

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

October 25, 2021

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall and via telephone on Monday, October 25, 2021 at 7:00PM. The meeting was called to order by Council 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 (P), Mr. Hixenbaugh (P)
P: Present E: Electronically Participating A: Absent

Others Present: Clerk Block

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

Minutes for the Regular Meeting of October 11, 2021 were approved as received from the Clerk's Office.

Clerk Block read the following letter from the City Plan Commission regarding their recommendations from their October 12, 2021 meeting.

PETITION #21-16 A petition submitted by GLC-MAP McKinley Trust seeking to rezone vacant land north of 410 West McKinley Avenue from C-2 Shopping Center Commercial District to C-7 Automobile Oriented Restaurant Commercial District for a future outlet.

The Commission, with a vote of 7-0, recommended approval.

PETITION #21-17 A petition submitted by Wennigsen LLC and Fox Fire Safety Inc. requesting to annex and zone 12452 and 12434 Lincolnway East to C-1 General Commercial District and I-1 Light Industrial District.

The Commission, with a vote of 7-0, recommended approval.

Pursuant to I.C. 36-7-4-605, the Mishawaka Plan Commission hereby certifies to the Mishawaka Common Council the attached proposed ordinances regarding the above matters.

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

PROPOSED ORDINANCE NO. 2021-38

AN ORDINANCE AMENDING CHAPTER 137 OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF 1966” OF THE CITY OF MISHAWAKA, INDIANA.

**Rezoning Future Outlot from C-2 Shopping Center to C-7 Automobile Oriented
Restaurant Commercial- vacant land north of 210 W. McKinley Ave.
(Assigned to Land Use Planning Committee)**

PROPOSED ORDINANCE NO. 2021-39

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

**Annexation and Rezoning of 12452 & 12434 Lincoln way East from I-1 to C-1 General
Commercial and I-1 Light Industrial
(Assigned to Land Use Planning Committee)**

PROPOSED ORDINANCE NO. 2021-40

AN ORDINANCE AMENDING ORDINANCE 57-12 FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT THE MISHAWAKA PARKS DEPARTMENT, ELECTED OFFICIALS AND MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA FOR THE YEAR BEGINNING JANUARY 1, 2022

**Amending Salary Ordinance 5712 to Add position of Police Forensic Lab
Technician/Property Room Specialist
(1st and 2nd Reading Requested)**

Consistent with the request of the petitioner, the chair entertained a motion to suspend the regular council rules and hold first and second reading that evening on **PROPOSED ORDINANCE NO. 2021-40**. A motion was made, seconded and the council voted unanimously to suspend council rules hold first and second reading. The council moved into second reading on **PROPOSED ORDINANCE NO. 2021-40**.

Mayor Wood spoke in favor of **PROPOSED ORDINANCE NO. 2021-40**. Mayor Wood began thanking the council for suspending their rules to allow for first and second reading on the proposed ordinance that evening. Mayor Wood stated the Police Forensic Lab Technician/Property Room Specialist was a position that needed filled immediately due to South Bend pulling out of the Metro Homicide cooperative between South Bend, St. Joseph County Police, the Prosecutor’s Office and the City of Mishawaka. Mayor Wood stated they were taking no new cases as of October 15 and the group would be disbanded by the end of the year. Mayor Wood stated they were preparing to take on the responsibility and this was part of preparing for

the duties. Mayor Wood stated they were able to hire an individual and he believed she started that day. Mayor Wood stated he would address any other highlights to the salary ordinance then or he could wait for later in the agenda. Mr. Hixenbaugh suggested they defer on the further comments, because they were amending the 2021 salary ordinance and the other issues would be involved with the 2022 salary ordinance.

Mayor Wood continued stating this was a position they needed and it was vital for Public Safety. Mayor Wood stated this was a great time to hire the position, because they were looking to start planning for a move from one police department building into a new one.

Mr. Banicki asked if the person would be a sworn officer or a civilian. Mayor Wood stated it would be a civilian employee.

Mr. Mammolenti thanked Mayor Wood for the description and asked if he could confirm that they used to send some of the stuff out off-site, specifically outside of the Metro Homicide. Mayor Wood stated that was correct, depending on the case. Mr. Mammolenti asked if they could be able to do it in house or if there would be things sent off. Mayor Wood stated he was sure that was situational and Chief Witkowski may be better prepared to answer that. Mayor Wood stated it was their intent to do as much of it in house as possible. Mayor Wood stated they felt they were in a good spot to do that and they thought with a department their size, they ought to have that discipline in house. Mayor stated this also could help with recruiting in the future. Mr. Mammolenti stated he believed it was a great addition to the department and he was excited for it.

Mr. Bellovich asked if the individual they were hiring had experience. Mayor Wood stated she had extensive experience in the area, specifically dealing with metro homicide units. Mayor Wood also stated she was a lateral transfer from another department.

Mr. Banicki asked what would happen to the heavier type of investigations with the stoppage of cases at the Metro Homicide. Mayor Wood stated it was in process of being figured out and thankfully, there were not a lot of cases unsolved in Mishawaka. Mayor Wood concluded stating any homicide that would pop up; they were in good position to investigate with their expertise on staff.

Mr. Hazen echoed what the Mayor had said and stated he thought this was all a blessing in disguise for Mishawaka. Mr. Hazen stated the new building would be equipped with what was needed and they had excellent officers through hires over the years. Mr. Hazen stated he thought it would help them recruit as well. Mayor Wood added that they might come before the council again as things may rise and they were looking to have their own Metro Homicide unit vehicle. Mayor Wood stated there could be equipment purchases needed as well.

Mrs. DeMaegd asked if the new Lab Tech would have staff of civilians or sworn officers. Mayor Wood stated they did not plan to have a staff and there already were evidence clerks and different positions at the police department who were civilian employees.

