

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

February 6, 2023

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the New Mishawaka City Hall and via telephone on Monday, February 6, 2023 at 7:00PM. The meeting was called to order by Council President Gregg Hixenbaugh. All were asked to stand for the Pledge of Allegiance.

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.

Clerk Block called the roll.

Roll Call.

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

Others Present: Clerk Block, Mike Trippel Council Attorney.

Minutes for the Regular Meetings of January 23, 2022 were approved as received from the Clerk's Office.

Clerk Block read the following petitions by title.

- | | |
|-----------------------------|---|
| Petition No. 2023-01 | Rezoning from I-2 Heavy Industrial & R-1 Single Family Residential to C-4 Automobile Oriented Commercial for Auto Sale & Associated Vehicle Prep – Vacant Land SE of N. Merrifield Ave. & Jefferson Blvd. |
| Petition No. 2023-02 | Right-of-Way Vacation for unimproved Taylor St. at NW corner of Arthur & Grape Rd. – E. of 410 Arthur St. |
| Petition No. 2023-03 | PUD Amendment to expand area of previously approved permitted use for a Regional Recreational Facility – Part of Lots 2 & 4 of Juday Creek Business Park Sub |

Presentation of voided two-year-old checks

Mr. Hixenbaugh stated for the benefit of the council, the backup information was provided to them as part of the publicly accessible council packet. The record reflected that the voided checks had been presented in compliance with Indiana law.

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

PROPOSED ORDINANCE NO. 2023-03

AN ORDINANCE AMENDING ORDINANCE 5811 THE FIXING OF 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, 2023

**Amending Ord. No. 5811 Civil City Salary Ordinance
(Assigned to Budget and Finance Committee)**

PROPOSED ORDINANCE NO. 2023-04

AN ORDINANCE AMENDING ORDINANCE 5820 THE FIXING OF SALARIES OF ALL SWORN PUBLIC SAFETY FOR THE CITY OF MISHAWAKA, INDIANA FOR THE YEAR BEGINNING JANUARY 1, 2023 AND CONTINUING FOR 2 YEARS

**Amending Ord. No. 5820 Fixing Salaries of All Sworn Public Safety
(Assigned to Budget and Finance Committee)**

PROPOSED ORDINANCE NO. 2023-05

AN ORDINANCE DECLARING AN EMERGENCY AND DETERMINING THE EXPENDITURE OF ADDITIONAL FUNDS FOR THE YEAR BEGINNING DECEMBER 31, 2023 IN THE TOTAL AMOUNT OF \$5,935,000

Additional Appropriation – ARP Coronavirus Local Fiscal Recovery Grant – Personal Services (Premium Pay - \$380,000.00, Social Security - \$25,000.00, Medicare - \$5,000.00, INPRS - \$25,000.00) Capital Outlay (West Street Phase IIB - \$5,500,000.00) Total - \$5,935,000.

(Assigned to Budget and Finance Committee)

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

RESOLUTION R2023-01

A RESOLUTION OF THE COMMON COUNCIL, CITY CLERK, AND MAYOR OF THE CITY OF MISHAWAKA HONORING THE 2022-2023 MISHAWAKA HIGH SCHOOL STATE CHAMPIONSHIP WRESTLING TEAM

Honoring 2022-2023 Mishawaka High School State Champion Wrestling Team

Clerk Block read the resolution.

A Resolution of the Common Council, City Clerk, and Mayor of the City of Mishawaka Honoring the 2022-2023 Mishawaka High School State Championship Wrestling Team

WHEREAS, the Mishawaka High School Wrestling Team has long enjoyed athletic success, winning multiple Indiana team state championships, as well as numerous individual championships; and

WHEREAS, on January 7, 2023, the Mishawaka High School Wrestling Team has added to wrestling program's legacy by winning the 2023 Indiana High School Wrestling Coaches Association (IHSWCA) 3A Team State Championship in Franklin, Indiana, defeating East Central (66-12) in the first round, Greenfield Central (40-28) in the semi-finals round, and Columbus East (43-31) in the championship round: and

