REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

June 17, 2024

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 June 17, 2024, at 6:00PM. The meeting was called to order by Council President Gregg Hixenbaugh. All were asked to stand for the Pledge of Allegiance.

Members attending virtually do so by WebEx. Public that attends 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: Mrs. Hazen (P), Mrs. Voelker (P), Mr. Carroll (P), Mr. Banicki (P), Mr. Emmons (P), Ms. Hahn (A), Mr. Mammolenti (P), Mr. Violi (P), Mr. Hixenbaugh (P)
P: Present E: Electronically Participating A: Absent

Also Present: Mike Trippel, Council Attorney

Minutes for the Regular Meeting on June 3, 2024, and Special Meeting on May 30, 2024, were approved as received from the Clerk's Office.

Clerk Block read a letter from the City Plan Commission regarding their recommendation from their June 11, 2024, meeting.

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

PROPOSED ORDINANCE NO. 2024-17

AN ORDINANCE DECLARING AN EMERGENCY AND DETERMINING THE EXPENDITURE OF ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31, 2024
Additional Appropriation: CEDIT – Repairs and Maintenance 2209-50-436-02: City Maintenance, City Hall elevators - $ 250,000.00 Battell Park Band Shell - $500,000.00, $750,0000
(Assigned to Budget & Finance Committee)

PROPOSED ORDINANCE NO. 2024-18

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

PUD Amendment to allow a Third Drive-Thru Restaurant and reduction of Parking space – Vacant Lot S, of 3625 Bremen Hwy
(Assigned to Land Use Planning Committee)

PROPOSED ORDINANCE NO. 2024-19

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA AND PROVIDING ZONING CLASSIFICATION THEREFORE
Annexing and Establishing Zoning as R-1 Single Family – East side of Fir Road across from Preserve Apartments, extending to Clover Road
(Assigned to Land Use Planning Committee)

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

RESOLUTION R2024-10

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, AMENDING RESOLUTION R2022-10, R2022-22, R2023-03, R2023-12 AND R2023-25, WHICH ADOPTED A PLAN OF DISTRIBUTION OF THE PROCEEDS OF THE CITY OF MISHAWAKA'S GRANT FROM AMERICAN RESCUE PLAN ACT OF 2021

Rebecca Maguire, City Controller, spoke in favor of **RESOLUTION R2024-10**. Mrs. Maguire stated she was introducing the resolution. Mrs. Maguire stated as they heard, they had amended the resolution and the ARPA plan many times with that evening being their next amendment and at the end of the agenda, they would be hearing about the corresponding appropriation for the said amendment to the resolution. Mr. Maguire stated Jim from Habitat for Humanity and Ken Prince, Director of Planning and Community Development, were present that evening to speak about and explain the amendment. Mr. Hixenbaugh thanked Mrs. Maguire for her work on this.

Ken Prince, Director of Planning and Community Development for the City of Mishawaka, spoke in favor of **RESOLUTION R2024-10**. Mr. Prince stated he was very excited to be there with Habitat for Humanity and as the Council knew, Habitat for Humanity in St. Joseph County had been a great partner of the city going back to 2018 with the Carter Work Project at the Fields At Highland and that was a project that had been monumental in terms of what it had been able to accomplish. Mr. Prince stated they were so excited about this component, because as Mayor Wood identified in his State of the City, there was a real need here for the large economic development projects happening throughout the county and all of that would require workforce housing and there was a demand and as they talked about with the comprehensive plan, the old workforce housing, 900 square foot house that you used to be able to get for $80,000 was now $160,000 to $200,000. Mr. Prince stated there were a few houses that he was able to search for that were under $200,000 and they all had code violations or yellow tags associated with them when he did the research for the comprehensive plan. Mr. Prince stated affordable housing was a critical issue for the city moving forward and they believed that the $2 million being proposed would enable Habit for Humanity to acquire land and then ultimately develop a subdivision, very much like the Fields At Highland and it was a perfect use of those funds to improve the city. Mr. Prince stated at the request of President Hixenbaugh, they forwarded a draft of the memorandum of understanding that was replicated for the funds where they used the template from the Carter Work Project to forward to them and it identified specifically some of the parameters that they envisioned as part of the project. Mr. Prince stated this had nothing to do with Southwest Little League and in part, because they were having so many problems with Southwest Little League and they had asked Habitat to look for that property to develop houses and now that they had given Southwest Little League another chance, it was very important that they now provided them another opportunity to provide a different property rather than Southwest Little League, so it was important to note that the future property when it eventually became public, would not be the Southwest Little League and would be located in a completely different part of town. Mr. Prince stated the other thing he wanted to note was that since the great recession of 2008, their home construction essentially dropped at that point of time from being over 100 houses per year to roughly about 50 hours per year, so what Habitat for Humanity did in terms of growth was even though it might be 15 homes a year, it was very significant relative to the single-family home growth of Mishawaka. Mr. Prince introduced Jim Williams to talk about the Habitat for Humanity program as a whole and what it did and the houses they were looking to do per year. Mr. Prince stated Jim was one of the most well-known people in the community, as most of the Council knew. Mr. Prince asked Mr. Williams to approach the podium.