Mr. Emmons asked if there had been an appointed person from the police department to head up the homicide department in Mishawaka. Mayor Wood stated they had a couple of officers who were great in that expertise and they had an officer assigned to metro homicide, who would be very involved. Mayor Wood stated they were still working out the details, but it would be multiple officers involved.

Mr. Hixenbaugh thanked Mayor Wood for the information he shared and thanked him for the work his administration, Chief Witkowski and those who assisted in it did to ramp up for this responsibility. Mr. Hixenbaugh stated they would all agree that they were fortunate enough to have an abundance of talent in their sworn officers and civilian employees in the police department. Mr. Hixenbaugh stated it was pleasing to hear that they would be expanding the number of people they would bring on board. Mr. Hixenbaugh stated he would be open to the considerations of additional expenditures and other needs as those points became known. Mr. Hixenbaugh stated there was a desire on the part of the community to have them look to expand their Public Safety services and Mr. Hixenbaugh stated they were looking forward to seeing how the transition moved forward from that point.

Question was called for at 7:18PM for **PROPOSED ORDINANCE NO. 2021-40** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton Mrs. Voelker, Mr. Hixenbaugh. The proposed ordinance passed, thus it became **ORDINANCE NO. 5760**

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

PROPOSED ORDINANCE NO. 2021-34

CIVIL CITY BUDGET AND TAX LEVY FOR 2022 VOTE ONLY

Mrs. Voelker reported the Committee of Budget and Finance recommended this proposed ordinance should be adopted. This was signed by the entire committee and upon a second by Mr. Banicki, the motion carried.

Mr. Hixenbaugh reiterated the council's thanks to the Controller, Mayor Wood, all of the department heads and everyone involved in putting the budget together. Mr. Hixenbaugh stated they heard a very detailed summary from the Mayor in the last meeting as far as the high points and the changes in the budget. Mr. Hixenbaugh stated there was a great deal to be proud of in the budget. Mr. Hixenbaugh stated they needed to be open to continuing to beef up their Public Safety resources, human and otherwise, as they identified issues moving through the remainder of the year. Mr. Hixenbaugh stated it was a shared goal on the part of the council and the

administration to always invest what was needed to be invested. Mr. Hixenbaugh concluded thanking everyone involved in the process, including the council members who participated in the committee meetings leading up to that evening.

Question was called for at 7:21PM for **PROPOSED ORDINANCE NO. 2021-34** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton Mrs. Voelker, Mr. Hixenbaugh. The proposed ordinance passed, thus it became **ORDINANCE NO. 5761**

PROPOSED ORDINANCE NO. 2021-35

AN ORDINANCE AMENDING THE SALARIES OF CERTAIN ELECTED OFFICIALS OF THE CITY OF MISHAWAKA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022 (Amendment Requested)

Consistent with a recommendation of the Controller, the chair entertained a motion to amend **PROPOSED ORDINANCE NO. 2021-35** in order to accurately reflect the certification language applicable to the City Clerk's Office. The motion was made by Mr. Banicki and seconded by Mrs. Voelker, thus the motion reached a voice vote and passed.

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

Mayor Wood spoke in favor of **PROPOSED ORDINANCE NO. 2021-35**. Mayor Wood stated the elected officials tended to follow suit with what the rest of the city did and they were requesting a 5% increase for the elected officials, because they typically were not treated any differently than the average city employee. Mayor Wood stated the amendment was to update the Certified Public Finance Administrator certification to align with the same certification that the Controller's budget had in it.

Question was called for at 7:26PM for **PROPOSED ORDINANCE NO. 2021-35** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton Mrs. Voelker, Mr. Hixenbaugh. The proposed ordinance passed, thus it became **ORDINANCE NO. 5762**

PROPOSED ORDINANCE NO. 2021-36

AN ORDINANCE FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT SWORN PUBLIC SAFETY, MISHAWAKA PARKS DEPARTMENT, ELECTED OFFICIALS, AND THE MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA FOR THE YEAR BEGINNING JANUARY 1, 2022

City Employee Salary Ordinance for 2022 (Amendment Requested)

Mr. Hixenbaugh stated the first amendment requested was the deletion of the term ‘fund’ and the addition of the term ‘finance’ in the Controller’s section of the ordinance dealing with the advanced certifications. Mr. Hixenbaugh stated the second item was to amend the proposed ordinance, so that the Clerk’s Office certifications that were referenced in conjunction with the elected officials ordinance, would be accurately reflected in the general civil city salary ordinance. Mr. Hixenbaugh stated the third amendment would be to add the Lab Technician/Property Room Specialist position to next year’s salary ordinance consistent with the action taken earlier to add that same position to the current year’s salary ordinance. The chair entertained a motion to make those revisions to the proposed ordinance as was just read. The motion was made by Mr. Banicki and seconded by Mr. Mammolenti to amend and revise the proposed ordinance, thus the motion reached a voice vote and passed.

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

Mayor Wood spoke in favor of **PROPOSED ORDINANCE NO. 2021-36**. Mayor Wood stated they were asking that the council consider 5% for the 2022 salary increases. Mayor Wood stated they were not what they originally considering, with the former being a 2% raise, but the council negotiated 5% for Public Safety and he felt strongly that the rest of the public servants should get 5% as well based on the great work they did serving the public day in and day out. Mayor Wood stated he could not be more proud of the public servants and was proud to work shoulder to shoulder with them. Mayor Wood stated he was a citizen first and he slept better at night knowing they had great people on duty all the time. Mayor Wood stated they were requesting the 5% to match what was given to Public Safety and there were a couple of notable exceptions to that. Mayor Wood stated they were requesting an approximate 12% raise for the Street Department Commissioner to align with the Park Department Superintendent. Mayor Wood stated he ran an operation that was substantial in terms of human resources, budget and complexity, so they were requesting a salary of \$73,834 for him in recognition of the outstanding job he did and the complexity of the organization he managed. Mayor Wood stated on the IT side, they were requesting the promotion of the assistant specialist to assistant director with an additional \$5,000 in salary. Mayor Wood stated it was a small, but mighty department and throughout COVID, they were able to answer the call to make sure the meetings were kept public and accessible to the public outside of the council chambers. Mayor Wood stated they were there 24/7 365 when needed to make sure all systems were go in the city. Mayor Wood stated in Planning, they were requesting a new executive director level position where the City Planner would move into it. Mayor Wood stated the City Planner position would then be open and they expected promotion from within the department to take place. Mayor Wood stated the Senior Planner Economic Development Specialist position would revert to the Senior Planner. Mayor Wood stated the net change to the department would be essentially one new FTE. Mayor Wood stated they were also requesting stipends for the Board of Public Works and Safety, who took on duties outside of their normal department responsibilities and it would be \$1,500 for the

president and \$1,000 for the members. Mayor Wood concluded stating those were all of the exceptions to the amendment.