WHEREAS, such laudable team accomplishments are only possible as the result of hard work, sacrifice, and determination on the part of the individual wrestlers (and their families) who are part of the team: *Dustin Abraham, Brody Blevins, Jack Bonk, Corbin Boucher, Beau Brabender, Aiden Brock, Jason Bupp, Anderson Cannon, Christian Chavez, Xavier Chavez, Dominic Decloedt, Trey Dunning, Gunnar Eby, Corey Gardner, Drew Ginter, Aiden Hernandez, Jackson Hershey, Anthony Hunsberger, Micah Jelinski, Will Kennedy, Josh Kite, Will Mason, Breyana Moreno, Kayden Oltman, Zander Paden, Chris Peacock, Conner Powell, Courtney Rider, Mikey Robles, Gunnar Sandefur, Colby Smith, Kaylee Smith, Daniel Thompson, Isaac Valdez, Zar Walker, and Caiden Williams*; and

WHEREAS, team excellence is also dependent on the leadership and guidance provided by the coaching staff: *Head Coach Steven Sandefer and Assistant Coaches Josh Olsen, Fabian Chavez, Brandon Dillenbeck, Yancy Gradeless, Adam Sandefur, and Collin Meggison*; and

WHEREAS, team success is also enhanced by the diligent work of the managers who support them during practices as well as matches; *Mia Mason, Rayleigh Dodd, Abbi Holloway, and Liliahna Meyers*; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council, the City Clerk, and the Mayor of the City of Mishawaka that such efforts are deserving of recognition and commendation, and as such we declare February 6, 2023, to be

MISHAWAKA HIGH SCHOOL WRESTLING DAY

in the City of Mishawaka, and we call upon all citizens to join us in congratulating and saluting this talented and truly remarkable group of students and adults and thank them for their efforts on behalf of their school, the community and the City of Mishawaka.

Mr. Mammolenti opened the public hearing by sharing some words on this resolution. Mr. Mammolenti stated he wanted to start off by thanking Council President Hixenbaugh and Clerk Block for all their work and efforts in composing this wonderful resolution. Mr. Mammolenti stated it was not easy and thanked them for that. Mr. Mammolenti stated just as a former Mishawaka grad and a former wrestler for the program, how proud he was of the team. Mr. Mammolenti stated he knew for those folks who had never wrestled, it was hard to understand the sport, the grind and the family atmosphere and what it took from day in and day out as far as special diets, special sleep, special studies and traveling all over the state of Indiana for tournaments. Mr. Mammolenti stated it was definitely a family sport and he thought that they had something special and would have a brother and sisterhood for the rest of their lives and they would always come back together and say they were part of that state championship. Mr. Mammolenti stated he was a part of a state championship team as well when he was in high school and there were some memories from that time that he would never forget. Mr. Mammolenti thanked them

for bringing the championship back to Mishawaka and for making a former Mishawaka Caveman proud and to keep up the hard work. Mr. Mammolenti stated they had some unfinished business to do, so take care of that and stay well.

Mayor Dave Wood spoke in favor of **RESOLUTION R2023-01**. Mayor Wood wanted to express on behalf of the citizens of Mishawaka, how proud they were of the great kids. Mayor Wood stated they had seen time and time again Mishawaka students come together and do some pretty incredible things and this was certainly an example of that. Mayor Wood stated they represented their city so well with their hard work ethic, their tenacity, their can-do spirit, their dedication and commitment to what they chose to do which was very difficult to do. Mayor Wood stated this was the first state finals since the 2010 team that his nephew was on and this was a great tradition that not only was developed here but recognized all over the state of Indiana and when he traveled around the state, it was often that he heard people will come to him and say that they were a wrestling mecca in the state of Indiana and it was great to see the program return to that and state championships were the expectation. Mayor Wood stated as they had done in the past with state championship teams, they had the Street Department sign crew already working on the entry signs for the city of Mishawaka and planned to advertise that and be very proud to put up some signs recognizing their great youth and the Mishawaka High School Wrestling Team. Mayor Wood thanked the team again on behalf of the citizens of Mishawaka.

