

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

July 5, 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 Tuesday, July 5, 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, followed by a moment of silence in remembrance of the victims of the tragic shooting in Highland Park, Illinois and also St. Joseph County Correctional Officer Rhema Harris who recently was the victim of a tragic shooting in Mishawaka.

Clerk Block called the roll.

Roll Call.

Present: Mrs. DeMaegd (P), Mr. Banicki (P), Mr. Hazen (P), Mr. Mammolenti (P), Mr. Emmons (P), Mr. Bellovich (P), Mr. Compton (A), Mrs. Voelker (P), 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.

The record reflected that Mr. Compton was also not participating remotely so they could engage in some voice votes that evening in light of the fact.

Minutes for the Regular Meeting of June 20, 2022 were approved as received from the Clerk's Office.

Clerk Block read the following petition by title.

Petition No. 2022-08

Rezone from C-2 Shopping Center Commercial to C-7 Auto Oriented Restaurant Commercial for Speculative Outlot. – Lot 1 of CAT Mishawaka LLC, Minor Subdivision (plat 22-06)

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

RESOLUTION R2022-13

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A PETITION OF THE MISHAWAKA BOARD OF ZONING

**APPEALS FOR THE PROPERTY LOCATED AT: 4125 GRAPE ROAD MISHAWAKA,
INDIANA**

**Use Variance to allow microblading service within multi-tenant commercial strip center
(C-1 District) – 4125 Grape Road**

Kelly Reynolds, owner of Salon Studio Suites, spoke in favor of **RESOLUTION R2022-13**. Ms. Reynolds stated they were asking if they could have microblading services at their new location at 4125 Grape Road.

Mr. Banicki stated it seemed like they had a bunch of different people come in for this and asked how popular that was. Ms. Reynolds stated it was very popular and at their other location that they had closed, they probably did 15 to 20 of them a week.

Question was called for at 7:06PM for **RESOLUTION R2022-13 Motion carried by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. DeMaegd, Mr. Hazen, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Bellovich, Mrs. Voelker, Mr. Hixenbaugh. The resolution passed 8-0.

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

PROPOSED ORDINANCE NO. 2022-14

**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 I-1 Light Industrial to R-1 Single family Residential – 1816 W. Sixth St.

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

Evan Forslund, 2526 Riviera Drive, spoke in favor of **PROPOSED ORDINANCE NO. 2022-14**. Mr. Forslund stated he was the owner of the house on 6th Street and he bought it in March being told that a representative of the sellers talked to the city and had no problems with getting it rezoned, which was why he purchased the property. Mr. Forslund stated his plan was to fix it up in accordance to the City Code Enforcement because he met with them and they made a long list of repairs and he had agreed to those. Mr. Forslund stated he understood there had been some issues with this particular vacant property and, in his opinion, any vacant property no matter where it was located would have some issues.

Mr. Mammolenti thanked Mr. Forslund for attending the meeting that evening and asked after he fixed it up, if he would intend to resell it or rent it out. Mr. Forslund stated he would most likely be reselling it.

Mr. Emmons asked why he would want to take a house that was zoned industrial and make it residential when in that area between Logan Street and Ironwood, within that mile and a half distance, 92 of the lots were industrial, 9 of them were commercial, 1 of them was R3 and 15 being residential. Mr. Emmons stated that whole area basically from Ironwood to Logan was either industrial or commercial and asked why he thought somebody would want to buy a house in that area when they would be right next door to an industrial facility. Mr. Forslund stated he saw that neighborhood as not just one street and as all of the streets surrounding it and it was predominantly a residential neighborhood. Mr. Forslund stated there was a lot of people who lived over there and there was plenty of residential houses on the south side of 6th Street and he thought a majority of them were residential. Mr. Forslund stated the property had a decent yard actually on the backside and it was fenced in. Mr. Emmons stated on the east and west and in the front it was not too much land and he stated he was saying this because he grew up on 6th Street and that was all residential with only five industrial buildings there at the time. Mr. Emmons stated he did not want to see it reverting back into a residential area when you see what was there already. Mr. Emmons stated he personally was not in favor of rezoning it and spot zoning it, which was what happened and was why it became industrial and commercial in the first place.

Mrs. Voelker asked a question about the house next door and asked if it was zoned industrial. Mr. Forslund stated he did not know what it was zoned. Mrs. Voelker stated she understood that his house was on the property line and then the commercial building next to him was on a property line and there was an easement that went between the two buildings and asked if that was correct. Mr. Forslund stated he was not familiar with an easement on that side of the property and his assumption was the property line was down the middle or close to down the middle to that side, but he did not know about an easement.

Mr. Mammolenti stated Mr. Forslund referenced earlier a list of repairs the City had requested and asked, without going into too much detail, what he had in mind to upgrade the home so to speak, and what improvements he planned to make. Mr. Forslund stated it would include redoing the whole inside of the house, redoing the bathrooms, redoing the kitchen, either painting the siding or installing new siding and he had done a few of these. Mr. Forslund stated he would clean up as much as he could and fix everything he saw needed fixed.

Mr. Hixenbaugh thanked Mr. Forslund for being there that evening. Mr. Hixenbaugh went back to one of the earlier statements Mr. Forslund had made and stated with respect to his conversation with the representative of the former owner who, if he understood correctly, indicated to him that the city had no problem with his purchase and plans and asked if that was accurate. Mr. Forslund stated that was accurate and he should have gotten that in some type of writing but it was just a phone conversation. Mr. Hixenbaugh stated hindsight was twenty-twenty, but he suspected a direct conversation between himself and someone involved would have been more efficient, but that was just how life worked sometimes. Mr. Hixenbaugh wanted to piggyback on Mr. Mammolenti's point a bit and stated it sounded like he had made some investment and done some work on the house, specifically the interior. Mr. Forslund stated he started doing some clean out. Mr. Hixenbaugh asked if any of that work had been done with the anticipation that the house would be more suitable to rental rather than single-family occupancy by an owner. Mr. Forslund stated all he done was just removed the things that needed to be removed before the remodel, so there was nothing that had been done in regard to fixing the