Mr. Mammolenti stated he could not have said it better with his statements regarding the men and women of the city doing an outstanding job. Mr. Mammolenti stated he knew it was one of the largest raises he had seen since being on the council and he could not think of a better time to do it. Mr. Mammolenti appreciated the help and efforts from everyone involved.

Mr. Compton stated he and Mayor Wood discussed the budgets, raises, public safety and all of those areas and he understood his fiscal conservativeness in these areas while watching out for the budget. Mr. Compton also appreciated that now was the perfect time to show the city employees the appreciation of getting through what was an extremely challenging time. Mr. Compton wanted to thank Mayor Wood for coming to that conclusion and he knew Mayor Wood was a fair person and they liked to do these things. Mr. Compton stated it was also about watching their pocket book but he knew the citizens along with the police officers and fire appreciated all of this.

Mr. Banicki publicly thanked Mayor Wood and Mrs. Maguire for the hard work they had done through the trying times. Mr. Banicki stated employee retention was almost impossible those days and he thought anything they could do to try to retain an employee saved from turnover. Mr. Banicki stated they stood behind the decisions 100% and thanked Mayor Wood again.

Mr. Hixenbaugh appreciated the work that went into this and was also in support of what was in front of them that evening for the reasons that had been highlighted. Mr. Hixenbaugh stated Mr. Banicki made a great Point that not only was the investment in their employee groups good for the individuals but it was also a great investment for the entire community. Mr. Hixenbaugh stated for them to be able to deliver the services every way they wanted to, they had to be able to recruit and retain the best and brightest talent out there. Mr. Hixenbaugh stated it was not just a gift to the employees and these were the people who worked hard each and every day on behalf of each and every citizen in Mishawaka. Mr. Hixenbaugh stated it was certainly worthy of support in his opinion. Mr. Hixenbaugh stated they also had been made aware of the fact that the city and the administration were actively involved in working with an outside consultant to comprehensively review the employee compensation related issues. Mr. Hixenbaugh hoped there could be good data that would come out of that process, so next year they would be able to identify perhaps an even broader vista of opportunities for them to better align the compensation for employees with not just market realities, but with the good work the employees did. Mr. Hixenbaugh stated he was excited to see the results of that and again showed appreciation for the work everyone had put into what was in front of them that evening.

Question was called for at 7:41PM for **PROPOSED ORDINANCE NO. 2021-36** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton Mrs. Voelker, Mr. Hixenbaugh. The proposed ordinance passed, thus it became **ORDINANCE NO. 5763**

PROPOSED ORDINANCE NO. 2021-37

**AN ORDINANCE FIXING THE SALARY OF ALL SWORN PUBLIC SAFETY
EMPLOYEES OF THE CITY OF MISHAWAKA, INDIANA FOR THE YEAR
BEGINNING JANUARY 1, 2022
Public Safety Salary Ordinance for 2022**

At the request of the administration and the fire chief, it was requested they amend **PROPOSED ORDINANCE NO. 2021-37** in order to add the position within the fire department of Diver Apprentice with a stipend compensatory amount of \$500.

The chair entertained a motion to amend the proposed ordinance as requested by the administration. The motion was made by Mr. Banicki and seconded by Mr. Mammolenti and there was a voice vote. The motion was made by Mr. Banicki and seconded by Mrs. Voelker, thus the motion reached a voice vote and passed.

Mr. Banicki reported the Committee of Budget and Finance recommended this proposed ordinance should be adopted. This was signed by the entire committee and upon a second by Mr. Compton, the motion carried.

Mayor Wood spoke in favor of **PROPOSED ORDINANCE NO. 2021-37**. Mayor Wood stated this would fix the salary ordinance for public safety. Mayor Wood brought up an asterisk that more amendments may need to occur depending on the civil city and public safety side pending what happened with the collective bargaining process that had not been finalized yet. Mayor Wood referenced Mr. Compton's comment stating it was great to be in a position to be able to do this that year when it was most needed. Mayor Wood stated they had multiple collective bargaining units they negotiated with that year and on the nonpublic safety side, they were in a unique position where the labor group came in and asked for 3% and they had to reject that then came back with 5%. Mayor Wood stated it was very much appreciated by their labor groups and in the spirit of what they had gone through in the past year, it was well deserved and something they felt strongly about. Mayor Wood stated Public Safety was at the forefront of their public service number one. Mayor Wood stated they were the ones who were at risk each and every day so the citizens could value their property and way of life while they were out there defending it. Mayor Wood stated it was not getting any easier and times were challenging. Mayor Wood stated they were seeing this happen around the country with an increase of certain kinds of activity and Mishawaka was not immune. Mayor Wood stated he would not trade their problems for anyone else's because of the great work the Mishawaka Police Department and Mishawaka Fire Department did. Mayor Wood stated he was blessed to receive numerous compliments about the police department on a daily basis. Mayor Wood stated after seeing the kinds of decisions they had to make every day, they deserved everything they received. Mayor Wood stated they always were appreciative of their service and he was there to support them by not only giving them good wages, but also good benefits, support for their family, good equipment and good leadership. Mayor Wood stated when factoring all of those things in, he would put their departments up against anyone else's. Mayor Wood stated while they were seeing some challenge with what they had to deal with every day, they were seeing competition from other communities who were struggling much more than they were to hire and keep good police

officers. Mayor Wood stated there were departments who were poaching out there and giving bonuses to lure sworn officers away for lateral transfers. Mayor Wood stated there were communities who were struggling to hire so much so that they were getting creative in how they went after police officers. Mayor Wood stated fortunately they were not losing police officers to other departments and in fact were gaining them from other departments, which told him they had good fundamentals in Mishawaka and continued to be a place where people wanted to work. Mayor Wood stated he believed the 5% raise was well deserved by their public safety personnel and he could not be more proud of them. Mayor Wood stated they would continue to have their support.