Jim Williams, President, and CEO of Habitat for Humanity, spoke in favor of **RESOLUTION R2024-10**. Mr. Williams thanked the Council for the opportunity to be there that evening and thanked Mayor Wood as well as all the Council for helping them create such an effective partnership, a public-private partnership between Habitat for Humanity of St. Joseph County and the City of Mishawaka. Mr. Williams stated he was proud to say that they had built 115 houses in Mishawaka and that their families, more specifically their Mishawaka families, were paying over $170,000 in property taxes. Mr. Williams stated he was sure the Council was aware of the housing crisis that they had around the country and Mishawaka, like many cities around America, was struggling to provide entry-level housing. Mr. Williams stated he tried to stay away from the term affordable housing, because sometimes people had a negative connotation and they thought it was heavily subsidized government housing and many times they assumed it was poorly constructed. Mr. Willaims stated that was not what Habitat for Humanity was building but the need was great. Mr. Williams stated the statistic that he used was there was about 14,000 families in St. Joseph County that paid over 30% of their gross income for housing and they needed a program like Habitat, because they were currently renting, and their rents kept going up and they felt stuck, and they did not know what to do. Mr. Williams stated many of those 14,000 families lived in the City of Mishawaka. Mr. Williams stated Habitat was near completion of the Jimmy and Roseland Carter Work Project subdivision in the Fields at Highland and he was sure all the Council knew that where that was on the corner of Byrkit and Jefferson. Mr. Williams stated there were 76 homes there and they were not all Habitat families with 60% approximately being Habitat families and 40% were market rate homes that they were selling to the general public, which was creating a diverse, healthy, vibrant, mixed-income community, but since they were coming to the end of that project and were excited about that along with the park and everything associated with that sense of community, they needed to be looking for land for their next project. Mr. Williams stated they loved working with the City of Mishawaka, and he was so glad that they can not just give them words about what they would like to do, but they could point to the Fields At Highland to show them what they were capable of doing when they worked together, but they did need to identify their next property. Mr. Williams stated they had located a nine-acre property and made an offer on it, so they had a signed purchase agreement, and they were in the due diligence phase at that point and waiting for the seller to provide documentation and title work. Mr. Williams stated part of the agreement was contingent upon them receiving the funds from the City of Mishawaka and if they did receive the funds, they would use them for land acquisition, demolition, relocation, and minor administrative but mostly for land acquisition and infrastructure. Mr. Williams stated the total project cost to build a minimum of 40 single-family home owner occupied residential homes, he emphasized that because none of them would be rentals and Habitat was about ownership and they actually were trying to shoot for more than 40 homes, but to make sure they did not over promise, they said 40 homes but it would be a total investment of $13 million that Habitat would be making. Mr. Williams stated they did need assistance with it and the $2 million would be helpful but they were bringing $13 million to the table to make it happen. Mr. Williams stated recently, Habitat International did an economic analysis for all of its affiliates across the country by taking their audited financial statements as well as their house production numbers and those were put into a software program called Implant and it gave an idea of what kind of economic impact their home building efforts had in St. Joe County and the City of Mishawaka and what it told them was that every dollar that they invested in the community purchasing construction materials, paying subcontractors, all of those things that would be assumed they were spending money on, actually an additional $1.67 of impact went into the community. Mr. Williams stated so if they invested $13 million, there would be another $21.7 million from residual positive economic impact because of that activity. Mr. Williams stated the 40 houses would help 40 families, but the impact went much further beyond that as it could also add another $60,000 per year to the property tax rolls and he liked that number, because it was getting them closer and closer to a total of a quarter of $1 million that Habitat families would be paying every year in property taxes. Mr. Williams stated he could not tell them how many people in the community believed that their Habitat families got the houses for free, because they did not and they worked very hard for the houses as they had a mortgage and were part of the community and they were paying property taxes and based on past work, they projected that maybe 50 to 70 more children would be added to the roles on the School City of Mishawaka schools as a result of the investment as well. Mr. Williams thanked the Council for their consideration and for the chance to tell them a little bit about what Habitat was doing and they were excited and they were one of the top producers across Habitat in the United States and as Ken said, they were trying to increase their house production to a minimum of 15 houses a year and that might not sound like a lot, but that would put them in the top 5% of Habitat affiliates in the country and out of 1,000 affiliates, it would put them in the top 40. Mr. Williams stated it was expensive to build houses, so they were proud of the work they had been able to do, but they realized it was a partnership and they thanked the City of Mishawaka for their support and what they had done. Mr. Williams stated he would answer any questions they had.