property yet. Mr. Hixenbaugh stated when talking about his plans for the future, he wanted to make sure he understood. Mr. Hixenbaugh asked if this was approved that evening, what the next step would look like for him with regard to the home. Mr. Forslund stated he would be working on a couple other projects and this one would be next in line and it would probably be done by October or so and he would most likely be selling it before the end of the year. Mr. Hixenbaugh stated he would rely on his expertise as a realtor more than anything else when he asked his next question and asked as he thought about finishing up that work and placing it on the market, if he thought it was more likely that that would be attractive to an owner who wants to occupy the home or if it was going to be more attractive to landlord who wanted to rent it out. Mr. Forslund stated due to the price point that it would be in, it probably would not be very desirable for an investor. Mr. Forslund stated the profit margins would not be there so it would most likely be a primary resident. Mr. Hixenbaugh stated if he was not comfortable with sharing in a public setting what the appraisal point would be, he would certainly respect that and asked if he could be a little more definitive of if he were done with the work and he was going to place it on the market today, what he thought it would be listed at. Mr. Forslund stated he was actually selling another household right on the railroad tracks on Baker and that one would be selling for \$170,000 and they were closing on it the next day. Mr. Forslund stated he thought this one would be around the \$150,000 to \$160,000 range. Mr. Hixenbaugh stated it seemed like during the time that he was over there with regard to the house to the west that Mrs. Voelker referred to, if he agreed that it appeared to be occupied as a residence and was used as a residence. Mr. Forslund stated that was what it looked like. Mr. Hixenbaugh asked about a big black truck sitting in the front yard and asked out of curiosity if that was his truck or someone's who was working on the house. Mr. Forslund stated that was his truck. Mr. Hixenbaugh asked if in fact this was approved, the big black truck was not going to be a permanent fixture parked in the front. Mr. Forslund stated it would not be and that was one of the days that they were cleaning out the house so it would not be parked like that. Mr. Hixenbaugh asked, if in fact they were to approve this but make it condition upon his commitment to them in writing, that if it was in his intent to sell this to an owner who was going to occupy rather than to use it as a rental. Mr. Hixenbaugh stated their legal counsel was unable to attend that evening so he would have to consult with them, but with his hypothetical, Mr. Hixenbaugh asked if he would be willing to commit to a sale to someone who had the intent to use it other than as a rental property. Mr. Forslund stated he would have to check into the discrimination laws to make sure there was nothing unethical that he would be doing, because when you sold a house you could not discriminate against. Mr. Hixenbaugh stated he was aware of that, but under Indiana law they had the ability to be able to place conditions on rezoning. Mr. Hixenbaugh asked, assuming it was legal both from his analysis and theirs, if he would be willing to commit to that. Mr. Forslund stated he would.

Mr. Banicki stated looking at this, it said the city's comprehensive plan called for industrial because of the proximity to the tracks. Mr. Banicki then asked how that would affect his ability to sell it. Mr. Forslund stated in regards to the tracks, he did not think it was too much of a negative because there was several houses along all of Mishawaka that were along the tracks and zoned residential. Mr. Banicki stated this had to do with the comprehensive plan, so obviously going neighborhood by neighborhood the plan said they would keep it industrial and now he was asking to change that. Mr. Banicki stated if they did change it that could start more spot zoning like Mr. Emmons referenced. Mr. Forslund stated he was not trying to ruin anyone's plans for the city.

Mrs. DeMaegd asked if the building to the east of the property was the old Piper's and if there was anything going on in that building now. Mr. Forslund stated he believed it was and there was a business running out of it. Mrs. DeMaegd asked if he knew if it was owned by Mr. Piper or not. Mr. Forslund stated he did not believe it was owned by him.

Mr. Hixenbaugh stated he talked about a couple questions premised upon what would happen if this was approved and he wanted to now look at it in an opposite light. Mr. Hixenbaugh asked what his next step would be if it was the pleasure of the council not to approve the rezoning request. Mr. Forslund stated it was hard saying and he did not necessarily have to sell it right away and he was not one to make any rash decisions on anything he did so he would want to figure out what the best plan of action would be for it.

Jason Van Desin, 1802 West 6th Street, spoke in opposition of **PROPOSED ORDINANCE NO. 2022-14**. Mr. Van Desin stated they did not want to see the spot rezoning and they were looking at a situation where they were going to be expanding their business in the next year to possibly two years. Mr. Van Desin stated they were going to need more property to continue to move forward with what they were doing and unfortunately, that house should have never been sold the way it was. Mr. Van Desin stated he felt bad for Mr. Forslund that happened and they would gladly have bought it at the time but he could not change what had already been done. Mr. Van Desin stated they were going to need a larger facility and they were going to be adding more employees and they definitely would rather have anything in between them and the next-door neighbor. Mr. Van Desin stated ultimately the house was so close to the property lines that the water ran off the roof and hit the side of their building. Mr. Van Desin also stated the house had been a blight to the community for a lot of years and it was used as an office building for several construction companies and a partial office building for the original owners of the business that he currently owned. Mr. Van Desin stated he really thought it ought to be left industrial and he would also like to know how many houses in the community were rentals. Mr. Van Desin stated the way he looked at it, they did not need more rental properties and needed more industrial properties.

Mr. Mammolenti stated he was guessing the house was already purchased when he purchased his building. Mr. Van Desin stated it was vice versa and they had a signed contract and she ripped it up. Mr. Van Desin stated it was nothing against Mr. Forslund and it was not his fault that they were in the position but it needed to stay the way it was. Mr. Mammolenti asked, hypothetically, if this were to not get approved that evening and Mr. Forslund ended putting it up for sale, would that be of interest. Mr. Van Desin stated it would be of interest.

