REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

January 22, 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, January 22, 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 followed by a moment of silence in memory of the family in South Bend that suffered a tragic loss as a result of a housefire recently.

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.

Present: Mr. Hazen (P), Mrs. Voelker (P), Mr. Carroll (P), Mr. Banicki (P), Mr. Emmons (P), Mrs. Hahn (A), Mr. Mammolenti (P), Mr. Violi (P), Mr. Hixenbaugh (P)
P: Present E: Electronically Participating A: Absent

Minutes for the Regular Meeting on January 8, 2024 were approved as received from the Clerk's Office.

Clerk Block read a letter from the City Plan Commission regarding their recommendations from their January 9, 2024 meeting.

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

PROPOSED ORDINANCE NO. 2024-02

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 THE CITY OF MISHAWAKA, INDIANA
PUD Amendment to allow a Convenience Store with Gas Station & C-1 Parking Standards – Lot 2 of Capital & 12th PUD Minor Subdivision
(Assigned to Land Use Planning Committee)

PROPOSED ORDINANCE NO. 2024-03

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 THE CITY OF MISHAWAKA, INDIANA

PUD Amendment for increased Building Height (69', Reduced Parking Setback (6') and Pavement Drive Aisle Setback (0') and Outdoor/Open Space for Various Uses – Lot 1 & 2 of the Enclave at Grandview Manor Subdivision (Assigned to Land Use Planning Committee)

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

<u>RESOLUTION R2024-01</u>

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING AN ORDER OF THE CITY OF MISHAWAKA PLAN COMMISSION APPROVING A CERTAIN DECLARATORY RESOLUTION FOR THE CONSOLIDATED AREA IMPROVEMENT PROJECT ADOPTED BY THE CITY OF MISHAWAKA REDEVELOPMENT COMMISSION

Ken Prince, Director of Planning and Community Development for the City of Mishawaka, spoke in favor of **RESOLUTION R2024-01**. Mr. Prince stated the presentation that evening was not just for **RESOLUTION R2024-01** but also for **PROPOSED ORDINANCE 2023-59**, which was the issuance of the economic development tax increment revenue bonds for the project, and they were happy to take questions on either of the two items. Mr. Prince stated he would be providing an overview for the Grandview Phase III project from the city's perspective, followed by a presentation by Audra Sieradzki with Great Lakes Capital to present the project in total and also Randy Rompola from Barnes and Thornburg would talk about the creation of the new TIF, the bonds and where they were at in the process and finally would have Emma Adlam from Baker Tilly who would be presenting remotely to speak about the financial aspects of the project. Mr. Prince stated from an overview perspective, it was not typical for the Administration to present on behalf of their private development project but in this case, the project was a public-private partnership with the proposed bond issuance. Mr. Prince stated the city was involved because of the nature of the project and the proposed project would achieve a higher density based on the inclusion of a parking garage and it was very simply stated that the parking garage would be privately owned and operated, and the dilemma was that market rents did not justify the construction and operation of a parking garage associated with the project. Mr. Prince stated the city's involvement also opened up the possibility of the developer applying for the State READI Fund. Mr. Prince stated the city was in support of creating a separate TIF District, where the property revenue from the separate district would go into paying for a portion of the project. Mr. Prince stated although the TIF investment was estimated at approximately $14 million, that only represented roughly a little over 8% of the anticipated $170 million investment that was being made. Mr. Prince stated that being said, although that was a small percentage, this type of project was not financially feasible without this type of partnership. Mr. Prince stated the benefit to the city was the mixture of residential and commercial uses as they saw large economic development projects occurring in St. Joe County, Mishawaka was located in the center of the media market and planned to benefit from what was happening in the surrounding communities. Mr. Prince stated they wanted Mishawaka to continue to be the center of business and commerce and also a great place to live within the region. Mr. Prince stated as identified in the past with The Mill projects in downtown Mishawaka, in terms of competition for talent, people could live in many different places and there was a demand for luxury apartments with hotel-like amenities that were close to restaurants and shopping centers. Mr. Prince stated these higher density projects essentially created new small-town niche markets as they had seen in downtown Mishawaka, the Eddy Street Commons in South Bend and now Grandview Project with this proposal would be in uptown Mishawaka. Mr. Prince stated in addition to the residential units and commercial amenities that most communities were competing for, the long-term benefit to the city would be the greater assessed valuation that was achieved with a higher density development. Mr. Prince stated years ago, the city's refusal to allow outside storage on this property prevented a new Menards from being constructed and a large commercial retail store was permitted by right, so they could have constructed the Menards without said storage and he was using this as a comparison for the project. Mr. Prince stated for reference, the current assessed valuation of the Menards on North Main Street was about $6 million and the estimated assessed valuation for this project, if approved, was over $50 million which was roughly the equivalent of eight Menards going on the property. Mr. Prince stated this type of construction, although more expensive, would also provide a more efficient use of land. Mr. Prince stated as they hoped to see a continued evolution of retail, they were hopeful that this type of small-town niche opportunity continued in other parts of the city and not just for Grandview and specifically, they were hoping over time that there would be a Midtown Mishawaka, Eastown Mishawaka and South town Mishawaka and they believed this was a beneficial model of project that could be replicated in other parts of the city. Mr. Prince stated that he was happy to answer any questions on the overview.