Coach Fabian Chavez, 58695 Ireland Trail, spoke in favor of **RESOLUTION R2023-01**. Coach Chavez stated what a great city Mishawaka was to be part of through work and coaching and told them a little history too. Coach Chavez stated he graduated from Penn High School in 1992, along with Mayor Wood but he had been coaching at Mishawaka since 2001 with Lance Beehler, Darrick Snyder, Charlie Cornett, and now Steven Sandefer and it was just a great school to be part of. Coach Chavez stated this team was very special and this would be his last year coaching as a paid coach and would be trying to get someone younger in there to help Steven out. Coach Chavez stated on this team, there was not one kid in that wrestling room that had not busted their butt every day and as a coach, that was the most gratifying thing that he had all year. Coach Chavez stated he felt that the biggest part that he was so thankful for was that he did get to come and become part of Mishawaka High School and he was very fortunate to come on board and he actually used to wrestle against Mr. Mammolenti in high school and could not stand his team at the time but now he was finally part of the Mishawaka tradition and felt like he was more of a Mishawaka alumni than he had ever been part of Penn. Coach Chavez stated it was a great rivalry and it was still going and anyone that went to the meet this year knew it was a great part of the sport and he was just glad to be part of the Mishawaka Caveman Wrestling Program. Coach Chavez stated it had been a great year and like Mr. Mammolenti said, they still had a job to do and they hoped to get a bunch of guys down to state and make some noise and personally, his kids were part of the program as well and he was excited and was a very proud dad and a very proud coach of all the kids. Coach Chavez thanked the council for having them that evening and expressed his love for the team.

Head Coach Steve Sandefer, Mishawaka High School Wrestling Head Coach, spoke in favor of **RESOLUTION R2023-01**. Coach Sandefer took a moment to thank all of them for making that day possible. Coach Sandefer stated these were the guys that were putting in all the work week in and week out. Coach Sandefer stated they only had two weeks in their season left and they were down to 10 wrestlers for Semi-State that weekend, with the State Finals the following week. Coach Sandefer stated each year he thought that they did a great job as coaches and parents getting these guys peaked at the right time. Coach Sandefer stated it was their last year with this staff as Coach Fabian would be moving

on and they got to win a team state title with a great group of seniors and none of that would have been possible without the coaches and the leaders that they had. Coach Sandefer stated they talked about what great leaders the team had and they had been great mentors to the middle school kids and would attend middle school matches and they wanted to be seen and wanted to support them. Coach Sandefer stated they had been instrumental in getting a lot of the freshmen acclimated in the offseason and really making them feel part of the team and everyone had been included in this group of wrestlers. Coach Sandefer stated that had been really special and at the beginning of the year and for the last 4 years, they always wanted to win a team state title and wanted to bring that magic back to Mishawaka Wrestling and the city of Mishawaka but with this group, they kept saying a special group, he was very proud of them but they were not finished yet. Coach Sandefer stated they still had some titles that they wanted to try and get but he thanked the council all again, along with the coaching staff and family members supporting them that evening.

Corbin Booher, 57500 Oakside Avenue and Mishawaka wrestler, spoke in favor of **RESOLUTION R2023-01**. Mr. Booher stated he was not really supposed to come to Mishawaka, but he did and he was quite happy he did because he would have never met the great people he shared wrestling his first year with. Mr. Booher stated he had never done this sport or any sport and he was happy he was able to do it with these people because they built him up bigger than they could ever imagine and he was really proud of himself and where he had come.

Isaac Valdez, 1005 Woodhouse Drive and Mishawaka wrestler, spoke in favor of **RESOLUTION R2023-01**. Mr. Valdez stated he loved this city and this city had built him into the man he was today and all of the people in it like the coaches and his friends. Mr. Valdez stated it was the greatest thing to be able to bring a state championship back to Mishawaka.

Mr. Compton thanked the coaches and Coach Sandefer. Mr. Compton congratulated them on their accomplishment and stated that it was quite the accomplishment. Mr. Compton thanked Coach Chavez for being at Mishawaka and he did not realize his story and he was glad to have him in Mishawaka. Mr. Compton thanked and congratulated all of the parents, because it was a tremendous amount of work that went into this and it was not just from the student athletes. Mr. Compton stated if the parents were not dedicated, the student athletes would not get to where they had gotten to. Mr. Compton stated he was not a wrestler, but he played football so he knew a lot about the wrestler lifestyle and he knew a lot of wrestlers and he thought that might be a reason he did not wrestle because he knew what went into it. Mr. Compton stated for all of the wrestlers, as Mr. Mammolenti said, they would remember this for the rest of their lives and would talk about this when they got to be older, the stories would be a lot bigger and a lot longer and would keep getting bigger and bigger every year. Mr. Compton stated it would be fun for them to get together later in life and talk about this, but really all of the work and challenges and all of their efforts were going to play into everything they would do in life. Mr. Compton stated remember how hard it was, the dedication it took and apply that to their rest of their lives and the world would be at their doorstep. Mr. Compton stated it was all about hard work, effort, dedication, teamwork and friendships. Mr. Compton congratulated them once more.