Mr. Hixenbaugh thanked him for his comments and stated as far as the water problem, it sounded like it would be a problem until there was a remedy made to another fix came into the mix whether it was a residence or whether it was continued to be used as an industrial property. Mr. Hixenbaugh asked if he agreed with that. Mr. Van Desin stated or taken down and turned into a parking lot. Mr. Hixenbaugh concurred with that statement, but added he would have to own it first to do that. Mr. Hixenbaugh stated it was more typical for people to come to them and ask for industrial property to be zoned residential since by and large, people would view that as a less intensive use and more of a potential problem to the values of their homes and those kind of things. Mr. Hixenbaugh stated in 17 years of doing this, this was the first time he remembered a

similar situation, but it was an unusual circumstance as well. Mr. Hixenbaugh stated there were 71 industrial uses that could be made of the home and he granted Mr. Van Desin that of those 71, many of them would be impossible, even if someone wanted to do it just given the size of the lot and structure. Mr. Hixenbaugh stated any industrial use that would come in sounded like would be preferable to him than a single family living next door to him in that home and asked if that was correct. Mr. Van Desin stated it was accurate. Mr. Hixenbaugh asked then if he would be okay with any industrial use there whether he owned it or not but a residential home was just something that he did not have interest in having next door to the building that he owned. Mr. Van Desin stated absolutely.

Mr. Banicki asked if he had reached out to Mr. Forslund and had any conversations. Mr. Van Desin stated they had talked. Mr. Banicki then asked if this were continued that within the next 30 days or so, something might be able to be negotiated or if it was something so far apart that it did not really matter. Mr. Van Desin stated it was pretty far apart at that moment.

Jack Niever, 1809 W 6th Street, spoke in opposition of **PROPOSED ORDINANCE NO 2022-14**.

Mr. Hixenbaugh stated from his standpoint, legitimate points had been raised and he was intrigued by the possibility of some further research to see if there was an additional condition that could be entered into by agreement of the parties, particularly Mr. Forslund, that if this was going to be approved, they would limit it to single family occupancy as well. Mr. Hixenbaugh stated he would have to do his research and they would have to do their research, but he personally would be interested in a postponement until their next regularly scheduled council meeting to allow for that to occur.

Mr. Emmons made the motion to postpone **PROPOSED ORDINANCE NO. 2022-14** until their next regularly scheduled council meeting and Mr. Banicki seconded the motion.

Mrs. Voelker thanked Mr. Van Desin for taking the time to talk to her a little bit about his business and his plans and she also wanted to throw out that while they did their research as a council about what stipulations they may or may not be able to put into their approval, should they approve this, she suggested that the two property owners talk a little bit more and see if there was some way they could come to an agreement between the two of them.

Mr. Hixenbaugh echoed Mrs. Voelker's comments and stated it would be better for all involved if there could be meeting of the minds and some type of resolution. A voice vote was held for the motion and the motion passed.

PROPOSED ORDINANCE NO. 2022-15

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

Rezone from C-1 to R-2 to repurpose a salon and residential unit for two-family residential (2 units) – 1023 W 6th St.

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

Michael Young, owner of 1023 W 6th Street, spoke in favor remotely of **PROPOSED ORDINANCE NO. 2022-15**. Mr. Young stated he owned the property since 1993 and his mom had occupied the property and she retired from the beauty shop business with COVID basically taking whatever wind was left in her sails and he removed all the beauty shop equipment. Mr. Young stated he would use this as a space for him or family coming into town to stay so he thought it made sense from a resale standpoint whenever she wanted to do something differently, she would be able to more easily sell the property. Mr. Young stated it was no longer a beauty shop and it was just going to be a residential property.

Mrs. Voelker asked why not zone it R-1. Mr. Young stated that was his intent and he did not even know R-2 existed and he was going to go through the process and fill out all of the paperwork and there were some folks at the council who suggested to do R-2 and there were two kitchens. Mr. Young stated he was open to whatever made the most sense Mr. Young stated he was going to be there and stay there and his mom had a lot of years ahead of her. Mr. Young stated she occupied the legacy house part of the property and then the old beauty shop portion was going to be a one-bedroom apartment in a sense but there was a wall between them with a door that wasn't all separation and there were three entrances to the property and stated again he was open to what made the most sense. Mrs. Voelker asked if he knew if the house next door was a rental or owner occupied. Mr. Young stated it was a single family occupied home and the house that bordered her on 6th Street had changed hands maybe one time but he did not know if it was sold or if it was a new tenant. Mr. Young stated there was a home on Cleveland Street up the alley and across from the alley where he believed the family who lived there moved out of it and did not recall if it was sold or rented or re-rented to someone else.

Mr. Mammolenti made a comment stating he remembered walking his grandmother a few blocks down to get her hair done several years ago at his location and he just wanted to add a personal touch to him and thanked him for maintaining the property. Mr. Young stated it was a great run and his mom should write a book about the property and it was something else. Mr. Young thanked Mr. Mammolenti for sharing that.

Question was called for at 7:44PM for **PROPOSED ORDINANCE NO. 2022-15 Motion carried by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. DeMaegd, Mr. Hazen, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Bellovich, Mrs. Voelker, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5791**

PROPOSED ORDINANCE NO. 2022-16

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 allow indoor climate controlled self-storage facility as a permitted use
in an existing building – 1435 University Drive Ct.**

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

Ross Claiborne, River Dodd Real Estate, spoke in favor of **PROPOSED ORDINANCE NO. 2022-16**. Mr. Claiborne stated as the PUD amendment suggested, his company was looking at redeveloping the indoor soccer facility into a climate controlled self-storage facility. Mr. Claiborne stated he believed everyone on the Planning staff who they had spoken with gave them their feedback and have received their intentions positively. Mr. Claiborne stated they just had to get the PUD amendment so they were allowed to do it by right.

Question was called for at 7:47PM for **PROPOSED ORDINANCE NO. 2022-16 Motion carried by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. DeMaegd, Mr. Hazen, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Bellovich, Mrs. Voelker, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5792**

PROPOSED ORDINANCE NO. 2022-17

**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 I-1 & I-2 to C-3 City Center Commercial to match adjacent zoning and
permit and future C-3 uses – Vacant lots N. Hill St. between W. Front St. and W. 1st St.**

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.

