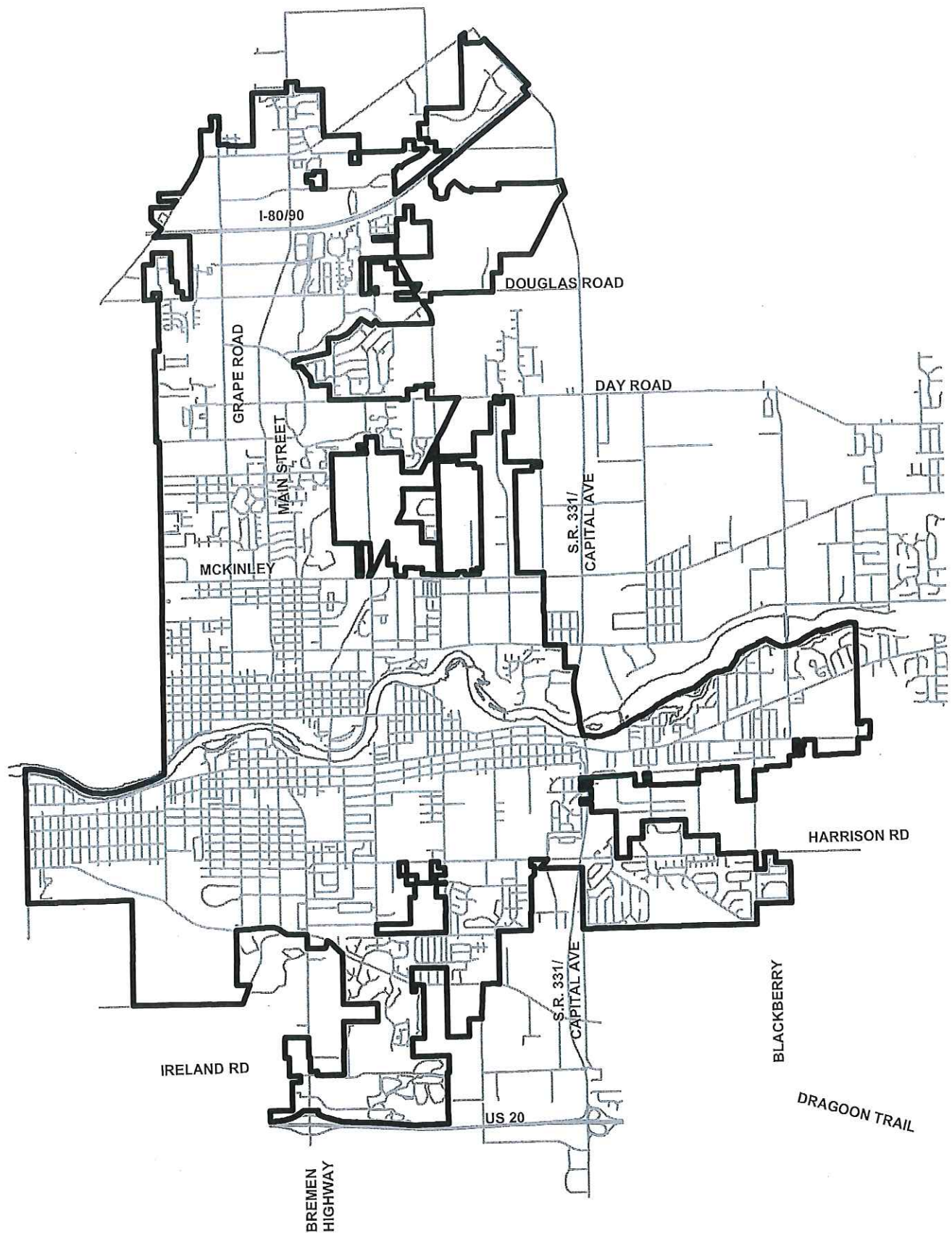
Pursuant to I.C. 36-4-3-4.2 under certain circumstances the City would be required to assume a portion of indebtedness as it would pertain to the proposed annexation area. Specifically, this would be required if the County had used property tax revenue to repay debt used to build infrastructure within the annexation area, or if income tax was being

generated from the property in question that was being used to pay off applicable county wide debt that would now be allocated to the City upon annexation.

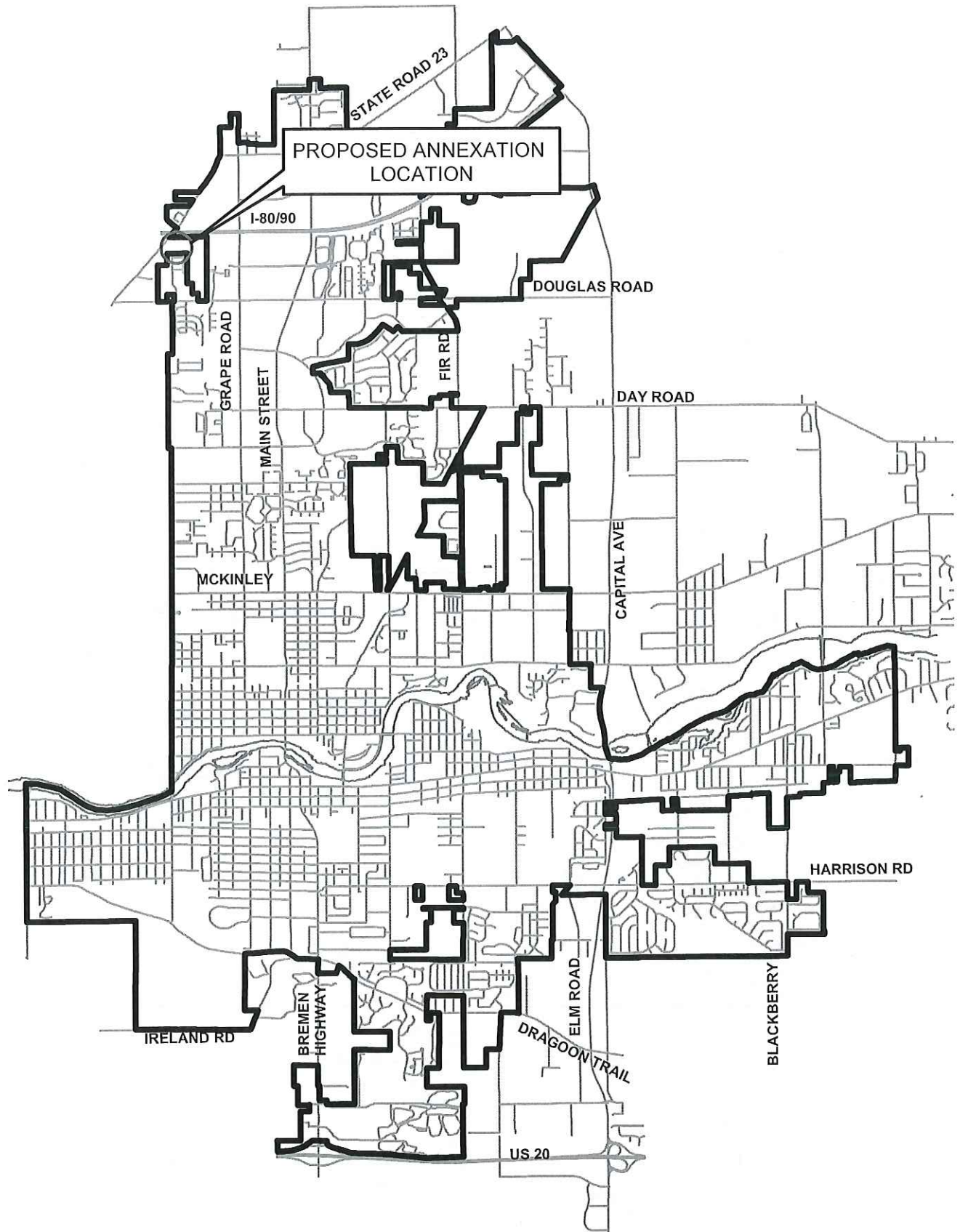
Upon reviewing the site and the information identified in Tab "D" / Appendix "D", there is no County infrastructure debt associated within the proposed annexation, nor is there any outstanding county debt on infrastructure that is payable by a local option income tax.



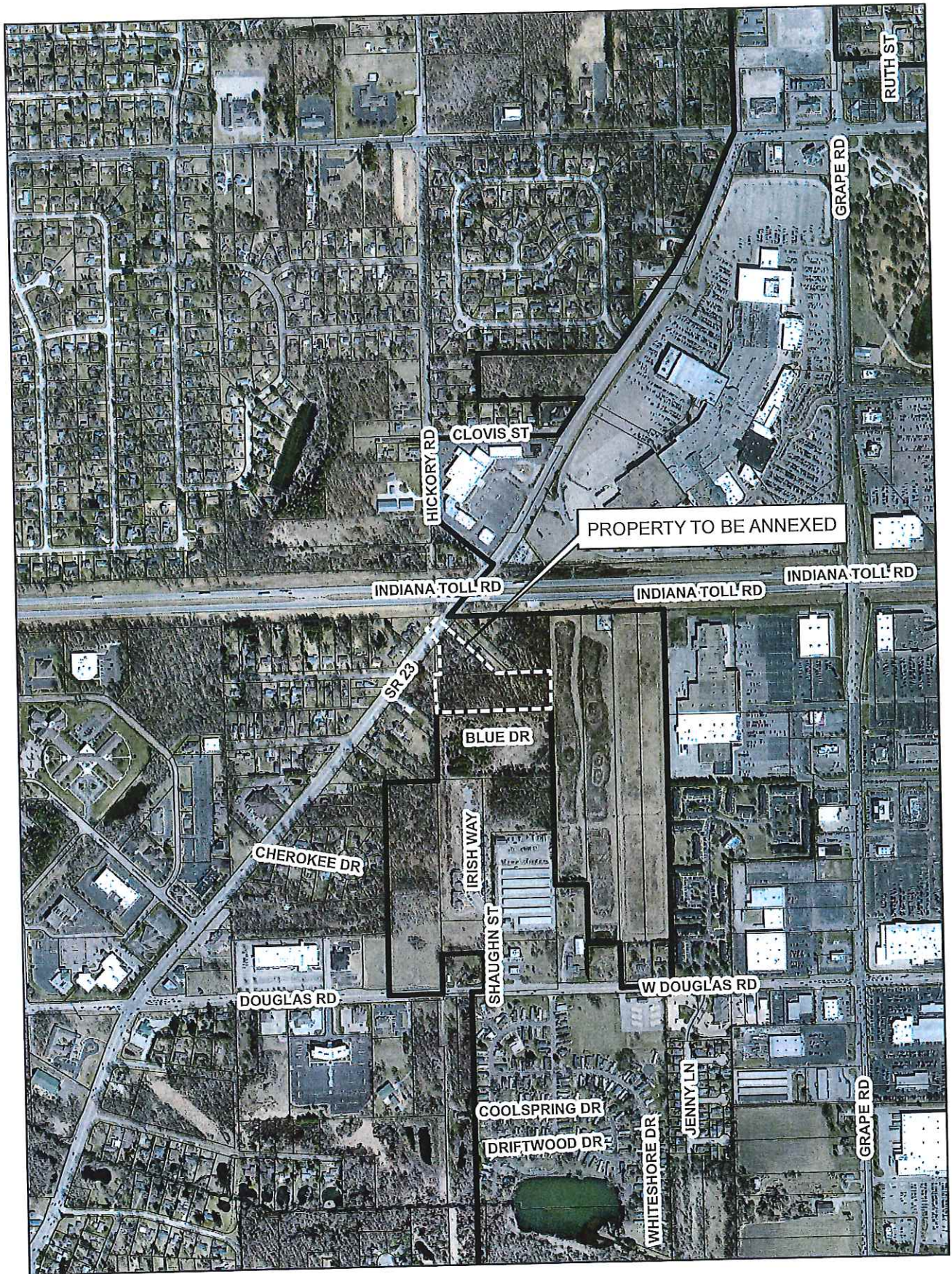
MAP OF EXISTING CITY LIMITS



MAP OF PROPOSED CITY LIMITS



AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED



AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED



PHOTOGRAPHS OF PROPERTY TO BE ANNEXED



Looking northerly into a 7 acre vacant/wooded parcel south of the annexation area. The parcel is zoned S-2 PUD and approved for residential condominium development.



Looking southerly toward the site from S.R. 23. The overhead utility poles to the right run down the west property lines.



Engineering • Architecture • Land Surveying

DATE: May 19, 2021

TO: Honorable Members of the Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana



PET 21-10

RE: Petition for Annexation and Zoning Classification

The undersigned, **Kenneth Bechtold**, respectfully show they are the owner of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

LEGAL DESCRIPTION ATTACHED

Petitioners own one-hundred (100%) percent of the above-described parcel of land which is located in the State of Indiana and that petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with a I-1 Industrial District. Petitioners further state they intend to utilize said land for a self-storage facility development.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate, showing the size of the proposed layout of the development.

Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, Petitioners respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with an I-1 Industrial District zoning classification.

DocuSigned by:

A handwritten signature in black ink that reads 'Ken Bechtold'. Below the signature is a horizontal line.
A777A02280BB4A9
Kenneth Bechtold

Ken Bechtold

Printed

Contact: Mike Huber
AbonmarcHe Consultants
315 W. Jefferson Blvd.
South Bend, Indiana 46601
(574) 347-4610
mhuber@abonmarcHe.com

PARCEL I

A tract of land situate in South West Quarter (1/4) of Section Twenty-eight (28), Township Thirty-eight (38) North, Range Three (3) East, commencing Six Hundred Sixty-seven (667) feet South of the Northwest corner of the South West Quarter (1/4) of said Section 28; thence East Seven Hundred Twenty-seven and Five Tenths (727.5) feet; thence South Two Hundred Thirty-nine and Fifty-two Hundredths (239.52) feet; thence West Seven Hundred Twenty-seven and Five Tenths (727.5) feet; thence North Two Hundred Thirty-nine and Fifty-two Hundredths (239.52) feet to the place of beginning, containing Four (4) acres, more or less, and being known as Lots Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) of Clara Murray's Proposed Plat.

PARCEL II

A parcel of land situate in the North West Quarter (NW 1/4) of the South West Quarter (SW 1/4) of Section Number Twenty-eight (28), Township Number Thirty-eight (38) North, Range Number Three (3) East, bounded by a line running as follows: Beginning at the Northwest corner of said North West Quarter of the South West Quarter of said Section 28; thence South along the West line thereof a distance of 427 feet to the center line of State Road Number 23 (Edwardsburg Road); thence North 44 degrees 10 minutes East along the center line of said road a distance of 94.15 feet; thence South 45 degrees 50 minutes East a distance of 40 feet for the beginning point of the herein considered; running thence South 45 degrees 50 minutes East 411.85 feet; thence West 358.15 feet to a point 25 feet East of the West line of said North West Quarter of the South West Quarter of said Section; thence North on a line parallel with said West line, a distance of 221.85 feet to the South line of said State Road No. 23; thence North 44 degrees 10 minutes East along the South line of said State Road No. 23, a distance of 90.15 feet to the place of beginning, and being known as Lot Numbered Ten (10) on a survey of a part of Lots 3 and 4 in the Partition of lands of Chauncey Johnson, deceased.

S.R. 23 RIGHT-OF-WAY

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH SECTIONS LYING IN TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 427 FEET TO THE CENTERLINE OF STATE ROAD 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG THE CENTERLINE OF SAID ROAD, 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST 40 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO KENNETH F. BECHTOLD, AS DESCRIBED IN INSTRUMENT NUMBER 1004730, ST. JOSEPH COUNTY

RECORDER, AND BEING THE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 50 MINUTES WEST, ALONG THE NORTHERLY LINE EXTENDED OF SAID BECHTOLD LAND TO THE NORTHWESTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY, TO A POINT LYING NORTH 45 DEGREES 50 MINUTES WEST OF THE NORTHWEST CORNER OF SAID BECHTOLD LAND; THENCE SOUTH 45 DEGREES 50 MINUTES EAST, PARALLEL WITH SAID NORTHERLY LINE EXTENDED, TO SAID NORTHWEST CORNER, ALSO BEING ON THE SOUTHEASTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY, 90.15 FEET TO THE POINT OF BEGINNING.

Annexation Fiscal Plan

PARCEL I

A TRACT OF LAND SITUATE IN SOUTH WEST QUARTER (1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE THREE (3) EAST, COMMENCING SIX HUNDRED SIXTY-SEVEN (667) FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTH WEST QUARTER (1/4) OF SAID SECTION 28; THENCE EAST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE SOUTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET; THENCE WEST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE NORTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET TO THE PLACE OF BEGINNING, CONTAINING FOUR (4) ACRES, MORE OR LESS, AND BEING KNOWN AS LOTS ELEVEN (11), TWELVE (12), THIRTEEN (13) AND FOURTEEN (14) OF CLARA MURRAY'S PROPOSED PLAT.

PARCEL II

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S.R. 23 RIGHT-OF-WAY

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH SECTIONS LYING IN TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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TAB C- SUMMARY OF SERVICES

SUMMARY OF SERVICES

The City of Mishawaka, known as the Princess City, was incorporated in 1833 with only a few hundred residents. Now, with an estimated population of nearly 50,000 present-day Mishawaka is continuing to grow. From the bustling Grape Road corridor to the quiet paths of the Shiojiri Garden at Merrifield Park, the city offers residents a comforting sense of community where people like to live, work and raise families.

The backbone of any city is its services, and no unincorporated area of St. Joseph County can come close to matching the number and quality of services offered in the City of Mishawaka.

Some of the services provided are basic: electric, sewer, and water. Others, such as strong police and fire protection, efficient trash removal and access to parks and libraries, greatly improve the quality of life.

Sewer, water and electric services in the City are not paid by tax dollars; rather, Mishawaka Utilities services are all paid for through the low rates given to property owners.

Instead of dealing with septic systems, property owners can tap into lines provided by Mishawaka Utilities Wastewater Division. The Division has a plant staffed 24 hours a day, and maintenance technicians are available at all times to respond to emergencies. The City's sewer insurance program provides sewer coverage for each single-family residential homeowner on the public sewer system for a small monthly fee, paid with the Mishawaka Utilities bill. With this program, the homeowner is protected from paying the cost of catastrophic sewer repairs outside the home. A \$42 million expansion of the wastewater treatment plant was completed in June 2008. From 2013 to 2020, capital improvements to the wastewater system were made including the replacement of four lift stations, three emergency generators, and final clarifier troughs. Additional plant and system improvements with a focus of implementing the Combined Sewer Overflow Long Term Control Plan are planned in the upcoming years.

The City's water rates have traditionally been among the lowest in the state. The Water Division completed a \$26 million capital improvement project in 2003. Several improvements to the overall system were made including the addition of a new well field, the replacement of water mains, and the extension of services to some areas that previously did not have water service. In late 2019, a new 2 million gallon reservoir went online with the rehabilitation of the old 3 million gallon tank occurring throughout 2020. The 3 million gallon tank went online in January 2021. Planned future improvements include a new water treatment facility and well field along Veteran's Parkway near Juday Creek and a new 1.5 million gallon elevated tank in the north part of the City. Construction is anticipated to begin in 2021 and take between 18 months to two years.

Another service provided by Mishawaka Utilities is the distribution of electricity. Although Mishawaka Utilities does not generate or produce power, electricity is purchased at a wholesale rate and is distributed by Mishawaka Utilities. Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers.

But property owners get more out of being in the City of Mishawaka than just those basic services. Public safety is a priority in the City, with about 50 percent of the budget going toward fire, police and emergency medical services.

Mishawaka has a full-time Fire Department, with four stations. The Department maintains a Class 2 fire rating with the Insurance Services Office (ISO) rating improving from a Class 3 rating in November 2019. The City nearly received a Class 1 rating of which there are only three in the State of Indiana. It is expected that a Class 1 rating will be achieved during the next reevaluation. The lower the rating, the lower a resident's homeowner's insurance will be. Additionally, the department's response time is excellent, and fire trucks arrive within three minutes to a call for 90 percent of the city.

The Mishawaka Police Department, with approximately 90 officers and employees, responds to critical incidents within three to five minutes. The Department offers many personal services within its Community Relations and Street Crimes Units, and the Riverwalk Beat. These services include attendance at neighborhood watch meetings, administering various programs for school-aged children and senior citizens, and focusing on crime reduction in high crime areas of the city.

The City's EMS Department is a centralized system that responded to nearly 8,300 calls in 2020. The City, with its population of nearly 50,000, responds to about 50% more calls than the County ambulance service does, with its population of over 120,000 residents spread over a much larger area. The business of "saving lives" has a very narrow window of four to six minutes, so the quicker an ambulance can respond, the more likely a life will be saved.

The efficiency of the City's Street Department is unmatched when it comes to snow removal, compared to St. Joseph County. Like other services, the county cannot provide a similar level of service because resources are spread out over a much larger area. In the event of a windstorm that blows trees and limbs into the streets, the City usually can have streets reopened in less than an hour.

Access to leisure activities is readily available in the City of Mishawaka. Residents can use all 28 City parks and the Eberhart-Petro golf course. Park rentals, for events such as weddings and receptions, are also less expensive for residents of the City.

Additionally, residents of the City of Mishawaka have access to all three branches of the Mishawaka-Penn-Harris Public Library. The Main Branch on Church Street in downtown Mishawaka, the Bittersweet Branch on the City's east side, and the Harris Branch on Elm Road in Granger.

Trash pick-up in the City is also inexpensive and efficient, with the monthly fee for single-family trash pickup at \$14.86. For senior citizens, the rate is \$12.09. The rates include the cost of recycling and yard waste, which is picked up on the same day the trash.

With the exception of the trash removal, library use and Mishawaka Utilities services, the vehicle with which to pay for the rest of the City's services is through city property taxes. And the City of Mishawaka has a long history of having a low, stable tax rate – in fact, the rate has remained relatively stable for the past 15 years.

With its rich history, Mishawaka continues to prepare and grow for the future. New development within the City's Central Business District and the continued development of the city's commercial and industrial sectors guarantee its strength in the future. This growth allows the tax rates to remain low. With the low tax rate and the multitude of services provided, the City of Mishawaka is an excellent place to build homes, start businesses, and raise families.

SANITARY SEWER, TRANSPORTATION, AND DRAINAGE

Existing Sanitary Sewer Infrastructure

The City has an existing sanitary sewer manhole that is located on the east side of SR 23 approximately 400' north of this annexation near the existing electric substation. This connects to the existing 12" gravity sanitary sewer main that continues east along the north side of the Indiana Toll Road (I-80/90). Sanitary sewer shall be extended to the site for connection to the proposed development per City of Mishawaka Engineering Standards. The cost of this connection shall be the responsibility of the owner/developer. This sanitary sewer connection will discharge into the sanitary sewer system that is publicly maintained and ultimately discharges to the City of Mishawaka's Waste Water Treatment Plant. The City's sanitary sewer system has ample capacity to serve this annexation property. Due to the existing constraints/barrier of the Indiana Toll Road and associated costs, it is recommended the proposed office be removed to eliminate the need for a sanitary sewer connection.

Existing Road/Transportation Infrastructure

Currently, this annexation has frontage along SR 23. SR 23 is a five-lane section with 2 northbound travel lanes, two southbound travel lanes, and a shared center left turn lane. SR 23 is a state road maintained by the Indiana Department of Transportation (INDOT). Drive locations shall be coordinated with INDOT and their permitting process. It is recommended the drive approach be located to the farthest south end of the site to improve sight distance with the Indiana Toll Road bridge piers.

Existing Storm Sewer/Drainage Infrastructure

Regarding any new development or redevelopment within the annexation area, sites are required to retain the stormwater generated by the development on site at the rate of 100-year return storm frequency for a 24-hour duration. A geotechnical investigation shall be conducted to determine the existing soil conditions and seasonal groundwater table, as they may limit the amount of runoff that will infiltrate into the ground. This requirement provides significant protection to both existing and proposed developments regarding the impact of stormwater run-off. Several different engineering methods are considered acceptable by the City of Mishawaka to calculate this requirement. The simplest method of calculation is using the one-line rational equation. However, the Rational Method, Curve Number Method, and TR-55 Method are also acceptable and tend to be more advanced, taking into consideration the percolation rate of soil types and ratios of developed impervious surfaces. The choice of one method over another is typically due to factors of site size, soil type, and design preference. The developer is required to bear all costs associated with stormwater management and all land disturbing activities shall fully comply with the City's Erosion & Sediment Control Ordinance.

Planned Capital Expenditures, Staff and Rates

If annexed, any streets and utilities within the annexed parcel will remain privately maintained by the site owner. The City Departments do not require any additional funds than what is currently allocated within the present City budget. For general information, the repair and maintenance of sanitary sewers is supported by rates paid by its users. Otherwise, as a general percentage of City expenditures, approximately 15 cents of every dollar of the City budget is allocated for street and storm sewer expenditures.

Personal Service Programs

The Engineering Department works closely with the Sewer Department regarding the maintenance of the City sewer system. Construction records are kept for all sanitary and storm sewers and technical/administrative assistance is provided on sewer repairs for the Sewer Lateral Insurance Program.

Specifically, the Sewer Lateral Insurance Program covers each single-family residential homeowner connected to the public sewer system within the City of Mishawaka. For a \$2.20 monthly fee, which is included in the Mishawaka Utilities sewer bill, the homeowner is protected from paying catastrophic sanitary sewer repair costs for the portion of sewer lateral between the street right-of-way and outside of foundation wall of the home. Currently, this annexation area proposes an I-1 Light Industrial, and therefore is not eligible for this program.

CITY OF MISHAWAKA
2021 BUDGET

ENGINEERING DEPARTMENT
101-13

1 PERSONAL SERVICES

<u>Salaries and Wages</u>		biweekly	
411-01	Director of Engineering	81,043.00	3,117.01
411-02	Assistant Director	67,278.00	2,587.59
	Project Manager	57,017.00	2,192.95
	Traffic Manager	55,603.00	2,138.55
	Project Coordinator	41,437.00	1,593.70
	Office Manager	36,607.00	1,407.93
	City GIS Coordinator	<u>55,603.00</u>	2,138.55

See MU salary ordinance for utility portion of salaries 394,588.00

Other Personal Services

411-65	PE Certification	<u>10,000.00</u>	192.31
			404,588.00

2 SUPPLIES

Office Supplies

421-90	General Supplies	<u>8,000.00</u>	8,000.00
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3 OTHER SERVICES AND CHARGES

Professional Services

431-06	Consulting	5,000.00	
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Communication and Transportation

432-03	Travel and Training	6,000.00	
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Repairs and Maintenance

436-01	Equipment Repair	2,500.00	
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Other Services and Charges

439-03	Subscriptions, Dues, etc.	<u>1,000.00</u>	
			<u>14,500.00</u>
			<u>427,088.00</u>

ELECTRIC SERVICE

Services and Rates

Mishawaka Utilities – Electric Division *currently serves the proposed annexation area as it is already in our franchise boundary.*

The costs of providing service for future/planned development will be the responsibility of applicant(s) for service (reference Terms and Conditions, Section 9.0). The necessary expenditure to make connection to an applicant for service will be considered to be warranted when the estimated total revenue (i.e., net revenue) as estimated by the Utility for a period of two and one-half (2½) years to be realized by the Utility from permanent and continuing Customers on such an extension is at least equal to the estimated cost of such extension.

Whenever, in the opinion of the Utility, the necessary expenditure to make connection to an applicant for service is not warranted by the Utility's estimate of prospective revenues to be derived there from, or whenever, in the opinion of the Utility, the permanence of the Customer's load is questionable, the Utility may require the applicant to make an advance deposit for line construction or service connection. Or, the Utility may require a long-term agreement, an aid to construction payment, monthly minimum charge or such definite and written guarantee from a Customer, or group of Customers, in addition to any minimum payment required by the Rate Schedule. This requirement may also be made covering the payment by the Customer of the cost of tapping existing transmission or distribution lines for light or power service or both, when such service will not provide sufficient load or revenue, in the opinion of the Utility, to justify the cost of tapping said lines.

In those cases where it is not feasible or practicable to construct lines on public rights of way and it is necessary to secure easements or line-clearing permits on private property, the applicant or applicants shall secure the same without cost to the Utility or assist the Utility in obtaining such easements or line-clearing permits on private property before construction shall commence. The Utility shall be under no obligation to construct lines in the event the necessary easements or line-clearing permits cannot be so obtained.

Personnel

Mishawaka Utilities – Electric Division has a staff of 47 employees. The Division, under the direction of the Electric Division Manager, is divided into the departments of engineering, construction, metering and operations:

- Engineering: Consists of the System Reliability Supervisor, Substation Supervisor, Substation Technician, Engineering Projects Manager, and support engineering personnel.
- Construction: Consists of the Construction Superintendent, two Construction Foremen, and support construction personnel (Journeyman, Apprentices and Linemen).
- Metering: Consists of Metering Department Manager and support metering personnel.
- Operations: Consists of the Operations Coordinator along with supporting personnel in dispatch/stores.

Description of Services

Normal working hours are from 7:30 a.m. to 4:00 p.m. Monday through Friday. During these hours, the Electric Division staff is available to provide immediate response to any system perturbation.

Services provided after normal working hours are on an emergency basis only. Customers requiring assistance can call the after-hours answering service, where a call is then placed to a duty supervisor to assess the situation. The duty supervisor then calls out required support personnel (via the answering service).

Mishawaka Utilities – Electric Division is well equipped to respond to problems associated with providing electric service. The electric division utilizes a wide breadth of equipment to meet the needs of the consumer. Major equipment includes loaders, backhoes, trenchers, boring machines, pushing machines, trailers, compressors, forklifts, bucket and line trucks, and pole trailers.

The service response time to restore from a loss of electricity resulting from storm damage or other physical line damage is typically less than AEP (AEP customers are spread geographically over a much larger area). However, since Mishawaka Utilities does not produce power, the utility is not able to control service problems based on the generation of power and has minimal control of transmission to, or within, Mishawaka.

Costs Associated with Services

Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers. Mishawaka Utilities does not generate or produce power. Mishawaka Utilities purchases electricity at a wholesale rate and is responsible for distributing it to every customer within the service area. Based on the large numbers of customers in a relatively small geographic area, Mishawaka Utilities is able to deliver electricity more economically than larger companies such as AEP. Although AEP actually generates or produces power, the cost for delivering the electricity to the consumer is greater because the customers are spread geographically over a much larger area. Actual rates will vary over time.

FIRE PROTECTION/EMS

The Mishawaka Fire/EMS Department is one of the area's best, with quick response times, excellent training, and the latest equipment.

Staffing and Response Times

The Mishawaka Fire Department currently has four stations located strategically throughout the City of Mishawaka. The Fire Department and the Emergency Medical Services Department merged January 1, 2002.

In accordance with the firefighter's union Collective Bargaining Agreement and the City of Mishawaka, minimum staffing of 29 personnel are available at all times. The department also has three members working in the City's Fire Inspection Bureau.

The Department's response time is excellent. The Fire Department's average response time to calls is just over 6 minutes within the City.

Fire Stations

The four fire stations are located in strategic areas around the City:

Station No. 1, built in 1991, is located on Union Street near downtown. It is staffed by a minimum of eleven (11) firefighters manning one Sutphen pumper truck, one aerial truck, a 105' Sutphen aerial/pumper combination, one heavy-duty K.M.E. rescue truck and one A.L.S. Paramedic ambulance unit.

Station No. 2, located at 2332 N. Main St., is staffed by five (5) to six (6) firefighters at all times, manning one Sutphen pumper truck, and one A.L.S. Paramedic ambulance unit. If annexed, this would be the primary responding station since it is the nearest to the site.

Station No. 3, located at 333 E. Douglas Road, is staffed by eight (8) firefighters at all times, manning one Seagrave pumper truck, one aerial truck (a 105' Sutphen aerial/pumper combination,) and one A.L.S. Paramedic ambulance unit.

Station No. 4, located at 3000 Harrison Road, is staffed by 5 firefighters manning one Seagrave pumper truck, and one Battalion Chief Vehicle.

All engine and ladder Companies are certified advanced life support non-transport.

For the year 2020 out of 8,269 runs 6,259 or roughly 75% were medical in nature. The Mishawaka Fire Department restructured going to a three-platoon system in 2013. With the addition of a third ambulance we were able to move ambulances out of one central location to be closer to the neighborhoods they served. This and the availability of paramedics on some engine companies have decreased the time in which it takes to start lifesaving interventions if needed. Engine and ladder companies also have Advanced E.M.T.'s on board who may begin vital treatment such as 12 lead E.K.G.'s, establishing I.V. lines, and administration of a handful of drugs. Once the ambulance arrives the paramedics take over in the continuum of care depending upon the severity of the call.

Equipment

Equipment for the department is very comparable with what is available to surrounding township departments, but the City's fire department offers other advantages not available to the township fire departments. By having 29-36 firefighters on duty at any given time Mishawaka is able to send more resources depending upon the nature of the call. The Mishawaka Fire Department has three ladder/pumper trucks available for emergencies. Two of these are in service at all times with the third being a reserve. Depending upon the location, some outside fire departments utilize mutual aid agreements in the event of the need for an aerial device.

The City maintains a fifteen (15) member Dive/Rescue team for water emergencies.

Training

The fire department undergoes year-round training in all areas of suppression, haz-mat, emergency medical, inspection, water rescue, public education, confined space, high angle rescue, extrication and others.

In order to work on an ambulance, the State of Indiana requires personnel to be Emergency Medical Technicians (minimum training). Generally speaking, while employed with an ambulance service, employees have an opportunity to advance their skills. Training is offered at two additional levels, Advanced EMT, (IV therapy, cardiac monitoring) and Paramedic, (addition of several other medications). The EMS division is highly regarded by other services and municipalities in our area offering paramedic service.

All firefighters hired by the City of Mishawaka must become an Advanced level E.M.T within eighteen (18) months of hiring and maintain it throughout their career.

In the calendar year 2020 each firefighter took part in an average of 200+ hours of continuing education.

Complete training records for all personnel are available.

Fire Insurance Rating

Mishawaka maintains a Class 2 fire rating with the Insurance Services Office. The lower the number in the rating, the lower a homeowner's insurance policy could be. Thus, properties that are annexed into the city could see a reduction in property insurance.

During the last audit in November of 2020 Mishawaka's rating improved from 78.65% out of a maximum of 100% in 2012 to 88.35% out of 100% in 2020.

We are currently only 1.65% away from a Class one (1) designation of which there are only three (3) in the State of Indiana.

We are waiting for improvements as a result of the ongoing Public Safety Answering Point mergers and some other internal improvements to occur before we asked to be reevaluated by the I.S.O.

Of course, the only way to determine if a reduction will occur is to contact applicable insurance providers. Homeowner's insurance portion that is fire related would benefit the least while those of a business would have a much larger impact.

For comparison, many township departments have ratings of 7 to 9. After our next reevaluation we believe Mishawaka's fire insurance rating will be the highest possible a Class one (1).

Future Plans

Additional personnel will become necessary in the future as the City grows. This increase is due in part to the increased role the department plays as the first responder unit for medical and accident calls. Given the numerous locations of fire stations in the city, the Fire Department is able to respond to emergency medical and accident situations in a shorter period of time than the emergency medical units alone.

The next Station slated for major improvements is Station #2 located at 2332 North Main Street. Planning and funding are being researched now.

Plans are also underway to place a fourth A.L.S. Paramedic ambulance in service as future growth of the department allows.

Potential increases in personnel, equipment, and buildings, are evaluated on a continual basis. Although these increases represent the anticipated long term needs of the department, these increases are not

needed in the short term to provide the consistent high level of service that has been historically provided to the city.

Citizen Programs

The fire department provides regular fire inspections for businesses located in the area, and home inspections upon request.