Mr. Mammolenti thanked Mr. Williams for the great presentation but more importantly for all that he did for the City of Mishawaka and most importantly for the families. Mr. Mammolenti stated the week he worked on Habitat homes was one of the most rewarding weeks he ever had in his life, and it did not go unnoticed with all the efforts that he and his team made, so he wanted to thank him for that. Mr. Mammolenti asked regarding the relocation of the homeowners on the property that they were going to purchase if he could help walk him through a little bit of the process of relocating some of the occupants. Mr. Williams stated he was purposefully not identifying the specific property just because there was a chance it did not go through and he did not want to needlessly worry residents and what have you, but he did want to assure the Council that Habitat was committed to handling it in a way that would not harm residents and would do everything in their power. Mr. Williams stated what he meant by that was that the easiest thing for them to do would be to tell the seller to take care of it before they would take ownership, but Habitat was not in the business of creating hardship or making people homeless in order for them to build houses for other families, so what they had said was they wanted to be in control of the process so they could be responsible for doing it right. Mr. Williams stated for example, they had just said with their board and internally, families would have a minimum of 6 months. Mr. Williams stated if this went through and they had to relocate and rehome some families, they wanted to treat them with dignity and with respect realizing that even if their homes were in very poor condition, that they wanted to then help them find another housing situation that was equal to or better than what they currently had. Mr. Williams stated they would give them a minimum of 6 months and then they would get professional help and consultants to help walk them through that process and then give them plenty of time and plenty of notice and give them resources and build referrals. Mr. Williams stated they had already reached out to a few places to see if they would accept families that would like to move to their location. Mr. Williams stated hopefully that helped a little bit. Mr. Mammolenti stated it did and thanked Mr. Williams.

Mrs. Voelker asked out of the forty homes they were proposing to build if it would be a 60/40 Habitat to market rate community or if he anticipated it being primarily Habitat. Mr. Williams stated it would be a 60/40 development and that was their philosophy and the way they would do any project going forward. Mr. Williams stated they did not want to create isolated, concentrated poverty and they did not want their Habitat families to feel isolated. Mr. Williams stated they wanted to create neighborhoods that really, by the time they were done, felt like any other neighborhood in the City of Mishawaka and where there was mixed income, there was diversity and vibrancy and a sense of community so it would be a 60/40 split approximately. Mr. Williams stated sometimes, for whatever reason, could not control exactly how many people were willing to buy the market rate houses so it might be 65/35, but as close to 60/40 as they could get.