Ken Prince, Executive Director of Planning, spoke in favor of **PROPOSED ORDINANCE NO. 2022-17**. Mr. Prince stated he was speaking as a member of the Board of Public Works that evening and as an owner of the property or at least the majority of the property. Mr. Prince stated the property on the east side of Hill Street was owned by the Cali Partnership and they had a development agreement that was signed and they were going forward with the mixed-use development of apartment and commercial properties below and then on the west side, there were a few homes and a parking lot. Mr. Prince stated there were all residual lots that were left over from the Uniroyal days, so zoned heavy industrial and light industrial, respectively. Mr. Prince stated all they were trying to do was match the C-3 city center zoning which surrounded all of the parcels and he was happy to answer any questions they had.

Mr. Hixenbaugh stated, with regard to the relationship with Cali Partnership, obviously they were aware of this and had expressed no objections. Mr. Prince stated they were very happy to let them carry some water for them.

Question was called for at 7:50PM for **PROPOSED ORDINANCE NO. 2022-17 Motion carried by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. DeMaegd, Mr. Hazen, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Bellovich, Mrs. Voelker, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5793**

PROPOSED ORDINANCE NO. 2022-18

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

Rezone from C-1 and C-7 to R-3 multi-family Residential to convert existing hotel into multi-family apartment building and construct an additional – 2754 Lincolnway East

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

Jeff Piraccini, Coldwell Banker Commercial, spoke in favor of **PROPOSED ORDINANCE NO. 2022-18**. Mr. Piraccini stated Mike Huber from Abonmarche was also present with him that evening. Mr. Piraccini stated as they all knew, this was a bit of a challenging site in the city and it had been on the market many years and it was time. Mr. Piraccini stated they had it under contract numerous times but the cost of rehab was too much and people wanted to keep it as a hotel which just did not make sense. Mr. Piraccini stated he thought this would be a great opportunity with the Dunkin’ Donuts coming in and you can see the area has improved. Mr. Piraccini stated he worked closely with Tony Hazen and Matt Mammolenti because they had neighborhood meetings, along with Mr. Hixenbaugh to kind of get a feel and Mr. Emmons from the Plan Commission to give them updates on how things were going. Mr. Piraccini stated this was going to be like a two-phase project with the rehab of the old building and then they constructing of the new building up along the river. Mr. Piraccini stated it was a tough project, but there was a lot of demand and he thought with the interest rates rising, they were going to see the apartment demand maintain because of it. Mr. Piraccini gave the council a copy of the renderings that showed them how the landscape laid out. Mr. Piraccini stated they were trying to work this through, make the city happy, work on the numbers and they were not going to take a look at tax abatement but they had to work on the numbers more specifically in his conversation with Mr. Prince. Mr. Piraccini stated what he had done now was spent a lot of money on engineering, those architectural renderings, some of that, the façade and some of the basic things but now he was bringing on a real detailed architect and started hammering out real numbers. Mr. Piraccini stated the first building was going to have about 60 units give or take and the second building would have about 40 units and the second building could have a little more two

bedroom and three bedroom units. Mr. Piraccini stated the parking was a little tight but they had been working on that and trying to make that area look a lot nicer.

Mr. Banicki stated in the current condition it was in, they still had residents living there and asked if there were any talks on what would happen to those folks. Mr. Piraccini stated they had been discussing that and it was about 30% occupied. Mr. Piraccini stated people had been there in a long time so could talk to them about giving them an opportunity because they were paying daily rate there already. Mr. Piraccini stated when this was done, it would probably be similar to a monthly rate in the rehab place. Mr. Piraccini stated they were not going to just kick them out and he stated there was a lot of pets and things like that involved as well. Mr. Banicki stated what he was about was folks that were in there now during the renovations and asked what they would do with them in the interim. Mr. Piraccini stated the building was almost split up in sections like three floors split in half, so they took a hard look at where they could shift people because they were scattered through there. Mr. Piraccini stated there was plenty of space to move people in. Mr. Banicki asked for clarification if it was not that they were just going to empty the building, so to speak. Mr. Piraccini stated that was not the plan. Mr. Piraccini stated they did not want to displace these people, unless of course they did not want to stay there. Mr. Banicki stated he had a conversation with one woman who had been there for over 12 years and those were the ones that they were going to want to keep. Mr. Piraccini agreed. Mr. Banicki referred to the parking Mr. Piraccini referenced earlier and stated the first building looked to have all the parking and the second building had not so much. Mr. Piraccini stated they were within the requirements at that point but they were going to try to find a way and they were still in the planning stages for additional parking. Mr. Banicki asked if this was on a bus route at all. Mr. Piraccini stated he thought so.

Mrs. Voelker brought up the sizes of the apartments, with 60 studio apartments at 270 square feet and then one to two bedrooms between 540 and 810 square feet and stated those felt very small to her. Mr. Piraccini stated the building was blocked into sections so they were a little limited with what they could do in the original building because of that. Mr. Piraccini stated you could open up because there were some two units there and where there was adjoining rooms it was a little difficult because of that. Mr. Piraccini stated structurally it was solid and they had full kitchens and amenities like that in them but he imagined the efficiencies were going to be a little tight. Mrs. Voelker asked what the price or the rental rate for the apartments were there currently and what he anticipated that they would be in the future and if they were market rate. Mr. Piraccini stated they were definitely market rate and the cost depended on what all they had in them. Mr. Piraccini stated they had not gotten into prices specifically yet, because they were still in that cost phase but they were market rate.