In 2020 the Fire Prevention Bureau performed 948 fire inspections of new and existing buildings in Mishawaka.

In addition, residents are encouraged to take part in the department's smoke detector giveaway and installation programs.

Fire Marshals give extinguisher demonstrations and emergency planning procedures upon request to businesses in the City. Participants use real extinguishers on mock up fires to prepare them for the real thing.

The department also participates in drive through flu clinics, C.P.R. classes, Triad pill drops, car seat installations and clinics throughout the year.

Costs Associated With Services

If annexed, the City of Mishawaka Fire Department is capable of providing a level of service for the area that is equal to the services currently provided for the City. Given the proximity of the proposed annexation area, the Fire Department does not require any additional funds than what have been allocated within the current city budget to provide these services. For general information purposes, a copy of the year 2021 budget has been included for reference.

CITY OF MISHAWAKA
2021 BUDGET

FIRE/EMS DEPARTMENT
101-19

**See salary ordinances for any changes*

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Fire Chief	81,317.00	3,127.54
411-02	Assistant Chief		
	3 @ 75,450	226,353.00	2,901.94
	Battalion Chief		
	3 @ 68,632	205,896.00	2,639.69
	Captains 15 @ 65,327	979,905.00	2,512.57
	Lieutenants		
	15 @ 63,541	953,115.00	2,443.86
	Fire Inspectors		
	1 @ 65,327 2 @ 63,541	192,409.00	2,512.57 2,443.86
	Driver Operator		
	30 @ 61,784	1,853,520.00	2,376.29
	1st Class Firefighter		
	34 @ 61,290	2,083,894.00	2,357.32
	Master Firefighters		
	11 @ 58,823	<u>647,053.00</u>	2,262.42
			7,223,462.00

Civilian

Administrative Assistant	<u>43,210.00</u>	1,661.91
		43,210.00

Other Personal Services

411-12	Specialty Pay	289,300.00	
411-60	Overtime	650,000.00	
411-66	Uniform Allowance 115 @ 1,250	143,750.00	
411-67	Pension Equalization	<u>11,100.00</u>	
			<u>1,094,150.00</u>
			8,360,822.00

Employee Benefits

413-01	Social Security	14,000.00	
413-02	Medicare	122,000.00	
413-03	INPRS 14.2%	32,100.00	
413-05	Health Insurance	2,800,000.00	
413-06	Life/Disability Insurance	6,500.00	
413-08	Deferred Comp Match	70,000.00	
413-09	77 Pension 20.5%	<u>1,450,000.00</u>	
			<u>4,494,600.00</u>
			12,855,422.00

CITY OF MISHAWAKA
2021 BUDGET

FIRE/EMS DEPARTMENT
101-19

2 SUPPLIES

Office Supplies

421-90 Office Supplies 6,000.00

Operating Supplies

422-01 Operating Supplies 200,000.00

422-03 Medical Supplies 130,000.00

Other Supplies

429-10 Public Education

Training/ Seminar

Supplies/Refreshments 6,000.00

342,000.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-09 Clinic Services 155,000.00

431-11 Physicals 45,000.00

Communication and Transportation

432-03 Travel and Training 65,000.00

Repairs and Maintenance

436-01 Building/ Equipment Repair 100,000.00

Professional Services

436-90 Service Contracts 150,000.00

436-91 Laundry Maintenance 3,000.00

Other Services and Charges

439-03 Subscriptions, Dues, etc. 20,000.00

538,000.00

13,735,422.00

PARKS AND RECREATION OPPORTUNITIES

Parks and Recreation

Mishawaka offers 28 public parks, each with its own unique natural attributes. For boating enthusiasts, there are four parks with boat launches into the St. Joseph River. East of the American Electric Dam by Capital Avenue, the river provides opportunities for water-skiers and sailors. Mishawaka parks also have an excellent swimming pool, splash pads, as well as accommodations for tennis and various field sports. Disc golf is another popular park sport. The City also contains the Eberhart-Petro 18 hole municipal golf course located along the St. Joseph River.

Some Mishawaka parks contain attractive areas for walking and picnicking, and nearly all have playground equipment and play field areas. Three parks, Shiojiri Niwa, Battell, and the Robert Beutter Riverfront Park, have attractive landscape and water amenities and are routinely the place for weddings, special events, and family pictures. The parks in Mishawaka range in size from 0.2 acres to 90 acres for the Eberhart-Petro Golf Course.

The Ball-Band Biergarten, opening in July 2020, is a unique event and gathering space along the popular Riverwalk and increasingly vibrant downtown. The center of the building will provide a service area for beverages and limited concessions to be enjoyed by all ages.

The responsibility for development of the parks and recreation system for the City rests with the Board of Parks and Recreation. The Board consists of four members and a member from the Board of School Trustees and a member from the Library Board.

Staff and Equipment

The park office staff consists of the Superintendent, Office Coordinator, and Community Center Director. There are 5 Park Divisions (Recreation, Special Events, Golf, Aquatics/Ice Rink, and Landscape). Four (4) have Division Directors and the Landscape Division is headed by the Landscape Manager.

The Mishawaka Parks Department provides budget support for its park maintenance through the Central Services Department, which manages all operations and maintenance staff and equipment for streets, parks, motor pool, and some electrical service vehicles.

Costs Associated With Services

All programs implemented through the Mishawaka Park and Recreation Department are available to all who wish to participate in them or rent the facilities. Listings of all park and recreation rates are available through the City of Mishawaka Park Department.

If annexed, the existing park system will continue to provide a level of service for the area that is equal to the services currently provided for the rest of the city. Resident services will begin immediately upon annexation.

For general information purposes, a copy of the year 2020 budget has been included for reference.

CITY OF MISHAWAKA
2021 BUDGET

PARK AND RECREATION
204-50

1 PERSONAL SERVICES

Salaries and Wages

			biweekly
411-01	Department Head	70,319.00	2,704.57
411-02	Regular Employees	476,261.00	
	Group 1: 14@21.19*2092	620,613.00	
411-03	Temporary/Summer Help	525,000.00	1,692,193.00
	CS reimburse - 55,6244* 1.55 for assts.	86,217.00	
	Reimburse MVH Director - 65,906*5%	3,295.00	<u>89,512.00</u>
			1,781,705.00

Other Services Personal

411-60	Overtime	25,000.00	
411-63	Longevity	14,170.00	
411-64	FTO	10,000.00	49,170.00

Employee Benefits

413-01	Social Security	105,000.00	
413-02	Medicare	25,000.00	
413-03	INPRS 14.2%	160,000.00	
413-04	Unemployment	5,000.00	
413-05	Employee Insurance Benefits	360,000.00	
413-06	Life Insurance	1,500.00	
413-08	Deferred Comp Match	8,000.00	
			<u>664,500.00</u>
			2,495,375.00

2 SUPPLIES

Office Supplies

421-90	Office Supplies	8,000.00	
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Operating Supplies

422-02	Gas, Oil, Parts, etc.	73,000.00	
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Other Supplies

429-09	Merrifield Complex Supplies	32,000.00	
429-14	Maintenance Supplies	70,000.00	
429-15	Program Supplies	30,000.00	
429-16	Golf Course Concessions	40,000.00	
429-18	Athletic Event Supplies	36,000.00	
429-19	Battell Center Supplies	22,500.00	
429-20	Golf Course Supplies	45,000.00	
429-21	Other Concessions	5,000.00	
429-23	Merrifield Concessions	<u>28,000.00</u>	
			389,500.00

CITY OF MISHAWAKA
2021 BUDGET

PARK AND RECREATION
204-50

3 OTHER SERVICES AND CHARGES

Professional Services

431-09 Health Screenings/Vaccines 8,000.00

Communication and Transportation

432-02 Postage and Freight 2,000.00

432-03 Travel and Training 8,000.00

432-04 Telephone 7,000.00

Printing and Advertising

433-01 Printing/Newsletter etc. 10,000.00

Insurance

434-90 Insurance Premiums/Deductibles 130,000.00

Utility Services

435-01 MU/AEP Charges 500,000.00

435-02 NIPSCO 50,000.00

Repairs and Maintenance

436-01 Equipment/Facility Repair 75,000.00

436-90 Service Contracts 110,000.00

Rentals

437-05 Uniforms/Port-o-lets 17,500.00

Other Services and Charges

439-03 Subscription, Dues, etc. 3,000.00

439-09 Miscellaneous/Charges 1,000.00

439-18 Instructor Fees 15,000.00

439-19 Official/Referee Fees 10,000.00

439-21 Recreation Event/Entertainment 48,000.00

439-93 Sales Tax 25,000.00

1,019,500.00

3,904,375.00

CITY OF MISHAWAKA
2021 BUDGET

PARK AND RECREATION NON-REVERTING
214-50

1 PERSONAL SERVICES

Salaries and Wages

411-03	Temporary Help	<u>25,000.00</u>	25,000.00
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2 SUPPLIES

Other Supplies

429-09	Merrifield Supplies and Repairs	35,000.00	
429-09	Wilson Supplies and Repairs	10,000.00	
429-17	Landscaping/Chemical Supplies	<u>70,000.00</u>	115,000.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-06	Consulting	75,000.00	
436-90	Animal Control	15,000.00	

Communication and Transportation

432-04	Wilson Hill Phone and Internet	2,500.00	
436-90	GPS Contract	19,000.00	

Repairs and Maintenance

436-01	Golf Cart Repair	5,000.00	
436-22	Athletic Field Maintenance	<u>8,000.00</u>	124,500.00

4 CAPITAL OUTLAYS

Machinery and Equipment

444-10	Golf Carts	<u>68,900.00</u>	68,900.00
			<u>333,400.00</u>

POLICE AND CRIME PREVENTION

The City of Mishawaka's Police Department provides residents with professional public protection and safety, helping keep the city's crime rate low. The officers are among the area's most well-trained, receiving the best training, using top-of-the-line equipment and offering personal service to Mishawaka residents.

Staffing

There are currently a total of 7 full time civilians within the Mishawaka Police Department, and are budgeted for 108 sworn officers. The Department has 23 officers on the day shift, 23 on the afternoon shift, and 23 on midnights, making for a total of 69 officers in the Uniform Division, plus 3 Captains; 1 Captain for each shift.

Because of a State Mandate, effective on January 1, 2015, the four dispatch centers in St. Joseph County (including the Mishawaka Public Safety Dispatch Center) were required to consolidate into two Dispatch Centers. The former Mishawaka Police Dispatchers are now employed by St. Joseph County; hence the reduction in civilian employees for the MPD.

There are also 9 officers in the Investigative Division and 6 officers assigned to special duty (special crimes, domestic violence, school resource, etc.)

All police officers in the State are required to successfully complete the basic program at the Indiana Law Enforcement Academy within the first year of employment. This is a 15-week program. Current ILEA standards require each Officer to complete 24 hours of service training per year. The Mishawaka Police Department averages 65 hours of training, compared with minimums of 24+ statewide.

Equipment

The Police Department has a take-home patrol car program. Currently, there are 108 take-home vehicles. Each car contains standard first aid equipment for immediate response. Each officer is also well equipped with standard equipment such as side-arms, shotguns, Tasers, and body armor. All officers have been provided with digital cameras for recording accident and crime scenes. In addition, 652 cars are equipped with video cameras to record events on patrol. The City provides for the continual maintenance, repair, and replacement of equipment. Standard equipment items such as cars and firearms are on a set replacement schedule for both reliability and performance.

Several years ago the City purchased a radar trailer, which detects a motorist's speed and flashes it on a screen, for \$9,000. This equipment assists in controlling speed by making motorists aware of their current rate of travel. This equipment can also specifically be used in the annexation area.

The Police Department has three School Resource officers available with School City of Mishawaka. One officer is assigned to Mishawaka High School, one officer is assigned to John Young Middle School and one is assigned to the elementary schools. The cost of these officers is shared with School City.

The Community Relations Unit

The Community Relations Officers handle various public relationship events such as Neighborhood Watch meetings, MPD tours for boy scouts and schools, reading to kids, bike safety rodeos, and participating in Tri-Ad Senior Citizens Organization. The unit is partnered with Nixle.com (a California-based Internet messaging-service provider). This provider offers a standardized, secure, and certified communication platform for local police departments, municipalities, and their agencies to communicate important, neighborhood-level information to the residents of their communities. This has been a great success with

improving how we get crime information and other important information out to the public. The unit also handles neighborhood complaints, such as drug houses, speeding, neighbor disputes, and other "quality of life" issues.

Street Crimes Unit

The Street Crimes Unit was implemented in July of 2009. There are 4 officers assigned to the Unit. The goal of this Unit is to concentrate efforts in high crime areas of the city and work in conjunction with the Police Department's Investigative Division to identify criminals and solve crimes. So far, the SCU has worked very hard at their mission and has proven to be quite a success. Because of their determination and self-motivation, the Unit has taken several criminals, weapons and drugs off the streets and has seen crime decrease in the high crime neighborhoods.

Riverwalk Beat

A "Riverwalk beat" was implemented in 2015 and determined to very successful. Several methods of patrol have been utilized, including the Kawasaki mule, bicycles and motorcycle. The extra patrols have minimized reported vandalism that was seen in previous years. The renovation of Central Park has brought an increase of visitors to both the park and Riverwalk. The MPD continues its patrol efforts in the parks enhanced with the installation of a video camera surveillance system throughout the Riverwalk, Beutter and Central Park. Several emergency call boxes will also be installed, thus enhancing the safety of all Riverwalk users.

CAPS Program

The Citizens in Alliance with Police (CAPS) Program has much success in patrolling the Riverwalk and City parks and has expanded to two teams of volunteers that can be seen on the weekends.

Response Time and Crime Statistics

On average, the Mishawaka Police Department responds to critical incidents within three to five minutes. This is comparable to three to seven minutes in South Bend. South Bend has a modestly larger coverage area. Response times for the county were not available; however, with the St. Joseph County Police Department's much larger coverage area per officer, it is anticipated that the response time within the City of Mishawaka is significantly lower than in the county.

The Uniform Division was instrumental in responding to several high-profile cases in 2020 including six homicide scenes between July and December. Other notable arrests were for robbery suspects, narcotics arrest, firearms, stolen autos and the capture of several felons wanted on warrants.

These events are not uncommon; as the uniform officer is normally the first to arrive on scene during an emergency call situation. They are the face of the Department. Promoting a positive working relationship within the community helps to keep peace and harmony in our neighborhoods.

The Uniform Division was tasked with covering over 40,013 calls for service in 2020. That number also reflects reporting on 1,774 vehicle crashes.

For general information purposes, a copy of the year 2021 budget has been included for reference. The budget itemizes the costs of providing services for the entire city.

Costs Associated with Services

If annexed, the City of Mishawaka Police Department is capable of providing a level of service for the area that is equal to the services currently provided within the City of Mishawaka. The Police Department does not require any additional funds than what has been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation.

CITY OF MISHAWAKA
2021 BUDGET

POLICE DEPARTMENT
101-20

**See salary ordinances for any changes*

1 PERSONAL SERVICES

Salaries and Wages

		biweekly
411-01	Police Chief	81,700.00 3,142.30
411-02	Assistant Chief	
	3 @ 75,889	227,667.00 2,918.78
	Captain	
	6 @ 64,713	388,278.00 2,488.93
	Lieutenant	
	14 @ 63,494	888,916.00 2,442.04
	Sergeant	
	20 @ 62,315	1,246,300.00 2,396.71
	1st Class Patrol Officer	
	46 @ 61,522	2,830,012.00 2,366.22
	2nd Class Patrol Officer	
	18 @ 54,976	<u>989,568.00</u> 2,114.45
		6,652,441.00

Civilians

	Administrative Assistant	43,210.00 1,661.91
	Administrative Secretary	37,089.00 1,426.48
	Secretary 2 @ 36,624	73,248.00 1,408.61
	Parking Personnel	36,624.00 1,408.61
	Property Manager	40,212.00 1,546.60
	Office Manager	<u>38,476.00</u> 1,479.84
		268,859.00
	Crossing Guards 20 @ 7,766	155,320.00
411-03	Substitute Crossing Guard	2,000.00
	Temporary Help/Part-time	20,000.00
		<u>500.00</u> 177,820.00

Other Personal Services

411-02	Shift Differential 2nd @350 3rd @ 700	57,600.00
411-60	Overtime/ Court-time Officer-Non Officer	500,000.00
411-66	Uniform Allowance 1@600, 108@2050	222,000.00
411-66	Equipment Allowance 108@1250	135,000.00 914,600.00

Employee Benefits

413-01	Social Security	30,000.00
413-02	Medicare	118,000.00
413-03	INPRS 14.2%	40,000.00
413-05	Health Insurance	2,650,000.00
413-06	Life Insurance	6,250.00
413-08	Deferred Comp Benefit	50,000.00
413-10	77 Pension 20.5%	<u>1,325,000.00</u> 4,219,250.00
		12,232,970.00

CITY OF MISHAWAKA
2021 BUDGET

POLICE DEPARTMENT
101-20

2 SUPPLIES

Operating Supplies

422-01 Operating Supplies 110,000.00

Other Supplies

429-11 Seminars/ Community Relations 1,000.00
111,000.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-09 Clinic Services 0.00

431-11 New Hire Physicals - Police/Fire 0.00

Communication and Transportation

432-03 Travel and Training 2,000.00

Printing and Advertising

433-01 Printing 1,800.00

Repairs and Maintenance

436-01 Building Repair/ Maintenance 100,000.00

436-90 Service Contracts 350,000.00

Other Services and Charges

439-03 Subscriptions, Dues, etc. 3,000.00

439-09 Miscellaneous Charges 5,000.00

439-11 Special Expense 13,000.00

439-12 Canine Expenses 3,000.00

477,800.00

12,821,770.00

STREET DEPARTMENT

The Mishawaka Street Department, with its large staff and several trucks and multiple pieces of equipment, constantly maintains the City's streets and is prompt at answering to emergencies.

Staffing

The Mishawaka Street Department, headed by the Street Commissioner, has 32 union employees, two clerical personnel and two assistant street commissioners. The telephone is staffed 24 hours a day, and one manager is on call at all times, so that most emergencies can be handled in less than one hour.

Equipment

The Department uses 3 tandem axle and 11 single-axle trucks for the majority of the City's snow plowing. The Department also has 12 4-wheel drive trucks used for plowing smaller streets.

If the need arises during a winter storm, the Department also can call upon the Utilities and Parks departments to help supplement the snow removal efforts.

Along with the three loaders, two graders and the help of the manpower and equipment from other departments, the City can put a total of seven loaders, five backhoes and four additional trucks on the road to help remove snow. St. Joseph County does not have as many resources and has a larger area to plow; therefore, it takes the county longer to clear their roads.

Services

The City's leaf pick-up program is completed on a weekly basis every fall, compared with the County's leaf pick-up program, which is done by quadrants.

The City also has an aggressive street sweeping schedule, with all streets swept every 10 days. The County does little street sweeping.

Also, in the event of a wind storm that blows trees into streets, the City can have the street reopened, in most cases, in less than an hour. The county can take six to eight hours, as evidenced by calls from residents on streets just outside the City's boundaries.

Costs Associated with Services

If annexed, the City of Mishawaka Street Department is capable of providing a level of service for the area that is equal to the services currently provided for similar geographic areas within the City of Mishawaka. Given the proximity of the proposed annexation area, bordered to the south by the existing City limits, the Street Department does not require any additional funds than what have been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation. Services will begin within one year of the date of annexation as required by law.

For general information purposes, a copy of the year 2020 budget has been included for reference.

CITY OF MISHAWAKA
2021 BUDGET

CENTRAL SERVICES DEPARTMENT
101-22

1 PERSONAL SERVICES

Salaries and Wages

411-02 Assistant 4 @ 55,624	222,496.00	biweekly 2,139.36
Fleet Maintenance Technician		
6 @ 22.30*2092	279,910.00	
Group 1: 4 @ 21.19*2092	177,318.00	
PT maintenance 1040 hrs @ 11.00	11,440.00	
Reimburse MVH Director - 65,906*5%	<u>3,295.00</u>	
		694,459.00

Other Services Personal

411-60 Overtime	15,000.00	
411-63 Longevity	<u>7,070.00</u>	
		<u>22,070.00</u>
		716,529.00

2 SUPPLIES

Office Supplies

421-90 Office Supplies	2,000.00	
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Operating Supplies

422-02 Gas, Oil, etc.	800,000.00	
422-05 Equipment/ Vehicle/Maint Supplies	110,000.00	

Other Supplies

429-08 Uniform/ Supplies	<u>5,750.00</u>	
		917,750.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-09 Health Screenings/ Vaccines	1,000.00	
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Communication and Transportation

432-03 Travel and Training	1,000.00	
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Repairs and Maintenance

436-01 Building Repair / Equipment/Maint	70,000.00	
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Rentals

437-05 Uniforms	10,000.00	
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Other Services and Charges

439-09 Miscellaneous Charges	<u>1,500.00</u>	
		83,500.00
		<u><u>1,717,779.00</u></u>

CITY OF MISHAWAKA
2021 BUDGET

MOTOR VEHICLE HIGHWAY
201-50

1 PERSONAL SERVICES

Salaries and Wages

		biweekly
411-01 Street Commissioner	65,906.00	2,534.81
411-02 Office Administrator	36,855.00	1,417.49
Office Manager	36,607.00	1,407.93
Group 1: 32 @ 21.19*2092	1,418,543.00	
CS reimburse - 55624* 1.55 for assts.	86,217.00	
		1,644,128.00

Other Services Personal

411-60 Overtime	80,000.00	
411-63 Longevity	18,880.00	
411-64 FTO (Flexible Time Off) Plan	<u>8,000.00</u>	
		106,880.00

Employee Benefits

413-01 Social Security	103,000.00	
413-02 Medicare	24,000.00	
413-03 INPRS 14.2%	235,000.00	
413-04 Unemployment	5,000.00	
413-05 Employee Ins Benefits	600,000.00	
413-06 Life Insurance	1,900.00	
413-08 Deferred Comp Match	<u>10,000.00</u>	
		<u>978,900.00</u>
		2,729,908.00

2 SUPPLIES

Office Supplies

421-90 Office Supplies	1,500.00	
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Other Supplies

429-08 Uniform Supplies	7,000.00	
429-13 Traffic Supplies	<u>35,000.00</u>	
		43,500.00

3 OTHER SERVICE AND CHARGES

Professional Services

431-09 Health Screenings/ Vaccines	5,000.00	
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Communication and Transportation

432-03 Travel and Training	3,000.00	
432-04 Telephone/ Paging	7,500.00	

Printing and Advertising

433-02 Publications	500.00	
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CITY OF MISHAWAKA
2021 BUDGET

MOTOR VEHICLE HIGHWAY
201-50

Rentals

437-05 Uniforms 16,000.00

Other Services and Charges

439-09 Miscellaneous Charges 3,000.00 35,000.00

4 CAPITAL OUTLAYS **MVHR**

Improvements Other than Buildings

442-01 Street Repair 750,000.00
750,000.00
3,558,408.00

LOCAL ROAD AND STREET
202-50

4 CAPITAL OUTLAYS

Improvements other than Buildings

442-04 Sidewalk and Curb Program 300,000.00
50/50 Program 25,000.00
445-02 MVH Equipment 185,000.00
CSD Equipment 42,000.00
552,000.00

WASTE DISPOSAL AND RECYCLING SERVICES

Waste Disposal and Recycling Services

Trash pick-up in the City of Mishawaka is inexpensive and efficient. The monthly fee for single family trash pickup is \$14.86. This includes trash, yard waste and recycling. Residents also are allowed to place up to two large items out each week for removal with their regular trash. Large items could include furniture, appliances, and similar objects that are not readily placed within containers.

A discounted rate of \$12.09 per month is provided for senior citizens.

Similar to the county and other municipalities, trash removal services are not offered to multiple family developments, commercial, or industrial businesses. The waste stream generated from these uses varies widely and usually require private dumpsters. These uses are required to contract for services through private trash contractors. Given that portion of the proposed annexation is an industrial facility; waste disposal will be the responsibility of the property owner with no involvement from the City.

Leaf pick-up and the Organic Center

The leaf pick-up and Christmas tree pick-up programs are done through the City's Street Department. The Organic Center offers recycling for residents of Mishawaka only. Brush, grass and leaves may be brought in, by residents at no charge.

WASTEWATER

Services

Services are provided by the Mishawaka Wastewater Division 24-hours a day. There are at least two operators staffing the facility at all times. Additionally, maintenance technicians can be called in during off-hours to respond to emergencies. The thirty remote sewage lift stations are continuously monitored by radio telemetry.

Facilities

Mishawaka's wastewater treatment plant is a Class IV facility that was recently expanded to provide an average design capacity of 20 million gallons per day (MGD). The peak design capacity is 42 MGD. The plant is designed to operate in the conventional activated sludge mode. Single stage nitrification is achieved in the activated sludge process to convert ammonia to nitrate. Phosphorus is removed both biologically and by chemical precipitation using ferrous chloride. Solids generated in the treatment process are anaerobically digested and mechanically dewatered. These biosolids are land applied on area farm fields for soil conditioning and fertilizing. The treated effluent from the facility is disinfected with sodium hypochlorite, then treated with sodium bisulfite to remove any chlorine residual. The dechlorinated effluent is aerated to add dissolved oxygen.

For the year 2020, an average flow of 9.21 MGD was treated. The average cBOD removal was 98% and the average suspended solids removal was 98%.

Staff

Twenty-six people staff the wastewater utility. There are 5 managers/supervisors, 4 chemists, 9 operators, 6 maintenance technicians, 1 buildings and grounds technician and 1 biosolids technician. At least two operators are on duty at all times.

Support Personnel

The Wastewater Division relies on the Mishawaka Utilities Business Office for support functions such as billing, budget tracking, and customer service. The City's Engineering Division works closely with the Wastewater Division on plan reviews for sewer and lift station additions. Consulting engineering firms are used to design improvements and for comprehensive studies.

Past and Planned Capital Improvements

A \$42 million upgrade was completed in mid 2008 for the wastewater utility. This upgrade was necessary to provide capacity for service area growth and to address the CSO requirements established in Mishawaka's NPDES permit and CSO control regulations. The upgrade increased both the dry weather flow capacity and the plant's capability to treat wet weather flows. Construction began in November 2005 and was substantially complete in June 2008.

The capital improvements increased the wastewater treatment plant's capacity from 12 MGD to 20 MGD. The hydraulic peak capacity increased from 24 MGD to 42 MGD. The scope of the wastewater treatment plant improvements include the following elements:

- Parallel 60-inch interceptor sewer from CSO 009 to treatment plant
- Influent Pump Station Expansion
- Additional Fine Screen
- New Grit Separation and Washing Equipment
- New Scum Concentrating Equipment
- Addition of Two New Grit Removal Tanks
- Addition of Two New Primary Clarifiers
- Addition of Two New Aeration Tanks
- Addition of Two New Final Clarifiers
- Addition of Chlorine Contact Tank
- Conversion From Gaseous Chlorine and Sulfur Dioxide to Liquid Sodium Hypochlorite and Sodium Bisulfite Disinfection
- Rehabilitation of Ferrous Chloride Storage and Feed System
- Addition of two WAS Gravity Belt Thickener
- Addition of a second belt filter press for biosolids dewatering

- New Anaerobic Digester and Rehabilitation of Existing Digesters Including New Covers
- Modifications to the Plant Electrical Feed
- Installation of a high efficiency turbo aeration blower
- New Process Air Blower Equipment
- Administration Building Modifications
- Expansion of Maintenance Facilities
- Site Landscaping

In 2013, the Carriage Lane and Winding Brook lift stations were replaced and stand-by emergency generators were added. The Southampton lift station was upgraded to include a stand-by emergency generator as well.

In 2017, the Oakland St. lift station was replaced. In 2020 the Willow Creek Lift Station was completely re-built following a catastrophic failure of the station.

Construction of miscellaneous plant improvements included replacement of the manual bar screen with a new automated fine screen, improvements the hypochlorite disinfection system, improvements to CSO 009, and replacement of the existing air monitoring systems in the Headworks and Digester Control Buildings was substantially completed in 2019. Also, replacement of the Home St. lift station was completed in 2019.

In 2020 the replacement of the effluent troughs in the 4 west side final clarifiers was completed.

Future capital improvements focusing on the Combined Sewer Overflow Long Term Control Plan will consist mainly of sewer system improvements to convey greater volumes of wet weather flow to the Wastewater Plant for treatment as well as sewer separation.

Statistical Information

Mishawaka's wastewater treatment plant exhibits outstanding performance. For the year 2020 the average removals and effluent concentrations were as follows:

	Percent Removal	Effluent Concentration mg/l
CBOD	98%	<2.3
Total Suspended Solids	98%	<2.5
Phosphorus	87%	0.49
Ammonia Nitrogen	96%	<0.46

During 2020 there were 3 exceedances of NPDES permit effluent mercury limitations. The permit limit for mercury is 3.2 parts per trillion as an annual average over the most recent (rolling) 12 month period. This is a very low limit and treatment plants are not designed specifically for mercury removal. A part per trillion is the equivalent of one inch in sixteen million miles. Compliance with this limit is dependent on controlling discharges of mercury at their source. The Utility instituted a Mercury Minimization Plan to address source control of mercury discharges.

Costs Associated with Services

Mishawaka Utilities Wastewater Division is predominately supported through revenue generated by the rates charged to customers. 2005 was the first full year of construction of the Wastewater Treatment Plant Upgrade and Expansion. The project was completed in June of 2008. The City financed \$41.9 million for the plant improvements through a low interest State Revolving Fund Program loan, which will save considerable interest expense throughout the twenty year life of the loan. The expansion serves the dual purpose of providing capacity for continued growth in the community and cut annual combined sewer overflow (CSO) volume in-half. Because a portion of the expanded capacity will serve growth in the Northwest TIF area, TIF funding has been pledged to the Wastewater Division to assist in funding debt service payments. An annual TIF distribution of \$3.36 million reduces the rate increases necessary to fund the expansion's bond payments.

Residents of St. Joseph County who have access to city sanitary sewer pay the same sewer rate provided to residents of the city. However, Wastewater Utility customers whose premises are served

by the utility and are located within the City limits shall receive a credit applied towards their monthly sewer bill in recognition of the portion of the principal and interest on Wastewater Utility bonds paid by the City from TIF revenues. City sewer facilities are available to the proposed annexation area and will have no impact on the level of service provided by the city. Mishawaka Utilities currently provides a level of service for the area that is equal to the rest of the City. No additional Wastewater Division capital expenditures are required in association with this proposed annexation.

WATER SERVICE

Water Utilities

The Mishawaka Utilities Water Division is a medium-sized public water utility that serves a population and area larger than just the City of Mishawaka. The combined well fields average about 7 million gallons pumped each day, with a peak daily rate of 25 mgd and a maximum capacity of 32 mgd. The water is treated with chlorine, fluoride and phosphate and is regularly and comprehensively tested in accordance with state and federal regulations. The city public water supply consistently exceeds the strict standards set forth by the United States Environmental Protection Agency and the Indiana Department of Environmental Management.

Serving the Proposed Annexation Area

There is a 10" water main fronting the property at 16996 S.R. 23 on the east side of the road. A tap on the water main would need to be done to supply water to the property.

The costs associated with the extension of water service to the individual property, including tap fees, are paid by developer's/property owners, and are not paid by Mishawaka Utilities. For existing properties with wells, a 1-inch copper service line is typically provided to the property line for future connection. Similar to other areas of the city, the customer would be required to pay for the tap in order to use the service. The property owner also would be responsible to run the service from the property line to any future proposed development and install a meter setter in accordance with Water Division standards.

Staff and Services

The Mishawaka Utilities Water Division has a 24-hour emergency answering service line, which calls the supervisor on duty on a cellular telephone. Crews generally report on site within an hour of an emergency. On average, service outages only last about three hours.

There are a total of twenty-nine (29) employees in the Water Division consisting of twenty (20) union employees and nine (9) salaried personnel. An additional administrative staff of four (4) people and an office staff of twenty-three (23) carries out all billing and clerical work for both the electric and water divisions.

The Water Division has twenty-seven (27) vehicles and eight (8) large specialized pieces of equipment to serve the area.

Services to Residents

The Mishawaka Utilities Water Division provides three programs to replace lead services within the City's water system.

1. The Division replaces any lead service that is in need of repair.
2. The Division replaces any lead service to a current customer when the customer replaces the line from the street shut-off to the house.
3. The Division replaces any lead service that is not currently in use by a customer at a reduced cost to customer when a new structure is built.

The Division has no benefits geared strictly toward senior citizens, but it does accept money from the Project Safe program, provided by Real Services. Real Services provides state funds to pay utility bills of low-income families that fall within a certain income range. The low-income families must fill out an application, at the Real Services office, to become eligible for this benefit.

Costs Associated with Services

Mishawaka Utilities Water Division is not supported by tax dollars, but rather through revenue generated by the sales of water to its consumers. All costs associated with providing water service are rate generated. No tax dollars are used to provide this service. If annexed, Mishawaka Utilities is capable of providing a level of service for the area that is equal to the services currently provided within the City.

Annexation Fiscal Plan

PARCEL I

A TRACT OF LAND SITUATE IN SOUTH WEST QUARTER (1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE THREE (3) EAST, COMMENCING SIX HUNDRED SIXTY-SEVEN (667) FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTH WEST QUARTER (1/4) OF SAID SECTION 28; THENCE EAST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE SOUTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET; THENCE WEST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE NORTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET TO THE PLACE OF BEGINNING, CONTAINING FOUR (4) ACRES, MORE OR LESS, AND BEING KNOWN AS LOTS ELEVEN (11), TWELVE (12), THIRTEEN (13) AND FOURTEEN (14) OF CLARA MURRAY'S PROPOSED PLAT.

PARCEL II

A PARCEL OF LAND SITUATE IN THE NORTH WEST QUARTER (NW 1/4) OF THE SOUTH WEST QUARTER (SW 1/4) OF SECTION NUMBER TWENTY-EIGHT (28), TOWNSHIP NUMBER THIRTY-EIGHT (38) NORTH, RANGE NUMBER THREE (3) EAST, BOUNDED BY A LINE RUNNING AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SAID SECTION 28; THENCE SOUTH ALONG THE WEST LINE THEREOF A DISTANCE OF 427 FEET TO THE CENTER LINE OF STATE ROAD NUMBER 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST ALONG THE CENTER LINE OF SAID ROAD A DISTANCE OF 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST A DISTANCE OF 40 FEET FOR THE BEGINNING POINT OF THE HEREIN CONSIDERED; RUNNING THENCE SOUTH 45 DEGREES 50 MINUTES EAST 411.85 FEET; THENCE WEST 358.15 FEET TO A POINT 25 FEET EAST OF THE WEST LINE OF SAID NORTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SAID SECTION; THENCE NORTH ON A LINE PARALLEL WITH SAID WEST LINE, A DISTANCE OF 221.85 FEET TO THE SOUTH LINE OF SAID STATE ROAD NO. 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST ALONG THE SOUTH LINE OF SAID STATE ROAD NO. 23, A DISTANCE OF 90.15 FEET TO THE PLACE OF BEGINNING, AND BEING KNOWN AS LOT NUMBERED TEN (10) ON A SURVEY OF A PART OF LOTS 3 AND 4 IN THE PARTITION OF LANDS OF CHAUNCEY JOHNSON, DECEASED. (COMMON ADDRESS: 16996 S.R. 23, SOUTH BEND, IN 46635)

S.R. 23 RIGHT-OF-WAY

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH SECTIONS LYING IN TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 427 FEET TO THE CENTERLINE OF STATE ROAD 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG THE CENTERLINE OF SAID ROAD, 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST 40 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO KENNETH F. BECHTOLD, AS DESCRIBED IN INSTRUMENT NUMBER 1004730, ST. JOSEPH COUNTY RECORDER, AND BEING THE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 50 MINUTES WEST, ALONG THE NORTHERLY LINE EXTENDED OF SAID BECHTOLD LAND TO THE NORTHWESTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY, TO A POINT LYING NORTH 45 DEGREES 50 MINUTES WEST OF THE NORTHWEST CORNER OF SAID BECHTOLD LAND; THENCE SOUTH 45 DEGREES 50 MINUTES EAST, PARALLEL WITH SAID NORTHERLY LINE EXTENDED, TO SAID NORTHWEST CORNER, ALSO BEING ON THE SOUTHEASTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY, 90.15 FEET TO THE POINT OF BEGINNING.