Mr. Emmons congratulated them as state champions and stated it was great to see the accolades come back to Mishawaka and the wrestling program specifically and the way they excelled that year. Mr. Emmons stated he was on the first wrestling team at Mishawaka High School back in 1959, although they did not quite have level of success that they had. Mr. Emmons stated he was a 95 pound wrestler

and although his team had their fair share of losses starting out, it was great to see the wrestling program excel throughout the years and it was great to see that the Mishawaka program was in good hands. Mr. Emmons thanked the coaches as well as the parents and thanked the wrestlers for their hard work that they put into it because he was wrestling in their shoes at one time and knew what it entailed. Mr. Emmons stated it was not a team sport, it was an individual sport and when you were out on that mat, it was only you and nobody else and you were the one who had to perform and the one who had to put the energy in to come out a winner. Mr. Emmons thanked each and every one of them for their effort not only for themselves but also for Mishawaka High School and the community.

Mr. Hixenbaugh echoed the comments of his colleagues and thanked the wrestlers and the student managers and trainers for the work they did on a daily basis. Mr. Hixenbaugh thanked Coach Sandefer and his staff for the hard work that had gone into returning this program to the place of prominence that it should enjoy. Mr. Hixenbaugh thanked the administration from the superintendent on down to the building principal, the athletic directors and all of the folks in the school corporation, including the custodians who cleaned up the mats and took care of the locker rooms as well as everyone who went into making a program like this successful. Mr. Hixenbaugh really wanted to underscore their appreciation for the parents. Mr. Hixenbaugh stated as a father of two former caveman wrestlers, he remembered those days when you got up early in the morning and went to a freshman meet or a JV meet or even a varsity meet and you were packing lunches and you were doing things that were necessary in order to support not only your son or daughter, but all of the wrestlers on the team. Mr. Hixenbaugh stated he went back long enough to when he remembered the Sandefer's being on the sideline watching their son Steve wrestle a long time ago and it was important that they supported their kids in everything that they were involved in, but the dedication of parents, he would suggest was unmatched in terms of what people put into the best interest of their children. Mr. Hixenbaugh thanked them for the work they did and gave continued best wishes for the coming weeks. Mr. Hixenbaugh told them to continue to do the right things that had gotten them to that point as a team, as a coaching staff and as a wrestling community and he had no doubt that they would all continue to be successful for the remainder of the season. Mr. Hixenbaugh thanked them very much for everything they did.

Question was called for at 7:24PM for **RESOLUTION R2023-01 Motion carried by unanimous roll call vote (summary: Yes = 6).**

Yes: Mr. Bellovich, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Compton, Mr. Hixenbaugh. The resolution passed 6-0.

RESOLUTION R2023-02

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA
APPROVING THE REQUEST FOR THE INDIANA STATE BOARD OF ACCOUNTS TO
EXAMINE THE FINANCIAL STATEMENTS PREPARED IN ACCORDANCE WITH GAAP
(Controller requesting postponement until next council meeting on February 20th)**

Mr. Hixenbaugh stated upon the Controller's request, the chair entertained a motion to postpone the public hearing on **RESOLUTION R2023-02** until their next regularly scheduled council meeting on February 20, 2023. The motion was moved by Mr. Mammolenti and seconded by Mr. Emmons, thus Clerk Block polled the council on the motion.

The vote took place at 7:30PM. **Motion carried by unanimous roll call vote (summary: Yes = 6).**

Yes: Mr. Bellovich, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Compton, Mr. Hixenbaugh. The motion passed 6-0 and the resolution was postponed.

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

PROPOSED ORDINANCE NO. 2023-01

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 outlot from C-1 General Commercial to C-7 Automobile oriented restaurant commercial – NE corner of 12th St. & Merrifield

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. Mammolenti, the motion carried. Clerk Block polled the council on the committee report.

The vote took place at 7:31PM. **Motion carried by unanimous roll call vote (summary: Yes = 6).**

Yes: Mr. Bellovich, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Compton, Mr. Hixenbaugh. The committee report passed 6-0.