Mr. Mammolenti thanked Mr. Piraccini for the information that evening and also for the information he had kept some of them in the loop and up to speed with. Mr. Mammolenti stated he really loved the concept and he knew Mr. Davidson had quite a bit of things on his plate at that time and asked about the realistic timeline. Mike Huber, Abonmarche Consultants, answered Mr. Mammolenti's question. Mr. Huber stated in their conversations with Mr. Davidson thus far, anticipating given things got approved and everything stayed on schedule, that he would probably start construction on the building in early 2023 and finishing up by early 2024 and then starting on the second building around fall of 2024 and hopefully having that completed in the

third or fourth quarter of 2025. Mr. Mammolenti asked if all the financing had already been approved. Mr. Huber stated his understanding was the finance was not an issue.

Mr. Bellovich asked Mr. Piraccini what the current rates were that were being paid. Mr. Piraccini stated it was about \$20 to \$30 a day.

Mr. Hazen wanted to thank Mr. Piraccini and stated this location had been a problem for 30 years and when he was on the police department it was a problem then. Mr. Hazen stated he was hoping this went through and he knew Mr. Piraccini had talked to about 5 to 6 people and they always fell through, but it sounded like they had somebody who was really interested in doing it. Mr. Hazen stated he believed he had the financing to do so and would be supporting this. Mr. Hazen stated he appreciated how they kept the river to where citizens could still enjoy the river and the business with the Dunkin' Donuts building worked out as well.

Mr. Banicki asked Mr. Huber with the building being right against the river if there were any problems with building such a big building that close to the river with foundations and things like that. Mr. Huber stated there had not been any problems in their experience and they were going to have to be up out of the floodplain anyway, so they would take all of the necessary structural foundation things that they needed to make sure they do just to get that in and get that right. Mr. Huber stated his understanding was they should not have any issues there. Mr. Banicki asked if there was room if the city ever wanted to put a river walk behind the apartments. Mr. Huber stated you could see there was a minimal walking pass already within the design, but there could be some opportunities to possibly place some public access back there. Mr. Huber stated they were planning sidewalks across the front to connect to Dunkin' Donuts' sidewalks and make sure they connect around to Capitol Avenue sidewalks as well. Mr. Banicki asked when you start getting that many people in that area so close to that lighted Capitol, how they would handle all of the traffic in and out. Mr. Huber stated they had a conversation with NDOT already about that and in fact, after the last Plan Commission meeting NDOT called them because they did the design for the traffic turn lane that was created to allow Dunkin' Donuts to go in and they recognized this was 106 units or so and the hotel was a 90-room hotel, so they were not increasing the density significantly between if it were an operating 90-room hotel. Mr. Huber stated after they had conversations with NDOT, they explained to them that they re-reviewed the plan that they gave them for Dunkin' and they did not have any additional concerns.

Mr. Hixenbaugh asked once the building were fully constructed and at least phase one started to have more residency, would there be a property manager there to address any concerns that residents or neighbors had or did they not know at that time how it would be structured once operated. Mr. Huber stated his understanding was there would be a couple of maintenance people there. Mr. Hixenbaugh stated it sounded like the work that had already been done in conjunction with the Dunkin' Donuts development really set the stage for there to be a better traffic plan that would service the site if approved. Mr. Huber stated that was correct and from Engineering's comments in the staff report, they said they just wanted to verify that the turn lane that they were installing for this for the Dunkin' Donuts was long enough and they did not have any additional pushback or ask them to do any additional lengthening of the turn lane. Mr. Hixenbaugh stated when Mr. Piraccini talked about the apartments being market rate, the most common question they had posted was if it would be section 8 housing and asked for Mr. Piraccini to address

directly if this would or would not be section 8 housing or government subsidized housing anymore. Mr. Piraccini stated there was technically not section 8 anymore, it was tax credit and it was a very complicated process. Mr. Piraccini stated there was two types of tax credit, one being going through the bidding process and you got more credits and the other one you don't. Mr. Piraccini stated it was a little less credits but it was a lengthy, drawn out process and they had no interest in doing that. Mr. Hixenbaugh echoed Mr. Mammolenti's and Mr. Hazen's comments stating this had been a property that had needed tender, loving care for many years and he was pleased to see that there was a chance that an improvement could be made in that area that would benefit the entire community but particularly those people who drive by it on a regular basis. Mr. Hixenbaugh thanked Mr. Piraccini for the work he and the developer had done to bring it to that point.

Question was called for at 8:08PM for **PROPOSED ORDINANCE NO. 2022-18 Motion carried by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. DeMaegd, Mr. Hazen, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Bellovich, Mrs. Voelker, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5794**

PRIVILEGE OF THE FLOOR

John Banes, 721 W 10th Street, spoke under Privilege of the Floor. Mr. Banes read a prepared letter to the council.

Typically I like to speak freestyle and go where it takes me.

On this, I want to be sure I'm understood and saying exactly what I want to say, so I've prepared this for your consideration.

Almost exactly one year ago myself and a small group of neighbors met in a backyard on a beautiful summer evening. We were very alarmed at the seemingly rapid increase of total lawlessness in our neighborhood. We decided to put our heads together to figure out how to stand up and take our neighborhood back. We knew it wouldn't be easy.

In our discussion we came to the conclusion that much of the problem was the city's seeming total indifference to what was happening. We concluded that most of our city officials didn't live here in our neighborhood, and patrols were a rarity. How would they know? It was decided in a subsequent meeting in a basement that the only way to let the powers that be know, was to tell them. To shine a light on the problems we saw every day so that they could better see them.

On September 21st, 2021 several of us began that process before the council during Privilege of the Floor. We knew the council's role in city government, but we also knew it was an opportunity to be heard on a very public platform. I believe the council heard us. In the following weeks and months I do believe many on the council agreed with us that things were spiraling out of control in many areas of the city.

Time and time again that it has been explained to our now formalized group “The West End Neighborhood watch”, that change needs to start from the administration. So, we have watched every move from the administration where law enforcement is concerned.