Mr. Compton agreed with Mayor Wood that public safety was extremely important to the city and public safety consumed about 70% of Mishawaka's budget. Mr. Compton stated it was important that they kept these individuals compensated to the degree that they could and the benefits with that as well. Mr. Compton thanked the negotiation committee, Mr., Hazen and Mr. Mammolenti, along with the rest of the council and Mr. Hixenbaugh who all had a comment or input that was helpful. Mr. Compton also thanked Mrs. Maguire and Mr. Hinkle who came to the meetings and helped with the numbers. Mr. Compton appreciated all of the efforts from everyone involved.

Mr. Mammolenti echoed Mr. Compton's comments and stated this was a team effort. Mr. Mammolenti took the time to thank his fellow wage committee members, Mr. Hazen and their chair Mr. Compton, for rolling up their sleeves and getting to work. Mr. Mammolenti stated as they mentioned before, this was certainly one of the most deserving times to get the employees what they needed and they were happy to do a little bit more than what they normally did.

Mr. Hixenbaugh thanked Mr. Compton for his leadership of the public health and safety committee and the work he, Mr. Hazen and Mr. Mammolenti did with the assistance of some of the council. Mr. Hixenbaugh stated one of the things he was most pleased with after rejoining the council in 2019 was the concerned effort they made in a team fashion to address compensation for public safety. Mr. Hixenbaugh stated he also wanted to acknowledge the unionized representatives of the fire department and FOP as he thought this was a very productive round of negotiations, not just because of the outcome, but also with regard to the information that was shared with them that helped them better understand the needs of each department and what they could do to be of assistance to them. Mr. Hixenbaugh concluded thanking them for their work along with everyone else involved in the process.

Question was called for at 7:53PM for **PROPOSED ORDINANCE NO. 2021-37** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton Mrs. Voelker, Mr. Hixenbaugh. The proposed ordinance passed, thus it became **ORDINANCE NO. 5764**

PRIVILEGE OF THE FLOOR

Ricardo Lopez, 121 E 6th street, was present that evening to address the situation that came up to him that the new liberty mural building that would turn into the new city hall building got

contracted to an out of town company, Midwest Glass. Mr. Lopez stated a lot of guys in his company and local construction workers read them the wrong way, because when guys got laid off, that was one less building they could go to. Mr. Lopez stated he did not know the business side and if it came down to a better bid, but he felt local works should never go to out of state construction contractors, which it did. Mr. Lopez wanted to see what could be done as a preventative, because there were many new jobs that were coming soon. Mr. Lopez was curious about what would happen to keep the jobs local in the future.

Mr. Compton thanked Mr. Lopez for stepping up and he was a member of the IBW. Mr. Compton stated he had asked them to come to the meeting to make their case to the rest of the council and he had been in his spot. Mr. Compton stated he was on the committee that interviewed general contractors and then talked about sub-contractors. Mr. Compton stated they made it very clear and the Mayor made it very clear that he wanted local contractors and local people. Mr. Compton stated that did not happen often with a Mayor saying that in a public setting, but he did. Mr. Compton stated they were dealing with taxpayer dollars and if a qualified bidder bid, and they were deemed them local, whether they were union or non-union, they had to go with them if they were qualified to do the job. Mr. Compton stated he looked back at some things and the glass packages were bid by multiple suitors and the actual bidders came down to three, Midwest, Precision and Werntz. Mr. Compton stated he looked Midwest up and they were in Stevensville Michigan, which was out of state, but also in Michiana in his opinion. Mr. Compton stated the bids were really close and he heard from Mr. Lopez's business manager about this. Mr. Compton stated the concern from the city was if they gave one contractor a second look, they had to give them all and they did not know where it would stop. Mr. Compton stated it was legitimate, on time, and they could do the work. Mr. Compton understood Mr. Lopez's concern and all he could do was give him information, because he had been in Mr. Lopez's shoes before. Mr. Compton stated in the future, as long as he was in the position and had some influence in Mishawaka, they would work with local contractors and contractors qualified to do the work. Mr. Compton stated he would be happy to talk with Mr. Lopez after the meeting and thanked him for coming.

UNFINISHED BUSINESS

RESOLUTION 2021-24

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA APPROVING THE INTER LOCAL AGREEMENT FOR THE OPERATION OF A CONSOLIDATED PUBLIC SAFETY ANSWERING POINT IN ST. JOSEPH COUNTY, INDIANA

Mayor Wood gave a brief nod of support for the inter local and they had reviewed it and expressed thanks for allowing more time to get clear answers on it. Mayor Wood stated they were in support

Peter Agostino, 131 S Taylor St South Bend, IN, asked for support for the resolution that had been circulated. Mr. Agostino thought they did respond to the questions the Mayor and his staff had and he was glad to answer any questions the council had.

Mr. Hazen asked if they were the first council to pass it or if someone else already had. Mr. Agostino stated both South Bend and the county had approved it so they would be the last to do so.

