

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

January 17, 2022

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, January 17, 2022 at 7:00PM. The meeting was called to order by Council President Gregg Hixenbaugh. All were asked to stand for the Pledge of Allegiance.

Clerk Block called the roll.

Roll Call.

Present: Mrs. DeMaegd (P), Mr. Banicki (P), Mr. Hazen (P), Mr. Mammolenti (E), Mr. Emmons (P), Mr. Bellovich (P), Mr. Compton (P), Mrs. Voelker (E), Mr. Hixenbaugh (P)
P: Present E: Electronically Participating A: Absent

Others Present: Clerk Block, 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 January 4, 2022 were approved as received from the Clerk's Office.

Clerk Block read a letter from the City Plan Commission regarding their recommendations from their January 11, 2022 meeting.

PETITION #2021-21

A petition submitted by VFW Mishawaka Post 360 seeking to rezone the northeast corner of Jefferson Boulevard and Maplehurst Avenue from R-1 Single Family Residential District to R-3 Multi-Family Residential District for eight (8) residential homes and accessory buildings.

The Commission, with a vote of 5-4, recommended approval.

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

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

PROPOSED ORDINANCE NO. 2022-01

**AN ORDINANCE AMENDING ORDINANCE 5770 IN AGREEMENT BETWEEN THE
CITY OF MISHAWAKA AND THE EMPLOYEES OF THE SEWER DEPARTMENT
REPRESENTED BY THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS
LOCAL 364**

**Amendment to Ordinance No. 5770 a Collective Bargaining Between the City and Local 364
Sewer Dept.1-1-2022 thru 12-31-2024
(Petitioner Requesting Second Reading)**

The chair entertained a motion to suspend council rules and hold first and second reading of **PROPOSED ORDINANCE NO. 2022-01**. Mr. Compton made the motion and with a second from Mr. Compton, Clerk Block polled the council on the motion. **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9). Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mrs. Voelker, Mr. Hixenbaugh.** The motion passed 9-0 and the council moved into the second reading on **PROPOSED ORDINANCE NO. 2022-01**.

Mr. Hixenbaugh stated it was his understanding that the matter before them was a technical correction of the ordinance passed at their last meeting in 2021. Mr. Hixenbaugh stated specifically, this would accurately reflect in writing that the last three in the series of ten of longevity bonuses set out in article 26 of the collective bargaining agreement. Mr. Hixenbaugh stated it was his understanding that although both bodies ratified accurate numbers, there was a discrepancy of five dollars in each of the three longevity bonuses in what was brought to them previously, so this would clean up the discrepancy if it were the pleasure of the council to do so.

Question was called for at 7:11PM for **PROPOSED ORDINANCE NO. 2022-01** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**
Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mrs. Voelker, Mr. Hixenbaugh. The proposed ordinance passed 9-0, thus becoming **ORDINANCE NO. 5779**.

PROPOSED ORDINANCE NO. 2022-02

**AN ORDINANCE AMENDING ORDINANCE 5763 FIXING THE SALARIES OF ALL
EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT THE MISHAWAKA PARK
DEPARTMENT, ELECTED OFFICIALS AND MISHAWAKA UTILITIES FOR THE
CITY OF MISHAWAKA, INDIANA FOR THE YEAR BEGINNING JANUARY 1, 2022
Amending Ordinance No. 5763AA Civil City Salary Ordinance for 2022
(Assigned to Budget & Finance Committee)**

PROPOSED ORDINANCE NO. 2022-03

**AN ORDINANCE DECLARING AN EMERGENCY IN DETERMINING THE
EXPENDITURE OF ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31,
2022**

**Addition Appropriation From: General Fund - Fire - Assistant Chief \$125,000.00 - Total:
\$125,000.00**

(Assigned to Budget & Finance Committee)

PROPOSED ORDINANCE NO. 2022-04

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

**Rezone from R-1 SF Residential to R-3 MF Residential for 8 Residential homes &
Accessory Building – NE. Corner of E. Jefferson Blvd & Maplehurst Ave. – Troop Town
(Assigned to Land Use Planning Committee)**

PRIVILEGE OF THE FLOOR

Kristy Miller, 321 W 7th Street, came before the council representing the West End neighborhood watch group and said a huge thank you to the city of Mishawaka and the Mishawaka Police Department for their prompt response to the issues created by the reopening of the El Padre Restaurant and Bar at Main and 6th Street. Ms. Miller stated the neighborhood truly appreciated what the city had done on their behalf and they thanked them as well as encouraged them to keep up the good work.

NEW BUSINESS

Mr. Hixenbaugh stated at the request of the administration, the chair entertained a motion to change the date of the Mayor’s State of the City Address to the council and reschedule it for Monday March 28th at 6PM in the Council Chambers. Mr. Compton made the motion and Mr. Mammolenti seconded the motion to change the date of the Mayor’s State of the City Address to Monday March 28th at 6PM in the Council Chambers. Mr. Hixenbaugh called for the question and Clerk Block polled the council on the motion. **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9). Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mrs. Voelker, Mr. Hixenbaugh.** The motion passed 9-0.

Mr. Mammolenti announced the Twin Branch neighborhood watch meeting was planned for Wednesday January 19th for a tour of the St. Joseph County 911 dispatch center. Mr. Mammolenti stated they were battling some COVID issues and asked them to reschedule and although it had not been confirmed, they were looking to push it off to either their February or

March meeting. Mr. Mammolenti stated once again the Twin Branch neighborhood watch meeting for January 19th at the County 911 dispatch center had been canceled.

Mr. Compton brought the council up to date and stated the Troop Town came before the Planning and Zoning committees in the prior week and he had attended the meetings. Mr. Compton stated there were several citizens present with questions and what came out of it was that the Troop Town representatives asked the citizens to put their questions in writing and turn them over to them and he would be the intermediary for that. Mr. Compton stated they would hold another community meeting and have the answers to those questions for them at that time. Mr. Compton stated he would keep the council informed and it would all take place before their next council meeting, which was when they would be scheduled to discuss the issue and vote on it.

Mr. Emmons thanked Council President Mr. Hixenbaugh for his participation and his presentation at the last neighborhood meeting. Mr. Emmons stated he did an excellent job and explained what the council functions were as well as what their duties were. Mr. Emmons stated he went a little more in depth than what normally was anticipated and did a fabulous job. Mr. Emmons stated everyone present was thrilled. Mr. Hixenbaugh stated it was his pleasure to be there and he enjoyed it.

Mrs. DeMaegd asked Mr. Compton if there was a date set for the next Troop Town community meeting. Mr. Compton stated there was not but he suspected it would be in the first week of February prior to their council meeting.

Mr. Compton commented that it was Martin Luther King Jr. Day and he thought it was appropriate to acknowledge that along with the good work he did while he was on this Earth. Mr. Compton stated they could all use him as an example of how to live their lives and how to feel about other people, especially in today's environment.

ADJOURNMENT 7:20PM

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

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