TAB D - APPENDICES

RESOLUTION NO. 2021-15

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

16996 S.R. 23, South Bend, IN 46635 including the adjacent S.R. 23 public right-of-way, and a vacant parcel to the south.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

PARCEL I

A TRACT OF LAND SITUATE IN SOUTH WEST QUARTER (1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE THREE (3) EAST, COMMENCING SIX HUNDRED SIXTY-SEVEN (667) FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTH WEST QUARTER (1/4) OF SAID SECTION 28; THENCE EAST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE SOUTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET; THENCE WEST SEVEN HUNDRED TWENTY-SEVEN AND FIVE TENTHS (727.5) FEET; THENCE NORTH TWO HUNDRED THIRTY-NINE AND FIFTY-TWO HUNDREDTHS (239.52) FEET TO THE PLACE OF BEGINNING, CONTAINING FOUR (4) ACRES, MORE OR LESS, AND BEING KNOWN AS LOTS ELEVEN (11), TWELVE (12), THIRTEEN (13) AND FOURTEEN (14) OF CLARA MURRAY'S PROPOSED PLAT.

PARCEL II

A PARCEL OF LAND SITUATE IN THE NORTH WEST QUARTER (NW ¼) OF THE SOUTH WEST QUARTER (SW ¼) OF SECTION NUMBER TWENTY-EIGHT (28), TOWNSHIP NUMBER THIRTY-EIGHT (38) NORTH, RANGE NUMBER THREE (3) EAST, BOUNDED BY A LINE RUNNING AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SAID SECTION 28; THENCE SOUTH ALONG THE WEST LINE THEREOF A DISTANCE OF 427 FEET TO THE CENTER LINE OF STATE ROAD NUMBER 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST ALONG THE CENTER LINE OF SAID ROAD A DISTANCE OF 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST A DISTANCE OF 40 FEET FOR THE BEGINNING POINT OF THE HEREIN CONSIDERED; RUNNING THENCE

SOUTH 45 DEGREES 50 MINUTES EAST 411.85 FEET; THENCE WEST 358.15 FEET TO A POINT 25 FEET EAST OF THE WEST LINE OF SAID NORTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SAID SECTION; THENCE NORTH ON A LINE PARALLEL WITH SAID WEST LINE, A DISTANCE OF 221.85 FEET TO THE SOUTH LINE OF SAID STATE ROAD NO. 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST ALONG THE SOUTH LINE OF SAID STATE ROAD NO. 23, A DISTANCE OF 90.15 FEET TO THE PLACE OF BEGINNING, AND BEING KNOWN AS LOT NUMBERED TEN (10) ON A SURVEY OF A PART OF LOTS 3 AND 4 IN THE PARTITION OF LANDS OF CHAUNCEY JOHNSON, DECEASED.

S.R. 23 RIGHT-OF-WAY

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH SECTIONS LYING IN TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 427 FEET TO THE CENTERLINE OF STATE ROAD 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG THE CENTERLINE OF SAID ROAD, 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST 40 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO KENNETH F. BECHTOLD, AS DESCRIBED IN INSTRUMENT NUMBER 1004730, ST. JOSEPH COUNTY RECORDER, AND BEING THE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 50 MINUTES WEST, ALONG THE NORTHERLY LINE EXTENDED OF SAID BECHTOLD LAND TO THE NORTHWESTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY, TO A POINT LYING NORTH 45 DEGREES 50 MINUTES WEST OF THE NORTHWEST CORNER OF SAID BECHTOLD LAND; THENCE SOUTH 45 DEGREES 50 MINUTES EAST, PARALLEL WITH SAID NORTHERLY LINE EXTENDED, TO SAID NORTHWEST CORNER, ALSO BEING ON THE SOUTHEASTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY, 90.15 FEET TO THE POINT OF BEGINNING.

Section II. Following the review of documents prepared by the Department of Planning and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day
of _____, 2021, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____,

2021, at _____ o'clock ____M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2021, at
_____ o'clock ____M.

David A. Wood, Mayor

Appendix "B"
Annexation Ordinance

PETITION #21-10

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. _____

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF
MISHAWAKA, INDIANA, AND PROVIDING ZONING CLASSIFICATION THEREFORE

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and the zoning as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

PARCEL I

A tract of land situate in South West Quarter (1/4) of Section Twenty-eight (28), Township Thirty-eight (38) North, Range Three (3) East, commencing Six Hundred Sixty-seven (667) feet South of the Northwest corner of the South West Quarter (1/4) of said Section 28; thence East Seven Hundred Twenty-seven and Five Tenths (727.5) feet; thence South Two Hundred Thirty-nine and Fifty-two Hundredths (239.52) feet; thence West Seven Hundred Twenty-seven and Five Tenths (727.5) feet; thence North Two Hundred Thirty-nine and Fifty-two Hundredths (239.52) feet to the place of beginning, containing Four (4) acres, more or less, and being known as Lots Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) of Clara Murray's Proposed Plat.

PARCEL II

A parcel of land situate in the North West Quarter (NW ¼) of the South West Quarter (SW ¼) of Section Number Twenty-eight (28), Township Number Thirty-eight (38) North, Range Number Three (3) East, bounded by a line running as follows: Beginning at the Northwest corner of said North West Quarter of the South West Quarter of said Section 28; thence South along the West line thereof a distance of 427 feet to the center line of State Road Number 23 (Edwardsburg Road); thence North 44 degrees 10 minutes East along the center line of said road a distance of 94.15 feet; thence South 45 degrees 50 minutes East a distance of 40 feet for the beginning point of the herein considered; running thence South 45 degrees 50 minutes East 411.85 feet; thence West 358.15 feet to a point 25 feet East of the West line of said North West Quarter of the South West Quarter of said Section; thence North on a line parallel with said West line, a distance of 221.85 feet to the South line of said State Road No. 23; thence North 44 degrees 10 minutes East along the South line of said State Road No. 23, a distance of 90.15 feet to the place of beginning, and being known as Lot Numbered Ten (10) on a survey of a part of Lots 3 and 4 in the Partition of lands of Chauncey Johnson, deceased.

Proposed Ordinance No. _____

Ordinance No. _____

S.R. 23 RIGHT-OF-WAY

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH SECTIONS LYING IN TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 427 FEET TO THE CENTERLINE OF STATE ROAD 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG THE CENTERLINE OF SAID ROAD, 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST 40 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO KENNETH F. BECHTOLD, AS DESCRIBED IN INSTRUMENT NUMBER 1004730, ST. JOSEPH COUNTY RECORDER, AND BEING THE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 50 MINUTES WEST, ALONG THE NORTHERLY LINE EXTENDED OF SAID BECHTOLD LAND TO THE NORTHWESTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY, TO A POINT LYING NORTH 45 DEGREES 50 MINUTES WEST OF THE NORTHWEST CORNER OF SAID BECHTOLD LAND; THENCE SOUTH 45 DEGREES 50 MINUTES EAST, PARALLEL WITH SAID NORTHERLY LINE EXTENDED, TO SAID NORTHWEST CORNER, ALSO BEING ON THE SOUTHEASTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY, 90.15 FEET TO THE POINT OF BEGINNING.

COMMON ADDRESS: 16996 State Road 23

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of K-1 Light Industrial District.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Existing Conditions – The subject property is located along a heavily travelled section of S.R. 23 serving as the major gateway into Mishawaka and South Bend from the northeast part of St. Joseph County. Traffic volumes in the immediate vicinity are expected to remain consistent due to the existing commercial and residential development in northern Mishawaka and St. Joseph County. The property, which currently includes a vacant single-family house and large wooded area, is adjacent to a single family residence to the north; vacant land, single-family residences, and a real estate office to the west; vacant land to the south approved for residential use; and vacant land to the east.
2. Character of Buildings in the Area – The character of buildings and land uses located along the S.R. 23 corridor between Douglas Road and Cleveland Road vary greatly and include commercial, medical, office, and single-family residential land uses. Over the last several years, single-family houses have been razed to accommodate commercial growth.
3. The most desirable/highest and best use – Because of the property's location along a heavily travelled mixed use corridor, the most desirable use for the property is commercial, office, or other non-single family residential use. Although adjacent residential properties are present to the north and west, residential use is not the highest and best use for an existing and transitioning commercial corridor.

Proposed Ordinance No. _____

Ordinance No. _____

4. Conservation of property values – The proposed zoning should not be injurious to the property values in the surrounding area. Landscaping and screening compliant with the light industrial regulations is required to adequately screen the adjacent residentially occupied or zoned properties.
5. Comprehensive Plan – This property is not included within the extents of the Mishawaka 2000 Comprehensive Plan. However, the proposed self-storage facility is reasonably consistent with adjacent and changing land uses along the S.R. 23 corridor.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2021, at _____ o'clock _____.M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2021, at _____ o'clock _____.M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2021, at _____ o'clock _____.M.

David A. Wood, Mayor

1.

2.

Appendix "C"

Tab Rate Chart for the year 2020 payable 2021

Notice is hereby given that the Tax Duplicates for the Taxing Units of St. Joseph County, for the year 2020 payable 2021, are now in the hands of the St. Joseph County Auditor, who is ready to receive the Taxes charged thereon. The following table shows the rate of taxation on each \$100.00 of Taxable Real Estate, Personal Property and Mobile Homes. The first installment will be delinquent after May 10, 2021.

Second installment will be delinquent after November 10, 2021. Michael J. Hamann, Auditor of St. Joseph County.

		71 001	71 002	71 003	71 004	71 005	71 006	71 007	71 008	71 009	71 010	71 011	71 014	71 015	71 016	71 017
		Centre Township	South Bend - Centre	Clay Township	South Bend - Clay	Mishawaka - Clay	Indian Village	Roseland	German Township	South Bend - German	Greene Township	Harris Township	Lincoln Township	Walkerton	Madison Township	Olive Township
Fund	Fund Name															
61	County Rainy Day															
101	County General	0.5310	0.5310	0.5310	0.5310	0.5310	0.5310	0.5310	0.5310	0.5310	0.5310	0.5310	0.5310	0.5310	0.5310	0.5310
124	Cumulative Reassessment	0.0154	0.0154	0.0154	0.0154	0.0154	0.0154	0.0154	0.0154	0.0154	0.0154	0.0154	0.0154	0.0154	0.0154	0.0154
180	Debt Service	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081
702	Highway															
706	LR & S															
720	Major Moves SPC															
790	Cumulative Bridge	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095
792	Major Cumulative Bridge	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
801	Health	0.0198	0.0198	0.0198	0.0198	0.0198	0.0198	0.0198	0.0198	0.0198	0.0198	0.0198	0.0198	0.0198	0.0198	0.0198
1301	Park & Recreation	0.0238	0.0238	0.0238	0.0238	0.0238	0.0238	0.0238	0.0238	0.0238	0.0238	0.0238	0.0238	0.0238	0.0238	0.0238
2391	Cumulative Capital Development	0.0332	0.0332	0.0332	0.0332	0.0332	0.0332	0.0332	0.0332	0.0332	0.0332	0.0332	0.0332	0.0332	0.0332	0.0332
71 1	Total COUNTY	0.6741	0.6741	0.6741	0.6741	0.6741	0.6741	0.6741	0.6741	0.6741	0.6741	0.6741	0.6741	0.6741	0.6741	0.6741
61	Township Rainy Day															
101	Township General			0.0260	0.0260	0.0260	0.0260	0.0260			0.0176	0.0077	0.0700	0.0700	0.0078	0.0554
180	TOWNSHIP DEBT SERVICE										0.0119					
601	Twp Community Bldg			0.0047	0.0047	0.0047	0.0047	0.0047	0.0091	0.0091	0.0017	0.0014			0.0036	0.0064
840	Twp Poor Relief/Twp Assistance										0.2295				0.0789	
1111	Twp Fire															
1181	Twp Fire Bldg Debt Fund															
1190	Twp Cum Fire								0.0045	0.0045					0.0300	
1312	Twp Recreation															0.0009
2120	Township Cemetery															0.0009
8604	Twp Fire Territory General	0.5695		0.2853			0.2853	0.2853	0.2853	0.2853		0.2855				0.5676
8692	Twp Fire Territory Equip Repla	0.0333		0.0278			0.0278	0.0278	0.0278	0.0278		0.0278				0.0320
71 2	Total TOWNSHIP	0.6028	0	0.3438	0.0307	0.0307	0.3438	0.3438	0.3267	0.0136	0.2607	0.5222	0.07	0.07	0.1203	0.6441
61	City/Town Rainy Day															
101	City General		2.6562		2.6562	1.5037		0.4604		2.6562				1.1660		
180	City Debt Service															
181	City/Town Debt Payment															
341	City Fire Pension															
342	City Police Pension															
706	City/Town LR & S							0.1184						0.0291		
708	City MWH					0.1510										
720	City/Town Major Moves Spc															
1301	City Park & Rec		0.6249		0.6249	0.2955				0.6249				0.1952		
1303	City/Town Park															
1380	Park Bond		0.0387		0.0387					0.0387				0.1362		
2120	City Cemetery															
2379	City/Town CO															
2391	City Cum Cap Development		0.0285		0.0285	0.0450		0.0358		0.0285				0.0434		
6290	City Cum Sewer															
8604	City Town Fire Territory Gen												0.3768	0.3768		
8692	City Town Fire Terr Equip Repla												0.0304	0.0304		
71 3	Total CITY/TOWN	0	3.3483	0	3.3483	1.9952	0	0.6146	0	3.3483	0	0	0.4072	1.9771	0	0
22	Referendum-Exempt Operating	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334					
61	School Rainy Day															
180	School Debt Service	0.3027	0.3027	0.3027	0.3027	0.3027	0.3027	0.3027	0.3027	0.3027	0.3027	0.3792	0.4010	0.4010	0.3792	0.6131
186	School Retirement/Pension Debt	0.0048	0.0048	0.0048	0.0048	0.0048	0.0048	0.0048	0.0048	0.0048	0.0048		0.0205	0.0205		
287	Referendum Debt-Exempt Capital	0.0663	0.0663	0.0663	0.0663	0.0663	0.0663	0.0663	0.0663	0.0663	0.0663					0.1512
3101	Education															
3300	Operations	0.7433	0.7433	0.7433	0.7433	0.7433	0.7433	0.7433	0.7433	0.7433	0.7433	0.5410	0.6061	0.6061	0.5410	0.6602
71 4	Total SCHOOL	1.4505	1.4505	1.4505	1.4505	1.4505	1.4505	1.4505	1.4505	1.4505	1.4505	0.9202	1.0276	1.0276	0.9202	1.4245
61	Rainy Day															
101	Library General	0.2885	0.2885	0.2885	0.2885	0.2885	0.2885	0.2885	0.2885	0.2885	0.2885	0.1290	0.0893	0.0893		0.2829
180	Library Debt Service	0.0292	0.0292	0.0292	0.0292	0.0292	0.0292	0.0292	0.0292	0.0292	0.0292	0.0172	0.0720	0.0720		0.0290
283	LIBRARY LIR PAYMENT															
2011	Library LIRF															
71 5	Total LIBRARY	0.3177	0.3177	0.3177	0.3177	0.3177	0.3177	0.3177	0.3177	0.3177	0.3177	0.1462	0.1613	0.1613	0	0.3119
8001	So Bend Transpo		0.1123		0.1123	0.1123					0.1123					
8090	So Bend Transpo Spec Tran Cum															
8101	Airport Authority General	0.0302	0.0302	0.0302	0.0302	0.0302	0.0302	0.0302	0.0302	0.0302	0.0302	0.0302	0.0302	0.0302	0.0302	0.0302
8180	Airport Sp Airport Debt															
8190	Airport Authority Cum Bldg	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133
8210	Sp Solid Waste Ma															
71 6	Total SPECIAL UNIT	0.0435	0.1558	0.0435	0.1558	0.1558	0.0435	0.0435	0.0435	0.1558	0.0435	0.0435	0.0435	0.0435	0.0435	0.0435
	Total Tax Rates (Less Conveyance)	3.0886	5.9464	2.8296	5.9771	4.624	2.8296	3.4442	2.8125	5.96	2.7465	2.1062	2.3837	3.9536	1.7581	3.1181

Property Tax System

02/17/2021 04:14 PM by Kgregori

1. Clay Township Tax Rates -
Prior to Annexation

2. Mishawaka - Clay Tax Rates -
Post Annexation

Appendix "D"
Indebtedness of St. Joseph County

St. Joseph County

Submitted to the State on

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: Mental Health Revenue Refunding Bonds, Series 2012 (Limited Tax)

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number: 79062V

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 5-1-5 and 36-2-6-18

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y

Applicable Issuer: St. Joseph County, Indiana

Current Debt Limit: \$53,332,514.00

Current Debt Capacity (after issuance of this debt): \$41,332,514.00

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution:

Date of Appropriation Resolution:

Date of Debt Sale: 9/13/2012

Date of Debt Closing: 9/27/2012

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other (Mental Health Property Tax Levy) : Primary

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? Yes

Purpose/Cost

Purpose of Debt: Current refunding of outstanding Economic Development Refunding Revenue Bonds, Series 1997

Total Project Cost: \$4,355,660.76

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
10/30/2012	\$0	0.00	\$0	\$0		\$0				\$4,080,000
2/15/2013	\$170,000	2.00	\$38,103	\$208,103		\$208,103				\$3,910,000
8/15/2013	\$225,000	2.00	\$48,000	\$273,000		\$0				\$3,685,000
2/15/2014	\$225,000	2.00	\$45,750	\$270,750		\$543,750				\$3,460,000
8/15/2014	\$225,000	2.00	\$43,500	\$268,500		\$0				\$3,235,000
2/15/2015	\$235,000	2.00	\$41,250	\$276,250		\$544,750				\$3,000,000
8/15/2015	\$235,000	2.00	\$38,900	\$273,900		\$0				\$2,765,000
2/15/2016	\$235,000	3.00	\$36,550	\$271,550		\$545,450				\$2,530,000
8/15/2016	\$235,000	2.00	\$33,025	\$268,025		\$0				\$2,295,000
2/15/2017	\$250,000	2.00	\$30,675	\$280,675		\$548,700				\$2,045,000
8/15/2017	\$250,000	2.00	\$28,175	\$278,175		\$0				\$1,795,000

2/15/2018	\$250,000	2.50	\$25,675	\$275,675		\$553,850				\$1,545,000
8/15/2018	\$250,000	2.50	\$22,550	\$272,550		\$0				\$1,295,000
2/15/2019	\$250,000	3.00	\$19,425	\$269,425		\$541,975				\$1,045,000
8/15/2019	\$255,000	3.00	\$15,675	\$270,675		\$0				\$790,000
2/15/2020	\$260,000	3.00	\$11,850	\$271,850		\$542,525				\$530,000
8/15/2020	\$265,000	3.00	\$7,950	\$272,950		\$0				\$265,000
2/15/2021	\$265,000	3.00	\$3,975	\$268,975		\$541,925				\$0
Total	\$4,080,000		\$491,028	\$4,571,028		\$4,571,028				

Notes

St. Joseph County

Submitted to the State on

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: Economic Development Income Tax Revenue Bonds of 2014

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number: 790607

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 6-3.5-7

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y

Applicable Issuer: St. Joseph County

Current Debt Limit: \$52,426,723.00

Current Debt Capacity (after issuance of this debt): \$35,171,723.00

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 9/16/2014

Date of Appropriation Resolution:

Date of Debt Sale: 12/11/2014

Date of Debt Closing: 12/30/2014

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: Primary

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Construct a new Public Safety Answering Point and renovate existing facility to serve as a backup

Total Project Cost: \$9,155,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received: 11/18/2014

Date Construction Started: 9/30/2014

Estimated Date of Substantial Completion: 9/30/2015

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
6/30/2015	\$210,000	2.00	\$131,866	\$341,866						\$8,945,000
12/31/2015	\$215,000	2.00	\$129,766	\$344,766		\$686,631				\$8,730,000
6/30/2016	\$215,000	2.00	\$127,616	\$342,616						\$8,515,000
12/31/2016	\$220,000	2.00	\$125,466	\$345,466		\$688,081				\$8,295,000
6/30/2017	\$220,000	2.00	\$123,266	\$343,266						\$8,075,000
12/31/2017	\$225,000	2.00	\$121,066	\$346,066		\$689,331				\$7,850,000
6/30/2018	\$225,000	2.00	\$118,816	\$343,816						\$7,625,000
12/31/2018	\$225,000	2.00	\$116,566	\$341,566		\$685,381				\$7,400,000
6/30/2019	\$230,000	2.00	\$114,316	\$344,316						\$7,170,000
12/31/2019	\$230,000	2.00	\$112,016	\$342,016		\$686,331				\$6,940,000
6/30/2020	\$235,000	2.00	\$109,716	\$344,716						\$6,705,000

12/31/2020	\$235,000	2.00	\$107,366	\$342,366		\$687,081			\$6,470,000
6/30/2021	\$240,000	3.00	\$105,016	\$345,016					\$6,230,000
12/31/2021	\$240,000	3.00	\$101,416	\$341,416		\$686,431			\$5,990,000
6/30/2022	\$245,000	3.00	\$97,816	\$342,816					\$5,745,000
12/31/2022	\$250,000	3.00	\$94,141	\$344,141		\$686,956			\$5,495,000
6/30/2023	\$255,000	3.00	\$90,391	\$345,391					\$5,240,000
12/31/2023	\$255,000	3.00	\$86,566	\$341,566		\$686,956			\$4,985,000
6/30/2024	\$260,000	3.00	\$82,741	\$342,741					\$4,725,000
12/31/2024	\$265,000	3.00	\$78,841	\$343,841		\$686,581			\$4,460,000
6/30/2025	\$190,000	3.00	\$74,866	\$264,866					\$4,270,000
12/31/2025	\$195,000	3.00	\$72,016	\$267,016		\$531,881			\$4,075,000
6/30/2026	\$200,000	3.00	\$69,091	\$269,091					\$3,875,000
12/31/2026	\$200,000	3.00	\$66,091	\$266,091		\$535,181			\$3,675,000
6/30/2027	\$205,000	3.13	\$63,091	\$268,091					\$3,470,000
12/31/2027	\$205,000	3.13	\$59,888	\$264,888		\$532,978			\$3,265,000
6/30/2028	\$210,000	3.25	\$56,684	\$266,684					\$3,055,000
12/31/2028	\$215,000	3.25	\$53,272	\$268,272		\$534,956			\$2,840,000
6/30/2029	\$215,000	3.38	\$49,778	\$264,778					\$2,625,000
12/31/2029	\$220,000	3.38	\$46,150	\$266,150		\$530,928			\$2,405,000
6/30/2030	\$225,000	3.38	\$42,438	\$267,438					\$2,180,000
12/31/2030	\$225,000	3.38	\$38,641	\$263,641		\$531,078			\$1,955,000
6/30/2031	\$230,000	3.50	\$34,844	\$264,844					\$1,725,000
12/31/2031	\$235,000	3.50	\$30,819	\$265,819		\$530,663			\$1,490,000
6/30/2032	\$240,000	3.50	\$26,706	\$266,706					\$1,250,000
12/31/2032	\$240,000	3.50	\$22,506	\$262,506		\$529,213			\$1,010,000
6/30/2033	\$245,000	3.63	\$18,306	\$263,306					\$765,000
12/31/2033	\$250,000	3.63	\$13,866	\$263,866		\$527,172			\$515,000
6/30/2034	\$255,000	3.63	\$9,334	\$264,334					\$260,000
12/31/2034	\$260,000	3.63	\$4,713	\$264,713		\$529,047			\$0
Total	\$9,155,000		\$3,027,870	\$12,182,870		\$12,182,857			

Notes

St. Joseph County

Submitted to the State on Friday, February 17, 2017

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District, Special Taxing District Bonds of 2016

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number: 79062M

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized: I.C. 36-7-14 & I.C. 36-7-25

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y

Applicable Issuer: St. Joseph County Redevelopment District

Current Debt Limit: \$28,513,058.00

Current Debt Capacity (after issuance of this debt): \$15,333,058.00

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s): Tri-County News and South Bend Tribune

Date of Public Hearing: 7/1/2016

Date of Final Approval/Lease Execution:

Date of Appropriation Resolution: 7/12/2016

Date of Debt Sale: 11/21/2016

Date of Debt Closing: 11/30/2016

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Provide funds to finance various improvements in or serving the NewCarlisle EconomicDevelopmentArea

Total Project Cost: \$9,197,753.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
8/1/2017			\$196,716	\$196,716						\$8,730,000
2/1/2018			\$146,925	\$146,925		\$343,641				\$8,730,000
8/1/2018			\$146,925	\$146,925						\$8,730,000
2/1/2019	\$565,000	3.00	\$146,925	\$711,925		\$858,850				\$8,165,000
8/1/2019			\$138,450	\$138,450						\$8,165,000
2/1/2020	\$490,000	3.00	\$138,450	\$628,450		\$766,900				\$7,675,000
8/1/2020			\$131,100	\$131,100						\$7,675,000
2/1/2021	\$505,000	3.00	\$131,100	\$636,100		\$767,200				\$7,170,000
8/1/2021			\$123,525	\$123,525						\$7,170,000
2/1/2022	\$520,000	3.00	\$123,525	\$643,525		\$767,050				\$6,650,000
8/1/2022			\$115,725	\$115,725						\$6,650,000

2/1/2023	\$535,000	3.00	\$115,725	\$650,725		\$766,450			\$6,115,000
8/1/2023			\$107,700	\$107,700					\$6,115,000
2/1/2024	\$550,000	3.00	\$107,700	\$657,700		\$765,400			\$5,565,000
8/1/2024			\$99,450	\$99,450					\$5,565,000
2/1/2025	\$565,000	3.00	\$99,450	\$664,450		\$763,900			\$5,000,000
8/1/2025			\$90,975	\$90,975					\$5,000,000
2/1/2026	\$585,000	3.00	\$90,975	\$675,975		\$766,950			\$4,415,000
8/1/2026			\$82,200	\$82,200					\$4,415,000
2/1/2027	\$600,000	3.00	\$82,200	\$682,200		\$764,400			\$3,815,000
8/1/2027			\$73,200	\$73,200					\$3,815,000
2/1/2028	\$620,000	3.00	\$73,200	\$693,200		\$766,400			\$3,195,000
8/1/2028			\$63,900	\$63,900					\$3,195,000
2/1/2029	\$265,000	4.00	\$63,900	\$328,900		\$392,800			\$2,930,000
8/1/2029			\$58,600	\$58,600					\$2,930,000
2/1/2030	\$275,000	4.00	\$58,600	\$333,600		\$392,200			\$2,655,000
8/1/2030			\$53,100	\$53,100					\$2,655,000
2/1/2031	\$290,000	4.00	\$53,100	\$343,100		\$396,200			\$2,365,000
8/1/2031			\$47,300	\$47,300					\$2,365,000
2/1/2032	\$300,000	4.00	\$47,300	\$347,300		\$394,600			\$2,065,000
8/1/2032			\$41,300	\$41,300					\$2,065,000
2/1/2033	\$310,000	4.00	\$41,300	\$351,300		\$392,600			\$1,755,000
8/1/2033			\$35,100	\$35,100					\$1,755,000
2/1/2034	\$325,000	4.00	\$35,100	\$360,100		\$395,200			\$1,430,000
8/1/2034			\$28,600	\$28,600					\$1,430,000
2/1/2035	\$335,000	4.00	\$28,600	\$363,600		\$392,200			\$1,095,000
8/1/2035			\$21,900	\$21,900					\$1,095,000
2/1/2036	\$350,000	4.00	\$21,900	\$371,900		\$393,800			\$745,000
8/1/2036			\$14,900	\$14,900					\$745,000
2/1/2037	\$365,000	4.00	\$14,900	\$379,900		\$394,800			\$380,000
8/1/2037			\$7,600	\$7,600					\$380,000
2/1/2038	\$380,000	4.00	\$7,600	\$387,600		\$395,200			\$0
Total	\$8,730,000		\$3,306,741	\$12,036,741		\$12,036,741			

Notes

St. Joseph County

Submitted to the State on Thursday, April 12, 2018

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2017 General Obligation (Guaranteed Energy Savings) Bonds

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number:

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y

Applicable Issuer: Saint Joseph County

Current Debt Limit: \$54,674,687.00

Current Debt Capacity (after issuance of this debt): \$44,174,687.00

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing: 8/8/2017

Date of Final Approval/Lease Execution: 8/15/2017

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 10/12/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wastewater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Capital improvements to County facilities for energy savings

Total Project Cost: \$10,574,935.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
12/30/2017	\$0	2.00	\$53,062	\$53,062		\$53,062	\$0			\$10,500,000
6/30/2018	\$260,000	2.00	\$122,450	\$382,450			\$0			\$10,240,000
12/30/2018	\$315,000	2.00	\$119,850	\$434,850		\$817,300	\$0			\$9,925,000
6/30/2019	\$320,000	2.00	\$116,700	\$436,700			\$0			\$9,605,000
12/30/2019	\$325,000	2.00	\$113,500	\$438,500		\$875,200	\$0			\$9,280,000
6/30/2020	\$325,000	2.00	\$110,250	\$435,250			\$0			\$8,955,000
12/30/2020	\$330,000	2.00	\$107,000	\$437,000		\$872,250	\$0			\$8,625,000
6/30/2021	\$330,000	2.00	\$103,700	\$433,700			\$0			\$8,295,000
12/30/2021	\$335,000	2.00	\$100,400	\$435,400		\$869,100	\$0			\$7,960,000
6/30/2022	\$340,000	2.00	\$97,050	\$437,050			\$0			\$7,620,000
12/30/2022	\$345,000	2.00	\$93,650	\$438,650		\$875,700	\$0			\$7,275,000
6/30/2023	\$345,000	2.00	\$90,200	\$435,200			\$0			\$6,930,000

12/30/2023	\$350,000	2.00	\$86,750	\$436,750		\$871,950	\$0		\$6,580,000
6/30/2024	\$355,000	2.00	\$83,250	\$438,250			\$0		\$6,225,000
12/30/2024	\$355,000	2.00	\$79,700	\$434,700		\$872,950	\$0		\$5,870,000
6/30/2025	\$360,000	2.00	\$76,150	\$436,150			\$0		\$5,510,000
12/30/2025	\$365,000	2.00	\$72,550	\$437,550		\$873,700	\$0		\$5,145,000
6/30/2026	\$365,000	2.13	\$68,900	\$433,900			\$0		\$4,780,000
12/30/2026	\$370,000	2.25	\$65,022	\$435,022		\$868,922	\$0		\$4,410,000
6/30/2027	\$375,000	2.38	\$60,859	\$435,859			\$0		\$4,035,000
12/30/2027	\$380,000	2.38	\$56,406	\$436,406		\$872,266	\$0		\$3,655,000
6/30/2028	\$385,000	2.50	\$51,894	\$436,894			\$0		\$3,270,000
12/30/2028	\$390,000	2.50	\$47,082	\$437,082		\$873,975	\$0		\$2,880,000
6/30/2029	\$395,000	2.75	\$42,206	\$437,206			\$0		\$2,485,000
12/30/2029	\$400,000	2.75	\$36,775	\$436,775		\$873,981	\$0		\$2,085,000
6/30/2030	\$405,000	3.00	\$31,275	\$436,275			\$0		\$1,680,000
12/30/2030	\$410,000	3.00	\$25,200	\$435,200		\$871,475	\$0		\$1,270,000
6/30/2031	\$415,000	3.00	\$19,050	\$434,050			\$0		\$855,000
12/30/2031	\$425,000	3.00	\$12,825	\$437,825		\$871,875	\$0		\$430,000
6/30/2032	\$430,000	3.00	\$6,450	\$436,450		\$436,450	\$0		\$0
Total	\$10,500,000		\$2,150,156	\$12,650,156		\$12,650,156	\$0		

Notes

2017 GO Energy Savings Bond. Closed 10/12/17. Gateway debt unlocked and information updated on 4/12/18.

St. Joseph County

Submitted to the State on Thursday, October 19, 2017

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2015 PSAP Equipment Lease (US Bank)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 3/31/2015
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 3/31/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other (PSAP Charges) : Primary

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology and Equipment for a 911 Center

Total Project Cost: \$12,000,000.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
6/30/2015	\$601,375	2.22	\$67,188					\$668,563		\$11,398,625
12/31/2015	\$542,324	2.22	\$126,240			\$1,337,127		\$668,563		\$10,856,301
6/30/2016	\$548,329	2.22	\$120,234					\$668,563		\$10,307,972
12/31/2016	\$554,403	2.22	\$114,161			\$1,337,127		\$668,563		\$9,753,569
6/30/2017	\$560,543	2.22	\$108,021					\$668,563		\$9,193,026
12/31/2017	\$566,751	2.22	\$101,813			\$1,337,127		\$668,563		\$8,626,275
6/30/2018	\$573,027	2.22	\$95,536					\$668,563		\$8,053,248
12/31/2018	\$579,374	2.22	\$89,190			\$1,337,127		\$668,563		\$7,473,874
6/30/2019	\$585,790	2.22	\$82,773					\$668,563		\$6,888,084
12/31/2019	\$592,278	2.22	\$76,286			\$1,337,127		\$668,563		\$6,295,806
6/30/2020	\$598,838	2.22	\$69,724					\$668,571		\$5,696,968
12/31/2020	\$605,469	2.22	\$63,094			\$1,337,125		\$668,563		\$5,091,499

6/30/2021	\$612,175	2.22	\$56,388					\$668,563		\$4,479,324
12/31/2021	\$618,955	2.22	\$49,609			\$1,337,127		\$668,563		\$3,860,369
6/30/2022	\$625,810	2.22	\$42,754					\$668,563		\$3,234,559
12/31/2022	\$632,741	2.22	\$35,823			\$1,337,127		\$668,563		\$2,601,818
6/30/2023	\$639,748	2.22	\$28,815					\$668,563		\$1,962,070
12/31/2023	\$646,833	2.22	\$21,730			\$1,337,127		\$668,563		\$1,315,237
6/30/2014	\$653,997	2.22	\$14,566					\$668,563		\$661,240
12/30/2014	\$661,240	2.22	\$7,323			\$1,337,127		\$668,563		\$0
Total	\$12,000,000		\$1,371,268			\$13,371,268		\$13,371,268		

Notes

2015 PSAP Equipment and Technology Lease. US Bank. \$12,000,000 original principal amount.

St. Joseph County

Submitted to the State on Wednesday, November 15, 2017

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2017 PSAP US Bank Technology Lease Amendment

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 11/14/2017

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 11/14/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wastewater Revenues: No

Grant Revenue: No

Other (PSAP Charges for Services) : Primary

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology Improvements at County 911 Center

Total Project Cost: \$2,500,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
5/16/2018	\$111,034	2.46	\$30,713					\$141,747		\$2,388,966
11/16/2018	\$112,398	2.46	\$29,348			\$283,494		\$141,747		\$2,276,568
5/16/2019	\$113,779	2.46	\$27,968					\$141,747		\$2,162,789
11/16/2019	\$115,177	2.46	\$26,570			\$283,494		\$141,747		\$2,047,612
5/16/2020	\$116,592	2.46	\$25,155					\$141,747		\$1,931,020
11/16/2020	\$118,024	2.46	\$23,723			\$283,494		\$141,747		\$1,812,996
5/16/2021	\$119,474	2.46	\$22,273					\$141,747		\$1,693,522
11/16/2021	\$120,942	2.46	\$20,805			\$283,494		\$141,747		\$1,572,580
5/16/2022	\$122,428	2.46	\$19,319					\$141,747		\$1,450,152
11/16/2022	\$123,932	2.46	\$17,815			\$283,494		\$141,747		\$1,326,220
5/16/2023	\$125,454	2.46	\$16,293					\$141,747		\$1,200,766
11/16/2023	\$126,996	2.46	\$14,751			\$283,494		\$141,747		\$1,073,770

5/16/2024	\$128,556	2.46	\$13,191					\$141,747		\$945,214
11/16/2024	\$130,135	2.46	\$11,612			\$283,494		\$141,747		\$815,079
5/16/2025	\$131,734	2.46	\$10,013					\$141,747		\$683,345
11/16/2025	\$133,352	2.46	\$8,395			\$283,494		\$141,747		\$549,993
5/16/2026	\$134,990	2.46	\$6,757					\$141,747		\$415,003
11/16/2026	\$136,659	2.46	\$5,098			\$283,494		\$141,747		\$278,344
5/16/2027	\$138,327	2.46	\$3,420					\$141,747		\$140,017
11/16/2027	\$140,017	2.46	\$1,730			\$283,494		\$141,747		\$0
Total	\$2,500,000		\$334,949			\$2,834,940		\$2,834,940		

Notes

2017 PSAP Technology Lease Amendment in the amount of \$2,500,000 with U.S. Bank. Approved by Commissioners on 11/14/17.

St. Joseph County

Submitted to the State on Monday, January 22, 2018

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal)

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination: 1/7/2015

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 5/1/2015

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 5/27/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other (Company Guarantee) : Primary

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: General Sheet Metal Expenditures

Total Project Cost: \$3,300,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
2/1/2016		3.00	\$67,100	\$67,100	\$67,100					\$3,300,000
8/1/2016		3.00	\$49,500	\$49,500	\$49,500	\$116,600				\$3,300,000
2/1/2017		3.00	\$49,500	\$49,500	\$49,500					\$3,300,000
8/1/2017		3.00	\$49,500	\$49,500	\$49,500	\$99,000				\$3,300,000
2/1/2018		3.00	\$49,500	\$49,500	\$49,500					\$3,300,000
8/1/2018	\$90,000	3.00	\$49,500	\$139,500	\$0	\$189,000				\$3,210,000
2/1/2019	\$100,000	3.00	\$48,150	\$148,150	\$0					\$3,110,000
8/1/2019	\$105,000	3.00	\$46,650	\$151,650	\$0	\$299,800				\$3,005,000
2/1/2020	\$105,000	3.00	\$45,075	\$150,075	\$0					\$2,900,000
8/1/2020	\$105,000	3.00	\$43,500	\$148,500	\$0	\$298,575				\$2,795,000
2/1/2021	\$110,000	3.00	\$41,925	\$151,925	\$0					\$2,685,000
8/1/2021	\$110,000	3.00	\$40,275	\$150,275	\$0	\$302,200				\$2,575,000

2/1/2022	\$110,000	3.00	\$38,625	\$148,625	\$0					\$2,465,000
8/1/2022	\$115,000	3.00	\$36,975	\$151,975	\$0	\$300,600				\$2,350,000
2/1/2023	\$120,000	3.00	\$35,250	\$155,250	\$0					\$2,230,000
8/1/2023	\$135,000	3.00	\$33,450	\$168,450	\$0	\$323,700				\$2,095,000
2/1/2024	\$135,000	3.00	\$31,425	\$166,425	\$0					\$1,960,000
8/1/2024	\$135,000	3.00	\$29,400	\$164,400	\$0	\$330,825				\$1,825,000
2/1/2025	\$140,000	3.00	\$27,375	\$167,375	\$0					\$1,685,000
8/1/2025	\$140,000	3.00	\$25,275	\$165,275	\$0	\$332,650				\$1,545,000
2/1/2026	\$145,000	3.00	\$23,175	\$168,175	\$0					\$1,400,000
8/1/2026	\$145,000	3.00	\$21,000	\$166,000	\$0	\$334,175				\$1,255,000
2/1/2027	\$150,000	3.00	\$18,825	\$168,825	\$0					\$1,105,000
8/1/2027	\$150,000	3.00	\$16,575	\$166,575	\$0	\$335,400				\$955,000
2/1/2028	\$155,000	3.00	\$14,325	\$169,325	\$0					\$800,000
8/1/2028	\$155,000	3.00	\$12,000	\$167,000	\$0	\$336,325				\$645,000
2/1/2029	\$160,000	3.00	\$9,675	\$169,675	\$0					\$485,000
8/1/2029	\$160,000	3.00	\$7,275	\$167,275	\$0	\$336,950				\$325,000
2/1/2030	\$160,000	3.00	\$4,875	\$164,875	\$0					\$165,000
8/1/2030	\$165,000	3.00	\$2,475	\$167,475	\$0	\$332,350				\$0
Total	\$3,300,000		\$968,150	\$4,268,150	\$265,100	\$4,268,150				

Notes

Debt Schedule No. 15 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal).