Mr. Hixenbaugh thanked Mr. Agostino for his work on the project and he was one of the many involved, including representatives of the council and the other legislative bodies in St. Joseph County. Mr. Hixenbaugh summarized the major points reflected in the revised inter local agreement. Mr. Hixenbaugh stated the first change reflected built upon the recent change in the local income tax funding that had now been directed primarily toward funding the combined dispatch center. Mr. Hixenbaugh stated what had been done was to take what was referred to as the backup funding formula if the income tax revenues were not sufficient to fully fund the operation of the dispatch center and to allocate contributions on the part of St. Joseph county, the city of South Bend and the city of Mishawaka based on a funding formula that geared 25% toward net assessed value and 75% based on call volume. Mr. Hixenbaugh asked if he agreed that was one change in the resolution. Mr. Agostino agreed and stated it was a flip of the prior formula, which favored net assessed value. Mr. Agostino stated the new formula for the backup funding was a more accurate reflective of usage than the prior formula. Mr. Hixenbaugh stated the second change expanded the executive board that supervised the operation of the combined dispatch center, to now include representatives of the South Bend City Council, the St. Joseph County Council and the Mishawaka City Council. Mr. Hixenbaugh stated as he understood it, through separate action of the St. Joseph County Council, the number of representatives that each of the three legislative bodies would have on the executive board would be two council representatives per unit and asked if that was accurate. Mr. Agostino stated it was and that final action would take place at the November 9th meeting of the St. Joseph County Council.

Mr. Agostino thanked them for their kind words and acknowledged the great teamwork that played a great part in what Mishawaka was. Mr. Hixenbaugh made it a point to acknowledge the work Steve Dalton, the county's fiscal advisor, did as part of the process as well and asked Mr. Agostino to pass that appreciation along to him.

Mr. Hazen stated when Mr. Hixenbaugh met with the South Bend Council and the County Council, he represented Mishawaka very well and he had their interests at heart. Mr. Hazen wanted to make sure everyone knew that he did look out for Mishawaka. Mr. Hixenbaugh thanked Mr. Hazen for his kind words and his work on this issue as well.

Question was called for at 8:09PM for **RESOLUTION R2021-24** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton Mrs. Voelker, Mr. Hixenbaugh. The resolution passed 9-0.

PROPOSED ORDINANCE NO. 2021-31

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.

**PUD Amendment to remove restrictions as a Senior Only Complex to become Market Rate
Non-Age Restricted – Whispering Pines Apartments**

Mr. Mammolenti 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.

Dennis Miller, representative of Miller Family Development Company, spoke in favor of **PROPOSED ORDINANCE NO. 2021-31**. Mr. Miller stated the company helped build and operate the Whispering Pines Apartments. Mr. Miller stated they started back in 1998 on this project and it was time for him to retire, so they put the property up for sale and they had a buyer. Mr. Miller stated the buyer's lender requested they remove the senior only restriction, given the present economic situations that they were seeing with inflation. Mr. Miller stated most of their tenants were on fixed incomes and he could see where the buyer would be apprehensive in the future should the inflation get to be enough where they start losing tenants. Mr. Miller stated initially, the property did not lease up fast at all mainly because seniors did not want to leave their homes and were slow movers, which he understood. Mr. Miller stated Mrs. Voelker mentioned not having a letter from the buyer and that there was a letter sent to Planning by mail and email that was supposed to be in the packet. Mr. Hixenbaugh stated the record would reflect that the letter was in fact in the packet and accessible to the council.

Mr. Compton asked Mr. Miller how long the apartments had operated this way. Mr. Miller stated they had set it up to be this way from inception and they purchased property, built the buildings. Mr. Miller stated they started building in 2002 and finished in 2015, taking them 13 years to build the 12 buildings.

Mrs. Voelker stated she appreciated the letter from the purchaser even though it was not super explanatory of what their plans were. Mrs. Voelker stated one of her thoughts about it was if she was a resident of Whispering Pines, she would be concerned with the building being purchased that the rent would change dramatically. Mrs. Voelker asked if he knew what the plans were on the part of the purchaser in terms of current residents. Mr. Miller stated unfortunately he did not and as far as changing dramatically, they were at market rents at that moment in time. Mr. Miller stated they had a number of folks that got subsidies from different agencies and those people would be the first to be affected. Mr. Miller stated they were planning their own rent increase that spring of the coming year and he did not physically operate it day-to-day but he had a manager who took care of all of that. Mrs. Voelker asked if he knew what percentage of people that currently resided in Whispering Pines would be in the subsidized category. Mr. Miller stated he believed it was around 20%.

Mr. Bellovich asked how many occupants were there currently. Mr. Miller stated 192 units were rented and he was not sure of the number of occupants, but he guessed about 250. Mr. Miller stated the units were mostly 1 and 2 bed units and did not see them as a good open market rent property, because they had a lot of physical improvements for the senior people.

Mrs. Demaegd stated the Fair Housing Act allowed for 20% of the residents to be over/under 55 and asked if he had that in Whispering Pines. Mr. Miller stated they did not. Mrs. Demaegd

asked then so they had no one under the age of 55 living there. Mr. Miller stated it was possible, because he saw kids coming and going with their grandmothers and he did not know how many were living temporarily there, which he knew happened. Mr. Miller stated the tenant that signed the lease had to be 55. Mrs. Demaegd asked if they had a waiting list of tenants and how many were on that waiting list. Mr. Miller stated they did have a waiting list and he could only guess maybe three or four were on the waiting list. Mr. Miller stated a number of their tenants had been with them for quite a while and almost the whole time. Mrs. Demaegd stated a note stated he was unaware that this was a senior's only apartment building and asked how that could be. Mr. Miller stated that was not exactly right and that he was aware it was a senior complex, because that was what he wanted it to be but he did not know of the restrictions that it could only be that.