Austin Blomeke PLA, Jones Petrie Rafinski 325 S Lafayette Blvd. South Bend, IN, spoke in favor of **PROPOSED ORDINANCE NO. 2023-01**. Mr. Blomeke stated he was there on behalf of MCC Self Storage representing them. Mr. Blomeke stated last spring, they sought a use variance to allow sub storage on that property and as part of the conditions, it was requested that they seek a rezone of this out lot so they had gone from a C-1 to a proposed C-7 auto oriented commercial development. Mr. Blomeke stated there were no development plans right then and nothing lined up but anything in the future would certainly meet all the regulations set forth by the C-7 zoning ordinance and there would be no additional curb cuts. Mr. Blomeke stated he would answer any further questions.

Mr. Compton asked him about the security and if this was going to be code access. Mr. Compton stated he had seen facilities that ranged from wide open and going up to unlock your unit to something that had a lot more security to it. Mr. Compton was wondering what this was going to be like with it being close to a neighborhood. Mr. Blomeke stated the existing former bingo hall was where the proposed self-storage units were going in and with that facility, you would need a key pad to get in there and there was going to be security and it would not open to the public. Mr. Blomeke stated the outlot that was going to be rezoned was just going to be a commercial

fast food restaurant in the future. Mr. Compton asked if all the storage would be inside the old bingo hall. Mr. Blomeke stated that was correct.

Question was called for at 7:35PM for **PROPOSED ORDINANCE NO. 2023-01 Motion carried by unanimous roll call vote (summary: Yes = 6).**

Yes: Mr. Bellovich, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Compton, Mr. Hixenbaugh. The proposed ordinance passed 6-0, thus it became **ORDINANCE NO. 5826.**

PROPOSED ORDINANCE NO. 2023-02

AN ORDINANCE APPROVING AN AMENDED AGREEMENT BETWEEN THE CITY OF MISHAWAKA AND THE MISHAWAKA FRATERNAL ORDER OF POLICE LODGE 91

Mr. Compton reported the Committee of Public Health & Safety recommended this proposed ordinance should be adopted. This was signed by the entire committee and upon a second by Mr. Mammolenti, the motion carried. Clerk Block polled the council on the committee report.

The vote took place at 7:37PM. **Motion carried by unanimous roll call vote (summary: Yes = 6).**

Yes: Mr. Bellovich, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Compton, Mr. Hixenbaugh. The committee report passed 6-0.

Ken Witkowski, Chief of Police; Mishawaka Police Department, spoke in favor of **PROPOSED ORDINANCE NO. 2023-02.** Chief Witkowski started off by thanking the members of the council that worked tirelessly to make things meet so they could come to an agreement. Chief Witkowski named President Hixenbaugh, Matt Mammolenti, Mike Compton and Tony Hazen specifically. Chief Witkowski stated he thought both sides worked long and hard through several meetings and it expanded to a couple of months to come to the agreed upon terms but he thought both sides walked away happy with what they ended up with. Chief Witkowski highlighted some of the items that were discussed in these meetings with one of them being the pay increase, which was the highest since he had been there. Chief Witkowski stated it would be 7% in 2023 and 5% in 2024. Chief Witkowski stated they had a residency stipend which they never had before and he thought that was a great idea to keep the officers in their city. Chief Witkowski stated there was no increase in health increase, which was big for FOP 91. Chief Witkowski also wanted to thank FOP 91 for their great efforts and their hard work to making both ends meet. Chief Witkowski stated they were also looking at an alternative staffing model which would be looking at 12-hour shifts to help with current manpower shortages and to make it better for the city and for the working group of FOP 91 to move forward. Chief Witkowski stated they had started that already and had a group incentive to look at that. Chief Witkowski stated extra duty pay was another item discussed and they had an annual stipend for individual specialties which they never had before, meaning they would recognize the hard work of those that went beyond just working a beat and were in specialty units so they would be compensated for that. Chief Witkowski stated all emergency overtime would be paid at a two times rate and that was new for

them and it also followed along with what other cities were doing locally in the area and they were in a very competitive market now for manpower so they had to meet some of that criteria. Chief Witkowski stated they also had wrote in in that when a shift started they did not have a supervisor, meaning sergeants or above, and they had an option to attempt to get a supervisor to come in an overtime position and otherwise, it fell back on the next in line or most senior officer and they would be compensated. Chief Witkowski stated that would not affect shift strength and that would just be an extra person, which would be helpful. Chief Witkowski stated something that was new as well was that all new hires, starting in January of that year, would not earn random days and rather they would call them personal days and that would not allow officers to take the shift strength below the minimum staffing and that was pretty big. Chief Witkowski stated minimum shift strength would be raised starting in 2024 to 11 from 10 that they had installed currently as long as the uniform patrol was at 70 officers. Chief Witkowski stated this was a brief overlook but a lot of hard work went into this and he wanted to thank everyone that was involved. Chief Witkowski felt that both sides came out of it believing it was a win-win situation and they made good out of it.