St. Joseph County

Submitted to the State on Monday, February 11, 2019

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2019 Motorola PSAP CAD System Capital Lease

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 1/15/2019

Date of Appropriation Resolution:

Date of Debt Sale: 1/15/2019

Date of Debt Closing: 1/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: New PSAP 911 CAD System

Total Project Cost: \$2,976,131.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received: 8/24/2018

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
2/1/2020	\$377,837	3.91	\$116,367			\$494,204		\$494,204		\$2,598,294
2/1/2021	\$392,611	3.91	\$101,593			\$494,204		\$494,204		\$2,205,683
2/1/2022	\$407,962	3.91	\$86,242			\$494,204		\$494,204		\$1,797,721
2/1/2023	\$423,913	3.91	\$70,291			\$494,204		\$494,204		\$1,373,802
2/1/2024	\$440,488	3.91	\$53,716			\$494,204		\$494,204		\$933,319
2/1/2025	\$457,711	3.91	\$36,493			\$494,204		\$494,204		\$475,608
2/1/2026	\$475,608	3.91	\$18,596			\$494,204		\$494,204		\$0
Total	\$2,976,130		\$483,298			\$3,459,428		\$3,459,428		

Notes

Debt Schedule No. 25

2019 Motorola PSAP Lease

Approved by PSAP Executive Board on 12/14/18

Approved by County Commissioners on 12/15/19

St. Joseph County

Submitted to the State on Thursday, October 24, 2019

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District Special Taxing District Bonds of 2019 (SS Double Tracking)

Debt Status: Outstanding

Type of Indebtedness: Bond

Base CUSIP Number: 79062M

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-7-14 and 36-7-25

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y

Applicable Issuer: St. Joseph County Redevelopment District

Current Debt Limit: \$33,579,426.00

Current Debt Capacity (after issuance of this debt): \$16,039,426.00

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 8/13/2019

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 10/17/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Finance a portion of County's share of the South Shore Double Tracking Project

Total Project Cost: \$9,508,859.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
8/1/2020			\$213,740			\$213,740				\$9,375,000
2/1/2021			\$135,469							\$9,375,000
8/1/2021			\$135,469			\$270,938				\$9,375,000
2/1/2022			\$135,469							\$9,375,000
8/1/2022			\$135,469			\$270,938				\$9,375,000
2/1/2023			\$135,469							\$9,375,000
8/1/2023			\$135,469			\$270,938				\$9,375,000
2/1/2024			\$135,469							\$9,375,000
8/1/2024			\$135,469			\$270,938				\$9,375,000
2/1/2025			\$135,469							\$9,375,000
8/1/2025			\$135,469			\$270,938				\$9,375,000

2/1/2026			\$135,469						\$9,375,000
8/1/2026			\$135,469			\$270,938			\$9,375,000
2/1/2027			\$135,469						\$9,375,000
8/1/2027			\$135,469			\$270,938			\$9,375,000
2/1/2028			\$135,469						\$9,375,000
8/1/2028			\$135,469			\$270,938			\$9,375,000
2/1/2029			\$135,469						\$9,375,000
8/1/2029			\$135,469			\$270,938			\$9,375,000
2/1/2030			\$135,469						\$9,375,000
8/1/2030			\$135,469			\$270,938			\$9,375,000
2/1/2031			\$135,469						\$9,375,000
8/1/2031			\$135,469			\$270,938			\$9,375,000
2/1/2032			\$135,469						\$9,375,000
8/1/2032			\$135,469			\$270,938			\$9,375,000
2/1/2033			\$135,469						\$9,375,000
8/1/2033			\$135,469			\$270,938			\$9,375,000
2/1/2034	\$750,000		\$135,469						\$8,625,000
8/1/2034			\$124,219			\$1,009,688			\$8,625,000
2/1/2035	\$800,000		\$124,219						\$7,825,000
8/1/2035			\$112,219			\$1,036,438			\$7,825,000
2/1/2036	\$2,475,000		\$112,219						\$5,350,000
8/1/2036			\$75,094			\$2,662,313			\$5,350,000
2/1/2037	\$2,600,000		\$75,094						\$2,750,000
8/1/2037			\$36,094			\$2,711,188			\$2,750,000
2/1/2038	\$2,750,000		\$36,094			\$2,786,094			\$0
Total	\$9,375,000		\$4,566,655			\$13,941,655			

Notes

Debt Schedule No. 32 - 2019 Redevelopment South Shore Double Tracking Bond. County Share. Closing on October 17, 2019. Financial advisor - Cender & Company. Bond Counsel - Barnes & Thornburg and Thorne Grodnik.

St. Joseph County

Submitted to the State on Thursday, October 24, 2019

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2019 U.S. Bank Police Radio Lease

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 7/2/2019

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 8/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of radios for the police department
Total Project Cost: \$1,760,003.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
2/15/2020	\$115,840	2.49	\$21,947	\$137,787				\$137,787		\$1,644,163
8/15/2020	\$117,285	2.49	\$20,502	\$137,787		\$275,574		\$137,787		\$1,526,878
2/15/2021	\$118,747	2.49	\$19,040	\$137,787				\$137,787		\$1,408,131
8/15/2021	\$120,228	2.49	\$17,559	\$137,787		\$275,574		\$137,787		\$1,287,903
2/15/2022	\$121,727	2.49	\$16,060	\$137,787				\$137,787		\$1,166,176
8/15/2022	\$123,245	2.49	\$14,542	\$137,787		\$275,574		\$137,787		\$1,042,931
2/15/2023	\$124,782	2.49	\$13,005	\$137,787				\$137,787		\$918,149
8/15/2023	\$126,338	2.49	\$11,449	\$137,787		\$275,574		\$137,787		\$791,811
2/15/2024	\$127,914	2.49	\$9,874	\$137,787				\$137,787		\$663,897
8/15/2024	\$129,509	2.49	\$8,279	\$137,787		\$275,574		\$137,787		\$534,388
2/15/2025	\$131,124	2.49	\$6,664	\$137,787				\$137,787		\$403,264
8/15/2025	\$132,759	2.49	\$5,029	\$137,787		\$275,574		\$137,787		\$270,505

2/15/2026	\$134,414	2.49	\$3,373	\$137,787				\$137,787		\$136,091
8/15/2026	\$136,091	2.49	\$1,699	\$137,794		\$275,581		\$137,794		\$0
Total	\$1,760,003		\$169,022	\$1,929,025		\$1,929,025		\$1,929,025		

Notes

Debt Schedule No. 30. U.S. Bank Capital Lease for police radios. seven years. 14 semi-annual payments.

St. Joseph County

Submitted to the State on Friday, October 25, 2019

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2019 U.S. Bank Election Equipment Lease

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 7/2/2019

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 7/19/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
----------------	-----------	--------	--------

Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of new election equipment

Total Project Cost: \$2,500,000.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
1/15/2020	\$235,946	2.56	\$31,975	\$267,921				\$267,921		\$2,264,054
7/15/2020	\$238,964	2.56	\$28,957	\$267,921		\$535,842		\$267,921		\$2,025,090
1/15/2021	\$242,021	2.56	\$25,901	\$267,921				\$267,921		\$1,783,069
7/15/2021	\$245,116	2.56	\$22,805	\$267,921		\$535,842		\$267,921		\$1,537,953
1/15/2022	\$248,251	2.56	\$19,670	\$267,921				\$267,921		\$1,289,702
7/15/2022	\$251,426	2.56	\$16,495	\$267,921		\$535,842		\$267,921		\$1,038,276
1/15/2023	\$254,642	2.56	\$13,280	\$267,921				\$267,921		\$783,634
7/15/2023	\$257,899	2.56	\$10,023	\$267,921		\$535,842		\$267,921		\$525,735
1/15/2024	\$261,197	2.56	\$6,724	\$267,921				\$267,921		\$264,538
7/15/2024	\$264,538	2.56	\$3,384	\$267,925		\$535,846		\$267,925		\$0
Total	\$2,500,000		\$179,214	\$2,679,214		\$2,679,214		\$2,679,214		

Notes

Debt Schedule No. 31. 2019 U.S. Bank Election Equipment Lease. 5-year lease. Paid with Cumulative Capital Development Fund. Vendor RBM Consulting.

St. Joseph County

Submitted to the State on Saturday, January 16, 2021

Report printed on Tuesday, July 13, 2021

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Basic Debt Information

Debt Name: 2020 Ducomb Center Body Scanner US Bank Lease

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 5/20/2020

Date of Appropriation Resolution: 5/12/2020

Date of Debt Sale: 2/19/2020

Date of Debt Closing: 5/21/2020

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
----------------	-----------	--------	--------

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (Fee Revenue) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): U.S. Bank Leasing
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of body scanner for Ducomb Center
Total Project Cost: \$149,000.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion: 9/2/2020

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
7/15/2020	\$24,838	2.16	\$805	\$25,643		\$25,643		\$25,643		\$124,162
1/15/2021	\$24,302	2.16	\$1,341	\$25,643				\$25,643		\$99,860
7/15/2021	\$24,564	2.16	\$1,078	\$25,643		\$51,286		\$25,643		\$75,296
1/15/2022	\$24,829	2.16	\$813	\$25,643				\$25,643		\$50,466
7/15/2022	\$25,098	2.16	\$545	\$25,643		\$51,286		\$25,643		\$25,369
1/15/2023	\$25,369	2.16	\$274	\$25,643		\$25,643		\$25,643		\$0
Total	\$149,000		\$4,856	\$153,858		\$153,858		\$153,858		

Notes

Fund 0027 - U.S. Bank Ducomb Lease
Debt Schedule No. 34
U.S. Bank Leasing

Appendix "D"
Indebtedness of Clay Township



[Report Search](#) / Debt Report

Report Builder: Debt Report

County	St. Joseph	Year	2020
Unit Type	Township	Unit	CLAY TOWNSHIP

1 of 1 Find | Next

Clay Township, St. Joseph County, Indiana
Debt Statement - 2020
GRAND TOTAL

7/15/2021 3:41:16 PM

RESOLUTION NO. 2021-16
Miscellaneous Property Acquisitions

**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**

WHEREAS, on February 24, 2014, the City of Mishawaka Redevelopment Commission (the "Commission") approved and adopted its Resolution No. 2014-03 entitled "Resolution of the City of Mishawaka Redevelopment Commission Designating and Declaring Certain Areas as Economic Development Areas, Amending the Boundaries of the Northwest Area Improvement Project, Consolidating the Southside Economic Development Area and the Northwest Area Improvement Project Into One Area, And Amending the Economic Development Plan for the Consolidated Area Improvement Project" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution (i) designated and declared certain areas within the City of Mishawaka, Indiana (the "City") to be economic development areas (the "Expansion Areas") for purposes of tax increment financing pursuant to Section 39 of Indiana Code 36-7-14 (the "Act") to expand the existing Northwest Area Improvement Project (the "Northwest Area"); (ii) removed certain parcels from the Northwest Area; (iii) consolidated the Southside Economic Development Area (the "Southside Area") and the Northwest Area into one area (to be known as the Consolidated Area Improvement Project) (the "Consolidated Area"); and (iv) approved an amendment (the "Plan Amendment") to the Economic Development Plan for the Northwest Area (the "Economic Development Plan") to provide for such Economic Development as amended to serve as the economic development plan for the Consolidated Area Improvement Project (as amended by the Plan Amendment shall hereinafter be referred to as the "Economic Development Plan"); and

WHEREAS, on March 11, 2014, the City of Mishawaka Plan Commission (the "Plan Commission") adopted and approved its resolution 2014-01, determining that the Declaratory Resolution and the Economic Development Plan, as amended by the Plan Amendment, conform to the plan of development for the City and approving, ratifying and confirming the Declaratory Resolution and the Economic Development Plan, as amended by the Plan Amendment, and designated such resolution as the written order of the Plan Commission

approving the Declaratory Resolution and the Economic Development Plan, as amended by the Plan Amendment, as required by Section 16 of the Act (the "Plan Commission Order"); and

WHEREAS, Section 16 of the Act prohibits the Commission from proceeding until the Plan Commission Order is approved by the legislative body of the City; and

WHEREAS, the Common Council of the City (the "Common Council") previously approved the Plan Commission Order by Common Council Resolution 2014-07; and

WHEREAS, as part of the previous approval various public improvement projects were listed as part of the Economic Development Plan; and

WHEREAS, a number of those projects including the acquisition of blighted commercial properties and the widening of Union Street in the the area improvement project were included in the economic development plan; and

WHEREAS, the Administration is asking the legislative body for its review and approval of adding certain properties to the City's acquisition list to implement a portion of these projects; and

WHEREAS, the description of the property proposed to be added is as follows:

- 901 South Union Street.
- Legal Description: Lots 79 & 80 Gaylors 2nd Add
- Tax Parcel number: 016-1147-5924 and 016-1147-5923

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The referenced parcel is hereby added to the City's acquisition list as part of the consolidated area improvement projects
2. This Resolution shall be in full force and effect from and after its passage by the Common Council.

Passed and adopted at a meeting of the Common Council of the City of Mishawaka, Indiana, held on July 26, 2021.

COMMON COUNCIL OF THE
CITY OF MISHAWAKA, INDIANA

Gregg Hixenbaugh, President

ATTEST:

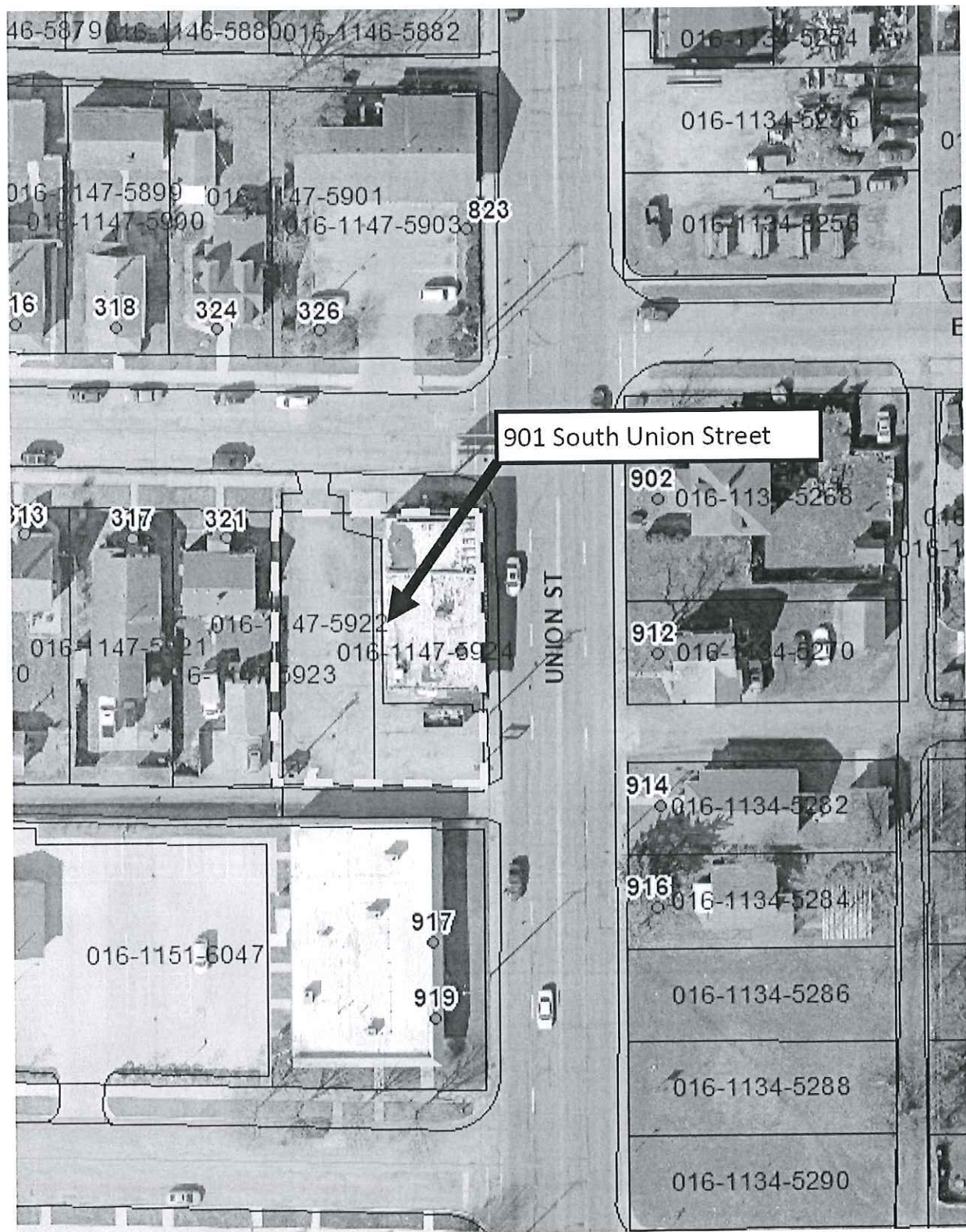
Deborah S. Block
Clerk of the City of Mishawaka, Indiana

Presented by me to the Mayor of the City of Mishawaka, Indiana, on the _____
day of July _____, 2021, at the hour of _____ .m.

Deborah S. Block
Clerk of the City of Mishawaka, Indiana

This Resolution approved and signed by me on the ____ day of July, 2021, at the
hour of _____ .m.

David A. Wood
Mayor of the City of Mishawaka, Indiana



ORIGINAL

BUY AND SELL AGREEMENT
901 Union Street. (Commercial Supermarket)

THIS AGREEMENT, made and entered into as of the 17th day of June 2021 by and between **J AND D PROPERTY LLC**, hereinafter referred to as "Seller", and **CITY OF MISHAWAKA**, acting by and through its Redevelopment Commission, hereinafter referred to as "Buyer" located in St. Joseph County, and (seller) located in Wabash County, State of Indiana,

WITNESSETH THAT:

The Seller promises and agrees to sell and convey to the Buyer, and the Buyer promises and agrees to purchase of and from the Seller, for the sum of One Hundred Thousand Dollars (\$100,000), the property located at 901 Union Street., City of Mishawaka, St. Joseph County, Indiana, more particularly described as follows:

Legal Description: Lots 79 & 80 Gaylors 2nd Add

Tax Parcel number: 016-1147-5924 and 016-1147-5923

This purchase is contingent on the following:

1. Upon approval of this agreement the City shall order two appraisals of the property by two independent licensed appraisers. The proposed sales price must meet or exceed the identified amount or this proposal shall be considered null and void unless amended and agreed to by both the buyer and seller.
2. As a public entity, the Buyer is subject to specific purchasing laws identified by the Indiana Code. This includes adding this property to an official acquisition list that requires the approval of the Common Council of the City of Mishawaka.
3. A copy of the lease for the off-premise sign located on the property shall be provided to the buyer.

Subject to and upon the terms and conditions hereinafter set forth:

1. Buyer shall obtain, at Buyer's expense, a commitment for a \$100,000. Owner's Policy of Title Insurance in which the title insurance company shall agree to insure merchantable title in the name of the Buyer after delivery of a Deed to Buyer from Seller. Any defects in title which tend to render the same unmerchantable shall be submitted by the Buyer to the Seller in writing and the Seller shall be given reasonable time to correct the same. If the Seller shall fail or refuse to cause such defects to be corrected, Buyer shall have the option of accepting title subject to defects, or of terminating this Agreement.
2. After the title to the described real estate has been approved by the Buyer, and upon payment of the balance of the purchase price by the Buyer to the Seller, the Seller shall execute and deliver a Personal Representative's Deed which will include warranties typically contained in a Warranty Deed, conveying the above described real estate to the Buyer, free and clear of all liens and encumbrances, except as provided herein, and subject to all covenants, restrictions, easements, and zoning ordinances of record. If any permanent rights are afforded to the off-premise sign, it shall be the Sellers obligation to remove said rights prior to closing.
3. It is understood and agreed by the parties hereto that Buyer is purchasing the real estate covered by this agreement in an "as is" in its present condition and that Seller has made no guarantees or warranties, expressed or implied, concerning said real estate, including environmental conditions, remaining loose materials, trash, debris and personal items remaining, thereof or any improvements thereon, except where noted herein.
4. It is estimated that this Transaction will be closed in August, 2021. As may be dictated by the time necessary to perform the appraisals and by the Title company. It is noted that the City has readily available funds for the transaction and that closing may occur earlier pending outside entities work schedules.
5. Seller shall deliver possession of the real estate above described to the Buyer at the time of closing, or at the conclusion of a lease that may be executed between the Buyer and Seller. The Seller agrees to deliver possession to the buyer with no tenants occupying the premises nor with any tenants holding any lease hold interest in the property, except where referenced to the Seller herein. This shall specifically include all lease rights to the off-premise sign located on the property.

6. Seller, at his option, shall have the right to limited salvage rights in the real estate. All such salvage rights are to be approved by the Buyer prior to Seller exercising his salvage rights. Salvage shall specifically not include anything that would structurally modify or impact the structure. As part of any salvage, the Seller shall be responsible for maintaining a secure structure not creating any openings that would freely allow birds, animals, or people to enter the building. The Seller shall have the time up to the closing of the transaction to complete any salvage work.
7. Risk of loss or damage to any improvements located upon the real estate above described shall remain with the Seller until the time of delivery of the Warranty Deed conveying title from Seller to Buyer and possession of the premises by Buyer.
8. Seller acknowledges that because Federal Funds may be used by the Buyer in the purchase of the subject property that the sale on behalf of the Seller is voluntary. Seller further acknowledges that the Buyer will not use the power of eminent domain to acquire the property. Seller acknowledges that the estimate of the fair market value of the property to be One Hundred Thousand dollars (\$100,000). Seller further acknowledges that since the purchase is a voluntary, arm's length transaction, Seller would not be eligible for relocation payments or other relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), or any other law or regulation.
9. Seller shall pay any unpaid real estate taxes & assessments for prior years. Taxes for the year 2021, payable in 2022, shall be prorated to the date of closing based upon the last official tax rate.
10. The covenants, agreements, and conditions herein contained shall be binding upon the parties hereto and shall also extend to and be binding upon their respective heirs, legal representatives, and assigns.
11. The seller shall assist with and provide any documentation relative to known environmental conditions on the property including but not limited to underground tanks and other existing conditions on the property of an environmental nature. This shall include any existing environmental reports such as a phase 1 or Phase 2 environmental study.

12. Vendor's Affidavit. Seller shall provide Buyer with an executed Vendor's Affidavit at the Closing in form acceptable to the Title Company.
13. In addition to any other obligations assumed by Seller hereunder, Seller shall pay, for deed preparation, and one-half (1/2) of Metropolitan Title Company closing fees. Buyer shall pay the other one-half (1/2) of closing fees, plus the costs associated with recording the deed.
14. Seller shall be responsible for maintaining the property until Closing and for paying for all necessary maintenance and repairs. Seller shall also maintain a proper insurance on the property until Closing, fully insuring it against loss.
15. In the event that the Seller or Buyer breaches any of the terms of this Agreement and the party not in default employs attorneys to protect or to enforce its rights hereunder and prevails, then the party in default agrees to pay all reasonable costs, attorney fees, and expenses incurred by the party not in default in enforcing the covenants and agreements contained herein.
16. No modification to this Agreement shall be valid unless in writing and signed by all parties.
17. If any provision of this Agreement is deemed void or unenforceable, the same shall in no way impair the validity or enforceability of any other provisions of this Agreement, which shall remain in full force and effect.
18. It is expressly agreed and understood that this Agreement contains all of the agreements of the parties and that no verbal agreements of any kind shall be binding upon the parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

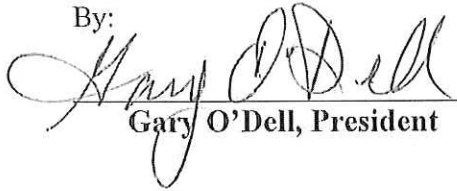
BUYER

SELLER

CITY OF MISHAWAKA, acting by and
Through its Redevelopment Commission

J AND D PROPERTY LLC

By:


Gary O'Dell, President



MANJIT SINGH

Authorized to sign per Corp. documents
attached.


Kris Ermeti, Secretary

RESOLUTION NO. 2021-17
Civil City Property Disposal- 126 North Church Street

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
MISHAWAKA, INDIANA, AUTHORIZING THE CITY OF MISHAWAKA
REDEVELOPMENT COMMISSION TO SELL MUNICIPALLY OWNED
PROPERTY IN ACCORDANCE WITH THE CITY OF MISHAWAKA
MUNICIPAL CODE CHAPTER 2, ARTICLE 5, DIVISION 3, SEC. 2-492
& 493**

WHEREAS, pursuant to the City of Mishawaka Municipal Code, whenever the mayor or any department head determines that any personal property or real estate belonging to the City is no longer needed, a written request shall be presented to the Common Council for the passage of a resolution authorizing the sale of the property. The procedure for sale of the City property shall conform to current state law; and

WHEREAS, the City has decided to replace the existing Mishawaka Utilities Business Office currently located at 126 North Church Street as part of the construction of a new City Hall that is currently under construction; and

WHEREAS, redevelopment and the stimulation of economic development are of benefit to the health and welfare of the people of Indiana and the citizens of Mishawaka. Economic development is a public use and purpose for which public money may be spent; and

WHEREAS, the Redevelopment Commission is the entity of the City which has been delegated the power and duty to investigate, study, and develop areas within the corporate boundaries of the City of Mishawaka that has been determined to be stagnant or deteriorating in order to encourage economic development; and

WHEREAS, the City completed its "Mishawaka River Center Master Plan" in 1999; and

WHEREAS, the City as part of its "Mishawaka River Center Master Plan" envisioned creating a downtown that has mixed uses, is pedestrian friendly, and incorporates architecturally significant architecture; and

WHEREAS, the property located at 126 North Church Street is within the area guided by the "Mishawaka River Center Master Plan"; and

WHEREAS, the legal description of the two parcels that make up 126 North Church Street are as follows:

Parcel 1:

126 North Church Street, Mishawaka, IN 46544

Property associated with the existing Mishawaka Utilities Business Office

Tax Key numbers: 016-1008-0367, 016-1008-0372, 016-1008-0373, 016-1008-0374,
north half of 016-1008-0375, and north half of 016-1008-0376

Parcel Size: Roughly 285' x 78', 0.55 acres

Lot 10 & N 16.5' Lot 12 Church St, W1/2 W1/2 Lot 5 Race St & Vac Alley W, E 1/2 W 1/2 Lot 5 Race, E 1/2 Lot 5 Race St, N 21 Ft +/- of W1/2 Lot 7 Race St, North 1/2 of Lot 7 E 1/2 Ex 24 3/4 Ft S End Race St, St Joseph Iron Works.

Parcel 2:

Parcels of paved land south and adjacent to 126 North Church Street, Mishawaka, IN 46544

Tax Key Numbers: 016-1008-037501, 016-1008-0377, south half of 016-1008-0375, and south half of 016-1008-0376

Parcel Size: Roughly 160' x 62', 0.22 acres

S 21 Ft +/- of W1/2 Lot 7 Race St, South 1/2 of Lot 7 E 1/2 Ex 24 3/4 Ft S End Race St, 2 Ft N Side Lot 8 & Vac Alley N & Adj & W1/2 Lot 7 Ex No 42.18 Ft Race St, 24 3/4' S End & 66' N End Lot 7 & 16 1/2' Vac Alley S & Adj, St Joseph Iron Works.

WHEREAS, the City obtained two appraisals of the property located at 126 North Church Street and advertised the property for sale as required by the Indiana Code; and

WHEREAS, following advertising the property at appraised value, one offer for the property was received from a developer; and

WHEREAS, the Developer is Beacon Health System, Inc. The Developer's proposal contemplates building a two story architecturally significant medical care facility that could include family medicine, specialty practices, diagnostic, and laboratory services; and

WHEREAS, the Developer contemplates a phased development. The first phase includes approximately 16,500 square feet of space with an estimated investment of 12.5 million dollars. Phase 2 includes approximately 15,000 square feet with an estimated investment of 8 million dollars; and

WHEREAS, the Developer's proposal included a surface parking lot and a commitment to share a portion of the proposed parking with the public during nights and weekends; and

WHEREAS, this project, as proposed, is one of multiple on-going anticipated architecturally significant, pedestrian friendly, and appropriately urban components of the Mishawaka River Center mixed-use development for downtown Mishawaka; and

WHEREAS, the Redevelopment Commission selected this proposal after considerable review and consideration; and

WHEREAS, the Redevelopment Commission believes that the Project complies with applicable federal, state and local laws under which the Project has been undertaken; and

WHEREAS, the Redevelopment Commission and the Developer entered into a Development Agreement on June 28th, 2021 concerning the sale of the property and completion of the Developer's Project; and

WHEREAS, the Redevelopment Commission and Developer each understood and agreed that certain actions contemplated by the Agreement are required to be undertaken by persons, agencies or entities that were not party to the Development Agreement and that any action by such third parties shall require independent approval by the respective person, agency, entity or governing body thereof; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Mishawaka, Indiana, that:

1. The City of Mishawaka Redevelopment Commission is authorized to sell the Civil City owned property at 126 North Church Street as identified herein; and
2. This Resolution shall be in full force and effect from and after its passage by the Common Council.

Passed and adopted at a meeting of the Common Council of the City of Mishawaka, Indiana, held on July 26, 2021.

COMMON COUNCIL OF THE
CITY OF MISHAWAKA, INDIANA

Gregg Hixenbaugh, President

ATTEST:

Deborah S. Block
Clerk of the City of Mishawaka, Indiana

Presented by me to the Mayor of the City of Mishawaka, Indiana, on the _____
day of July _____, 2021, at the hour of _____ .m.

Deborah S. Block
Clerk of the City of Mishawaka, Indiana

This Resolution approved and signed by me on the ____ day of July, 2021, at the
hour of _____ .m.

David A. Wood
Mayor of the City of Mishawaka, Indiana

DEVELOPMENT AGREEMENT

By and Between

CITY OF MISHAWAKA REDEVELOPMENT COMMISSION

And

BEACON HEALTH SYSTEM, INC.

For:

Property located at 126 North Church Street, Mishawaka IN

Prepared By:
City of Mishawaka
Redevelopment Department
600 East Third Street
Mishawaka, IN 46544
(574) 258-1668

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SCHEDULE OF EXHIBITS

Exhibit "A"	Architectural Development and Site Plans
Exhibit "B"	General Description of Commission Owned Property
Exhibit "C"	Estimated Shared Parking Area

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT, made on June 28th 2021 by and between the City of Mishawaka Redevelopment Commission ("Commission"), established under the Redevelopment of Cities and Towns Act of 1953, as amended, being I.C. 36-7-14-1, et seq. ("Act"), and having its office at 600 East Third Street, Mishawaka, Indiana and Beacon Health System, Inc., an Indiana Company, and is assigns ("Developer"), having corporate offices at 3245 Health Drive, Granger, Indiana.