Mr. Banicki stated one of the things that came to mind when he looked at this property was the little bump out in the road that had been a thorn in a lot of people's sides for years and asked if there was anything between them, the developers or utilities if there was something they could do to push that bump in and he knew it had been discussed over the years. Mr. Prince stated it had been discussed for years and really it was about the cost benefit, so yes there was something they could do. Mr. Prince stated when they went to widen Gumwood Road, AT&T had a private easement on the property and there was a vault underneath it and essentially, it was well over $1 million a decade ago to expand the road and it was probably $2 million currently to relocate that vault, which was why it was a cost benefit issue. Mr. Prince asked rhetorically if they wanted to spend millions of dollars to relocate that vault and that was what it came down to. Mr. Banicki stated it would be for safety purposes and on a snowy day like that day, you could not see the lines and had to make quick decisions and swerve like a football move out there. Mr. Prince stated those football moves were consistent throughout the city and he understood the predicament, but he again thought it came down to the cost benefit. Mr. Prince stated all of the engineering standards were followed with that curve and the only thing he could say was it was odd and had been designed to engineering standards. Mr. Prince stated what it came down to was if it was worth it or not, especially since it was not inherently dangerous. Mr. Prince stated there had been discussions on this very issue internally and they had not reached the conclusion that it had reached the level where it was worth the cost to relocate it. Mr. Banicki asked with the new, big project if now was the time to revisit that a little more seriously. Mr. Banicki also stated if the cost of it was rising, it would not be going down in the future, and they may want to do something about it sooner than later. Mr. Prince stated he would ask Chris Jamrose, the City Engineer, to reach out to AT&T to get the current cost.

Mrs. Voelker asked what their accident situation was up there and if it was costing a lot in terms of people being injured from an insurance standpoint and if there was anything that could justify making a change because of safety issues. Mr. Prince stated he had not searched the accident history, but if there were problem spots, they were brought to them, and no one had reported repeated serious accidents from that location, or it just had not been brought to their attention in that manner but he would reach out to the police department and relay that information to the Council.

Mr. Carroll asked other than the TIF revenue bonds and all of the things the city was potentially investing in this, if there were any other costs dedicated to the project, such as infrastructure upgrades or anything like that. Mr. Prince stated not from a city perspective, so all of the costs for extending any other infrastructure would be internal to the project and incurred by the developer.

Mr. Hixenbaugh stated he agreed with Mr. Prince's analogy to The Mill both Phase I and Phase II and asked if he could talk about the parking garage component of this proposed development and if it would have the same type of access that was available to community members across the street at The Mill. Mr. Prince stated unlike The Mill project, this project was really being driven by the developer and in this case, the public parking would be dictated by the developer and they as a city had not asked for public parking like a free parking garage so they would have to manage it for the businesses and residences that were there. Mr. Prince stated all of the underlying circumstances with that would be entirely determined by the developer as well, because it was a different project. Mr. Hixenbaugh stated it was and he acknowledged that it was different, but he would feel better about the proposal if there was going to be some component of public access to the parking since the public was being asked, on some level, to make an investment. Mr. Hixenbaugh stated again his preference would there to be some limited public access to the parking garage. Mr. Prince stated he would ask the developer about that.