Mayor Wood spoke in favor of **PROPOSED ORDINANCE NO. 2023-02**. Mayor Wood stated he was there mainly to thank everyone involved in this. Mayor Wood stated this was a really new process for them and as they knew, state law said that councils were responsible for police and fire wages and administration was responsible for police and fire contract negotiations. Mayor Wood stated those had been separate in the past and this was the first time they brought all three groups together, that being the council, administration and the FOP and he thought the process worked great. Mayor Wood knew it took a long time and a lot of dedication and he was sure there was frustration along the way as all good negotiations brought that out but in the end, he thought what happened was a great thing for the city of Mishawaka, for the citizens of Mishawaka, for their police officers and for the city by and large. Mayor Wood stated they were in kind of an arms race for police officers at that current stage and it was a career that quite frankly many people were not choosing to go into and it was impacting their ranks. Mayor Wood stated last year, they were at full staff at one point in a year plus one and now they were well under staffed and there was competition between communities to draw police officers because what they were experiencing, every community around them was also experiencing. Mayor Wood stated they thought this contract and the terms within it that the Chief was talking about put them in a very favorable position to attract officers to Mishawaka and not just any officers, but the best officers. Mayor Wood stated in fact, they just interviewed one and hired one that day. Mayor Wood stated they also had laterals they had conditionally hired within the last week, so they thought that this package kept them equal to surrounding communities or roughly close. Mayor Wood stated his goal always for negotiations first of all was job security for their officers and a secure job for them as long as they wanted to have one and so this put them in a position where they got good pay, good benefits, good equipment, good leadership, good training, a great location and a great city. Mayor Wood stated they thought this put them in a favorable spot compared to others and thanked the council for their part in it. Mayor Wood also thanked the FOP for adopting and ratifying this and also thanked Chief Witkowski and his group for their

patience, persistence and for ultimately doing what was right for their family. Mayor Wood thanked everyone again.

Mr. Compton echoed what Chief Witkowski and Mayor Wood said and wanted to thank the FOP. Mr. Compton stated he knew this was an adjustment for them as much as it was an adjustment for the council and maybe even a bigger adjustment for the administration specifically and they anticipated that to a degree. Mr. Compton stated they were talking about the collaboration of the three groups for a while and this year made the most sense to start to do it that way. Mr. Compton thought it worked out well and made the most sense to do it that way moving forward and in the end, he thought the police officers would appreciate it being done in this fashion. Mr. Compton stated they went into this with a couple of goals in mind, one was more policemen on the street and also attracting new officers, which meant they needed to pay them and provide benefits that attracted them and kept the people they had. Mr. Compton stated at the same time, they did some things and set some groundwork that they hoped was going to result in more policemen on the street, which was a big goal of theirs. Mr. Compton stated they heard that from their citizens and they had continued to hear it. Mr. Compton thanked everyone involved that was from the council and from the Mayor's staff and also thanked Mayor Wood for agreeing to do this and he believed it worked well and would continue into the future.

Mr. Mammolenti echoed everyone else's comments as well and first and foremost, thanked President Hixenbaugh, Mr. Compton and Mr. Hazen for their long work and efforts in this. Mr. Mammolenti stated as the Chief said, this took several meetings to get this finished up and he always said this was probably one of the toughest things about this job, but they did it because they loved their city and wanted the best for their city. Mr. Mammolenti also thanked the FOP and the administration, Mayor Wood and Chief Witkowski. Mr. Mammolenti wanted to state publicly that he was really proud of the fact that all three parties got together and everybody acted respectfully and respected the other groups. Mr. Mammolenti stated everything was conducted very professionally on all three sides and he commended all three groups on that. Mr. Mammolenti thanked everyone for their efforts.