Mr. Banicki stated looking back at paperwork from May of 1998; it looked like every representation was in fact for a senior development, including statements from the property owners that sold him the property. Mr. Banicki stated everything said that in fact, it was very important to them that it be a senior facility. Mr. Banicki stated he understood things changed, but when you had a neighborhood and you had a facility next door with cooperative type housing and they had a nice senior housing next door that was beautiful, just to change it would be hard because of a petition that was put together with 105 signatures against it. Mr. Banicki stated that petition was put together in just the last week. Mr. Banicki stated there was fear that if the designations were taken off then they would try to change the entirety of the model that it was built on. Mr. Banicki stated the facility was beautiful and he knew people who lived there, so it was very hard to say taking off the designation would not change much. Mr. Banicki stated they did not know what would happen with different incomes of people. Mr. Banicki stated there was a lot of concern about changing the designation and the previous family that sold him the property was very adamant that they wanted senior housing. Mr. Banicki stated somebody would buy it the way it was with the waiting list along with the beautiful facility and he had to factor all of these things in when making a decision like this.

Mr. Hazen asked if he knew of the buyer trying other financial institutions or if he only went to one and how long it had been on the market. Mr. Miller stated it was not really on the market and it was more political in that they were talking about raising the rates for profits and it was kind of a tossup as to where it would stay or go.

Mr. Mammolenti stated Mr. Hazen brought up an interesting point that inspired a question of his. Mr. Mammolenti asked if the buyer knew that this was a 55 or up community. Mr. Miller stated he never really talked to the buyer and the broker had contacted him. Mr. Miller stated in this market he was getting 2-3 calls a month to buy the property and he entertained one company out of Indianapolis just to get an idea of where they were at dollar wise and the company came in with an offer considerably more than what the other company had estimated. Mr. Mammolenti felt that there was so much at risk in affecting the elderly population just by this one decision to lift this restriction when they had a potential buyer come to you when it was not even on the market. Mr. Mammolenti stated he believed it would be extremely marketable and a great value to purchase even with the 55 and older restriction still in place.

Peter Jankowski, 3327 Montmartre Circle West Bloomfield, Michigan, spoke in favor of **PROPOSED ORDINANCE NO. 2021-31**. Mr. Jankowski stated he was the broker representing

the purchase of the property and wanted to weigh in and address some of the questions he listened to. Mr. Jankowski reiterated that the purchaser was based out of New York and they had at least four communities in the state of Indiana with about 30 others throughout the country. Mr. Jankowski stated they were a professional group that were paying a high price for the property and they would not be willing to sacrifice the integrity of the property and their investment by running it poorly or having undesirable people on the property to result in increased vacancy. Mr. Jankowski stated the property was already market rate and it was not more or less raising rights, economics or anything for the current tenants but providing the purchaser with the flexibility to dictate how they operated. Mr. Jankowski stated they could not kick any of the tenants out and once the property was purchased, they had to go through with whatever lease was in place and did not want to kick tenants out, because it would cost them money to go and improve units in any number of ways. Mr. Jankowski stated being able to keep the occupancy up lets the purchaser go and continue to maintain the property, do any improvements they had to do and gave them flexibility along with peace of mind for the lender. Mr. Jankowski stated as far as going to other banks and institutions, they were difficult as ever due to COVID in that climate. Mr. Jankowski stated once you get into a certain price range, you could not go to community banks and get favorable financing. Mr. Jankowski concluded stating these were going out to the larger markets.

Mr. Banicki thanked Mr. Jankowski and reference the people willing to come in and purchase the property, but only with the 55 and older taken off. Mr. Banicki brought up a hypothetical situation asking if they were to remove that restriction and next week the facility was sold to someone else, what would be the guarantee that it would be taken care of by someone else. Mr. Banicki asked who was to say that they could not just flip it themselves. Mr. Banicki stated the reality for him was it would be hard for him to even consider removing the restriction based on that information. Mr. Jankowski stated his client came in and made an offer so much higher that did entice Mr. Miller to sell, so with the price they were willing to pay and with taking in the account of taxes increasing after the purchase, there was no one that wanted to pay on a flip to go and buy the property when there would be so little property. Mr. Jankowski stated everything was purchased on cap rates and the cap rates would be so low that there was no flip. Mr. Jankowski stated the council could pass this and put in there that they had to continue to own, operate and manage the property for a reasonable period of time and that could be a good solution to give the council peace of mind. Mr. Banicki stated he just said that the other brokers Mr. Miller was talking to gave him different numbers when Mr. Miller just said he did not even put it on the market and someone came to him. Mr. Jankowski stated he just said a few minutes ago that there was a group out of Indianapolis who gave him a price range and his client came in and made an offer higher than that. Mr. Jankowski stated multiple brokers did evaluations for a property and he was sure Mr. Miller had more than one broker who put the assessment together and that was why he used it as a plural.

Mrs. Voelker had two questions for Mr. Jankowski. Mrs. Voelker asked if he recalled by any chance the name of the other Indiana properties that had been purchased and were owned by the Embassy group. Mr. Jankowski stated there were more in southern Indiana in the Evansville and Newburg area, but he did not know the name of them off the top of his head. Mrs. Voelker stated she was just curious about what the other properties were, what they looked and a little bit of information about them. Mrs. Voelker's other question was if the Embassy group was a

subsidiary of an international real estate firm. Mr. Jankowski stated he did not know where their money came from and most groups were syndicators that had money they put together. Mr. Jankowski did not want to assume, but he guessed they might have had Israeli money behind them. Mrs. Voelker asked since it appeared the American company might be located in New York or possibly Ohio, who was managing the property, and if there was a plan to hire a local management firm or if there would be management on site. Mr. Jankowski stated he did not know who managed for them in certain markets. Mrs. Voelker spoke for herself stating one of the things that was important when talking about neighborhoods and people who lived in their community; they really liked to talk to a potential owner who could really answer questions for them. Mrs. Voelker stated it was not that he was not doing the best he could, but it made it a lot easier for them to make decisions when they could ask specific questions and have them answered. Mrs. Voelker stated it was just a note she wanted to throw out there, in terms of how she liked to get information prior to making a decision and thanked Mr. Jankowski.