Audra Sieradzki, Great Lakes Capital 7410 Aspect Drive Suite 100 South Bend, IN, spoke in favor of **RESOLUTION R2024-01**. Mrs. Sieradzki stated she would be discussing the next phase of the Grandview development and Grandview would be located on the northwest corner of Cleveland Road and Gumwood Road. Mrs. Sieradzki stated they aspired to achieve what they had all achieved in downtown Mishawaka, and they were asking the Council to consider two things that evening with the first request being the designation of block 200 as an allocation area. Mrs. Sieradzki stated the allocation area was limited to the area defined on the site plan as block 200 and it was demonstrated on the site plan as an orange area. Mrs. Sieradzki stated second, they were asking the Council to approve the bond ordinance, which was a $14 million bond to be repaid solely through the property taxes generated by the components of block 200. Mrs. Sieradzki stated they as the developer were purchasing the bonds and the repayment was based on the value that they would create, so the city had no financial obligation. Mrs. Sieradzki stated the next phase of Grandview would consist of three primary components and their intent was to be able to create a home for residents in all stages of life. Mrs. Sieradzki stated that as they had achieved in Phase I and Phase II, they had been asked to provide these types of units. Mrs. Sieradzki stated the first thing she wanted to talk about was the Enclave at Grandview Townhomes and these were not park of block 200. Mrs. Sieradzki stated they were 66 for sale residences, they were adjacent to the neighborhood to the west on the west property line, they would have dedicated garages as well as walk up entries, their floor plans were two or three bedrooms, and they had many upgrade options. Mrs. Sieradzki stated block 200, as Ken introduced, would be the mixed used multi-family unit buildings which were primarily urban apartments and commercial as well as the boutique hotel. Mrs. Sieradzki stated the hotel would have customized food and beverage experiences including the rooftop restaurant with indoor and outdoor space. Mrs. Sieradzki stated each of the components would have amenities unlike what they had seen to date in their market, and most would be open to the community as there would be special events hosted or by visiting restaurants or taking part in the different spaces as made available. Mrs. Sieradzki stated all restaurants were designed to welcome neighbors, visitors and residents inside and outside of the Grandview development. Mrs. Sieradzki stated the hotel and apartments would have fitness centers, private dining and hosting spaces and outside courtyards, balconies and greenspaces. Mrs. Sieradzki stated this phase was made possible by structured parking and a key component of it was that you could not see it as it was totally wrapped by the building and the building was complete with a rooftop resident clubhouse, pool and courtyard. Mrs. Sieradzki stated in the site plan, you could get a better feel of how block 200 laid out and the parking garage was a key component of what was defined as block 200. Mrs. Sieradzki stated the hotel was what they were seeing in yellow and on the eastern side of the plan, it was planned to have 125 rooms with a rooftop restaurant and a breakfast and lunch space on the ground floor. Mrs. Sieradzki stated the light orange building was the 246 apartment residences with studio, one-bedroom and two-bedroom floor plans as well as a new leasing office and commercial space and they were looking to activate the green space. Mrs. Sieradzki stated they thought the green space was a great component of the development and a key aspect of the community. Mrs. Sieradzki stated within the green space, they would have commercial food and beverage options that were extensions of what would already be occurring in the development. Mrs. Sieradzki stated this space could also hold outdoor events such as galas, weddings and farmers markets. Mrs. Sieradzki stated the total investment they were looking at, which included block 200 and the Enclave Townhomes, would be estimated at $175 million. Mrs. Sieradzki stated they believed the completion of the project would result in the creation of a possible 90 new permanent full-time jobs and these jobs would have salaries ranging from $30,000 to $100,000 and they would primarily be positions in hotel operations and food and beverage. Mrs. Sieradzki stated beyond the permanent jobs, the project would result in approximately 300 temporary construction jobs with salaries ranging from $40,000 to $70,000 and if any of them had been by the site, they had seen R&R, local subcontractor, completing some site work in coordination with their water tower project. Mrs. Sieradzki stated they were looking to use the same general contractor that completed Phase II and this group was familiar with the site, the overall development objectives and they felt they led a focused effort to engage local subcontractors. Mrs. Sieradzki stated as they could see from the images and what they were sharing, they planned to use elevated materials that would complement what they had already done with Phase I and Phase II. Mrs. Sieradzki stated they had worked with the city to inform as many people as possible about this development as they had issued a press release in December along with the city's public notices, they hosted a public information meeting on January 8th and the two neighbors who lived directly to the west of the property site who did attend were very supportive of the project. Mrs. Sieradzki stated they appreciated their feedback and felt where they landed was much better than where they began. Mrs. Sieradzki stated the city's participation really facilitated the overall development and they did not want this to be a sea of parking, so the parking garage enabled the apartments to meet the densities they needed, the commercial to have the spaces for the several employees working there and also would provide parking for the public in the surface parking. Mrs. Sieradzki stated they were open to working out parking that was open to the public in the garage and their experience was that they needed parking spaces for the apartments as well as for the public to use for the restaurants. Mrs. Sieradzki stated they would really appreciate the city's ongoing partnership as this had been worked on for years and they were really excited about what they were trying to do with this development and appreciated the Council's consideration.