Mr. Violi stated he said the total cost would be $13 million and they would be building 40 homes out of $13 million do when he did the math, he knew it said $325,000 per home and asked if that would be the market rate and if he could explain to him how that cost came up. Mr. Williams stated they just did the math that he just did, and it did not make any sense for them to go forward with it without assistance. Mr. Williams stated if they did not have the funds from the City of Mishawaka, if they could not apply for the funds to match the funds, the dollars, and cents as well as the accounting would not make sense for them to do it. Mr. Williams did think that the City of Mishawaka had interest in improving the McKinley Corridor which by the way, Habitat had just purchased the old medical building at 524 McKinley and that would become their new main office, so they were helping with that improvement of the McKinley Corridor and that 2.5 acres just to the west of that building, they just closed on that last Tuesday. Mr. Williams stated they also purchased the three lots behind their building which they could build more houses on if they needed to, so they were trying to do that and just from a home building perspective, the numbers did not make sense but when they looked at the comprehensive view of helping improve a blighted area and to do something that would be very close to the Carter Work Project, the Fields At Highland. Mr. Williams stated they were getting the impression that would be something that would be helpful to the City of Mishawaka, which was why they were willing to make an investment in a way that might be different than what they would normally do. Mr. Violi asked what an average price for a Habitat family versus the market value would be or what some type of ballpark value would be. Mr. Williams stated unfortunately, five years ago when they did the Carter Work Project, the houses appraised for $130,000 which seemed high at the time but that was a good entry-level price. Mr. Williams stated now, five years later, the exact same house was appraised for $260,000. Mr. Williams stated whether they liked to hear it or not, an entry-level home, 1400 square feet, three bedrooms, two bath, full basement, one-stall garage in St. Joe County in Indiana cost $250,000 and that was what they were up against. Mr. Williams stated they had a creative way of how they helped low- and modern-income families afford that and one of the ways they did that was with extremely low interest and 0% interest second mortgage, but that was beyond what they could get into right then and there. Mr. Williams stated they were trying to help families afford what an entry-level house cost and he was proud to say that their families now were getting into a brand-new energy efficient home for $1,000 a month and you could not rent a three-bedroom in St. Joe County for $1,000 a month.

Mrs. Hazen asked if the $2 million they were requesting from the City of Mishawaka would cover the land acquisition and the infrastructure and if they were not going to ask the city for additional funds for those things. Mr. Williams stated other than what they would normally do with HUD funding, CDBG or homes, sometimes it was down payment assistance, sometimes it was construction reimbursement and those were programs they did every year, and they could help families get into those houses but they would not make any other requests for infrastructure or acquisition or anything like that.

Mr. Hixenbaugh thanked Mr. Williams for the information and his commitment to continue to partner with them. Mr. Hixenbaugh stated Mr. Prince referenced the memorandum of understanding that further detailed the expansion of the partnership and as he read it, just for the record and benefit of the public, the minimum of 40 new homes were intended to be completed and occupied by December 31, 2030 and asked if that was correct. Mr. Williams said yes. Mr. Hixenbaugh stated although their track record spoke of record success in Mishawaka and elsewhere but particularly in Mishawaka, since they were talking about public dollars, the memorandum also had some adjustments financially should, despite everyone's best efforts and best intentions, Habitat fell short of that target and as he read it, that would calculated at a rate of $50,000 per home. Mr. Williams stated that was correct. Mr. Hixenbaugh stated there was a long runway, but their track record spoke of success but it was important for the record to reflect in those unseen circumstances if the target was not able to be reached that there would be an adjustment with regard to the finances, so he appreciated Habitat's willingness to work with them on that end. Mr. Hixenbaugh lastly stated he appreciated his focus on the McKinley Avenue Corridor, because not only would it breathe life into that area with conjunction of the new fire station that was close to being completed but his focus on that area also reflected the fact that over the past couple of years, they had heard, the city had heard and apparently he heard from the residents in the southwestern portion of the city where another site was being planned and he appreciated his willingness to locate their developments in Mishawaka but in a different location and he was confident it would be a win-win for everybody involved. Mr. Hixenbaugh thanked Mr. Williams for that portion of what he had done for Mishawaka as well.