Mrs. Demaegd asked what the estimated cost to remodel the units would be, given all of the amenities in the facility that catered to the elderly, specifically the bathroom hand rails for example in the units. Mrs. Demaegd stated if they were going to rent out to people who were of younger ages, they would have to go in and remodel all of the units, which would cost money and would have to recoup it somehow. Mrs. Demaegd asked once again how much the average cost would be to remodel the units. Mr. Jankowski stated he did not know if they planned to remodel them, but certain things would need to be done such as a carpet needing to be replaced or have hardwood floors installed, painting of the units or things of that nature. Mr. Jankowski stated if he threw a number out he would be totally guessing.

Cheryl Gerald, 818 Green Pine Court, stated she lived in the Whispering Pines complex and the other complex Mr. Miller had. Ms. Gerald spoke in opposition of the proposed ordinance. Ms. Gerald stated all she could tell the council was she lived in Mishawaka since she was 19 years old and she would do whatever she could to help out the city and volunteered many times for Mishawaka. Ms. Gerald stated she graduated from Bethel College with a bachelor in Human Services. Ms. Gerald stated she was a widow of a veteran and many of the individuals who lived in Whispering Pines were widows of veterans. Ms. Gerald stated it was not that they did not have an income, but they were the middle class seniors. Ms. Gerald stated she was still working and had many surgeries, but she was not ready for assisted living and was ready to keep going. Ms. Gerald stated the facility was a beautiful and peaceful place for them. Ms. Gerald stated they loved it there and would stay as long as they could. Ms. Gerald stated she did not see good things happening there if seniors were taken out of the equation. Ms. Gerald stated she hoped they could stay senior and thanked Mr. Miller for the nice place he gave them to live. Ms. Gerald concluded stating they did not want it to change.

Al Dover lived at Whispering Pines for over 14 years. Mr. Dover stated he moved there when he was 55, it was a very nice place to stay in and he did not understand why they wanted to get rid of senior living around the area. Mr. Dover stated there were people 55 and older who had the money to live somewhere and they wanted to spend the rest of their lives with other people around their age. Mr. Dover stated they were at full capacity, had a waiting list and asked rhetorically why it would be a problem to keep it a senior place. Mr. Dover stated it was a very secure place and you could not go anywhere else in the city of Mishawaka where you opened

your door and you were to the outside. Mr. Dover stated in Whispering Pines, you had to have a key to get into your building and then a key to get into your apartment inside. Mr. Dover stated if there was problems, the cops came and people would not be able to get away if the place was blocked up. Mr. Dover thought it should stay at the 55 and older age restriction. Mr. Dover stated they had great apartments and he really did not think change was necessary. Mr. Dover again reiterated the fact that it was pleasant being surrounded by people in the same age group as him to be able to talk about things and have things in common with. Mr. Dover concluded stating it would be a mistake to change the restriction.

Linda, 801 Spruce Court, was a resident of Whispering Pines and spoke in opposition of the proposed ordinance. Linda stated she moved to this facility to have a safer place to live by herself after her husband, a veteran, passed away. Linda stated she loved Whispering Pines and her family was very happy with the security of it and it was very accommodating for people with problems moving. Linda stated it should stay the way it is, because she was not aware of any place quite like this facility even if she paid more money. Linda stated she was not ready for assisted living and Whispering Pines was the only place in the city for what they needed. Linda realized prices were going up and it would not change so she thought they probably would have to pay more money, but that had to be sorted out. Linda stated she would be willing to pay a little more on her rent if necessary.

Mrs. Voelker told her that she was happy to hear from people living in Whispering Pines, because the information they received via email that day was from people living outside of the facility. Mrs. Voelker thanked the people living in the community for attending the meeting that evening.

Patricia Gregg, 715 Spruce court, spoke in opposition to the proposed ordinance. Ms. Gregg stated they got together and decided that they would not allow their unit to be taken away from them. Ms. Gregg stated she was not ready to leave after living there for only 5 months and 3 years of waiting to get into the apartment. Ms. Gregg stated she had enjoyed every moment of her living there and her son and daughter did not need to worry about her since the facility was so secure. Ms. Gregg stated they wanted to stay 55 and older. Ms. Gregg stated she lived in South Bend, owned a home and after her husband passed away, she sold her house in order to downsize and choose to stay at Whispering Pines. Ms. Gregg concluded stating hopefully the council people would take this all into consideration.

Linda Turner, 801 Spruce Court Apartment J, spoke in opposition to the proposed ordinance. Ms. Turner stated she had been there three years, lost her husband and was a veteran. Ms. Turner stated Florida was where her husband passed away. Ms. Turner stated she left in 1970, joined the service and returned to Florida in 2000. Ms. Turner lost her husband and at that time and then left Florida to come back home to family in Indiana. Ms. Turner stated they did not want to move and wanted to keep Whispering Pines a senior community. Ms. Turner stated having her sister able to stay so close to her and get to the facility easily when she needed her was a huge factor. Ms. Turner stated if she went anywhere else she would be much further away, pay a lot more and some residents just could not afford that. Ms. Turner stated they could not ask for better treatment at Whispering Pines and some of the rumors about what was going to happen was very worrisome. Ms. Turner asked the council to not change how Whispering Pines was being run.

Cal, 715 Apartment C Whispering Pines, spoke in opposition to the proposed ordinance. Cal stated everyone said what he was going to say but he thought the council were truly concerned about the senior citizens. Cal thanked the council for hearing them.

Anthony Hack, 722 Green Pine Court Apartment K, spoke in opposition of the proposed ordinance. Mr. Hack stated he and his wife had been at Whispering Pines for seven and a half years. Mr. Hack stated they fell in love with Whispering Pines when they decided to move in and the people working there were very nice to them. Mr. Hack hoped they would not take senior age restriction out of it. Mr. Hack stated after herniated disks for him and an accident with his wife, they were scrapping the barrel to make ends meet and nobody told them if they were going to have to pay more or not. Mr. Hack stated he hoped the council realized that and took it into consideration that they were human beings.