Mrs. Hahn thanked Mrs. Sieradzki for releasing the press release and holding a meeting for the neighbors and she felt it was really important for them to know what was going on in the backyard. Mrs. Hahn stated she did hear her mention for the Enclave that people were asking for that and wanted to know if that was people asking for homes for purchase and if they were retirees or families or whatnot. Mrs. Sieradzki stated what they found was that they typically had their young professionals who moved in and wanted to grow in the same place with the same amenities and they did not have a for sale option and they also had very few three-bedroom options or larger units in the urban residences, so this gave people the opportunity to buy a townhome, live in a more residential type of neighborhood without giving up those amenities.

Mr. Mammolenti thanked Mrs. Sieradzki for her presentation and for the meeting on January 8th and asked if they planned to have another meeting and if they received any questions, emails or phone calls. Mrs. Sieradzki stated they had not received any of those and in the press release, they provided all of that information but had not received any additional questions about the project.

Mrs. Voelker asked when she used the terminology 'activated green space' what that meant. Mrs. Sieradzki stated she did not know if it was a coined term and it was a term they came up with to explain that this was not your typical style of garden apartment, so they were bringing amenities in, letting the food and beverage have an extension into the green space and the idea was that it was not just a courtyard or a park that the residents could use and it was available for community members to visit and use for various reasons.

Mr. Carroll asked if they had a target as far as prices for the townhomes or the average rents that could be expected. Mrs. Sieradzki stated they would be luxury units, so prices for the townhomes would range from \$500,000 to \$600,000 and that was going to depend on what type of upgrades they would do or whether it would be a more basic unit or not. Mrs. Sieradzki stated they were open to some flexibility and rents would be similar to what they were already achieving in Grandview.

Mr. Mammolenti asked if the hotel would be a national chain or if it was going to be independently owned and operated. Mrs. Sieradzki stated it would have a national flag and they were speaking about the national flag for the brand at that time and it would be customized.

Mr. Violi stated she said it would be comparable to the other phases already and asked what the capacity was there and if they were full there or not. Mrs. Sieradzki stated they were full and both Phase I and Phase II leased up very quickly from a residential standpoint and they maintained at 97% occupancy and leased and there was a waiting list for most units, which was why they felt this was the right product to do next.