RECITALS

WHEREAS, redevelopment and the stimulation of economic development are of benefit to the health and welfare of the people of Indiana and the citizens of Mishawaka. Economic development is a public use and purpose for which public money may be spent; and

WHEREAS, Commission has the power and duty to investigate, study, and develop areas within the corporate boundaries of the City of Mishawaka that the Commission has determined to be stagnant or deteriorating in order to encourage economic development; and

WHEREAS, the City completed its "Mishawaka River Center Master Plan" in 1999; and

WHEREAS, the City has acquired multiple properties over multiple decades as part of a comprehensive redevelopment effort; and

WHEREAS, the City as part of its "Mishawaka River Center Master Plan" envisioned creating a downtown that has mixed uses, is pedestrian friendly, and incorporates architecturally significant architecture; and

WHEREAS, the City has decided to replace the existing Mishawaka Utilities Business Office currently located at 126 North Church Street as part of the construction of a new City Hall that is currently under construction; and

WHEREAS, the City has obtained two appraisals of the property located at 126 North Church Street and advertised the property for sale as required by the Indiana Code; and

WHEREAS, following advertising the property at appraised value, one offer for the property was received; and

WHEREAS, the Developer's proposal contemplates building a two story architecturally significant medical care facility that could include family medicine, specialty practices, diagnostic, and laboratory services; and

WHEREAS, the Developer's proposal has been identified within the architectural development and site plans identified in Exhibit "A"; and

WHEREAS, the Developer's proposal contemplates a phased development. The first phase includes approximately 16,500 square feet of space with an estimated investment of 12.5 million dollars. Phase 2 includes approximately 15,000 square feet with an estimated investment of 8 million dollars; and

WHEREAS, the Developer's proposal included a surface parking lot and a commitment to share a portion of the proposed parking with the public during nights and weekends; and

WHEREAS, this project, as proposed, is one of multiple on-going anticipated architecturally significant, pedestrian friendly, and appropriately urban components of the Mishawaka River Center mixed-use development for downtown Mishawaka; and

WHEREAS, the Developer has entered into good faith negotiations with the City regarding the acquisition and purchase of the property generally identified in **Exhibit "B"** that was advertised for redevelopment, which the Developer's bid was the only bid received for the property and

WHEREAS, the Commission has selected this proposal after considerable review and consideration; and

WHEREAS, the Commission believes that the Project complies with applicable federal, state and local laws under which the Project has been undertaken; and

WHEREAS, the Commission and Developer each understand and agree that certain actions contemplated by this Agreement are required to be undertaken by persons, agencies or entities that are not party to this Agreement and that any action by such third parties shall require independent approval by the respective person, agency, entity or governing body thereof; and

WHEREAS, the Commission and the Developer desire to enter into a Development Agreement concerning the sale of the property and completion of the Developer's Project.

NOW, THEREFORE, in consideration of the mutual promises and obligations in this Agreement, the adequacy of which consideration is hereby acknowledged, the Parties agree as follows:

SECTION 1.0 DEFINITIONS.

Defined terms are indicated in bold letters. Defined terms shall have the meaning set forth herein, whether or not such terms are used before or after the definitions are set forth. The following terms are more specifically defined below:

- | | | |
|----|------------------------|--|
| 1. | Plan Commission | City of Mishawaka, Plan Commission |
| 2. | Assessor | Penn Township Assessor |
| 3. | City | City of Mishawaka, Indiana |
| 4. | City Entities | Organizations or entities that act in an official capacity for the City of Mishawaka, including, but not limited to, the Administration, Board of Public Works and Safety, Common Council, Park Board, Historic Preservation Commission, and Mishawaka Utilities |
| 5. | Commission | City of Mishawaka, Redevelopment Commission |
| 6. | County | St. Joseph County, Indiana |

- | | | |
|-----|------------------|--|
| 7. | Developer | Beacon Health Systems Inc. |
| 8. | INDOT | Indiana Department of Transportation |
| 9. | Staff | Staff shall include any or all of the following employees of the City of Mishawaka: Director of Community and Economic Development, Director of Engineering, City Planner, Staff Attorney, and Corporation Counsel |
| 10. | State | State of Indiana |
| 11. | Term | The Term of this Agreement commencing upon the Effective Date. |
| 12. | Township | Penn Township, St. Joseph County, Indiana |

SECTION 2.0 EFFECTIVE DATE AND TERM.

2.1 Effective Date. This Agreement shall become effective upon the date this Agreement is executed by both the Commission and the Developer, whichever signature date is later ("Effective Date").

2.2 Term. The term of this Agreement ("Term") shall commence upon the Effective Date and shall continue until this Agreement is terminated in accordance with the provisions herein.

SECTION 3.0 RECITALS.

3.1 Recitals. The Recitals set forth above are a part of this Agreement for all purposes.

SECTION 4.0 DEVELOPER'S OBLIGATIONS.

4.1 Generally. The Developer agrees to remodel and/or build at its cost and expense a two story architecturally significant 30,000 square foot medical facility (combined Phase 1 and Phase 2 construction) located on the block bordered by Lincolnway East, Race Street, Church Street and First Street, including all necessary infrastructure and improvements associated therewith, excepting those specifically identified as part of the Commission's obligations as part of this Agreement. This shall specifically include all improvements necessary to complete the project as envisioned in Exhibit A. The Commission's obligations are limited only to those identified herein, therefore, any improvement, task, obligation, or cost required to complete this project that is not specifically identified as the Commission's in this Agreement shall be considered the Developer's obligation whether identified herein or not. Exhibit A identifies a concept and the general intent of the Developer. The Developer and the Commission each acknowledge and agree that the Developer intends to build approximately the same type, style, and size, of the conceptual project described on Exhibit A; however, (i) the layouts and size of the buildings may change according to market research and architectural considerations, (ii) the parking, circulation, and site design will change to accommodate grades, public parking areas, the connections to the Riverwalk, and improvements that may be committed by the Commission along the Race Street

and First Street corridors that will dictate the required site refinements, and (iii) the architectural language of the buildings may change according to technical, material, and aesthetic decisions (it being understood that the project will be subject to normal Planning Commission design review).

4.2 Developer's Deliveries. Unless otherwise stipulated, the Developer shall submit the following documentation and receive approval thereof within the schedule identified herein following the approval date of this Agreement. The cost for preparing and submitting this information shall be the responsibility of the Developer. The City review, unless otherwise stipulated within this Agreement, shall be the responsibility of the applicable City entity, although the Developer will pay the normal filing fees. Upon review and approval by applicable City entities, this documentation shall be incorporated as part of the official Commission file and bound to and enforceable by this Agreement by reference. The applicable City entity required to approve the referenced documents before incorporation is listed in italic print within the parentheses following the item. Each listed City entity will promptly grant approval of those items provided that complete information is submitted by the Developer, and that such documents are in accordance with applicable City codes, ordinances, applicable Indiana law, and the representations of the Developer in this Agreement. Any differences in the interpretation of this Agreement between the Developer and Staff may be brought to the Commission at any regular meeting for further guidance, direction, and resolution. The final determining authority on any issues relegated to Staff inherent to this Agreement shall be the Commission, except as otherwise provided by Indiana law.

- (i) Final Plat required for combining of properties into one lot. (*Staff and Plan Commission*)
- (ii) Temporary Real Estate Signage Proposals (*Staff*)
- (iii) Permanent Site and Building Signage (*Staff*)
- (iv) Erosion Control Plan (City of Mishawaka Engineering Department)
- (v) Final site and building plans, as prepared for recording. Must be submitted and approved prior to the closing relative to the purchase of Commission owned property. (*Staff and Planning Commission*)
- (vi) A listing of the name, address, principal officers, and contact information of the general contractor, sub-contractors, legal counsel, consultants, real estate agents, and other entities directly involved in the project. Must be submitted prior to closing on Commission owned property. (*Staff*)
- (vii) Maintenance of Traffic Plan including street closures and proposed truck routes for heavy construction vehicles. Must be submitted prior to the start of construction. (*Staff*)
- (viii) Construction parking and staging plan. (*Staff and Board of Public Works and Safety*)
- (ix) Temporary site security measure plan. Must be submitted prior to the start of construction. (*Staff*)
- (x) Documentation of Developer Funding. Must be submitted prior to the closing relative to the purchase of Commission owned property and start of construction. (*Staff*)
- (xi) Documentation of Developer Surety. Must be submitted prior to the start of construction. (*Staff*)

- (xii) Proof of Developer Insurance. Must be submitted prior to the start of construction. (Staff)

The City will use its best efforts to complete its review and approve of each of Developer's deliveries in a timely manner, typically within thirty (30) days after complete information for each item is submitted by the Developer, noting that by lead times for advertising, and standard public meeting schedules may elongate required review times.

The anticipated timeline for the project is as follows:

Commission approval of the Development Agreement-	June 2021
Common Council Approval required to sell property	July 2021
Completion of Developer Deliveries in section 4.2	January 2022
Documentation of Developer Funding-	January 2022
Right of access for portion of 126 North Church Street	January 2022
Estimated Developer Start of Construction Phase 1	January 2022
Developer Closing on 126 North Church Street	Fall 2022
Estimated substantial completion of Developer Phase 1 Improvements	Spring 2023
Estimated demolition of existing Mishawaka Utilities Business Office	Spring 2023
Estimated start of Phase 2 Improvements	Spring 2025
Estimated completion of Phase 2 Improvements	Spring 2026

The Timing of Phase 2 improvements are estimates only. Phase 2 Improvements will commence upon stability of the phase one operation, a phase 2 feasibility analysis has been completed, the need justifies moving forward with phase 2 and appropriate Beacon Board authorization has occurred.

It is also noted and agreed that First Street, Lincolnway, Church Street, and Race Street are intended to remain open for the duration of construction and may not be used for construction parking or staging. Temporary closures may be permitted with proper notice and traffic control as may be approved by the Board of Public Works and Safety and/or INDOT. As part of the planned expansion of the Mishawaka Riverwalk, as well as, potential street improvements, the construction access for both the Developer and City projects may need to be coordinated and potentially moved to coordinate the multiple projects. At no time shall access be restricted to the Mishawaka Police Department officer parking lot on the north side of First Street.

4.3 Developer Purchase- of Commission Parcel.

(a) Developer shall purchase from Commission, and Commission shall sell to the Developer, a portion of the development Site as generally identified on **Exhibit B** (the "Commission Parcel"), subject to the terms and conditions of this Agreement for an amount of \$50,000 (fifty thousand dollars). It is anticipated that the Commission Parcel exact size and configuration will be based on the final plat as prepared by the Developer. The plat shall reflect required easement and right-of-way dedication as may be required.

4.4 Commission Parcel Real Estate Taxes. All Real Estate Taxes on the Commission Parcel for any prior year shall be paid by the City and all Real Estate Taxes for the current year shall be prorated between the City and the Developer as of the Closing Date.

4.5 Developer Funding. Developer shall have cash in hand or will have obtained funding sufficient to fund the Developer's proposal identified in this Agreement as evidenced by written proposals concerning a construction loan and/or equity financing from one or more banks, lending institutions and/or investors. In supplement of, or in lieu of, written proposals from one or more banks, lending institutions and/or investors, the Developer may provide written documentation from an independent certified public accountant documenting the cash in hand to fund the project. Documented financing for the Developer's proposal shall match the professionally estimated project cost determined by the prepared and approved construction drawings, which includes a construction contingency.

4.6 Developer Performance Surety. Developer shall have obtained surety in the form of an irrevocable letter of credit, performance bond, or escrow funds in a form and manner reasonably acceptable to the Commission and the Developer. The amount of the surety shall be \$50,000. The Developer's surety may be accessed by the Commission in accordance with its terms and this Section upon default by Developer of its obligations under this Agreement. If a default by Developer occurs, the Commission shall give appropriate written notice thereof (which will include a description in reasonable detail of Developer's default) to Developer. Following thirty (30) days afforded to Developer to correct any default, the Commission may access the surety in accordance with its terms; provided, however, that if the nature of the default is such that it cannot reasonably be cured within such 30-day period, then the commencement of the cure by the Developer within such time period, and the diligent prosecution to completion of the cure thereafter, shall be deemed to be a cure within such 30-day period. The Developer's surety shall be released by the Commission once the project is entirely complete following occupancy of the Developer's project.

4.7 Required Permits and Fees. The Developer shall have obtained, or shall be able to obtain, all of the required permits for the Developer's project. The Commission and Staff shall facilitate, cooperate in, and provide all necessary or appropriate assistance in connection with obtaining the required permits. The cost for all required permits, filing fees, tap fees, or other cost not specifically identified as a Commission responsibility shall be the responsibility of the Developer.

4.8 Required Zoning Approvals. The property owned by the Commission is currently zoned C-3 City Center Commercial which permits the construction of a medical facility as envisioned by right. Any additional variances, waivers or other deviations from City Ordinances required during the duration of this Agreement that were not obtained prior to executing this Agreement shall require the specific approval of the Commission prior to filing any such request. The Commission shall facilitate, cooperate in, and assist the Developer in obtaining variances, waivers or other deviations from City Ordinances that are mutually determined to be necessary or appropriate for the intended development.

4.9 Representations and Warranties by the Developer. The Developer represents and warrants to Commission that: (a) the Developer shall not enter into any contracts or undertakings that would limit, conflict with, or constitute a default of this Agreement; (b) the Developer is a limited liability company created and existing under the laws of the State of Indiana, and is duly authorized to do business in the State of Indiana; and (c) the Developer has the power to enter into this Agreement and to perform its obligations hereunder, and this Agreement is the legal, valid, and binding obligation of the Developer.

4.10 Maintenance and Repair during Construction. The Developer will maintain the development property and all affected adjacent City property and Streets, in good order, condition, and repair, and in compliance with all Laws throughout the construction phase of the project. Maintenance during the duration of this Agreement shall also include snow removal on all public walks and routine cleaning of the property and adjacent streets to remove construction debris and sediment emanating from the development property. It is also noted, that if the City has a contractor that is mobilized constructing City required projects that restricts access to these areas, maintenance and repair of those areas shall be coordinated between the City and the Developer.

4.11 Construction Parking/Street and Sidewalk Closure. All proposed sidewalk, Riverwalk, and street closures shall require the specific review and approval of the Board of Public Works and Safety; a site security plan shall be provided as identified in section 4.2 that provides barriers and signage notifying and providing general protection to the public from the construction activities taking place. Additional space for Developer parking for construction crews may be available on adjacent properties. However, the Developer and associated contractors shall not unduly occupy current public street parking areas that has the potential to harm adjacent residents and/or businesses, including the City Police Station.

4.12 Advertising and Political signs. It is the expressed desire of the Commission that the redevelopment efforts of the City are not commercially or politically exploited on the project site during the duration of this Agreement. As such, the Developer agrees and acknowledges that no other signs, displays, banners, or advertising, other than one construction sign, and temporary real estate sign(s), shall be placed on each property within the development site during the duration of construction of the project and that the content of said signs shall not be in conflict with expressed desire of the Commission.

4.13 Project Construction Schedule/Completion Dates. The Developer hereby represents that the construction schedule and completion dates for the entire project will be as identified in Section 4.2 herein.

4.14 Minimize Neighborhood Disruption. The Developer hereby commits to minimize disruption to the neighborhood by appropriately parking construction vehicles, staging materials, keeping a neat and orderly site. The Developer shall coordinate significant construction activities with adjacent property owners. Prior to starting construction, the Developer shall mail a notice to all property owners within 300 feet of the site informing them of the project, what can be expected, and a contact name and phone number for the Developer that can be reached 24 hours a day during the duration of the project if problems occur. A copy of this letter shall also be sent to Staff for record and informational purposes.

4.15 City Use of Developer's Plans and Images. The Developer hereby commits to allow the Commission, City, and any City Entity the ability to reproduce and use images or materials concerning the development for official City business, including, but not limited to, posting such images or materials on the City Web site, to distribute such images or materials to the public for general informational purposes, and to make presentations that include the Developer's images; provided, that Developer's logo will be included in the corresponding image, materials, or presentation. Should the City desire use the Developer's plan's and images for other applications, the Developer shall be consulted and have input into the application and approve the use before it is used.

4.16 Good Standing of Developer Contractors and Consultants. The Developer understands that there is a desire of the Commission to insure the quality and timely completion of the development by insuring those that are principally involved in the project are in good standing with the City. The Developer hereby commits that all principal parties retained by the Developer to complete the project will be in good standing with the City at the time they are retained for the project. This will be documented in accordance with section 4.2 of this Agreement. Principal parties shall include the general contractor, lead sub-contractors, legal counsel, consultants, real estate agents, and other significant entities directly involved in the project. Good standing shall generally be considered as those who are currently licensed with the City or applicable authority, are current with all taxes or liabilities to the City, and have no outstanding material violations or grievances with the City of Mishawaka. All contracting and sub-contracting firms working on the Developer's project site shall be licensed through the City of Mishawaka Building Department, regardless of size.

4.17 Insurance. The Developer either individually, or through the general contractor, shall purchase and maintain throughout the duration of the Agreement, Comprehensive General Liability Insurance for the work being performed. The City of Mishawaka shall be named as an additional insured for the following minimum amounts or greater when required by law:

- | | | | |
|---------------------------------------|---|---|-----------------------|
| A. Worker's compensation | | | |
| 1. | State | Statutory | |
| 2. | Employer's Liability | \$500,000 | Each accident, |
| | | \$500,000 | Disease Each employee |
| | | \$500,000 | Disease Policy Limit |
| B. Comprehensive General Liability | | | |
| 1. | Bodily Injury | | |
| a. | \$1,000,000 | Each occurrence | |
| b. | \$2,000,000 | Annual aggregate, products and completed Operations | |
| 2. | Property Damage | | |
| a. | \$1,000,000 | Each occurrence | |
| b. | \$2,000,000 | Annual aggregate | |
| 3. | Property Damage Liability Insurance will provide Explosion, Collapse and Underground coverage's where applicable. | | |
| 4. | Personal Injury | | |
| a. | \$1,000,000 | Annual Aggregate | |
| 5. | The Contractor shall carry an Umbrella Policy in the amount of | | |
| a. | \$5,000,000 | Each occurrence(Minimum Umbrella \$5,000,000) | |
| b. | \$5,000,000 | Annual Aggregate | |
| C. Comprehensive Automobile Liability | | | |
| 1. | Bodily Injury and Personal Property | | |
| a. | \$1,000,000 | Combined Single Limit | |
| D. Contractual Liability Insurance | | | |
| 1. | Bodily Injury | | |

- | | | |
|----|-------------|---|
| a. | \$1,000,000 | Each occurrence |
| b. | \$2,000,000 | Annual Aggregate, products and completed operations |
-
- | | | |
|----|-----------------|------------------|
| 2. | Property Damage | |
| a. | \$1,000,000 | Each occurrence |
| b. | \$2,000,000 | Annual aggregate |

The completed operations insurance required shall be maintained by Contractor for at least two (2) years after Substantial Completion. Contractor must provide evidence of a CG 2010 (or equivalent) and a CG 2037 (or equivalent); please attach the copy of the endorsement to the certificate.

4.18 Hold Harmless- Obligation of the Developer. To the extent permitted by law, the Developer shall indemnify, hold harmless, and defend the Commission, the City, and all City entities from and against any and all claims, judgments, liabilities, losses, costs, and expenses (including, without limitation, reasonable attorneys' fees and court costs) directly arising from or connected with the actions of the Developer or its employees, agents, or contractors; the performance of the Developer's Work; and/or the default by the Developer of any term or condition on its part to be performed or observed under this Agreement.

4.19 Estimated Shared Parking Area. As part of the development plan approval process the Developer shall identify a portion of the proposed parking that will allow for shared use between the Developer and the City for public parking on nights and weekends. The area shall include between 40 to 60 spaces in the general area identified in Exhibit C. The exact area will be defined in the development plan approval process. An easement or other document acceptable to both the Developer and the City that identifies the rights and access shall be prepared and recorded as part of the development plan approval process.

4.20 Property Restoration and Perpetual Maintenance. As part of the development plan approval process the Developer shall prepare a plan to identify limits that will be maintained in perpetuity by the Developer. This is specifically for areas owned, or where easement rights are provided to the City. It is understood that the Developer has a vested interest in maintaining these areas to a higher standard than what the City can provide. Given the location of the property in a downtown setting, it is understood that the Developer will be responsible for routine maintenance of areas outside of the property that is envisioned as being sold to the Developer. This shall include but shall not be limited to the public parking lots, landscaping, and adjacent walks surrounding the Developer's Project site that are likely to be used continually by patrons of the Developer's project. Routine Maintenance shall include non-construction elements such as grass mowing, pond care, landscape trimming and beatification, trash removal, and snow plowing/removal. The Parties agree that they shall enter into a separate agreement to address the maintenance associated with this Section 4.19 and that the maintenance agreement shall survive the termination of this Agreement.

SECTION 5.0 COMMISSION'S OBLIGATIONS.

5.1 Property Taxes. All Real Estate Taxes on the Commission Parcel for any prior year shall be paid by the City and all Real Estate Taxes for the current year shall be prorated between the City and the Developer as of the Closing Date.

5.2 Title. Concurrent with the closing of the property, the Commission, at its cost and expense, shall have provided the Developer a satisfactory Title Commitment a minimum of 30

days prior closing. Also, at the closing, the Commission, at its cost and expense, shall deliver to the Developer a warranty deed together with a satisfactory owner's policy of title insurance with respect to the development site, issued by the title insurer and conforming to the Title Commitment. The minimum amount of title insurance to be provided to the Developer shall at least be equal the proposed purchase price of the property.

5.3 Title Commitment. Developer's title to the property shall not be subject to any title defects and will be free and clear of any liens or encumbrances; provided that: the Commission shall have time not to exceed 60 days to either to cure or remove any title defects, liens or encumbrances; or provide for the cure or removal of, or for insurance against, such title defects, liens or encumbrances ("Title Commitment").

5.4 City's responsibility for Commission Owned Property. The City has notified the Developer that the property located at 126 north Church Street has been used for the Mishawaka Utilities Business Office or similar office uses for more than a half a century. The City has not performed any investigation for asbestos, lead paint, or any other environmental condition that may exist on the property. The Developer understands that the property is being purchased in an "as is" condition.

5.5 Potential Street/Public Right-of-way Improvements. It is understood that the Developer's proposed improvements are generally limited to the property and are not intended to significantly modify existing road right-of-way. The Commission at its cost and expense may, at its discretion, modify adjacent public streets as part of a larger redevelopment plan.

5.6 Public Utility Improvements. It is understood that the Developer has access to water, sanitary sewer, and electric service within the public right-of-way or public property immediately adjacent to the Property. It is also understood that there is an existing transformer and electric infrastructure located immediately adjacent to the existing Mishawaka Utilities Business office and that the mutual desire of both the Developer and the Commission is to relocate this infrastructure as necessary to allow for the development. The Commission shall work with Mishawaka Utilities Electric Division to relocate this infrastructure and place overhead utility lines located along Race Street underground where possible. The Developer shall be required to provide a location on the Developer's property for this electric infrastructure and/or additional right-of-way that is mutually acceptable to both the City and Developer. The cost of providing other utilities outside the control of the City including natural gas, phone, cable, internet and the like shall be the responsibility of the Developer. Overflow outlet(s) for storm water shall also be provided to the Developer by the City. It is understood that the Developer is required to comprehensively address storm water for the Project including but not limited to creating a storm water storage/infiltration system designed to retain the developed state at 100-year return storm for a 24 hour duration with an allowable release rate limited to the undeveloped state (i.e. grass surface runoff with "C" coefficient of 0.2) using a 10-year return storm for a two hour duration, or as otherwise may be reduced or adjusted by the City Director of Engineering. Due to close proximity to the river, a water quality best management practice will need to be included in the storm water management design. Due to the developments proximity to the River and City's desire to protect our investment by minimizing contaminants in the storm sewer, this discharge and any infiltration through underground storage will need to be protected from the automotive contaminants parking lot pavements generate. Therefore, best management practices will be required upstream of the storage infiltration system addressing oil, anti-freeze, fuel, grit, and sand. Examples of best management practices including but not limited to Swirl Concentrators and grit/sand removal systems sized for the upstream flow

demand and not the discharge rate are anticipated. The overflow connection itself shall utilize reinforced concrete pipe (RCP) and other materials consistent with Mishawaka Board of Public Works and Safety standards as may be directed by the City Director of Engineering. The Commission shall work with the Developer to investigate utility extensions/connection points that are mutually beneficial to minimize both the work and the potential overlap of construction projects. To the extent possible, the Commission and the Developer shall work together to potentially reduce the costs for both entities.

5.7 Required Zoning and Platting. It is noted that the Commission owned property is currently zoned C-3 City Center Commercial which includes medical facilities as a permitted use by right. Any additional variances, waivers or other deviations from City Ordinances required during the duration of this Agreement that were not obtained prior to executing this Agreement shall require the specific approval of the Commission prior to filing any such request. If deemed appropriate by the Commission, the Commission shall facilitate, cooperate in, and provide all necessary or appropriate assistance in connection with, obtaining the variations that the Developer determines to be necessary or appropriate for the intended development.

5.8 Representations and Warranties by the Commission. The Commission represents and warrants to the Developer that: (a) the Commission shall not enter into any contracts or undertakings that would limit, conflict with, or constitute a default of this Agreement; (b) the Commission is a governing authority of the City organized and existing under the laws of the State of Indiana; and (c) the Commission has the power to enter into this Agreement and to perform its obligations hereunder, and this Agreement is the legal, valid, and binding obligation of Commission; and (d) the Commission is a governing body of the City's Department of Redevelopment and the Redevelopment District of the City.

5.9 Hold Harmless- Obligation of the Commission. To the extent not prohibited by law, the Commission shall indemnify, hold harmless, and defend the Developer from and against any and all claims, judgments, liabilities, losses, costs, and expenses (including, without limitation, reasonable attorneys' fees and court costs) directly arising from or connected with (i) the actions of the Commission, City, and City Entities associated with the fulfillment of this Agreement, and/or (ii) the default by the Commission of any term or condition on its part to be performed or observed under this Agreement.

5.10 Environmental Representations and Warranties and Indemnity by the Commission. The Commission represents and warrants that the City has not investigated and is not aware of known Hazardous Materials present on the proposed Property to be developed. Given the age of the facility, it is expected that asbestos, lead paint, and like age related materials are present on the site. The Commission warrants to Developer that since the City's acquisition of the Property there has not been a release, or known additional release, of Hazardous Materials upon the Property, as defined under any Federal law or law of the State of Indiana, and warrants that the Commission has obtained all necessary permits for the generation, storage, or transportation of any Hazardous Material on the Property; and further, the Commission agrees to indemnify and hold harmless Developer from and against any costs or expenses of any type or nature related to or arising from, or with respect to (i) any removal or remedial action incurred as a result of any governmental order resulting from or claimed to have resulted or arisen from the City's generation, storage, or transportation of Hazardous Materials on the Property during the City's period of ownership; and (ii) any breach by the Commission of any of its representations and warranties contained herein.

The Commission's obligation to indemnify and hold Developer harmless shall expire and be no longer enforceable upon the completion of all proposed subsurface work required to be performed by Developer in order to construct the Project, unless the Commission has been given notice from the Developer requesting indemnification of specific concern(s) prior to the completion of the underground portions of the Project, in which event the Commission shall be given time to adequately address said concern and shall continue to indemnify and hold harmless for any concern(s) present for which notice was given until the concerns are satisfactorily addressed by the Commission subject to the limitations identified herein.

As part of the acquisition of the Property by the Developer, Developer shall accept a deed restriction on the Property prohibiting the installation of private wells for consumption at the Property other than monitoring wells.

SECTION 6.0 MISCELLANEOUS DEVELOPMENT ISSUES.

6.1 Right of Entry. Simultaneously with the execution of this Agreement, Commission shall provide the Right of Entry to the Developer for non-invasive investigations.

6.2 Property Closing. Subject to the terms and conditions of this Agreement, the Closing shall take place at the office of the Title Insurer, or at such other place as the Developer and Commission mutually agree. It is understood that the City has a preference for Metropolitan Title and unless otherwise agreed to by both parties, the closing shall occur at Metropolitan Title. At the Closing, the Developer shall pay the Purchase Price for the Commission Parcel to Commission by immediately available funds and shall fulfill any other required conditions to closing as set forth in this Agreement. The deed of the property will be encumbered to reflect the provisions of this Agreement in a form reasonably satisfactory to Developer and the Commission's Legal Counsel. These encumbrances shall be removed concurrently with the termination of the Agreement.

6.3 Information. Any and all tests, inspections, examinations, studies, and investigations determined by Developer to be necessary or appropriate for the development shall be performed or caused to be performed by the Developer. At the Developer's request, the Commission shall share any existing information on or around the proposed development site with the Developer. The Commission does not warrant any information provided as to its accuracy for the purposes of designing or making decisions relative to the intended development. It is the Developer's responsibility to determine if the development site is suitable for the intended construction.

6.4 No Proceeding. As of the Closing Date, no action or proceeding before a court or other governmental body, agency, or instrumentality shall be pending (and no such action or proceeding shall be threatened) that would prevent the project from being carried out in accordance with this Agreement. It shall be the responsibility of both the Developer and Commission to make the other aware of any such action or proceeding known to them and to cooperate to prevent the entry of such an order or decree.

6.5 Coordination of Construction. The Developer and Commission acknowledge that the Developer's Work on the Development Site, and the Commission's Work on the adjacent property and streets, where they may be performed simultaneously, agree to coordinate all of the Developer's Work and the Commission's Work to: (a) facilitate the completion of such work in accordance with the appropriate plans and schedules; and (b) minimize interference with the

performance of any such work. The Developer and Commission shall coordinate and actively cooperate with each other's consultants, contractors, and time schedule in executing the work to be performed by them.

6.6. Inspection Rights. Upon reasonable written notice delivered to the Developer, the Commission, Staff, and/or its Inspecting Representative, may perform such additional inspections of the Developer's work to determine compliance with this Agreement. This provision only pertains to the provisions of this Agreement and does not pertain to normal inspections required by applicable authorities concurrent with any construction project such as building department and utility inspections.

SECTION 7.0 AMENDMENTS.

7.1 Amendment. This Agreement may be amended from time to time, in whole or in part, by mutual written consent of the Parties or their successors in interest, in accordance with this Agreement.

7.2 Developer Initiated Proposed Amendment. If the Developer desires to make any material changes to this Agreement following approval by the Commission, then the Developer shall submit the proposed changes, in writing, to Commission for approval. Provided the request is received at least 10 days before a regularly scheduled Commission meeting, the Commission shall hear and shall deliver to the Developer written notice within 20 business days following the meeting that it approves or rejects the proposed changes; noting that: the Commission may reject all or any part of the proposed changes at its discretion. If the Commission rejects all or any part of the proposed changes, then such notice shall specify the part or parts that Commission is rejecting, and shall include the specific basis for such rejection.

7.3 Commission Initiated Proposed Amendment. If the Commission desires to make any material changes to this Agreement following approval by the Developer, then the Commission shall submit the proposed changes, in writing, to the Developer for approval. The Developer shall hear and shall deliver to the Commission written notice within 20 business days following the receipt of the request that it approves or rejects the proposed changes; noting that: the Developer may reject all or any part of the proposed changes at its discretion. If the Developer rejects all or any part of the proposed changes, then such notice shall specify the part or parts that the Developer is rejecting, and shall include the specific basis for such rejection.

SECTION 8.0 COOPERATION-IMPLEMENTATION.

8.1 Cooperation by Parties. Notwithstanding anything to the contrary set forth in this Section, in all instances the Developer and Commission shall act reasonably, cooperatively, and in good faith in their joint efforts to finalize the proposed development.

SECTION 9.0 COOPERATION IN THE EVENT OF LEGAL CHALLENGE.

9.1 Cooperation. In the event of any administrative, legal or equitable action or other proceeding instituted by any person not a party to this Agreement challenging the validity of any provision of this Agreement, the Parties shall cooperate in defending such action or proceeding

to settlement or final judgment including all appeals. Each Party shall select its own legal counsel and retain such counsel at its own expense, and in no event shall Commission be required to bear the fees and costs of Developer's attorneys nor shall Developer be required to bear the fees and costs of Commission's attorneys. The Parties agree that this Section 9.1 shall constitute a separate Agreement entered into concurrently with this Agreement, and that if any other provision of this Agreement, or the Agreement as a whole, is invalidated, rendered null, or set aside by a court of competent jurisdiction, the Parties agree to be bound by the terms of this section, which shall survive such invalidation, nullification, or setting aside.

SECTION 10.0 DEFAULT- TERMINATION

10.1 Developer Default. Any material failure by the Developer to perform any term or provision of this Agreement, which failure continues uncured for a period of Thirty (30) Days following Developer's receipt of written notice of such failure from the Commission, unless such period is extended by written mutual consent, shall constitute a default under this Agreement. Any notice given pursuant to the preceding sentence shall specify the nature of the alleged failure and, where appropriate, the manner in which said failure satisfactorily may be cured. If the nature of the alleged failure is such that it cannot reasonably be cured within such 30-Day period, then the commencement of the cure within such time period, and the diligent prosecution to completion of the cure thereafter, shall be deemed to be a cure within such 30-Day period. Upon the occurrence of a Developer Default under this Agreement, the Commission may choose any or all of the following: access required surety, and/or institute legal proceedings to enforce the terms of this Agreement. If the alleged default is cured, then no default shall exist and the Commission shall take no further action. Remedies of the Commission are further identified in section 10.3 of this Agreement.

10.2 Commission Default. Any failure by the Commission to perform any term or provision of this Agreement, which failure continues uncured for a period of (30) Days following written notice of such failure from the Developer, unless such period is extended by written mutual consent, shall constitute a default under this Agreement. Any notice given pursuant to the preceding sentence shall specify the nature of the alleged failure and, where appropriate, the manner in which said failure satisfactorily may be cured. If the nature of the alleged failure is such that it cannot reasonably be cured within such 30-Day period, then the commencement of the cure within such time period, and the diligent prosecution to completion of the cure thereafter, shall be deemed to be a cure within such 30-Day period. Upon the occurrence of a Commission Default under this Agreement, the Developer may choose to institute legal proceedings to enforce the terms of this Agreement. If the default is cured, then no default shall exist and the Developer shall take no further action. Remedies of Developer are further identified in Section 10.3 of this Agreement.

10.3 Remedies Upon an Event of Default. Whenever an Event of Default occurs by the Developer or the Commission, the non-defaulting party may exercise whatever rights and remedies are necessary or appropriate at law or in equity to: (i) collect any payments due under this Agreement; (ii) enforce the performance or observance of any term or condition of this Agreement (including, without limitation, the right to specifically enforce any such term or condition, it being acknowledged and understood by the parties that monetary damages are not an adequate remedy for the failure of any party to observe and/or perform any term or condition of this Agreement); or (iii) cure, for the account of the non-defaulting party, any failure to perform or observe a material term or condition of this Agreement to be performed or observed by it.

10.4 No Remedy Exclusive. No right or remedy herein conferred upon, or reserved to, a non-defaulting party is intended to be exclusive of any other available right or remedy, unless otherwise expressly stated; instead, each and every such right or remedy shall be cumulative, and shall be in addition to every other right or remedy given under this Agreement or now or hereafter existing at law or in equity. No delay or omission by a non-defaulting party to exercise any right or remedy upon any Event of Default shall impair any such right or remedy, or be construed to be a waiver thereof, and any such right or remedy may be exercised from time to time, and as often as may be deemed to be expedient.