To be fair, we have seen glimmers of hope through statements issued from the Mayors office. Glimmers, nothing more. No definitive action plan. Nothing that says to the public, more importantly, the law breaks that the beginning of the end was coming from those terrorizing our neighborhoods, parks and public spaces. Most of the statements and ideas from the Mayors office, if they DID happen, would take years. There was no sense of urgency. There was no sense that they really saw anything wrong going on at all. In fact, the opposite happened on several occasions. It’s explained that Mishawaka is safe. That the offenders weren’t from Mishawaka. I fail to see why that matters. The Mayor even touted a small drop in OVERALL crime in his state of the city. Total denial still seems to be pervasive in the administration. They have horse blinders on and all the administration can see is the next building project. The next big opportunity to slap together more bricks and burn through more mortar.

With the building projects and the opportunity to acquire more property to build the next big thing, the administration can move very fast and excitedly get before the press to announce it and talk about it. You all likely have an instance in your head of that very thing as soon as I speak it! The old Dodge property. The Kamms Island apartments may come to minds, but there are many smaller ones over the past year as well.

The justification was that they were an eyesore. A source of constant problems, and frankly, that they needed to strike while iron was hot! When it comes to the Riverwalk area, every effort is made to keep developing that as much as possible. The administrations collective heads are put together and a plan is spit out with blazing speed!

Our group predicted, and I said before the council, that if crime isn’t addressed in the near downtown areas, people would begin to be afraid to utilize these expensive facilities because that crime wouldn’t be contained to just the neighborhoods around those parks and public spaces.

That has begun to be proven true. Due to administrations lack of urgency, and I believe sincerity, to address crime in the near downtown areas, people ARE starting to stay away! Say what you will about social media, but it’s stated over and over again that people won’t take their kids to the parks anymore. Mary Gibbard, Central, Battell, The Riverwalk, Merrifield pool have ALL had increasing problems in the year since our group first met in a backyard on a beautiful summer evening.

On another, very recent beautiful evening, a young promising woman, a St. Joe county officer, Rema Harris, was gunned down in what is best described as an anomaly in a statement by the Mishawaka Police Department. Two days later another anomaly happened on 8th street. Thankfully not as extreme. The Mayors office has been silent. The fact that the Mayors office hasn’t even issued public condolences to this womans family is deafening in its silence. It screams to me what I have suspected for quite some time, denial,

and when you can't, keep your trap shut. I suspect the Mayors office attempts to keep as much crime as possibly out of the public eye because it's bad for business.

My rational side understands that motivation very well. It is bad for business. Crime is HORRIBLE for business! We only have to look to our west to see that. My irrational side is where I live. Literally. I live amongst those who are causing our increase in crime. I see it. I hear about it. I've had the guns fired outside my very home and had the pleasure of seeing the orange circles in my driveway where the casings finally stopped spinning.

Coupling the rational, irrational, and hearing from my neighbors about their fears and concerns, I can only conclude that the business will suffer. The administrations business of building bigger better things, will suffer. That which has already been built will suffer. Much more importantly, the people will suffer.

Their suffering has been ignored, and unfortunately even derided by the Mayors office. Yes, I have ears to hear, and I've heard the whispers. It's really not a secret. A group that pledged to help has in fact become the scorn of the administration. Again, my rational side understands why. To shine a light on crime is bad for business. Shining that light I consider my business, and business is good! I wish I couldn't say that, but it's true. I know many in our group don't want to take this on EVERY SINGLE DAY, but we do. Barely a day goes by that we don't have an opportunity to shine that light! I hope the day comes I can put away the spotlight and close up shop.

In an effort to bring that day closer I am once again calling on the Mayors office to use that sense of urgency they clearly can muster when they want, for the purpose of protecting our people and THE PEOPLES investments! Our homes, OUR parks and public spaces! I'm not just calling on the mayors office though, I'm calling on the council. I would like to see a joint resolution, or signed public statement from the members of the council demanding a plan be developed, and ultimately put in place by the administration to crime in our most at risk neighborhoods. What leverage the Council decides to use to make that happen, if any, is up to them, but the Council has a bully pulpit at their disposal. They may need to use it.

I thank you all very much for the support you've shown over the last year, and I look forward to continuing that for the betterment of every citizen in Mishawaka as we all work together to stem the tide before it really is too late.

John Banes

Chief Ken Witkowski, 200 North Church Street, spoke under Privilege of the Floor. Chief Witkowski stated after listening to Mr. Banes' letter, he totally agreed with it and they needed to work together. Chief Witkowski stated they saw it too and no one wanted to see crime in their city or their neighborhoods, so he would like to have an open line of communication with the different neighborhood watch groups who they had worked with in the past. Chief Witkowski stated it did work in the past and they had proven that the neighborhood policing did the work and the model did work. Chief Witkowski stated they did acknowledge that they had two

homicides this year, the first one was in Pin Oak on June 20th and he found a young male party laying outside of one of the apartments on the sidewalk and he unfortunately passed away. Chief Witkowski stated his last name was Derrickson and they were working diligently on that case with top-notch detectives investigating that and he assured them that it would be solved. Chief Witkowski stated the next one was Rema Harris down on Melbourne 1900 block and he could not talk too much about that, but they did have great information and people were coming forward and he knew this would come to an end where they would make an arrest. Chief Witkowski stated they were not at that point yet though and he could not discuss it much further. Chief Witkowski stated both of the incidents were isolated incidents and nothing like a random shooting such as the one that just occurred in Chicago. Chief Witkowski stated soon after these first two, there was a domestic situation and there again, they had a suspect not in custody yet but he believed that was contained to the particular family. Chief Witkowski stated they had recently pulled their calls for service regarding shots fired and he cautioned them on the number because what happened on that was every call that came in counted as a call for service regarding that incident. Chief Witkowski stated the total number was 263 and they thought it was closer to about the 219 number. Chief Witkowski stated the calls were pretty evenly spread out throughout the city with the highest number being in the northwest. Chief Witkowski stated even though that number was quite less for neighboring agencies, it was still too much for them so they were working diligently to lower that number and looking at new technology pieces and were not looking at ShotSpotter at that time. Chief Witkowski stated they had been putting money towards new camera systems throughout the city, leaving and entering the city, and they had worked really well thus far. Chief Witkowski stated they were also looking into purchasing equipment to go along with active shooter situations and things along those lines that would make their officers more reactionary and give them the tools to be able to deal with that, so they would not end up with a situation like the one in Uvalde, Texas. Chief Witkowski stated Mishawaka had great officers and he respected all of them, they worked long and hard hours and he could not think of a better group to be chasing down these criminals for these heinous crimes and solving them.