Mr. Hixenbaugh thanked Mrs. Sieradzki for the thorough presentation and congratulated her on the success. Mr. Hixenbaugh asked with regard to the answer regarding the hotel operator if they had a signed contract with the operator at that point in time or was it speculative who was going to be the operator. Mrs. Sieradzki stated they had an agreement with the operator and the operator was different from the national brand, so there was an agreement put into place with the flag that would come with the hotel, and they needed to get through the February 5th meeting before they were ready to sign because those amendments were required as well as what happened that evening in order to move forward. Mr. Hixenbaugh asked if contractually, the operator was not obligated at that point in time, but it was subject to the February 5th meeting. Mrs. Sieradzki stated that was correct, but they were talking about two different agreements, and they worked with an operating entity for many of their new hotels which was separate from the brand so there would be a brand agreement for the flag as well as an operating agreement for the operator. Mrs. Sieradzki stated the operating agreement would be a joint venture they did with their projects regularly, so that would be signed, and the hotel flag would not be finalized until they worked through the amendment. Mr. Hixenbaugh stated he would anticipate those problems, and asked if the second stage of the transaction was unconsummated, what would be the next step to decide who the flag would be. Mrs. Sieradzki stated they were fortunate in that they were working on several of these projects throughout the U.S., so they stayed very close in contact with more than one hotel so they had the ability to look at another national brand if they were unable to come to an agreement with the one that had been working with them for the past 18 months. Mr. Hixenbaugh asked if it would not revert to the mom-and-pop local operator and if it would in fact be a national brand. Mrs. Sieradzki stated that was their plan. Mr. Hixenbaugh asked with regard to the comments she made about construction in Phase I and using the same general contractor in Phase II, with regard to Phase I if she could provide them with a list of the local contractors involved in Phase I as well as those who were outside of the area so they could get a feel and asked if she knew off the top of her head if she had a feel for the percentage of local versus nonlocal contractors who were involved in Phase I. Mrs. Sieradzki stated she did not but Phase I was different than Phase II and they would be happy to provide the information he was requesting to them. Mrs. Sieradzki stated it was really based on who had the labor and who was qualified to do the work. Mr. Hixenbaugh stated with regard to Phase III, as much detail as her contractor could arm her with that she could provide to them with regard to what they anticipated would be the breakdown of Phase III with local versus nonlocal. Mr. Hixenbaugh also stated whichever phases she could provide them with historical data on the use of local versus nonlocal contractors would be useful as well. Mrs. Sieradzki stated she would be happy to provide that. Mr. Hixenbaugh asked if she could take a look at the parking garage to see if there was something doable and not to the exclusion of the residents and appreciated the use of the townhomes to buffer the neighborhood to the west from the development and thanked her for integrating that into their plan. Mr. Hixenbaugh got back to the parking garage and stated with that, if she and her partners could consider whether there could be some type of public access, it seemed to him that this would be a development that would be designed to generate a long-term stay almost as someone could be having a drink at the hotel, dinner at a restaurant or shopping at one of the shops so although he acknowledged the point Mr. Prince made earlier that it was different from The Mill, it still had some element of similarity to that project and if she could at least consider some limited public access to the project he thought that would make some sense. Mrs. Sieradzki stated they would be happy to do that and to piggyback onto that, they were planning valet parking for the rooftop restaurant so that parking would be something where the community would not have to find alternative parking. Mr. Hixenbaugh stated it sounded like the activated green space would have some public component as well and not just for the surrounding area but for Mishawaka as a whole and hopefully there would be activities everyone could take in. Mrs. Sieradzki stated that was what they would like to achieve. Mr. Hixenbaugh thanked Mrs. Sieradzki for her patience with him, answering his questions and the presentation she gave.