Mayor Dave Wood spoke in favor of **RESOLUTION R2024-10**. Mayor Wood stated they heard a little about the economic impact Habitat had on their community and it was impressive but he was going to tell them about the community impact it had and the families that had lived in these homes who helped build Mishawaka in going to their schools, they were productive citizens, they worked at their shops and manufacturing facilities and they contributed greatly to the fabric of Mishawaka. Mayor Wood stated they had people who lived in the Fields At Highland who worked at the city and they had people who lived at the Fields At Highland who had not lived in the City of Mishawaka but for that opportunity and they had one particular student who lived in the home that President Carter helped build and would not be there otherwise except for that opportunity. Mayor Wood stated he served on his Youth Council as President, and he was now on an affordable housing board for the Lieutenant Governor for the State of Indiana. Mayor Wood stated he remembered working on the first two homes that Habitat built in Mishawaka and the fact that Habitat for Humanity of St. Joe County was one of the biggest producers of Habitat homes anywhere in the country and that most of them were built in Mishawaka, he thought that said an awful lot about their community. Mayor Wood stated he wanted to do a little bragging of their executive director who was one of the most recent recipients of the Sagamore of the Wabash for his outstanding contributions not just in Mishawaka and St. Joe County but in the State of Indiana. Mayor Wood stated they were very proud of their long standing partnership with Habitat for Humanity, specifically to this project they thought that this corridor was ideal for redevelopment and they could not think of a better partner to help them redevelop the McKinley Corridor than Habitat for Humanity, so there would be homes on scattered sites that were now some vacant, some in need of redevelopment and Habitat had moved, as they heard, their offices to Mishawaka and would renovate a building that was in need of renovation right next to the fire station that they were investing millions in and it was a cool project. Mayor Wood stated he thought that these funds would make an enormous impact on families lives and a significant impact in Mishawaka redevelopment and you would see a difference in this corridor once Habitat did what they were going to do. Mayor Wood stated he was sure he would be out there swinging a hammer and he was sure many of the Council would on some of the homes that they would build out there and he wanted to reiterate that this would essentially move the focus of the Southwest Little League site to the corridor and while they thought it would be an ideal location for affordable housing where the former little league used to be, this would shift their focus in another direction. Mayor Wood encouraged them to support this for the great families that would live there and become Mishawaka residents and contribute to their community. Mayor Wood stated they would be there along the way to make sure this was done right and properly, and he could not think of a better use of COVID funds. Mayor Wood thanked the Council for their great partnership with the use of COVID funds since they were awarded to Mishawaka, and they thought this fell in line with what the original intent was for them and he appreciated the partnership.

Question was called for at 6:32PM for **RESOLUTION R2024-10 Motion passed by unanimous roll call vote (summary: Yes = 8).**
Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The resolution passed 8-0.

RESOLUTION R2024-11

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA ADDING PARCELS TO THE CITY'S PROPERTY ACQUISITION LIST ASSOCIATED WITH THE PREVIOUSLY APPROVED COMMON COUNCIL RESOLUTION 2014-07 WHICH APPROVED AN ORDER OF THE CITY OF MISHAWAKA PLAN COMMISSION APPROVING A CERTAIN DECLARATORY RESOLUTION, AN AMENDMENT TO THE BOUNDARIES OF THE NORTHWEST AREA IMPROVEMENT PROJECT, CONSOLIDATION OF THE SOUTHSIDE ECONOMIC DEVELOPMENT AREA AND THE NORTHWEST IMPROVEMENT PROJECT INTO ONE CONSOLIDATED AREA IMPROVEMENT PROJECT, AND AN AMENDMENT TO THE ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED AREA IMPROVEMENT PROJECT ADOPTED BY THE CITY OF MISHAWAKA REDEVELOPMENT COMMISSION.

Ken Prince, Director of Planning and Community Development, spoke in favor of **RESOLUTION R2024-11**. Mr. Prince stated as he indicated in his communication with the Council, when they amended the tax increment financing consolidated district in 2014, they made a conscious decision at that time not to add parcels to the acquisition list. Mr. Prince stated if they remembered when they amended the map at that time, they included many roadways that they identified as needing future improvement in the tax increment financing district and they did not want to arbitrarily put essentially what could potentially be 1,000 houses or properties into the acquisition list at that time and it would be much better to bring them to the Council on an individual basis, so, by law, they were required to place any property that they were looking to acquire on that acquisition list for tax increment financing before they purchased the property. Mr. Prince stated in this case, the owner of the 331 Inn approached them, and he was looking to get out of the business, and he asked the city if they had any interest in purchasing the property. Mr. Prince stated given that if you walked out of the front door of the property, you could fall into the street without any problem as it was about five feet from the curb line, they wanted that acquisition and they had reached an agreement on price that would be presented to the Redevelopment Commission and that price was $330,000 for that property which was the average of two appraisals they received. Mr. Prince stated the issue they had that he mentioned in the email was the disparity between two appraisals. Mr. Prince stated they had the appraisers sit down and they found a comp that warranted the purchase of the property being $330,000. Mr. Prince stated as part of their acquisition, they did not seek to get good deals or bad deals and they paid the appraised value. Mr. Prince stated the next property was at 1612 South Union Street and it was a green home located on the east side of the street and had a for sale sign in front of it. Mr. Prince stated when you looked at this property and the line of houses through there, it stuck out 10 to 15 feet in front of the other houses and knowing the proximity of the house relative to the potential widening, they felt it was prudent while the house was empty to make an offer on the property and that offer was $139,900 which was also the purchase price and the property appraised for just above that. Mr. Prince stated they were getting reasonable value for the property and again, the need for it was the future widening of Union Street. Mr. Prince stated he was happy to answer any questions.