Mr. Hixenbaugh thanked Chief Witkowski for his willingness to further the dialogue with all of the neighborhood groups, including Mr. Baines and his group as well and he thought he was on solid ground to say that they as a council, as individuals were happy to facilitate that and be a part of that conversation as well. Mr. Hixenbaugh stated with regard to the technological issues he had touched on that they were right on the cusp of their budget meetings over the course of the summer and what many members of the public would have no reason to know was over the course of those budget meetings, they really went beyond the dollars and cents in many respects but for the purposes of that discussion, the council would love to hear specific proposals from the administration and the police department in particular with regard to what if any technological resources they needed to address some of the concerns, with what if any additional manpower they needed to procure in order to address the concerns, with if any additional training they needed to put their officers through to address the concerns and anything else that went beyond those specifics. Mr. Hixenbaugh stated his recollection was that during the time he sat on the council that any type of those requests that had been suggested to them had been met with unanimous support, so as they got into conversations perhaps it was time to revisit it with a fresh set of eyes and look at what they needed to do in order to do the best job they could as a

community to address public safety. Mr. Hixenbaugh stated they looked forward to working with them.

Mr. Mammolenti thanked Chief Witkowski for attending the meeting that evening and giving a statement. Mr. Mammolenti stated he couldn't echo Mr. Hixenbaugh's comments any better and appreciated his rapid response regarding an email he had sent having to do with the shots spotter and he thanked him for his feedback, direction and information provided that it may not be the best solution for this particular situation. Mr. Mammolenti stated he appreciated him looking into more technology to help solve some issues and solve crimes and thought that was outstanding and he would like to support that 100%. Mr. Mammolenti stated he was not asking for a solution that night but he thought as they opened the dialogue, if they could also solve the issues and try their best to prevent them as well, he knew that was the million dollar question that every city was trying to have but he thought with his generous invitation to work with the neighborhood watch groups, he thought they could put their heads together and surely come up with something. Chief Witkowski stated they could and it was a tough world out there right now and was not the same as it was 10, 20 years ago by any means. Chief Witkowski stated it was a different atmosphere, it was more dangerous for his officers and now they just recently changed the open carry law on July 1st, so they were going to wait and see what kind of impact that would have. Chief Witkowski stated they recently had a Fourth of July festival the past Saturday night, which went very well and they had a lot of police presence along with their drone flying the whole night and it went very well. Mr. Mammolenti asked if that drone was used for footage in case something did happen. Chief Witkowski stated it was and they had two drones that they purchased in the last two years and they had one fully licensed pilot and another who was working to that degree and it had night vision on it with infrared light with thermal camera that can be spoken out of in the instances with big crowds, so they would be using it quite often in the future. Mr. Mammolenti stated he was looking forward to their future discussions and thanked him along with his officers.

Mr. Banicki thanked Chief Witkowski and all of the Mishawaka police officers and stated they were absolutely world class. Mr. Banicki thought that looking at social media, people were looking at things recently that had been unsolved type of crimes and asked if that was or was not the case in Mishawaka necessarily. Chief Witkowski stated they were working on state forensics to come back with information on the most recent two in December and they had all of the people involved they needed but they needed forensic proof. Mr. Banicki asked if that was because of COVID as well, given it had been a problem for two years and it put everything behind. Chief Witkowski stated he thought so and no matter where you looked they use the excuse trying to buy supplies and trying to do things and they were backlogged. Mr. Banicki asked about tapping into commercial or residential type of camera systems and knew South Bend was starting to look into being able to do that and it was not something Mishawaka had considered. Chief Witkowski stated they had a discussion about 2 years ago with Ring and they were able get some of that footage but they would need to check in about the legal part of it because they were working with a company that was going to do a year free and then there would be a cost after that but he would capture businesses' ring video and then relay them to the police as crimes happened. Chief Witkowski stated unfortunately that company did not make it through COVID, so that was another avenue that was still out there. Mr. Banicki asked about the 'see something, say something' incidents like the Heavenly Goat and how would they encourage

or force them to do anything of their own will in those types of instances. Chief Witkowski stated was a million dollar question and also they usually lawyer up and working through the prosecutor's office is usually the way to go with that. Mr. Banicki thanked Chief Witkowski for all he did.

Mr. Emmons thanked Chief Witkowski for his participation that evening and enlightening the council on what was going on and also appreciated all of the officers for what they did in protecting the community. Mr. Emmons stated he had seen patrol cars in their area out in the West End and would like to see a little more out there. Mr. Emmons asked if they had given up on the anticipation of bicycles of the police used to ride in the neighborhoods in the summer. Chief Witkowski stated he did not know. Chief Witkowski stated he loved that program but they did not have enough people at the moment. Chief Witkowski stated they may go back to that but they just did not have the manpower. Mr. Emmons thanked Chief Witkowski for all of his help and continued help and like he said, everyone needed to work together.