Randy Rompola, Barnes and Thornburg, spoke in favor of **RESOLUTION R2024-01**. Mr. Rompola stated he wanted to touch briefly on the documents on the agenda and first began with the resolution approving the action of the Plan Commission, which in turn approved the action of the Redevelopment Commission at its December meeting to separately establish the block 200 allocation area. Mr. Rompola stated the point of that was to allow then any increment that would be collected from the block 200 area, he increases in assessed value would generate TIF and would allow it to be collected over a 25-year period, the life of the allocation area and that was important because with the other item on the agenda, the bond ordinance, the bonds would be purchased by the developer and the developer would be paid the increment generated. Mr. Rompola stated the resolution was simply approving the action by the Plan Commission and Redevelopment Commission and if the Council approved the resolution itself that evening, there would be one final step through the Redevelopment Commission to hold a public hearing and then consider for adoption the confirming resolution. Mr. Rompola stated the commission, by statute, could not hold its hearing and consideration of the confirming resolution until the Plan Commission and they, the Council, acted to approve the initial declaratory resolution which was adopted in December. Mr. Rompola stated the other document, the bond ordinance, authorized upwards of $14 million in bonds and that was the amount to be expected to be paid from the increment generated by the development as projected by Baker Tilly and based on the information provided by the developer. Mr. Rompola stated a couple of pieces about the bond ordinance primarily at the end of section four, it made very clear that the bonds did not constitute general obligation of the city, so the city, nor did the Redevelopment Commission have any responsibility to pay the bonds other than from TIF revenue generated from the project. Mr. Rompola stated if for some reason the project did not happen, the way they were anticipating it would happen and therefore they did not generate TIF and there was a shortfall and the debt service could not be paid, the city bared no responsibility for that, and it would have no affect on the city's credit rating. Mr. Rompola stated because this bond was payable as an economic development revenue bond, the documents themselves stated pretty clearly the city had no responsibility with respect to the bonds at all in the ordinance and the indenture. Mr. Rompola stated the Economic Development Commission met in December as well, adopted its resolution and held a public hearing approving the bonds and the project as well as recommending approval by the Council. Mr. Rompola stated as far as the timing on the bonds, this would be the final action with respect to the adopted bond ordinance and they would then proceed to a bond closing and to provide for the 25 years in tax increment, the tax increment would be generated upon the completion of the project, which he understood would be in early 2026, so they anticipated the bonds would not be issued until later in 2025 but as part of the incentive process, they needed to have these things done now and put everything on hold until such time they were ready to have the bonds issued. Mr. Rompola stated he was happy to answer any questions.

Emma Adlam, Director with Baker Tilly 8365 Keystone Crossing Indianapolis, Indiana, spoke in favor of **RESOLUTION R2024-01**. Mrs. Adlam appreciated the Council allowing her to present remotely so she did not have to make the trip up with the icy conditions. Mrs. Adlam stated this bond was payable solely from TIF in the block 200 allocation area that was being created by the Redevelopment Commission. Mrs. Adlam stated the bond repayment was only through TIF and there was no other source of repayment. Mrs. Adlam stated the bonds would be structured with level debt service and the bonds would be purchased by the developer and the developer would make the initial cash outlay to purchase the bonds through investing in the project and then as TIF was generated, would get the debt service payments over the 25-year period. Mrs. Adlam stated the maximum amount of the bonds in the bond ordinance was $14 million and the estimated cost of issuance associated with the issuance was $200,000 although it could be lower and the developer would incur $13.8 million worth of construction costs. Mrs. Adlam presented a chart that compared the estimated annual project TIF to the estimated annual debt service and explained it to the Council. The chart showed the estimated debt service with the amount of project TIF in the years 2025 to 2050. Mrs. Adlam was happy to take any questions.

Mayor Dave Wood spoke in favor of **RESOLUTION R2024-01**. Mayor Wood stated he did not often get up and speak on developments, but this was a significant one for the city of Mishawaka. Mayor Wood stated he thought it said a lot about Mishawaka that they were there presenting this in the first place and that Mishawaka was able to attract a project of this scale and magnitude and that was because they had been focused in strategically on making sure Mishawaka was a great place to live, great place to work, great place to raise a family and a great place to have a good quality of life. Mayor Wood stated this project would not only complement that but also bring more of that to Mishawaka. Mayor Wood stated when he traveled the country to regions that were successful, they all had a development like this in their areas and they had these not just once, but all over their region. Mayor Wood stated they had some significant economic development projects happening throughout the region both west of South Bend and over in Elkhart taking advantage of the amenities and things they did very well, and this took advantage of what Mishawaka did very well. Mayor Wood stated this would not be just a great addition to Mishawaka, but it would complement the greater region by providing quality of life with a mixed-use purpose. Mayor Wood stated this would not be the only one and they would have more of these that they would be bringing over the course of the next few months. Mayor Wood stated they did not just enter into these things lightly, as they had selected and worked with great partners, like Great Lakes Capital, Baker Tilly and Barnes and Thornburg and this was their A team. Mayor Wood stated they had worked with Great Lakes successfully to make sure that their infrastructure complemented not only the function it needed to serve the citizens but complemented what they wanted to do for the property and the surrounding area. Mayor Wood stated it was a great partnership all around and he felt comfortable entering into a continuation of the partnership going forward. Mayor Wood thought it would be a huge success for Mishawaka at the end of the day and encouraged the Council to support it.