10.5 Enforced Delay in Performance for Causes Beyond Control of Party; Extension of Time of Performance. Notwithstanding anything to the contrary contained in this Agreement, neither Party shall be deemed to be in default where delays in performance or failures to perform are due to, and a necessary outcome of, war, insurrection, strikes or other labor disturbances, walk-outs, riots, floods, earthquakes, fires, casualties, acts of God, restrictions imposed or mandated by other governmental entities, enactment of conflicting state or federal laws or regulations, new or supplemental environmental regulations, or similar basis for excused performance which is not within the reasonable control of the Party to be excused. Upon the request of either Party, an extension of time for such cause will be granted in writing for the period of the enforced delay, or longer as may be mutually agreed upon.

10.6 Termination of Agreement by Developer prior to Property closing. The Developer may elect to terminate this Agreement for any reason prior to the Developer's closing on the Commission's property.

10.7 Termination of Agreement following property closing. The Commission or Developer may not terminate this Agreement for any reason following Developer's closing on the property without a default as identified herein.

10.8 Termination of Agreement following property closing by Developer. Developer may terminate this Agreement on thirty (30) day notice following the Closing upon the Commission's default and failure to remedy that default within the cure periods set out in Section 10.2; and upon termination, (i) the Commission will reimburse the Developer for all documented expenses of Developer with respect to the development, including, without limit, to "make-whole" Developer for its efforts to develop the site, and (ii) Developer will re-convey to the Commission that portion of the development acquired from the Commission for an amount not to exceed the purchase price. The Developer, at Commission's cost and expense, shall provide the Commission a Title Commitment on such property. At the Closing, the Developer, at Commission's cost and expense, shall deliver to the Commission an owner's policy of title insurance with respect to the development site, issued by the title insurer and conforming to the Title Commitment, free and clear of any liens or encumbrances. The Title shall not be subject to any Title Defects; provided that: the Developer shall have ample time deemed appropriate by both the Developer and

Commission to either to cure or remove the Title Defects; or provide for the cure or removal of, or for insurance against, the Title Defects. If this is not possible for whatever reason, the terms shall be negotiated by both parties, but any changes shall be approved or rejected at the sole discretion of the Commission.

10.9 Termination of Agreement following property closing by the Commission. If the Commission desires to terminate this Agreement for a default by the Developer, the Developer shall be required only to (i) re-convey the property to the Commission and restore the property to a condition comparable to when it was conveyed to the Developer; *provided, however*, that if substantial construction has occurred on the property, the Developer shall take action necessary to preserve the property until such time as it is otherwise conveyed to the Commission; and (ii) the Developer will reimburse the Commission for all documented expenses of Commission in negotiating this Agreement and fulfilling the obligations to be undertaken by the Commission from and after the date hereof in furtherance of the development. Any building that has received a certificate of occupancy from the City of Mishawaka in compliance with this Agreement shall be exempt, and not need to be re-conveyed to the Commission. The Developer, at its cost and expense, shall provide the Commission a Title Commitment on the property. At the Closing, the Developer, at its cost and expense, shall deliver to the Commission an owner's policy of title insurance with respect to the development site (or portion thereof), issued by the title insurer and conforming with the Title Commitment, free and clear of any liens or encumbrances. The Title shall not be subject to any Title Defects; provided that: the Developer shall have ample time deemed appropriate by both the Developer and Commission to either to cure or remove the Title Defects; or provide for the cure or removal of, or for insurance against, the Title Defects. If this is not possible for whatever reason, the terms shall be negotiated by both parties, but any changes shall be approved or rejected at the sole discretion of the Commission.

10.10 Natural Termination. Upon completion of all provisions of this Agreement, the Developer shall notify the Commission and request a final review of the project. The Commission shall then review the project and identify any outstanding items or deficiencies. If there are no outstanding items or deficiencies, Staff shall (i) provide written correspondence to the Developer on behalf of the Commission identifying that the project has been satisfactorily completed, (ii) release any required surety, (iii) release the restrictions in the deed from the Commission to the Developer, and (iv) declare, in writing, that this Agreement is terminated.

10.11 Termination based on Developer failure to proceed. It is understood that agreements for construction such as this are subject to market factors and circumstances that are beyond the control of the Developer. If the Developer fails to close on financing and start construction on the Project by March 30, 2022, this agreement shall terminate automatically as of that date unless the agreement is modified and extended by the mutual agreement of both parties.

SECTION 11.0 NO AGENCY, JOINT VENTURE OR PARTNERSHIP; CONFLICT OF INTEREST.

11.1 No Agency, Joint Venture or Partnership. It is specifically understood and agreed to by and between the Parties that:

- (1) The Project, as described in this Agreement, is a private development;

(2) Commission has no interest or responsibilities for, or due to, third parties concerning any improvements;

(3) Commission and Developer hereby renounce the existence of any form of agency relationship, joint venture or partnership between Commission and Developer and agree that nothing contained herein or in any document executed in connection herewith shall be construed as creating any such relationship between Commission and Developer.

11.2 Conflict of Interest; Commission Representatives Not Individually Liable. No member, official, or employee of the Commission or any City entity shall have any personal interest, direct or indirect, in the Agreement, nor shall any such member, official, or employee participate in any decision relating to the Agreement which affects his personal interests or the interests of any corporation, partnership, or association in which he/she is, directly or indirectly, interested. No member, official, or employee of the Commission shall be personally liable to the Developer, or any successor in interest, in the event of any default or breach by the Commission or for any amount which may become due to the Developer or successor or assign or on any obligations under the terms of the Agreement.

SECTION 12.0 MISCELLANEOUS.

12.1 Severability. If any term or provision of this Agreement, or the application of any term or provision of this Agreement to a particular situation, is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining terms and provisions of this Agreement, or the application of this Agreement to other situations, shall continue in full force and effect unless amended or modified by mutual consent of the parties. Notwithstanding the foregoing, if any material provision of this Agreement, or the application of such provision to a particular situation, is held to be invalid, void or unenforceable, Commission may, in Commission's sole and absolute discretion, terminate this Agreement by providing written notice of such termination to Developer.

12.2 Other Necessary Acts. Each Party shall execute and deliver to the other all such other further instruments and documents as may be reasonably necessary to accomplish the Project contemplated by this Agreement and to provide and secure to the other Party the full and complete enjoyment of its rights and privileges hereunder.

12.3 Waiver of Jury Trial. The parties acknowledge that disputes arising under this Agreement are likely to be complex and they desire to streamline and minimize the cost of resolving such disputes. In any legal proceeding, each party irrevocably waives the right to trial by jury in any action, counterclaim, dispute, or proceeding based upon, or related to the subject matter of this Agreement. This waiver applies to all claims against all parties to such actions and proceedings. This waiver is knowingly, intentionally, and voluntarily made by both parties.

12.5 Recordation. This Agreement or a Memorandum of Agreement may be recorded in the office of the St. Joseph County Recorder subsequent to its execution.

12.6 Equal Employment Opportunity. The Developer, for itself and its successors and assigns, agrees that during the construction of the Project:

(a) The Developer will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Developer agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

(b) The Developer will state, in all solicitations or advertisements for employees placed by or on behalf of the Developer, that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

12.7 Titles of Articles and Sections. Any titles of the several parts, sections, and paragraphs of this Agreement are inserted for convenience or reference only and shall be disregarded in construing or interpreting any of its provisions.

12.8 Counterparts. This Agreement may be executed in counterparts, all of which shall be deemed originals.

12.9 Notices and Demands. A notice, demand, or other communication under the Contract by either party to the other shall be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, return receipt requested, or delivered personally, and

(a) in the case of the Developer, is addressed to or delivered personally to the Developer as follows:

With a copy to:

and

(b) in the case of the Commission is addressed to or delivered personally to:

With a copy to:

Kenneth B. Prince
City of Mishawaka
Redevelopment Commission
600 East Third Street
Mishawaka, IN 46544

Pat Hinkle, Corporation Counsel
City of Mishawaka
Department of Law
600 East Third Street
Mishawaka, IN 46544

or at such other address with respect to either such party as that party may from time to time designate in writing and forward to the other as provided in this Section.

12.10 Governing Law. This Agreement shall be interpreted and enforced according to the laws of the State of Indiana.

12.11 Corporate Authority. The undersigned persons executing and delivering this Agreement on behalf of the Developer represent and certify that they are the duly authorized agent of the corporation/company and have been fully empowered to execute and deliver this Agreement and that all necessary partnership action has been taken and done by Developer.

12.12 No Third-Party Beneficiaries. Nothing in this Agreement, express or implied, is intended or shall be construed to confer upon any person, firm, or corporation other than the parties hereto and their respective successors or assigns, any remedy or claim under or by reason of this Agreement or any term, covenant, or condition hereof, as third-party beneficiaries or otherwise, and all of the terms, covenants, and conditions hereof shall be for the sole and exclusive benefit of the parties herein.

12.13 Assignment. Developer shall not change or assign its rights under this Agreement without the prior written consent of the Commission; provided, however that the Developer may assign its rights under this Agreement to a special purpose entity set up to develop this project without the consent of the Commission, so long as such entity is owned in whole or in part by Barak Group. L.L.C. or its principals.

12.14 Further Assurances. The parties agree that they will each take any action and execute and deliver any document reasonably required to carry out the intents and purposes of this Agreement. Without limitation, this shall include the furnishing of any Exhibit called for to be attached hereto or included herewith.

IN WITNESS WHEREOF, the Parties hereby execute this Agreement on the dates first written below. This Agreement shall become effective only upon the signature of both parties.

COMMISSION:

CITY OF MISHAWAKA, BY ITS
REDEVELOPMENT COMMISSION



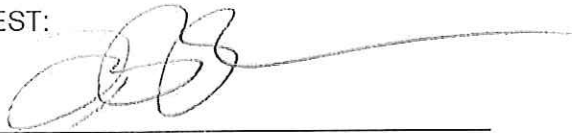
Gary O'Dell, President

Janet Whitfield-Hyduk, Vice President



Kris Ermeti, Secretary

ATTEST:



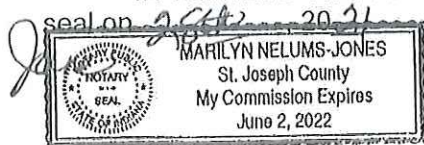
Kenneth B. Prince, Executive Director

STATE OF INDIANA)

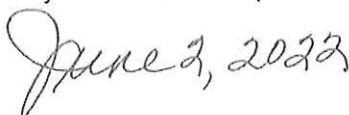
ST. JOSEPH COUNTY) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Gary L. O'Dell, Janet Whitfield-Hyduk, and Kris Ermeti known to me to be President, Vice President, and Secretary of the City of Mishawaka Redevelopment Commission and acknowledged the execution of the foregoing Agreement.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official



My Commission Expires:

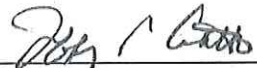

June 2, 2022



Notary Public
Residing in St. Joseph County, Indiana

DEVELOPER:

Beacon Health System, Inc



Signature

Jeffrey P. Costello, Chief Financial Officer

STATE OF INDIANA)

)SS:
COUNTY OF ST. JOSEPH)

Correct this as necessary for Beacon Health System, Inc.

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jeffrey P. Costello, known to be to be the Chief Financial Officer of Beacon Health System, Inc.. and acknowledged the execution of the foregoing Agreement.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on June 28, 2021.

My Commission Expires: 3/11/27



Notary Public
Residing in St. Joseph County, Indiana

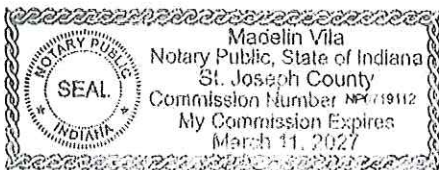


Exhibit "A"

Architectural Development and Site Plans

Bid for 126 North Church Street

Beacon Health System
Proposed Downtown
Mishawaka Clinic



Acquisition Bid and Property
Redevelopment Proposal

Submitted to:
City of Mishawaka, Indiana
Redevelopment Commission

May 24, 2021



3245 Health Drive Granger, Indiana 46530

May 24, 2021

Attn: Mr. Ken B. Prince
City Planner/Executive Director
City of Mishawaka Redevelopment Commission
600 E. Third St. Room 201
Mishawaka, IN 46544

via Hand Delivery

Re: Bid for 126 North Church Street

Dear Mr. Prince,

Per the City of Mishawaka's RFP for the captioned property, Beacon Health System, Inc. does hereby submit our bid and proposal to acquire and comprehensively redevelop subject Parcels 1 and 2, as follows:

PRICE OFFERED FOR THE PROPERTIES: Parcel 1—\$30,000 | Parcel 2—\$20,000 (\$50,000 total)

INTENDED USE: Parcels shall be consolidated with adjacent sites controlled by Beacon Health System for near future redevelopment as a community medical clinic and diagnostics facility.

ESTIMATED PROJECT INVESTMENT: Phase 1—\$12.5 million | Phase 2—\$8.0 million (\$20.5 million total)

PROPOSED ARCHITECTURE: See attached drawings.

SHARED PARKING: Beacon is committed to allow the City and visitors public access for parking on the site.

PROPOSED RIVERWALK CONNECTION: See attached drawings.



DISPOSITION OF UTILITIES BUSINESS OFFICE: Current planning anticipates full or partial demolition with the possibility (subject to engineering) that some concrete structure may be reused and integrated into new construction.

MAINTAINED ACCESS FOR 202 LWE: See attached drawings.

As a community partner since 1894, Beacon Health System is committed to serving the wellness of all people in the region. Acquiring these parcels is key to creating and future-expanding a new state-of-the art central clinic for the citizens of Mishawaka. This project will enhance the aesthetics and fabric of a walkable downtown. We look forward our offer being accepted, and we will be pleased to answer any questions.

Very truly yours,

BEACON HEALTH SYSTEM, INC.

Jeffrey P. Costello, CPA
Vice President and Chief Financial Officer

BEACON
HEALTH SYSTEM

**ANTICIPATED
PROJECT
CHARACTERISTICS**

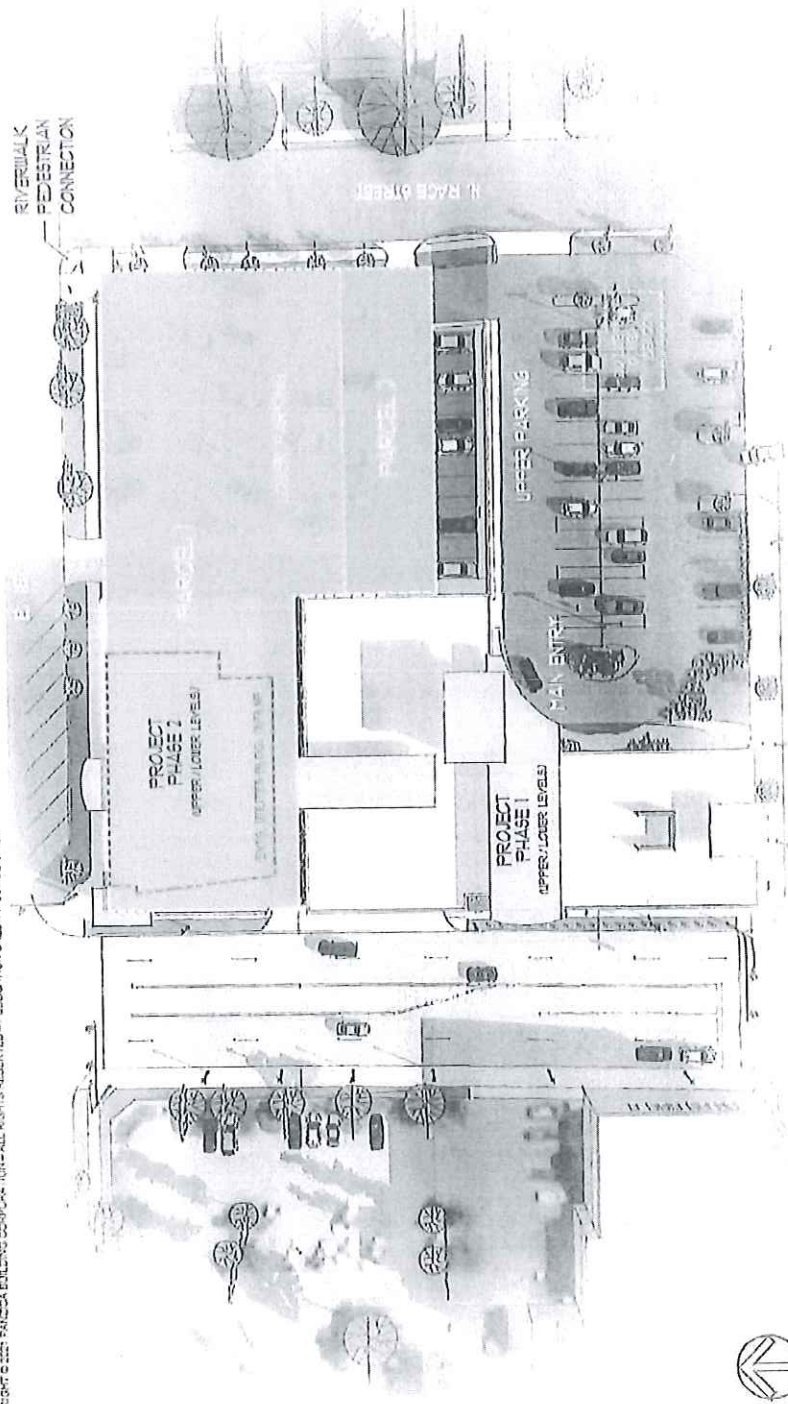
NARRATIVE

THE PROPOSED BEACON MISHAWAKA CLINIC, INVOLVING MUCH ADAPTIVE RE-USE OF THE EXISTING SITE INFRASTRUCTURE, WILL BRING NEW STATE OF THE ART HEALTHCARE SERVICES TO DOWNTOWN MISHAWAKA. WE ENVISION A CONVENIENT SETTING WITH AMPLE PARKING ATTRACTING PATIENTS AND VISITORS FROM THROUGHOUT THE REGION. THE OVERALL PROJECT DEVELOPMENT FOR THIS BLOCK IS INCLUSIVE OF THE EXISTING MISHAWAKA UTILITIES BUILDING (PARCEL 1) WHICH WILL BE DEMOLISHED FOR ADVANCEMENT OF CLINICAL SERVICES. OUR ACQUISITION AND REDEVELOPMENT OF PARCELS 1 AND 2 WILL ALLOW THIS NEW COMMUNITY ASSET TO EXPAND TO ITS FULL MASTER-PLANNED FUTURE POTENTIAL OCCUPYING THE ENTIRE BLOCK. AS ILLUSTRATED HEREIN, THE BUILT-OUT FACILITY WILL OFFER AND MAY INCLUDE:

- IMPROVED HEALTHCARE ACCESS FOR THE MISHAWAKA CITIZENS
- PHASE 1:
 - 16,500 +/- SQUARE FEET
 - FULL TIME EQUIVALENT EMPLOYEES: 21
 - PATIENTS SERVED: 131 / DAY
 - VISITORS TO DOWNTOWN: 205 / DAY
- PHASE 2:
 - 15,000 +/- SQUARE FEET
 - FULL TIME EQUIVALENT EMPLOYEES: 21 ADDITIONAL
 - PATIENTS SERVED: 150 / DAY ADDITIONAL
 - VISITORS TO DOWNTOWN: 225 / DAY ADDITIONAL
- FAMILY MEDICINE PRACTICE
- SPECIALTY CARE PRACTICES
- DIAGNOSTIC CENTER WITH
 - MRI
 - X-RAY
 - CT SCAN
 - MAMMOGRAPHY
 - DEXA
 - STRESS / ECHO TESTING
- LABORATORY SERVICES
- COMBINING PHASE 1 & 2 BRINGS APPROX. 430 PEOPLE DOWNTOWN PER DAY
- A QUALITY-BUILT PROJECT TO ADD TO THE VIBRANCY AND VITALITY OF THE DOWNTOWN.



CONCEPTUAL SITE PLAN. PANZUCA BUILDING CORPORATION - ALL RIGHTS RESERVED - PANZUCA CONCEPT MUST BE GIVEN



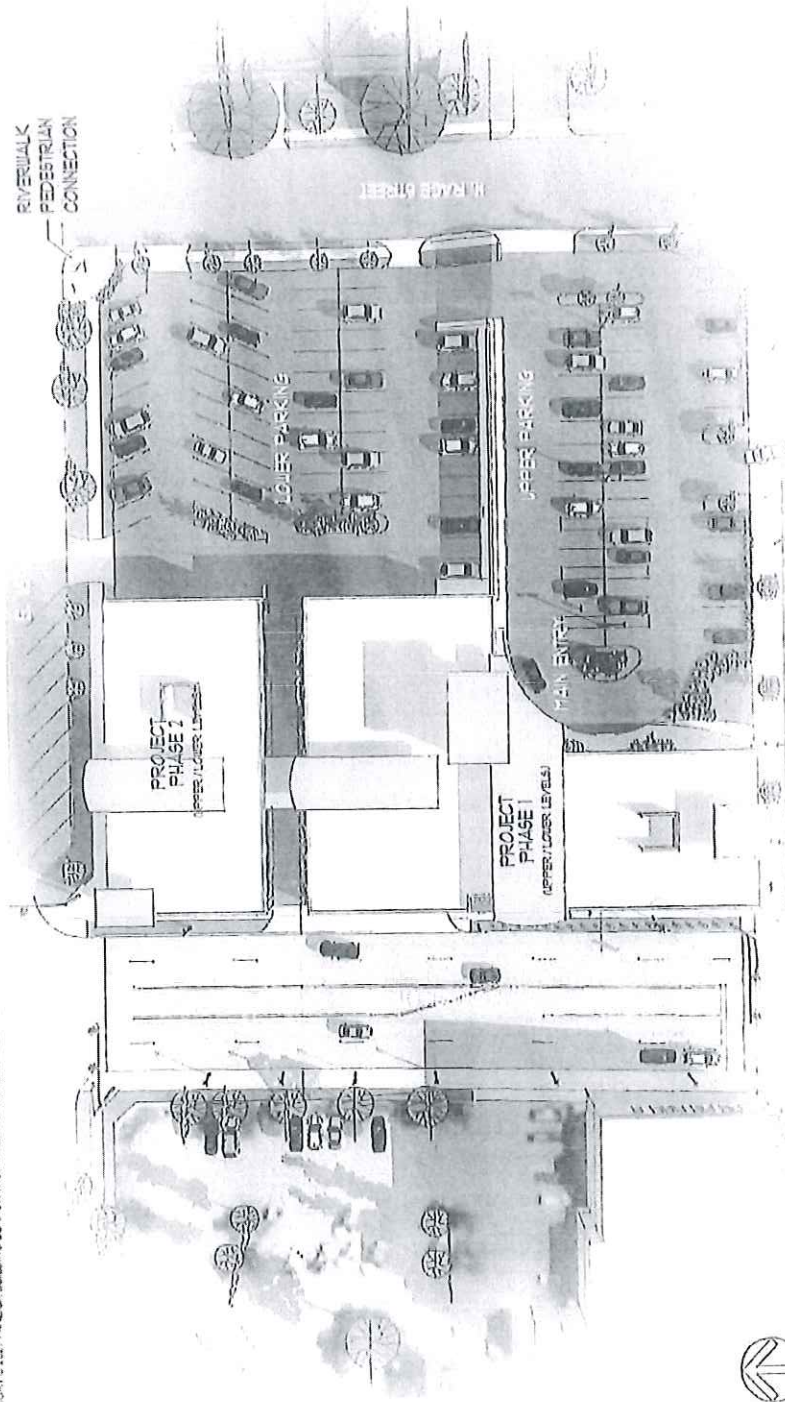
BEACON
HEALTH SYSTEM



panzuca
DESIGN BUILD STRATEGIES, LLC
CONSTRUCTION

PHASE 1 AND 2 - MASTER SITE PLAN DEVELOPMENT PARCELS
PANZUCA BEACON HEALTH SYSTEM CLINIC - CONCEPTUAL - MAY 2021

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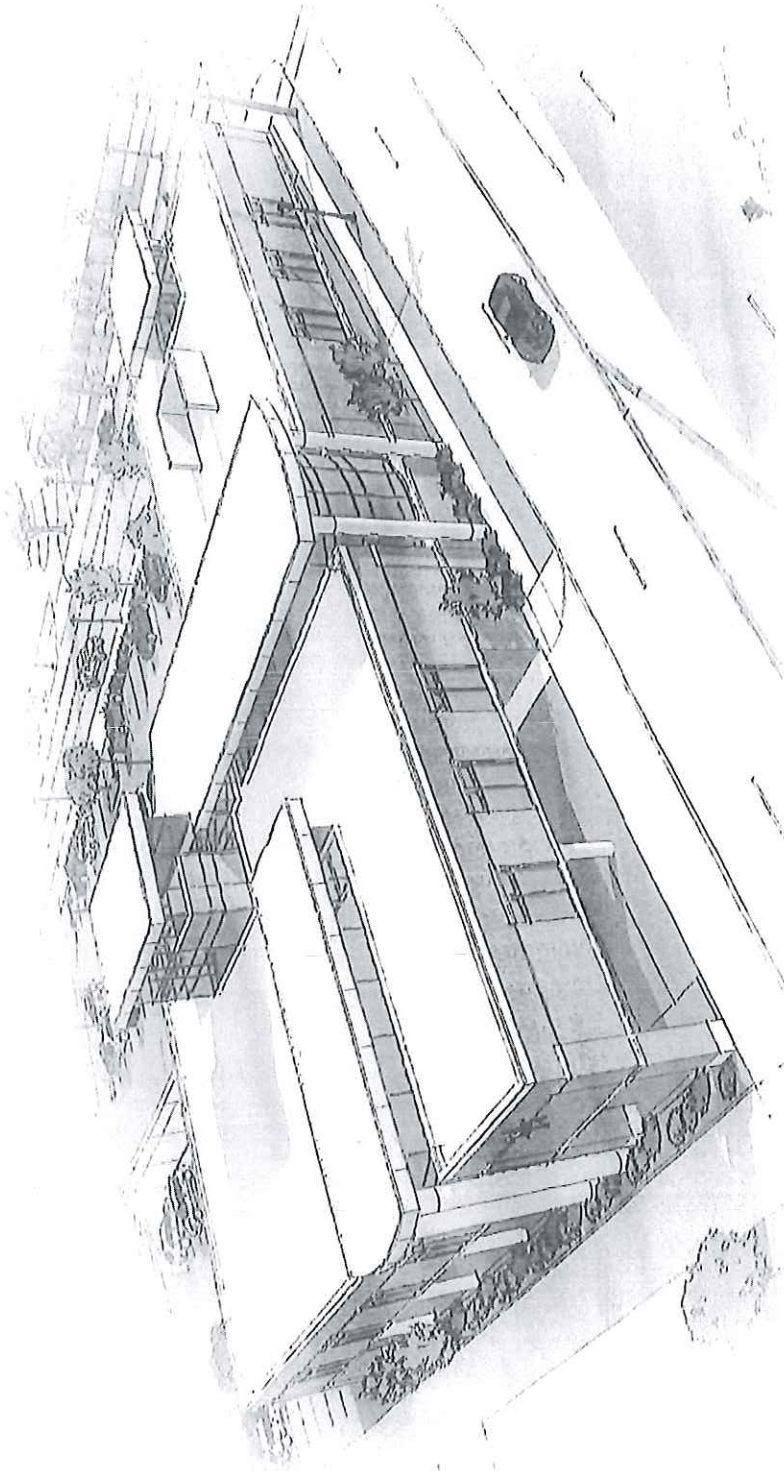
BEACON
HEALTH SYSTEM



panzica
DESIGN-BUILD PARTNERSHIP
CORPORATION

PHASES 1 AND 2 - MASTER SITE DEVELOPMENT PLAN
PROPOSED BEACON HEALTH SYSTEM - CONCEPTUAL - MAY 2021

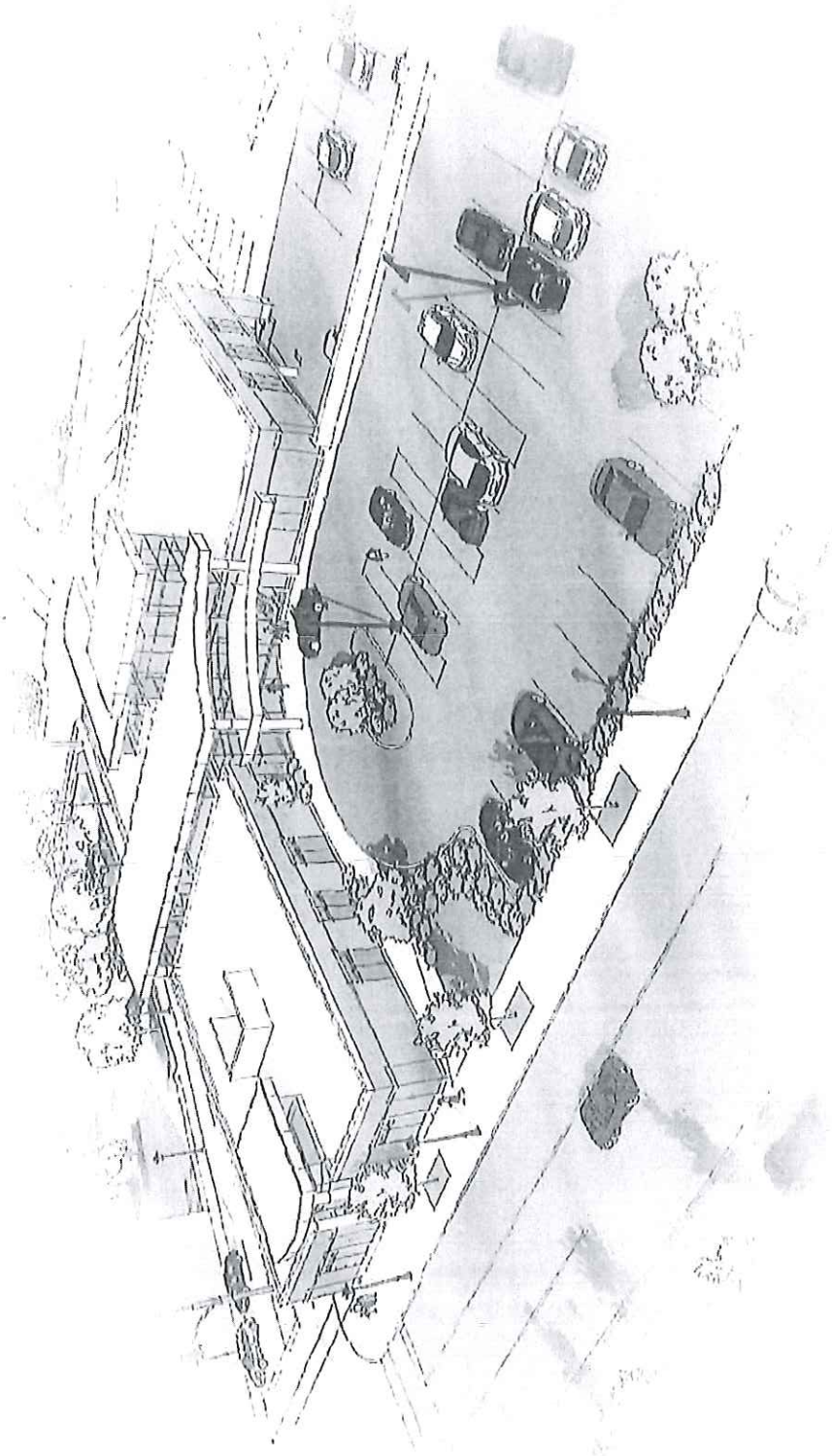
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PHASE 1 - BIRD'S EYE VIEW LOOKING SE FROM CHURCH STREET TOWARDS LMU
PROPOSED BEACON MISHAWAKA CLINIC - CONCEPTUAL - JULY 2021



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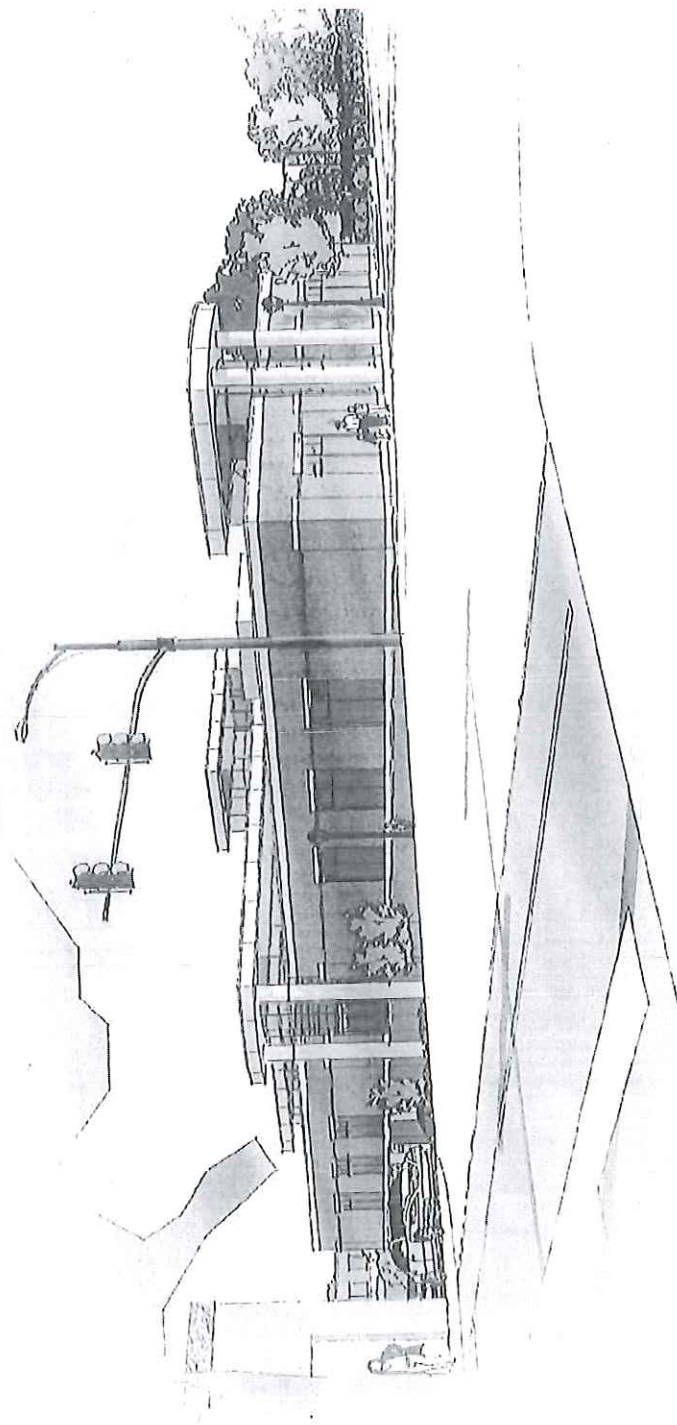
3/24/21 EYE VIEW



PHASE 1 - BIRD'S EYE VIEW LOOKING NW FROM LUE TOWARDS N. CHURCH STREET
PHASE 1 - BEACON HEALTH SYSTEM - CLINIC - CONFIDENTIAL - 03/24/21



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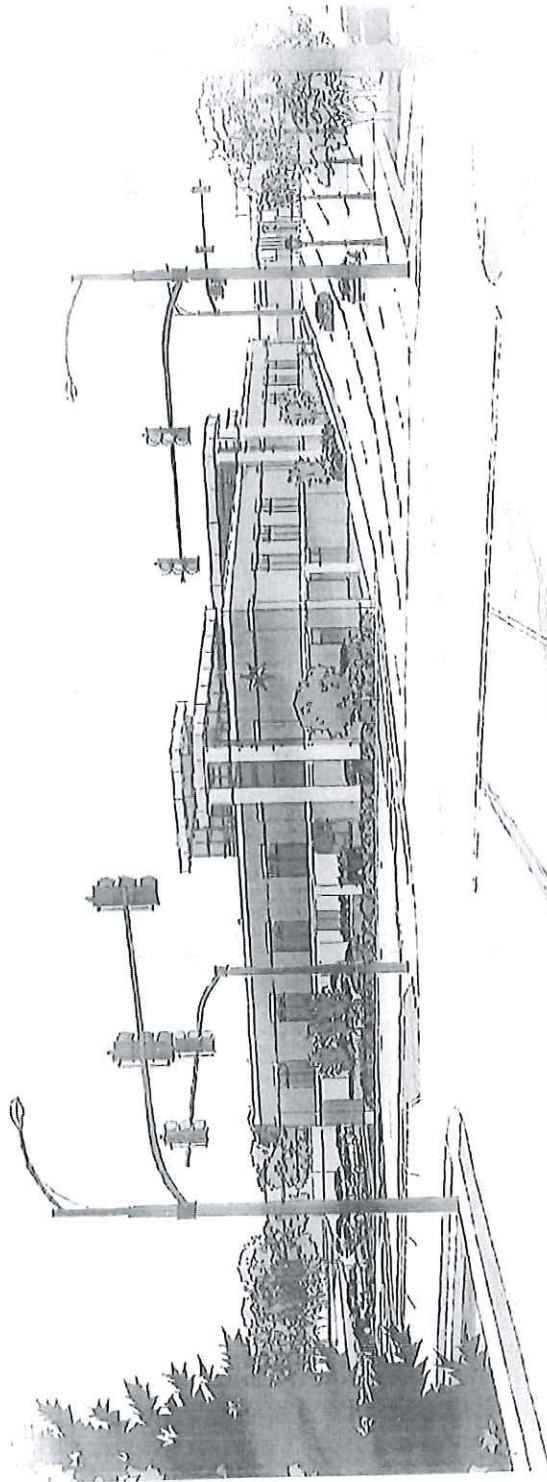
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Design • Create • Submit • Launch
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PHASE 1: LOOKING FOR AN INTERSECTION OF LEAD AND CATCH STRATEGIES



BEACON
HEALTH SYSTEM

NOT TO SCALE. ALL DIMENSIONS ARE APPROXIMATE. ALL DIMENSIONS ARE APPROXIMATE. ALL DIMENSIONS ARE APPROXIMATE.