Mr. Hazen stated he thought it was very important that Mr. Baines was there that evening. Mr. Hazen stated that's what they needed in Mishawaka and part of what had made Mishawaka great. Mr. Hazen stated to not be quiet because when that happened then the whole city would become quiet. Mr. Hazen stated the Heavenly Goat was an incident and they did not operate like that with that being an incident with people from outside the community. Mr. Hazen stated they had built the police department and the safety of Mishawaka on what the neighborhoods wanted. Mr. Hazen stated it was about how the citizens felt and if they felt unsafe, it was the Police Chief's along with the Council's responsibility and Mayor Wood's responsibility to keep them safe. Mr. Hazen did not think they were giving out enough information at that point and he wanted to figure out what programs they could do to make the community feel safe. Mr. Hazen entertained that the Public Safety and Health Committee meet with the Police Chief and the Mayor and talk about what they could do if at all possible. Mr. Hixenbaugh stated Mr. Compton chaired that committee so they would have to coordinate it with him and certainly there was a need for speed, because there was a legitimate issue. Mr. Hixenbaugh stated he agreed with Mr. Hazen's comments and they were well taken and he thought that they would get into these issues and more during the budget hearings but he certainly would not have any objection to Mr. Compton working with the Mayor and Chief Witkowski and whomever else to hold a meeting to follow up on the concerns that they were all well aware of. Mr. Hixenbaugh echoed Mr. Hazen's comments and stated this was the opportunity for them to revisit some of the assumptions that they had about what worked and what didn't and what they could and what they shouldn't do and they ought to make a priority with regard to maintaining the quality of life that they all enjoyed in Mishawaka. Mr. Hixenbaugh agreed that whether it was through the work of the Public Health and Safety committee, the council as a whole or any other group that could help generate the conversation that they needed to have as a community about what they needed to do differently or better. Mr. Hixenbaugh stated the other side of it was as they worked through the process, he thought they always needed to acknowledge that they had many strengths that are the envy of those around them, near and far. Mr. Hixenbaugh stated the underlying point was that none of them there wanted to see them lose those strengths and see them further eroded and they wanted to make sure they not only preserved where they were at and where they remembered Mishawaka to be when they were kids, they wanted to move into the next century even further and have the confidence that their children were going to feel the same about Mishawaka like

they did. Mr. Hixenbaugh appreciated Mr. Hazen's comments and looked forward to working with him and the rest of the council, the administration and the community to address the topic.

Mrs. DeMaegd stated she did know that the neighborhood watch programs did work, especially around Twin Branch and they did a great job and was proud to be a member of the West End Neighborhood Watch Group that started a year ago. Mrs. DeMaegd stated the group had but the kibosh on several nuisance properties that were no longer a problem in the city and she encouraged any neighborhood to get together and start their own neighborhood watch programs. Mrs. DeMaegd stated they did work and it was a great way to know your neighbors and to know those who did not belong in your neighborhood. Mrs. DeMaegd encouraged everyone to do that.

NEW BUSINESS

Mr. Hixenbaugh announced their appointment to the School City of Mishawaka Board of School Trustees to fill a vacancy on the School Board. The chair entertained a motion to fill the vacancy. Mr. Mammolenti made a motion that the council appoint Dave Weber to the School City of Mishawaka School Board. The motion was made and seconded and a voice vote was held. Mr. Weber had been appointed unanimously by vote of the council to the Board of School Trustees for School City of Mishawaka. Mr. Hixenbaugh congratulated Mr. Weber.

Mr. Mammolenti publicly thanked Ms. Amanda Roberts for her many years on the school board and thought she represented not only the school corporation, the children but also the council extremely well. Mr. Mammolenti stated she did a great job in his opinion and thanked her publicly for her time. Mr. Mammolenti then thanked the other applicants that applied and it was not an easy thing to do to put your name out there. Mr. Mammolenti stated School City of Mishawaka was going to have a tough couple of years ahead and a tough couple of decisions to be had and thanked them for their interest. Mr. Mammolenti stated if they did not get appointed this time to please not be discouraged for the next time. Mr. Mammolenti thanked Mr. Weber for his time and interest in this and looked forward to working with him on a regular basis keeping the communication lines open and having some round table, how to benefit School City the best they could. Mr. Mammolenti wished Dave Weber congratulations.

Mr. Banicki thanked Ms. Roberts as well and stated it was not an easy job. Mr. Banicki stated he did know that he would want to put himself out there with all of the problems they had to work their way through in the next few years and she had done a great job. Mr. Banicki stated the ten applicants they had were all fantastic and it was a very tough decision and encouraged each and every one of the ones that did not make the appointment to consider putting their name on a ballot. Mr. Banicki stated there were other ways to the school board besides just the council and they had such great applicants that he wish that they could appoint more but they were very limited on what they could do.

Mrs. Voelker stated they had such a wonderful group of applicants and wanted to thank them because any one of them would have been very qualified to serve on the school board Mrs. Voelker wished Mr. Weber congratulations.

Mr. Hixenbaugh added his thanks to all of the applicants and agreed that it was as strong group of a group of applicants as he could remember them ever having as they sought to fill the vacancies, even the days when they had more vacancies to fill. Mr. Hixenbaugh also wanted to take a minute to thank his colleagues and he always found that the council took this responsibility very seriously and that year's process validated that in his mind. Mr. Hixenbaugh stated there were good questions asked, people did their homework and took it seriously. Mr. Hixenbaugh stated there may be those who disagreed with the choices that they made but hopefully no one would doubt that they took it seriously and do the best possible job they could to make sure they had good people serve the interest of the community as their appointee of the school board. Mr. Hixenbaugh thanked each and every one of them for the work they did.

Mr. Emmons noted that the West End Neighborhood Meeting would be on July 21st and their guest would be the honorable Mayor Wood who would be giving the State of the City Address at that time. Mr. Emmons stated he looked forward to everyone being there and as usual, they would have West End donuts there. Mr. Emmons looked forward to seeing everyone there.

Mrs. DeMaegd stated the West End Neighborhood Watch would not have a meeting in July and they would meet again at the National Night Out on August 2nd and more information on that would be forthcoming.

Mr. Mammolenti made an announcement that they would not have a meeting for the Twin Branch Neighborhood Watch in July and the next time they would get together would be August 2nd on the National Night Out. Mr. Mammolenti stated he would provide details at the next regularly scheduled council meeting as far as time, location, etc. once those got finalized.

Mr. Hixenbaugh recognized Dr. Theodore Stevens, the new superintendent of School City of Mishawaka who was present and welcomed him to his new position. Mr. Hixenbaugh welcomed him back to Mishawaka and asked him to please let them know what they could do to help him, the board and the entire school community.

ADJOURNMENT 8:44PM

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

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