Question was called for at 7:47PM for **RESOLUTION R2024-01. Motion passed by unanimous roll call vote (summary: Yes = 9).**
Yes: Mr. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Mrs. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The resolution passed 9-0.

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

PROPOSED ORDINANCE NO. 2023-58

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 THE CITY OF MISHAWAKA, INDIANA
Rezone from C-1 General Commercial to R-1 Single Family Residential – 617 E. Grove Street

Mr. Mammolenti reported the Committee of Land Use Planning recommended this proposed ordinance should be adopted. Upon a second by Mr. Banicki, the motion carried.

Felix Martinez, owner of 617 E. Grove Street, spoke in favor of **PROPOSED ORDINANCE NO. 2023-58**. Mr. Martinez was asking for a rezoning to single family residential so that he was able to do some repairs and remodeling out in the front of the home and make it habitable for his family.

Mr. Violi stated he spent a lot of time at that home growing up and asked if he would live in that home or if he was going to fix it up and flip it or fix it up and rent it. Mr. Martinez stated they were going to live there.

Mrs. Hahn asked for clarification if he was going to do some remodeling on the front facing Cedar. Mr. Martinez stated he would be working on that.

Question was called for at 7:51PM for **PROPOSED ORDINANCE NO. 2023-58. Motion passed by unanimous roll call vote (summary: Yes = 9).**
Yes: Mr. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Mrs. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 9-0, thus it became **ORDINANCE NO. 5879**.

PROPOSED ORDINANCE NO. 2023-59

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, AUTHORIZING AN ISSUANCE OF THE CITY OF MISHAWAKA, INDIANA TAXABLE ECONOMIC DEVELOPMENT TAX INCREMENT REVENUE BONDS AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO WITH CONNECTION TO THE GRANDVIEW PHASE III PROJECT

Mr. Mammolenti reported the Committee of Budget and Finance recommended this proposed ordinance should be adopted. Upon a second by Mr. Banicki, the motion carried.

Ken Prince, Director of Planning and Community Development for the City of Mishawaka, asked that the testimony given for **RESOLUTION R2024-01** be repeated for **PROPOSED ORDINANCE NO. 2023-59.** Mr. Hixenbaugh noted that for the record.

Mr. Hixenbaugh thanked everyone involved, not only the developer and their outside consultants but Mr. Prince and the Administration for the work that went into this.

Question was called for at 7:54PM for **PROPOSED ORDINANCE NO. 2023-59. Motion passed by unanimous roll call vote (summary: Yes = 9).**
Yes: Mr. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Mrs. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 9-0, thus it became **ORDINANCE NO. 5880**.

PROPOSED ORDINANCE NO. 2024-01

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA AMENDING CHAPTER 2 ARTICLE 2 OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA
An Ordinance Amending Council Procedural Rules

Mr. Banicki reported the Committee of Personnel recommended this proposed ordinance should be adopted. Upon a second by Mr. Mammolenti, the motion carried.

Mr. Hixenbaugh added for the record that the changes being proposed to the council rules, in many respects were grammatical in nature but there were a few substantive changes that reflected the Council's practices with regard to how they operated their committees as well as other typical actions of the Council, but perhaps the most significant change that was recommended in these Council rule revisions would be to change their regular meeting time from 7PM to 6PM moving forward.

Mr. Hixenbaugh thanked Clerk Block as well as Mr. Trippel for their assistance in making the revisions.