Mrs. Voelker stated she pulled the house up and she understood with the house and the proximity to the street why they would have this on the list, but it was not a bad little house and asked if they would be moving it some place. Mr. Prince stated they had no intention of moving it at that point and he thought when he looked at it, he thought it was one hundred years old. Mrs. Voelker stated her home was older than that and it seemed like it was a nice little house. Mr. Prince stated their sole purpose was because of the future widening of the road and if there was an interested party in relocating the house, they would be happy to work with them, but they wanted to protect the taxpayer's interest. Mr. Prince stated he hated to say that there were literally thousands of nice houses in the city that matched this description, so from their standpoint it was a cost-benefit issue and if it did not cost the city additional funds, they would be happy to work with anyone regarding potential relocation of the home, but right now they had not pursued that. Mrs. Voelker asked if they would be open to allowing that piece of property or house itself to be located if someone approached them about it. Mr. Prince stated yes and again, they were not looking to contribute to the overall cost of the acquisition.

Mrs. Hazen asked if they were paying for business as well for the 331 Inn or if it was strictly the building and the property. Mr. Prince stated it was strictly the building and the property, so they could theoretically open the 331 Inn somewhere else but for the record, he believed the current owner was looking to retire and did not believe his plan was to open another business.

Question was called for at 6:40PM for **RESOLUTION R2024-11 Motion passed by unanimous roll call vote (summary: Yes = 8).**
Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The resolution passed 8-0.

RESOLUTION R2024-12

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA APPROVING AN AGREEMENT EXTENDING THE ST. JOSEPH COUNTY HOUSING CONSORTIUM AND AUTHORIZING EXECUTION THEREOF

Ken Prince, Director of Planning and Community Development, spoke in favor of **RESOLUTION R2024-12**. Mr. Prince stated this was the renewal of their participation in the

St. Joseph County Housing Consortium and ever since it was created in the 1990s, they had been required to be part of it as part of their receipt of home funds to the region. Mr. Prince stated as Mr. Williams indicated, they had used home funds for the down payment assistance for Habitat for Humanity and it also had been used to renovate Mary Phillips, so they had good projects that had utilized home funds and this was the same renewal they did every three years with one exception being HUD had requested that they remove the three-year automatic presentation to the Council to renew so if this was approved, their participation would be continual until they requested removal but it would be something that they would have to initiate.

Question was called for at 6:42PM for **RESOLUTION R2024-12 Motion passed by unanimous roll call vote (summary: Yes = 8).**
Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The resolution passed 8-0.

RESOLUTION R2024-13

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA APPROVING A REQUEST FOR THE INDIANA STATE BOARD OF ACCOUNTS TO EXAMINE THE FINANCIAL STATEMENTS PREPARED IN ACCORDANCE WITH GAAP, GENERALLY ACCEPTED ACCOUNTING PRINCIPLES

Rebecca Maguire, City Controller, spoke in favor of **RESOLUTION R2024-13**. Mrs. Maguire stated in 2021, the State Board of Accounts stated that any city with a population over 75,000 must have their financial statements audited by the State Board of Accounts and those cities under 75,000 would need their legislative bodies request that from the State Board of Accounts and as they wished to have their financial statements audited, it was good for their bond holders, their ratings and this was what they did every year for four decades and this satisfied the request.

Question was called for at 6:44PM for **RESOLUTION R2024-13 Motion passed by unanimous roll call vote (summary: Yes = 8).**
Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The resolution passed 8-0.