PHASE 1 - LOOKING SE FROM INTERSECTION OF N. CHURCH AND E. 1ST STREET
 STATION 0+00 TO STATION 0+100.00 - 100.00' - 100.00' - 100.00'

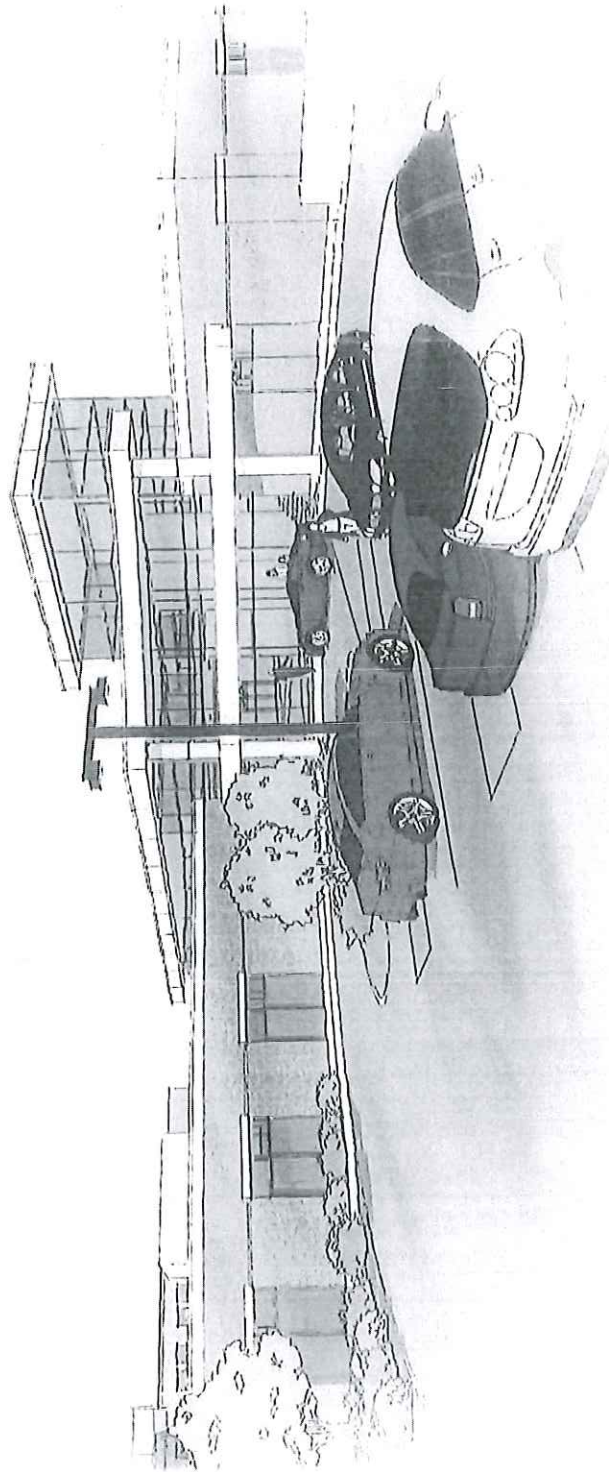


panzuca
 Design-Build Construction, Inc.
 www.panzuca.com



BEACON
 HEALTH SYSTEM

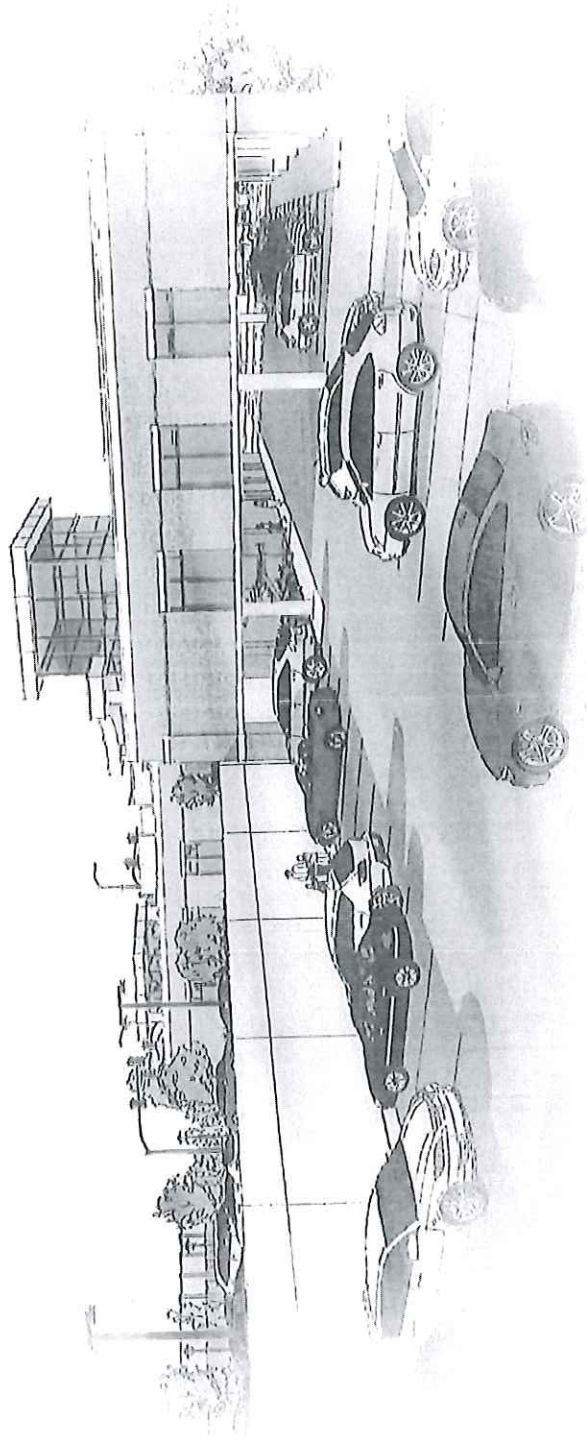
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PHASE I - VIEW OF MAIN PATIENT ENTRY
PROPOSED BEACON MINIMAX CLINIC - CONCEPTUAL - MAY 2021



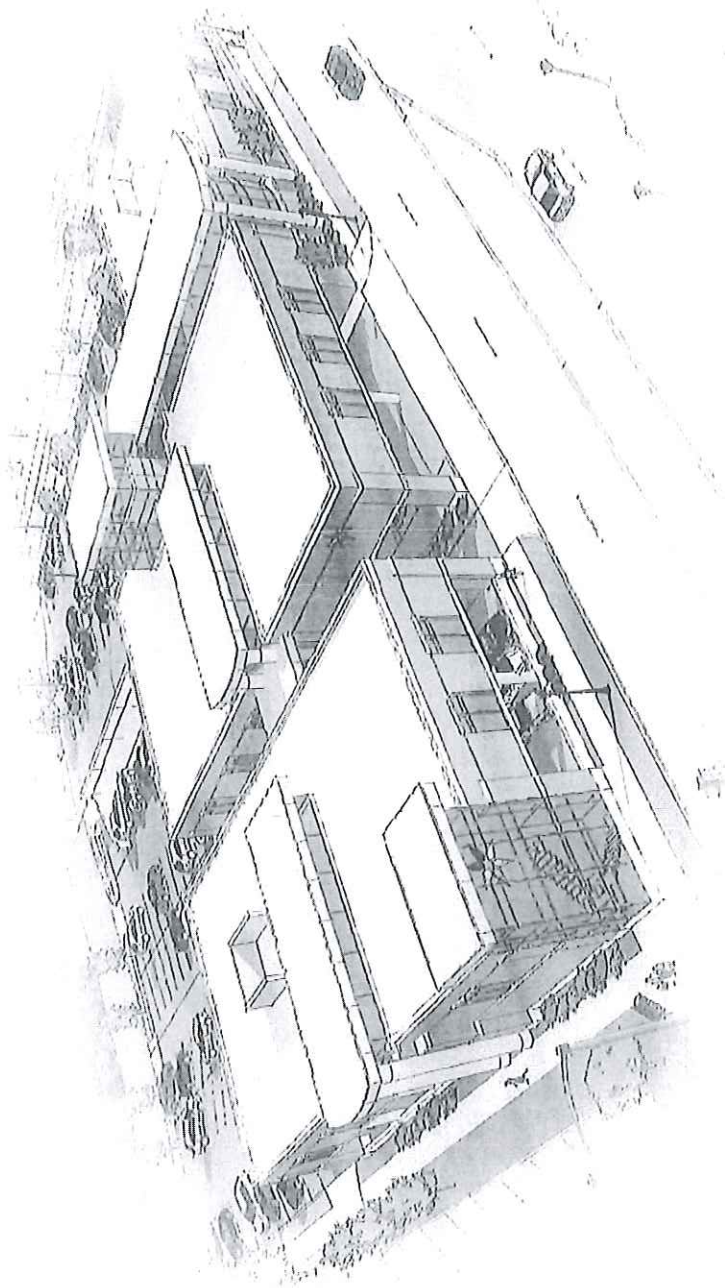
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PHASE I - VIEW OF LOWER LEVEL PARKING AND ENTRY
PROPOSED BEACON HEALTH SYSTEM CLINIC - CONSTRUCTION - MAY 2021



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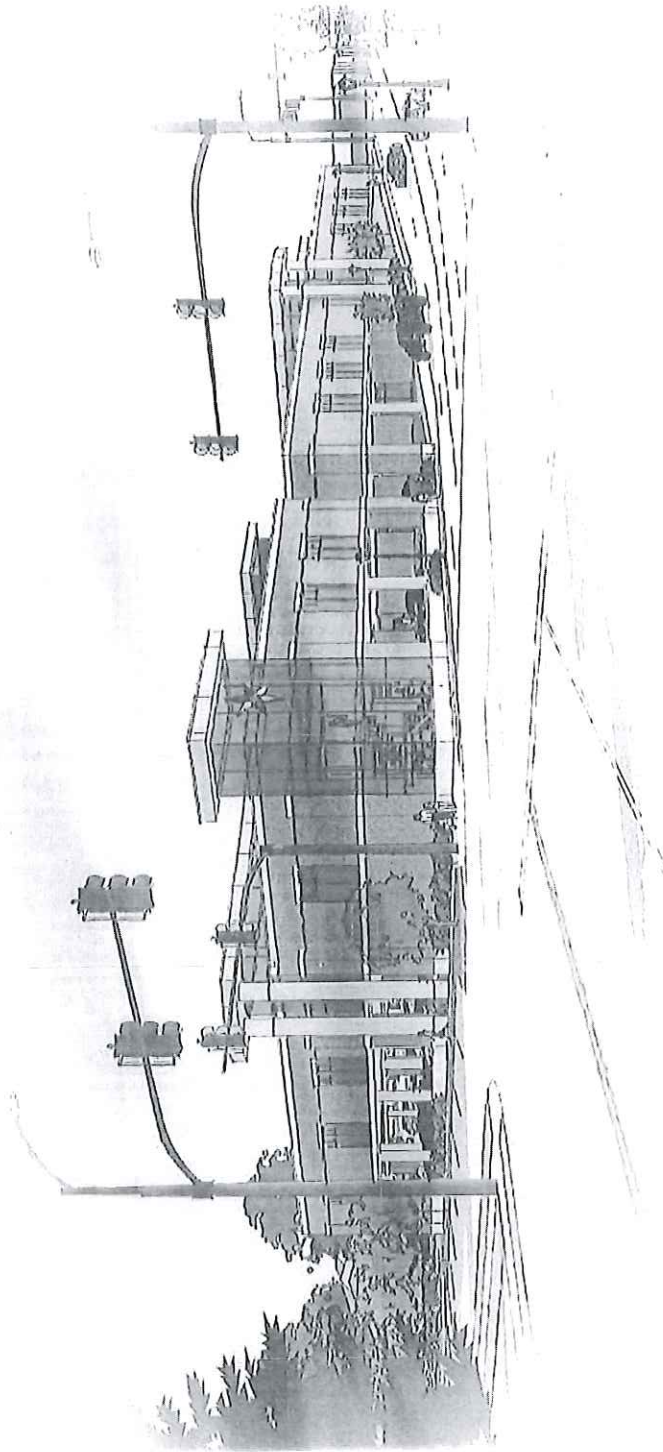


panzica
Design & Construction

PHASES 1 AND 2 - BIRD'S EYE VIEW LOOKING SE FROM N. CHURCH TOWARDS LIE
PANELED BEACON HEALTHCARE BUILDING - GROUND FLOOR - MAY 2011



BEACON
HEALTH SYSTEM



PHASES 1 AND 2 - LOOKING SE FROM INTERSECTION OF N. CHURCH AND E. 1ST STREET
 PROPOSED BEACON HEALTH SYSTEM BUILDING - 200,000 SQ. FT. - 2021



Exhibit "B" General Description of Commission Owned Property

Parcel 1:

126 North Church Street, Mishawaka, IN 46544

Property associated with the existing Mishawaka Utilities Business Office

Tax Key numbers: 016-1008-0367, 016-1008-0372, 016-1008-0373, 016-1008-0374, north half of 016-1008-0375, and north half of 016-1008-0376

Parcel Size: Roughly 285' x 78', 0.55 acres

Lot 10 & N 16.5' Lot 12 Church St, W1/2 W1/2 Lot 5 Race St & Vac Alley W, E 1/2 W 1/2 Lot 5 Race, E 1/2 Lot 5 Race St, N 21 Ft +/- of W1/2 Lot 7 Race St, North 1/2 of Lot 7 E 1/2 Ex 24 3/4 Ft S End Race St, St Joseph Iron Works.

Parcel 2:

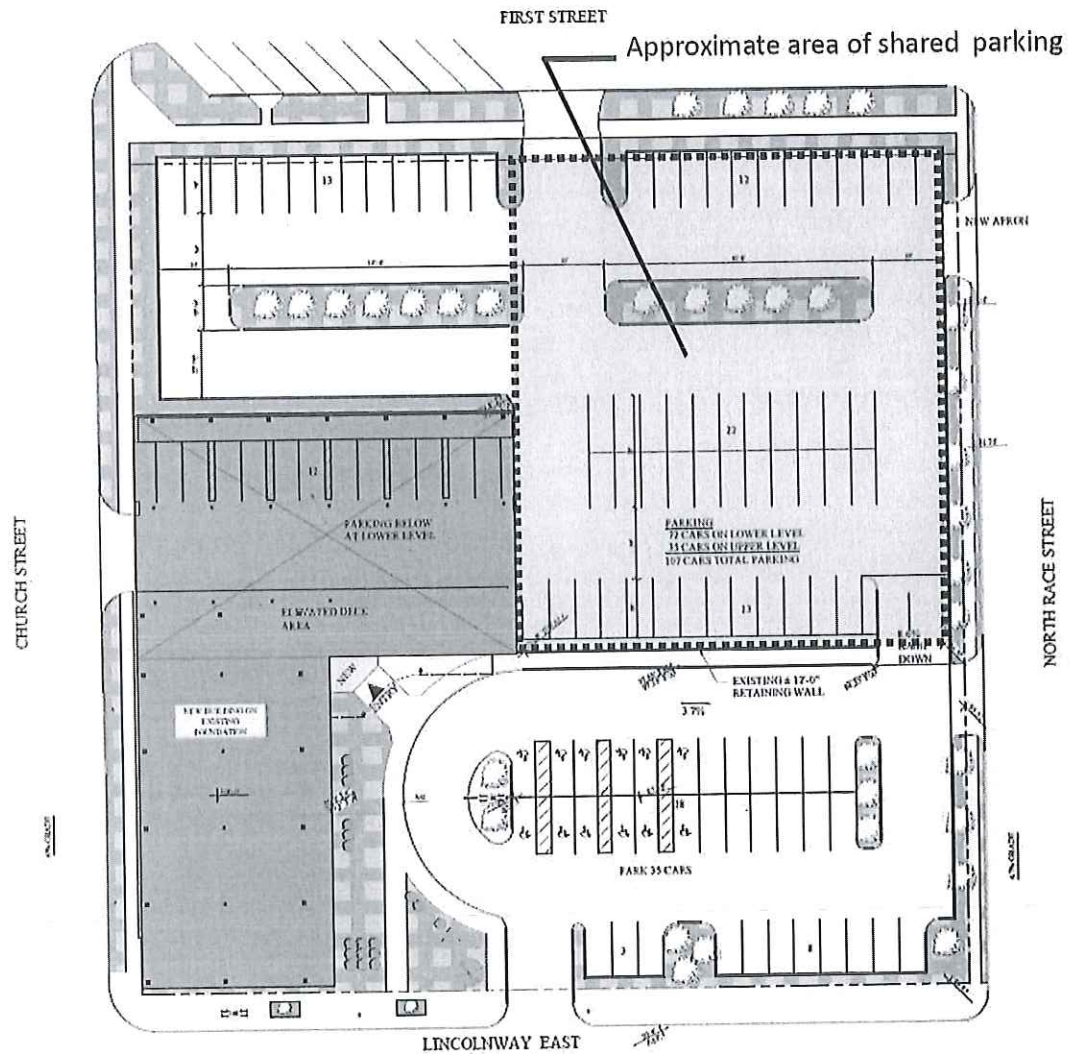
Parcels of paved land south and adjacent to 126 North Church Street, Mishawaka, IN 46544

Tax Key Numbers: 016-1008-037501, 016-1008-0377, south half of 016-1008-0375, and south half of 016-1008-0376

Parcel Size: Roughly 160' x 62', 0.22 acres

S 21 Ft +/- of W1/2 Lot 7 Race St, South 1/2 of Lot 7 E 1/2 Ex 24 3/4 Ft S End Race St, 2 Ft N Side Lot 8 & Vac Alley N & Adj & W1/2 Lot 7 Ex No 42.18 Ft Race St, 24 3/4' S End & 66' N End Lot 7 & 16 1/2' Vac Alley S & Adj, St Joseph Iron Works.

Exhibit "C" Estimated Shared Parking Area



SITE DEVELOPMENT PLAN
SCALE 1" = 20' MAY 10, 2021



JUL 13 2021

City Clerk
Mishawaka, IN

APPEAL #21-20

RESOLUTION NO. 2021- 18

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:

1035 East McKinley Avenue, Mishawaka, Indiana

WHEREAS, the Indiana Code requires the Common Council to give notice of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

WHEREAS, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

WHEREAS, the Common Council is required to make a determination in writing on such requests; and

WHEREAS, the Mishawaka Board of Zoning Appeals has made a favorable recommendation, pursuant to applicable state law, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of the hearing on the Petition from the Board of Zoning Appeals pursuant to Indiana Code requesting that a Use Variance for property located at **1035 East McKinley Avenue, Mishawaka, Indiana**, more particularly known and described as follows:

Lots 9 & 10 Tohulka & Reynolds Add, City of Mishawaka, Penn Township, St. Joseph County, State of Indiana

The Use Variance will allow continuation of the sale of tires and automotive mechanical work in the I-1 Light Industrial District subject to the following condition of approval:

1. Installation of grit/oil/water separator if any work containing fluids such as brake jobs or oil changes occur at this site in the future.

Section II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the Petition as recommended by the Mishawaka Board of Zoning Appeals, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning, a copy of which is on file in the Office of the City Clerk.

Section III. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community because there are other similar uses in the McKinley/Merrifield corridor;
2. The use and value of the area adjacent to the property included in the variance will has not been affected in a substantially adverse manner in the past year because the property will be used similarly to other properties in the immediate area;
3. The need for the variance arises from some condition peculiar to the property in that automobile uses are not allowed in the I-1 Industrial District;
4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought because the property has been operating at this use for the past year, denying this request would result in a vacant building and a displaced business;
5. The recommendation is consistent with Comprehensive Plan which indicates both general commercial and industrial uses for this area.

Section IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2021, at _____ o'clock ____ .m.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____ 2021,
at _____ o'clock ____ m.

Deborah S. Block, IAMC, MMC, City Clerk

RESOLUTION #2021-
1035 East McKinley Avenue
Page 3 of 3

APPROVED by me this _____ day of _____, 2021, at
_____ o'clock _____.m.

David A. Wood, Mayor

STAFF REPORT

Location: 1035 E McKinley

Date: July 13, 2021

Appeal: 21 20

Prepared By: CH

GENERAL INFORMATION

Applicant: JADET LLC

Status: Property Owner

Request: Continuation of Use Variance to allow the sale of tires and automotive mechanical work in the I-1 Light Industrial District

Zoning Classification: I-1 Light Industrial District

Lot Size: 0.49 acres

Applicable Regulations: Section 137-42 / (5) Board of Zoning Appeals – Developmental Variance;
Section 137-586 / I-1 Light Industrial District - Uses

SPECIAL INFORMATION

Area Development Pattern: North: C-4 Automobile Oriented Commercial (vacant car lot)
South: C-4 Automobile Oriented Commercial (pawn shop)
East: C-4 Automobile Oriented Commercial (auto detailing)
West: I-1 Light Industrial (lumberyard)

Thoroughfare: McKinley Avenue

School District: School City of Mishawaka

Township: Penn

Public Utilities: All utilities are available and existing to the site.

Comprehensive Plan: The Mishawaka 2000 Comprehensive Plan identifies General commercial along McKinley and Industrial along the railroad tracks.

ANALYSIS

The Appellant is requesting a continuation of use variance originally approved in 2020 to allow the sale of tires and automotive mechanical work in the I-1 Light Industrial District subject to the following conditions:

1. Submittal of an Administrative Site Plan
2. Installation of a grit/oil/water separator if any work containing fluids such as brake jobs or oil changes are going to occur at this site
3. Conditional Use ends September 1, 2021

Planning Staff met with the property owner and business owner on July 6, 2021 to view the conditions. The current tenant, House of Wheels, is only selling and installing wheels and tires. There were no floor drains, and Staff saw no evidence of work being done which contained fluids, therefore, a grit/oil/water separator is not required at this time. All the tires are stored in a shed and removed every 2 weeks. We asked that the tires on display in front be moved closer to the building, as to not disrupt traffic flow. These items are only out while the business is open. No outside storage of inoperable cars shall be permitted. The property owner painted lines so parking spaces are better defined.

The building was built in 1980, according to tax records. Previous businesses at this location include Old Bob's Country Store and the Sign Shop. This area, at the intersection of McKinley Avenue, Merrifield Avenue, and the railroad tracks has a mix of commercial and industrial uses. The closest residential property is approximately 500 feet away.

Pertinent departments have reviewed this request without further comment. There have been no zoning or code violations since the automotive use was approved last year.

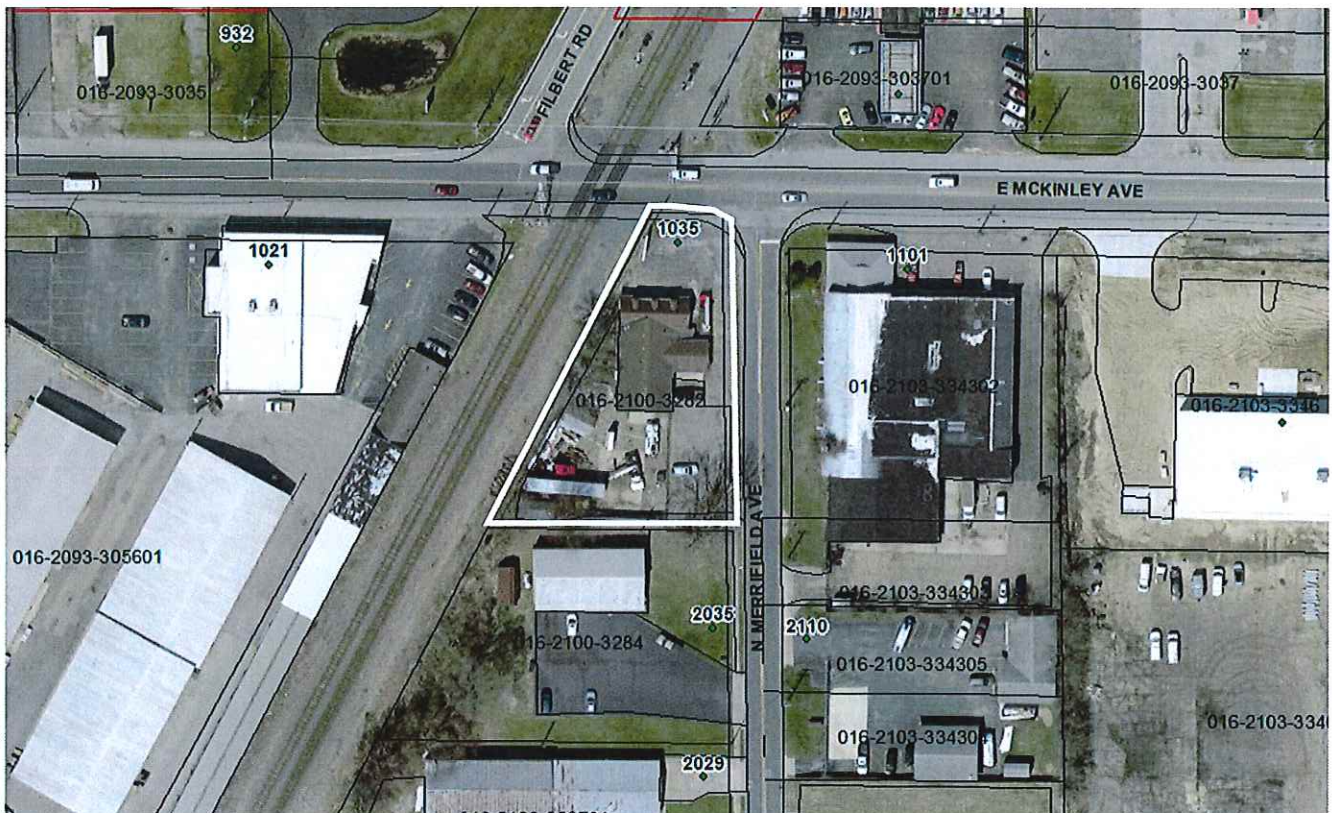
RECOMMENDATION

The Planning Staff recommends approval of Appeal 21-20 to allow continuation of Use Variance to allow the sale of tires and automotive mechanical work in the I-1 Light Industrial at 1035 E McKinley subject to the installation of a grit/oil/water separator if any work containing fluids such as brake jobs or oil changes will to occur at this site in the future. This recommendation is based upon the following findings of fact:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community because there are other similar uses in the McKinley/Merrifield corridor;
2. The use and value of the area adjacent to the property included in the variance will has not been affected in a substantially adverse manner in the past year because the property will be used similarly to other properties in the immediate area;
3. The need for the variance arises from some condition peculiar to the property in that automobile uses are not allowed in the I-1 Industrial District;
4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought because the property has been operating at this use for the past year, denying this request would result in a vacant building and a displaced business;
5. The recommendation is consistent with Comprehensive Plan which indicates both general commercial and industrial uses for this area.

ATTACHMENTS

Aerial, Photographs, Appeal, Location Map





Front view 2020



Front view 2021



View from Merrifield 2020



View from Merrifield 2021



Rear storage area 2020



Rear storage area 2021



2 parallel spaces in front of building



2 parallel spaces on east side of building



7 parking spaces along fence

Deborah S. Block, IAC, MMC

JUN 28 2021

City Clerk
Mishawaka, IN

June 22, 2021

Board of Zoning Appeals
City of Mishawaka, Indiana



The undersigned appellant respectfully shows the Board:

1. JADET LLC is the owner of the following described real estate located within the City of Mishawaka, Mish Penn Township, St. Joseph County, State of Indiana, to wit:

Lots 9 & 10 Tohulka & Reynolds Add
1035 E. McKinley Hwy, Mishawaka, IN 46545
71-09-10-129-001.000-023
2. The above described real estate presently has a zoning classification of I-1 Light Industrial District under the Zoning Ordinance of the City of Mishawaka. On August 11, 2020 the Mishawaka Planning Staff approved Appeal 20-35 to allow a use variance for automobile repair and sale and installation of tires and wheels in a I-1 Light Industrial District at the 1035 E. McKinley address. The business has been operational since September of 2020 with no issues whatsoever. I would respectfully that this use variance now be consider as a permanent approval by the Planning staff.
3. Appellant occupies the above described property in the following manner: sales of wheels and tires and automotive mechanical work.
4. Appellant desires to continue to perform automotive mechanical work and sale and installation of wheels and tires.
5. The Zoning Ordinance for Classification I-1 of the City of Mishawaka does not allow any uses for any automotive mechanical work and sales and installation of wheels and tires. (Sec 137-586).
6. The automotive mechanical service work and sales/installation of wheels and tires is necessary to operate this successful business enterprise. The present Zoning Classification does not allow such and impedes an opportunity for a merchant to create a profitable and successful business.
7. Use variance questions:
 - (1) Will approval be injurious to the public health, safety, morals or general welfare of the community?
No, The property will remain in compliance with any rules and regulations set forth by the City of Mishawaka.
 - (2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?

70838
No, The only adjacent property is a warehouse to the South that is separated by a fence. A RR is to the West, McKinley Hwy to the North, and Merrifield Ave----- to the East.

(3) Does the need for the variance arise from some condition peculiar to the property involved?

No, The property and buildings will not be changed.

(4) Does strict application of the terms of this chapter constitute an unnecessary hardship if applied to the property for which the variance is sought?

Yes, The wheel and tire business cannot be successful without a variance.

(5) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan?

No, the approval will enhance the Plan by allowing and creating a new business for the community.

Wherefore, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested permanent variance.

JADET LLC

Jerry DeTurk

JADET LLC by Jerry DeTurk, authorized member

Contact Person: Jerry DeTurk

294 E 350 N, Warsaw, IN 46582-7707

(574) 267-7642

Mrzipp6@gmail.com

SITE PLAN APPROVAL

June 22, 2021

I am respectfully requesting permanent approval of Commercial use in an Industrial-1 Zoned parcel.

The Commercial use is necessary to continue the sales and service of wheels and tires on the property.

Twelve parking spaces are provided. Five are on the North side of the structure off McKinley Highway. Seven are on the East side of the fence and West of N. Merrifield Ave. Each is nine feet wide and twenty feet long.

Two entrances to the parking are provided; one off McKinley Highway and the other off Merrifield Avenue.

The parcels adjacent to this location are zoned for Commercial use and this approval would not make any change to any of the character associated with the neighborhood area.

The current structures will be used for the Commercial business without any additions or modifications made to them.

All removed tires will be stored inside a 16 x 20 ft. enclosed building prior to scheduled offsite removal.

The business has been in operation on a conditional variance approval since August of 2020. No known issues have developed since that date. The permanent approval of Commercial use would be beneficial for the future success of the business.

Parcel Number 71-09-10-129-001.000-023

Lots 9 & 10 Tohulka & Reynolds Addition Penn Township

1035 E. McKinley Ave., Mishawaka, IN 46545

Owner: JADET LLC

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

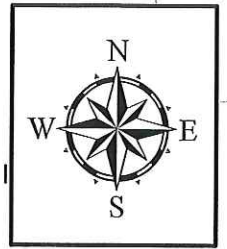
JADET LLC
Jerry DeTurk
Jerry DeTurk, Authorized member

294 E 350 N

Warsaw, IN 46582-7707

(574)267-7642





FILBERT RD

I-1

C-1

C-4

I-1

I-1

E MCKINLEY AVE

AP 21-20

I-1

C-4

C-4

I-1

C-4

C-4

I-1

C-1

I-1

R-2

C-1

N MERRIFIELD AVE

N CEDAR ST

R-1 R-1

Location Map

AP 21-20

OWNER: JADET LLC
1035 E MCKINLEY

RENEWAL OF
USE VARIANCE TO ALLOW
AUTOMOBILE REPAIR IN
I-1 LIGHT INDUSTRIAL

JUN 1 11 2021

City Clerk
Mishawaka, IN

PETITION #21-09

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2021-22

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA, AND PROVIDING ZONING CLASSIFICATION THEREFORE

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and the zoning as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MASONRY NAIL MARKING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 59 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1320.97 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1974.64 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 628.21 FEET TO A CAPPED ONE INCH IRON PIPE SAID PIPE BEING SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHWEST CORNER OF THE EAST HALF (E ½) NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 56 MINUTES 51 SECONDS EAST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 1319.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 SAID POINT BEING SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27 A DISTANCE OF 627.92

Proposed Ordinance No. 2021-22

Ordinance No. _____

FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 27; A DISTANCE OF 1318.46 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.

CONTAINING 19.01 ACRES OF LAND

SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO:

A PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP IN ST. JOSEPH COUNTY, MISHAWAKA, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH THIRTY (30) FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST JOSPEH COUNTY, MISHAWAKA, INDIANA.

CONTAINING 0.909 ACRES MORE OR LESS.