Annie Young, 3005 Remington Court Apartment B, lived 5 minutes from Whispering Pines and stated she agreed with what everyone had said. Ms. Young stated she was a home caregiver professionally and worked in nursing homes and assisted living. Ms. Young stated Whispering Pines was the step before the nursing home and many people were not ready for that. Ms. Young stated Whispering Pines helped her sister out mightily and it was important how secure the facility was. Ms. Young stated there was no place else in Mishawaka like it. Ms. Young stated it would be a sad shame if they lost it and appreciated the fact that the council seemed to understand that. Ms. Young concluded stating the community needed to stay intact.

Mr. Banicki stated earlier that day, they received an email from some neighbors and read it in in opposition.

I have attached a petition the members of Jamestown have put together for the voting on Whispering Pines restriction lift. They are concerned about what will happen if the restriction 55 and older is lifted. I hope this will be taken into consideration.

**Thank You,
Jill Horvath Management**

Jamestown Homes are writing to express our strong opposition to the rezoning of Whispering Pines Apartments. This will cause traffic and safety problems and noise. We would like the apartment to stay 55 and older. We are concerned about the apartment being resold and what the future outcome would be. We urge you to disapprove the proposed rezoning, Thank you for your continued service and support of our communities. (105 signatures attached).

Mrs. Voelker stated she misunderstood at their last meeting and was under the impression that these were not market rate apartments and that the purchase of the apartments would move them into a market rate status. Mrs. Voelker appreciated that clarification that they were currently market rate apartments with 20% or so subsidized housing. Mrs. Voelker also thanked Mr. Jankowski for sending information in the WebEx chat about other Indiana complexes the Embassy group managed. Mrs. Voelker also appreciated the individuals from the community coming in to discuss their concerns with the council.

Mr. Mammolenti thanked Ms. Turner for her service to the country and some of the other folks who had spouses who did the same as well. Mr. Mammolenti applauded Mr. Miller for building such a superior product and it was extremely rare to hear so many residents speak so highly of the property, the amenities, the management and the property owners. Mr. Mammolenti stated the older he got, the more he valued safety and quality of life and at a younger age, he may have more options than some of the folks attending the meeting in terms of income. Mr. Mammolenti stated he believed they had fell in love with the property and were sold the idea of the product of safety and quality of life. Mr. Mammolenti stated he had put himself in their shoes and envisioned his mother speaking before the council and as a child; he would have the peace of mind if she were in a facility that was so secure that she could feel safe at night if she was safe. Mr. Mammolenti struggled with lifting the restriction and could not be in favor of the ordinance. Mr. Mammolenti stated with all of the great components of the facility; he did not think the property would have an issue selling and it was a great product. Mr. Mammolenti stated he would be in opposition to the ordinance.

Mr. Emmons stated with this proposed ordinance, it came up in the Plan Commission meeting and it was rejected 4 to 1. Mr. Emmons stated one of the main reasons was because Mr. Miller made his presentation, but they could never hear from the owners. Mr. Emmons stated he personally liked hearing from not only the past owner, but also the present owner and also the one purchasing the property to receive answers from them. Mr. Emmons stated you could not get all of the answers from the broker. Mr. Emmons stated he, along with Mr. Mammolenti, could not support the proposed ordinance and would be voting against it. Mr. Emmons appreciated all of the individuals who attended the council meeting and the ones who attended the Plan Commission meeting to voice their concerns. Mr. Emmons stated he listened and he was sure the rest of the council did the same.

Mr. Hixenbaugh stated for the record that, through the diligent research of the Clerk's Office, he was reminded of the fact that when the matter first came before the council in 1998, he was an attorney in private practice. Mr. Hixenbaugh stated although he did not have any current business relationship with Mr. Miller or anyone else affiliated with the property, it was his practice not to cast a vote as an elected official on a matter that he was involved in as a private attorney. Mr. Hixenbaugh stated he would abstain from the vote that evening. Mr. Hixenbaugh then thanked all of them for the presentations they made that evening. Mr. Hixenbaugh stated obviously it was an issue that spoke to their hearts, but everyone had been respectful and very appropriate in their comments and that included Mr. Miller as well throughout his comments as well as listening respectfully to what everyone had to say. Mr. Hixenbaugh stated no matter the outcome that evening, they were all to be congratulated for providing those present and those witnessing it with a bit of a civics listen with regard to how passionate issues should be handled on any level. Mr. Hixenbaugh stated they represented themselves and the community well and thanked them for that.

Question was called for at 9:10PM for **PROPOSED ORDINANCE NO. 2021-31** **Vote: Motion failed by unanimous roll call vote with one abstain (summary: NO = 8, Abstain = 1).**

Yes:

No: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton Mrs. Voelker.

Abstain: Mr. Hixenbaugh. The proposed ordinance failed 8-0, with one refusal.

NEW BUSINESS

Mr. Emmons thanked Mayor Wood for participating in his monthly meeting with his constituents. Mr. Emmons stated it was very gracious of him to recap incidents on the west end and he spent all of the time needed to share to the residents that things were being taken care of. Mr. Emmons stated he also gave a nice presentation of the State of the City and was very generous with his time. Mr. Emmons stated he knew his constituents were very appreciative of that and thanked Mayor Wood again.

Mr. Hixenbaugh announced that in order to facilitate the submission to the council of additional applications for the appointment to the School City of Mishawaka Board of School Trustees, they extended the deadline for interested members of the public and community to submit an application to them. Mr. Hixenbaugh stated the deadline would be Friday, October 29th at noon. Mr. Hixenbaugh stated they would continue to accept applications until that deadline and then move forward with interviews and selections of applicants for the position.

ADJOURNMENT 9:12PM

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

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