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

PROPOSED ORDINANCE NO. 2024-08

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 C-10 Filling Station Commercial for proposed Casey's Convenience Store & Gas Station – SE corner of Douglas & Fir Rd.
(Petitioner Requesting Postponement to July 1 Regularly Scheduled Meeting)

Mr. Mammolenti made a motion to honor the request of the petitioner and postpone **PROPOSED ORDINANCE NO. 2024-08** to their July 1st meeting. Mr. Banicki seconded, and a voice vote was held. The motion passed unanimously, and the matter was postponed.

PROPOSED ORDINANCE NO. 2024-14

AN ORDINANCE TRANSFERRING FUNDS FROM THE MOTOR VEHICLE HIGHWAY RESTRICTED FUND OF THE CITY OF MISHAWAKA TO THE LOCAL ROAD & BRIDGE MATCHING GRANT FUND OF THE CITY OF MISHAWAKA FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2024 AND AN ORDINANCE APPROPRIATING ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31, 2024

Transfer and Additional Appropriation for the Local Bridge & Road Matching Grant Fund

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

Rebecca Maguire, City Controller, spoke in favor of **PROPOSED ORDINANCE NO. 2024-14**. Mrs. Maguire stated as required by State Board of Accounts, when they were awarded their Community Crossing Grant of $979,500, they must match that with funds from their Motor Vehicle Highway Restricted Fund and this ordinance transferred those funds into the Local Road and Bridge Matching Grant Fund and they were also appropriating both of those amounts, $1,950,000 and that would be used for their street repair when appropriated.

Question was called for at 6:49PM for **PROPOSED ORDINANCE NO. 2024-14 Motion passed by unanimous roll call vote (summary: Yes = 8).**
Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5890**.

PROPOSED ORDINANCE NO. 2024-15

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA AUTHORIZING THE INVESTMENT OF PUBLIC FUNDS PURSUANT TO INDIANA CODE 5-13-9-5

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

Rebecca Maguire, City Controller, spoke in favor of **PROPOSED ORDINANCE NO. 2024-15**. Mrs. Maguire stated another annual requirement was to allow investment in any bank in the state and they were allowed to do this if it had been approved by the state. Mrs. Maguire stated approximately 30 years ago, cities had to invest in every banking institution in the county or in the city and had to have funds in every one and so it had evolved to this point where they were allowed to invest in any state approved banking institution.

Question was called for at 6:51PM for **PROPOSED ORDINANCE NO. 2024-15 Motion passed by unanimous roll call vote (summary: Yes = 7, Abstain = 1).**
Yes: Mrs. Hazen, Mrs. Voelker, Mr. Banicki, Mr. Emmons, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh.
Abstain: Mr. Carroll. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5891**.

PROPOSED ORDINANCE NO. 2024-16

AN ORDINANCE DECLARING AN EMERGENCY AND DETERMINING THE EXPENDITURE OF ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31 2024

Additional Appropriation for ARPA Coronavirus Local Fiscal Recovery Grant

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

Rebeca Maguire, City Controller, spoke in favor of **PROPOSED ORDINANCE NO. 2024-16**. Mrs. Maguire stated this was the additional appropriation that tied into their previously approved resolution for the amendment of the ARPA Plan, $2 million.

Question was called for at 6:53PM for **PROPOSED ORDINANCE NO. 2024-16 Motion passed by unanimous roll call vote (summary: Yes = 8).**
Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5892**.

NEW BUSINESS

Mr. Emmons announced the First District Neighborhood meeting would be Thursday, June 20th and they would be having a tour of the Mishawaka Wastewater Treatment Plant, and it would be at 7PM. Mr. Emmons stated it would be an informational tour given by Mr. Brill and it would likely be his last, as he would be retiring on Friday. Mr. Emmons stated there would be refreshments from West End Bakery and he looked forward to seeing everyone there.

Mrs. Hazen stated she did not know if any of them had been on the corner of Capital and Lincolnway, but they were making quite a bit of progress with the Mishawaka Inn and asked citizens and Council to drive by and see the progress made. Mrs. Hazen said it was really fascinating and she was excited about it.

ADJOURNMENT 6:56PM

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

These minutes are a summary of actions taken at the Mishawaka Common Council meeting. The full video archive of the meeting is available for viewing at www.youtube.com/@cityofmishawaka635 for as long as this media is supported.