COMMON ADDRESS: 19.2 acres north of Autumn Ridge Subdivision

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of R-1 Single Family Residential District.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Existing Conditions – The subject property is vacant land in Unincorporated St. Joseph County, owned by the same developer at Autumn Ridge Phase 3.
2. Character of Buildings in the Area – The character of buildings and land uses located west of Bremen Highway between Dragoon and Fulmer are primarily residential, with a few commercial land uses south of Fulmer.
3. The most desirable/highest and best use – Because of the property's location adjacent existing residential developments, the most desirable use for the property is residential.
4. Conservation of property values – The proposed zoning will not be injurious to the property values in the surrounding area. The expansion of the subdivision is compatible with the existing surrounding residential uses.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan, created in 1990, identified this area as low density residential, which is how it has developed.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

Proposed Ordinance No. _____

Ordinance No. _____

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2021, at _____ o'clock _____.M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2021, at _____ o'clock _____.M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2021, at _____ o'clock _____.M.

David A. Wood, Mayor

STAFF REPORT

Location: Property north of Autumn Ridge subdivision

Date: June 8, 2021

Petition: 21- 09

Prepared By: CH

GENERAL INFORMATION

Applicant: MOE AN, LLC

Status: Property Owner

Request: To annex additional property for the expansion of an adjacent subdivision

Existing Zoning: Unincorporated St. Joseph County (R Residential District)

Proposed Zoning: R-1 Single Family Residential District

Lot Size: 19 acres

Applicable Regulations: Section 137-164 to 137-166 / R-1 Single Family District &
Section 137-41 / Amendments to Zoning Map &
Indiana Code 36-4-3-2.1 and 36-4-3-3.1

SPECIAL INFORMATION

Area Development Pattern: North: R-1 Single Family District (Blair Hills subdivision)
South: R-1 Single Family District (Autumn Ridge subdivision)
East: R-1 Single Family District (Blair Hills subdivision)
West: Unincorporated St. Joseph County – R Residential District

Thoroughfare: Wild Cherry Ridge West

School District: Penn-Harris-Madison

Township: Penn

Public Utilities: All utilities are available and/or will be extended to/throughout the site at the developer's/owner's expense.

Comprehensive Plan: The Mishawaka 2000 Comprehensive Plan identifies a preferred or planned use for this property as Low Density Residential.

ANALYSIS**Proposal:**

The applicants are proposing to annex an approximately 19 acre vacant parcel of land (Tax Parcel 014-1032-052815), located north of Autumn Ridge Subdivision and south and west of Blair Hills subdivision.

The purpose of the proposed annexation is to allow for Phase 4 of Autumn Ridge Subdivision. A preliminary lot layout has been included, but if the proposed annexation is approved, a subdivision will need to be filed separately to officially create the lots, dedicate right-of-way, and provide easements.

Annexation:

The original Autumn Ridge subdivision was annexed in 1990 as part of the Meijer store to the south. The adjacent portion of Blair Hills was annexed in 1973.

Per the State of Indiana's annexation laws, a parcel is required to share one-eighth, or 12.5%, of its boundary with the existing City boundary in order to be annexed. Based on the existing city boundary, Parcel 1 has 1946.38 feet, or 50%, of the total 3894.19 feet of the perimeter of the property will be contiguous with the exiting city limits. This exceeds the required 12.5% contiguity.

Location/Context:

The site is located on the south side of east of Bremen Highway, north of Fulmer and south of Dragoon Trail. It is bordered to the north and east by the exiting Blair Hills subdivision; to the west by a vacant land owned by the City; and to the south by the existing Autumn Ridge subdivision; and to the east an industrial business and the existing Adorn business both within the City. This area is primarily residential.

History:

In 1998, an annexation and rezoning petition was filed, including this property, for multi-family. The Plan Commission recommendation denial and it was withdrawn before the final vote from the Council. In 2006, an annexation petition with zoning to R-1 Single Family District was submitted, but withdrawn before any public hearing was held.

Zoning:

Staff believes that the proposed zoning of this property upon annexation to the R-1 Single Family District is appropriate given that the property will be developed as Phase 4 of Autumn Ridge Subdivision.

Transportation/Roads:

According to the latest available traffic counts, taken in April of 2021 at the intersection of Bremen Highway and Fulmer Road were 6,854 annual average daily trips (AADT).

The counts at these locations have been relatively constant over the past 10 years.

The 2045 Transportation Plan, prepared by the Michiana Area Council of Governments with input from City staff and the County Engineering Department, does not recommend any improvements to the intersection at Bremen Highway and Fulmer.

All pertinent City Departments have reviewed and approved the request for annexation and zoning. The Engineering and Electric Departments had comments pertaining to the subdivision which were forwarded to the owner's surveyor.

RECOMMENDATION

Staff recommends approval of Petition 21-06 to annex and establish zoning as R-1 Single Family District for the 19 acres property north of Autumn Ridge Subdivision.

This recommendation is based on the following Findings of Fact:

1. Existing Conditions – The subject property is vacant land in Unincorporated St. Joseph County, owned by the same developer at Autumn Ridge Phase 3.
2. Character of Buildings in the Area – The character of buildings and land uses located west of Bremen Highway between Dragoon and Fulmer are primarily residential, with a few commercial land uses south of Fulmer.
3. The most desirable/highest and best use – Because of the property's location adjacent existing residential developments, the most desirable use for the property is residential.
4. Conservation of property values – The proposed zoning will not be injurious to the property values in the surrounding area. The expansion of the subdivision is compatible with the existing surrounding residential uses.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan, created in 1990, identified this area as low density residential, which is how it has developed.

ATTACHMENTS

Aerial Map, Photographs of the Annexation Area, Rezoning & Annexation Petition, and Location Maps



PHOTOGRAPHS OF PROPERTY TO BE ANNEXED



Due north



Due east



For reference, a view southeast of the site towards the water tower

MAY 26 2021

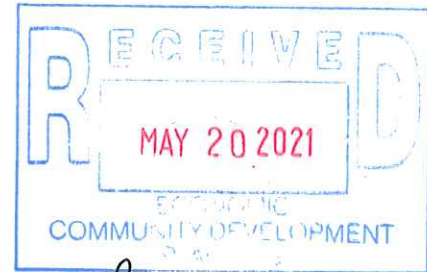
City Clerk
Mishawaka, IN



Engineering • Architecture • Land Surveying

DATE: May 19, 2021

TO: Honorable Members of the Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana



RE: Petition for Annexation and Zoning Classification

The undersigned MOE AN, LLC respectfully show they are the owners of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

LEGAL DESCRIPTION ATTACHED

Petitioners own one-hundred (100%) percent of the above-described parcel of land which is located in the State of Indiana and that petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with a R-1 Residential District. Petitioners further state they intend to utilize said land for a single-family residential subdivision development.

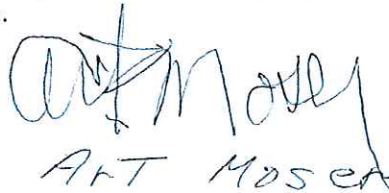
Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate, showing the size of the proposed lots, roads and drainage infrastructure.

Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, Petitioners respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with a R-1 Residential District zoning classification.



MOE AN, LLC


ART MOSER



Printed

5-20-21

5-20-21

Contact:

Mike Huber
Abonmarhce Consultants
315 W. Jefferson Blvd.
South Bend, Indiana 46601
(574) 347-4610
mhuber@abonmarhce.com

LAND DESCRIPTION

PART OF THE EAST HALF ($E \frac{1}{2}$) OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SECTION 27 TOWNSHIP 37 NORTH, RANGE 3 EAST SITUATE IN PENN TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MASONRY NAIL MARKING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 59 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27 A DISTANCE OF 1320.97 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE EAST HALF ($E \frac{1}{2}$) OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27; THENCE NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF ($E \frac{1}{2}$) OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27 A DISTANCE OF 1974.64 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE NORTH HALF ($N \frac{1}{2}$) OF THE NORTHEAST QUARTER ($NE \frac{1}{4}$) OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27 AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF ($E \frac{1}{2}$) OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27 A DISTANCE OF 628.21 FEET TO A CAPPED ONE INCH IRON PIPE SAID PIPE BEING SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHWEST CORNER OF THE EAST HALF ($E \frac{1}{2}$) NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 56 MINUTES 51 SECONDS EAST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27 A DISTANCE OF 1319.60 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27 SAID POINT BEING SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST A DISTANCE OF 30.00 FEET FROM AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 13 MINUTES 23 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27 A DISTANCE OF 627.92 FEET TO A CAPPED ONE INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTH HALF ($N \frac{1}{2}$) OF THE NORTHEAST QUARTER ($NE \frac{1}{4}$) OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF ($N \frac{1}{2}$) OF THE NORTHEAST QUARTER ($NE \frac{1}{4}$) OF THE NORTHWEST QUARTER ($NW \frac{1}{4}$) OF SAID SECTION 27; A DISTANCE OF 1318.46 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.

CONTAINING 19.018 ACRES OF LAND

SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.



Blair Hills

908 Blair Hills Ave, Mishawaka, IN 46544

June 7, 2021

Mr. Ken Prince
City Planner
City of Mishawaka Planning and Economic Development
600 East Third Street
Mishawaka, IN 46544

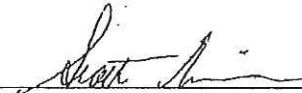
RE: Annexation Petition #21- 09

Mr. Prince:

Blair Hills Community Association, Inc. through its Board of Directors, supports the proposed annexation of property currently before the Mishawaka Plan Commission as Petition #21-09 and authorize the City of Mishawaka to include a vacant property owned by Blair Hills Community Association, Inc. known as parcel #71-09-27-126-001.000-031 in that petition for annexation.

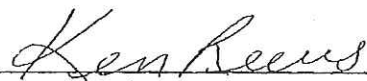
Thank you for your consideration.

Blair Hills Community Association, Inc.



Scott Grimm/ President

6/7/2021
Date



Ken Reeves/ Vice-President

6/7/2021
Date

BLAIR HILLS

PROPOSED
PHASE 4

PHASE 2

PHASE 3
SECTION 2

PHASE 3
SECTION 1

PHASE 1

AUTUMN RIDGE

SCALE: 1"=100'
DATE: APRIL 19, 2021

ABONMARCHÉ

215 W. Jefferson Blvd.
1070 East, Suite 100
Orem, UT 84057
Tel: (801) 221-4110

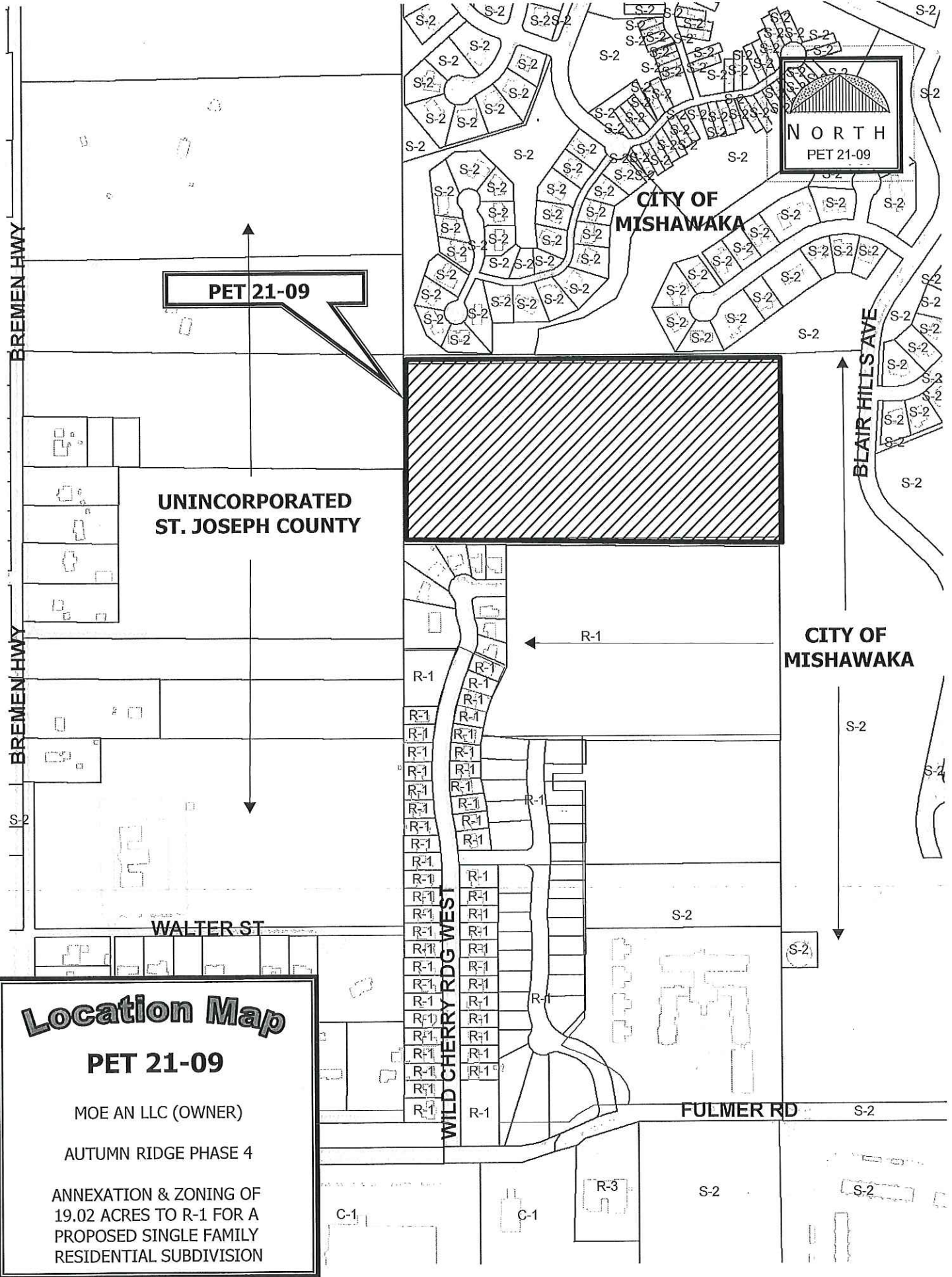
Scott A. Adams
Scott A. Adams, M.A.S.P.
Vancouver, B.C.

ENGINEERING / LAND SURVEYING / PLANNING / CONSTRUCTION SERVICES

RECEIVED
MAY 19 2021
ECONOMIC
DEVELOPMENT

965
21-09





JUN 1 2021

City Clerk
Mishawaka, IN

PETITION #21-10

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2021-23

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA, AND PROVIDING ZONING CLASSIFICATION THEREFORE

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and the zoning as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

PARCEL I

A tract of land situate in South West Quarter (1/4) of Section Twenty-eight (28), Township Thirty-eight (38) North, Range Three (3) East, commencing Six Hundred Sixty-seven (667) feet South of the Northwest corner of the South West Quarter (1/4) of said Section 28; thence East Seven Hundred Twenty-seven and Five Tenths (727.5) feet; thence South Two Hundred Thirty-nine and Fifty-two Hundredths (239.52) feet; thence West Seven Hundred Twenty-seven and Five Tenths (727.5) feet; thence North Two Hundred Thirty-nine and Fifty-two Hundredths (239.52) feet to the place of beginning, containing Four (4) acres, more or less, and being known as Lots Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) of Clara Murray's Proposed Plat.

PARCEL II

A parcel of land situate in the North West Quarter (NW ¼) of the South West Quarter (SW ¼) of Section Number Twenty-eight (28), Township Number Thirty-eight (38) North, Range Number Three (3) East, bounded by a line running as follows: Beginning at the Northwest corner of said North West Quarter of the South West Quarter of said Section 28; thence South along the West line thereof a distance of 427 feet to the center line of State Road Number 23 (Edwardsburg Road); thence North 44 degrees 10 minutes East along the center line of said road a distance of 94.15 feet; thence South 45 degrees 50 minutes East a distance of 40 feet for the beginning point of the herein considered; running thence South 45 degrees 50 minutes East 411.85 feet; thence West 358.15 feet to a point 25 feet East of the West line of said North West Quarter of the South West Quarter of said Section; thence North on a line parallel with said West line, a distance of 221.85 feet to the South line of said State Road No. 23; thence North 44 degrees 10 minutes East along the South line of said State Road No. 23, a distance of 90.15 feet to the place of beginning, and being known as Lot Numbered Ten (10) on a survey of a part of Lots 3 and 4 in the Partition of lands of Chauncey Johnson, deceased.

Ordinance No. _____

S.R. 23 RIGHT-OF-WAY

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH SECTIONS LYING IN TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 427 FEET TO THE CENTERLINE OF STATE ROAD 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG THE CENTERLINE OF SAID ROAD, 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST 40 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO KENNETH F. BECHTOLD, AS DESCRIBED IN INSTRUMENT NUMBER 1004730, ST. JOSEPH COUNTY RECORDER, AND BEING THE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 50 MINUTES WEST, ALONG THE NORTHERLY LINE EXTENDED OF SAID BECHTOLD LAND TO THE NORTHWESTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY, TO A POINT LYING NORTH 45 DEGREES 50 MINUTES WEST OF THE NORTHWEST CORNER OF SAID BECHTOLD LAND; THENCE SOUTH 45 DEGREES 50 MINUTES EAST, PARALLEL WITH SAID NORTHERLY LINE EXTENDED, TO SAID NORTHWEST CORNER, ALSO BEING ON THE SOUTHEASTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY, 90.15 FEET TO THE POINT OF BEGINNING.

COMMON ADDRESS: 16996 State Road 23

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of K-1 Light Industrial District.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Existing Conditions – The subject property is located along a heavily travelled section of S.R. 23 serving as the major gateway into Mishawaka and South Bend from the northeast part of St. Joseph County. Traffic volumes in the immediate vicinity are expected to remain consistent due to the existing commercial and residential development in northern Mishawaka and St. Joseph County. The property, which currently includes a vacant single-family house and large wooded area, is adjacent to a single family residence to the north; vacant land, single-family residences, and a real estate office to the west; vacant land to the south approved for residential use; and vacant land to the east.
2. Character of Buildings in the Area – The character of buildings and land uses located along the S.R. 23 corridor between Douglas Road and Cleveland Road vary greatly and include commercial, medical, office, and single-family residential land uses. Over the last several years, single-family houses have been razed to accommodate commercial growth.
3. The most desirable/highest and best use – Because of the property's location along a heavily travelled mixed use corridor, the most desirable use for the property is commercial, office, or other non-single family residential use. Although adjacent residential properties are present to the north and west, residential use is not the highest and best use for an existing and transitioning commercial corridor.

Proposed Ordinance No. _____

Ordinance No. _____

4. Conservation of property values – The proposed zoning should not be injurious to the property values in the surrounding area. Landscaping and screening compliant with the light industrial regulations is required to adequately screen the adjacent residentially occupied or zoned properties.
5. Comprehensive Plan – This property is not included within the extents of the Mishawaka 2000 Comprehensive Plan. However, the proposed self-storage facility is reasonably consistent with adjacent and changing land uses along the S.R. 23 corridor.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2021, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2021, at _____ o'clock ____M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2021, at _____ o'clock ____M.

David A. Wood, Mayor

STAFF REPORT

Location: 16996 S.R. 23 – East side of S.R. 23 &
South of the Indiana Toll Road

Date: June 8, 2021

Petition: 21- 10

Prepared By: DJS

GENERAL INFORMATION

Applicant: Kenneth F. Bechtold / Abonmarche Consultants Inc.

Status: Property Owner / Surveyor, Engineer & Site Design Consultant

Request: To annex, establish zoning, and approve a preliminary site plan for a self-storage facility development

Existing Zoning: Unincorporated St. Joseph County (R Single Family District)

Proposed Zoning: I-1 Light Industrial District

Lot Size: Approximately 5.24 acres excluding the S.R. 23 right-of-way

Applicable Regulations: Section 137-585 to 137-587 / I-1 Industrial District &
Section 137-41 / Amendments to Zoning Map &
Indiana Code 36-4-3-2.1 and 36-4-3-3.1

SPECIAL INFORMATION

Area Development Pattern: North: Unincorporated St. Joseph County – R Single Family (Residential) & Indiana Toll Road

South: S-2 Planned Unit Development (Vacant / Property within the Douglas Commons PUD permitted for a residential individually owned & occupied condominium complex)

East: Unincorporated St. Joseph County – A Agricultural (Vacant / Douglas Road-Uniroyal, Inc., Landfill Superfund Site – Partially Removed from National Priorities List on 9/30/20)

West: Unincorporated St. Joseph County – R Single Family (Vacant & Residential) & O Office (Real Estate Office)

Thoroughfare: State Road 23

School District: South Bend Community School Corporation

Township: Clay

Public Utilities: All utilities are available and/or will be extended to/throughout the site at the developer's expense.

Comprehensive Plan: This area was not included in the extents of the Mishawaka 2000 Comprehensive Plan.

ANALYSIS

Proposal:

The applicant is proposing to annex, establish zoning, and approve a preliminary site plan to allow for the construction of a mini-self storage facility.

The 5.24 acre site, which includes two separate parcels (16996 S.R. 23/tax parcels #002-2018-0378.10 and #002-2018-0378.11), is located on the east side of State Road 23 just south of the Indiana Toll Road. The northern triangular shaped parcel has approximately 90' of frontage on S.R. 23 and is currently occupied with a vacant single-family house and two accessory structures. The southern rectangular shaped parcel is vacant wooded property with no public frontage. All structures proposed to be demolished.

In 2004, a seven (7) acre parcel immediately adjacent to the south was annexed into the City of Mishawaka with an S-2 Planned Unit Development zoning classification to allow a multi-family residential apartment complex (Petition 04-23/Ord. 4862 & Petition 04-51/Ord. 4918). The apartment complex was to also include an additional ten (10) acres (Petition 04-17 / Ord. 4850) that was already within city limits. The PUD was subsequently amended in 2006 (Petition 06-23/Ord. 5028) for a proposed owner-occupied condominium complex to be located on both parcels. The project, known as the North Douglas Road Condominiums, was only partially developed with the northern seven acre parcel remaining vacant.

As indicated on the preliminary site plan, the development will include 13 mini-storage unit buildings, a parking area, access drives, and storm water retention basin. The property is to be developed in two phases. The first phase will consist of eight (8) buildings within the western part of the site and the associated access drives, storm water retention basin, and infrastructure. The second phase will consist of the remaining five (5) buildings. Tabulated data provided on the plan indicates that buildings will occupy 27.3% (62,291 sq. ft.) of the site, while parking, drives and sidewalks, and open spaces will total 48.3% (110,206 sq. ft.) and 24.4% (55,757 sq. ft.), respectively. One parking space is required for the facility based on the maximum number of employees per shift. A total of seven (7) parking spaces are conceptually shown on the plan.

The applicant is requesting a zoning classification of I-1 Light Industrial District to permit the proposed mini-self storage facility. The preliminary site plan indicates that a majority of the required height, area, and development regulations for the I-1 District (building and parking setbacks, off-street parking requirements, landscaping and screening, etc.) will be met.

A developmental variance will be required for the minimum 250' separation from any residential zoned property. Although the property to the south is undeveloped, it is currently zoned S-2 Planned Unit Development for residential use. Unincorporated property to the west and north is also residentially zoned. The developmental variance for the separation requirement shall be filed in conjunction with the final site plan.

One access off of S.R. 23 is proposed to serve the development. The Engineering Department commented that the drive approach shall be approved by INDOT. All drives and parking lots interior to the site will be privately owned and maintained.

Landscaping and screening, including a 7' high opaque fence and solid evergreen screen, is required along all property lines contiguous to residentially occupied or zoned property. This requirement is applicable to all property lines except for the east line.

If the proposed rezoning and annexation request is approved, a detailed final site plan for each phase of the development must be submitted to address all the applicable zoning (height, area, and development regulations), utility (sanitary sewer, water, storm water drainage, electric, gas, etc.), landscaping/screening, grading, erosion control, and any other required improvements.

Annexation:

In 2004, adjacent property to the south was annexed into the City and zoned S-2 Planned Unit Development for residential use (Petitions 04-23 & 05-51). The property remains undeveloped.

Per the State of Indiana's annexation laws, a parcel is required to share one-eighth, or 12.5%, of its boundary with the existing City boundary in order to be annexed. With the previous annexation as outlined above, approximately 727.5 feet, or 29.1%, of the total 2,500 feet of the perimeter of the property will be contiguous with the existing city limits. This exceeds the required 12.5% contiguity.

Location/Context:

The site is located to the east of S.R. 23 approximately 170' south of the Indiana Toll Road, and is bordered to the north by a single-family house and detached garage located within unincorporated St. Joseph County; to the west by vacant land, two (2) single-family houses, and a real estate office located within unincorporated St. Joseph County; to the south by vacant land approved for the expansion of an residential individually owned & occupied condominium complex; and to the east by vacant land within a Superfund site in unincorporated St. Joseph County. The S.R. 23 corridor between Douglas Road and Cleveland Road includes a variety of commercial, medical, and office uses with a limited area of single-family residential houses.

Zoning Change:

Staff believes that the proposed zoning of this property to the I-1 Light Industrial District is appropriate given the primarily commercial, medical, and office uses and non-residential growth that has occurred along the S.R. 23 corridor. Within the last several years, two (2) single-family houses were demolished on S.R. 23 near Douglas Road for the development of a children's day care facility. Additionally, the annexation area is isolated and buffered from any adjacent existing residential use by wooded areas to the west, north, and south. The required fencing and landscaping will provide additional screening. The S.R. 23 corridor serves as a major gateway into the City from the northeast part of St. Joseph County. Development pressures along the corridor will only intensity in the future.

Transportation/Roads:

According to the latest available traffic counts, there were 19,033 annual average daily trips (AADT) (February 2021) along S.R. 23 north of Douglas Road. The counts at this location have been relatively stable over the last 17 years ranging from a low of 18,692 AADT (September 2011) to a high of 22,482 AADT (March 2018). With the existing commercial and residential development in the northern Mishawaka and Granger areas, it is anticipated that traffic volumes will remain relatively consistent in future years.

The 2045 Transportation Plan, prepared by the Michiana Area Council of Governments with input from City staff, the County Engineering Department, and INDOT, does not show any planned added travel lanes along the S.R. 23 corridor. S.R. 23 is currently a four-lane road between Douglas Road and Cleveland Road with a dual-left center turn lane and dedicated left-turn lanes at the signalized intersections. Douglas Road between Ivy Road and S.R. 23 is currently under construction for adding travel lanes. This project will provide a four-lane connector between the University of Notre Dame and S.R. 23 to potentially relieve future traffic congestion.

All pertinent City Departments have reviewed and approved the request for annexation and zoning with the Engineering and Electric Departments providing the following comments:

Engineering Department:

1. The nearest potential sanitary sewer connection is on S.R. 23 north of the Indiana Toll Road by the electric substation. Since it is within 300' of the property, a connection would be required and would need to be pumped with a private lift station and force main. Due to the anticipated connection costs, it is recommended that the office within the storage unit buildings be removed so no sanitary sewer connection is required.
2. The proposed stormwater runoff shall be stored on site for the 100 year – 24 hour storm event.
3. The drive approach shall be approved by INDOT.

These comments shall be addressed with the Final Site Plan.

Electric Department:

1. A 15' utility easement is required along the property frontage on S.R. 23.

RECOMMENDATION

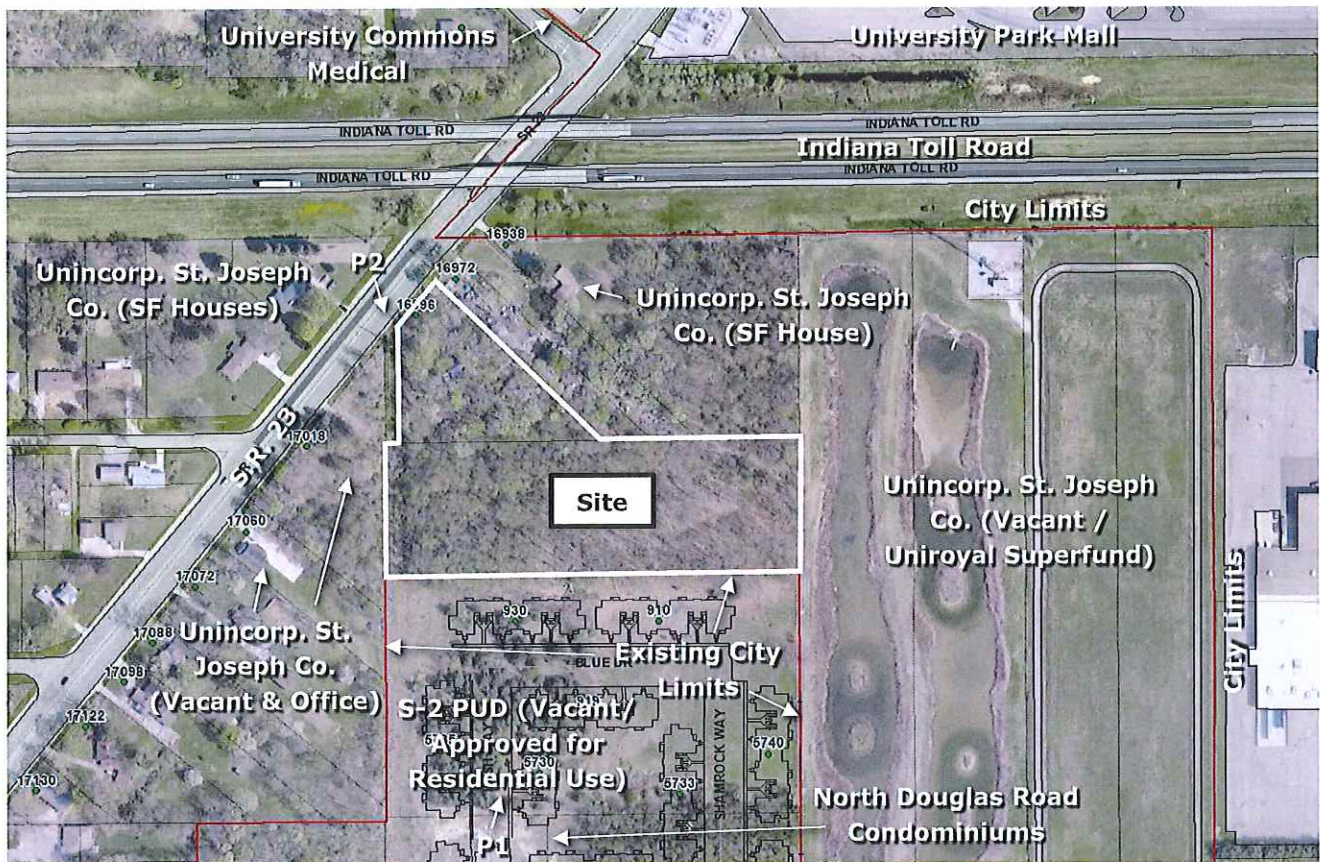
Staff recommends in **favor** of Petition 21-10 to annex, establish zoning, and approved a preliminary site plan for property located on the east side of S.R. 23 south of the Indiana Toll Road (16996 S.R. 23 and adjacent vacant parcel). The property is proposed to be zoned I-1 Light Industrial District for a self-storage facility.

This recommendation is based on the following Findings of Fact:

1. Existing Conditions – The subject property is located along a heavily travelled section of S.R. 23 serving as the major gateway into Mishawaka and South Bend from the northeast part of St. Joseph County. Traffic volumes in the immediate vicinity are expected to remain consistent due to the existing commercial and residential development in northern Mishawaka and St. Joseph County. The property, which currently includes a vacant single-family house and large wooded area, is adjacent to a single family residence to the north; vacant land, single-family residences, and a real estate office to the west; vacant land to the south approved for residential use; and vacant land to the east.
2. Character of Buildings in the Area – The character of buildings and land uses located along the S.R. 23 corridor between Douglas Road and Cleveland Road vary greatly and include commercial, medical, office, and single-family residential land uses. Over the last several years, single-family houses have been razed to accommodate commercial growth.
3. The most desirable/highest and best use – Because of the property's location along a heavily travelled mixed use corridor, the most desirable use for the property is commercial, office, or other non-single family residential use. Although adjacent residential properties are present to the north and west, residential use is not the highest and best use for an existing and transitioning commercial corridor.
4. Conservation of property values – The proposed zoning should not be injurious to the property values in the surrounding area. Landscaping and screening compliant with the light industrial regulations is required to adequately screen the adjacent residentially occupied or zoned properties.
5. Comprehensive Plan – This property is not included within the extents of the Mishawaka 2000 Comprehensive Plan. However, the proposed self-storage facility is reasonably consistent with adjacent and changing land uses along the S.R. 23 corridor.

ATTACHMENTS

Aerial Map, Photographs, Rezoning & Annexation Petition, Preliminary Site Plan, and Location Map



Aerial Photograph
16996 S.R. 23 & Vacant Land to South
Proposed Self-Storage Facility



P1. Looking northerly into a 7 acre vacant/wooded parcel south of the annexation area. The parcel is zoned S-2 PUD and approved for residential condominium development.



P2. Looking southerly toward the site from S.R. 23.

MAY 26 2021

City Clerk
Mishawaka, IN

Engineering • Architecture • Land Surveying

DATE: May 19, 2021**TO:** Honorable Members of the Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

PE 21-10

RE: Petition for Annexation and Zoning Classification

The undersigned, **Kenneth Bechtold**, respectfully show they are the owner of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

LEGAL DESCRIPTION ATTACHED

Petitioners own one-hundred (100%) percent of the above-described parcel of land which is located in the State of Indiana and that petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with a I-1 Industrial District. Petitioners further state they intend to utilize said land for a self-storage facility development.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate, showing the size of the proposed layout of the development.

Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, Petitioners respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with an I-1 Industrial District zoning classification.

DocuSigned by:

A handwritten signature in black ink that reads 'Ken Bechtold'.

A777A02280884A9

Kenneth Bechtold

Ken Bechtold

Printed

Contact: Mike Huber
Abonmarhce Consultants
315 W. Jefferson Blvd.
South Bend, Indiana 46601
(574) 347-4610
mhuber@abonmarhce.com

PARCEL I

A tract of land situate in South West Quarter (1/4) of Section Twenty-eight (28), Township Thirty-eight (38) North, Range Three (3) East, commencing Six Hundred Sixty-seven (667) feet South of the Northwest corner of the South West Quarter (1/4) of said Section 28; thence East Seven Hundred Twenty-seven and Five Tenths (727.5) feet; thence South Two Hundred Thirty-nine and Fifty-two Hundredths (239.52) feet; thence West Seven Hundred Twenty-seven and Five Tenths (727.5) feet; thence North Two Hundred Thirty-nine and Fifty-two Hundredths (239.52) feet to the place of beginning, containing Four (4) acres, more or less, and being known as Lots Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) of Clara Murray's Proposed Plat.

PARCEL II

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PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH SECTIONS LYING IN TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 427 FEET TO THE CENTERLINE OF STATE ROAD 23 (EDWARDSBURG ROAD); THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG THE CENTERLINE OF SAID ROAD, 94.15 FEET; THENCE SOUTH 45 DEGREES 50 MINUTES EAST 40 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO KENNETH F. BECHTOLD, AS DESCRIBED IN INSTRUMENT NUMBER 1004730, ST. JOSEPH COUNTY

RECORDER, AND BEING THE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 50 MINUTES WEST, ALONG THE NORTHERLY LINE EXTENDED OF SAID BECHTOLD LAND TO THE NORTHWESTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY, TO A POINT LYING NORTH 45 DEGREES 50 MINUTES WEST OF THE NORTHWEST CORNER OF SAID BECHTOLD LAND; THENCE SOUTH 45 DEGREES 50 MINUTES EAST, PARALLEL WITH SAID NORTHERLY LINE EXTENDED, TO SAID NORTHWEST CORNER, ALSO BEING ON THE SOUTHEASTERLY RIGHT OF WAY OF SAID STATE ROAD 23; THENCE NORTH 44 DEGREES 10 MINUTES EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY, 90.15 FEET TO THE POINT OF BEGINNING.