Mr. Hixenbaugh offered his thanks to all involved from the FOP to the administration and also named Pat Hinkle, the corporation counsel, who was part of their team as well and did a great job in drafting the language to button this up and then the Controller, Becky Maguire, was an integral part of what they did as well. Mr. Hixenbaugh stated this was unprecedented in terms of the compensation that would be put into place for their police officers which was a shared goal of everybody at the table going into this. Mr. Hixenbaugh stated the contractual language in related terms also had that positive impact that Mr. Compton highlighted not only setting the stage for some immediate increase in manpower on a daily basis in the city of Mishawaka, but also some longer term opportunities for them to even further enhance the number of officers who were on the street on a daily basis. Mr. Hixenbaugh stated in his opinion, the Mayor was spot on in saying they were in a competitive market, that arms race that he referred to, so as proud as he was of the collaborative process that they had and the work product that all of them should be proud of that they were able to put in place as a result of the negotiation session, he did not think

that anybody believed that this had addressed all of the challenges they were facing as a community with regard to public safety in general and the Police Department in particular. Mr. Hixenbaugh stated this was not just a small baby step though and this was a significant step to address those challenges and to position them to be able to move on to even bigger and better things in the future. Mr. Hixenbaugh stated they needed to continue to work together along with the FOP to try to address these issues in the spirit in which they were addressed during this session. Mr. Hixenbaugh thanked everyone involved and hoped for the best as the contract and compensation was implemented and then be able to see it pay the dividends that they all suspected it would.

Question was called for at 7:52PM for **PROPOSED ORDINANCE NO. 2023-01 Motion carried by unanimous roll call vote (summary: Yes = 6).**

Yes: Mr. Bellovich, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Compton, Mr. Hixenbaugh. The proposed ordinance passed 6-0, thus it became **ORDINANCE NO. 5827.**

UNFINISHED BUSINESS

PROPOSED ORDINANCE NO. 2022-50

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 increase Building Height to 65’ – NW corner of Cleveland Rd. (S.R. 23) & Gumwood Rd.

(Petitioner requesting postponement to March 6th meeting)

The chair entertained a motion to grant the petitioner’s request to postpone the second reading and public hearing on **PROPOSED ORDINANCE NO. 2022-50** until their regularly scheduled council meeting on March 6, 2023. The motion was made by Mr. Compton and seconded by Mr. Mammolenti. Mr. Hixenbaugh added that now that they had postponed this matter a couple times and in compliance with state law, absent of holding a special meeting, this would be the last time this could be ripe for postponement. Mr. Hixenbaugh stated hopefully, any steps that needed to be taken in order for this to be presented to them and action to be taken on March 6th would take place so they could move forward with it. Clerk Block polled the council on the motion.

The vote took place at 7:54PM. **Motion carried by unanimous roll call vote (summary: Yes = 6).**

Yes: Mr. Bellovich, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Compton, Mr. Hixenbaugh. The motion passed 6-0 and the matter was postponed.

NEW BUSINESS

Mr. Mammolenti made a brief reminder that on February 15th at 7PM, they would be having their monthly neighborhood watch meeting and it would take place at Fire Station #4. Mr. Mammolenti stated their guest speaker would be the Director of Code Enforcement Joe Van Nevel and he would also be there to answer any questions from any citizens, whether they lived in the 3rd District or not and they were always welcome to attend.

Mr. Emmons made a reminder that the 1st District would be holding their monthly meeting at St. Bavo's at 7PM on February 16th. Mr. Emmons stated their guest speaker would be Councilwoman Kate Voelker and she would be talking about the renewal of the 2016 referendum at School City which was recommended to be renewed in the election in May. Mr. Emmons stated she was going to be talking about what it was going to support and why they were asking for it. Mr. Emmons stated everyone was invited to be there and as a reminder, it was a renewal and not a new referendum and it was for operational, not capital projects. Mr. Emmons looked forward to having everyone there and as usual, there would be refreshments from West End Bakery offered.

Mr. Hixenbaugh announced on behalf of the West End Neighborhood Watch that they were having a special meeting on Tuesday February 14th at 7PM at St. Bavo's and they were inviting members of the public to come learn about the future of the neighborhood watch meetings in that area of the city. Mr. Hixenbaugh stated all residents of Mishawaka were welcome to attend.

ADJOURNMENT 7:57PM

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

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