Question was called for at 7:57PM for **PROPOSED ORDINANCE NO. 2024-01. Motion passed by unanimous roll call vote (summary: Yes = 9).**
Yes: Mr. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Mrs. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 9-0, thus it became **ORDINANCE NO. 5881**.

NEW BUSINESS

Mr. Hixenbaugh noted for the record that that evening, their friend and colleague Mr. Hazen presented the Council with a letter confirming that he would be resigning his position on the Common Council effective January 31st. Mr. Hixenbaugh stated while they all would hate to see him go, the good news was that Mr. Hazen was leaving them to begin a career in county government as the new St. Joseph County Commissioner for District 3 as of February 1st. Mr. Hixenbaugh wished Mr. Hazen well as he embarked on that new endeavor and he had enjoyed working with him over the past four years as well as all of the years going back in different capacities that they worked together. Mr. Hixenbaugh stated he was sure Mr. Hazen would do a great job in the position, but he appreciated the contributions he made to the work of the Council and particularly the work he did in public safety negotiations and the work they did together with regard to readjusting the funding for the combined dispatch center of St. Joseph County to make sure Mishawaka was treated equitably with regard to the financing. Mr. Hixenbaugh thanked him for his contributions to the Council, his contributions to the community going back to his years of service in the police department and he wished him well as he began his life in county government. Mr. Hazen thanked Mr. Hixenbaugh for all he had done and all of the education he had given him, and he knew they went way back in negotiating police contracts and things like that. Mr. Hazen also thanked all of the councilmembers he had served with over the last four years and they had been class act and he wanted everybody to know that everybody up there on the Council had done nothing but represent Mishawaka and do what was best for Mishawaka and hats off to that because in today's politics, sometimes you did not find that. Mr. Hazen stated it had been a privilege and an honor to serve with all of them, he appreciated it and hoped he could do better things for Mishawaka at the county level.

Mr. Mammolenti thanked Mr. Hazen and enjoyed the last several years working with him on the Council, especially with the police contract negotiations. Mr. Mammolenti stated he always put

Mishawaka first and thanked him for his time on the Council and was sad to see him leave but was happy to see him in the county. Mr. Mammolenti appreciated the help and the effort and the work he would do in the future. Mr. Mammolenti wished Mr. Hazen the best of luck.

Mrs. Voelker stated they were really fortunate as a city to have Mr. Hazen take the position, because he had so much experience and knowledge of what went on in the city of Mishawaka and what was best for the city and it would really help them all having a wonderful advocate for Mishawaka. Mrs. Voelker thanked Mr. Hazen for all he had done for the Council and it had been and she would miss him, but she knew she would see him around.

Mr. Banicki stated it was a pleasure and it had been fun to work with Mr. Hazen as he had known him for a long time and looked forward to seeing how well he could do on the other side of the river and wished him the best and they would see him soon.

Mr. Violi thanked Mr. Hazen for helping him decide over the last couple of years if it was the right thing to run for the City Council as they had discussions and sometimes, he tried to talk him out of it and other times he convinced him it was the right thing to do, because it was a good thing to do for the city. Mr. Violi appreciated his guidance and echoed what everyone had said and looked forward to seeing him work in the county and continue to help Mishawaka grow.

Mr. Emmons stated it had been a pleasure to work with Mr. Hazen for the last four years and also his input was important with the police department as he was a former Police Chief. Mr. Emmons wished Mr. Hazen well as the County Commissioner representing Mishawaka.

Mr. Hixenbaugh stated Mr. Hazen would be receiving a prestigious resolution the Council passed when a member left and the ceremonial plaque that went along with it. Mr. Hixenbaugh stated given the timing of the departure they were not prepared that evening, but they looked forward to inviting their friend Mr. Hazen back to a future council meeting so they could take care of both of those items. Mr. Hixenbaugh thanked Mr. Hazen once again.

ADJOURNMENT 8:03PM

Deborah S. Block /s/	Gregg A. Hixenbaugh /s/
Deborah S. Block, IAMC, MMC, City Clerk	Gregg A. Hixenbaugh, President